

TO: MAYOR & COUNCIL
FROM: GENERAL MANAGER PLANNING AND DEVELOPMENT
SUBJECT: **LLA 22-05**
3106 – 1920 WILLINGDON AVENUE
RESPONSE TO PUBLIC CONSULTATION PROCESS
CINEPLEX VIP CINEMAS BRENTWOOD LIQUOR LICENCE
AMENDMENT

PURPOSE: To summarize the public consultation process, and to provide Council with recommendations regarding the subject liquor primary liquor licence.

REFERENCES

Address: 3106 – 1920 Willingdon Avenue
Legal: Lot 1 District Lot 123 Plan EPP40171
Applicant: Edna Lizotte; Rising Tide Consultants
Current: CD (C3 General Commercial District, C3a, P2 Administration and Assembly District, RM4s Multiple Family Residential District, RM5s Multiple Family Residential District, C3f General Commercial District as guidelines)
Proposed: No change

RECOMMENDATION

THAT Council support the requested amendments to the subject liquor primary liquor licence, as described in this report, subject to the following:

- the establishment will not sell or serve liquor, except between the hours of 11:00 a.m. to 2:00 a.m., daily;
- the person capacity (staff and patrons) of the establishment will not exceed 466 persons;
- the outdoor terrace area adjacent to the lounge/dining area closes at midnight, daily; and,
- the registration of a Section 219 Covenant, within 45 days of Council approval of this application, to ensure compliance with the above conditions;

THAT a copy of this report be forwarded to the applicant, Edna Lizotte, Rising Tide Consultants, 1620-1130 West Pender Street, Vancouver, BC V6E 4A4; and,

THAT following registration of the above noted Section 219 Covenant, a copy of this report be forwarded to the General Manager, Liquor and Cannabis Regulation Branch, P.O. Box 9292, Stn. Provincial Government, Victoria, BC, V8W 9J8.

CHIEF ADMINISTRATIVE OFFICER'S COMMENTS

I concur with the recommendation of the General Manager Planning and Development

1.0 POLICY SECTION

The subject application aligns with the following City policies:

- Regional Context Statement (2013),
- Official Community Plan (1998),
- Corporate Strategic Plan (2022),
- Economic Development Strategy (2007),
- Brentwood Town Centre Plan (1996),
- Brentwood Site Master Plan (2013), and
- the May 05, 2003 Report to Council, *Processing Procedure and Criteria for Liquor Licence Applications*.

2.0 BACKGROUND

On March 13, 2023, Council received a report on the subject liquor licence application for Cineplex VIP Cinemas Brentwood at 3106-1920 Willingdon Avenue (Sketches #1 and #2 attached). Cineplex VIP Cinemas Brentwood has applied to the LCRB to amend its liquor primary licence to permanently extend the hours of liquor service on Saturdays and Sundays from 3:00 p.m. – 2:00 a.m. to 11:00 a.m. – 2:00 a.m. The report concluded that the requested liquor licence application was supportable, subject to gathering public input and providing a subsequent report on the application.

3.0 GENERAL INFORMATION

In the March 13, 2023 Council report, the proposed amendments were evaluated with respect to Council-adopted guidelines for Liquor Primary applications, and generally met those guidelines.

The LCRB also requires that local government provide commentary on the following criteria:

(a) *The impact of noise on nearby residents*

Given the location of the liquor primary establishment within the entertainment precinct of The Amazing Brentwood development, staff do not anticipate potential noise impacts beyond what would reasonably be expected in this location. Information on the site's function as a public event and entertainment venue has been included in the disclosure statements for the property, and an acoustical study for the neighbouring residential towers was reviewed in association with a preceding rezoning application to confirm compliance with Council adopted sound guidelines. The outdoor terrace must be closed by midnight, seven days per week.

(b) *The impact on the community if the application is approved*

The liquor primary establishment is a movie theatre complex, which accommodates, as an added amenity for adults who have purchased a movie ticket, the serving of alcohol during licensed hours. It is not anticipated that approving the application, which would permit Cineplex to begin serving liquor earlier on weekends, would result in negative impacts to the community. The establishment is located within The Amazing Brentwood development, close to the Civic Plaza, which is envisioned as an entertainment destination for north Burnaby.

The subject site is also easily accessible by public transit. Bus service is readily available along Willingdon Avenue and Lougheed Highway and the Brentwood SkyTrain Station is directly connected to the Civic Plaza. As such, the subject establishment is generally well suited to the surrounding context.

(c) *Whether the amendment may result in the service area being operated in a manner that is contrary to its primary purpose*

It is not anticipated that the proposed liquor service hours of 11:00am – 2:00am on weekends would result in the subject cinema being operated in a manner that is contrary to its primary purpose. The subject establishment has been operating successfully since 2021, and has been permitted to serve alcohol from 11:00am – 2:00am during weekdays since opening. The establishment is located in a vibrant, mixed-use area with many other licenced establishments nearby. It is noted, however, that the cinema’s intended purpose is to show movies, and not solely to be a liquor primary establishment. It was also the intent of the City to plan for a cinema in this location to provide Burnaby residents with a wide array of entertainment options. While Burnaby currently has another all-ages cinema in Metrotown, it is acknowledged that attendance of all cinemas has been impacted by COVID-19 and the popularity of in-home streaming services. As such, providing more specialized entertainment options like VIP cinemas for adults assists in maintaining cinemas in our community. For these reasons, staff are supportive of the proposed change of liquor hours.

4.0 COMMUNICATION AND COMMUNITY ENGAGEMENT

In line with Provincial requirements for local governments to gather the views of nearby residents as part of their assessment of liquor licence applications, written notice was sent out to property owners and residents within a 30 m distance of the subject property; advertisements were placed in two consecutive issues of the Burnaby Now (April 6 and April 13, 2023); and signage was posted on the subject site that invited respondents to submit written comments to the Planning and Development Department.

The Planning and Development Department did not receive any comments from property owners and/or residents in response to the public notification. However, the applicant undertook to independently canvass members of the public and business owners at The Amazing Brentwood, which yielded 27 signatories (12 resident and 15 business owners) in support of the subject application.

There have been no objections from City departments or Burnaby RCMP to the liquor licence application.

5.0 FINANCIAL CONSIDERATIONS

There are no financial considerations related to this proposal.

Respectfully submitted,

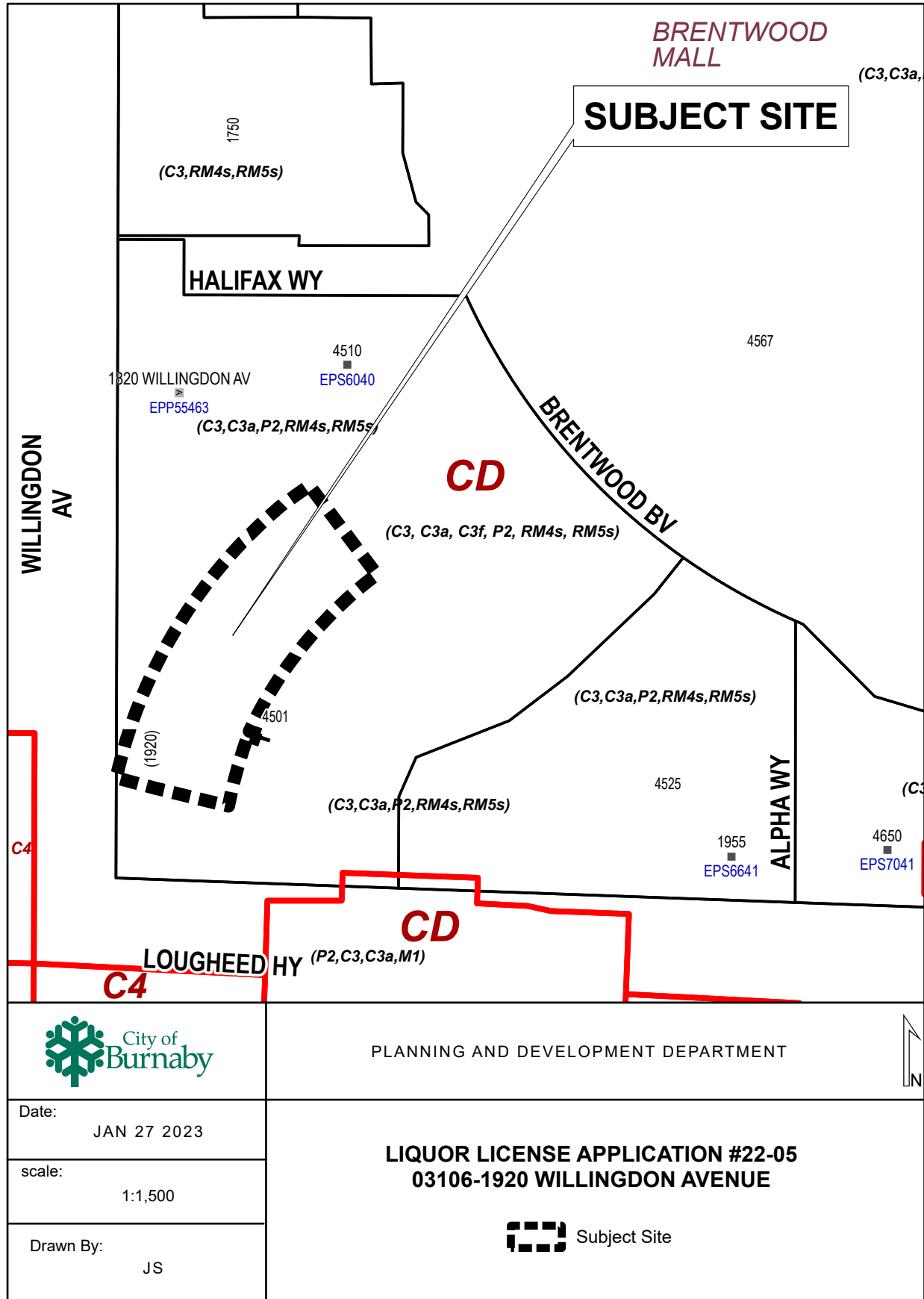
Lee-Ann Garnett, for E. W. Kozak, General Manager Planning and Development

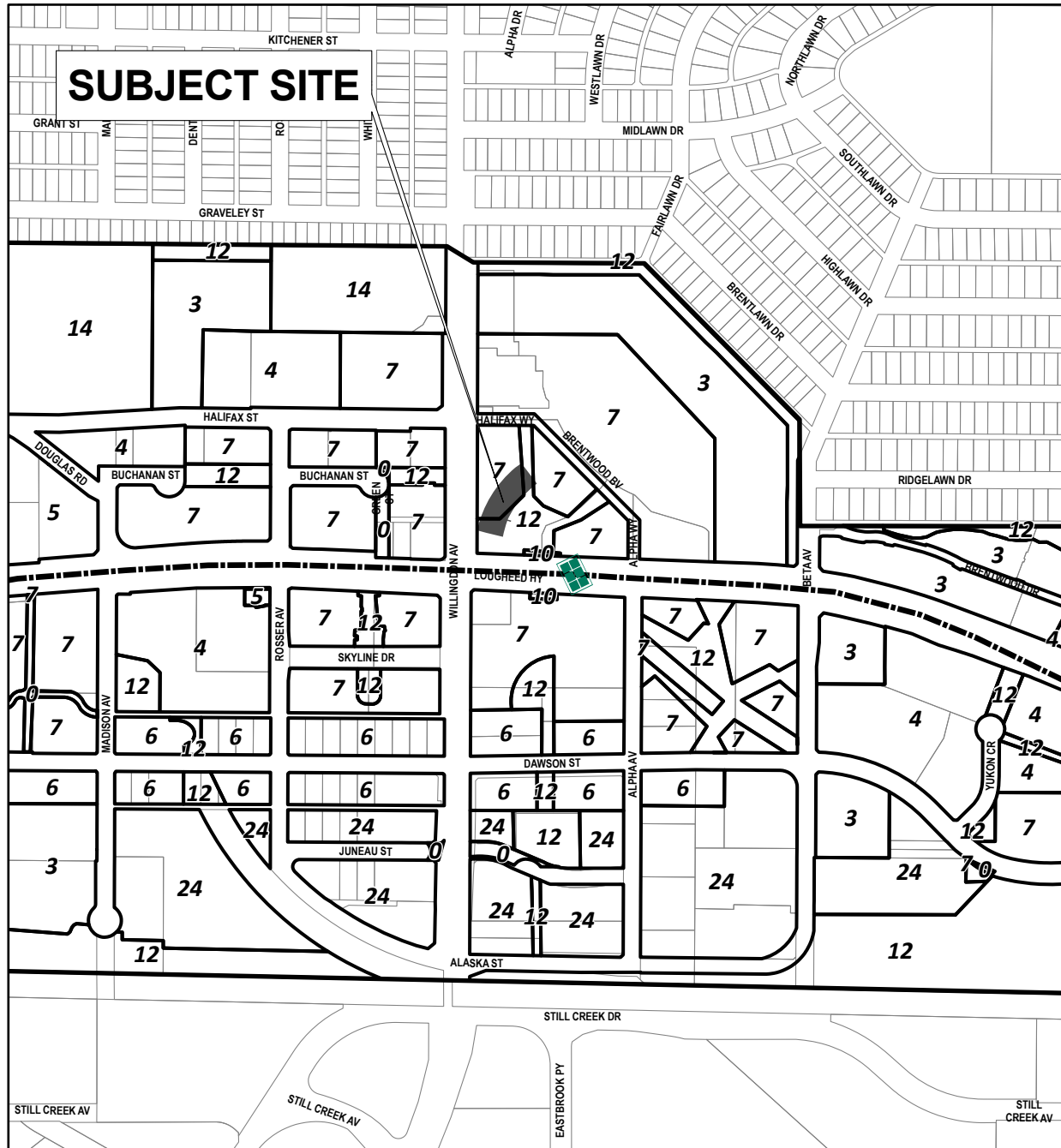
ATTACHMENTS

- Attachment 1 – Map 1
- Attachment 2 – Map 2

REPORT CONTRIBUTORS

This report was prepared by Cody Bator, Planner, and reviewed by Mark Norton, Senior Planner, Johannes Schumann, Director Development and Urban Design and Lee-Ann Garnett, Deputy General Manager Planning and Development.





- 3** Medium Density Multiple Family Residential
- 4** High Density Multiple Family Residential
- 5** Commercial
- 6** Medium Density Mixed Use
- 7** High Density Mixed Use
- 8** Medium or High Density Multi Family Residential
- 10** Institutional
- 11** Business Centre
- 12** Park and Public Use/Public School
- 14** Cemetery
- 24** High Density Multiple Family Residential - Brentwood Succession (RM4s)



PLANNING AND DEVELOPMENT DEPARTMENT

Brentwood Town Centre Plan

