
TO: CHIEF ADMINISTRATIVE OFFICER **DATE:** 2023 January 18

FROM: GENERAL MANAGER **FILE:** 46000 06
PLANNING AND DEVELOPMENT *Reference:* LLA#22-04

SUBJECT: LIQUOR LICENCE APPLICATION #22-04
RESPONSE TO PUBLIC CONSULTATION PROCESS
STUDIO BREWERY LIQUOR LICENCE APPLICATION
5792 BERESFORD STREET

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

RECOMMENDATIONS:

1. **THAT** Council support the requested amendments to the subject manufacturer liquor licence, as described in this report, subject to the following:
 - liquor service hours from 11:00 a.m. to 11:00 p.m., daily, for the outdoor patio and from 11:00 a.m. to 2:00 a.m., daily, for the indoor lounge area;
 - the maximum person capacity (staff and patrons) of the establishment shall be 84 persons, including a maximum of 30 patrons on the outdoor patio;
 - the sound system and the speakers for the establishment to be lowered at 10:00 p.m. to the extent necessary to comply with *Burnaby Noise or Sound Abatement Bylaw 1979*; and,
 - the registration of a Section 219 Covenant, within 45 days of Council approval of this application, to ensure compliance with the above conditions.
2. **THAT** a copy of this report be forwarded to the applicant, Kathryn McKinney, Studio Brewing Corp., 5792 Beresford St., Burnaby, BC, V5J 1J1;
3. **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.

REPORT**1.0 POLICY FRAMEWORK**

The subject application aligns with the Official Community Plan (1998) and the Economic Development Strategy (2007).

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2.0 BACKGROUND INFORMATION

On 2022 November 21, Council received a report on the subject liquor licence application for Studio Brewing at 5792 Beresford Street (Sketches #1 and #2 *attached*). Studio Brewing has applied to the LCRB to amend its manufacturer licence to increase the total person capacity of the establishment from 54 persons (6 staff and 48 patrons) to 84 persons (6 staff and 78 patrons), to expand the liquor service area for the long-term use of an outdoor patio, and to extend the patio operating hours from 11:00 a.m. – 10:00 p.m. to 11:00 a.m. – 11:00 p.m.. The proposed permanent patio would have an approximate area of 63.5 m² (683 sq. ft.), with seats for 30 patrons. 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 DISCUSSION

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* (December 08 and December 15, 2022); 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.

In addition to gathering public input, the LCRB, as part of its assessment process for proposed structural changes to an approved brewery lounge, requests that local government provide comments on the following:

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

Given the brewery's location within a transitional industrial area, as well as its orientation towards the SkyTrain guideway and away from the residential neighbourhood to the south, staff do not anticipate the brewery lounge and patio to have adverse noise impacts during the licenced hours. It should also be noted that the entire serviced area would be subject to the requirements of *Burnaby Noise or Sound Abatement Bylaw 1979*, and any sound system on the patio would have to be lowered at 10:00 p.m. to comply with this Bylaw.

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

The proposal is expected to result in minimal community impacts, given the indoor lounge and outdoor patio's accessory nature and location on the industrial property, and its distance from residential development. The brewery lounge has been operating successfully in the neighbourhood since 2020 and its temporary patio also opened in 2020. It is also noted that sufficient parking is provided, and that the subject site is located within 660 m of the Royal Oak SkyTrain station. For these reasons, the proposed liquor licence amendments are not expected to have a significant impact on the community.

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In the 2022 November 21 Council report, the proposed amendments were also evaluated with respect to Council-adopted guidelines for Liquor Primary applications, and generally met those guidelines. Further, there have been no objections from City departments to the liquor licence application.

For the reasons above, staff recommend supporting the application to increase the maximum person capacity of the establishment to 84 persons (6 staff members and 78 patrons). Staff recommend supporting the requested hours of liquor service from 11:00 a.m. to 11:00 p.m., daily, for the outdoor patio area and existing hours of 11:00 a.m. to 2:00 a.m., daily, for the indoor lounge area. It is recommended that a Section 219 Covenant be registered on the property, within 45 days of Council approval of this application, with the above conditions.

4.0 CONCLUSION

Based on the information presented in this report, and as outlined in the 2022 November 21 report to Council, staff recommend that Council support the proposed liquor licence amendments to permanently expand its liquor service area to allow for the long-term use of the outdoor patio, to increase the total person capacity of the brewery lounge and patio from 54 persons to 84 persons, and to extend the operating hours on the patio from 11:00 a.m. – 10:00 p.m. to 11:00 a.m. – 11:00 p.m..

Staff recommend that a copy of this report be forwarded to Kathryn McKinney, Studio Brewing Corp., 5792 Beresford St., Burnaby, BC, V5J 1J1. Staff also recommend 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.

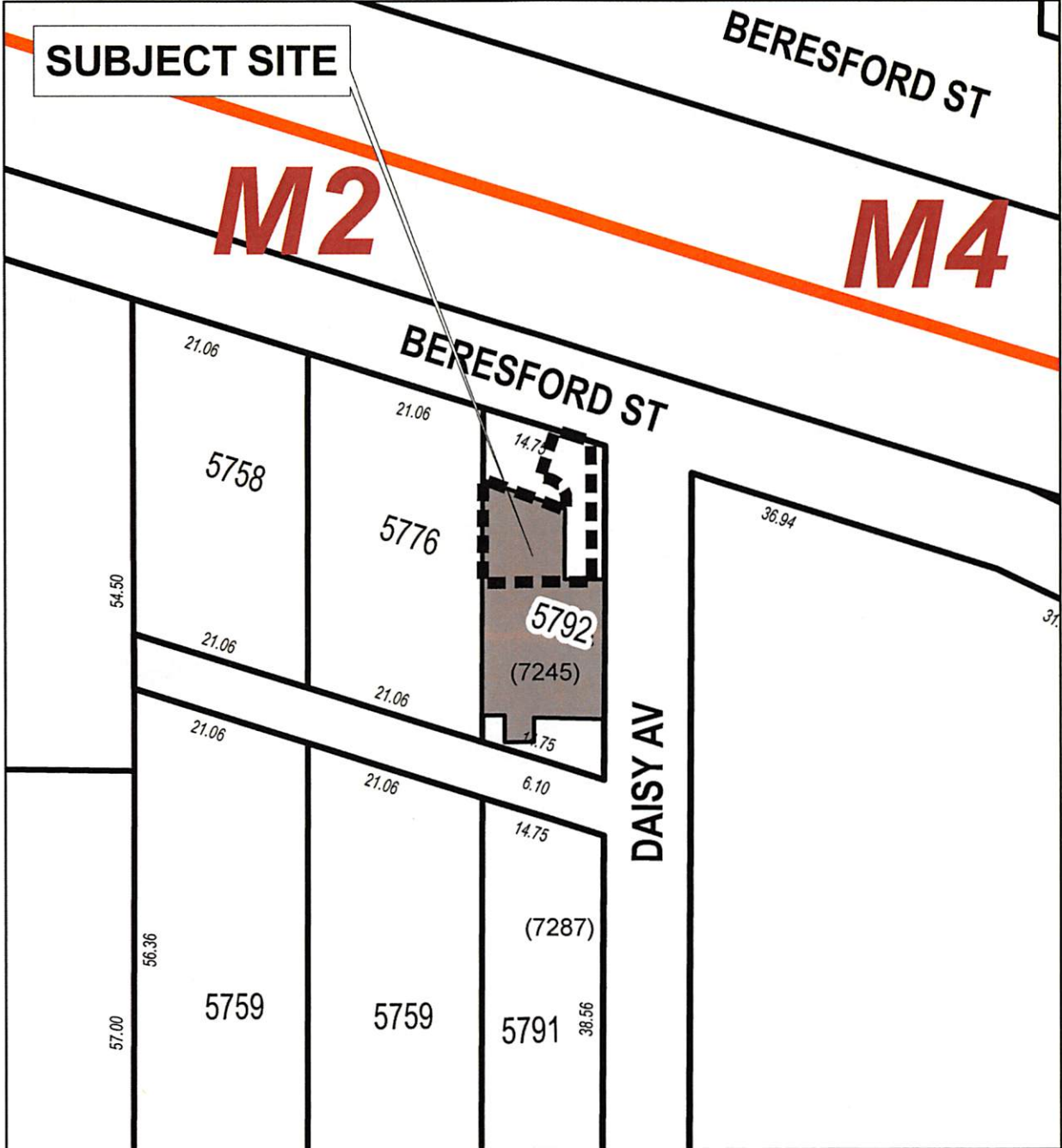


for: E.W. Kozak, General Manager
PLANNING AND DEVELOPMENT

CB:spf

Attachments

cc: Deputy Chief Administrative Officer and CFO
General Manager Parks, Recreation and Cultural Services
General Manager Engineering
OIC RCMP
Chief Licence Inspector
City Solicitor
Director Legislative Services



PLANNING AND DEVELOPMENT DEPARTMENT



Date: OCT 31 2022

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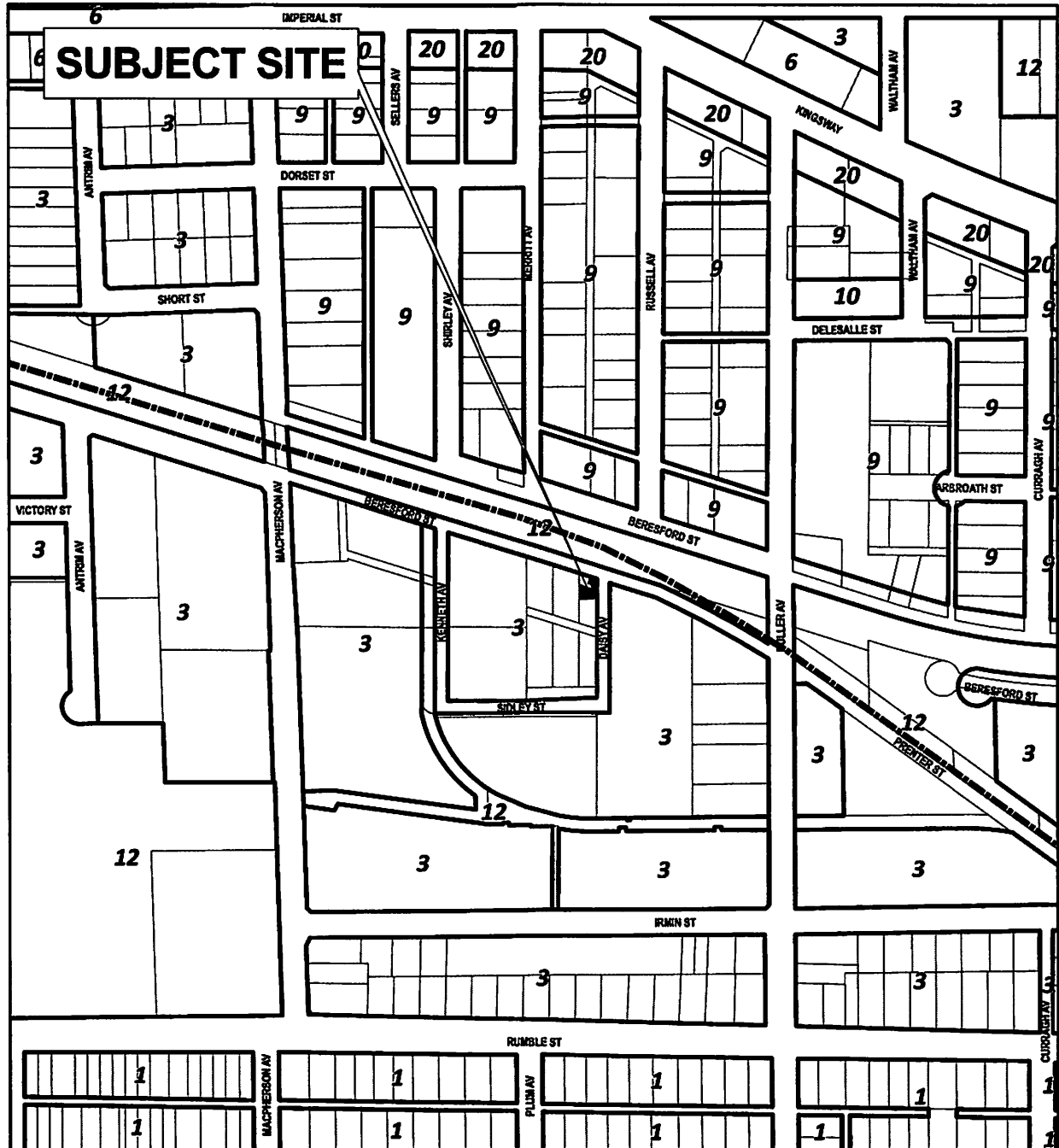
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Subject Site



Subject Building



Royal Oak Community Plan



PLANNING AND DEVELOPMENT DEPARTMENT

- 1** Single and Two Family Residential
- 3** Medium Density Multiple Family Residential
- 5** Commercial
- 6** Medium Density Mixed Use
- 9** Industrial
- 10** Institutional
- 12** Park and Public Use
- 20** Industrial and Commercial Mixed Use

