

ITEM 7
MANAGER'S REPORT NO. 42
COUNCIL MEETING 1983 06 13

RE: LETTER FROM NORTH BURNABY INN (ADMIRAL HOTEL) WHICH APPEARED ON THE
AGENDA FOR THE 1983 MAY 09 MEETING OF COUNCIL (ITEM 4a)
EXTENDING HOURS OF OPERATION OF CLASS "A" PUB

MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendation of the Director Planning & Building Inspection be adopted.

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TO: MUNICIPAL MANAGER 1983 JUNE 06
FROM: DIRECTOR PLANNING & BUILDING INSPECTION OUR FILE: LLA #2/79
SUBJECT: NORTH BURNABY INN HOTEL (ADMIRAL HOTEL)
4125 EAST HASTINGS STREET
CLASS "A" PUB LICENCE
EXTENDING HOURS OF OPERATION

RECOMMENDATION:

1. THAT Council not give favourable consideration to the requested operating hours extension of the Class "A" Pub.

REPORT

1.0 INTRODUCTION:

Appearing on the 1983 May 09 Council Agenda was a letter from Mr. James Egerton, owner/operator of the North Burnaby Inn Hotel requesting Council Approval to allow the existing Class "A" Licensed Pub to extend its operating hours to coincide with the closing time for the Class "A" Licensed Lounge and the Class "C" Cabaret also located within the Hotel complex (refer to attached sketch).

2.0 BACKGROUND INFORMATION:

- 2.1 Pursuant to the Liquor Control and Licensing Act, a Class "A" Pub Licence which permits the sale of hard liquor as well as beer and cider, permits sales for a maximum of 14 hours between 09:00h and 23:00 h except where the Municipal or Regional authorities have extended the hours of sale to comply with those of an "A" licence for establishments other than pubs, which in this case would be 02:00 h.
- 2.2 On 1979 May 14, Council received a report from the Planning & Building Inspection Department regarding a request from the owners of the subject Hotel, formerly known as the Admiral Hotel, to extend the operating hours of their Class "A" Neighbourhood Pub from 23:00 h to 01:00 h. On that occasion, Council postponed a decision pending receipt of additional information on several items of concern that were expressed during discussion.

2.3 Upon consideration of the subsequent reports conveying requested information, the following was adopted on 1979 May 28:

"THAT the Admiral Hotel's request for extension of hours with respect to the operation of a pub on its premises be approved subject to the following conditions:

- a) Completion of landscaping to include the placement of screening and trees adjacent to the rear parking area off Albert Street; and
- b) Installation of a temporary barricade, and a letter of credit to ensure that monies are available for the permanent closure of the driveway from the lot to Albert Street following a three-month trial period if it is determined that a permanent closure should be implemented at this location as more specifically noted in this report; and
- c) Completion of the landscaping on the balance of the property irrespective of any decision that is made on the driveway; and
- d) The preparation of an independent professional noise study of the hotel facility."

2.4 The above referenced conditions were subsequently satisfied and on 1980 March 18, Council adopted the following recommendation:

"THAT Council resolve to approve the extension of operating hours as requested and that Council's resolution be forwarded to the General Manager of the Liquor Control and Licensing Branch."

3.0 GENERAL INFORMATION:

3.1 The North Burnaby Inn Hotel presently operates the following licensed facilities within the complex:

- a) Class "A" Pub (subject facility) - 315 seats, operating hours - 11:00 h to 01:00 h (the following day) Monday through Saturday.
- b) Class "A" Lounge - 99 seats, operating hours - 12:00 h to 02:00 h (the following day) Monday through Saturday.
- c) Class "B" Coffee Shop - 77 seats, operating hours - 11:00 h to 19:00 h Monday through Saturday and on Sunday between 11:00 h and 21:00 h.
- d) Class "C" Cabaret - 203 seats, operating hours - 19:00 h to 02:00 h (the following day) Monday through Saturday.

3.2 The subject hotel complex was recently upgraded to include major remodelling of the Class "A" public facility, a new exterior facade and a name change to the North Burnaby Inn Hotel.

3.3 Pursuant to the legislation in the Liquor Control and Licensing Act, the applicant has specifically requested for an extension of operating hours of the pub to coincide with Class "A" Lounge and the Class "C" Cabaret on Thursday through Saturday from 12:00 h to 02:00 h the following day.

4.0 GENERAL DISCUSSION:

- 4.1 Relative to the subject request, this Department has solicited the comments of all relevant Municipal Departments including the Burnaby Detachment of the R.C.M.P.
 - 4.2 The Director Engineering, the Director Recreation & Cultural Services, the Chief Building Inspector and the Director Fire Services have expressed no objections to the subject extension proposal. The Chief Licence Inspector has no objections to the extension of hours proposed but, has indicated that the Department has experienced problems with obtaining required business licenses for the operation of vending machines within the premises pursuant to the Burnaby Automatic Vending Machine Bylaw.
 - 4.3 The following comments have been received by the Chief Public Health Inspector:

"This department has been in receipt of complaints for several years concerning late night music and patron noise from the North Burnaby Inn (formerly Admiral Hotel). The most recent complaints have come on 1983 January 21 and 1983 February 17 from an individual living on Albert Street concerning noise from the cabaret operation.

This Division has conducted noise monitoring of cabaret music and patron activity, however, on those occasions, we were not able to obtain noise measurements in excess of Burnaby Noise or Sound Abatement Bylaw standards. Noise emission from the late night operation of the cabaret has been disturbing and is likely to continue to disturb the nearby residences.

Due to the expected increase of patron activity and resulting noise at 02:00 h if the pub was allowed to stay open until this time, this department objects to the proposed extension of operating hours."
 - 4.4 The following comments have been received from the Officer-In-Charge, Burnaby Detachment of the R.C.M.P.:
- "1. The Watch members were canvassed to determine the problems, if any, we are having at the North Burnaby Inn. They advised that no problems have been experienced and that the management has been very cooperative with police and encourages members to patrol the Hotel.
 2. We have received limited calls but no more than we get from the other hotels in Burnaby.
 3. One concern is that patrons from the Loughheed Hotel would go to the North Burnaby Inn for the extra hours of drinking after already consuming liquor at the Loughheed Hotel most of the night. Therefore, you may wish to consider the licence being granted for a preliminary three (3) month period and after that time assess what impact the extra hours has made in the area."
- 4.5 The Planning & Building Inspection Department advises that the operation of the hotel and its licensed facilities have had a history of problems in the immediate community due to its proximity to the residences located on Albert Street to the north. The majority of the adjacent resident complaints have been initiated as a result of noise created by the activities of the complex itself and its patrons. Results of a resident questionnaire conducted in the Burnaby Heights area during 1980 identified the Admiral Hotel as a source of problems in the community.

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5.0 CONCLUSION:

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In view of the foregoing information, this Department is of the opinion that the subject extension of hours request should not be approved by Council. The proposed longer hours of operation will likely draw patrons from other areas of the Municipality and beyond since other drinking establishments of this type within Burnaby close at an earlier hour. The potential of additional patronage combined with longer operating hours would we believe create further problems for the immediate community.

This Department has given consideration to the suggestion from the R.C.M.P. to grant approval to the application on a preliminary three month time period. However, in view of the negative implications of allowing any extension of hours as outlined in the foregoing it would be inappropriate to entertain such a proposal.

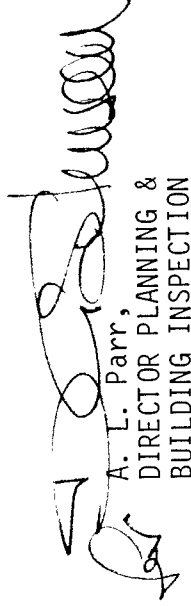
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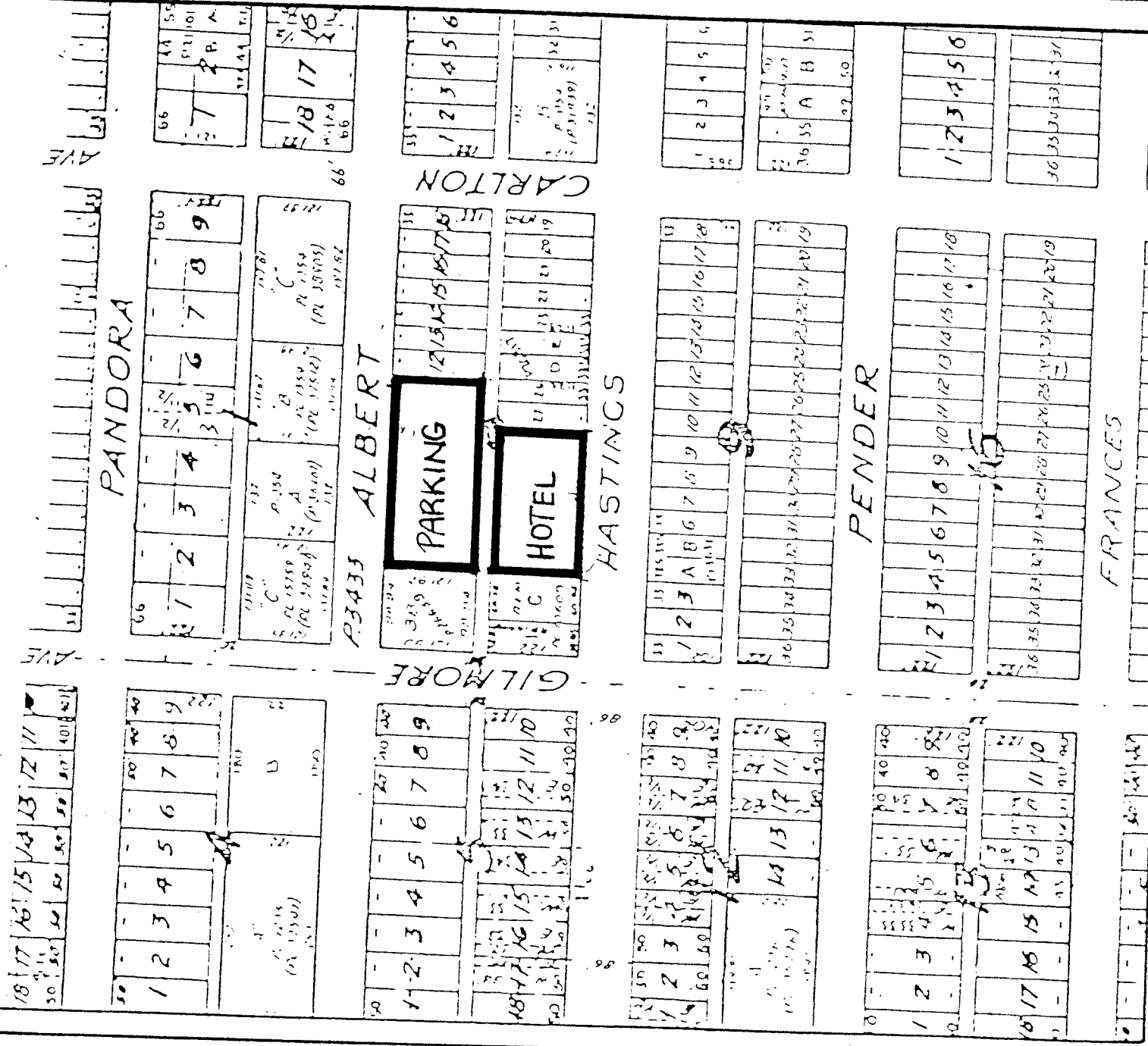
Attachment

cc: Officer in Charge,
Burnaby Detachment of the R.C.M.P.

Chief Public Health Inspector


A. L. Parr,
DIRECTOR PLANNING &
BUILDING INSPECTION

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Date

1983 JUNE

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1:2400

Drawn By



Burnaby Planning Department

NORTH BURNABY INN HOTEL



