

ITEM 12
MANAGER'S REPORT NO. 39
COUNCIL MEETING 86/06/16

RE: LETTER FROM GREATER VANCOUVER MOTORCYCLE CLUB, 4516 DAWSON STREET,
BURNABY, B.C., V5C 4C1
PRIVATE CLUB FACILITY LIQUOR LICENCE APPROVAL

MUNICIPAL MANAGER'S RECOMMENDATION:

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

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TO: MUNICIPAL MANAGER 1986 June 10

FROM: DIRECTOR PLANNING &
BUILDING INSPECTION

SUBJECT: GREATER VANCOUVER MOTORCYCLE CLUB - 4516 DAWSON STREET

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RECOMMENDATION:

1. THAT a copy of this report be sent to the Greater Vancouver Motorcycle Club, 4516 Dawson Street, Burnaby, B. C. V5C 4C1.

REPORT

1.0 INTRODUCTION

Appearing on the Council agenda is a letter from the Greater Vancouver Motorcycle Club who wish to obtain a liquor licence to sell alcoholic beverages within a private club facility at the above-referenced site.

2.0 GENERAL COMMENTS

- 2.1 The subject property is presently zoned M5, Light Industrial District and is occupied by a multi-tenant two level building located at the southeast corner of Dawson Street and Willingdon Avenue (refer to attached sketch). The Greater Vancouver Motorcycle Club presently operates their business offices from the subject site as a bona fide M5 use.
- 2.2 The proposed establishment of a liquor licenced facility for the motorcycle club would constitute the operation of a "club or lodge" within the context of the Burnaby Zoning Bylaw which is defined as follows:

"a building or establishment used by an association or organization for fraternal, social or recreational purposes which may include limited private sleeping unit accommodation without private cooking facilities, and which shall be operated for the use of club members and their guests only."

Clubs or lodges are not permitted under the prevailing M5 zoning of the subject site but are specifically permitted in the C2, C3, C4 and P2 Zoning Districts. At the present time, numerous liquor licenced club facilities such as the Army, Navy & Air Force Veterans Unit, Fraternal Order of Eagles, Burnaby Firefighters Association, etc., operate at sites that are appropriately zoned for such activities.

2.3 Pursuant to the liquor control and licencing act, the proposed club facility would require a Class "A" licence to dispense alcoholic beverages which are also issued to hotels, resorts, recreation centres, aircraft, trains, motor vessels, airports, etc. As outlined in Section 10(2) of the Act:

"A licence shall not be issued for an establishment unless

- (a) the applicant has given, in a form and manner approved by the general manager, reasonable notice of the application and the nature of the licence sought to residents of an area specified by the general manager; and
- (b) the general manager has considered the views of those residents which may be in the form of
 - (i) a resolution of a municipal council or regional district board;
 - (ii) public response to the notice under paragraph (a);
 - (iii) a petition signed by those residents; or
 - (iv) a referendum or door to door canvass of the opinion of those residents."

2.4 On page 2 of the letter of correspondence, the following options have been suggested as available means of allowing the establishment of a liquor licenced club facility on the subject property:

- a) Council pass a resolution under Section 10(2)(b) of the Liquor Act to permit the proposed liquor facility.

The writer is suggesting that the proposed liquor licenced club be regarded as an "accessory use" under the prevailing M5 designation and therefore be permitted by resolution of Council as a bona fide use.

The Planning and Building Inspection Department in consultation with the Municipal Solicitor advises that the proposed facility cannot be regarded as an accessory use but rather is clearly a principal use in the same manner as the numerous other licenced private clubs or lodges located on other appropriately zoned sites throughout the Municipality. Therefore Council could not pass such a resolution since it would result in a contravention of the Zoning Bylaw.

- b) Rezone the property to a zoning designation that would permit the establishment of the proposed licenced club.

As outlined in Section 2.2 of this report, rezoning to the C2, C3, C4 or P2 Districts would be necessary. Should this alternative be pursued, a formal rezoning application would be required at which time the Planning and Building Inspection Department would conduct a complete examination of the rezoning request based on the merits of the specific proposal, its implications, etc., which would be submitted in a report to the Council for consideration.

Based on the general land use policy for this immediate area and the prevailing predominantly industrial development pattern, this department would initially conclude that support would not be given to a request to rezone to a commercial or institutional category.

- c) Amend the text of the Burnaby Zoning Bylaw to include "Clubs and Lodges" as a permitted use in the M5 District.

This would involve a review of the Zoning Bylaw to determine whether it would be appropriate to include clubs and lodges as a permitted use in the M5 District. An amendment bylaw would have to be prepared by the Municipal Solicitor, advanced to the various readings by Council and a Public Hearing in the usual manner.

This department considers that the industrial lands in the Municipality should be reserved for industrial user needs and it would be inappropriate to encourage the pre-emption of the existing industrial land supply by including additional commercial type activities within the industrial zoning categories. As a result, support would not be given to a text amendment.

A fourth alternative is also available which the writer did not suggest, that is, to find another site in the Municipality that is already appropriately zoned or could be rezoned to accommodate the proposed licenced club. In this regard, the Planning and Building Inspection Department has and will continue to offer any and all assistance to the motorcycle club.

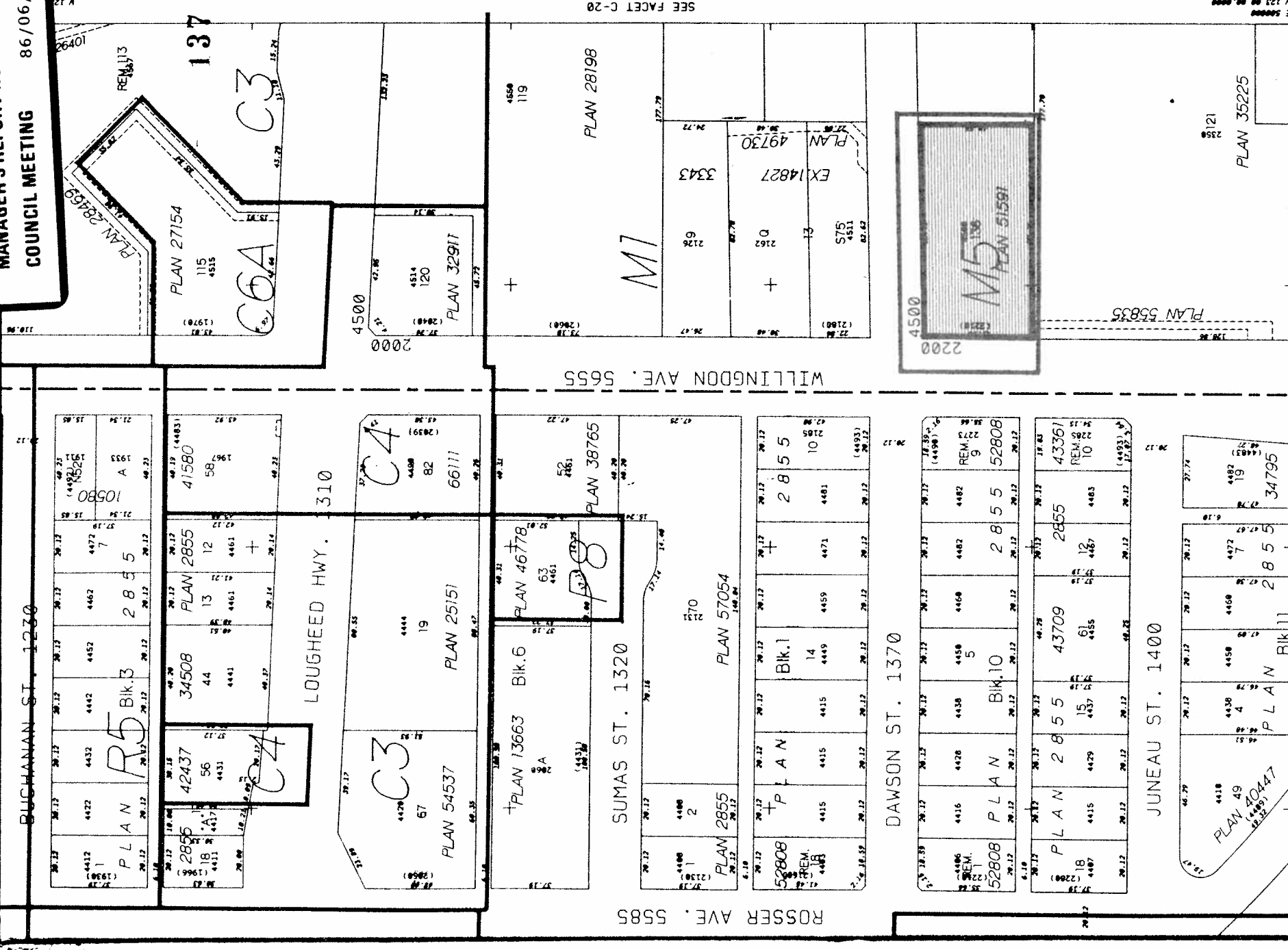
- 2.5 In view of the foregoing information, the proposed operation of a private Class "A" licenced club as proposed cannot be considered as an "accessory use" under the prevailing M5 zoning of the subject site. As a result, the motorcycle club can pursue options b) and c) as outlined in Section 2.4 above or alternatively find another site in the Municipality that is already appropriately zoned for the proposed use. It is therefore recommended that a copy of this report be sent to the Greater Vancouver Motorcycle Club.

PDS/g1
Attach.

cc: Municipal Solicitor


A. L. PARR
DIRECTOR PLANNING &
BUILDING INSPECTION

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ZONING UPDATED TO 84 04 02
 PHOTOGRAPHICALLY REDUCED TO 1:2000
 SCALE 1
 CHECKED BY
 1/10.499200.5456500
 DATE OF PLOT 1.84.06.17

Date 1986 JUNE
 Scale 1:2000
 Drawn By



Burnaby Planning Department

4516 DAWSON ST.

