

ITEM 5  
MANAGER'S REPORT NO. 42  
COUNCIL MEETING 86/07/07

RE: LETTER FROM MARINE NEIGHBOURHOOD PUBLIC HOUSE, WHICH APPEARED ON THE AGENDA  
FOR THE 1986 JUNE 23RD MEETING OF COUNCIL (Item 4 d)  
REQUEST FOR EXTENSION OF OPERATING HOURS 5820 MARINE DRIVE

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 26

FROM: DIRECTOR PLANNING &  
BUILDING INSPECTION

SUBJECT: MARINE NEIGHBOURHOOD PUBLIC HOUSE  
REQUEST FOR EXTENSION OF OPERATING HOURS  
5820 Marine Drive

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RECOMMENDATIONS:

1. THAT Council resolve to approve the requested extension of operating hours for the subject Class "D" Neighbourhood Public House from 23:00 h to 24:00 h Sunday through Thursday evenings and from 24:00 h to 1:00 h Friday and Saturday evenings.
2. THAT a copy of Council's resolution be forwarded to the General Manager of the Liquor Control and Licensing Branch in Victoria, Box 640, Victoria, B.C., V8W 2P8.
3. THAT a copy of this report be sent to the applicant Mr. Derek Chung, 5820 S.E. Marine Drive, Burnaby, B.C., V5J 3G8.

REPORT

1.0 INTRODUCTION:

The Planning & Building Inspection Department is in receipt of a request from the owner/operator of the Marine Pub located at 5820 Marine Drive to extend the operating hours of the pub from 23:00 h to 24:00 h Sunday through Thursday evenings and from 24:00 to 1:00 h on Friday and Saturday.

2.0 GENERAL DISCUSSION:

- 2.1 The subject neighbourhood pub, which operates as a Class "D" facility, opened for business in February of this year and has a capacity of 65 seats. The pub presently operates from 11:00 h to 23:00 h Sunday through Thursday and from 11:00 h to 24:00 h Friday and Saturday. The pub is located within a single tenant freestanding building which was constructed specifically for the pub use under the regulations of the prevailing C2, Community Commercial District zoning.

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2.2 Pursuant to the regulations of the Liquor Control & Licensing Act, Class "D" licensed Neighbourhood Public Houses can operate a maximum of 14 hours Monday through Saturday between the hours of 9:00 h and 23:00 h. A recent amendment to the regulations has been made to allow pubs to open on Sundays between 9:00 h and 24:00 h. The General Manager of the Liquor Control & Licensing Branch will grant an extension of operating hours until 24:00 h on a routine basis for pubs upon request subject to limitation by enforcement proceedings. A pub may also extend operating hours up to 01:00 h on Friday and Saturday evenings only. Formal consideration of the Municipal Council is required prior to the Liquor Control Board's granting Approval to extend operating hours beyond 24:00 h. Council approval was recently given to the Stone's Throw Neighbourhood Pub at 1405 Greystone Drive to extend their hours of operation from 24:00 h to 1:00 h on Friday and Saturday evenings.

2.3 In response to this proposal, the Planning & Building Inspection Department has requested comments from all relevant Municipal Departments. The Director Engineering, the Chief Licence Inspector, the Chief Fire Prevention Officer, the Chief Public Health Inspector and the Burnaby Detachment of the RCMP have no objections to the extension of hours proposal.

2.4 In view of the foregoing information, this Department considers that the extension of operating hours as requested should not create any problems. However, if problems occur as a result of the extended hours giving rise to complaints by neighbours, the Municipality would deal with them under the normal investigation and enforcement procedures. Any such problems would be conveyed to the Liquor Control and Licensing Branch authorities for appropriate action. The General Manager of the Liquor Control and Licensing Branch may apply limitations to the pub license as may be required.

### 3.0 CONCLUSION:

In summary, this Department has no objections to the request for extending the operating hours of the Marine Neighbourhood Pub as proposed. It is therefore recommended that Council support be given to the subject extension of operating hours request.

*ALP*  
PDS:mdw

*A. L. Parr*  
A. L. Parr,  
DIRECTOR PLANNING &  
BUILDING INSPECTION

C.C. Chief Public Health Inspector  
Chief Licence Inspector  
Burnaby Detachment - RCMP