

ITEM 17  
MANAGER'S REPORT NO. 80  
COUNCIL MEETING 89/12/11

RE: CLASS "G" LICENSEE RETAIL STORE 4125 HASTINGS STREET  
LIQUOR LICENCE APPLICATION NO. 4/89, REZONING REFERENCE NO. 93/89

MUNICIPAL MANAGER'S RECOMMENDATION:

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

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TO: MUNICIPAL MANAGER 1989 DECEMBER 05  
FROM: DIRECTOR PLANNING & BUILDING INSPECTION

SUBJECT: CLASS "G" LICENSEE RETAIL STORE  
4125 HASTINGS STREET (SEE ATTACHED SKETCH)  
LIQUOR LICENCE APPLICATION #4/89  
REZONING REFERENCE #93/88

PURPOSE: To seek Council approval for the subject retail beer and wine store.

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RECOMMENDATIONS:

- 1) THAT Council resolve to approve the subject retail beer and wine store subject to Rezoning Reference #93/88 receiving Final Adoption.
- 2) THAT a copy of this report be sent to the applicant, Mr. F. R. Paxton, #15 - Nicola Street, Vancouver, B.C., V6G 2E5.

R E P O R T

1.0 BACKGROUND INFORMATION:

- 1.1 On 1989 January 03, Council gave Second Reading to Rezoning Reference #83/88 which involved rezoning the subject site from C3 General Commercial District to C3a General Commercial District in order to permit the establishment of a retail beer and wine store within the North Burnaby Inn.
- 1.2 It is standard procedure to process liquor licence applications which also require rezoning in a concurrent manner, with the Liquor Control and Licensing Branch being informed that it is appropriate to consider the pertinent liquor licence application for pre-clearance once Council has given Second Reading to the rezoning application.
- 1.3 On 1989 April 21, the Liquor Control and Licensing Branch granted pre-clearance for a Class "G" liquor licence within the North Burnaby Inn. It should be noted that as a condition of the issuance of the preclearance, the area currently used as a cabaret must be designated for public space by the applicant and the applicant will be converting four hotel rooms into banquet meeting space.

1.4 Upon being notified by the Liquor Control and Licensing Branch that the application for a Class "G" liquor licence for the subject site had been given pre-clearance, this Department engaged Watts Marketing Research Limited to conduct the required neighbourhood survey in accordance with the adopted procedure of utilizing two marketing firms which were selected to conduct all neighbourhood surveys for liquor licences in Burnaby for a two-year period.

It is important for Council to be aware that the neighbourhood survey was not required by the Liquor Control and Licensing Branch, but was required in accordance with the policy adopted by Council on 1988 June 27 that all applicants applying for a retail beer and wine store be required to deposit sufficient monies with the Municipality in order to conduct the neighbourhood survey. The successful completion of the required neighbourhood survey is also a prerequisite condition of Rezoning Reference #93/88. In this situation, the Provincial Government authorities have not been involved in any way in the conducting of the survey, reviewing the survey methodology and results, or determining how the survey results would be utilized.

**2.0 SURVEY RESULTS:**

2.1 A total of 5,432 ballots were distributed to eligible voters within the prescribed area (1/2 mile radius from the proposed establishment), of which 2,338 or 43% of the total distributed ballots were returned. Watts Marketing Research Limited has speculated that the high number of apartment buildings in the area, in which the occupants are more transitory than in an established single-family area, combined with an apparent lower level of interest in the approval process for retail beer and wine stores as opposed to other liquor licences, may have contributed to the low ballot return rate in this survey.

BALLOTS RETURNED: 2,338

SPOILED BALLOTS: 190

VALID BALLOTS: 2,148

YES VOTES: 1,265 OR 58.9%

NO VOTES: 883 OR 41.1%

2.2 Upon receiving the survey report and all supporting documentation, Planning and Building Inspection Department and Finance Department staff with assistance from the Clerk's Department undertook an extensive review of the conducting of the survey and the survey results. Through this review, staff are able to conclude with a reasonable degree of assurance that the survey results, as adjusted through our review/verification procedure, are reliable and reflect accurately the views of the residents and businesses who responded to the survey.

2.3 It should be noted that in the past, surveys conducted under the jurisdiction of the Liquor Control and Licensing Branch required 60% of the valid ballots to indicate that the persons voting were in favour of the proposal for the application to be considered further. However, although it is considered desirable, it is not a requirement of the Municipality of Burnaby that a 60% vote in favour of the proposal be achieved.

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**3.0 GENERAL COMMENTS:**

3.1 The Planning and Building Inspection Department contacted the Burnaby Detachment of the R.C.M.P., the Burnaby School Board and all other pertinent Departments for comments on the subject liquor licence application.

In reply to this circulation, the Burnaby Detachment of the R.C.M.P. stated that they anticipated a slight increase in calls for police service with the establishment of a retail beer and wine store at this location, but that this should not reflect negatively in whatever decision is made. In connection with the subject rezoning (Rezoning Reference #93/88), the Environmental Health Division has informed this Department that there have been a large number of complaints received from adjacent residents regarding noise levels from the cabaret, but the Division has not expressed any concerns regarding the retail beer and wine store. No concerns or objections were expressed by any of the other Departments contacted.

3.2 As was previously discussed in the 1988 November 14 rezoning report on Rezoning Reference #93/88, while there may be some concerns regarding establishing a retail beer and wine store on Hastings Street as it relates to residential development to the north, the beer and wine store would be part of the strong Hastings Street commercial precinct and is reasonably well separated from residential development along Albert Street.

It was also stated that based on a utilization of the established C3a District criteria in assessing retail beer and wine stores and recognizing the strong service commercial nature of Hastings Street, the subject rezoning application is supportable. In the assessment of the application to the C3a District, the following points were made:

- a) The nearest liquor store is the Government liquor store located at Hastings Street and Willingdon Avenue, approximately one half a mile from the subject site.
- b) The North Burnaby Inn is part of the service commercial strip along Hastings Street, with the retail beer and wine store proposed to be located in the south-east corner of the hotel, with the operation oriented to Hastings Street. The lane north of the subject site will be closed 66 feet east of the hotel, with no access to Albert Street.
- c) The parking requirements for this site would be reduced as the proposed retail beer and wine store occupies space formerly utilized as part of the hotel pub which required more parking spaces than the beer and wine store.

**4.0 CONCLUSIONS:**

4.1 While it is felt that in general a survey result indicating a significant majority of those surveyed to be in favour of a liquor licence application should be considered necessary to merit favourable consideration by Council, other factors should be given adequate consideration as well, including the proximity of any sensitive uses to the site in question. In this regard, the retail beer and wine store is proposed to be located in such a manner as to be part of the strong Hastings Street commercial strip, which is generally considered to provide a suitable commercial environment for a rezoning to the C3a District. The proposed beer and wine store is also reasonably well separated from the residential development to the north, with further mitigative measures being undertaken in terms of increased screening through the suitable plan of development requirement for Rezoning Reference #93/88.

PLANNING & BUILDING INSPECTION  
CLASS "G" LICENSEE RETAIL BEER & WINE STORE  
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In light of the above, as well as the lack of objections to the retail beer and wine store raised by the pertinent Departments and agencies and the generally favourable results of the neighbourhood survey, the Planning and Building Inspection Department recommends that Council resolve to approve Liquor Licence Application #4/89, subject to Rezoning Reference #93/88 receiving Final Adoption. **146**

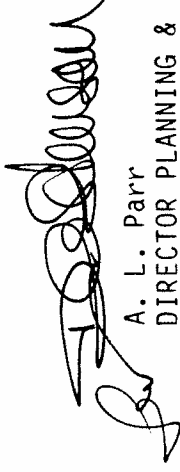
If Council concurs in this recommendation, the subject rezoning application may then be advanced to Third Reading, pending substantial completion of the prerequisite conditions and to Final Adoption upon completion of the prerequisite conditions and confirmation that a liquor licence will be issued by the Liquor Control and Licensing Branch.

BW:ap

Attachment

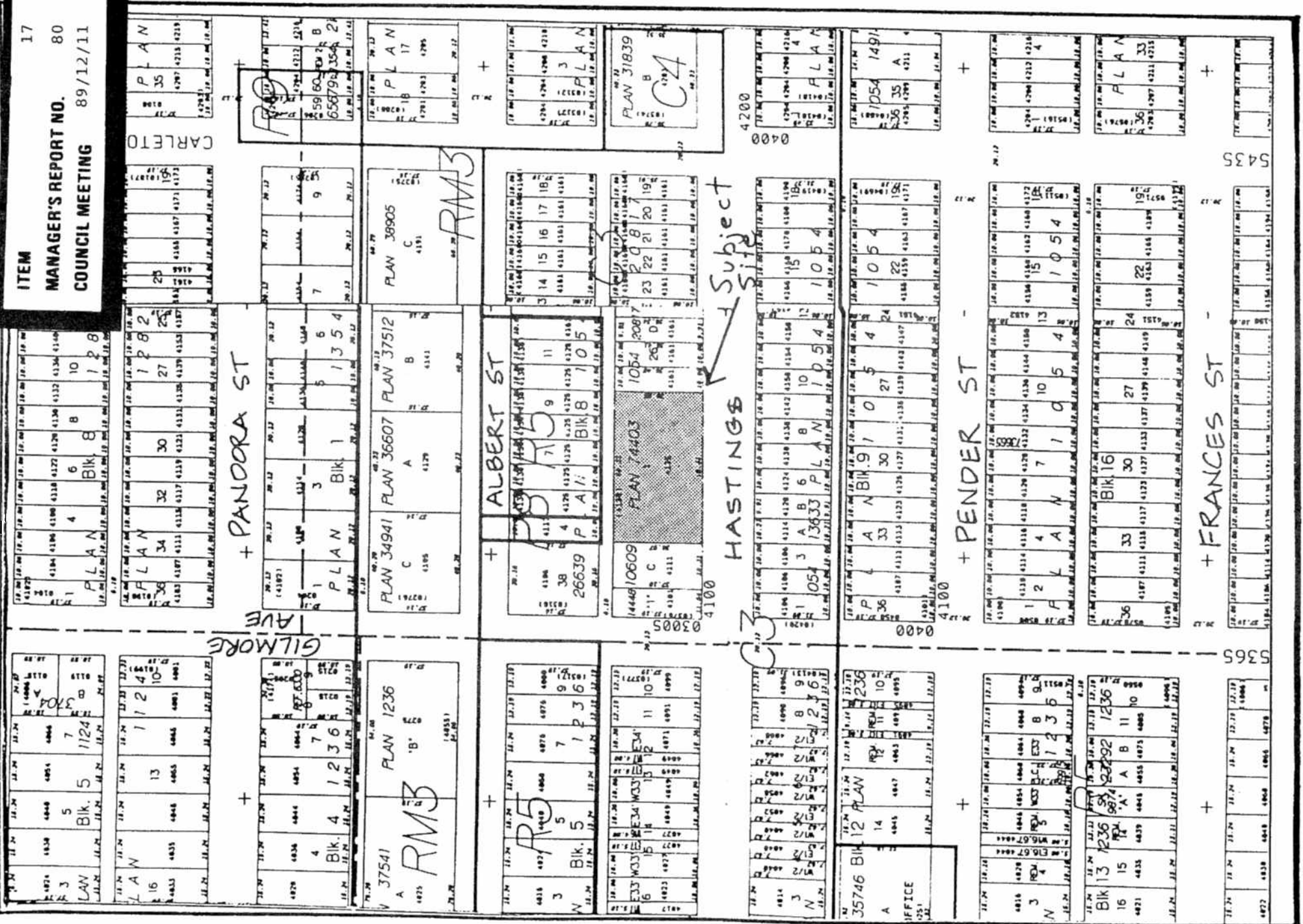
cc: Chief Public Health Inspector

Director Finance  
(Attn: Paula Panek)

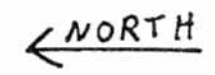


A. L. Parr  
DIRECTOR PLANNING &  
BUILDING INSPECTION

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Date 1989 Dec.  
 Scale 1:2000  
 Drawn By



Liquor Licence Application # 4189

