

RE: COMPLETION OF REQUIRED NEIGHBOURHOOD SURVEY
5901 BROADWAY - PARKCREST PLAZA
LIQUOR LICENCE APPLICATION NO. 7/87

ITEM 8
MANAGER'S REPORT NO. 36
COUNCIL MEETING 90/05/22

MUNICIPAL MANAGER'S RECOMMENDATION:

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

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TO: MUNICIPAL MANAGER 1990 MAY 16

FROM: DIRECTOR PLANNING &
BUILDING INSPECTION

SUBJECT: COMPLETION OF REQUIRED NEIGHBOURHOOD SURVEY
5901 BROADWAY - PARKCREST PLAZA
LIQUOR LICENCE APPLICATION #7/87

PURPOSE: To provide Council with information regarding the conducting of the neighbourhood survey required in connection with Liquor Licence Application #7/87.

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RECOMMENDATIONS:

- 1) THAT a copy of this report be sent to the applicant, Mr. Michael Pauer, 5869 Granville Street, Vancouver, B.C., V6M 3C8, and to the General Manager, Liquor Control and Licensing Branch, 1019 Wharf Street, Victoria, B.C., V8V 1X4.

R E P O R T

1.0 BACKGROUND INFORMATION:

- 1.1 On 1989 May 01, Council received a report from the Director Planning and Building Inspection regarding the subject liquor licence application which involves a proposal to develop a free-standing Class "D" neighbourhood pub at 5901 Broadway. The report noted that it was appropriate to appoint United Communications Research Inc. (one of the two authorized firms to conduct neighbourhood surveys required in connection with liquor licence applications in Burnaby), to conduct the required neighbourhood survey, with all costs for conducting the survey to be paid by the applicant.
- 1.2 On 1989 October 18, a pre-referendum meeting for the required neighbourhood survey was attended by the applicant, the applicant's lawyer and representatives of the Liquor Control and Licensing Branch, the Burnaby Planning and Building Inspection Department and United Communications Research Inc. At this meeting, the survey methodology, the supporting materials, the survey area and the referendum dates were finalized, and United Communications Research Inc. proceeded to conduct the survey on this basis. The survey was conducted between 1989 November 18 and 1989 December 27 and after the 30 day appeal period passed, the ballots were counted on 1990 January 29. After this date, it was the responsibility of the marketing firm to complete all the supporting documentation for the survey and to complete a report on the neighbourhood survey for submission to the Liquor Control and Licensing Branch.

ITEM	8
MANAGER'S REPORT NO.	36
COUNCIL MEETING	90/05/22

1.3

In late February 1990, after repeated staff efforts to contact United Communications Research Inc., a Planning and Building Inspection Department staff member visited the offices of United Communications Research Inc. and discovered that the Company had ceased operations due to financial difficulties with their landlord and that a bailiff, acting on behalf of the landlord, had seized all of United Communications Research Inc.'s assets in the offices.

133

Subsequent to this, after being informed of the situation, the Liquor Control and Licensing Branch on 1990 March 05 took possession of the survey materials to protect the integrity and confidentiality of the results and to maintain continuity of possession of the materials. On 1990 March 16, this Department was informed by the Liquor Control and Licensing Branch that the referendum materials are not in an acceptable form to enable the Branch to conduct an audit, which is standard procedure for all Liquor Control and Licensing Branch-directed neighbourhood surveys.

1.4

Since that time, this Department has been attempting to arrange for the completion of the documentation of the neighbourhood survey. Our initial efforts were to attempt to engage the former President of United Communications Research Inc. as a private consultant to complete the documentation. This course of action was pursued with diligence and patience due to the fact that this individual was most familiar with the methodology and that the completion of the materials by another party would require the re-tracing of certain steps, resulting in additional cost and time requirements. The individual involved has not, however, responded by an agreed-upon date on several occasions with a firm quotation on the revised cost and the time required to complete the work, and the Planning and Building Inspection Department, in consultation with the Liquor Control and Licensing Branch, have had to consider other alternatives.

2.0 GENERAL DISCUSSION:

2.1

In late April 1990, this Department contacted two companies which have previously completed neighbourhood surveys to the satisfaction of the Liquor Control and Licensing Branch, in order to request bids to be submitted for consultant services to complete the necessary referendum documentation. The two companies contacted are both located in Victoria. The reason for this was to facilitate the companies reviewing the existing materials at the Liquor Control and Licensing Branch offices in Victoria prior to submitting a bid and to avoid unnecessary transportation of and transferring of possession of the materials.

The two companies have now submitted proposals to complete the work in order to allow the Liquor Control and Licensing Branch to audit the survey and confirm that it was conducted properly.

2.2

While staff have reviewed the proposals and are prepared to recommend the engaging of one of the companies to complete the documentation of the survey materials, the applicant has elected to defer making a decision on the process to be followed at this time. The applicant's consent is necessary as the applicant is required to deposit sufficient monies to cover the cost of the neighbourhood survey.


PLANNING & BUILDING INSPECTION
COMPLETION OF REQUIRED NEIGHBOURHOOD SURVEY
LIQUOR LICENCE APPLICATION #7/87
1990 MAY 16 PAGE 3

ITEM	8
MANAGER'S REPORT NO.	36
COUNCIL MEETING	90/05/22

A meeting has been set for 1990 May 28 to discuss the liquor licence application, the neighbourhood survey requirement and the appropriate course of action and final resolution of the situation, with the applicant, the applicant's lawyer and representatives of the Liquor Control and Licensing Branch and the Planning and Building Inspection Department to be in attendance.

2.3 At this time, there is no reason to believe that the survey has not been conducted properly to date or that the confidentiality or the integrity of the survey has been compromised. It is anticipated that a further report will be submitted to Council on 1990 June 11, providing a recommendation on the appropriate course of action to be followed.

This is for the information of Council.


A. L. Parr
DIRECTOR PLANNING &
BUILDING INSPECTION

BW:ap

c.c. Municipal Solicitor
Purchasing Agent

