

TO: MUNICIPAL MANAGER 1990 JULY 17

FROM: DIRECTOR PLANNING &
BUILDING INSPECTION

SUBJECT: ROYAL CANADIAN LEGION BRANCH #148
4354 HASTINGS STREET
(SEE ATTACHED SKETCH #1)
PROPOSED EXTENSION OF OPERATING HOURS
LIQUOR LICENCE APPLICATION #4/90

PURPOSE: To seek Council approval for an extension in operating hours
for the subject liquor establishment.

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RECOMMENDATIONS:

- 1) THAT Council give favourable consideration to an extension of operating hours for the subject Class "A" liquor licence facility to permit sales on Sunday from 12:00 noon to 10:00 p.m.
- 2) THAT a copy of this report and Council's resolution be forwarded to the General Manager, Liquor Control and Licensing Branch and the applicant, Royal Canadian Legion Branch #148, 4356 Hastings Street, Burnaby, B.C. - V5C 2J9.

R E P O R T

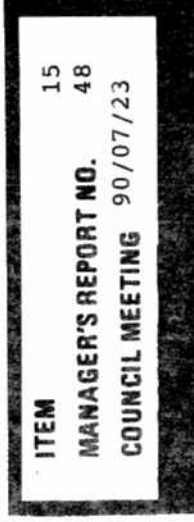
1.0 INTRODUCTION:

- 1.1 The Planning and Building Inspection Department is in receipt of an application from the Royal Canadian Legion Branch #148 located at 4354 Hastings Street to extend their operating hours to permit sales on Sunday from 12:00 noon to 12:00 midnight.

2.0 BACKGROUND INFORMATION:

- 2.1 The subject site is located within Community Plan Area Three and is currently designated for RM5 high density apartment development on a larger consolidated site extending through to Pender Street (see attached Sketch #2). The Hastings Street area between Boundary Road and Wittingdon Avenue is currently being reviewed by the Hastings Street Advisory Committee.
- 2.2 The Royal Canadian Legion Branch #148 was issued a liquor licence at the subject location, with a maximum capacity of 260 in Area 1 and 165 in Area 2 under the Provincial liquor licence. The current permitted operating hours are 10:00 a.m. to 12:00 midnight Monday through Thursday and 11:00 a.m. to 1:00 a.m. on Friday and Saturday.
- 2.3 Liquor Control and Licensing Branch regulations for Class "A" liquor licences state that:

"subject to limitation by the General Manager in the licence, hours of sale shall be a maximum of 14 hours between the hours of 9:00 a.m. and 2:00 a.m. of the following day".



3.0 GENERAL DISCUSSION:

3.1 According to the applicant, this Branch of the Royal Canadian Legion was given permission to open on Sundays for Expo 86 and through a misunderstanding with the Liquor Control and Licensing Branch, this branch has remained open on Sundays without approval since that time. Approximately one month ago, this situation became known to the Liquor Control and Licensing Branch and the Royal Canadian Legion Branch #148 was required to stop selling liquor on Sundays, pending the processing of a formal application (including the necessary Municipal comments) by the Provincial authorities.

3.2 In response to this request, the Planning and Building Inspection Department has solicited input from all relevant Municipal Departments, including the R.C.M.P., Burnaby Detachment. No objections were expressed by any of the Municipal Departments contacted and the Chief Public Health Inspector has indicated that they have no complaints on record concerning noise problems associated with the operation of this branch of the Royal Canadian Legion.

3.3 While staff are not opposed to this liquor establishment being permitted to extend its operating hours to include sales on Sunday, both the Area Planner for this area and the Social Planner noted that the Royal Canadian Legion is directly across a rear lane from an R5 District zoned single-family residential area. In consideration of the proximity of the adjacent residences and in an effort to minimize conflicts with the adjacent neighbourhood, this Department would recommend the hours of sale for the subject liquor licence facility be limited to 10:00 p.m. on Sundays.

The applicant has indicated that Branch #148 is actually open only until 10:00 p.m. currently and that the request for the extension to 12:00 midnight is only for future use.

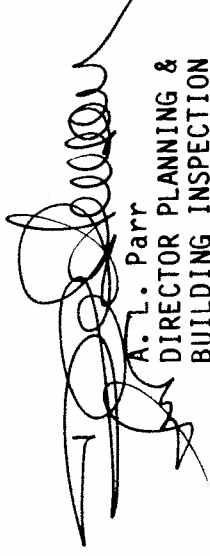
4.0 CONCLUSION:

4.1 In light of the history of Branch #148 being open for the sale of liquor on Sundays, the comments received on the circulation regarding the proposed extension of operating hours and the proximity of the adjacent single-family residential area, this Department recommends that Council give favourable consideration to an extension of operating hours for the Royal Canadian Legion Branch #148 to permit sales on Sunday from 12:00 noon to 10:00 p.m.

AW
BW:ap

Attach.

c.c. Chief Public Health Inspector
Chief Licence Inspector
O.I.C. Operations, R.C.M.P., Burnaby Detachment


A. L. Parr
DIRECTOR PLANNING &
BUILDING INSPECTION

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ITEM 15
MANAGER'S REPORT NO. 48
COUNCIL MEETING 90/07/23

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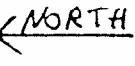
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Date: 1990 July
Scale: 1:2000
Drawn By:

Liquor Licence Application # 4/90



Sketch #1

173

Subject Site

Hastings Street

Safetyway

Madison Avenue

Kosser Avenue

Penner St. 0710

Frances St. 0740

PLAN 40665

RM3

PLAN 1054

57880

RM3

1054

42214

PLAN 33

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127

PLAN 18

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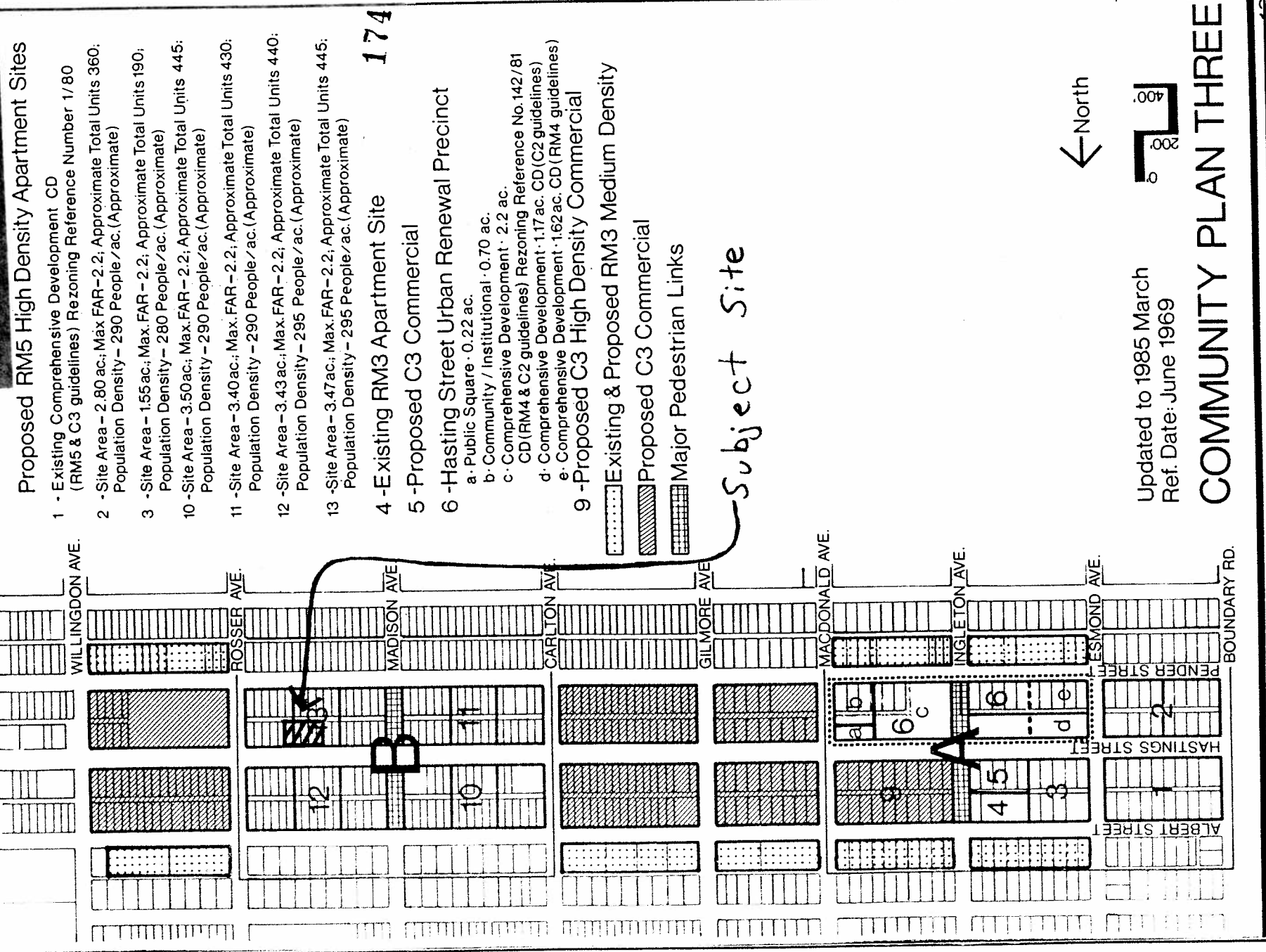
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Scale:

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Sketch #2