

ITEM	19
MANAGER'S REPORT NO.	75
COUNCIL MEETING	93/12/20

TO: CITY MANAGER 1993 DECEMBER 15

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: PROPOSED CLASS "A" OUTDOOR SEATING AREA  
 BLUE BUTTON CLUB  
 5505 KINGSWAY (SEE ATTACHED SKETCH)  
 LIQUOR LICENCE APPLICATION #7/93

PURPOSE: To seek Council authority to pursue the required public input process with respect to an application for liquor licensed outdoor patio seating.

**RECOMMENDATIONS:**

1. THAT Council require the applicant to deposit sufficient funds with the City of Burnaby to conduct the public input process required by Council policy.
2. THAT a copy of the report be forwarded to the applicants Bob Waisman and Gus Moustakas, Blue Button Club, 5505 Kingsway, Burnaby, B.C. V5H 2G3

**REPORT**

**1.0 BACKGROUND INFORMATION:**

1.1 In June 1988 the Liquor Control & Licensing Branch informed this Department that applications for outdoor patio seating for Class "A", "B", "D" and "F" establishments must be approved by local government.

On 1988 October 03 Council resolved that applications for outdoor patio seating in connection with Class "A", Class "D" and Class "F" liquor licences be forwarded to Council for their consideration.

1.2 The Blue Button Club is a private club, with a Class "A" liquor licence, which was given favourable consideration on 1991 August 06 (Liquor Licence Application #5/91) (see attached Sketch). Council approval was based on the establishment having a maximum seating capacity of 130 seats, with the hours of operation being 11:00 a.m. to 12:00 midnight, Monday to Thursday; 11:00 a.m. to 12:30 a.m. Friday and Saturday and 11:00 a.m. to 10:00 p.m. on Sundays.

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1.3 On 1992 July 13 Council received another report on processing procedures for liquor licence applications, including a recommendation for a public input policy requirement for licensed outdoor patios, in response to an earlier request by Council. The report outlined a public input process to be utilized for licensed outdoor patios, with the process to be required only if there is residential land use within 70 meters (230 feet) of the proposed outdoor patio area. Council adopted the recommendations at that time requiring the public input process.

**2.0 GENERAL DISCUSSION:**

2.1 The proposed Class "A" liquor licensed outdoor seating would be located in front of the club, oriented to Kingsway. The outdoor patio area already physically exists and was used by the previous Mando's Restaurant, which had a Class "B" liquor license. The Liquor Control & Licensing Branch regulations for Class "A" liquor licence outdoor patios state that the patio patron capacity is restricted to 25% of the inside capacity of the licensed establishment and that the indoor capacity is reduced by the outdoor patio capacity when the outdoor patio seating is in use, with no overall increase in seating capacity for the establishment. The applicant is applying for a patio seating capacity of 30 seats. The operating hours would be the same as that permitted for inside the club.

2.2 As was previously noted, the patio is proposed to be oriented toward Kingsway and is therefore considered to be sufficiently separated from the residential neighbourhood to the north by the building. The potential noise impact from the patio should also be significantly reduced by the ambient traffic noise on Kingsway.

2.3 Pursuant to the adopted processing procedure for applications for Class "A" licensed outdoor patios, comments have been solicited from relevant staff and other City departments, including the R.C.M.P. Burnaby Detachment. No objections were raised to the application by City staff, including the R.C.M.P., Burnaby Detachment.

2.4 In accordance with the public input process adopted by Council on 1992 July 13 for licensed outdoor patios, Burnaby's Consultant for public input on liquor licence applications, Cinnamon, Jang, Willoughby & Company has been preparing the necessary paper work for the public input process.

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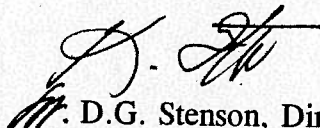
If Council adopts the recommendation and this application is advanced, our Consultant will arrange for notification letters with response sheets to be sent to owners and occupants within 70 meters (230 feet) of the property (see attached Sketch) and the applicant will be required to place a sign on the property advising the public of the proposal. The Consultant will then receive the replies and provide this Department with a report tabulating the public input and validating the results.


Once this information is received, staff would provide Council with a summary report on the input received and a final recommendation on the liquor licence application.

At this time, the applicant will be requested to deposit \$800.00, which relates to the Consultant's preliminary estimated cost to conduct the process. If there are monies remaining at the end of the process, the balance will be returned to the applicant.

**3.0 CONCLUSION:**

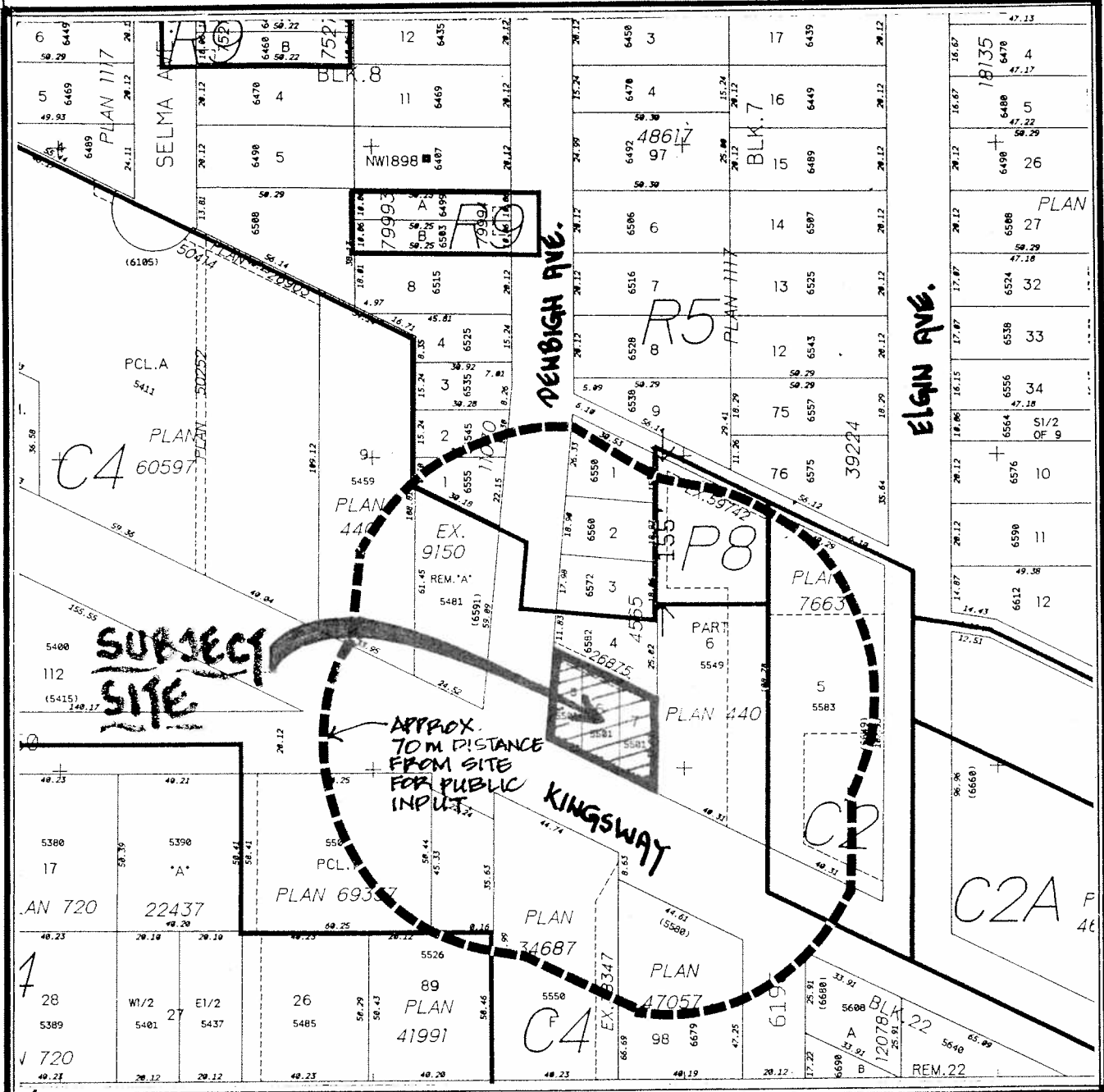
- 3.1 At this time, no serious concerns have been raised regarding the proposed outdoor licensed patio for the Blue Button Club and it is considered appropriate to further pursue the application process. It is therefore recommended that the applicant be required to deposit sufficient monies to conduct the required public input process.

  
D.G. Stenson, Director  
Planning and Building

  
BW:yg  
Attachs.

cc: Chief Environmental Health Officer  
O.i/c, RCMP, Burnaby Detachment

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Date:  
 OCTOBER 1993

Scale:  
 1:2000

Drawn By:  
 J.P.C.



City of  
 Burnaby  
 Planning & Building Dept.



North

**LIQUOR LICENCE APPLICATION # 7/93**  
 BLUE BUTTON CLUB - OUTDOOR PATIO SEATING