

ITEM	9
MANAGER'S REPORT NO.	10
COUNCIL MEETING	95/03/06

TO : CITY MANAGER DATE: 1995 MARCH 02

FROM : DIRECTOR RECREATION AND CULTURAL SERVICES

RE : JAMES COWAN THEATRE & SHADBOLT CENTRE FOR THE ARTS  
- LIQUOR LICENSES

PURPOSE : To request Council's approval of the applications of a Class "A" Liquor License for the lobby at the James Cowan Theatre and a Class "E" Liquor License for the Atrium, Lounge and Music Pavilion within the new Shadbolt Centre for the Arts.

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**RECOMMENDATIONS:**

1. THAT approval be given to the application of a Class "A" Liquor License for the lobby at the James Cowan Theatre, with a maximum capacity of 85 patrons and operating hours of 10:00 a.m. to midnight Monday through Saturday and 11:00 a.m. to midnight on Sundays.
2. THAT approval be given to the application of a Class "E" Liquor License for the Atrium, Lounge and Music Pavilion within the new Shadbolt Centre for the Arts, with a maximum capacity of 250 patrons and operating hours of 10:00 a.m. to midnight Monday through Saturday and 11:00 a.m. to midnight on Sundays.
3. THAT a copy of this report and Council's resolutions be forwarded to the Liquor Control and Licensing Board, #217-1899 Willingdon Avenue, Burnaby, B.C. V5C 5T1.

**REPORT**

At its meeting of 1995 March 01, the Parks and Recreation Commission received the attached staff report on the above subject and adopted the four recommendations contained therein.



DENNIS GAUNT  
DIRECTOR RECREATION &  
CULTURAL SERVICES

tc  
Attachment  
A/3426

cc: Director Planning & Building  
Director Finance  
Medical Health Officer  
Officer-In-Charge, R.C.M.P.

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~~COMMISSION MEETING~~ 95/03/01

**SUBJECT: JAMES COWAN THEATRE & SHADBOLT CENTRE FOR THE ARTS  
- LIQUOR LICENSES**

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**RECOMMENDATIONS:**

1. THAT a resolution be approved for the application of a Class "A" Liquor License for the lobby at the James Cowan Theatre, with a maximum capacity of 85 patrons and operating hours of 10:00 a.m. to midnight Monday through Saturday and 11:00 a.m. to midnight on Sundays.
2. THAT a resolution be approved for the application of a Class "E" Liquor License for the Atrium, Lounge and Music Pavilion within the new Shadbolt Centre for the Arts, with a maximum capacity of 250 patrons and operating hours of 10:00 a.m. to midnight Monday through Saturday and 11:00 a.m. to midnight on Sundays.
3. THAT Council be requested to concur.
4. THAT a copy of this report and Council's resolutions be forwarded to the Liquor Control and Licensing Board, #217-1899 Willingdon Avenue, Burnaby, B.C. V5C 5T1

**REPORT**

**INTRODUCTION:**

The new Shadbolt Centre for the Arts is scheduled to be completed and fully operational by September 1995. In order to enhance the various programs, services, and activities, it is recommended the provision of beverages comprising some alcohol be available in certain areas of this facility under terms and conditions as outlined in this report. A modification to the existing "A" liquor license is recommended for the lobby next to James Cowan Theatre while an "E" liquor license is recommended for the atrium, lounge and music pavilion within the new facility.

**BACKGROUND:**

Since 1983, alcoholic beverages have been available in the lobby of the James Cowan Theatre. This area has held a "Class A" license which allows for the sale of beer, wine, and drinks requiring hard liquor. The sale of alcoholic beverages has taken place in conjunction with evening performances and concerts. Drinks have been served before, during the intermission and following scheduled performances. There have been no problems encountered during the past 12 years with patrons becoming unruly due to overconsumption of alcohol.

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The sale of alcoholic drinks has made a significant contribution to the Food Service budget for the Arts Centre. Although revenues have diminished over the past several years, a full years' operation should result in approximately \$7,500 in gross revenues or \$2,500 net. Additionally, theatre patrons in general have come to expect that a bar service will be available for various performances and events. Similar facilities such as Centennial Theatre (North Vancouver), Richmond Gateway Theatre and the Queen Elizabeth Theatre have alcoholic beverages available for various activities and have been providing this type of service for a lengthy period of time.

**JAMES COWAN THEATRE - LOBBY**

Resulting from the construction of the new Shadbolt Centre for the Arts, the theatre lobby space has increased in size and can therefore accommodate a higher number of patrons. Licensing regulations specify that a modification of the existing license is required prior to alcoholic beverages again being available. In past, the James Cowan Theatre lobby has been licensed to accommodate up to 63 patrons. Following construction, up to approximately 85 customers will be able to use the lobby area at any one time.

The existing "A" License is seen as providing the best service for theatre patrons. If acceptable, a modification of the existing license is needed to accommodate the potential higher numbers for the renovated space. Attachment #1 outlines the space to be governed under the modified "A" License. Beverages such as beer, wine, and various drinks requiring hard liquor would be available.

According to the existing license, no minors (under 19 years of age) are allowed access to the lobby when liquor is being served. The only exception to this regulation is when minors are participating as a cast member in a theatre performance. While this restriction has basically met the needs of facility patrons, it is recommended the City apply for an exemption to minors for the James Cowan Theatre Lobby. The exemption for minors would allow those under nineteen years of age to be present when alcoholic beverages are available, including those with hard liquor.

This additional modification to the existing license is seen as being beneficial in that there are few theatre performances that draw a totally adult crowd. While some activities are preferred by those over nineteen years of age, these performances are typically attended by some children and teens. The application of an exemption to minors for the lobby area, would allow for the sale of alcoholic beverages at all appropriate performances even with youth present.

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As with past practice, bar service would not be available during activities or events geared to a family or youth audience. For adult related performances, the event organizer/promoter would advise staff as to whether the bar should be open or closed. For adult oriented performances organized and sponsored through the City, bar service would be provided.

**SHADBOLT CENTRE FOR THE ARTS:**

At the new Shadbolt Centre for the Arts, it is recommended three spaces be licensed for the possible sale of beer, wine and cider. A Class "E" Liquor License is being requested for the following areas:

1. Atrium
2. Lounge
3. Music Pavilion

Attachment #1 also indicates the areas to be governed by the proposed Class "E" liquor license. An "E" License allows for the sale of beer, wine and cider with no drinks requiring hard liquor being available. Licensing regulations state that minors can be allowed unrestricted access to these spaces.

Similar to the lobby area at James Cowan Theatre, alcoholic beverages would be available for performances and receptions taking place in the new facility. Patrons would mostly be served from a permanent satellite food/beverage station located in the Arts Centre Lounge. The Class "E" license would also allow for the establishment of a portable bar service within the licensed areas, should the need arise. Other details with respect to an "E" License are as follows:

1. No alcoholic beverages to be sold without the consent of the organizer or promoter of the activity or event. Therefore if a particular group did not wish the bar to be open it would remain closed. The concession would be available but liquor service would not be provided.
2. All beverages must be served in plastic, paper or styrofoam containers.

An "E" license is currently in place at Swangard Stadium within the Beer Garden area.

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**GUIDELINES FOR OPERATION:**

With respect to managing the licensed areas, the following guidelines would be in place when liquor service is being provided:

1. Staffing for the bar operations would be provided through the City.
2. As per Liquor Licensing guidelines, all staff working in the bar area must have acquired their Responsible Beverage Serving Certificate (i.e.: "Serving it Right" Program).
3. At present, City staff responsible for serving alcoholic beverages have been involved in training activities such as the I.C.B.C. "GAMEPLAN" program. It is anticipated this type of training regarding the dispensing and potential effects of alcohol would continue, not only with Food Service personnel but also with related staff working within the facility.
4. Appropriate signage would be posted notifying patrons of liquor service areas and "House" rules and regulations.
5. Appropriate staffing would be provided to ensure that alcoholic beverages are consumed in the proper and licensed areas.

**PLANNING & BUILDING DEPARTMENT COMMENTS:**

The Liquor Control and Licensing Branch requires a local government resolution as part of the approval process for Class "A" and Class "E" Liquor Licenses. It is standard procedure for the Planning & Building Department to process applications for liquor licenses.

The Planning & Building Department has solicited comments on the application from relevant City Departments, including the R.C.M.P. Burnaby Detachment. No City Departments have expressed any objections to the Class "A" or Class "E" liquor license. Social Planning has indicated that the application is supportable subject to the liquor license facilities not being a destination liquor location. In this regard, a Class "E" liquor license is designed only to accommodate the sale of liquor in connection with live public performances such as music, singing, dancing or acting.

Liquor Control and Licensing Branch regulations do not necessarily link the sale of liquor to a performance in a Class "A" licenced municipally owned theatre, however, the intent of the application is clearly that liquor be served in connection with theatre performances and facility programs.

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It is also noted that there will be no outside advertising for the liquor facilities. In this respect, Planning staff are satisfied that the James Cowan Theatre and Shadbolt Centre for the Arts will not be a destination liquor location.

With respect to land use relationships, the only potential impacts could be on the single family dwellings at 6556 and 6570 Deer Lake Avenue. These properties are still utilized for single family residential use, but are both in the second priority park acquisition program. In light of the internal nature of the liquor service and the physical configuration of the building, with a wing of the building between the residences and the liquor licensed area, it is not considered likely that the liquor license areas will create significant land use impacts on these residences. In light of the above, the Planning & Building Department supports the subject liquor license applications.

**SUMMARY AND CONCLUSION:**

As with other Arts and Performing facilities, it is felt that the availability of beverages such as beer, wine, cider and liquor drinks would be appropriate. A modification of the existing "A" License for the James Cowan Lobby and a Class "E" License for other areas of the new Shadbolt Centre for the Arts should adequately cover the needs of facility users.

In past years, to the best of the City's knowledge, no problems have taken place with patrons consuming an excessive amount of alcoholic beverages. Due to the restrictions and controls in place, it is anticipated the provision of alcoholic drinks can be capably monitored resulting in benefits to the centre from both a financial and service perspective.

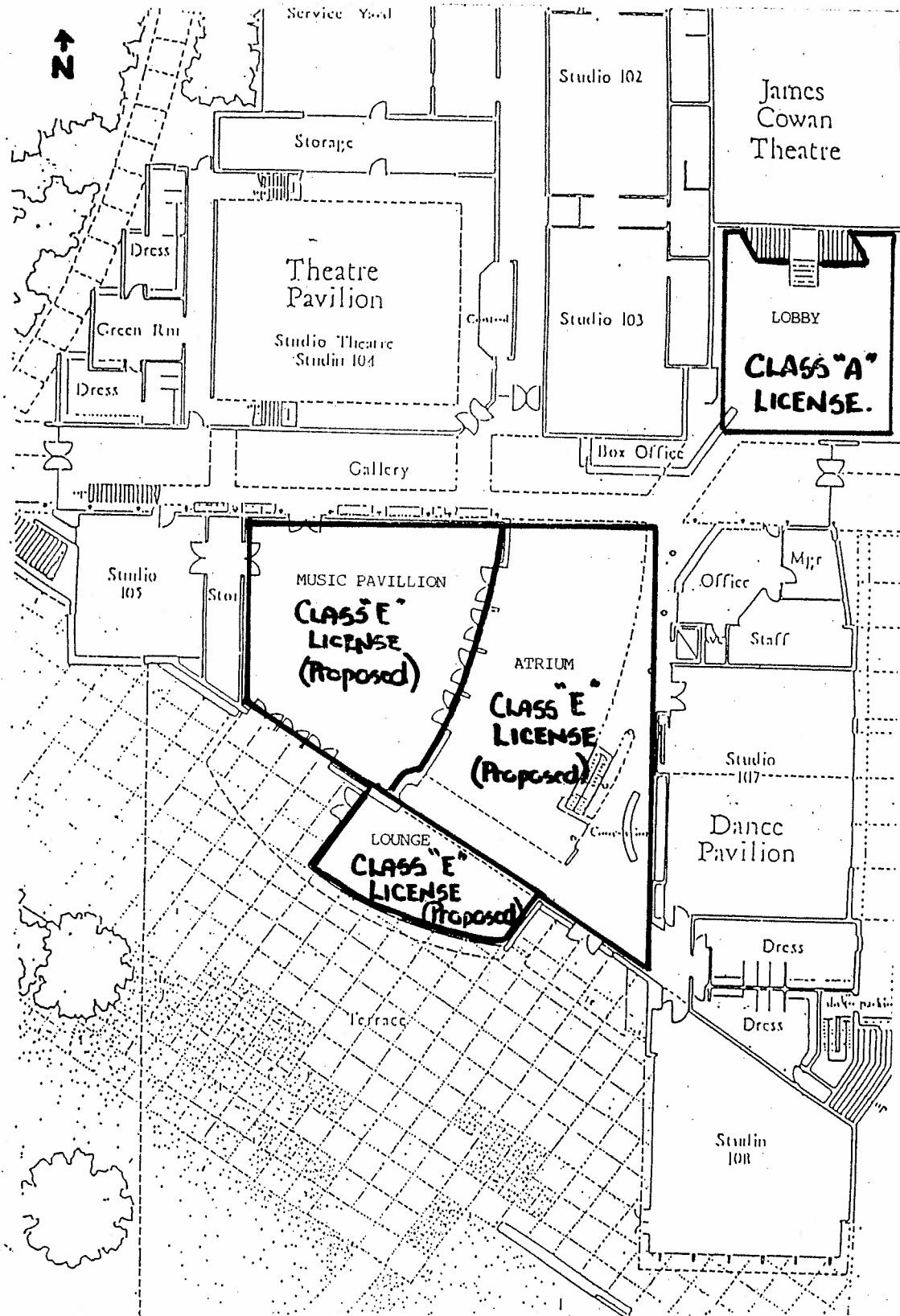
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Attachment  
 COMMISSION/0259

- cc: Director Planning & Building
- Director Finance
- Medical Health Officer
- Officer-In-Charge, R.C.M.P.

BURNABY ARTS CENTRE EXPANSION

PLAN : MAIN FLOOR

ATTACHMENT #1



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