

TO: CITY MANAGER

1998 December 09

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: LIQUOR LICENCE APPLICATION #5/98
ENTERTAINMENT PROPOSED IN CLASS "B" RESTAURANT
6669 Kingsway (see attached sketch)

PURPOSE: To provide recommendations to Council on a proposed entertainment use for the subject liquor licence application.

RECOMMENDATIONS:

1. **THAT** Council resolve to defer the decision on the request for an entertainment area at 6669 Kingsway pending a review by the Planning and Building Department of karaoke boxes (small private rooms used for karaoke entertainment).
2. **THAT** a copy of this report and Council's resolution be forwarded to the Liquor Control and Licencing Branch, 101 - 9180 King George Highway, Surrey, B.C., V3V 5V9; and the applicant Diego's Entertainment Ltd., 6669 Kingsway, Burnaby, B.C., V5E 1E2.

REPORT

1.0 BACKGROUND INFORMATION:

On 1990 April 30, Council received a report advising that, as part of a change in Liquor Control and Licencing Branch regulation, local government approval is a pre-condition for Branch consideration of entertainment in a licenced restaurant.

The report also stated, in consideration of the past practice of reporting on all requests for local government approval or comments on liquor licence applications and the potential impact Class "B" licenced restaurants with significant entertainment features could have on adjacent neighbourhoods, this department would, unless otherwise directed, report to Council on applications for entertainment in such restaurants.

CITY MANAGER

Re: Liquor Licence Application #5/98

6669 Kingsway

1998 December 09.....Page 2

Since 1991, Council has approved 10 requests for karaoke entertainment in licenced Class "B" restaurants. Of these requests, 9 were for karaoke areas within the open restaurant space. Only one request, for the recent Liquor Licence Application #3/98 for Kiku Sushi, 4986 Kingsway (approved 1998 November 23), was for karaoke entertainment in the form of karaoke boxes. The Planning and Building Department has received two more requests for karaoke entertainment in the past month (the subject application included), both of which include proposals for karaoke boxes, suggesting a trend in Burnaby.

2.0 GENERAL DISCUSSION:

- 2.1 The proposed entertainment use is located on the second storey of a two-storey commercial development, with a restaurant and cabaret at ground level. The subject site is surrounded by one-storey commercial buildings to the west, one-storey commercial buildings and single-family dwellings to the east across Sperling Avenue, a medium-rise senior's residence and two vacant lots to the south across Kingsway, and a vacant lot and duplex to the north across Arcola Street.
- 2.2 The applicant is proposing to have karaoke entertainment in the form of four boxes and one raised stage area along the south side of the second floor of the building. The proposed hours of the entertainment and of the restaurant in general are 11:00 a.m. to 12:00 midnight seven days a week. Though the subject restaurant's liquor licence allows for a seating capacity of 80 seats in this area, the submitted floor plan shows 38 seats. This seating is in addition to the 110 seats licenced for the building's ground-floor restaurant and the 350 seats licenced for the ground-floor cabaret.
- 2.3 The Planning and Building Department has solicited comments on this application from relevant City Departments, including the R.C.M.P., Burnaby Detachment. The R.C.M.P. and the Environmental Services Division of the Engineering Department are concerned about the potential for residents in the area to be affected by excess noise from the entertainment. As a result, should the Planning and Building Department recommend approval of the subject liquor licence, the Environmental Services Division of the Engineering Department recommends that the applicant engage the services of an acoustical engineer to recommend and implement any necessary noise mitigation measures.

Importantly, the R.C.M.P., Burnaby Detachment is also concerned that karaoke entertainment in restaurants has been associated with gang activity and that the additional activity on the subject site may precipitate safety concerns. In addition, the *Report on the City of Burnaby Task Force Report on the Sexual Exploitation and Prostitution of Children*

CITY MANAGER

Re: Liquor Licence Application #5/98
6669 Kingsway

1998 December 09.....Page 3

and Youth (adopted by Council in June 1998) included reference to karaoke establishments as a type of business establishment which children under the age of 19 should be prohibited from working in or frequenting. As one of the objectives of the Social Planning Division of the Planning and Building Department is to ensure that social needs, including safety concerns, are addressed in the planning of the built environment, the concern about karaoke boxes in particular and the concerns about additional activity on the subject site specifically warrants prudence. The Planning and Building Department, cognizant of the R.C.M.P. concerns and of the responsibility of the City to foster safe communities, therefore proposes that the decision to support the subject liquor licence application be deferred pending a review of the concerns associated with karaoke boxes, including reviews of the regulations of other municipalities, an assessment of the Liquor Control and Licencing Branch regulations for karaoke boxes relative to the above concerns, and other pertinent information that can be gathered. It is anticipated that a sufficient review of the issue would be completed by the end of January of 1999.

3.0 CONCLUSION:

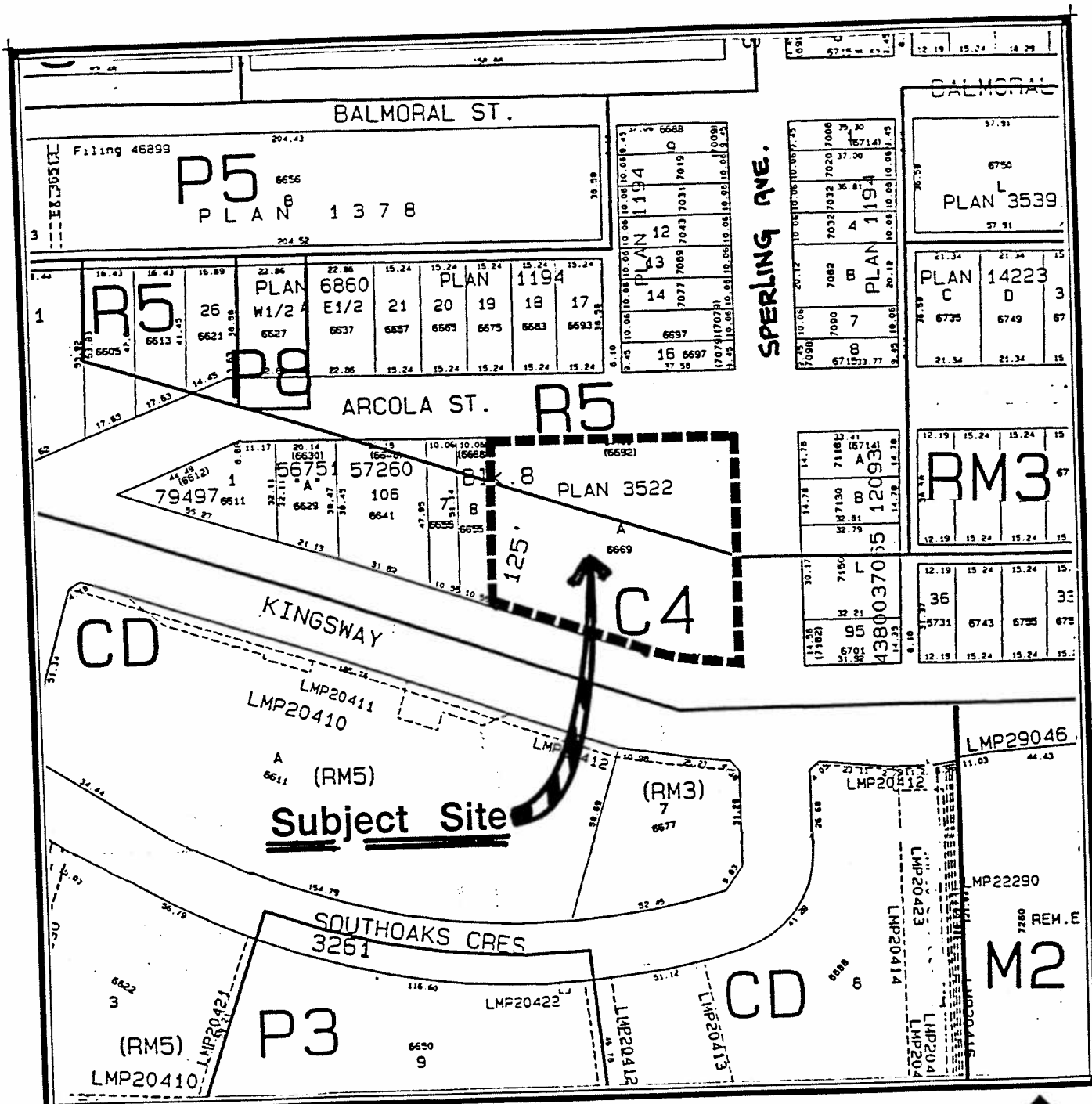
In light of the emerging concerns regarding the nature of karaoke boxes and the increasing number of requests for this activity, the Planning and Building Department recommends that a decision on the subject application for entertainment in the Class "B" licenced restaurant be deferred pending a review by the Planning and Building Department, who will consult the Liquor Control and Licencing Branch.



D. G. Stenson
Director Planning and Building

LS:hr
Attach.

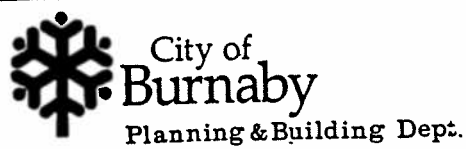
cc: Director Engineering, Environmental Services Division
Officer-in-Charge, R.C.M.P., Burnaby Detachment



Date:
November 1998

Scale:
1:2000

Drawn By:
J.P.C.



Liquor Licence Application # 5 / 98



Sketch # 1