

TO: CITY MANAGER **1998 NOVEMBER 18**

FROM: DIRECTOR PLANNING AND BUILDING

**SUBJECT: LIQUOR LICENCE APPLICATION #3/98
ENTERTAINMENT PROPOSED IN CLASS "B" RESTAURANT
KIKU SUSHI
4986 KINGSWAY (SEE ATTACHED SKETCH)**

PURPOSE: To seek Council approval for the subject liquor licence application

RECOMMENDATIONS:

1. **THAT** Council resolve to approve the request for an entertainment area within the Kiku Sushi restaurant, with the operating hours of 11:30 a.m. - 12:00 midnight Sunday to Thursday and 11:30 a.m. - 1:00 a.m. Friday and Saturday, subject to the front door of the restaurant being kept closed during the 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 Kyu Seop Lee, 6290 Winch Street, Burnaby B.C., V5B 2L3.

R E P O R T

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.

2.0 GENERAL DISCUSSION:

2.1 The subject restaurant is located on the ground level of Kingsway Plaza, a three-storey development with commercial uses on the ground level and two storeys of office use. In addition to the office use located above the restaurant, the restaurant is surrounded on three sides by other commercial uses. One-storey commercial buildings are located to the west of the subject site and across Kingsway to the north, while medium-rise office buildings are located to the south-east and south-west. To the south across the parking lot and Bennett Street, there is a fire hall, a park, and three-storey apartment buildings.

2.2 The applicant is proposing to have karaoke entertainment in the form of two private rooms at the eastern end of the restaurant, in the middle of the building. The restaurant's front door, located on the west side of the building, is the only opening which could affect the potential noise containment and should therefore be kept closed during the entertainment. Generally, however, the ambient noise of Kingsway and other commercial activity should likely exceed any possible noise from the entertainment.

The proposed hours of the entertainment are the same as that of the restaurant, 11:30 a.m. - 1:00 a.m. seven days a week, but with the entertainment use generally expected to occur in the evening. While the internalized nature of the entertainment is not considered likely to present major impacts, staff do have some concern about the proposed late hours of the entertainment and potential nuisance factor at closing time. It is therefore recommended that Council approval of the entertainment be based on a more acceptable operating time of 11:30 a.m. - 12:00 midnight Sunday through Thursday and 11:30 - 1:00 a.m on Friday and Saturday.

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. No City Department has expressed any objections to the entertainment in the Class "B" licenced restaurant.

3.0 CONCLUSION:

In light of the minor nature of the proposed entertainment, the location of the entertainment area in relation to other land uses, the ambient noise of Kingsway, and the lack of objections

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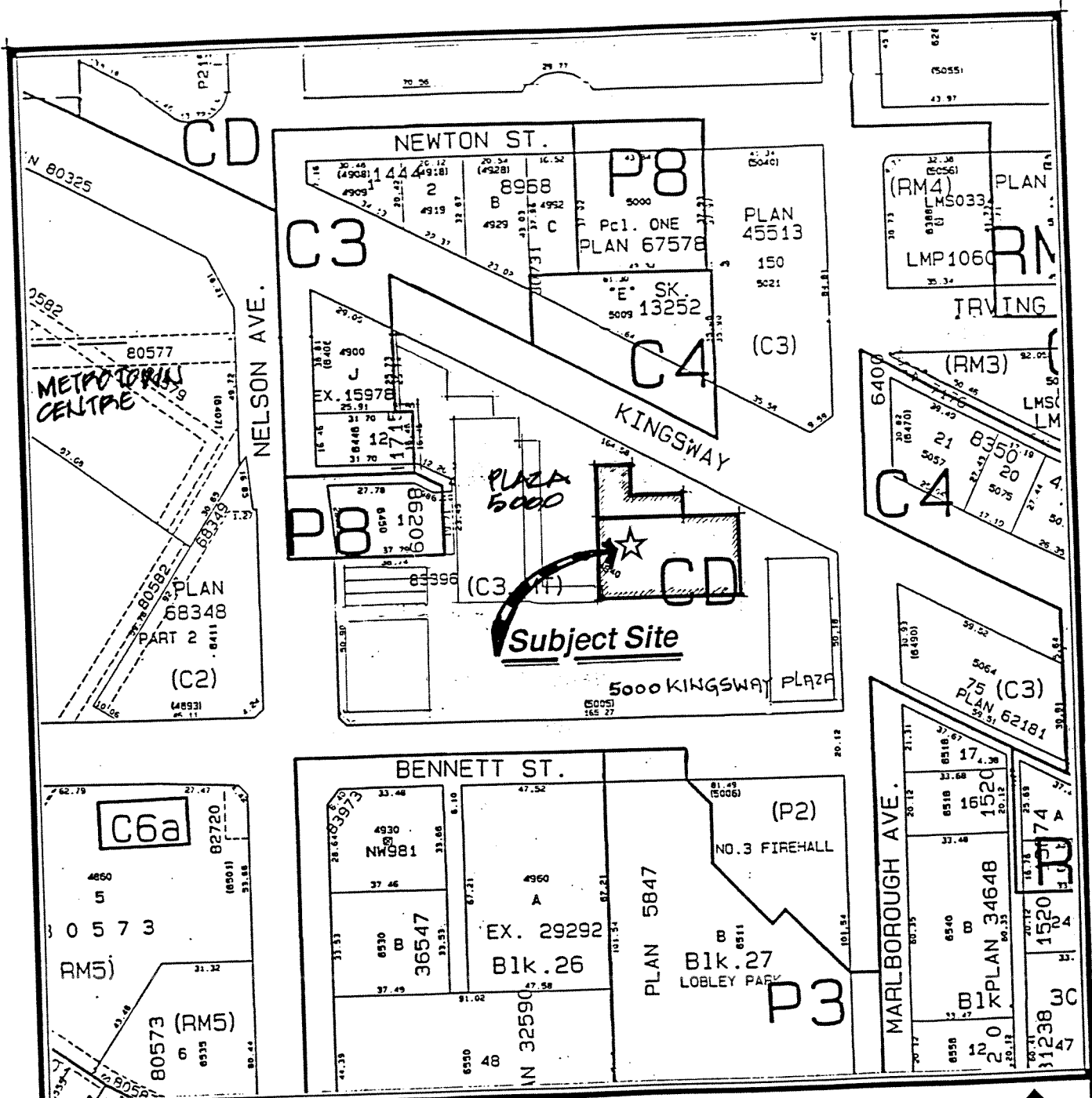
to the application, the Planning and Building Department supports the subject application for entertainment in the Class "B" licenced restaurant, subject to the operating hours of 11:30 a.m. - 12:00 midnight Sunday through Thursday and 11:30 - 1:00 a.m on Friday and Saturday, and the doors and windows being kept closed during the entertainment.



D. G. Stenson
Director Planning and Building

LS/ds
Attach.

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



Date:
October 1998

Scale:
1:2000

Drawn By:
J.P.C.



City of
Burnaby
Planning & Building Dept.



Liquor Licence Application # 3 / 98
4986 KINGSWAY

Sketch