

TO: CITY MANAGER

1999 MARCH 17

FROM: DIRECTOR PLANNING AND BUILDING

**SUBJECT: KARAOKE BOX ROOMS IN LICENCED CLASS "B" RESTAURANTS
LIQUOR LICENCE APPLICATION #5/98, 6669 KINGSWAY
LIQUOR LICENCE APPLICATION #6/98, E15 - 4700 KINGSWAY**

PURPOSE: To provide recommendations to Council on the subject of liquor licence applications and on the issue of karaoke box rooms in licenced Class "B" restaurants, pursuant to past Council discussion.

RECOMMENDATIONS:

1. **THAT** Council resolve to not support the request for karaoke box rooms in the subject restaurant at Maverick's, 6669 Kingsway—Liquor Licence Application (L.L.A.) #5/98.
2. **THAT** Council resolve to not support the request for karaoke box rooms in the subject restaurant, Taisho Restaurant at Eaton Centre—L.L.A. #6/98.
3. **THAT** Council resolve to not endorse further applications for karaoke box rooms as a form of entertainment as part of the liquor licence for Class "B" restaurants.
4. **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
 - the applicants: Diego's Entertainment c/o HOST Consulting Ltd., 302 - 32555 Simon Avenue, Abbotsford, B.C., V2T 4Y2; Shinichi Otanara, M3A - 601 West Broadway, Vancouver, B.C., V5Z 4C2.

REPORT

1.0 BACKGROUND INFORMATION:

- 1.1 Since 1990, local government input has been a pre-condition for Liquor Control and Licencing Branch approval of entertainment in Class "B" licenced restaurants. 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 has, unless otherwise directed, reported to Council on applications for entertainment in such restaurants.

- 1.2 As noted in the 1998 December 14 report to Council, L.L.A. #5/98 for the restaurant at 6669 Kingsway concerned a request for karaoke box rooms—small private rooms used for karaoke entertainment. Upon review of the application, the R.C.M.P., Burnaby Detachment raised concerns that karaoke entertainment in restaurants has been associated with gang activity and that additional activity on the subject site could precipitate concerns. In addition, it was noted by the Social Planning Division of the Planning and Building Department that the *Report on the City of Burnaby Task Force Report on the Sexual Exploitation and Prostitution of Children and Youth* (adopted by Council in June 1998) included reference to karaoke establishments as a type of business which children under the age of 19 should be prohibited from working in or frequenting. In light of these concerns, the Planning and Building Department recommended that a decision on L.L.A. #5/98 be deferred pending a review of the issue. The Planning and Building Department subsequently received another request for karaoke box rooms—L.L.A. #6/98—which was also deferred pending a review of the karaoke box room issue.
- 1.3 On 1999 February 2, Council received reports regarding L.L.A. #5/98 and L.L.A. #6/98. It was noted in the report for L.L.A. #5/98 that karaoke box rooms are considered potentially problematic by both the R.C.M.P., Burnaby Detachment and Vancouver police.

Given concerns about the potential for such entertainment to facilitate illegal activity, the Planning and Building Department recommended that the liquor licence applications for the subject restaurants be approved subject to both establishments first providing greater visibility for the karaoke box rooms than is currently provided by the Liquor Control and Licencing Branch regulations and subject to Maverick's first meeting necessary noise mitigation measures. It was noted that the karaoke box rooms for the subject restaurants had already been constructed.

The reports for L.L.A. #5/98 and L.L.A. #6/98 were tabled in order to allow Council a further opportunity for review. On 1999 March 1, the reports were lifted and the karaoke box room issue was discussed. Given Council's concern from experiences in other municipalities with karaoke entertainment in restaurants, Council requested that the Planning and Building Department write a report regarding the feasibility and advisability of Burnaby not entertaining further applications for karaoke box rooms as part of liquor licences in Class "B" restaurants and reflecting Council's opposition to karaoke box rooms.

3.0 LIQUOR LICENCE APPLICATION #5/98

As noted in the 1998 December 09 report to Council, the applicant for Liquor Licence Application #5/98, 6669 Kingsway, proposes 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.

It is our understanding that Council supports the continuation of the liquor licence for the subject restaurant but, given its concern about the potential for illegal activity to be facilitated in establishments with karaoke box rooms, does not support the request for karaoke box rooms. If this is the case, it would be appropriate to adopt a motion to not support the request for karaoke box rooms under application LLA #5/98.

4.0 LIQUOR LICENCE APPLICATION #6/98

As noted in the 1999 February 2 report to Council, the applicant for Liquor Licence Application #6/98, Taisho Restaurant in Eaton Centre, proposes to have karaoke entertainment in the form of nine private karaoke box rooms.

It is our understanding that Council supports the issuance of a Class "B" liquor licence for the subject restaurant but given its concern about the potential for illegal activity to be facilitated in establishments with karaoke box rooms, does not support the request for karaoke box rooms. If this is the case, it would be appropriate to adopt a motion to not support the request for karaoke box rooms under application LLA #6/98.

5.0 FUTURE REQUESTS FOR KARAOKE BOX ROOMS IN RESTAURANTS

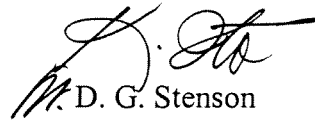
With respect to municipal control over such a use, the Burnaby Zoning Bylaw does not acknowledge karaoke box rooms in restaurants as a principal use; such uses would be considered accessory to the restaurant use. Currently, the local government resolution required for entertainment in Class "B" licenced restaurants is the manner in which Burnaby input regarding karaoke box rooms is considered. Liquor Control and Licencing Branch staff have indicated, however, that they would not proceed with an application for entertainment in a Class "B" licenced restaurant without a favourable resolution from local government.

Given Council's concern about the potential for illegal activity to be facilitated in establishments with karaoke box rooms, it is recommended that Council, if opposed to the use, resolve to not endorse further applications for karaoke box rooms in licenced Class "B" restaurants.

6.0 CONCLUSION:

Karaoke box rooms in licenced establishments are a new phenomenon in the City of Burnaby. Despite existing Liquor Control and Licencing Branch policy regarding this type of entertainment in licenced Class "B" restaurants, there are concerns that they can facilitate potential illegal activity. Existing regulations are not sufficient to mitigate these concerns, particularly with respect to visibility, and suggested improvements to these regulations are not sufficient to mitigate Council's concerns about this type of entertainment.

The Planning and Building Department therefore recommends that, given Council's concern, further applications for karaoke box rooms in Class "B" licenced restaurants in Burnaby not be endorsed and that, while the continuance or issuance of a Class "B" liquor licence for the subject restaurants is not opposed, L.L.A. #5/98 and L.L.A. #6/98 for associated karaoke box rooms not be approved.



M. D. G. Stenson
Director Planning and Building

LS:gk

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