

TO: CITY MANAGER 2002 January 24

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **LIQUOR LICENCE APPLICATION #01-13**
Designated Food Optional Area in Class "B" Restaurant
Radisson Hotel 4331 Dominion Street (see *attached* Sketch #1)

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

RECOMMENDATIONS:

1. **THAT** Council resolve to approve the request for a Designated Food Optional (DFO) area within the Radisson Hotel restaurant, with the operating hours of 11:00 a.m. to 1:00 a.m from Monday to Saturday and 11:00 a.m. to 12:00 midnight on Sunday.

2. **THAT** a copy of this report and Council's resolution be forwarded to the General Manager, Liquor Control and Licencing Branch, 1019 Wharf Street, Victoria, B.C., V8V 1X4; and to the applicant, Bert Hick, Rising Tide Consultants Ltd., 740-1070 Douglas Street, Victoria, B.C., V8W 2C4.

REPORT

1.0 BACKGROUND INFORMATION:

On 2000 December 18, Council received a report advising that, as part of a change in Liquor Control and Licencing Branch (LCLB) regulations, restaurant licensees with a Class "B" Dining Lounge Licence can apply to operate Designated Food Optional (DFO) areas, a limited area in restaurants where patrons can be served liquor without having to consume food. Restaurants can apply to change 10% of their current licensed capacity (excluding patios and banquet room capacities) for use as DFO seats, up to a maximum of 20 seats. The report also advised that the LCLB requires local government resolution to be sought for all applications, though the general manager of the LCLB will make a decision on the application if local government advises the LCLB that they do not wish to comment or do not respond in a reasonable time.

On 2001 January 22, Council adopted a report recommending a process for dealing with applications for DFO areas. In accordance with the past practice of reporting on all requests for local government approval or comments on liquor licence applications and to ensure that potentially problematic DFO areas are evaluated, it was recommended that each restaurant seeking a DFO area apply for a Liquor Licence Application amendment with this Department. Applications would be circulated to relevant City Departments, including the R.C.M.P., Burnaby Detachment, for comment. It was anticipated that proposed interior DFO areas in restaurants without a record of recent complaints or issues, and without entertainment, would be supportable.

Any seats in an approved DFO area could not be reallocated without a future Liquor Licence Application. In addition, any approved DFO area would still be considered a restaurant area and therefore be subject to the requirements of the Burnaby Smoking Bylaw.

2.0 GENERAL DISCUSSION:

The subject facility is located within the Radisson Hotel complex located at 4331 Dominion Street, and is situated on the south side of the development facing Dominion Street. The facility's neighbouring units, to the north, east and west, are occupied by the hotel itself, Champ's Sports Bar and a parking lot. Four-storey office buildings and a casino are located to the south across Dominion Street.

The applicant for the Radisson Hotel is proposing to have a DFO area of 17 seats — 17 seats being the maximum number of DFO area seats possible in this restaurant which has a principal licenced area of 168 seats. The proposed DFO area is in the northeast corner of the restaurant and consists of 17 seats at tables and booths within an elevated area which is functionally separated from the main dining lounge. It is noted that the restaurant space functions as an internal component of the hotel; there is no general public access to the outside.

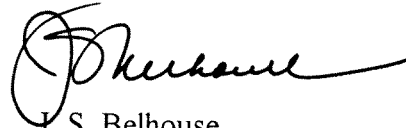
The operating hours of the restaurant are 11:00 a.m. to 1:00 a.m. from Monday to Saturday and 11:00 a.m. to 12:00 midnight on Sunday.

The Planning and Building Department has solicited comments on this application from relevant City Departments, including the R.C.M.P., Burnaby Detachment. Neither the R.C.M.P. nor any City Department has expressed any objections to the proposed DFO area at the Radisson Hotel's dining lounge.

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3.0 CONCLUSION:

In light of the lack of objections to the application for a DFO area in the Radisson Hotel's dining lounge, the Planning and Building Department considers it unlikely that there would be any potential community impact from the proposal and supports the Radisson Hotel's application.

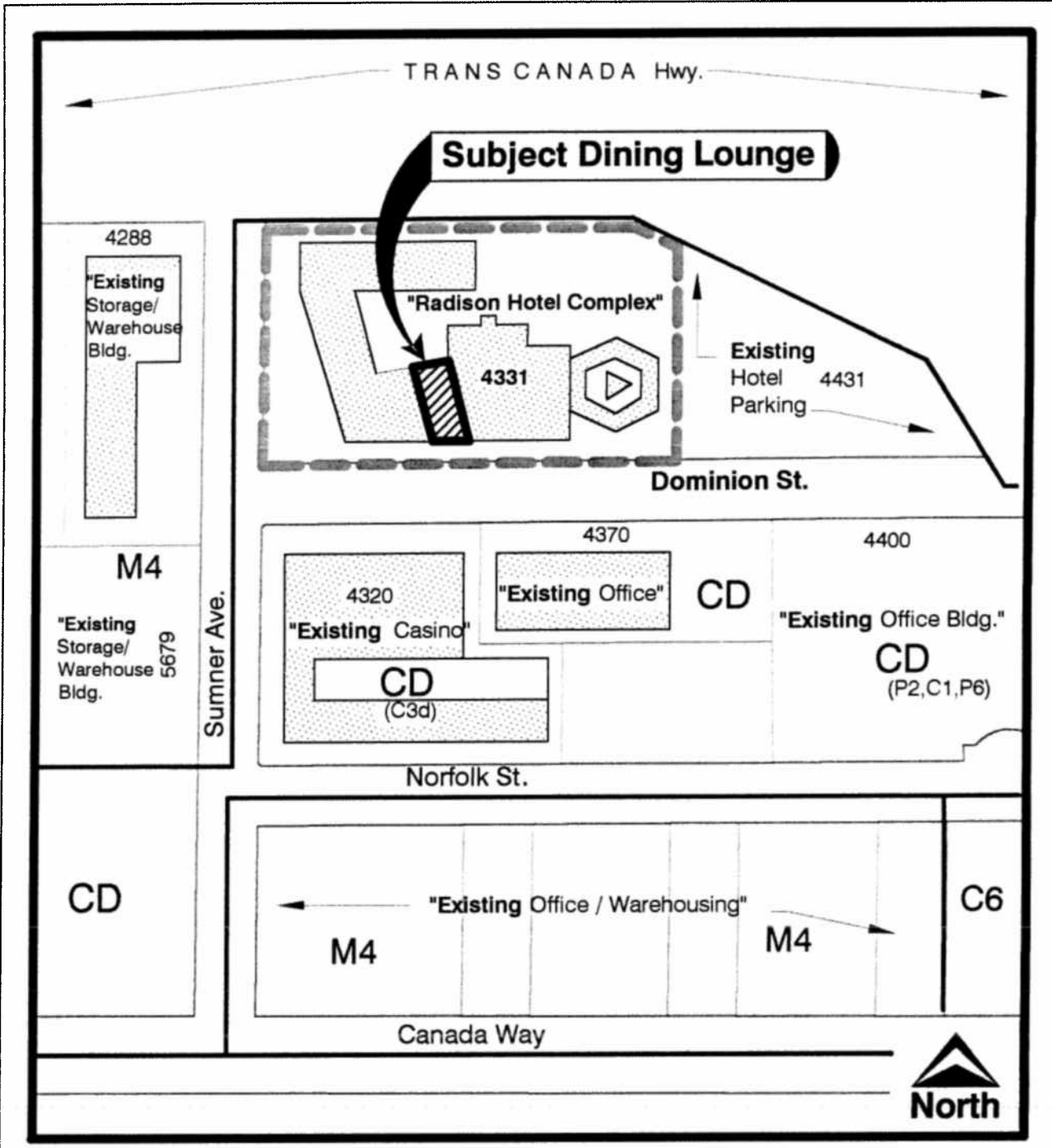


J. S. Belhouse
Director Planning and Building

EK:gk
Attach.

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

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Planning And Building Department

Scale: N.T.S.
 Drawn By: J.P.C.
 Date: December 2001

Liquor Licence Application # 01--13
 4331 Dominion St.
 (Radison Hotel, Dining Lounge)

Sketch # 1