

**TO:** CITY MANAGER

2002 MAY 01

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** LIQUOR LICENCE APPLICATION #01/14  
ENTERTAINMENT PROPOSED IN CLASS "B" RESTAURANT  
WESTSIDE LIVE  
7613 EDMONDS STREET(SEE ATTACHED SKETCH)

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

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**RECOMMENDATIONS:**

1. **THAT** Council approve the request for the two types of entertainment in the Westside Live Restaurant, with the entertainment ceasing at 9:00 pm weekdays and at 10:00 pm weekends, with exterior windows and doors to be closed during the entertainment, and provided that the requirements are met regarding visibility and level of illumination, with respect to Karaoke Box Rooms as outlined in Section 2.5 of this report.
2. **THAT** a copy of this report and Council's conditional resolution be forwarded to the Liquor Control and Licencing Branch, 101 - 9180 King George Highway, Surrey, B.C., V3V 5V9; and the applicant Hyuk Joon Chung, #7-7500 Cumberland Street, Burnaby, BC V3N 4Z9.

**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 regulations, 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 at the northeast corner of Edmonds Street and New Vista Place. The subject site is located within the Edmonds Town Centre Plan, and is designated for redevelopment for street front retail with low rise apartments above. To the east and west along both sides of Edmonds Street are primarily service commercial oriented businesses. Edmonds Community School is situated to the southeast across Edmonds Street. The New Vista seniors' housing complex is located to the northwest of this property. Another seniors' housing facility, "Canada Way Lodge", is situated to the northeast of the subject property. In addition, a seniors' multi-level care facility, the New Vista Cascade replacement, is proposed for the site directly across the lane to the north of the subject property.
- 2.2 The applicant is proposing to add two types of entertainment to the restaurant establishment - live music and a karaoke box room. The karaoke box room will be available upon request to restaurant patrons. It is located along the west side of the restaurant, off a corridor which also leads to the washrooms, and thus can be made readily visible to restaurant patrons. The live entertainment stage is also located at the west side of the restaurant. Both the karaoke box room and the stage are well separated from the main entrance. The hours of operation for the restaurant are seven days a week from 5:00 p.m. to 12:00 midnight. The proposed hours of entertainment are from 6 pm to 9 pm weekdays and from 9 pm to 12 pm weekends. These hours comply with Liquor Control and Licencing policy which states that karaoke entertainment must cease by 12:00 midnight. The subject restaurant's seating capacity is for 50 seats. Adequate parking is available on site.
- 2.3 The applicant maintains that the live music will not be loud, and emphasizes that the family-oriented nature of the establishment lends itself more to quieter music styles, such as classical and light jazz. It is noted that the subject establishment has not received any complaints about noise from the neighbouring properties. The applicant also emphasizes that the noise will be contained within the premises, and that the provisions of the Noise and Sound Abatement Bylaw will be observed.
- 2.4 The subject property is located within a strip commercial development along Edmonds Street, a relatively busy traffic corridor. The features of this site should therefore assist in buffering noise potentially caused by the subject business. The R.C.M.P., Burnaby Detachment have expressed concerns over potential noise conflicts with nearby residential uses (i.e. New Vista Care facility) and over the limited size of the facility in the context of providing live entertainment. However, the R.C.M.P. have also noted that the business had been in operation since mid-December 2001 and no complaints about noise or parking have been received to date. They accept that the noise impacts of this establishment would be

minimal, given the establishment's limited hours of operation, the type of music proposed, the location of the proposed entertainment components within the restaurant, and there being only one karaoke box room. Out of concern for the potential impacts on the nearby residential uses, the Director Engineering suggests that the live entertainment for the facility should cease at 10 pm, and that resulting noise be contained by ensuring that exterior doors and windows remain closed during this time. It is therefore proposed that the applicant's weekend entertainment hours be to 10 pm. The Planning Department is of the view that the applicant could apply for an extension of weekend hours to 12 am once it has been in operation without any difficulties, for at least one year.

- 2.5 As noted in a report to Council received 1999 May 13 regarding karaoke box rooms, concerns have been raised by the R.C.M.P., Burnaby Detachment and the City Task Force on the Sexual Exploitation and Prostitution of Children and Youth related to karaoke box rooms and their potential to foster illegal activity. It was also noted that the Liquor Control and Licencing Branch policy and regulations regarding karaoke box rooms are insufficient and measures to improve the policy were recommended. 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. also has general concerns about karaoke box rooms in licenced restaurants, and therefore, would like the karaoke box room to be subject to requirements that allow for greater visibility. Though the karaoke box room for the subject establishment has already been constructed as per Liquor Control and Licencing Branch guidelines, it is recommended that the karaoke box room within the restaurant meet the guidelines and physical requirements adopted in Council on 1999 June 14.

In part, these include the following:

- a. at least one-half of the karaoke box room wall on which the door is located, including the door area, is outfitted with clear, non-glare, non-reflective, non-tinted glass and windows are unobstructed at all times (existing Liquor Control and Licencing Branch policy regarding window height and the absence of blinds or curtains would still be necessary);
- b. when rooms are occupied, there is a level of illumination that is consistent with that which is expected for restaurants - establishments in which the primary purpose is eating - and that devices such as black lights and disco balls are not used without a minimum level of additional lighting.

2.6 The requirements outlined above will allay the concerns expressed by the RCMP. In addition, the concerns around noise generation should be alleviated by the hours of operation for the live entertainment and karaoke box room, and by the containment of these activities within the subject premises with exterior doors and windows to remain closed during the entertainment.

**3.0 CONCLUSION:**

Given the location of the proposed entertainment area within a commercial area of the Edmonds Town Centre Plan and in relation to other land uses and activity, the Planning and Building Department supports the subject application for entertainment in the Class "B" licenced restaurant subject to the following terms:

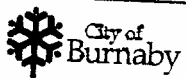
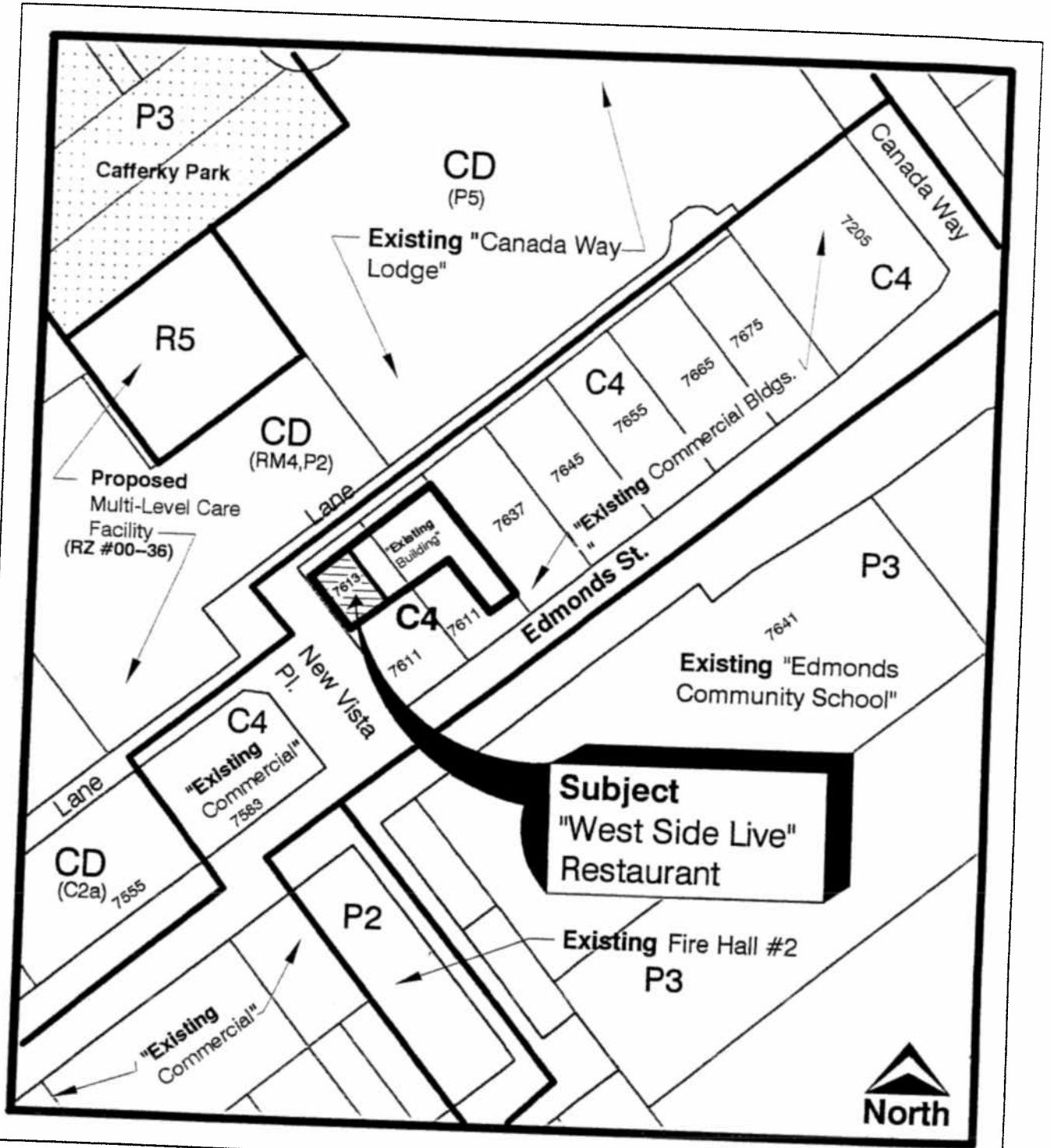
- both types of entertainment must cease at the proposed hours of 9:00 pm on weekdays and 10:00 pm weekends;
- the exterior windows and doors of the restaurant must remain closed during entertainment hours;
- the concerns of the R.C.M.P, Burnaby Detachment are met with respect to the visibility and illumination levels of karaoke box rooms.



J. S. Belhouse  
Director Planning and Building

DH:gk  
Attach

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



City of Burnaby  
 Planning And Building Department

Scale: N.T.S.

Drawn By: J.P.C.

Date: December 2001

**Liquor Licence Application # 01-14**

7613 Edmonds St.  
 (West Side Live Restaurant)

Sketch # 1

