

**TO:** CITY MANAGER

2002 NOVEMBER 28

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT: LIQUOR LICENCE APPLICATION # 02-4  
PROPOSED ENTERTAINMENT IN LICENSED RESTAURANT  
DOMENICO'S RESTAURANT  
5639 HASTINGS STREET (SEE ATTACHED SKETCH)**

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

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**RECOMMENDATIONS:**

1. **THAT** Council resolve to approve the request for an entertainment area within Domenico's Restaurant, with the operating hours of 9:00 p.m. to 12:00 midnight on Fridays, Saturdays and Sundays, subject to the doors to 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 Licensing Branch, 101 - 9180 King George Highway, Surrey, B.C. V3V 5V9; and the applicant, Domenico Mobilio, 4204 Georgia Street, Burnaby, B.C. V5C 2T7.

**REPORT**

**1.0 BACKGROUND INFORMATION:**

On 1990 April 30, Council received a report advising that local government approval was now required as a pre-condition for Liquor Control and Licensing Branch (LCLB) consideration of proposals for patron participation in licensed restaurants. At that time, Council approved the practice of this Department reporting to Council on all applications for patron participation entertainment in restaurants based on the potential impact licensed restaurants with significant entertainment features could have on adjacent neighbourhoods.

Under the new Provincial liquor licensing regulations, which took effect on 2002 December 2, local government input continues to be sought by the LCLB on these types of applications. The new regulations specify certain criteria, which are similar to the same considerations utilized already by Burnaby, which local government must take into account when considering such applications. However, LCLB staff advise that for applications received prior to December 2, 2002, these applications should be handled utilizing the pre-2002 December 2 processing system which this report reflects.

**2.0 GENERAL DISCUSSION:**

- 2.1 The subject site is located at the northwest corner of Hastings Street and Holdom Avenue and is occupied by a small, low scale strip commercial development, including Domenico's Restaurant at the western end of the development. The remainder of the commercial strip is located to the east, with Capitol Hill School beyond, across Holdom Avenue. Low scale commercial developments are also located to the west and across Hastings Street to the south. A multiple family residential development and a single family dwelling are located to the north of the site. These properties are at a significantly higher elevation than the subject site, well above the narrow service walkway behind the commercial development. The subject site is located on Hastings Street, which is a designated Primary Arterial. The ambient traffic noise from Hastings Street is expected to exceed any noise from the entertainment.
- 2.2 The applicant is proposing to have a dance floor, with a keyboard player and a singer. The proposed dance floor is approximately 125 square feet in size and is located by the front door to the restaurant. The entertainment is proposed for 9:00 p.m. to 12:00 midnight on Fridays, Saturdays and Sundays. The licensed restaurant has a maximum capacity of 85 seats and hours of liquor sale of 11:00 a.m. to 1:00 a.m. Monday through Saturday and 11:00 a.m. to 12:00 midnight on Sunday.
- 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 objections to the entertainment have been expressed for the licensed restaurant. Environmental Services, Engineering Department has indicated, however, that since the restaurant is in proximity to residential uses, the south facing doors should be kept closed during times there is any entertainment.

**3.0 CONCLUSION:**

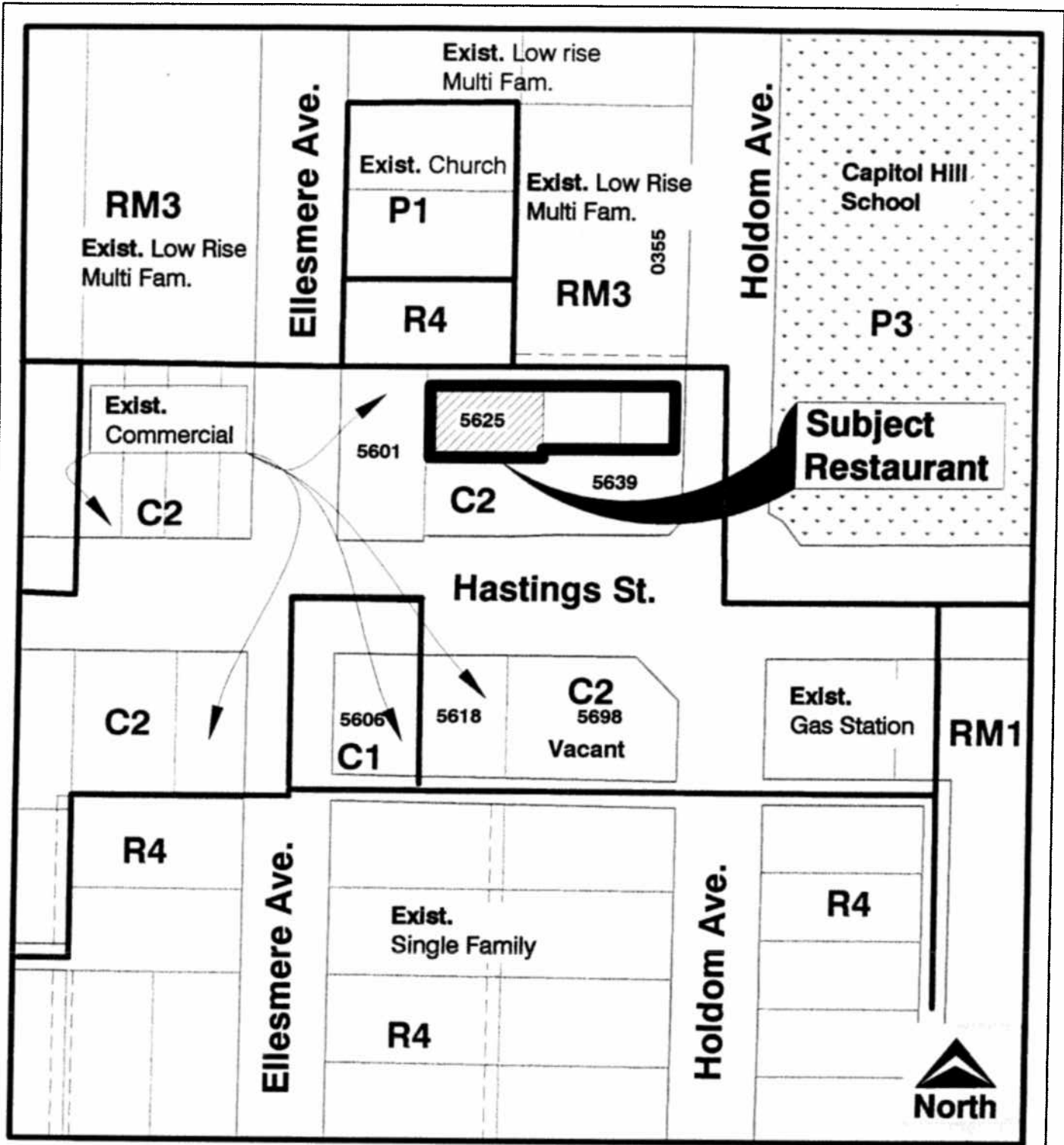
In light of the minor nature of the entertainment and the restaurant's orientation toward Hastings Street, a Primary Arterial, as well as the lack of any objections to the application, the Planning and Building Department supports the subject application for entertainment in the licensed restaurant subject to the doors of the restaurant being kept closed during the entertainment.



J. S. Belhouse  
Director Planning and Building

BW:gk  
Attach

cc: Director Engineering  
(Attn: Denis Semail)  
Officer-In-Charge R.C.M.P., Burnaby Detachment  
Waitt\Liquor Lic\LLA 02-04 Domenico Report



**Planning And Building Department**

Scale: 1 : 2000

Drawn By: J.P.C.

Date: November 2002

**Liquor Licence Application # 02--4**

Sketch # 1

