

2003 March 05

TO: CITY MANAGER

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: LIQUOR LICENCE APPLICATION #02-7
 CHAMPS SPORTS PUB
 4331 DOMINION STREET (see attached sketch #1)
 PROPOSED EXTENSION OF HOURS OF LIQUOR SALE

LIQUOR LICENCE APPLICATION #02-6
 SHARK CLUB LICENSED ESTABLISHMENT
 4399 LOUGHEED HIGHWAY (see attached sketch #2)
 PROPOSED EXTENSION OF HOURS OF LIQUOR SALE

PURPOSE: To provide Council with a recommendation on requests for extension of hours of liquor sale for the subject liquor licence establishments.

RECOMMENDATIONS:

1. **THAT** Council adopt 11:00 a.m. as the standard earliest opening time for considering new requests to change the permitted hours of liquor sale for primary liquor licence establishments.
2. **THAT** Council resolve to support an extension of the hours of liquor sale for the Champs Pub to 11:00 a.m. to 2:00 a.m., 7 days per week.
3. **THAT** Council resolve to support an extension of the hours of liquor sale for the Shark Club liquor primary establishment to 11:00 a.m. to 2:00 a.m., 7 days per week.
4. **THAT**, upon receipt of the executed covenant discussed in Section 2.4, a copy of this report and Council's resolution be sent to the applicant for the Shark Club, Mr. Rick Erdman, Host Consulting Ltd., 2739 Sheffield Way, Abbotsford, B.C. V2S 4B7 and to the General Manager, Liquor Control and Licensing Branch, (Att: Ms. Helen Pedault) PO Box 9292, Stn., Provincial Government, Victoria, B.C. V8W 9J8.
5. **THAT** a copy of this report and Council's resolution be sent to the applicant for Champs Sports Pub, Mr. Shiraz Hasi, 3390 Maple Street, Vancouver, B.C. V6J 3V4 and to the General Manager, Liquor Control and Licensing Branch, (Att: Ms. Helen Pedault) PO Box 9292, Stn., Provincial Government, Victoria, B.C. V8W 9J8.

R E P O R T

1.0 BACKGROUND INFORMATION

1.1 On 2003 February 17 Council received a report regarding a request to extend the hours of liquor sale for Champs Sports Pub from 11:00 a.m. to 1:00 a.m. Monday through Saturday and 11:00 a.m. to 12:00 midnight on Sundays, to 10:00 a.m. to 2:00 a.m., 7 days per week (Liquor Licence

Application #02-7). The report recommended that Council resolve to support the requested extension of hours of liquor sale. At that time Council referred the matter back to staff for review of the requested opening time.

- 1.2 On 2003 February 17, Council also received a report regarding a request to extend the hours of liquor sale for Shark Club liquor primary establishment from 11:00 a.m. to 1:00 a.m. 7 days per week to 12:00 noon to 2:00 a.m. 7 days per week (Liquor Licence Application #02-6). The report recommended that Council resolve to support an extension of hours of liquor sale for the Shark Club liquor primary establishment to 11:00 a.m. to 1:00 a.m. Sunday through Thursday and 12:00 noon to 2:00 a.m. on Fridays and Saturdays. The report suggested that consideration be given to a further extension of hours of sale after one year has past and the situation could be reviewed. At that time Council resolved to support the requested extension of hours of sale of 12:00 noon to 2:00 a.m. 7 days per week.

2.0 GENERAL DISCUSSION

- 2.1 Over the years that Council has been considering requests for the extension of hours of sale for liquor licence establishments. The vast majority have been requests to extend the latest hours of sale or closing time, while a few requests have been considered to permit earlier hours of liquor sale. In the past, the liquor licence reports have focused on the latest hours of sale or closing time as the principal issue or matter of concern as it relates to late night noise, nuisances and general neighbourhood impacts. In the context of reviewing liquor licence applications, the pertinent Departments, such as Social Planning, Environmental Services Division, Engineering Department and the R.C.M.P. have not raised concerns regarding earlier hours of liquor sale.
- 2.2 The vast majority of primary liquor licence establishments in Burnaby are permitted to serve liquor starting at 11:00 a.m. (approximately 75%), with a few permitted to serve liquor beginning at 10:00 a.m., 11:30 and 12:00 noon. Four liquor licence establishments in Burnaby have a 10:00 a.m. opening time. An 11:00 a.m. earliest opening hour for the sale of liquor would appear to be a reasonable time, providing service to early lunch customers. The establishment of an 11:00 a.m. standard earliest opening time would only affect consideration of applications for extension of hours for liquor licence establishments and applications for new liquor licence establishments. The hours of sale for existing licensed establishments would not be affected.

Under the previous Provincial regulations, hours of liquor sale were limited to fourteen (14) continuous hours per day. The new regulations permit, subject to limitation by the General Manager of the Liquor Control and Licensing Branch (LCLB), hours of sale from 9:00 a.m. to 4:00 a.m. of the next day.

With a 9:00 a.m. earlier opening possible, it raises the question as to the desirability of having a standard earliest opening hour.

- 2.3 To help establish some consistency in terms of an earliest opening time for sale of liquor at primary liquor licence establishments, it is recommended that Council adopt 11:00 a.m. as the standard earliest opening time for considering new requests to change the permitted hours of liquor sale.
- 2.4 The most recent requested change in the hours of sale of liquor for the Shark Club primary liquor licence included opening at 12:00 noon. Since Council adoption of the resolution in favor of the requested change in operating hours for the Shark Club, however, the applicant has advised that the request for a 12:00 noon opening was based on the old Provincial regulations which limited the sale of liquor to 14 hours per day. As previously mentioned, the new Provincial regulations now permit, subject to limitation by the General Manager of the LCLB, hours of sale from 9:00 a.m. to 4:00 a.m. of the next day. In light of the new Provincial regulations, the applicant for the Shark Club is now requesting that Council support an 11:00 a.m. opening hour for the sale of liquor. Based on the above policy recommendation regarding the opening hours of sale for liquor licence establishments, the requested 11:00 a.m. opening for the Shark Club is supported.

The forwarding of the recommended resolution in the 2003 February 17 Council report to the LCLB was, however, dependent upon receipt of an executed covenant limiting the use of the outdoor restaurant patio to 10:00 p.m. The extension of the enclosure of the patio is the subject of Rezoning Reference #02-56, which appears on the 2003 March 18 Public Hearing agenda. The applicant is still in the process of executing the covenant, therefore the conditional forwarding of any Council resolution on the operating hours is still appropriate.

3.0 CONCLUSION

In order to establish consistency in the earliest opening time for the sale of liquor, it is recommended that Council adopt 11:00 a.m. as the standard earliest opening time for considering requests to change the permitted hours of liquor sale for primary liquor licence establishments. Existing establishments with an existing earlier opening time, would not be affected by this policy recommendation until a request for a change in operating hours were received. It is therefore recommended that Council resolve to support an extension of hours of liquor sale for both Champs Sports Pub and the Shark Club liquor primary establishment from 11:00 a.m. to 2:00 a.m. 7 days per week.

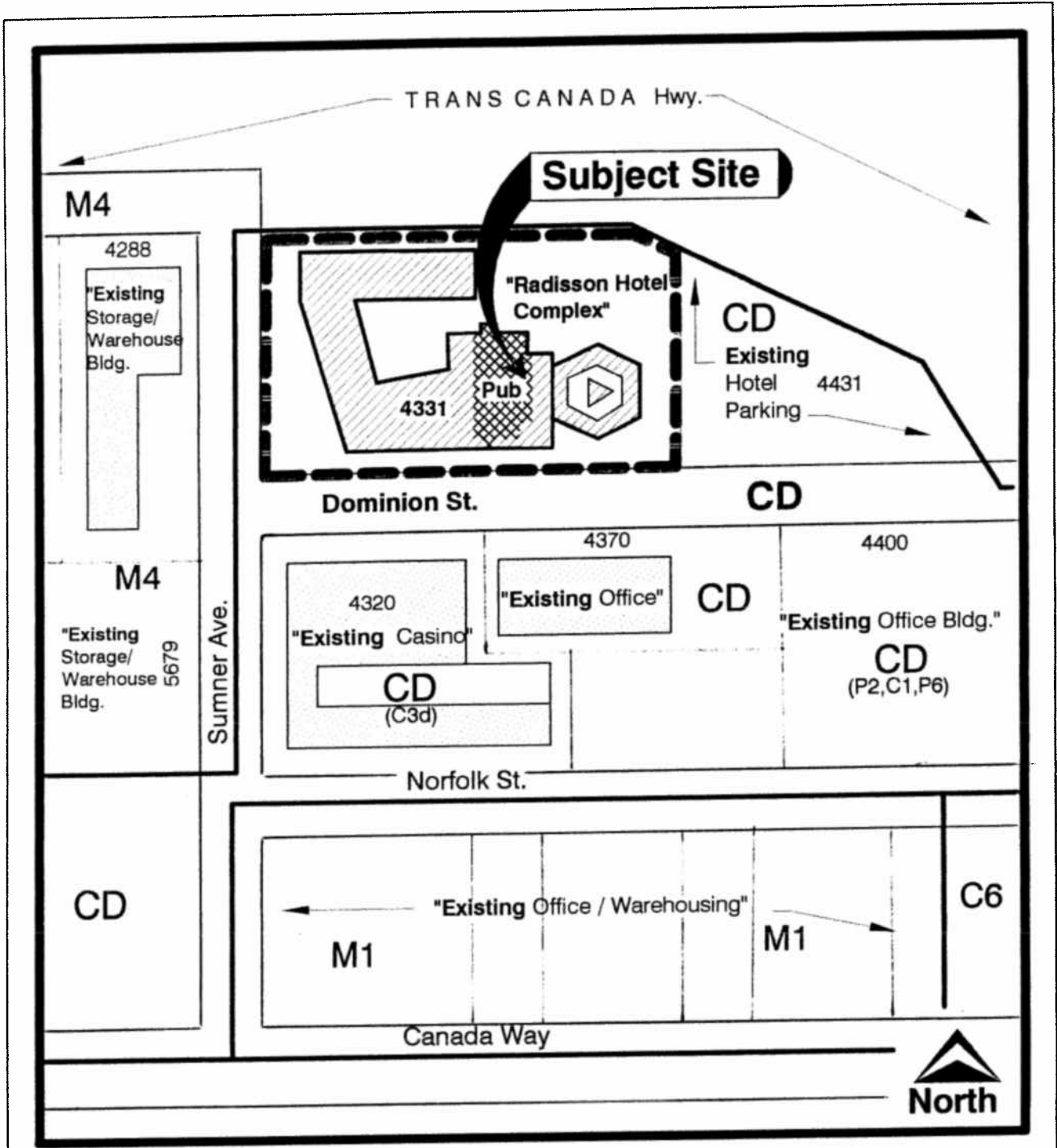


J. S. Belhouse
Director Planning and Building

BW:gk/tn

Attachments (2)

cc: R.C.M.P., Burnaby Detachment
Engineering Department, Environmental Services Division
Chief Licence Inspector



Planning And Building Department

Scale: N.T.S.

Drawn By: J.P.C.

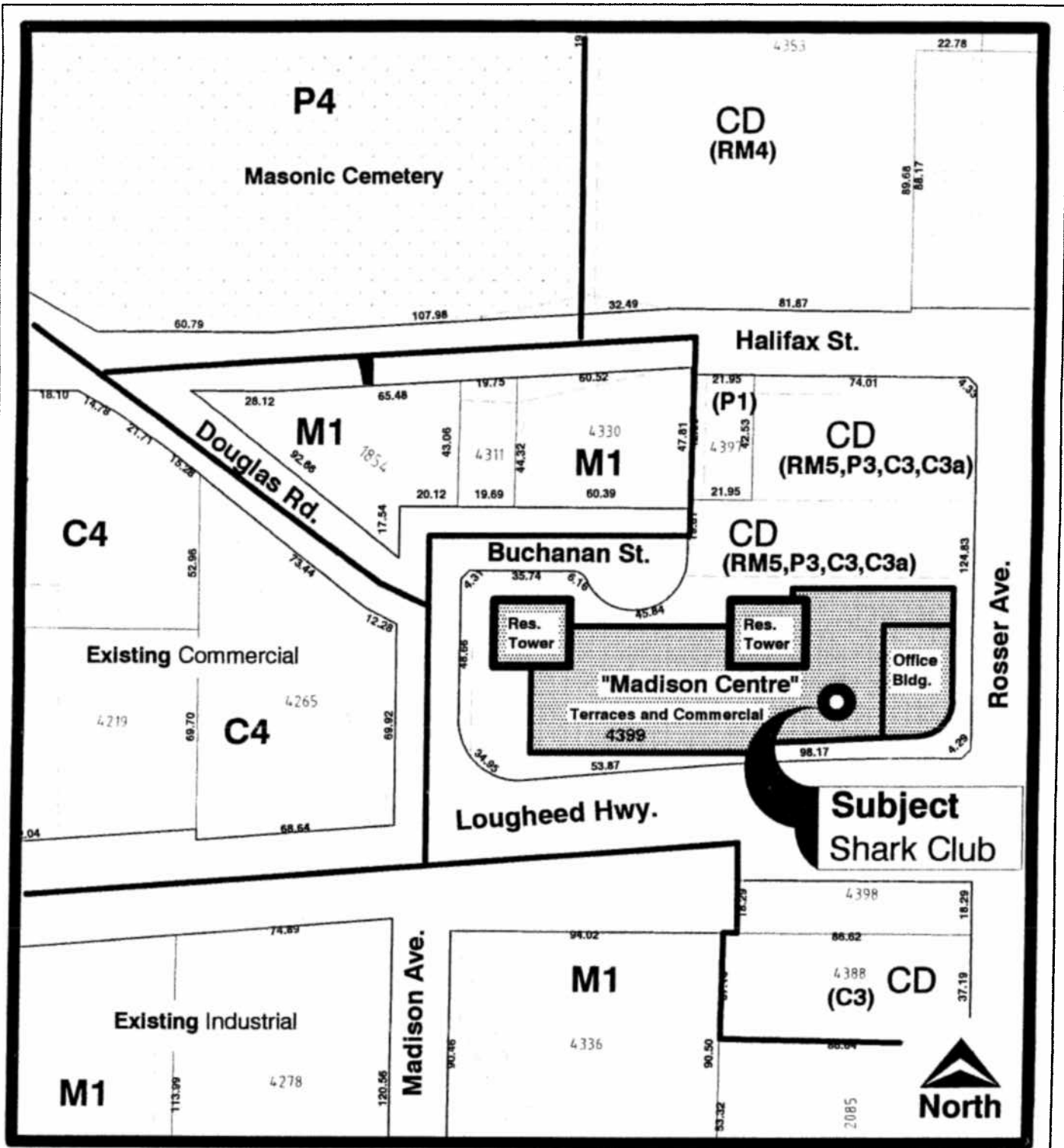
Date: December 2002

Liquor Licence Application 02-- 07

4331 Dominion St.

(Radisson Hotel, Champs Sports Bar)

Sketch # 1



Planning And Building Department

Scale: 1 : 2000

Drawn By: J.P.C.

Date: November 2002

Liquor Licence Application 02--6
1899 Rosser Ave.(Shark Club)

Sketch # 2

