



Item
Meeting..... 2010 January 25

COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2010 January 20

FROM: DIRECTOR PLANNING & BUILDING **FILE:** 46000 06
Reference: Liquor Licence General

SUBJECT: LCLB POLICY DIRECTIVE -- HOURS OF LIQUOR SERVICE

PURPOSE: To advise Council of the Liquor Control and Licensing Branch (LCLB) Policy Directive with regard to the extension of hours of liquor service during the Olympic Games.

RECOMMENDATIONS:

1. **THAT** Council maintain the established hours of Food and Liquor Primary licences within Burnaby during the month of February, 2010, as described in Section 3.0 of this report.
2. **THAT** a copy of this report be forwarded to the General Manager, Liquor Control and Licensing Branch, P.O. Box 9292, Stn. Provincial Government, Victoria, BC V8W 9J8.

REPORT

1.0 INTRODUCTION

On 2009 December 8, the Liquor Control and Licensing Branch (LCLB) issued a Policy Directive with regard to hours of liquor sales during the month of 2010 February. The Policy Directive allows a local government, in an area where the Olympic/Paralympic (O/P) licence is available, to pass a bylaw or Council resolution for the blanket extension of the hours of liquor service for Food Primary and/or Liquor Primary licences during all or part of the month of 2010 February. The policy is intended to be applied on a city-wide basis and is not applicable to individual Food Primary or Liquor Primary licences within a jurisdiction where the policy is applicable.

The Policy Directive applies to the jurisdictions of: Burnaby, Richmond, Surrey, Vancouver, District of Squamish, District of West Vancouver, Regional District of Squamish-Lillooet, Resort Municipality of Whistler, and UBC's Point Grey Campus.

To date, the City has received inquiries from Burnaby hotels expressing an interest in having extended liquor service hours during part of the month in 2010 February. The purpose of the report is to seek Council policy direction with regard to the application of the LCLB's Policy Directive in Burnaby.

2.0 IMPLEMENTATION OF THE POLICY DIRECTIVE

To date, the Policy Directive has been implemented in Whistler, Vancouver and Surrey where the hours of liquor service within these jurisdictions have been extended for specific dates in the month of February as follows:

- Whistler has provided for a 30 minute extension to hours of service between 2010 February 12 to 28 as follows:
 - Food and Liquor Primary with a current closing time of 1:00 a.m. or earlier are extended to 1:30 a.m.
 - Liquor Primary “nightclubs” with a current closing time of 2:00 a.m. are extended to 2:30 a.m.
- Vancouver has generally extended its weekend closing times to everyday of the week for the period between 2010 February 8 to 28 as follows:
 - Food and Liquor Primary establishments with a current closing time of 2:00 a.m. or earlier are extended to 2:00 a.m. everyday of the week.
 - Liquor Primary establishments with a current closing time of 3 a.m. on weekends are extended to 3:00 a.m. everyday of the week.
- Surrey has generally provided for a 2 hours extension to hours of service between 2010 February 8 to 28 as follows:
 - Food Primary establishments with a current closing time of 12 a.m. or earlier are extended to 2:00 a.m. everyday of the week.
 - Liquor Primary establishments with a current closing time of 1 a.m. on Sunday through Thursday and 2 a.m. on Friday and Saturday are extended to 3:00 a.m. everyday of the week.

Staff are not aware of any other jurisdictions that have extended hours of service through application of the Policy Directive. It is noted that the City of Richmond has not applied the directive, but has granted temporary extensions to 3 specific Liquor Primary licences, 2 of which are at the Airport, to allow for a 2:00 a.m. closing.

In Burnaby, the majority of Food Primary and Liquor Primary establishments have closing times of 1 a.m. Monday to Saturday, and Midnight on Sunday. Enactment of the Policy Directive would require the passing of a Council motion or resolution to extend the hours of liquor service of Food Primary and/or Liquor Primary establishments, on a City-wide basis, to a specific time, such as 2:00 a.m., for a defined period of time during the month of 2010 February.

3.0 DISCUSSION

On 2003 April 28, Council adopted policies for processing procedures and criteria for liquor licence applications in which Council receives a report on applications for new liquor licenses, amendments to existing liquor licenses, or temporary changes to liquor licenses. In line with this policy direction, applications are circulated for comment from

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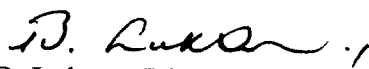
various City departments and the RCMP and recommendations are considered for approval by Council. Applications are reviewed on a case by case basis in the context of surrounding land uses, with opportunity for community input. As noted, in Burnaby, the majority of Food Primary and Liquor Primary establishments have closing times of 1:00 a.m. Monday to Saturday, and Midnight on Sunday.

In reviewing the opportunity presented by the Policy Directive to extend the hours of liquor service in the City, staff are of the view that the 'blanket' application of the policy to extend hours of liquor sales has the potential for significant community impacts. As structured, the Policy Directive does not provide the City with the opportunity to review the specific circumstances of any particular location to determine whether an extension of hours could be supported on a case by case basis, or to structure the approach to extend hours to take into consideration factors other than the hours of operation and whether to apply the change to Food or Liquor Primary licences.

Based on the above, and given that Burnaby does not have any Olympic specific venues, this report recommends that Council maintain the established hours of Food and Liquor Primary licences within Burnaby during the month of 2010 February. With Council adoption of this recommendation, staff would apply this policy direction to any requests or applications for extensions in hours of liquor sales received to the end of 2010 February. After 2010 February, future applications for extensions in hours will be processed in line with the Council adopted policies for processing procedures and criteria for liquor licence applications.

4.0 CONCLUSION

This report outlines the opportunity provided to some municipalities to extend the hours for the sale of liquor during the month of 2010 February. In consideration of the potential impacts of a 'blanket' extension of hours in Burnaby, staff would recommend that Council maintain the established hours for Food and Liquor Primary Licences. It is noted that implementation of the Policy Directive would require Council to approve a resolution to extend the hours of liquor sales.


B. Luksun, Director
PLANNING AND BUILDING

SMN:gk

- cc Director Finance
- Director Engineering
- Director Parks, Recreation and Cultural Services
- Chief Licence Inspector
- Officer-in-Charge, RCMP, Burnaby Detachment
- City Solicitor
- City Clerk