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Meeting2012 Mar 19

COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2012 March12

FROM: DIRECTOR PLANNING AND BUILDING **FILE:** 46000 06
Reference: LLA#11-07

**SUBJECT: RESPONSE TO PUBLIC CONSULTATION PROCESS
6515 BONSOR AVENUE, LIQUOR LICENCE APPLICATION #11-07
(ATTACHED SKETCH #1)
Firefighters' Social & Athletic Club**

PURPOSE: To advise Council of the neighbourhood response to the public consultation process for this liquor licence application.

RECOMMENDATIONS:

1. **THAT** Council support the subject food primary liquor licence application.
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; Shannon Malcom (applicant), Rising Tide Consultants, 1090 – 1130 West Pender Street, Vancouver, BC V6E 4A4; Mr. Jack Steele, Secretary-Treasurer Fire Fighters' No. 314 Holding Society, 6515 Bonsor Avenue, Burnaby, BC V5H 3E8; and to the 7 respondents to the public input process, as described in Section 2.0 of this report.

REPORT

1.0 INTRODUCTION

On 2012 January 30, Council received a report from the Planning and Building Department regarding a liquor licence application for the Firefighters' Social and Athletic Club, Liquor Licence Application #11-07, for a new food primary licence with patron participation entertainment (i.e. dinner and dance with live or amplified music) within the existing 437.0 m² (4,705 sq. ft.) second floor banquet room and 10.7 m² (116 sq. ft.) main floor meeting room. Details of the requested food primary liquor licence included a proposed hours of liquor sales from 9:00 a.m. to 1:00 a.m., Monday to Saturday, and 9:00 a.m. to 12:00 a.m. midnight on Sundays; and a person capacity of 392 persons for the banquet room and 42 persons for the main floor meeting room. As noted, the permitted use of these existing assembly spaces is to host meetings and events, such as weddings and other private social functions. No change was proposed to the person capacity or closing hour of liquor sale within the portions of the establishment licensed as "liquor primary".

Council approved the recommendation to support the requested food primary liquor licence for the related second floor banquet room and main floor meeting room, subject to gathering public input on the requested liquor licence and a subsequent report on the matter.

This report provides a response to the comments received from the public input process.

2.0 DISCUSSION

2.1 In line with Provincial requirements for local government to gather the views of nearby residences, as part of their assessment of liquor licence applications, written notice was sent out to all property owners and residents within a 30 m distance of the subject site; advertisements were also placed for two consecutive dates within the local newspapers; and signage was posted on the subject site which invited respondents to submit their written comments to the Planning and Building Department.

The Planning and Building Department received a total of 7 letters regarding the requested food primary liquor licence for the Fire Fighters’ Social and Athletic Club. Of these letters 6 were received from individual residents from within the notification area and 1 letter was from the Strata Council President on behalf of the residents at 6521 Bonsor Avenue (Symphony One – tower).

Several concerns were raised by the respondents regarding potential impact of the requested food primary licence related to the nature of the licenced establishment, intoxication and loitering on premises, and parking/traffic issues. These concerns are addressed in the subsections below:

2.1.1 Nature of the licenced establishment

Issue: Some respondents raised concerns that the requested food primary liquor licence could result in the nature of the establishment becoming a larger pub facility, potentially impacting nearby residential, commercial and recreational/community (Bonsor Complex) uses.

Response: Staff advise that the proposed food primary liquor licence is intended for the hosting of events, meetings and other social functions within the existing banquet room/assembly space of the Fire Fighters’ Social and Athletic Club, and is related to the service of food. The requested liquor licence is not intended to expand the existing pub on the main floor. It is also noted that the second floor banquet room and main floor meeting room are physically separate from the pub.

Given that the second floor banquet room and main floor meeting room are existing assembly spaces, which are physically separate from the approved pub (main floor) and are intended for the hosting of special events only which principally involve the service of food, it is not anticipated that the requested food primary licence would change the nature of the establishment.

It is also noted that private groups hosting an event within the banquet room or meeting room can serve liquor at their private event by obtaining a Special Occasions Licence (SOL) from the LCLB, in which the event host would be responsible for the service of liquor. The requested food primary liquor licence would allow the

To: City Manager
From: Director Planning and Building
Re: Response to Public Consultation Process
LLA #11-07, 6515 Bonsor Avenue

2012 March 12 Page 3

Firefighters' Social and Athletic Club to manage/regulate the service of liquor within their premise.

2.1.2 Intoxication and loitering

Issue: Some respondents raised concerns that the requested food primary liquor licence could increase the number of intoxicated patrons loitering within the area, posing safety impacts to vehicular and pedestrian traffic, as well as noise impacts to nearby residents.

Response: It is the responsibility of the operator to discontinue liquor service to patrons who are intoxicated for the safety of the intoxicated individual and people around them, and this requirement is regulated by the LCLB. With regard to noise, the subject business is required to comply with the Burnaby Noise or Sound Abatement Bylaw. Staff will provide a copy of the Bylaw to the operator. Nearby residents and/or the operator may also contact the RCMP to address incidences which may arise and pose noise or safety concerns.

2.1.3 Increased traffic and use of off-site parking facilities which are not designated for the Firefighters' Social Club and Athletic Association

Issue: Some respondents raised concerns that the requested food primary liquor licence could increase traffic and use of off-site parking facilities which are not designated for the use of the Firefighters' Social Club and Athletic Association.

Response: As noted, the subject second floor banquet room and main floor meeting room are existing assembly spaces which have been used for the hosting of events, meetings and social functions, for which off-street parking has been provided within the Metropolis at Metrotown Mall parkade, and meets Zoning Bylaw requirements. As such, it is anticipated that the requested food primary licence would not impact existing traffic patterns, and use of allocated parking in the area in any significant manner.

2.1.4 Potential for litter outside the premise and along the subject block

Issue: Some respondents raised concerns that the requested food primary liquor licence could increase litter (i.e. cigarette butts, gum, etc.) outside of the premise and in the surrounding block, impacting the cleanliness and aesthetics of the area.

Response: Staff will advise the operator of the Fire Fighters' Social and Athletic Club of this concern and request that potential measures to reduce litter outside the premise be undertaken by the operator.

2.2 In summary, given that the second floor banquet room and main floor meeting room are existing assembly space within the Firefighters' Social and Athletic Club, which are separate from the approved pub, it is anticipated that the requested food primary liquor licence would

To: City Manager
From: Director Planning and Building
Re: Response to Public Consultation Process
LLA #11-07, 6515 Bonsor Avenue

2012 March 12 Page 4

not impact the nature of the establishment, and traffic and parking within the area in any significant manner. With respect to the concerns raised regarding litter, intoxication and loitering on the premise, the operator will be advised of these concerns which need to be addressed through their business operations/practices. Nearby residents and/or the operator may also contact the RCMP should incidences which pose potential noise or safety impacts arise.

- 2.3 The RCMP does not oppose the proposed patron participation entertainment component of the proposed food primary liquor licence. City staff also note that they have not received any complaints regarding the FireFighters' Social and Athletic Club's operations in the last 5 years.

3.0 CONCLUSION

This report provides a summary of the concerns raised by respondents of the public input process, for which this Department provides a response. As it is anticipated that the requested food primary liquor licence would not impact the nature of the establishment, and traffic and parking within the area in any significant manner, and that issues related to litter, loitering and intoxication would be appropriately managed by the FireFighters' Social Club and Athletic Association, it is recommended that Council support the subject food primary liquor licence application.

It is also recommended 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; Shannon Malcom (applicant), Rising Tide Consultants, 1090 – 1130 West Pender Street, Vancouver, BC V6E 4A4; Mr. Jack Steele, Secretary-Treasurer Fire Fighters' No. 314 Holding Society, 6515 Bonsor Avenue, Burnaby, BC V5H 3E8; and to the 7 respondents to the public input process, as described in Section 2.0 of this report.

B. Luksun, Director
PLANNING AND BUILDING

ZT:tn
Attachment

cc: Chief Licence Inspector
Director Engineering, Environmental Services Division
Officer-in-Charge, RCMP, Burnaby Detachment
City Solicitor
City Clerk