



Item .....
Meeting ..... 2012 May 28

COUNCIL REPORT

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**TO:** CITY MANAGER **DATE:** 2012 May 23  
**FROM:** DIRECTOR PLANNING AND BUILDING **FILE:** 46000 06  
*Reference: LLA#12-01*  
**SUBJECT: LIQUOR LICENCE APPLICATION #12-01**  
**RIVERWAY GOLF COURSE**  
**9001 BILL FOX WAY (SEE ATTACHED SKETCH #1)**

**PURPOSE:** To provide Council with a recommendation for a new liquor-primary liquor licence within the original clubhouse building, a portion of the new Riverway Clubhouse, and throughout the golf course playing areas of the Riverway Golf Course.

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**RECOMMENDATIONS:**

1. **THAT** Council support the subject liquor-primary liquor licence application, 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; and to the applicant, Ms. Kathi Orser, 3676 Kensington Avenue, Burnaby, BC V5B 4Z6.

**REPORT**

**1.0 BACKGROUND INFORMATION**

- 1.1 This Department has received an application for a new liquor-primary licence for the Riverway Golf Course at 9001 Bill Fox Way to permit “liquor primary” service within the golf course area and the associated facilities.
- 1.2 The Liquor Control and Licensing Branch (LCLB), as part of their assessment process of liquor-primary liquor licence applications, requests that local government provide comment on applications for new liquor-primary establishments. LCLB regulations also state that if the requested licence may affect nearby residents, local government must gather the view of the residents.
- 1.3 On 2003 May 05, Council adopted recommendations for processing procedures and guidelines for liquor licence applications. Based on the adopted guidelines, City comment is provided on applications seeking to establish a new liquor-primary facility which require rezoning and a public hearing.

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The LCLB was advised of these adopted recommendations. This report provides comment on this application based on the adopted guidelines.

## 2.0 NEIGHBOURHOOD CONTEXT

The subject site is the Riverway Golf Course, which comprises an established 18-hole golf course and associated facilities. To the north of the golf course across Marine Way are agricultural lands; to the west is a portion of the Burnaby Fraser Foreshore Park; to the east are light and general industrial zoned lands, beyond which, on the east side of Byrne Road is the Big Bend Commercial Precinct and other industrial uses. Vehicular access to the site is provided from Byrne Road via Bill Fox Way.

## 3.0 SUBJECT APPLICATION

3.1 The subject golf course comprises of an 18-hole golf course; 54-stall driving range; club house (banquet facilities); pro/retail shop; and the former café/restaurant. From a liquor licence perspective, the service of liquor is permitted within the new club house only, based on the provisions of an existing “food primary” liquor licence:

### Club House Food Primary Licence (FP# 159166)

Under the provisions of the subject food-primary liquor licence, the club house has a total seating capacity of 216 interior seats (including a 40 seat lounge endorsement) and 172 outdoor seats (3 - outdoor patio areas). The total occupant load of the subject building is 388 persons. The hours of operation of the club house are from 9:00 a.m. to 12:00 midnight, Monday through Sunday.

No other areas of the subject golf course are currently permitted to serve liquor.

3.2 This application is requesting a new liquor primary licence for the original clubhouse building, a portion of the new Riverway Clubhouse building and throughout the outdoor playing areas of the golf course. The City initiated a rezoning application (REZ #12-01) earlier this year to include the “F” zoning sub-category to the existing P3 Park and Public Use District for the subject site in order to provide liquor service (“liquor primary” service) within the golf course and associated facilities. Appearing elsewhere on tonight’s Council agenda for Third Reading, Reconsideration and Final Adoption is rezoning amendment bylaw #13080 (REZ #12-01).

The requested liquor primary areas are as follows:

a) Former Riverway Café/Restaurant (original clubhouse building) – proposed hours of operation from 9:00 a.m. to 11:00 p.m. Monday through Sunday, seven days a week,

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with an interior seating capacity of 60 persons and outdoor seating capacity of 52 persons (over two outdoor patio areas); and

- b) Bistro (north portion of the new Riverway Club House) – proposed hours of operation from 9:00 a.m. to 11:00 p.m. Monday through Sunday, seven days a week, with an interior seating capacity of 8 persons and outdoor seating capacity of 32 persons.

These requested liquor-primary licensed areas would serve as the principal points of liquor service for the golf course. The use of mobile beverage retail carts throughout the course is also being proposed.

- 3.3 Rezoning of the subject site to the P3 “f” District allows for Council’s consideration of this application for a new “liquor primary” licence for the subject golf course and associated facilities. Council consideration of this liquor licence application is intended to be concurrent with Final Adoption of the subject rezoning, which appears elsewhere on tonight’s agenda.

- 3.4 The Liquor Control and Licencing Branch (LCLB), as part of their assessment process of new liquor primary licence applications, requests that local government provide comment on:

- i. hours of liquor service for the establishment;
- ii. person capacity for the establishment; and/or
- iii. liquor service within an outdoor patio(s) of the establishment.

LCLB regulations also state that if the new licence may affect nearby residents, local government must gather the view of the residents. The Public Hearing process for the subject rezoning was utilized to satisfy the provincial public input process, including written notice to residents/tenants and property owners within 30 m of the subject site and advertisement in two consecutive local newspapers.

- 3.5 Based on staff review, the proposed liquor-primary liquor licence application would meet Council adopted guidelines for assessing new liquor primary establishments in the following ways:

- a) *Observance of a sufficient distance from, or physical separation from:*
  - Existing liquor-primary establishments
  - Residential uses
  - Schools
  - Care facilities
  - Other uses such as gaming facilities, cyber centres, amusement arcades and billiard halls

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The subject site is not proximate to any existing liquor-primary establishments; residential uses, schools, care facilities and other uses such as gaming facilities, cyber centres, amusement arcades and billiard halls. It is noted that the nearest residential areas are approximately 1 km away, on the north side of Marine Drive. The nearest liquor-primary establishment is also approximately 1 km away (Marine Pub - 5820 Marine Drive).

*b) Nature of proposed establishment (e.g. entertainment, outdoor patio, hours and person capacity).*

The proposed liquor licensing classification would allow for more flexibility with regard to the service of liquor on the golf course. The operations of the site are principally as a golf course with related banquet/restaurant facilities and not intended for pub or nightclub use.

*c) Satisfaction of all parking requirements on site.*

The subject site has a total of 213 parking spaces over two surface parking areas located on site, which satisfactorily meets the off-street parking requirements of the Zoning Bylaw.

*d) Safe and convenient access for vehicular traffic to the site, as well as safe access for pedestrians to the liquor licence establishment.*

Given that this destination golf course is located within an area of the Big Bend which is predominantly characterized by industrial activities and other automobile oriented businesses, it is anticipated that the majority of patrons will access the site via automobile. Safe and convenient access for vehicular traffic to the site is provided via Bill Fox Way. Pedestrian access to the site is also available via the constructed portion of the Byrne Road Urban Trail.

*e) Good proximity (within 250 meters) of public transit.*

The nearest bus stop is located on the east side of Byrne Road, south of Market Crossing (approximately 500 meters from the subject site), which is considered to be an appropriate walking distance.

In summary, given that the nature of the proposed liquor licence establishment is as a destination golf course; its sufficient distance from existing liquor licence establishments and gaming facilities, residential neighbourhoods, schools and care facilities so as to mitigate/eliminate any potential impacts, convenient and safe vehicular and transit access to the site (via Bill Fox Way) and provision of ample on-site parking, the site generally meets the Council adopted guidelines for new liquor licence establishments.

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- 3.6 In response to this application, input has been solicited from relevant City Departments, including the RCMP Burnaby Detachment. The RCMP does not oppose the proposed locations or hours of liquor sale within the facility.
- 3.7 Given that public input was sought for the proposed “liquor-primary” service as part of Rezoning Reference #12-01, it is the opinion of staff that pursuit of a further public input process is not required. It is noted that no one appeared at the Public Hearing for Rezoning Reference #12-01.

#### 4.0 CONCLUSION

Given that the location of the subject establishment, the nature of the subject establishment’s operations, sufficient distance from residential neighbourhoods, sufficient off-street parking provisions, provisions for safe and convenient vehicular access and proximity of public transit, the proposed liquor-primary liquor licence application is considered to be consistent with the Council-adopted guidelines for assessing new liquor primary establishments. This proposed use would be more similar in scale to what would be expected at a banquet facility or liquor primary-club establishment. Staff therefore recommend that Council support the requested liquor primary liquor licence at the subject establishment, as described in Section 3.0 of this report. Staff also recommend 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; and to the applicant, Ms. Kathi Orser, 3676 Kensington Avenue, Burnaby, BC V5B 4Z6.

  
B. Luksun, Director  
PLANNING AND BUILDING

GT/ZM:tn

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

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