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**TO:** CITY MANAGER **DATE:** 2021 February 17

**FROM:** DIRECTOR PLANNING AND BUILDING **FILE:** 46000 06  
*Reference:* LLA#20-06

**SUBJECT: LIQUOR LICENCE APPLICATION #20-06  
V-SHOW KARAOKE  
UNIT B – 6681 MACPHERSON AVENUE (SEE ATTACHED SKETCH #1)**

**PURPOSE:** To provide Council with a recommendation regarding the subject liquor primary licence application.

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**RECOMMENDATIONS:**

1. **THAT** Council support the subject liquor primary licence application, as described in Section 4.0 of this report.
2. **THAT** a copy of this report be forwarded to the General Manager, Liquor and Cannabis Regulation Branch, P.O. Box 9292, Stn. Provincial Government, Victoria, BC V8W 9J8; and to the applicant, Susan Mander, Rising Tide Consultants, Suite 1620-1130 West Pender Street, Vancouver, BC V6E 4A4.

**REPORT****1.0 BACKGROUND INFORMATION**

- 1.1 This Department has received an application for a liquor primary licence at Unit B – 6681 MacPherson Avenue (Sketches #1 and #2 *attached*).
- 1.2 On 2021 February 08, Council granted Final Adoption to Rezoning Reference #19-24 to permit the proposed liquor licence establishment through the inclusion of the C4f District as a guideline.
- 1.3 The Liquor and Cannabis Regulation Branch (LCRB), as part of its assessment process for liquor licence applications, requests that local government provide comment on various applications, including for liquor primary club licences wishing to transition to liquor primary licences. If local government opts to provide comment, the LCRB requires that local government gather public input for the community in the vicinity of the proposed establishment.
- 1.4 On 2003 May 05, Council adopted recommendations for processing procedures and guidelines for liquor license applications. Based on the adopted guidelines, City comment

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is provided on applications seeking to establish a new liquor primary facility which requires rezoning and a Public Hearing. The Liquor Control and Licensing Branch (now the LCRB) was advised of these adopted recommendations.

## 2.0 POLICY SECTION

The subject liquor licence application aligns with the following goals and sub-goals of the Corporate Strategic Plan:

### *A Connected Community*

- Social connection – enhance social connections throughout Burnaby

### *An Inclusive Community*

- Create a sense of community – provide opportunities that encourage and welcome all community members and create a sense of belonging

### *A Dynamic Community*

- Economic opportunity Foster an environment that attracts new and supports existing jobs, businesses and industries

To learn more about the City of Burnaby’s Corporate Strategic Plan, please visit [www.burnaby.ca/CSP](http://www.burnaby.ca/CSP).

## 3.0 NEIGHBOURHOOD CONTEXT

The subject tenant space is located at 6681 MacPherson Avenue, on the southwest corner of Kingsway and MacPherson Avenue (Sketch #1 *attached*). The karaoke box room is comprised of the southern commercial retail unit (CRU), totalling approximately 375.4 m<sup>2</sup> (4,041 sq. ft.), within a three-unit commercial building zoned C4 and C4f Service Commercial District. There are currently three business licences issued for the property, including two restaurant licences (the karaoke box room and pizza restaurant) and one retail licence. The subject property is located within the Royal Oak Community Plan area and is designated for medium density mixed use development (Sketch #2 *attached*). Commercial developments under the C4 District are located immediately to the west, to the east across MacPherson Avenue, and to the north across Kingsway from the subject property. To the south, across Lane Street, are low rise industrial developments zoned M4 Special Industrial District. Vehicular access to the site is from MacPherson Avenue and loading access is from Lane Street.

## 4.0 SUBJECT APPLICATION

4.1 Details of the proposed liquor licence establishment include:

- maximum person capacity of up to 90 persons (including patrons and staff); and,

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- hours of liquor service from 11:00 am to 2:00 am, seven days a week.

Under the LCRB’s Family Food Service (FFS) term and condition, minors (anyone under 19 years of age) would only be permitted in the facility until 10:00 pm, provided they are accompanied by a parent or guardian and meal service is available. Appropriate signage must be posted notifying the public of the FFS term and condition, and minors are not permitted if there is adult entertainment or licensed gaming events.

In order to permit the proposed liquor licence establishment, the inclusion of the C4f District zoning designation, and compliance with Council-adopted guidelines, is required. Rezoning Reference #19-24 was initiated to fulfil this requirement and Council granted Final Adoption to this rezoning application on 2021 February 08. The following, as reported previously in a report to Council regarding Rezoning Reference #19-24, is an assessment of the proposal’s consistency with pertinent Council adopted guidelines:

*4.1.1 Observance of a sufficient distance from, or physical separation from:*

- *Existing liquor primary establishments*

Three existing liquor primary establishments are located in the vicinity: Great Bear Pub at 5665 Kingsway to the northeast across Kingsway, approximately 130 m (427 ft.) away, the Portuguese-Canadian Seniors Foundation at 5455 Imperial Street to the southwest across Imperial Street, approximately 150 m (492 ft.) away, and the Burnaby Legion Club 83 at 5289 Grimmer Street, approximately 335 m (1,100 ft.) away.

The 1999 guidelines establish a minimum distance of 200 m (656 ft.) as an acceptable separation between food primary licensed establishments with karaoke and liquor primary establishments. Although the subject site does not meet this separation, since Kingsway and Imperial Street act as significant physical barriers to those establishments less than 200 m (656 ft.) away, it is not anticipated that the subject karaoke establishment will be a concern.

- *Residential uses*

There are a few houses located in the M4 District across Lane Street and Imperial Street to the south of the subject property. These properties are designated for future CD Comprehensive Development (based on C9 Urban Village Commercial District) within the Royal Oak Community Plan and are currently located in the context of light industrial uses. Single and two-family homes, zoned R5 Residential District, are located across Kingsway and beyond the commercial uses, more than 150 m (492 ft.) away.

The 1999 guidelines establish a minimum distance of 100 m (328 ft.) as an acceptable separation between food primary licensed restaurants with karaoke and

properties that are zoned for single and two-family dwellings. The R5 District properties are located more than 100 m (328 ft.) from the subject unit.

▪ *Schools and care facilities*

The proposed liquor primary karaoke is located more than 500 m (1,640 ft.) to the nearest school (Windsor Elementary) and more than 330 m (1,082 ft.) to the nearest care facility.

▪ *Other uses such as gaming facilities, cyber centres, amusement arcades and billiard halls*

The proposed liquor primary karaoke establishment is located approximately 130 m (427 ft.) from a public hall located across Kingsway and approximately 150 m (492 ft.) from another karaoke establishment located at 5679 Imperial Street.

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

The proposed form of entertainment establishment would continue to be karaoke. No outdoor patios are proposed. The proposed hours of liquor service are 11:00 am to 2:00 am, seven days a week. These hours are in line with Council adopted guidelines and are consistent with the hours of other liquor primary establishments within the immediate area. The maximum occupancy of the facility is 90 persons.

It should be noted that the 1999 karaoke guidelines in food primary establishments require a minimum seating capacity of 100 patrons in order to provide more “eyes on” karaoke box room establishments. However, since generally most patrons within the subject site would be within their own karaoke room, the number of patrons required would have no impact. Further, as noted earlier, the C4f District permits liquor licence establishments that serve a maximum of 100 persons which would preclude the guideline requirement. It is also noted that the proposed establishment generally conforms to the Council-adopted karaoke guidelines for food primary establishments such that:

- the proposed establishment has glass doors and windows for the entrances to karaoke box rooms, thereby ensuring good visibility for the RCMP, Liquor Inspectors, and other patrons;
- the proposed establishment has suitable lighting in each of the box rooms; and,
- the proposed establishment has a video surveillance system, with exterior and interior cameras, as well as a camera in every box room.

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4.1.3 *Satisfaction of all parking requirements on site*

The subject unit currently meets the required number of parking stalls per Preliminary Plan Approval #09-084.

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

Safe and convenient vehicular access to the parking area is provided via MacPherson Avenue, and pedestrians have access via Kingsway and MacPherson Avenue.

4.1.5 *Good proximity (within 250 meters) of public transit*

The subject unit is within 150 metres proximity to two bus stops, one at Kingsway and Elgin Avenue and another at Kingsway and Grimmer Street.

4.2 The LCRB, as part of its assessment process for liquor primary licence applications, requests that local government provide comments on the following:

4.2.1 *The impact of noise on nearby residents*

Given the nature of the proposed liquor licence establishment, staff do not anticipate potential noise impacts beyond what would otherwise be expected in this Urban Village location. It is also noted that the proposed establishment is surrounded by the C4 Service Commercial Districts, C2 Neighborhood Commercial Districts and M4 Special Industrial Districts. Though the M4 Special Industrial District does permit single and two-family dwellings, such use is dependent on lawful residential use being established on or previous to 2004 January 01. As such, there are very few nearby residents to the proposed establishment. Furthermore, it is noted that all uses are subject to the Burnaby Noise and Sound Abatement Bylaw.

4.2.2 *The impact on the community if the application is approved*

The proposed liquor primary establishment is considered compatible with the neighbourhood, is nearby a range of other commercial services, and is in proximity to transit. Given the context of the proposed liquor licence establishment and its relatively small size, staff do not anticipate any potential community impacts.

In response to this application, input was solicited from relevant City Departments, including the RCMP Burnaby Detachment, and there were no concerns raised.

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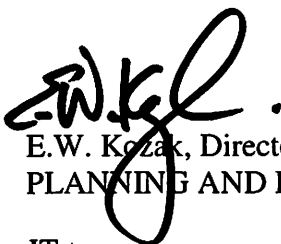
4.2.3 The view of residents and a description of the method used to gather views

The Public Hearing process for Rezoning Reference #19-24, held on 2020 August 25, was utilized to satisfy the required public input process, including written notice to residents/tenants and property owners within 30 m (98.4 ft.) of the subject site, and advertisement in two consecutive local newspaper publications. One letter in support was received and one petition with 116 signatures was received in support to the rezoning. No individuals appeared to speak at the Public Hearing for Rezoning Reference #19-24.

5.0 CONCLUSION

Based on the information presented above, and that no public opposition for Rezoning Reference #19-24 was received, the proposed liquor primary licence is considered supportable. Staff therefore recommend that Council support the transition to a new liquor primary licence at the subject site.

Staff also recommend that a copy of this report be forwarded to the General Manager, Liquor and Cannabis Regulation Branch, P.O. Box 9292, Stn. Provincial Government, Victoria, BC V8W 9J8; and to the applicant, Susan Mander, Rising Tide Consultants, 1620 – 1130 West Pender Street, Vancouver, BC V6E 4A4.

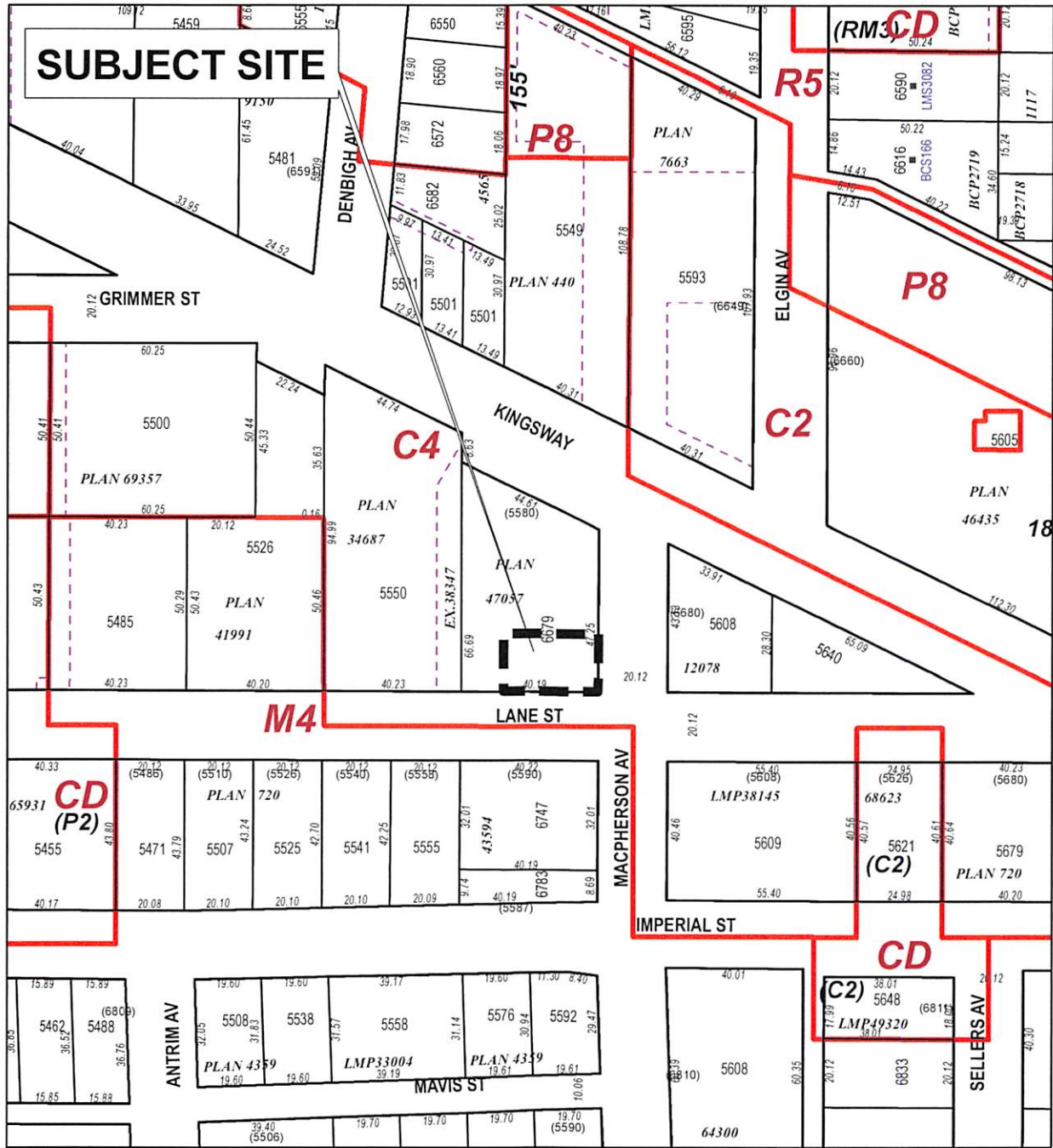


E.W. Kozak, Director  
PLANNING AND BUILDING

JT:tn

**Attachments**

cc: Officer-in-Charge, RCMP, Burnaby Detachment  
Chief Licence Inspector  
City Solicitor  
City Clerk



PLANNING & BUILDING DEPARTMENT



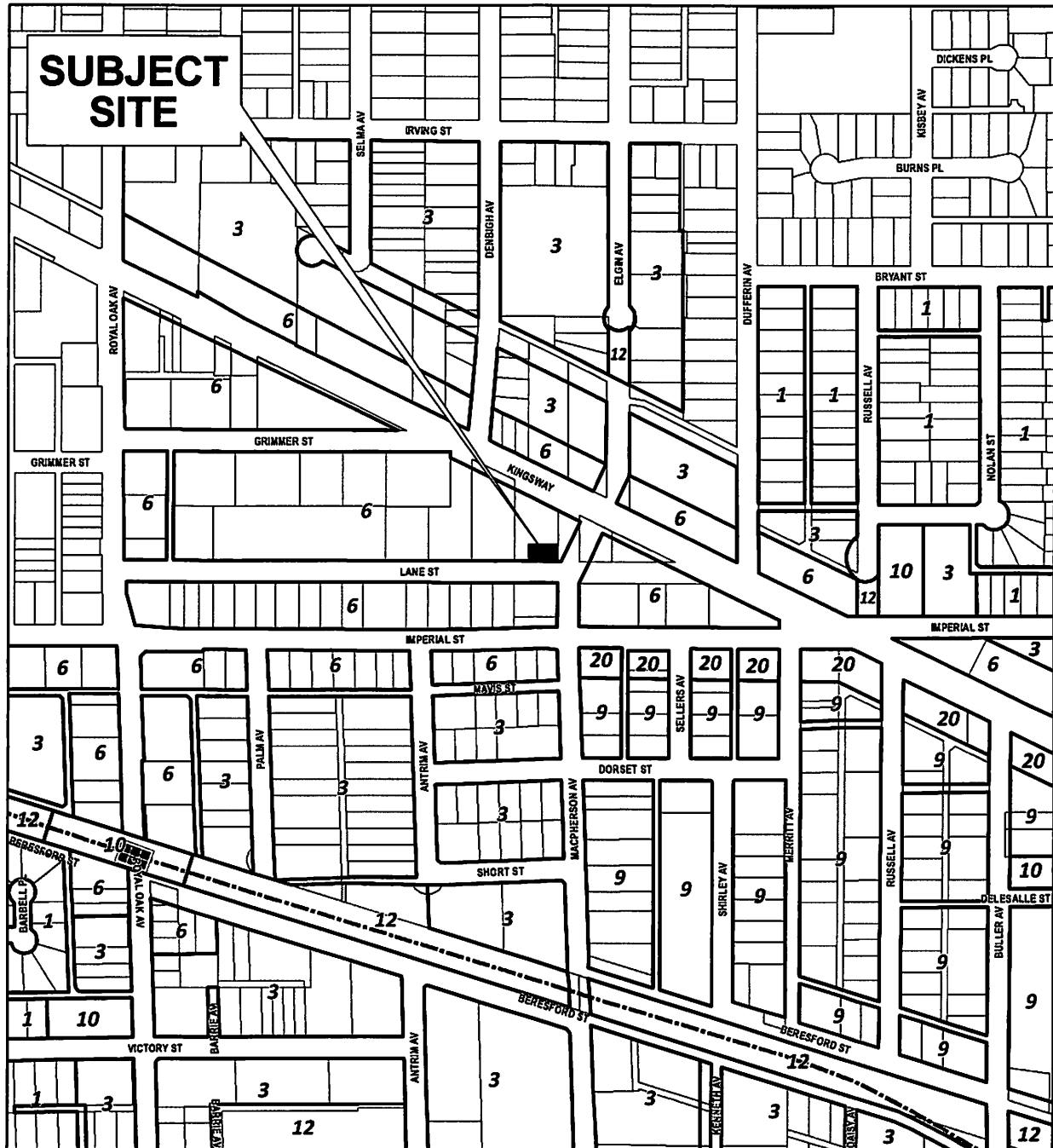
DATE: MAY 28 2019

SCALE: 1:1,876

DRAWN BY: AY

LIQUOR LICENSE APPLICATION #20-06  
6681 MACPHERSON AVENUE

Subject Site



**Royal Oak Community Plan  
Land Use**



PLANNING & BUILDING DEPARTMENT

**General Land Use Designation Key**

- 1** Single and Two Family Residential
- 3** Medium Density Multiple Family Residential
- 5** Commercial
- 6** Medium Density Mixed Use
- 9** Industrial
- 10** Institutional
- 12** Park and Public Use
- 20** Industrial and Commercial Mixed Use

