

MAY 13, 1975

A Public Hearing was held in the Council Chamber, Municipal Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, May 13, 1975 at 7:30 P.M.

PRESENT: Mayor T. W. Constable, in the Chair
Alderman G. D. Ast
Alderman A. H. Emmott
Alderman D. A. Lawson
Alderman W. A. Lewarne
Alderman G. H. F. McLean
Alderman V. V. Stusiak

ABSENT: Alderman B. M. Gunn
Alderman J. L. Mercier

STAFF: Mr. M. J. Shelley, Municipal Manager
Mr. A. L. Parr, Director of Planning
Mr. J. Hudson, Municipal Clerk
Mr. R. W. Watson, Deputy Municipal Clerk

The Public Hearing was held to receive representations in connection with text amendments which would provide for the establishment of neighbourhood public houses in the Municipality and to provide for the introduction of such a use into the Burnaby Zoning By-Law.

The Proposed amendments are to:

- (1) Section 7.3(2) (Preliminary Plan Approval).
- (2) Section 301.1 (Uses Permitted) in the C1 (Neighbourhood Commercial) District.
- (3) Section 302.1 (Uses Permitted) in the C2 (Community Commercial) District.
- (4) Section 303.1 (Uses Permitted) in the C3 (General Commercial) District.
- (5) Section 800.4 (Required Off-Street Parking Spaces).

The following persons appeared at the Hearing in connection with the rezoning proposal:

(1) Mr. J. W. Whitson, 535 Grove Avenue, Burnaby. Mr. Whitson stated that he understood that a licensed facility at the corner of Hastings Street and Grove Avenue had made application for a neighbourhood pub and he was opposed to this application. Mr. Whitson advised that he had complained to the Royal Canadian Mounted Police about the existing operation. Mr. Whitson noted such things as not being able to park in his own driveway, inadequate off-street parking, broken beer bottles, noises in the early morning hours and fights.

Mayor Constable advised that the purpose of the Public Hearing was to consider whether or not neighbourhood pubs should be a proved in principle in the Municipality and the necessary zoning amendments entered into and they would not be discussing individual applications as part of this Hearing.

On a question of Mr. Whitson, the Director of Planning advised that the Provincial "Application For Licence" provided that the site of any proposed neighbourhood public house must have the written approval of the Municipality and as well the opinions of a door-to-door canvas in the area must be in writing for consideration of the General Manager before approval is considered. Mr. Whitson advised that he agreed with the principle of neighbourhood pubs but asked assurance that he would have a say in any future specific application in his area.

(2) Mr. J. L. Philips, property owner 4853 East Hastings Street and Executive Vice-President of The Beverage Dispensers and Culinary Workers Union then addressed the Hearing. Mr. Philips advised that he was totally opposed to pubs if the two operating in Vancouver were any indication of standards of operation. It was indicated they suffered from such things as no off-street parking, being located in a high rise area and having unsanitary conditions. It was noted that in the one case a person could take glasses up to the bar for refills without having them washed and this could lead to unsanitary conditions. It was suggested that the general sanitary conditions of these two existing pubs were not up to the standards of other drinking facilities. On a question of Mayor Constable, Mr. Philips advised that he would only be in favour of a pub that was limited to a garden type where all health standards were met and other items such as adequate off-street parking provided.

(3) Mr. Christopher Lee, Vancouver. Mr. Lee advised that he was in favour of neighbourhood pubs and suggested that between the Provincial Government regulations and the proposed Municipal Guidelines that pubs in Burnaby would be well operated. Mr. Lee further suggested that the standards and restrictions were higher than those presently being encountered by food outlets. It was stated that with the standards indicated for off-street parking and floor space restrictions that a good facility should result.

(4) Mr. D. L. Norman, Burnaby, B.C. On a question of Mr. Norman, the Director of Planning advised that with reference to the Section "No general licensed neighbourhood public house shall be located within one mile of another neighbourhood public house licensed premises or public house licensed premises" in the provincial regulations, that in his opinion this did not include licensed restaurants. Mr. Norman advised that he was in favour of neighbourhood public houses.

(5) Mrs. G. McKinnon, Burnaby, B.C. On a question of Mrs. McKinnon, the Director of Planning advised that any one making an application had the responsibility, by petition and/or published newspaper notices of ascertaining the feelings of the residents for six blocks around in connection with his or her application and that the application would come to the Municipality for consideration and further that the opinions of the people in the six-block radius would have to be in writing. Mrs. McKinnon advised that she was generally in favour of neighbourhood pubs although they appeared to be a little large in size.

(6) Mr. Norman Constantine. On a question of Mr. Constantine the Director of Planning advised that with reference to the one mile prohibition, that it provided for a one mile restriction from another neighbourhood public house licensed premises or public house licensed premises established in adjacent municipalities as well.

(7) Mrs. Rosina I. Whitson, 535 Grove Avenue, Burnaby. Mrs. Whitson stated that she was in favour of pubs provided that they were in fact a family type of operation with a country atmosphere rather than "a hole in the wall" type of operation.

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(8) Mr. W. O. Artress, 3780 Laurel Street, Burnaby. Mr. Artress advised that he was opposed in principle to neighbourhood pubs and suggested they would be similar in operation to existing cabarets and would have problems relating to noise, rowdiness and cars using off-street parking that was not intended for the operation. Mr. Artress advised that he was in favour of existing beer parlours which generally had adequate off-street parking and were located in an area suitable for such operation.

(9) Mr. Peter Tkach, Burnaby. On a question of Mr. Tkach, the Director of Planning advised that with reference to "on or near a main hazardous highway" in the provincial regulations that no physical standards have been set as yet as to distances from such a location and that the Province would have to rule on this matter once an application had been received. The Director of Planning also noted that the Provincial General Manager had the authority to make decisions on the issuing of licences even where two licensed facilities might be less than one mile apart. On a further question of Mr. Tkach, Mayor Constable advised that it was anticipated that the proposed by-law, if approved by Council, would be adopted within three to six weeks. Mr. Tkach then advised that he thought neighbourhood pubs were generally a good thing but suggested that Council should go slow on the matter and wait and see how the operations work out in other areas in the Lower Mainland.

(10) Correspondence dated May 13, 1975 from Warner Holdings Ltd. was received advising as follows:

" Municipal Clerk,
Burnaby, B.C.

Dear Sir:

With reference to the Public Hearing this evening on the question of establishing pubs in Burnaby, we wish to advise that we are in favour of establishing Pubs in Burnaby.

Our interest is, of course, vested in that we are the owners of the Parkcrest Shopping Plaza and as such have a notice on file with the Planning Department of our interest in establishing a Pub at the Parkcrest Plaza.

With the Liquor Administration Board and your own guide lines for establishment of Pubs, I believe that most concern is eliminated as far as disturbance of the local neighborhood is concerned. Landscaping and size restriction also goes a long way toward eliminating any possible disturbance problems.

I hope that our brief comments will be noted and that approval by Council will be forthcoming.

Yours truly,

*WARNER HOLDINGS LTD.

B. Aceman.*

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No one else appeared in connection with this rezoning proposal.

MOVED BY ALDERMAN LEWARNE:

SECONDED BY ALDERMAN STUSIAK:

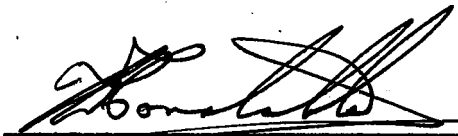
"That this Public Hearing be now terminated."

CARRIED UNANIMOUSLY

The meeting was terminated at 8:10 P.M.

CONFIRMED:

CERTIFIED CORRECT:



MAYOR



DEPUTY MUNICIPAL CLERK

RWW/lc