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**TO:** CITY MANAGER **DATE:** 2017 October 31

**FROM:** DIRECTOR PLANNING AND BUILDING **FILE:** 46000 06  
*Reference:* LLA#17-01

**SUBJECT:** LIQUOR LICENCE APPLICATION #17-01  
GRAND VILLA CASINO  
4331 DOMINION STREET

**PURPOSE:** To provide Council with recommendations on the subject liquor licence application.

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**RECOMMENDATIONS:**

1. **THAT** Council support the subject liquor primary licence application, as described in 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, Mr. Glenn Atchison, Gateway Casino and Entertainment Ltd., Corporate Office, 4331 Dominion Street, Burnaby, BC V5G 1C7.

**REPORT****1.0 INTRODUCTION**

On 2017 September 11, Council received a report on the subject of liquor licence application (LLA) regarding the liquor primary establishment at the Grand Villa Casino (Sketch #1 *attached*). As described in the report, the applicant is requesting to remove Personas, a restaurant/lounge with patio located on the southwest corner of the casino's ground floor, from the existing licenced liquor primary service area of the casino in order for Personas to have a separate liquor primary licence with a Family Food Service (FFS) Term & Condition. This proposed change would permit minors in Personas until 10:00 pm when accompanied by a parent or guardian, while excluding minors' access to gaming products and services.

Details in the report included that the hours of liquor sale for Personas are not proposed to change and would remain limited to 11:00 am to 2:00 am, Sunday through Thursday and 11:00 am to 3:00 am, Friday and Saturday, within the interior of the establishment, and 11:00 am to 2:00 am on the patio, seven days a week. Personas person capacity is not proposed to increase and would be limited to 281 seats (193 interior seats and 88 patio seats). In addition, background music<sup>1</sup> (played at low volume and subject to the requirements of the Burnaby Noise or Sound

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<sup>1</sup> Background music is generally defined as music played at low volumes and intended to contribute to the ambience in an unobtrusive manner. Conversations involving talking at a typical volume can occur without interruption or the need to raise speaking volumes.

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Abatement Bylaw) is requested to be allowed on all seven patios of the casino, including Personnas' patio, until 1:00 am.

The report concluded that the proposal for a separate liquor primary licence with a FFS Term & Condition for Personnas restaurant/lounge, and permission to play background music on all seven patios, including Personnas', until 1:00 am was supportable, subject to gathering public input and providing a subsequent report on the application.

## **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 in two consecutive issues of a local newspaper; 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 did not receive any correspondence regarding the requested liquor primary licence with a FFS Term & Condition for Personnas restaurant/lounge and permission to play background music on all seven patios of the casino, including Personnas' patio, until 1:00 am.

2.2 On 2003 May 05, Council adopted a number of recommendations regarding processing procedures and criteria for assessing different types of liquor licence applications, including approving guidelines for assessing applications for new and amended liquor primary licences. The adopted guidelines were considered in the 2017 September 11 Liquor Licence application report and supported the new liquor primary licence with a FFS Term & Condition for Personnas restaurant/lounge, given that the following measures will be taken to ensure minors are unable to access the casino from Personnas:

- at the entrance to the casino from Personnas, there will be signs posted that state "No Minors Permitted Beyond This Point";
- there will be a Gaming Security Officer stationed at the casino entrance during Personnas' business hours;
- an "Accompanied Minors Permitted Until 10:00 pm" sign will be posted at the public exterior entrance to Personnas; and,
- an accessible exterior entrance will be required so that persons of all ages and levels of ability may access Personnas, without entering the casino area.

In addition, the previous report noted support for the request for music to play at background levels to 1:00 am on all casino patios, including Personnas, subject to compliance with the Burnaby Noise or Sound Abatement Bylaw.

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- 2.3 In the 2017 September 11 report, comments were provided as per the LCLB requirements, on the impact of noise on nearby residents and the impact on the community if the application is approved. It was noted that the application would not have a significant impact.
- 2.4 With Council support of the proposed liquor licence application, it is recommended that the existing Section 219 Covenant registered on the property be removed and replaced with a new Section 219 Covenant. This new Covenant would establish the revised licenced liquor primary service areas with updated maximum licenced person capacity for each area and permit background music (no live music) on the patios (not to exceed the Burnaby Noise or Sound Abatement Bylaw levels). Other terms and conditions of the existing Section 219 Covenants relating to overall licenced person capacity in the licenced liquor primary licence service area, the prohibition of off-site sales of liquor, and the hours of operation would be retained in the new Section 219 Covenant.

### 3.0 CONCLUSION

No responses were received as a result of the public notification for the subject liquor primary licence with a FFS Term & Condition for Personas restaurant/lounge and for permission to play background music on all seven patios of the casino, including Personas' patio, until 1:00 am. In addition, as outlined in the 2017 September 11 report to Council, the application has been assessed with respect to approved guidelines for Liquor Primary licenses and LCLB Criteria. Therefore, it is recommended that Council support the application, subject to the provision of an accessible exterior entrance and registration of a new Section 219 Covenant, as described in section 2.4, above.

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, Mr. Glenn Atchison, Gateway Casino and Entertainment Ltd., Corporate Office, 4331 Dominion Street, Burnaby, BC V5G 1C7.

  
Lou Pelletier, Director  
PLANNING AND BUILDING

KL:eb  
*Attachment*

cc: Director Finance  
Director Parks, Recreation and Cultural Services  
Director Public Safety and Community Services  
Officer-in-Charge, RCMP, Burnaby Detachment

Director Engineering  
Chief Licence Inspector  
City Solicitor  
City Clerk

# SUBJECT SITE

GRANDVIEW  
HY

TRANS CANADA HY

TRANS CANADA HY

MANOR ST

**M1**

PLAN BCP21069

(C3,C3d,C3f)

4331

**CD**

DOMINION ST

SUMNER AV

(C3,C3d,C3f)

PLAN

(M5,C1)

PLAN 9892

(P8,B2)

PLAN 52864

NORFOLK ST

**M1**

**C6**



PLANNING & BUILDING DEPARTMENT



DATE:

AUG 23 2017

SCALE:

1:2,000

DRAWN BY:

AY

LIQUOR LICENSE APPLICATION #17-01

GRAND VILLA CASINO

4331 DOMINION STREET



Subject Site

Sketch #1