
TO: CITY MANAGER **DATE:** 2018 December 05

FROM: DIRECTOR PLANNING AND BUILDING **FILE:** 46000 06
Reference: LLA#18-02

SUBJECT: LIQUOR LICENCE APPLICATION #18-02
RESPONSE TO PUBLIC CONSULTATION PROCESS
EARL'S RESTAURANT (BRIDGE) LTD.
3850 LOUGHEED HIGHWAY

PURPOSE: To provide Council with recommendations regarding the subject food primary liquor licence.

RECOMMENDATIONS:

1. **THAT** Council support the food primary licence amendment, as described in 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, Ms. Kelly Tsang, Earl's Restaurant (Bridge) Ltd., #200-425 Carrall Street, Vancouver, BC, V6B 6E3.

REPORT

1.0 INTRODUCTION

On 2018 October 29, Council received a report on the subject liquor licence application (LLA) to amend the existing food primary licence for Earl's Restaurant (Bridge) Ltd. (Earl's) at 3850 Lougheed Highway (Sketch #1 *attached*). The applicant is requesting an endorsement for patron participation entertainment in the form of dancing, which is proposed to occur between the hours of 9:00 p.m. and 12:00 a.m. The subject application involves a request to establish a dance floor of not more than 23.2 m² (250 sq. ft.) in the northerly portion of the 928 m² (9,988 sq. ft.) restaurant, with recorded music, to accommodate special events with dancing any night of the week, but generally not more than once per month.

No change is requested to the person capacity or liquor service hours at the subject restaurant. The approved seating capacity for Earl's is 210 seats inside and 64 seats outside on the patio, for a total of 274 seats. The subject restaurant currently holds a food primary liquor licence which permits the service of liquor from 9:00 a.m. to 1:30 a.m. Monday through Saturday, and 9:00 a.m. to 12:00 a.m. Sunday. It should be noted that the permitted hours of liquor service extend beyond current operating hours. Regardless, this application would limit the patron participation entertainment to the hours of 9:00 p.m. and 12:00 a.m.

The report concluded that the proposal for an endorsement for patron participation in the form of dancing was supportable, subject to gathering public input and providing a subsequent report on the application.

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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 written comments to the Planning and Building Department.

The Planning and Building Department received one letter in support of the requested amendment to the existing food primary liquor licence to allow for patron participation entertainment in the form of dancing.

- 2.2 In the 2018 October 29 Council report, comments were provided as per the LCRB (Liquor and Cannabis Regulation Branch) requirements on the impact of noise on nearby residents, the impact on the community if the application is approved, and whether the amendment will result in the service area being operated in a manner that is contrary to primary purpose. It was noted that it is not anticipated that the application would have a significant noise impact on area residents, it would not have any significant impact on the community, and it would not result in the service area being operated in a manner that is contrary to its primary purpose. It was also noted that no City Departments expressed objections to the establishment of a dance floor within this licensed restaurant.

3.0 CONCLUSION

One response in support of the application was received as a result of the public notification for the requested amendment to the food primary liquor licence to allow for patron participation entertainment in the form of dancing. In addition, as outlined in the 2018 October 29 report to Council, the application has been assessed with respect to LCRB criteria. Therefore, it is recommended that Council support the application.

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, Ms. Kelly Tsang, Earl's Restaurant (Bridge) Ltd., #200-425 Carrall Street, Vancouver, BC, V6B 6E3.



Lou Pelletier, Director
PLANNING AND BUILDING

KL:rh

Attachment

cc: Director Finance
Director Engineering
Chief Licence Inspector
City Clerk

Director Parks, Recreation and Cultural Services
Officer-in-Charge, RCMP, Burnaby Detachment
City Solicitor

