



Item
Meeting2021 January 25

COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2021 January 20

FROM: DIRECTOR PLANNING AND BUILDING **FILE:** 46000 06
Reference: LLA#20-03

SUBJECT: LIQUOR LICENCE APPLICATION #20-03
RESPONSE TO PUBLIC CONSULTATION PROCESS
SFU STADIUM, PLAZA AND WEST GYM
8888 UNIVERSITY DRIVE (SEE *ATTACHED* SKETCHES #1 AND #2)

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

RECOMMENDATIONS:

1. **THAT** Council support the requested amendments to the subject liquor primary liquor licence, as described in Sections 2.0 and 3.0 of this report.
2. **THAT** Council authorize the registration of a Section 219 Covenant, within 45 days of Council approval of this application, to record the new maximum person capacity and liquor service hours as outlined in Section 2.0 of this report.
3. **THAT** a copy of this report be forwarded to the applicant.
4. **THAT** following registration of the above noted Section 219 Covenant, 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.

REPORT

1.0 POLICY FRAMEWORK

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

A Connected Community

- Social connection - Enhance social connections throughout Burnaby.
- Partnership - Work collaboratively with businesses, educational institutions, associations, other communities, and governments.

An Inclusive Community

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

To: City Manager
From: Director Planning and Building
Re: Liquor Licence Application #20-03
SFU Stadium, Plaza and West Gym
2021 January 20..... Page 2

A Dynamic Community

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

2.0 BACKGROUND INFORMATION

On 2020 November 23, Council received a report on the subject liquor licence application for three additional liquor service areas at Simon Fraser University (Sketches #1 and #2 *attached*). The subject application involves a request to add three additional liquor service areas and increase the capacity of an existing Liquor Primary Licence (Licence No. 035321), which licenses nine liquor service areas across the Simon Fraser University Campus at 8888 University Drive. The applicant is requesting to licence a new stadium seating area, an associated mezzanine plaza, and the entirety of the west gymnasium. The three areas are adjacent to one another and located directly north and northwest of Terry Fox Field.

The existing liquor primary licence permits liquor service in nine different areas across the Simon Fraser University campus, totalling 2,041 permitted occupants. By adding the stadium seating area, mezzanine plaza and neighboring west gymnasium as liquor services areas, the total occupant load for Licence No. 035321 is proposed to increase from 2,041 to 5,616 persons. The outdoor stadium seating area and plaza would account for an increased capacity of 1,875 persons and the indoor west gymnasium would account for the remaining 1,700 persons. The current liquor primary hours of 11:00 am – 1:00 am Monday to Saturday, and 11:00 am to Midnight on Sundays apply to all licenced areas under Licence No. 035321 and are not proposed to change. Liquor service is only permitted in conjunction with events and pre-booked functions.

The 2020 November 23 report to Council concluded that the requested additional licensed areas and increased occupancy load were supportable, subject to gathering public input and providing a subsequent report on the application.

3.0 DISCUSSION

- 3.1 In line with Provincial requirements for local governments to gather the views of nearby residents, as part of their assessment of liquor licence applications, written notice was sent out to property owners and residents within a 30 m (98.43 ft.) distance of the subject site; advertisements were placed in two consecutive issues of the Burnaby Now newspaper; and signage was posted on the subject site, which invited respondents to submit written comments to the Planning and Building Department.
- 3.2 The Planning and Building Department did not receive any responses from property owners nor residents in response to the public notification.
- 3.3 In the 2020 November 23 Council report, the proposed amendment was evaluated with respect to Council-adopted guidelines for Liquor Primary applications, and generally met those guidelines. Also in that report, comments were provided as per the LCRB requirements on the impact of noise on nearby residents and the impact on the community if the application were to be approved. Given that permitted liquor service under the existing Liquor Primary License No. 035321 is event-driven only, it was noted that the proposed

To: City Manager
From: Director Planning and Building
Re: Liquor Licence Application #20-03
SFU Stadium, Plaza and West Gym

2021 January 20..... Page 3

licensed areas are currently used for sporting events and gatherings which are similar in nature to those which would occur in the proposed licensed areas going forward. As a result, it is expected that the recreational area of the campus may be associated with somewhat higher noise levels during evening events, however, it is anticipated that any noise associated with future events would be relatively consistent with current noise levels. Staff do not anticipate the recommended hours of liquor service to have potential noise impacts beyond what would otherwise be expected in this university community.

In addition, it was noted that the RCMP was comfortable with the applicant's proposed safety measures including additional security, traffic control and extended bus service for university events. Based on the applicant's extensive experience hosting large events at Terry Fox Field and within gymnasiums in the past, including events where alcohol was served under special permits or permanent licences, it is not anticipated that approving the application would result in negative impacts to the community.

- 3.4 The establishment will also be required to comply with the Burnaby Noise or Sound Abatement Bylaw 1979, and it is further recommended that a Section 219 Covenant be registered on the property, within 45 days of Council approval of this application, to record the establishment's maximum person capacity and liquor service hours to assist with noise mitigation.

4.0 CONCLUSION

Based on the information presented above, and as per the 2020 November 23 report to Council which assessed the application with respect to both Council-adopted guidelines for Liquor Licence Applications and LCRB criteria, staff recommend that Council support the three additional liquor service areas and increased occupancy for existing Liquor Primary Licence No. 035321, as discussed in Sections 2.0 and 3.0 of this report.

Staff recommend that a copy of this report be forwarded to the applicant. Staff also recommend that, following registration of the above noted Section 219 Covenant, 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.

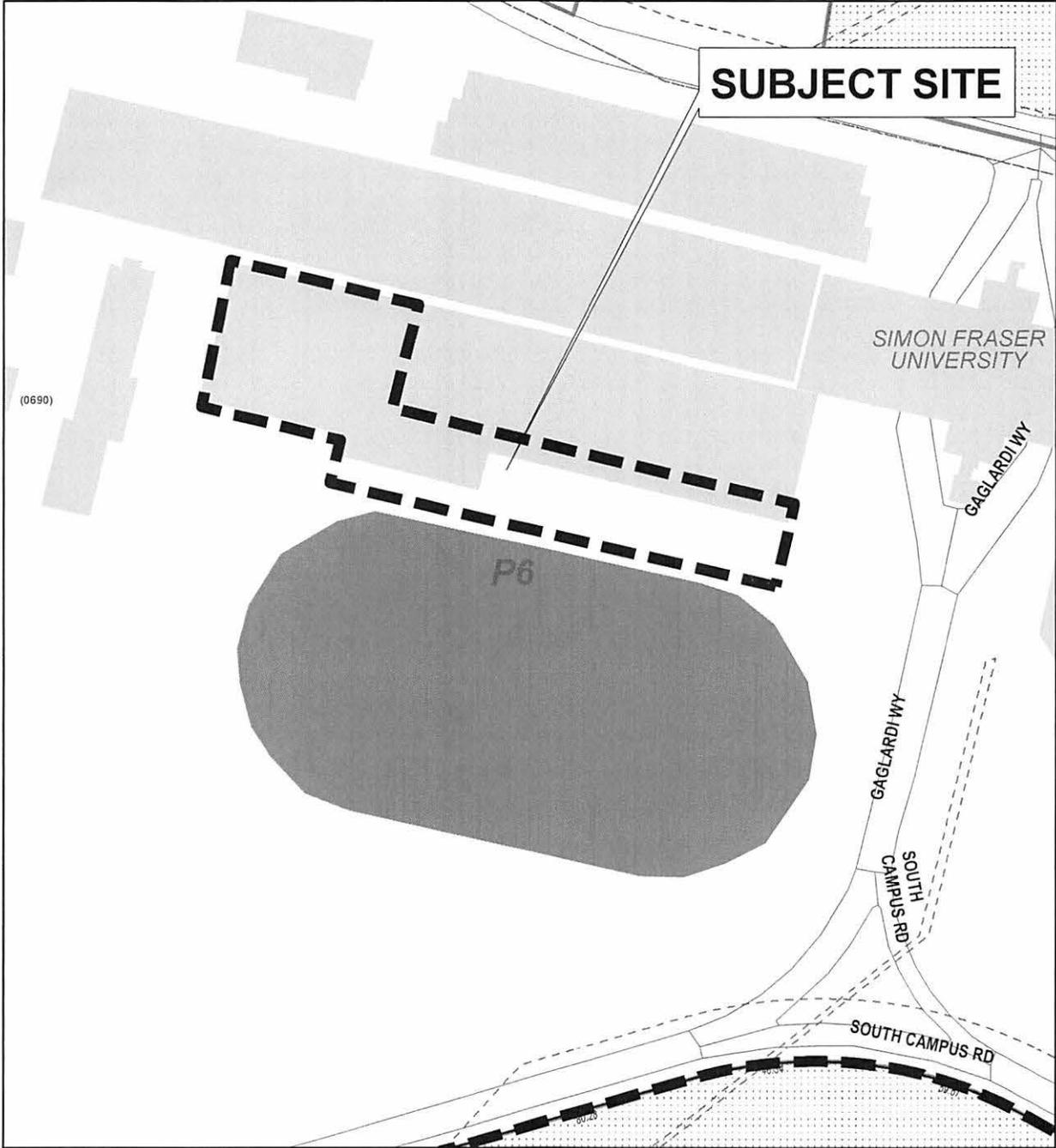


E.W. Kozak, Director
PLANNING AND BUILDING

MP:tn

Attachments

cc:	Director Finance	Director Public Safety and Community Services
	Director Corporate Services	Director Parks, Recreation and Cultural Services
	Director Engineering	Chief Licence Inspector
	Officer-in-Charge, RCMP, Burnaby Detachment	City Solicitor
	City Clerk	



PLANNING & BUILDING DEPARTMENT



Date: MAY 29 2020

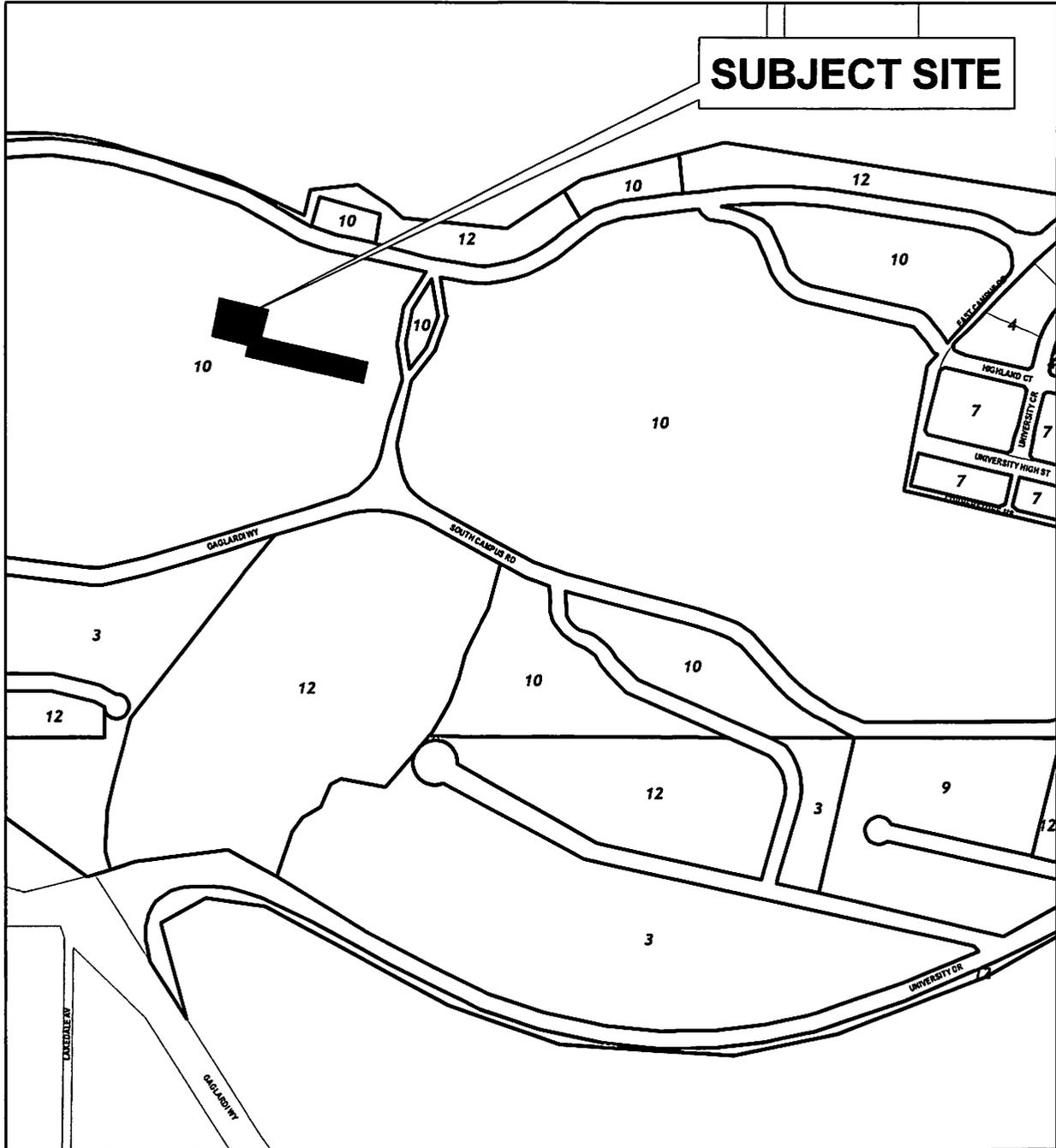
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LIQUOR LICENCE APPLICATION #20-03
8888 UNIVERSITY DRIVE

 Subject Site

Sketch #1



**Simon Fraser University
Community Plan**



PLANNING & BUILDING DEPARTMENT

- 3** Medium Density Multiple Family Residential
- 4** High Density Multiple Family Residential
- 7** High Density Mixed Use
- 9** Industrial
- 10** Institutional
- 12** Park and Public Use

