

TO: MAYOR & COUNCILLORS
FROM: GENERAL MANAGER PLANNING AND DEVELOPMENT
SUBJECT: **LLA #23-03 - 012-11 - 4580 BRENTWOOD BOULEVARD
(TAP AND BARREL RESTAURANT)
RESPONSE TO PUBLIC CONSULTATION PROCESS**
PURPOSE: To summarize the public consultation process, and to provide Council with recommendations regarding the subject food primary liquor licence.

REFERENCES

Address: 012-11 - 4580 Brentwood Boulevard
Legal: Lot 1 District Lot 123 Plan EPP40171
Applicant: Tap and Barrel Restaurant, 200-97 East 2nd Avenue, Vancouver, BC, V5T 1B3
Attention: Michelle Reichel
Current Zoning: CD Comprehensive Development District (based on the C3, C3a, and C3f General Commercial Districts, P2 Administration and Assembly District, RM4s Multiple Family Residential District, and RM5s Multiple Family Residential District as guidelines)
Proposed Zoning: No change

RECOMMENDATIONS

THAT Council support the subject food primary liquor licence application, subject to the following conditions:

- the establishment will not sell or serve liquor, except between the hours of 9:00 a.m. to 1:00 a.m. Monday to Thursday, between 9:00 a.m. to 2:00 a.m. Friday and Saturday, and from 9:00 a.m. to midnight on Sunday;
- the establishment would be required to stop liquor service on both outdoor patios by midnight, daily; and
- the sliding glass door system for the restaurant shall be closed at midnight on Sunday through Thursday and 2:00 a.m. on Friday and Saturday.

THAT a copy of this report be forwarded to the applicant, Michelle Reichel, Tap and Barrel Restaurant., 200-97 East 2nd Avenue, Vancouver, BC V5T 1B3; and

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.

1.0 POLICY SECTION

The subject liquor licence application aligns with the following City policies:

- Regional Context Statement (2013)
- Official Community Plan (1998)
- Corporate Strategic Plan (2022)
- Economic Development Strategy (2007)
- Brentwood Town Centre Plan (1996)
- Brentwood Town Centre Master Plan (2012)
- May 05, 2003 Report to Council, *Processing Procedure and Criteria for Liquor Licence Applications*

2.0 BACKGROUND

On November 20, 2023, Council received a report on the subject liquor licence application for Tap and Barrel Restaurant at 012-11 - 4580 Brentwood Boulevard (see **Attachment #1**). The subject application involves a request to extend the hours of liquor service past midnight on a new food primary liquor licence for the Tap and Barrel Restaurant. The requested hours of extended service are Monday to Thursday, from 9:00 a.m. – 1:00 a.m., Friday and Saturday from 9:00 a.m. – 2:00 a.m. The hours of liquor service on Sundays, from 9:00 a.m. – midnight, are not considered extended hours. The report concluded that the requested liquor licence application was supportable, subject to gathering public input and providing a subsequent report on the application.

3.0 GENERAL INFORMATION

The subject application was evaluated with respect to Council-adopted guidelines for Food Primary applications, and generally met those guidelines.

The LCRB also requires that local government provide commentary on the following criteria:

(a) *The impact of noise on nearby residents*

Given the location of the proposed food primary establishment within The Amazing Brentwood development, staff do not anticipate any material noise impacts on nearby residents. The Civic Plaza is the heart of the entertainment district for the site, to accommodate special events, art exhibitions and live entertainment, framed by interesting and unique storefronts, restaurants and cafés to provide activity and vitality for the public space. Therefore, while the subject establishment is located near residential uses, the urban design is intended to create a more animated and vibrant mixed-use area, and the central location of the proposed subject restaurant is expected

to be lively. It is also noted that the restaurant's proximity to Lougheed Highway and the Millennium SkyTrain line would provide ambient traffic noise to the south.

(b) *The impact on the community if the application is approved*

It is not anticipated that approving the application would result in negative impacts to the community as the proposed restaurant would be located adjacent to the Civic Plaza where restaurants are envisioned as an integral part of the vibrancy of the area. The subject site is also accessible by all forms of transportation. Bus service is readily available along Willingdon Avenue and Lougheed Highway and the Brentwood SkyTrain station is directly connected to the Civic Plaza. As such, the proposed subject establishment is generally well suited to the surrounding context.

(c) *Whether the amendment may result in the service area being operated in a manner that is contrary to its primary purpose*

It is not anticipated that the proposed late night liquor service hours beyond midnight would result in the subject restaurant being operated in a manner that is contrary to its primary purpose, particularly given that the proposed liquor service hours do not extend beyond 2:00 a.m. indoors, or midnight on the patio. The proposed restaurant's location is within a vibrant mixed-use Civic Plaza nearby other proposed restaurants offering late-night food services, including Earl's restaurant (LLA #22-01) and La Taqueria Pinche (LLA #22-03).

4.0 COMMUNICATION AND COMMUNITY ENGAGEMENT

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 distance of the subject property; two notices were published on the City of Burnaby's website (December 14 and December 21, 2023); and signage was posted at the subject site that invited respondents to submit written comments to the Planning and Development Department.

In response to the public notification, the Planning and Development Department received two emails from residents in support of the application and one email in opposition. The respondent opposed to the application expressed concern that the extension of liquor service hours could increase the potential for loud and unruly patrons late at night. The respondent also expressed concern that extending the hours of liquor service promotes a culture of alcohol abuse and unhealthy lifestyle. The respondent went further as to request that the hours of liquor service be restricted to the hours of noon - 11:00 p.m.

As noted previously in this report, the subject establishment fronts the Civic Plaza of The Amazing Brentwood development. The Brentwood Mall Master Plan envisions the Civic Plaza as the heart of the entertainment district for the site and includes retail stores, restaurants, cafes, movie theatre, and the Rec Room entertainment complex. Staff advise that the proposed food primary liquor licence is intended for dining and is related to the service of food. The establishment would be required to stop liquor service on the patio

areas by midnight, daily. In addition, the applicant would be required to lower the sound system on the patio and the restaurant speakers near the patio at 10:00 p.m., as needed, to comply with *Burnaby Noise or Sound Abatement Bylaw* 1979, and ensure that the restaurant folding glass door system is closed at midnight, Sunday to Thursday nights, and 2:00 a.m., Friday and Saturday nights.

While it is not anticipated, nearby residents and/or the operator may also contact the Burnaby RCMP to address incidents related to safety concerns or property damage. Further, it is noted that this liquor licence application was referred to the RCMP who had no concerns.

5.0 FINANCIAL CONSIDERATIONS

There are no financial considerations related to this proposal.

Respectfully submitted,

E. W. Kozak, General Manager Planning and Development

ATTACHMENT

Attachment 1 – Sketch 1 and Sketch 2

REPORT CONTRIBUTORS

This report was prepared by Cody Bator, Planning Analyst, and reviewed by Mark Norton, Senior Planner, and reviewed by Johannes Schumann, Director Neighbourhood Planning and Urban Design.