



Item
Meeting.....2015 March 30

COUNCIL REPORT

TO: CITY MANAGER 2015 March 25

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: REZONING REFERENCE #15-07
Proposed Extension of Operating Hours for Existing LDB Liquor Store

ADDRESS: 6500 Hastings Street

LEGAL: Parcel 2, DL 206, Group 1, NWD Explanatory Plan 80168

FROM: Amended CD Comprehensive Development District (based on C2a General Commercial District)

TO: Amended CD Comprehensive Development District (based on C2a General Commercial District and in accordance with the development plan entitled "Extension of Operating Hours" by the BC Liquor Distribution Branch)

APPLICANT: BC Liquor Distribution Branch
2625 Rupert Street
Vancouver, BC V5M 3T5
(Attn: Christina Hall)

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2015 April 28.

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2015 April 13 and to a Public Hearing on 2015 April 28 at 7:00 p.m.
2. **THAT** the following be established as prerequisites to the completion of the rezoning:
 - a. The granting of a Section 219 Covenant to ensure that operating hours are maintained as described in Section 4.2 of this report.

REPORT

1.0 REZONING PURPOSE

The purpose of this rezoning application is to increase the operating hours of an existing Liquor Distribution Branch (LDB) liquor store.

2.0 NEIGHBOURHOOD CHARACTERISTICS

The subject property contains the Kensington Square Shopping Centre and is located on the south side of Hastings Street, between Kensington Avenue and Grove Avenue, within the Lochdale Community Plan area. The property is adjacent to Kensington Park to the west across Kensington Avenue; a gas station and former golf centre to the north across Hastings Street; a mix of commercial, multi-family, and two-family residential uses to the east across Grove Avenue; and single family residences to the south. Vehicular access is provided from Hastings Street, as well as from Kensington Avenue and Grove Avenue; loading bays are located to the rear of the main building near the southern boundary of the property.

3.0 BACKGROUND

- 3.1 On 1990 September 17, Council granted Final Adoption to Rezoning Reference #33/90, which rezoned the subject site from the CD Comprehensive Development District (based on the C2 Community Commercial District) to Amended CD Comprehensive Development District (based on the C2a Community Commercial District). The purpose of the rezoning was to bring the existing LDB liquor store at Kensington Square (and five liquor stores in other locations) into conformity with the 1988 October 11 Zoning Bylaw amendment that required “a” subcategory zoning for liquor store uses. The LDB liquor store at that time was located in Unit B of the main commercial building, directly adjacent to Kensington Avenue, which is currently occupied by the Great Canadian Dollar Store. The LDB liquor store closed in early 2006.
- 3.2 On 2006 May 08, Council adopted a Liquor Store Location Framework (“Framework”) for Burnaby, along with Guidelines for Assessing Rezoning Applications for Liquor Stores. The purpose of the framework is to offer equity and certainty for consumers throughout the City in terms of product availability, convenience, and stable pricing. The framework recommends establishment of a neighbourhood scale LDB outlet at Kensington Square as an interim step to a larger Signature LDB liquor store once surrounding population densities increase.
- 3.3 On 2014 April 28, Council granted Final Adoption to Rezoning Reference #13-36, which permitted the subject neighbourhood scale LDB liquor store in Unit D of the main commercial building (6518 Hastings Street), two units east of the previous location.

4.0 GENERAL COMMENTS

- 4.1 The applicant is proposing to amend the operating hours for the LDB liquor store established under Rezoning Reference #13-36 in a commercial retail unit (“Unit D”) within the Kensington Square Shopping Centre (Sketch #1 and #2 *attached*). The proposed operating hours are 9:30 am to 9:00 pm Monday through Saturday and 10:00 am to 6:00 pm on Sunday. No physical changes to the existing store are proposed.

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- 4.2 As noted above, the Liquor Store Location Framework established Guidelines for Assessing Rezoning Applications for Liquor Stores (“Guidelines”), including locational, store size, and operational criteria. The existing approximately 427.35 m² (4,600 ft²) LDB store meets locational and store size criteria.

Operational criteria include appropriate hours of operation, which must be formalized through registration of a Section 219 Covenant. The Guidelines anticipate that the hours for neighbourhood LDB liquor stores will be shorter and earlier than those in Town Centres, and will reflect the operating hours of other commercial businesses in the same commercial centre.

As shown in Table 1 below, the store’s current operating hours are 9:30 am to 6:00 pm Monday, Tuesday, Wednesday, and Saturday; 9:30 am to 9:00 pm Thursday and Friday; and closed on Sunday. The proposed operating hours are 9:30 am to 9:00 pm Monday through Saturday and 10:00 am to 6:00 pm on Sunday.

Table 1 - Existing and Proposed Operating Hours

	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Existing	9:30 am– 6:00 pm	9:30 am– 6:00 pm	9:30 am– 6:00 pm	9:30 am– 9:00 pm	9:30 am– 9:00 pm	9:30 am– 6:00 pm	Closed
Proposed	9:30 am– 9:00 pm	9:30 am– 9:00 pm	9:30 am– 9:00 pm	9:30 am– 9:00 pm	9:30 am– 9:00 pm	9:30 am– 9:00 pm	10:00 am– 6:00 pm

The proposed amendment would extend operating hours from 6:00 pm to 9:00 pm on Monday, Tuesday, Wednesday, and Saturday, and would provide Sunday operating hours from 10:00 to 6:00 pm, where currently the store is closed.

The operating hours of other Kensington Square tenants vary; however, a number of tenants observe later hours, particularly anchor tenants such as Safeway and Shoppers Drug Mart, which close at midnight, and White Spot, which closes at 11:00 pm. The proposed LDB liquor store is located immediately east of Shoppers Drug Mart and immediately west of the Return-It recycling centre, which is open from 9:00 am to 6:00 pm six days a week, and 10:00 am to 5:00 pm on Sundays. A private wine store on the opposite side of Kensington Square is open from 10:00 am to 7:00 pm Monday, Tuesday, Wednesday and Saturday; 10:00 am to 8:00 pm Thursday and Friday; and 11:00 am to 6:00 pm Sunday.

The proposed operating hours would thus be generally consistent with a number of other commercial tenants. To ensure that these hours are maintained, it is recommended that, as a condition of rezoning approval, the operating hours be formalized through registration of a Section 219 Covenant and that the existing Section 219 Covenant governing store hours be discharged.

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- 4.3 No servicing, road dedications, easements, statutory rights-of-way or covenants are required in conjunction with this rezoning application.
- 4.4 Given that there is no additional gross floor area proposed as part of the subject rezoning application, the GVS&DD Sewerage Charge of \$8.73 per m² (\$0.811 per ft²) is not required in conjunction with this rezoning application.

5.0 DEVELOPMENT STATISTICS (NO CHANGES PROPOSED)

5.1 Site Area (Shopping Centre) - 3.35 ha (8.27 acres)

5.2 Gross Floor Area

Unit D (Existing LDB liquor store) - 427.35 m² (4,600 ft²)

5.3 Height - 1 storey

5.4 Parking Required Provided

Parking (proposed LDB liquor store) - 10 10

Loading (proposed LDB liquor store) - 1 1 (shared)

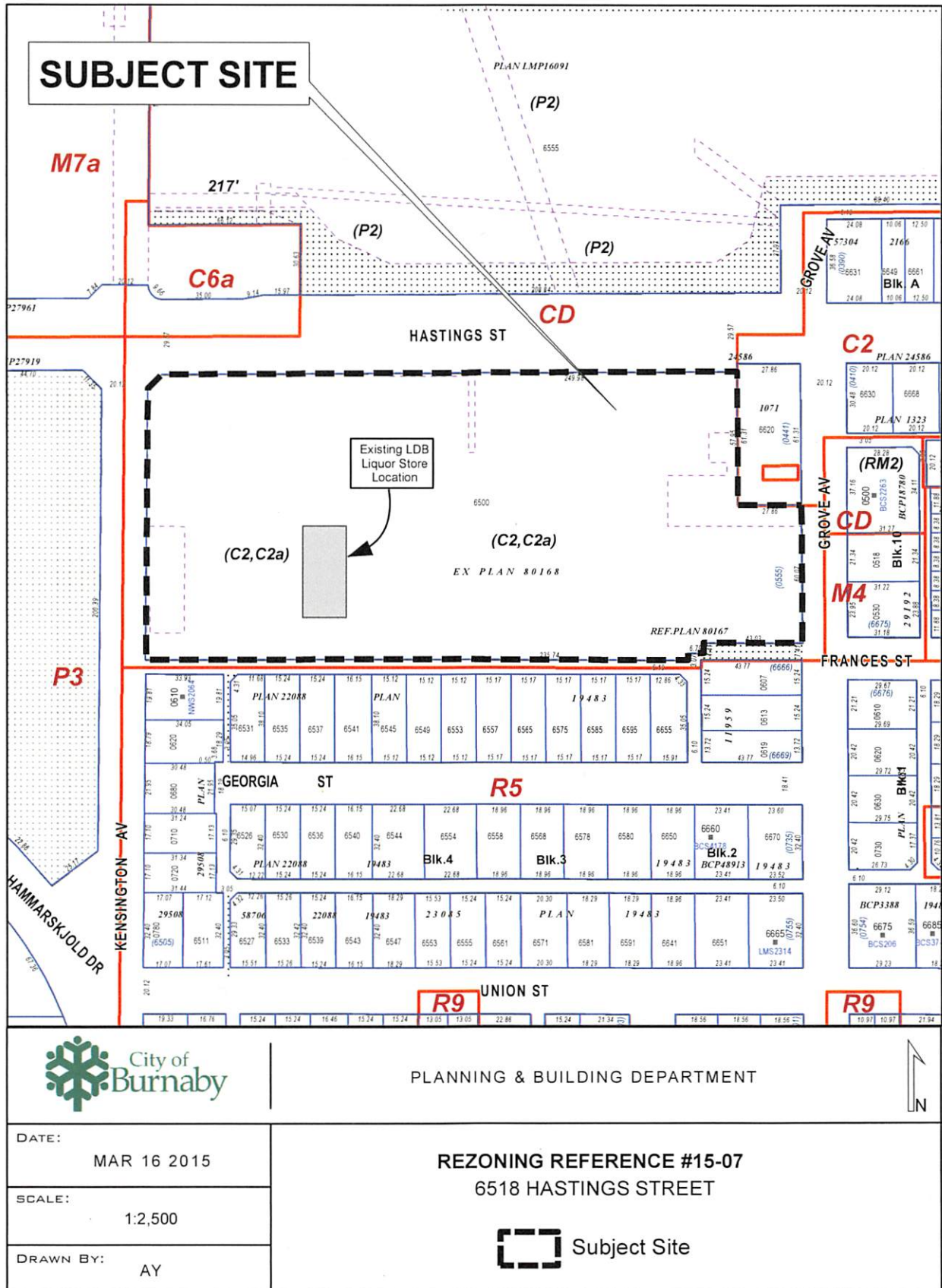
Bicycle Parking - 1 1 rack


Lou Pelletier, Director
PLANNING AND BUILDING

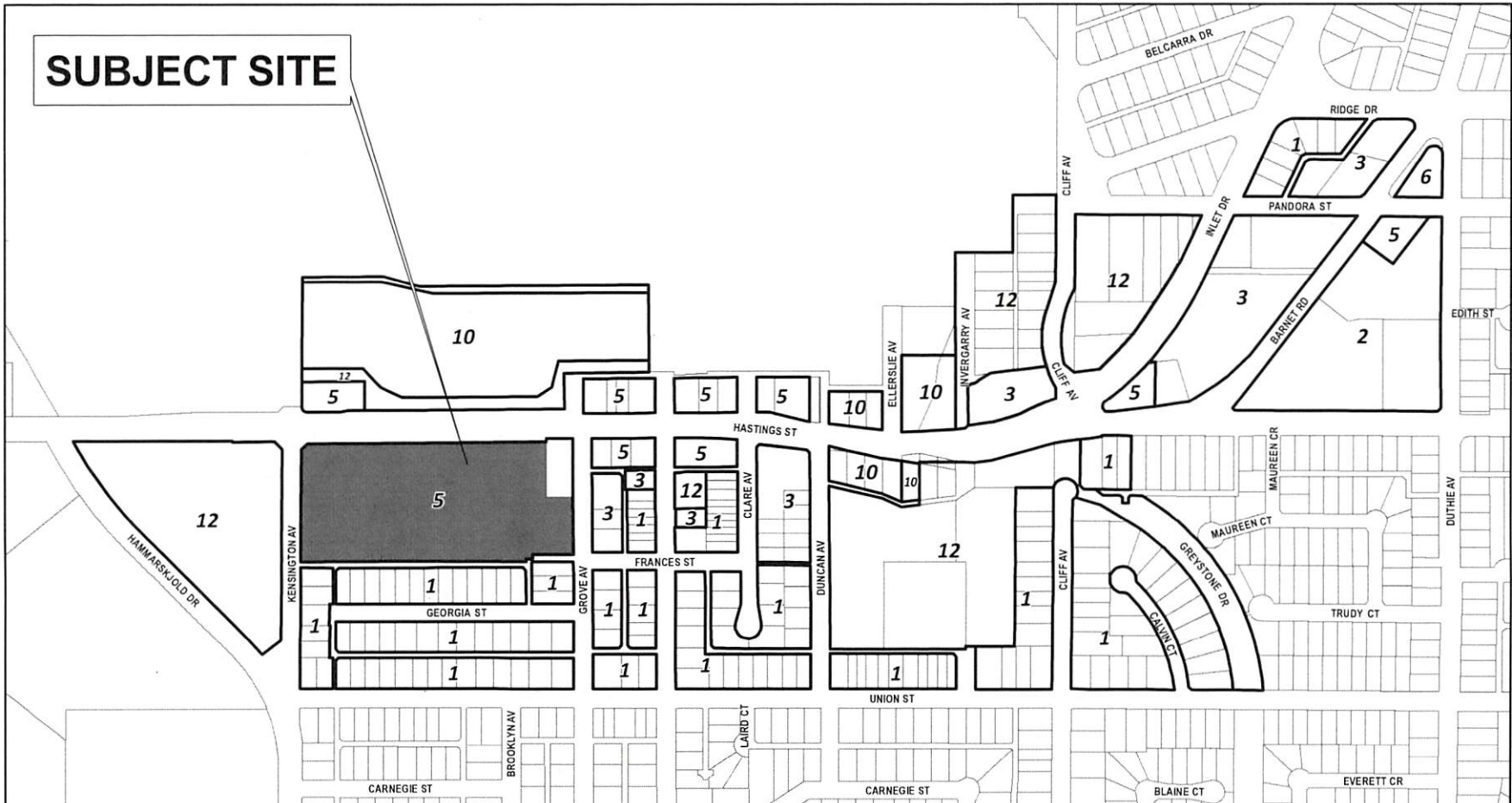
LF:tn

Attachments

cc: Director Engineering
Chief Building Inspector
City Solicitor
City Clerk



SUBJECT SITE



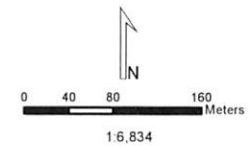
Lochdale Area Development Plan



PLANNING & BUILDING DEPARTMENT

- 1 Single and Two Family Residential
- 2 Low Density Multiple Family Residential
- 3 Medium Density Multiple Family Residential
- 5 Commercial

- 6 Medium Density Mixed Use
- 10 Institutional
- 12 Park and Public Use/ Public School





**LIQUOR
DISTRIBUTION
BRANCH**

BC Liquor Distribution Branch
Real Estate Department
2625 Rupert Street
Vancouver, BC V5M 3T5
Telephone: 604-252-3136 Fax: 604-252-3141
E-mail: christina.hall@bcldb.com

Via: Hand Delivery

February 26, 2015

Ms. Lily Ford
Zoning Planner
City of Burnaby Planning and Building Department
4949 Canada Way
Burnaby, BC V5G 1M2

Dear Lily:

**Re: Letter of Intent (Rezoning Application) - Liquor Distribution Branch (the "Agent")
Kensington Square - 6500 East Hastings Street, Burnaby, BC V5B 1S2 (the "Shopping
Centre")**

We refer to the above referenced Shopping Centre with respect to our request to amend the current CD zoning in order to amend the applicable operating hours outlined in Covenant 219.

The current Amended CD (C2a) zoning permits a BC Liquor Store to operate at the address of 6518 East Hastings Street, Burnaby, BC (the "**Premises**"). However, Covenant 219 limits the Agent to the following hours of operation;

- 9:30 am – 6:00 pm – Mon, Tues, Wed, Sat
- 9:30 am – 9:00 pm – Thurs, Fri
- CLOSED SUNDAYS

Upon careful review of store operations, and strong customer feedback the Agent requests a variance to Covenant 219 so that it can better meet the needs of the community. The Agent proposes an amendment to Covenant 219 such that it permits the below operating hours in the Premises;

- 9:30 am – 9 pm Mon – Sat
- 10:00 am - 6 pm – Sundays & statutory holidays

The above proposed hours are more in line with the operating hours of Safeway and Shoppers Drug Mart (collectively the "**Anchor Tenants**"). The Anchor Tenants operating hours are from Sunday to Saturday from 7:00 am – 12:00 am (Safeway) 8:00 am - 12:00 am (Shoppers Drug Mart). The Agent also has the support of the registered owner of the Premises and has attached the Agent Authorization Form to this rezoning application package.

If you have any questions or require further information please contact the Agent at your convenience at the below coordinates:


BC Liquor Distribution Branch
2625 Rupert Street
Vancouver, BC V5M 3T5
Attention: Senior Leasing Manager

Tel. 1-604-252-3136
Fax 1-604-252-3141
Email Christina.hall@bcldb.com

We look forward to working favorably with the City of Burnaby through the rezoning process.

Sincerely,

LIQUOR DISTRIBUTION BRANCH

Per: 
Name: Christina Hall
Title: Senior Leasing Manager