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| Item |
| Meeting 2016 December 12 |

COUNCIL REPORT

TO: CITY MANAGER 2016 December 07

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: REZONING REFERENCE #15-34
New Restaurant Patio

ADDRESS: 4331 Dominion Street

LEGAL: Lot 1, DL 70, Group 1, NWD Plan BCP21069

FROM: CD Comprehensive Development District (based on C3, C3d, C3f General Commercial District)

TO: Amended CD Comprehensive Development District (based on C3, C3d, C3f General Commercial District)

APPLICANT: Mallen Gowing Berzins Architecture
#300 - 7 East 6th Avenue
Vancouver, BC V5T 1J3
(Attn: Taylor Yee)

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2017 January 31.

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2016 December 12, and to a Public Hearing on 2017 January 31 at 7:00 pm.
2. **THAT** the following be established as prerequisites to the completion of the rezoning:
 - a. The submission of a suitable plan of development.
 - b. The approval of the Ministry of Transportation approval to the rezoning application.
3. **THAT** a copy of this report be sent to Brad Desmarais, Vice President, Casino and Community Gaming, British Columbia Lottery Corporation, 74 West Seymour Street, Kamloops, BC, V2C 1E2.

To: City Manager
From: Director Planning and Building
Re: Rezoning #15-34, New Restaurant Patio
2016 December 07..... Page 2

REPORT

1.0 REZONING PURPOSE

The purpose of the proposed rezoning bylaw amendment is to permit the construction of a new restaurant patio at the Grand Villa Casino / Delta Burnaby Hotel complex.

2.0 BACKGROUND

- 2.1 The subject site is located within the Willingdon/Canada Way Business Centre area. It is occupied by the Grand Villa Casino/Delta Burnaby Hotel complex which currently includes a 2 storey casino with associated food and beverage facilities, a 23 storey hotel tower with 200 guest rooms and related conference/banquet facilities, and 2 restaurants (see Sketch #1 *attached*). Highway #1 is located immediately north of the subject site, and Willingdon Avenue is to the east. To the south, across Dominion Street, is a 5 level above ground parkade at 4320 Dominion Street, which is connected to the casino/hotel complex by an overhead pedestrian walkway, a small surface parking area related to the casino at 4405 Norfolk Street, and two office buildings. To the west across Sumner Avenue are industrial properties zoned M1 District.
- 2.2 On 2015 September 28, Council received the report of the Planning and Building Department concerning the rezoning of the subject site and authorized the Department to continue to work with the applicant in the preparation of a suitable plan of development, with the understanding that a further and more detailed report would be submitted at a later date.

The applicant has submitted a plan of development suitable for presentation to a Public Hearing.

3.0 GENERAL COMMENTS

- 3.1 The applicant has requested rezoning in order to permit the construction of a new 54 seat restaurant patio for *The Buffet* restaurant, which is located within the casino. The proposed 75 m² (805.8 sq. ft.) patio would be located in an area occupied by a raised landscaped area at the northwest corner of the building, fronting Sumner Avenue. The proposal includes a permanent covered roof and a retractable window system, in order to provide both weather protection and an open-air experience. The restaurant currently accommodates a total seating capacity of 88 seats. The proposal would provide for a 54 seat patio, accommodating a total seating capacity for the restaurant of 142 seats. The proposed materials and colours for the patio are in keeping with the existing building. A small storage area is also proposed, below the patio, within the existing raised landscaped area.

To: City Manager
 From: Director Planning and Building
 Re: Rezoning #15-34, New Restaurant Patio
 2016 December 07..... Page 3

The applicant proposes to operate the patio year-round and provide liquor service from 11:00 a.m. to 2:00 a.m., in line with the Council-approved liquor service hours permitted for outdoor patios at the site. No live or amplified music is proposed for the patio.

It is noted that no additional parking is required for the proposed additional 54 patio seats, given that food and beverage facilities located within the casino do not require vehicle parking beyond that provided for the casino use.

- 3.2 The Liquor Control and Licencing Branch (LCLB), as part of their assessment process for amendments to liquor primary liquor licences, requests that local government provide comment on applications seeking the addition of a patio for liquor primary establishments. LCLB regulations also state that if the requested licence amendment may affect nearby residents, local government must gather the views of the residents.

In order to satisfy LCLB requirements, a separate liquor licence report addressing the new patio will be submitted to Council if this rezoning proceeds to Final Adoption. The Public Hearing process for this rezoning would be utilized to satisfy the provincial public input process.

- 3.3 No servicing is required in connection with this rezoning.

4.0 DEVELOPMENT PROPOSAL

- 4.1 **Site Area (no change):** - 1.5 hectares (3.69 acres)
- 4.2 **Site Coverage (no change):** - 51%
- 4.3 **Gross Floor Area:** - 37,446 m² (403,067 sq. ft.)
- 4.4 **Floor Area Ratio:** - 2.5

4.5 **Parking Required (no change):**

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| Casino: 5,296 m ² (57,009 sq. ft.) gaming area @ 1 per 9 m ² plus 1 per 3 slot machines | - 988 spaces |
| Freestanding Restaurants: 341 seats @ 1 per 5 seats | - 69 spaces |
| Hotel: 200 rooms @ 1 per 2 rooms | - 100 spaces |
| Conference / Banquet Centre: 390 m ² (4,200 sq. ft.) @ 1 per 9 m ² of assembly area | - 43 spaces |

To: City Manager
From: Director Planning and Building
Re: Rezoning #15-34, New Restaurant Patio
2016 December 07..... Page 4

Office: 836 m² (9,000 sq. ft.) @ 1 per 46 m² - 18 spaces

Total Required: - 1,218 spaces

Parking Provided (no change):

- 869 spaces at parkade structure (4320 Norfolk Street)
- 307 spaces at Casino / Hotel site (4331 Dominion Street)
- 81 spaces at surface parking lot (4405 Norfolk Street)

Total Provided: - 1,257 spaces

4.6 **Loading Required / Provided (no change):** - 2 bays

4.7 **Building Height (no change):**

Hotel Tower - 23 storeys
Casino / Conference Centre - 3 storeys

Lou Pelletier, Director
PLANNING AND BUILDING

SMN:spf
Attachment

cc: Director Engineering
City Solicitor
City Clerk