

CITY OF BURNABY

PLANNING AND BUILDING
REZONING REFERENCE #17-11
2017 MARCH 29

ITEM #05

1.0 GENERAL INFORMATION

- 1.1 Applicant:** Shape Properties
2020 One Bentall Centre
505 Burrard Street, Box 206
Vancouver, BC V7X 1M6
Attn: Amy Smith
- 1.2 Subject:** Application for the rezoning of:
Lot 1, DL's 123 and 124, Group 1, NWD Plan EPP31990 Except
Plan EPP40171
- From:** CD Comprehensive Development District (based on C3, C3a General
Commercial Districts, P2 Administration and Assembly District and
RM4s, RM5s Multiple Family Residential Districts and Brentwood
Town Centre Development Plan as guidelines)
- To:** Amended CD Comprehensive Development District (based on C3
and C3f General Commercial Districts and Brentwood Town Centre
Development Plan as guidelines)
- 1.3 Address:** Unit #21-06 – 4501 Lougheed Highway
- 1.4 Location:** The subject tenant space is located on the second floor of the West
Building of Phase 1 of the Brentwood Mall redevelopment at the
northeast corner of Willingdon Avenue and Lougheed Highway
(Sketch #1 and #2 *attached*).
- 1.5 Size:** The tenant space is an approximately 4,117 m² (44,315 ft²)
commercial retail unit (CRU).
- 1.6 Services:** The Director Engineering will be requested to provide all relevant
servicing information.
- 1.7 Rezoning Purpose:** The purpose of the proposed rezoning bylaw amendment is to permit
a liquor primary establishment on the subject site.

2.0 NEIGHBOURHOOD CHARACTERISTICS

The subject tenant space is located in the West Building of Phase I of the Brentwood Mall redevelopment, in a one-level commercial retail unit facing southeast onto the civic plaza. To the east and southeast are other commercial retail units intended for a variety of food service and retail tenants. There are two future residential towers in proximity to the proposed liquor primary establishment: Brentwood's Residential Tower 1, located above the proposed establishment, and Brentwood's Residential Tower 2, located approximately 85 m (279 ft.) to the southeast within the South Building of the development. Surrounding development to the west across Willingdon Avenue includes lower scale commercial and office development. The SOLO mixed use commercial and high density residential development is located to the southwest of the site. The Brentwood SkyTrain Station is located to the immediate south, along Lougheed Highway, with transitional auto dealership and industrial development further to the south.

3.0 BACKGROUND INFORMATION

- 3.1 On 2013 September 23, Council granted Final Adoption to Rezoning Reference #11-22, which established a Conceptual Master Plan framework and companion Design Guidelines for the Brentwood Mall site. The intent of the Master Rezoning was to guide site specific rezoning applications for the development of a multi-phased, mixed-use, high-rise apartment and office development, with ground-oriented townhousing, street-fronting commercial uses and several public open space elements, including a central civic plaza at the corner of Willingdon Avenue and Lougheed Highway.
- 3.2 On 2014 July 21, Council granted Final Adoption to the rezoning amendment bylaw for the commercial, public plaza and high street components of Phase I of the Brentwood Mall redevelopment (Rezoning Reference #12-44). The approved development plan features a pedestrian-oriented, architecturally vibrant design, with signature commercial buildings ranging from two to four storeys in height set around the central plaza, high street, and connecting pedestrian mews. Zoning for the commercial portion of the site is based on the C3 and C3a General Commercial Districts.
- 3.3 On 2003 May 05, Council adopted guidelines for assessing applications for new liquor licence establishments. On 2003 May 12, Council granted Final Adoption to a Zoning Bylaw text amendment restricting new liquor licence establishments with more than 100 seats to the C3f General Commercial District, the P2f Administration and Assembly District, the P3f Park and Public Use District, and the P6f Regional Institutional District.
- 3.4 On 2015 March 30, Council received the report of the Planning and Building Department concerning a rezoning application (Rezoning Reference #15-06) for a proposed brewpub restaurant in an approximate 1,200 m² (12,921 ft²) two storey commercial retail unit with roof top patio, located directly east of the subject tenant space in the middle building of Phase 1 of the Brentwood Mall redevelopment. Council authorized the Department to continue to work with the applicant towards the preparation of a suitable plan of development for the proposal, which includes a barbershop, brewing area, liquor primary

licensed area with a patio, and a food primary restaurant with a patio. That rezoning application remains active.

4.0 GENERAL INFORMATION

4.1 The applicant proposes to locate a liquor primary establishment on the subject site. The proposed establishment is "The Rec Room," a Cineplex Entertainment concept, in an approximate 4,117 m² (44,315 ft²) commercial retail unit on the second floor of the West Building. The proposed facility is located within the entertainment precinct component of the Brentwood Mall redevelopment, which could include: retail, office, café, restaurant, movie theatres, a live entertainment venue, and civic public plaza. Proposals for liquor primary licences for other components of the Brentwood Mall redevelopment would be subject to separate rezoning applications and evaluated on a case-by-case basis.

The proposed facility faces southeast onto the civic plaza and includes an approximate 2,016 m² (21,702 ft²) liquor primary licensed area. Preliminary plans indicate that the proposed licenced area includes the following components:

- Two food and beverage outlets, one of which includes a feature attraction/specialty game area;
- An amusement gaming area; and,
- A multi-purpose live entertainment/auditorium/stage/dance floor area, much of which can be used for seating.

Games within the facility include redemption games (e.g. arcade games) that issue electronic prizes that can be redeemed for prizes; billiards, ping pong, interactive games, and simulators; and virtual reality experiences. It is noted that rezoning of the subject site to the C3c Zoning District in order to permit an amusement arcade or billiard hall use is not necessary as the definition of those uses in the Zoning Bylaw excludes establishments for which a liquor primary licence is required. As such, rezoning to include the C3f District is sufficient to accommodate the proposed uses. Screens are proposed throughout the facility and a dance floor and live entertainment are also proposed. Space within the venue may be made available for private corporate and other group bookings. Food and beverage is proposed to be available throughout the venue including in the games and multi-purpose auditorium areas. The proposed hours of liquor service are 9:00 am to 2:00 am, seven days a week, though the applicant indicates that The Rec Room would normally operate between 11:00 am to 2:00 am, seven days a week. The applicant indicates an early estimated person capacity of approximately 1,200 to 1,300. Minors (anyone under 19 years of age), under the Liquor Control and Licensing Branch's (LCLB) Family Foodservice term and condition, would only be permitted in the facility until 10:00 pm, provided they are accompanied by a parent or guardian.

4.2 In order to permit the proposed liquor licence establishment, the inclusion of the C3f District zoning designation is required. The subject use must also meet Council adopted guidelines for assessing the location of new liquor primary establishments. The following

is a preliminary assessment of the proposal's consistency with the pertinent Council adopted guidelines:

4.2.1 Observance of a sufficient distance from, or physical separation from:

- Existing liquor primary establishments;
- Residential uses;
- Schools;
- Care facilities; and,
- Other uses such as gaming facilities, cyber centres, amusement arcades and billiard halls.

Two existing liquor primary establishments are located in the vicinity: Joey Burnaby at 1899 Rosser Avenue and the Executive Inn at 4210 Lougheed Highway. In addition, as mentioned above, a rezoning application has been received for a liquor primary facility located directly east of the subject site, on the other side of the civic plaza. It is also expected that additional liquor primary venues may be approved in the immediate vicinity, each of which would be assessed on a case-by-case basis through subsequent rezoning processes.

Two residential towers will be located in proximity to the proposed liquor primary establishment – one above the proposed establishment and the other approximately 85 m (279 ft.) to the southeast. Information on the approved development concept for the subject site, including its function as a public event and entertainment venue, has been included in the disclosure statements for the sale of all units in these towers. It is also noted that all uses are subject to the Burnaby Noise or Sound Abatement Bylaw.

The proposed liquor licence establishment is located at least 650 m (2,133 ft.) from the nearest school (Brentwood Park Elementary) and at least 225 m (738 ft.) from the nearest child care facility (located in the residential neighbourhood to the northeast). The site is located approximately 2 km (1.2 miles) north of the nearest gaming facility (Grand Villa Casino) and approximately 1.4 km (0.9 miles) west of Rev's Bowling Centre, which offers billiards and arcade games.

4.2.2 Nature of proposed establishment (e.g. entertainment, outdoor patio, hours and person capacity).

The nature of the proposed establishment is consistent with the approved development concept for the subject site, including its function as a public event and entertainment venue. No outdoor patios are proposed. The proposed hours of liquor service are 9:00 am to 2:00 am, seven days a week. However, it is noted that on 2003 March 10, Council adopted a policy establishing 11:00 am as the standard earliest opening time for considering new requests to change the permitted hours of liquor sale for liquor primary establishments. Patron capacity has not yet been specifically determined but is estimated

to be in the range of 1,200 to 1,300. If authorized by Council, staff will work with the applicant on the preparation of a suitable plan of development, including appropriate capacity and hours of operation in line with Council adopted policies. In addition, staff will seek to confirm noise mitigation measures, and will obtain from the LCLB confirmation of operational and patron management guidelines and requirements given the proposed size of the venue.

4.2.3 Satisfaction of all parking requirements on site.

The adopted Comprehensive Development (CD) plan for the site requires 2.4 parking spaces per 100 m² of gross leasable area. It is noted that the site will have a surplus of commercial parking, once fully constructed.

4.2.4 Safe and convenient access for vehicular traffic to the site, as well as safe access for pedestrians to the liquor licence establishment.

Safe and convenient vehicular access to the underground parking is provided via Halifax Street, Alpha Avenue, Loughheed Highway, and the approved internal high street. The approved concept for the Phase I Brentwood Mall redevelopment is pedestrian oriented and the approved CD plan for the site includes extensive pedestrian facilities and linkages (including to public transit).

4.2.5 Good proximity (within 250 meters) of public transit.

The development site is directly adjacent and directly connected to the Brentwood SkyTrain Station and transit services along Willingdon Avenue.

In general, the proposed development appears to be consistent with the Council adopted guidelines for liquor licence establishments. It is also noted that the above guidelines are to be used in the context of surrounding land uses and density of development, such that applications for liquor primary facilities in a Town Centre context would be considered differently from those in a single family area.

- 4.3 A Section 219 Covenant will be required to limit the establishment's hours of liquor service and person capacity.
- 4.4 Servicing has been provided under Rezoning Reference #12-44 and Subdivision #13-27. The Director Engineering will be required to provide an estimate for any additional servicing upgrades necessary to serve the proposed use.
- 4.5 The proposed prerequisite conditions to the rezoning will be included in a future report.
- 4.6 It is noted that the LCLB, as part of their assessment process for new liquor primary licence applications, requests that local government provide comment on such

applications. LCLB regulations also state that if the new licence may affect nearby residents, local government must gather the view of the residents. The Public Hearing process for this rezoning would be utilized to satisfy the provincial public input process, including written notice to residents/tenants and property owners within 30 m of the subject site and advertisement in two consecutive local newspapers. In addition, should the proposed rezoning advance, a Burnaby liquor licence application (LLA) may be received by Council for consideration, concurrent with Final Adoption of the subject rezoning.

4.7 It is also noted that this rezoning application does not preclude the processing of other liquor primary applications on the subject site, with the aforementioned Rezoning Reference #15-06 and any future liquor primary proposals to be evaluated on a case-by-case basis.

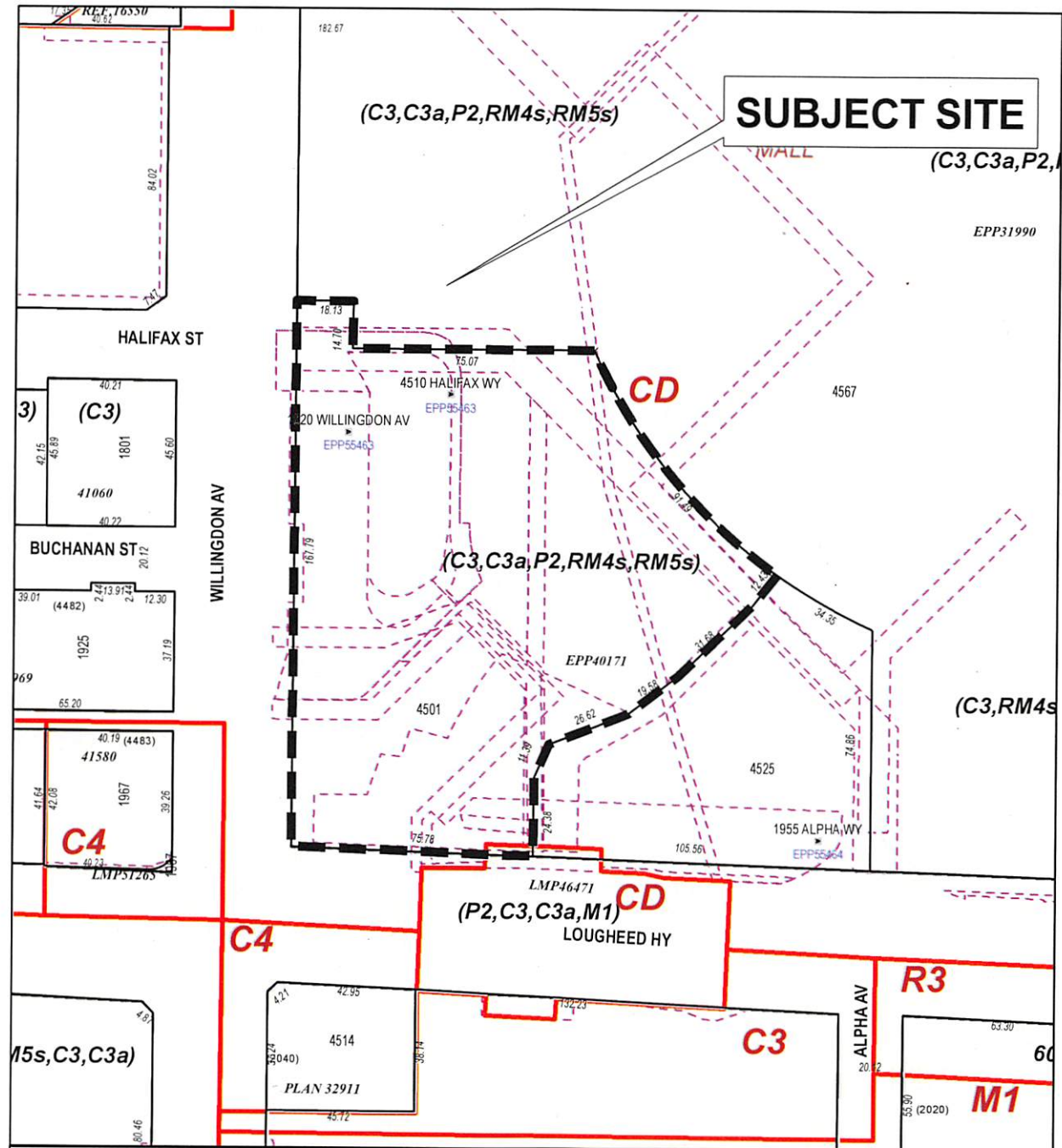
5.0 RECOMMENDATION




THAT the Planning and Building Department be authorized to continue to work with the applicant towards the preparation of a suitable plan of development for presentation to a Public Hearing on the understanding that a more detailed report will be submitted at a later date.

h.p.

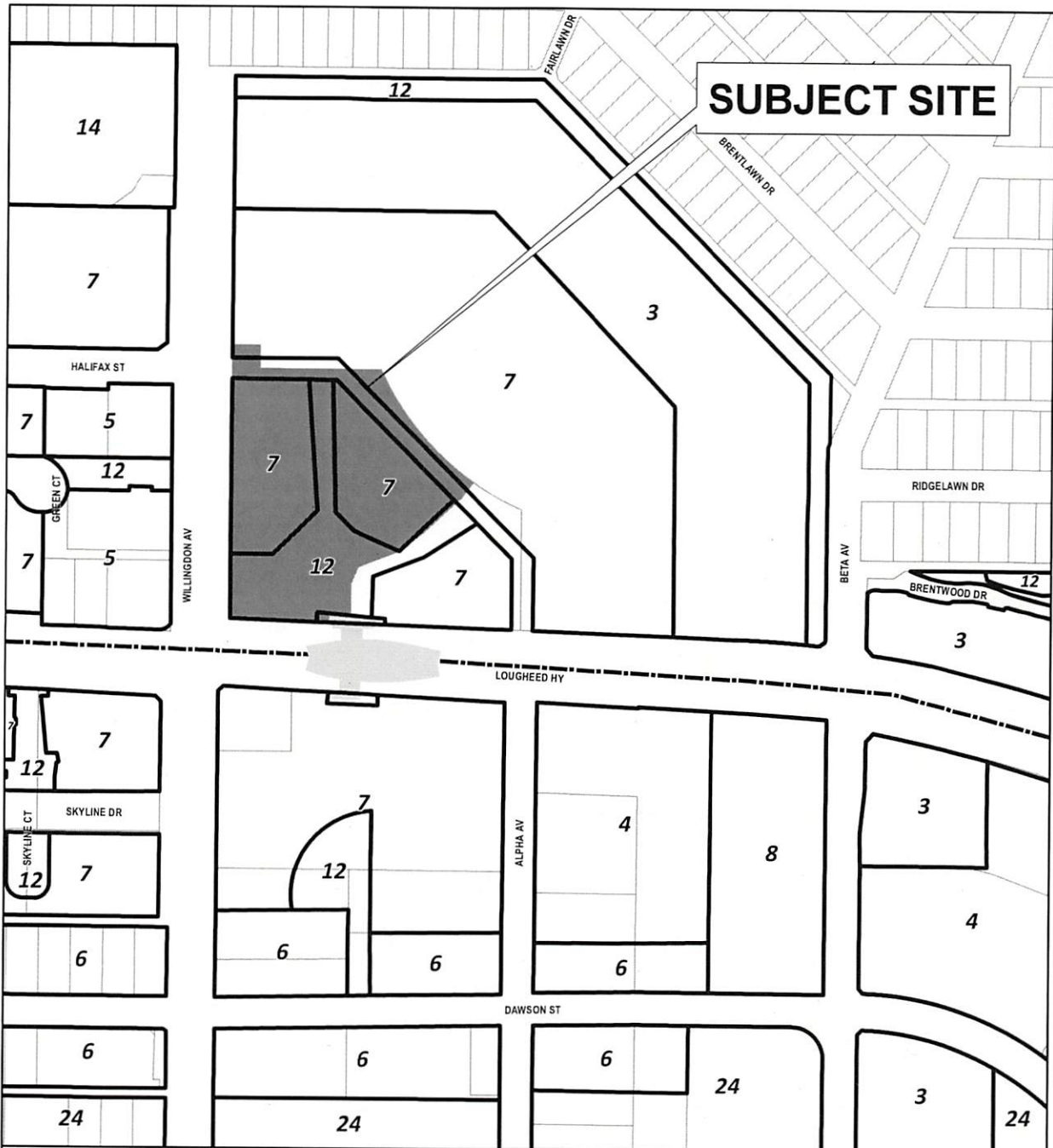
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Attachments

cc: Director Engineering
City Solicitor
City Clerk



	<p>PLANNING & BUILDING DEPARTMENT</p> 
<p>DATE: MAR 07 2017</p>	<p>REZONING REFERENCE #17-11 PORTION OF 4501 LOUGHEED HIGHWAY</p>
<p>SCALE: 1:2,000</p>	<p> Subject Site</p>
<p>DRAWN BY: AY</p>	

Sketch #1



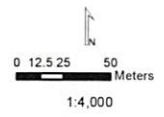
SUBJECT SITE

- | | |
|--|--|
| 3 Medium Density Multiple Family Residential | 8 Medium or High Density Multi Family Residential |
| 4 High Density Multiple Family Residential | 10 Institutional |
| 5 Commercial | 11 Business Centre |
| 6 Medium Density Mixed Use | 12 Park and Public Use/Public School |
| 7 High Density Mixed Use | 14 Cemetery |
| | 24 High Density Multiple Family Residential -
Brentwood Succession (RM4s) |



Planning and Building Dept

Brentwood Plan



Printed March 7, 2017

Sketch #2



SHAPE[™]
PROPERTIES

MAKING PLACES THAT MATTER

Amy Smith
Shape Properties Corp.
2020 One Bentall Centre
505 Burrard Street, Box 206
Vancouver, BC V7X 1M6

February 28, 2017

Lou Pelletier, Director
City of Burnaby Planning Department
4949 Canada Way
Burnaby, BC V5G 1M2

Re: Rezoning Letter of Intent
Portion of 4501 Lougheed Highway
Brentwood Town Centre Development Plan

I, Amy Smith, on behalf of Shape Properties Corp., have submitted this application to rezone a portion of 4501 Lougheed Highway from the current CD Comprehensive Development District (utilizing the C3 General Commercial District and RM4s and RM5s Multiple Family Residential Districts) to the CD Comprehensive Development District (utilizing the C3 and C3f General Commercial District and RM4s and RM5s Multiple Family Residential Districts) and Brentwood Town Centre Development Plan as guidelines. The intent of this rezoning application is to permit a liquor primary use on the second floor West Building, Unit 21-06 with approximately 44, 315 sq. ft. to accommodate the "Rec Room" entertainment and activity facility.

Thank you for your consideration of this rezoning request, we look forward to working with the City towards the approval of this rezoning application.

Sincerely

Amy Smith
Shape Properties Corp.

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