

## INTER-OFFICE MEMORANDUM

**TO:** CITY CLERK **DATE:** 2018 June 06

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** **REZONING REFERENCE #17-37**  
**BYLAW 13852, AMENDMENT BYLAW NO. 03/18**  
*Proposed Liquor Store*  
Consideration and Third Reading

**ADDRESS:** Unit #18 – 5901 Broadway

**LEGAL:** Lot 19 Except: Part Subdivided by Plan 67600; District Lot 130, Group 1, NWD  
Plan 21055

**FROM:** C1 Neighbourhood Commercial District

**TO:** CD Comprehensive Development District (based on C1 Neighbourhood  
Commercial District and C2h Community Commercial District and in accordance  
with the development plan entitled “Jak’s Liquor Store” prepared by David Wong  
with WHGH Design)

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The following information applies to the subject rezoning bylaw:

- a) First Reading given on 2018 March 12;
- b) Public Hearing held on 2018 March 27; and,
- c) Second Reading given on 2018 April 23.

The prerequisite conditions have been partially satisfied as follows:

- a. The submission of a suitable plan of development.
  - *A virtually complete suitable plan of development has been submitted. A few remaining details will be resolved prior to Final Adoption.*
- b. The granting of Section 219 Covenants, including but not necessarily limited to ensuring that operating hours are maintained as described in Section 3.2.3 of this report, permitting only C1 Commercial District and Licensee Retail Store (LRS) uses; and prohibiting the sale of any cannabis products.

- *The applicant has agreed to this prerequisite in a letter dated 2018 June 06, and the requisite covenant will be deposited in the Land Title Office prior to Final Adoption.*

c. The provision of any necessary statutory rights-of-way, easements and/or covenants.

- *No additional statutory rights-of-way, easements and/or covenants are required as a condition of this rezoning application.*

As the prerequisite conditions to this rezoning are now substantially complete, could you please arrange to return this amendment bylaw to Council for Consideration and Third Reading on 2018 June 11, with Reconsideration and Final Adoption to follow when the prerequisites are completely fulfilled and Planning notifies you to that effect.

A copy of the Public Hearing minutes for this rezoning application is ***attached*** for information.

  
Lou Pelletier, Director  
PLANNING AND BUILDING

KL:tn  
***Attachment***

cc: City Manager

**PUBLIC HEARING MINUTES  
HELD ON: 2018 March 27  
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**BURNABY ZONING BYLAW 1965, AMENDMENT  
BYLAW NO. 13852 - BYLAW NO. 03/18**

Rez. #17-37

Unit #18 – 5901 Broadway

From: C1 Neighbourhood Commercial District

To: CD Comprehensive Development District (based on C1 Neighbourhood Commercial District and C2h Community Commercial District and in accordance with the development plan entitled “Jak’s Liquor Store” prepared by David Wong with WHG Design)

The purpose of the proposed zoning bylaw amendment is to permit a license retail store (LRS) within an existing commercial shopping centre.

A petition in support of the rezoning application with 1016 signatures and 41 letters were received in response to the proposed rezoning application:

1. Matthew Sherlock, Owner, Lock & Worth Winery, 1060 Poplar Grove Road, Penticton
2. Simon Cavan Taylor, Sales Representative/Portfolio Manager, The Drink List
3. Bradley Bumstead, 6049 Winch Street, Burnaby
4. Lori Solley, Executive Coordinator, Sting Investigations, Inc., 472-604 Columbia Street, New Westminster
5. Jack Fulton, President, New Westminster Salmonbellies Alumni and Friends
6. Jim Dodds, Vice President of Operations, Red Truck Beer Company, 294 East 1<sup>st</sup> Avenue, Vancouver
7. Michelle Johnson, #303-2232 Douglas Road, Burnaby
8. Romano Quarto & Stephanie Mann, 1440 Crestlawn Drive, Burnaby
9. Daniel Kenzie, 6283 Winch Street, Burnaby
10. Caroline Filipowska, 1445 Crestlawn Drive, Burnaby
11. Daylene Silbernagel, 6115 Winch Street, Burnaby
12. Taylor Johnson, #303-2232 Douglas Road, Burnaby
13. Tom Orange, President, Fuggles & Warlock Craftworks, #103-11220 Horseshoe Way, Richmond
14. William Fuller, #1906-2041 Bellwood Avenue, Burnaby
15. Walter Gehringer, Gehringer Brothers Estate Winery
16. Folland O’Connor, BC Key Account Manager, Big Rock Brewing
17. Oscar Pottinger, BC Sales Manager, Steamworks Brewing Company, 3845 William Street, Burnaby
18. Ben Coli, Dageraad Brewing, #114-3191 Thunderbird Crescent, Burnaby
19. Andrew Doyle, Owner, Lone Tree Cellars
20. Adam McDonnell, Managing Director, Goodridge & Williams, #8-7167 Vantage Way, Delta
21. Nancy Lopes, Retail Sales Representative, Phillips Brewery, 2010 Government Street, Victoria

22. Mike Carpenter, BC Sales Manager, Northam Beverages, #501-68 Water Street, Vancouver
23. Daryn Medwid, Vice President Sales, Central City Brewers and Distillers, 11411 Bridgeview Drive, Surrey
24. Sam Payne, Partner, The Parkside Brewery, 2731 Murray Street, Port Moody
25. Melanie Hutchison, #120-4833 Brentwood Drive, Burnaby
26. Diane Gillis, President, Kingsway Imperial Neighbourhood Association, 6675 Saint Charles Place, Burnaby
27. George Lee, 6268 Parkcrest Drive, Burnaby
28. Raj S. Grewal, #14-5901 Broadway, Burnaby
29. Rosanna Ferraro, Owner, Salon Glam, 840 Weston Street, Coquitlam
30. Dan Bregg, President, Buy-Low Foods, #20-5901 Broadway, Burnaby
31. Catherine Múgica, Refugee Committee Chair, St. Augustine's Parish
32. Theresa Pedersen, Co-Founder, Left Field Cider Co. Ltd., Logan Lake
33. Tom McIntosh, Owner, Victory Trophies Ltd., #12-5901 E. Broadway, Burnaby
34. Brett Close, Owner/Manager, Victory Trophies Ltd., Parkcrest Plaza
35. Nadia Infanti, 5751 Broadway, Burnaby
36. Wayne Smithies, President, Martello Property Services Inc., #200-808 West Hastings Street, Vancouver
37. Chrysta Lochan, 1608 Delta Avenue, Burnaby
38. Joanne Snow, Robbie Burns Event Coordinator, SFU Pipe Band Society, 19514-76 Avenue, Surrey
39. Cody Allmin, Owner, Twin Sails Brewing
40. Tim Savage, 5831 Sumas Street, Burnaby
41. Cliff & Lorraine Reinhardt, 6070 Buchanan Street, Burnaby

The following speakers appeared before Council and spoke to the proposed rezoning application:

Wayne Smithie, President and Asset Manager, Martello Property Services Inc., #202-808 West Hastings Street, Vancouver, appeared before Council and spoke in support of the rezoning application. Mr. Smithie noted that increasing store variety in the shopping centre will attract consumers to other existing businesses, and meet the convenience needs of shoppers. Mr. Smithie noted that the liquor store will not be selling cannabis.

Bert Hick, Rising Tide Consulting, #1620-1130 West Pender Street, Vancouver, appeared before Council and spoke in support of the proposed rezoning application. Mr. Hick noted that, in his experience, the store owners are very responsible, well-known, and involved in community sponsorship and events. The proposed store will focus on BC products.

Matt Martin, Director Sales and Marketing, Steamworks Brewing Company, 3845 Williams Street, Burnaby, appeared before Council and spoke in support of the rezoning application. Mr. Martin noted that Jak's Liquor Stores throughout the province are known for their knowledgeable employees and are committed to the communities they operate in. The speaker advised that the store would be a welcomed addition to the neighbourhood.

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Chris Lougheed, Dageraad Brewing, #114-3191 Thunderbird Crescent, Burnaby, appeared before Council and spoke in support of the rezoning application. Mr. Lougheed noted that his company is in business with Jak's Liquor Store; the store hires professional and knowledgeable staff, and is known as a high-quality store supporting craft beer and smaller breweries that may be excluded from BC Government Liquor Stores.

Mike McKee, 1157 West 33<sup>rd</sup> Street, Vancouver, appeared before Council and spoke in support of the rezoning application. Mr. McKee noted that Jak's Liquor Store is a family business with 11 locations throughout BC. In his opinion, the stores provide outstanding customer service, sell local/unique products, and support local charities. This store will be adding employment to the community.

Fayaz Shivji and Diamond Shivji, 2186 Fell Avenue, Burnaby, appeared before Council and spoke in opposition to the proposed rezoning. Mr. F. Shivji expressed concerns about the potential for increased crime and decreased home prices if the liquor store is allowed. Mr. D. Shivji expressed concerns with people loitering around the area, drinking in public, and ongoing garbage maintenance issues.

Mike McKee, 1157 West 33<sup>rd</sup> Street, Vancouver, appeared before Council for the second time to respond to some of the concerns raised by previous speakers. Mr. McKee noted that Jak's Liquor Store will cater to customers looking for unique and new specialty products of interest to the "foodie" community. The speaker offered to provide a study to the City on the impacts of similar stores on home values in the surrounding community. Mr. McKee will provide the report to the Planning and Building Department for review and consideration.

MOVED BY COUNCILLOR JOHNSTON  
SECONDED BY COUNCILLOR MCDONELL

THAT this Public Hearing for Rez. #17-37, Bylaw #13852 be terminated.

CARRIED UNANIMOUSLY

MOVED BY COUNCILLOR JOHNSTON  
SECONDED BY COUNCILLOR MCDONELL

1. THAT staff report back to Council on the issues raised by the delegations at the Public Hearing for Rezoning Reference #17-37 prior to second reading of the bylaw; and
2. THAT a copy of the report be forwarded to the individuals that spoke at the Public Hearing.

CARRIED UNANIMOUSLY