

CITY OF BURNABY

**PLANNING AND BUILDING
REZONING REFERENCE #19-10
2019 JUNE 05**

ITEM #02

1.0 GENERAL INFORMATION

- 1.1 Applicant:** JJ Bean Inc.
101 – 8288 North Fraser Way
Burnaby, BC V3N 0E9
Attn: John Neate
- 1.2 Subject:** Application for the rezoning of:
Strata Lot 1, DL 155C, Group 1, NWD Strata Plan EPS4794
- From:** CD Comprehensive Development District (based on M2 General Industrial District and M5 Light Industrial District)
- To:** Amended CD Comprehensive Development District (based on M2 General Industrial District, M5 Light Industrial District, M5r Light Industrial District and Burnaby Business Park Concept Plan as guidelines)
- 1.3 Address:** Unit 101 - 8288 North Fraser Way
- 1.4 Location:** The subject property is located on the north side of North Fraser Way between Wiggins Street and Glenwood Drive (Sketch #1 *attached*).
- 1.5 Size:** The property is irregular in in shape with a frontage of approximately 219.7 m (721 ft.) and a total area of approximately 2.87 hectares (7.1 acres).
- 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 cafe of up to 50 seats within the subject unit, to serve the day-to-day needs of adjacent industrial developments and their employees.

2.0 POLICY FRAMEWORK

The subject application aligns with the following goals and sub-goals of the Corporate Strategic Plan:

A Connected Community

- Partnership - Work collaboratively with businesses, educational institutions, associations, other communities, and governments.

An Inclusive Community

- Create a sense of community - Provide opportunities that encourage and welcome all community members and create a sense of belonging.

A Dynamic Community

- Economic opportunity - Foster an environment that attracts new and supports existing jobs, businesses and industries.

3.0 NEIGHBOURHOOD CHARACTERISTICS

The subject site comprises one tenant space within a two-storey multi-tenant light-industrial (office, manufacturing and warehouse) building on the subject property. The property is located on the north side of North Fraser Way, between Wiggins Street and Glenwood Drive (see Sketches #1 and #2 *attached*). This property, which is zoned CD Comprehensive Development District (utilizing the M2 General Industrial District and M5 Light Industrial District), is located within the Burnaby Business Park of the Big Bend Development Plan and is designated for Business Centre use. Directly to the west are new office/light industrial buildings developed in line with the Burnaby Business Park Concept Plan. Directly to the east are City-owned park lands. To the north is a City-owned lot that provides for a linear parkway and an agricultural buffer, beyond which is the Mayberry Cranberry Farm. To the south, across North Fraser Way, are new office/light-industrial developments constructed in-line with the Glenwood Industrial Estates Concept Plan. Vehicular access to the site is from North Fraser Way.

4.0 BACKGROUND INFORMATION

- 4.1 On 2017 February 06, Council gave Final Adoption for Rezoning Reference #15-12, which permitted the construction of a two-storey light-industrial office, manufacturing and warehouse development, with the provision for future office mezzanine spaces, at 8288 North Fraser Way.
- 4.2 In 2018, JJ Bean Inc. began operating a coffee, food manufacturing and warehousing business within Unit 101 of the subject development, with an area of approximately 1,383.5 m² (14,892 sq. ft.). As part of the business operation, the company currently provides the retail sale of foods produced on the premises within approximately 82.7 m² (890 sq. ft.) of the unit's total floor area.
- 4.3 On 1979 April 02, Council gave Final Adoption to a text amendment to the Burnaby Zoning Bylaw to create the M'r' zoning district, which accommodates cafes or restaurants serving the day-to-day needs of industrial developments and their employees. The provision of restaurants in industrially zoned areas was considered appropriate in

recognition of the apparent lack of public restaurant facilities in certain industrial areas. However, due to the potential issues that could result from the addition of cafes and restaurants as an outright permitted principal use in industrial zones, it was considered appropriate for Council to consider each application on its own merits, through the utilization of a sub-category in each industrial zoning district. A set of locational policy guidelines have also been adopted by Council to assist in the evaluation of each proposed rezoning to an M'r District.

On 2010 October 04, an amendment to the locational guidelines for restaurant development proposals in designated industrial areas (M'r District) was adopted by Council.

5.0 GENERAL INFORMATION

- 5.1 The applicant is requesting rezoning to the CD Comprehensive Development District (utilizing the M2 General Industrial District, M5 Light Industrial District, M5r Light Industrial District and the Burnaby Business Park Concept Plan as guidelines) in order to permit a cafe of up to 50 seats within Unit 101 of the subject property, to serve the day-to-day needs of the adjacent industrial developments and their employees. The proposed cafe area, which measures approximately 82.7 m² (890 sq. ft.), would occupy the front portion of the subject unit that is occupied by JJ Bean Incorporated. Currently, the front portion of the unit is utilized for the retail sale of goods produced on the premises. Retail sale of goods produced on the premises is permitted as an accessory use in M2 and M5 Districts. However, a seating area which serves as a cafe or restaurant is not currently a permitted use. To permit the seating area within the retail portion at the front of the unit, the applicant is requesting to rezone the subject portion of the tenant space from the existing CD Comprehensive Development District (based on M2, M5 Districts) to the CD Comprehensive Development District (based on M2, M5 and M5r Districts).
- 5.2 The proposed cafe, with a maximum of 50 seats and three employees, would operate Monday to Friday, from 7:00 a.m. to 3:00 p.m. The cafe's hours of operation would meet the general meal service needs of employees within the industrial/warehouse building on-site and in the surrounding industrial area. The cafe primarily will serve goods that are made with products that are produced and prepared on the premises.
- 5.3 The following is an assessment of this rezoning proposal utilizing Council adopted guidelines for M 'r' restaurants:

5.3.1 Existing commercial restaurant facilities should not be situated in close proximity nor within easy walking distance of the people working within the industrial area.

The nearest restaurants and commercially zoned lands are located at the Marine Way Market and Big Bend Crossing shopping centres at Marine Way and Market Crossing, both of which are approximately 1.6 km away from the subject site. There

are two existing M5'r' establishments located within the general area. The establishments in the area include Conte Foods, a delicatessen, located across North Fraser Way approximately 200 m (656 ft.) to the southeast at 8289 North Fraser Way (see *attached* Sketch #1), and the Avalon Dairy Farmhouse Kitchen, a cafe and dairy products retail store, located approximately 850 m (2,789 ft.) to the west at 7985 North Fraser Way. While these two existing establishments are in close proximity to the proposed cafe location, they are both considered to be significantly different in nature from the proposed cafe with respect to the menu items that are served, and are not considered to be in direct competition with the proposed cafe. The restaurants located at the shopping centres at Marine Way and Market Crossing are considered beyond an easy walking distance (1.6 km) of the employees working within the subject industrial area. Therefore, the proposed cafe is considered supportable with respect to this guideline.

5.3.2 *M'r' restaurants should not be located in close proximity, nor have direct access to a major traffic thoroughfare.*

While the proposed cafe is fronting North Fraser Way, which is classified as a Major Collector – Primary, it is not the primary road (Marine Way) that accommodates through traffic. Furthermore, it is partially screened by a landscaped buffer along the north side of North Fraser Way. The subject building is located approximately 30 m (98 ft.) from the street due to the location of the existing parking in front of the building.

5.3.3 *The accessibility to industrial development guidelines state that the site of M'r' restaurants should be centrally located, convenient, and accessible to the employees of the industrial area it will serve.*

The proposed restaurant is centrally located on the northern edge of the Burnaby Business Park, adjacent to North Fraser Way which has separated sidewalks on both sides. This property is considered to be conveniently located to serve the day-to-day needs of the surrounding industrial area.

5.3.4 *The restaurant facility should have a sufficient market in the industrial area to support it. Alternatively, the restaurant is not likely to draw a significant proportion of its patronage from outside locations and thus attract large volumes of traffic into the area.*

Considering the limited number of cafe or restaurant establishments within an easy walking distance from the site, there is a sufficient market to support the proposed cafe. It should be noted that the successful operation of the accessory retail use in the subject unit for the past year is an indicator of a sufficient market in the industrial area to support the cafe.

In summary, the proposed cafe generally meets Council-adopted guidelines for assessing rezoning applications for M'r' cafes and restaurants.

- 5.4 The required services to serve the site have been provided as part of Rezoning Reference #15-12 and Subdivision Reference #11-22.
- 5.5 A complete outline of all proposed prerequisite conditions to the rezoning will be included in a more detailed report to be submitted at a future date prior to advancing a development proposal to a Public Hearing.

6.0 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.



City Clerk
Attachments

cc: City Solicitor
City Clerk

SUBJECT SITE

A1

P3

FRASER ST

(M2,M5)

CD

(M2,M5)

NORTH FRASER WY

(M5r)

(M2,M5)

BCTP1832



PLANNING & BUILDING DEPARTMENT



DATE:

APR 30 2019

SCALE:

1:2,000

DRAWN BY:

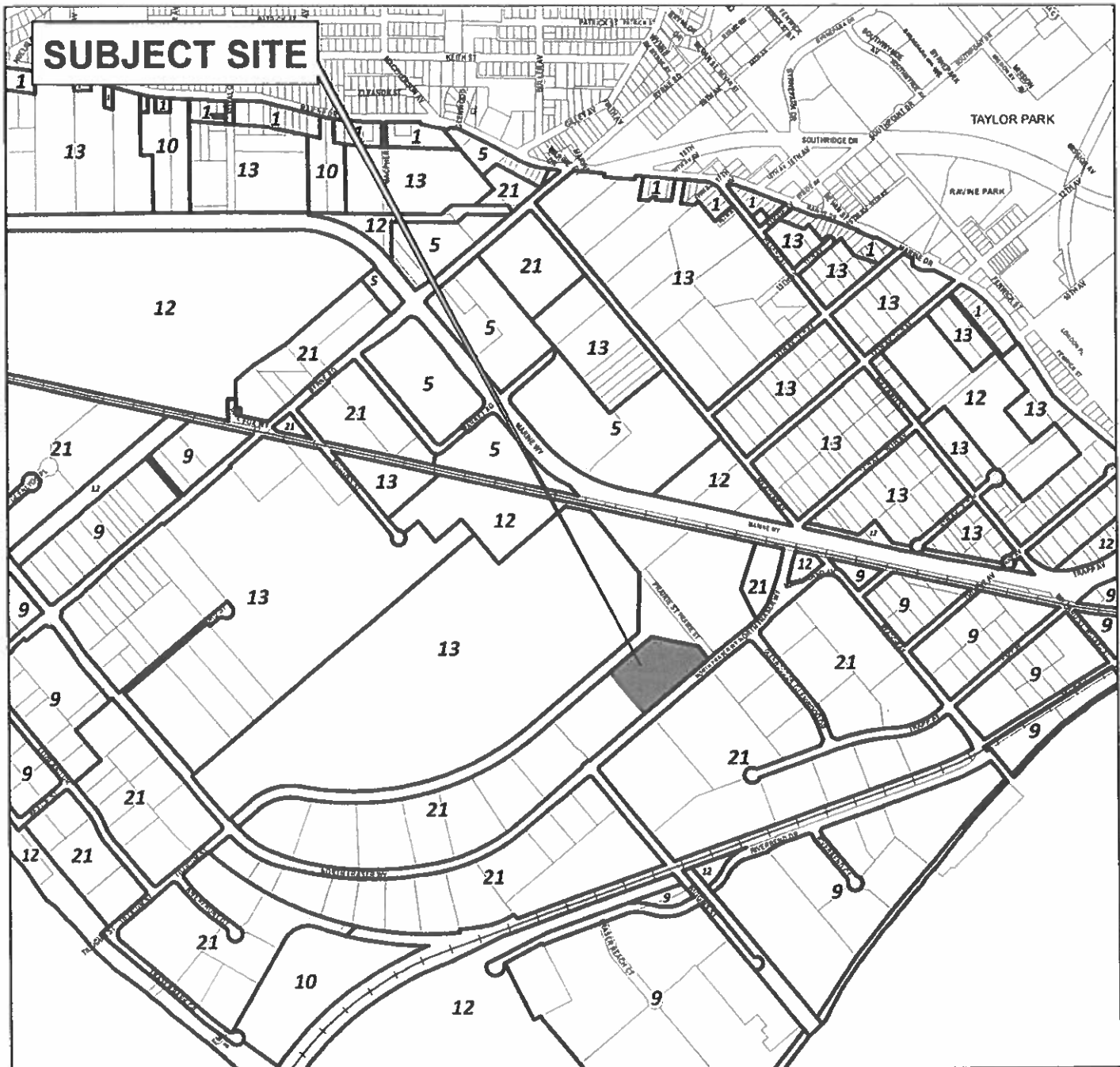
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**REZONING REFERENCE #19-10
101 - 8288 NORTH FRASER WAY**



Subject Site

Sketch #1



PLANNING & BUILDING DEPARTMENT

Big Bend Community Plan



March 29, 2019

Attention: City of Burnaby Planning Department

Re: 101 - 8288 North Fraser Way, Burnaby

My name is John Neate. I am the owner of JJ Bean Coffee Roasters and the owner of the coffee shop in the building that we are seeking to rezone. I am also the owner of the building through a trust that I control.

1904 Powell St
Vancouver, BC
Canada V5L 1J3
604-254-0161
jjbeancoffee.com

The current zoning is CD (M2, M5) and I am seeking to have the property rezoned to CD (M2, M5, M5R) to allow for seating in my coffee shop. The current zoning allows us to sell the products that we create on site but does not allow our customers to be seated.

The size of our café including service, back and front counter, washrooms and seating area is 890 sq ft. We have installed 2 washrooms (1 is handicap) and have built everything to code. We are proposing 16 seats for the café, with the flexibility to add more seats in the future that would not exceed 50 seats.

The number of employees needed for the café is 3. The operating hours are 7am - 3pm Monday through Friday.

We look forward to your reconsideration of seating at JJ Bean.

Sincerely,

A handwritten signature in black ink, appearing to read "John Neate", is written over the word "Sincerely,".

John Neate, Owner of JJ Bean & Knotsoneat Holdings Ltd.