

CITY OF BURNABY

PLANNING AND BUILDING
REZONING REFERENCE #19-14
2019 JUNE 05

ITEM #06

1.0 GENERAL INFORMATION

- 1.1 Applicant:** Shape Properties Corp.
2020 – 505 Burrard Street
Vancouver, BC V7X 1M6
Attn: Amy Smith
- 1.2 Subject:** Application for the rezoning of:
Lot 1 District Lots 123 and 124 Group 1 New Westminster District
Plan EPP40171 Except Air Space Parcels 1 and 2 Air Space Plan
EPP55463
- From:** CD Comprehensive Development District (based on C3, C3a, C3f
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:** #31-06 – 1920 Willingdon Avenue (formerly #3106 – 4501
Lougheed Highway)
- 1.4 Location:** The subject site is located on the third 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 2,829 m² (30,450 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 use on the subject site.

2.0 POLICY FRAMEWORK

The proposed development is in line with the subject site's high-density mixed-use designation in the Council-adopted Brentwood Town Centre Plan. The subject application also aligns with the following goals and sub-goals of the Corporate Strategic Plan:

A Connected Community

- Social connection - Enhance social connections throughout Burnaby.

An Inclusive Community

- Celebrate diversity - Create more opportunities for the community to celebrate diversity.

A Dynamic Community

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

3.0 NEIGHBOURHOOD CHARACTERISTICS

The subject tenant space is located on the third and mezzanine level of the West Building of Phase I of the Brentwood Mall redevelopment, in a commercial retail unit facing southeast onto the civic plaza. Located directly below is Cineplex's The Rec Room (discussed below), and to the east and southeast are other commercial retail units intended for a variety of food service and retail tenants. There are two residential towers in proximity to the proposed liquor primary establishment, both of which are anticipated to have occupancy by early 2020: 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 (Rezoning Reference #06-47) 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 further to the south.

4.0 BACKGROUND INFORMATION

- 4.1 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. The Master Plan

identified a number of thematic precincts, including an entertainment precinct at the corner of Willingdon Avenue and Lougheed Highway, which included the central civic plaza.

- 4.2 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, C3a, and C3f General Commercial Districts.
- 4.3 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.
- 4.4 On 2018 October 29, Council granted Final Adoption to the rezoning amendment bylaw to permit a liquor primary establishment (with a Family Food Service [FFS] term and condition) on the level below the subject site, for Cineplex's The Rec Room (Rezoning Reference #17-11). Plans for the that establishment included two food outlets, two outlets selling liquor, a multi-purpose live entertainment/auditorium/stage/ dance floor area, and an amusement gaming area. Under the Liquor and Cannabis Regulation Branch's (LCRB) FFS term and condition, minors (anyone under 19 years of age) will only be permitted in the facility until 10:00 pm, provided they are accompanied by a parent or guardian and meal service is available. A Section 219 Covenant was registered on the property to ensure that the maximum permitted licensed capacity (1,300 people) and hours of liquor service (11:00 am to 2:00 am, seven days a week) are maintained.

5.0 GENERAL INFORMATION

- 5.1 The applicant proposes to locate a liquor primary establishment on the subject site. Specifically, the proposed establishment is a Cineplex movie theatre complex which could accommodate, as an added amenity for adults who have purchased a ticket, the serving of alcohol (i.e. VIP cinemas for adults 19 years of age or older). The proposed theatres are located in an approximate 2,829 m² (30,450 ft²) commercial retail unit on the third and mezzanine level of the West Building and within the entertainment precinct component of the Brentwood Mall redevelopment which could include – in addition to the subject movie theatres and Cineplex's The Rec Room – retail uses, offices, cafés, restaurants, and a civic public plaza. The proposed facility faces southeast onto the civic plaza, and preliminary plans include a lobby, concession area, five theatres, and a lounge/dining area. Specific person capacity, hours, and details on the nature of the VIP

cinema concept at this location are not yet determined and would be provided in a future report to Council.

- 5.2 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:

5.2.1 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.*

Three existing liquor primary establishments are located in the vicinity: Cineplex's The Rec Room, located directly below the subject site; Joey Burnaby at 1899 Rosser Avenue; and the Executive Inn at 4210 Lougheed Highway. 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 are 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 is oriented away from the nearest child care facility, which is on the opposite side of Willingdon Avenue (Brentwood Learning Centre Childminding at 1899 Willingdon Avenue). The site is located approximately 2.0 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.

5.2.2 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. Seating is proposed on the outdoor terrace adjacent the cinema, which faces southeast onto the civic plaza. Appropriate hours of liquor service are not yet determined. 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. It is also noted that the approved hours of liquor service for Cineplex's The Rec Room are 11:00 am to 2:00 am, seven days a week. While patron capacity is not yet confirmed, preliminary plans indicate a person capacity of approximately 454 within the theatres and lounge area. 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 confirm acceptable details on the nature of the VIP cinema proposal at this location, particularly its accommodation for all-ages. Specifically, as the Brentwood Phase 1 redevelopment is intended to be a vibrant commercial core with a range of services to better serve the neighbourhood, including families and teenagers, and as north Burnaby does not currently have any movie theatres, all theatres at this location should not be exclusively for adult patrons at all times of day.

5.2.3 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.

5.2.4 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, Lougheed 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 adjacent bus and SkyTrain service).

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

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

In general, while details on the proposal are yet to be determined, and support would be subject to appropriate accommodation for all-ages, the proposed development appears to be generally consistent with the Council adopted guidelines for assessing applications for new liquor primary 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.

- 5.3 A Section 219 Covenant will be required to ensure that maximum licensed person capacity and hours of liquor service are maintained, as well as any other required covenants.
- 5.4 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.
- 5.5 It is noted that the LCRB, as part of their assessment process for new liquor primary licence applications, requests that local government provide comment on such applications. LCRB 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.
- 5.6 It is also noted that this rezoning application does not preclude the processing of other liquor primary applications on the subject site, with any future liquor primary proposals to be evaluated on a case-by-case basis.
- 5.7 The proposed prerequisite conditions to the rezoning will be included in a future report.

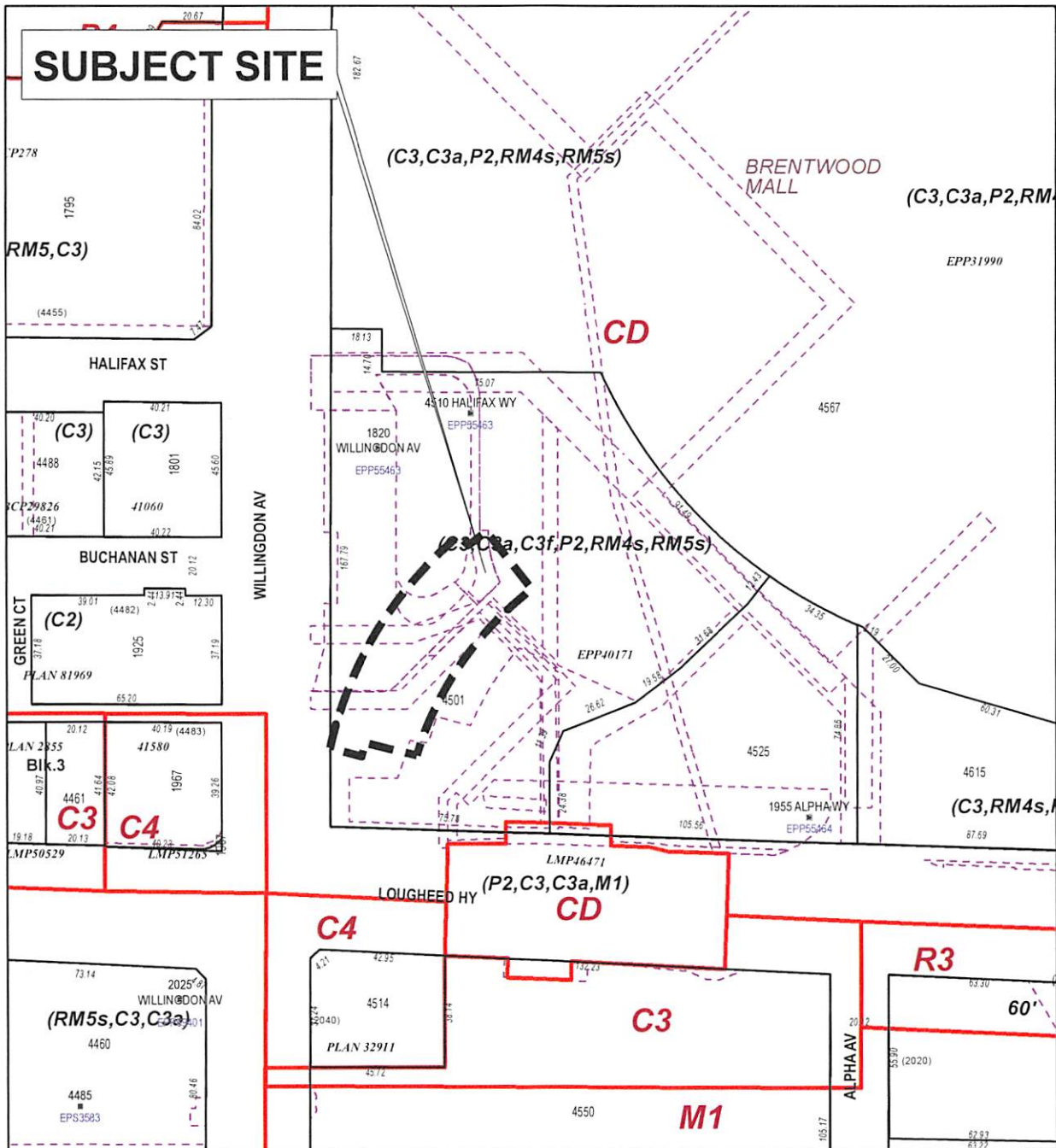
6.0 RECOMMENDATION

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.


IS:th

Attachments

cc: City Solicitor
City Clerk



PLANNING & BUILDING DEPARTMENT



DATE:
JUN 03 2019

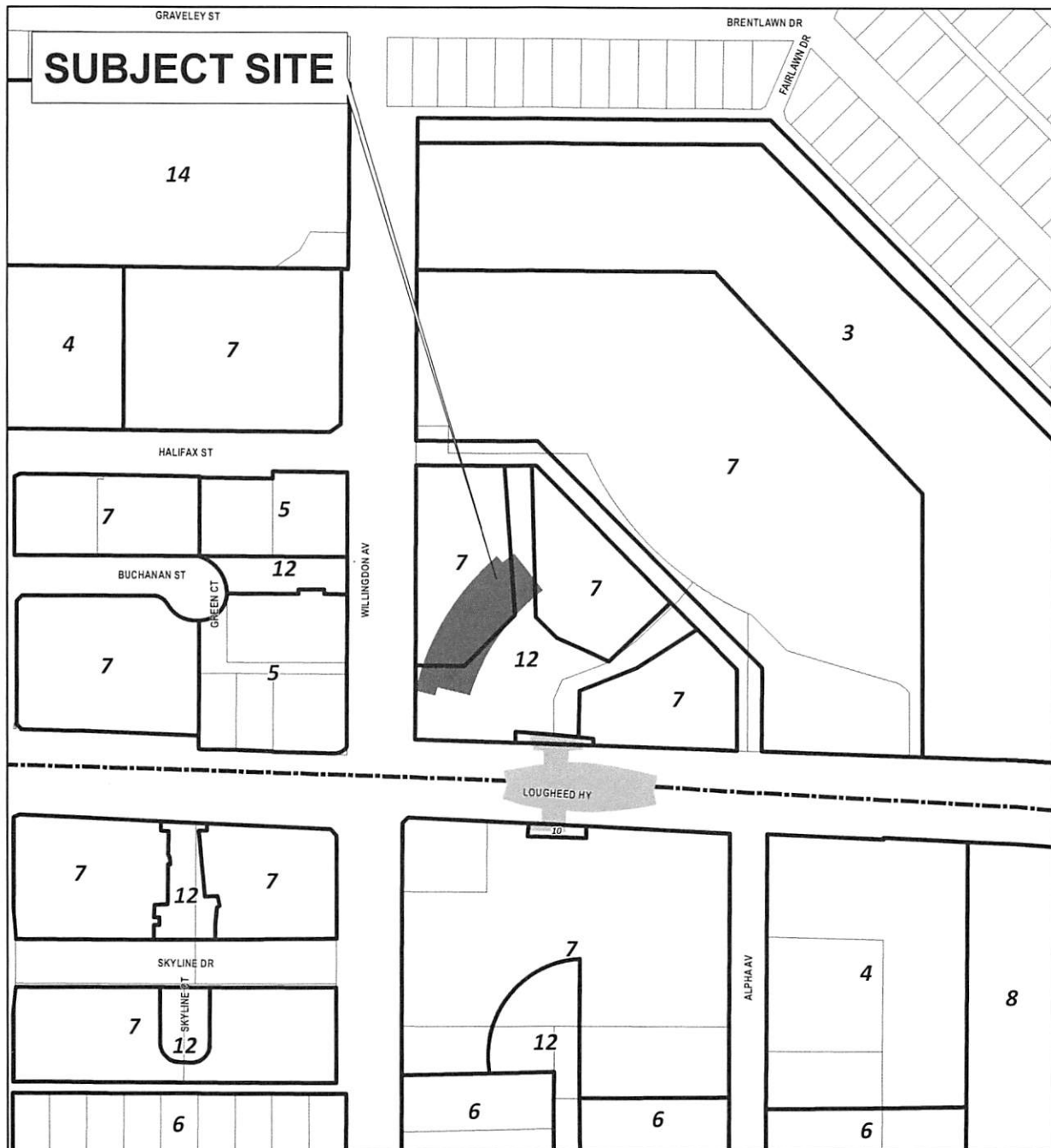
SCALE:
1:2,210

DRAWN BY:
AY

REZONING REFERENCE #19-14
#31-06 - 1920 WILLINGDON AVENUE

 Subject Site

Sketch #1



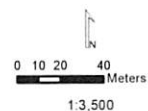
- | | |
|---|---|
| 3 Medium Density Multiple Family Residential | 8 Medium or High Density Multi Family Residential |
| 4 High Density Multiple Family Residential | 10 Institutional |
| 5 Commercial | 11 Business Centre |
| 6 Medium Density Mixed Use | 12 Park and Public Use/Public School |
| 7 High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



Planning and Building Dept

Printed June 3, 2019

Brentwood Plan



Sketch #2

SHAPE

604.681.2358
info@shapeproperties.com
shapeproperties.com

2020 One Bentall Centre
505 Burrard St., Box 206
Vancouver, BC, Canada V7X 1M6

SHAPE PROPERTIES

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

April 1, 2019

Ed Kozak, Director
City of Burnaby Planning Department
4949 Canada Way
Burnaby, BC V5G 1M2

Re: Rezoning Letter of Intent
Portion of 1920 Willingdon Avenue
Brentwood Town Centre Development Plan

I, Amy Smith, on behalf of Shape Properties Corp., have submitted this application to rezone a portion of 1920 Willingdon Avenue 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 third floor West Building, Unit 31-06 with approximately 30, 450 sq. ft. to accommodate the Cineplex VIP Cinemas Brentwood.

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.