



**TO:** CITY MANAGER 2019 September 11

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** **REZONING REFERENCE #19-10**  
**Proposed M5‘r’ Restaurant**

**ADDRESS:** Portion of 8288 North Fraser Way (see *attached* Sketch #1)

**LEGAL:** 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 and in accordance with the development plan entitled “JJ Bean” prepared by Chip Barrett Architect)

**APPLICANT:** JJ Bean Inc.  
101 – 8288 North Fraser Way  
Burnaby, BC V3N 0E9  
Attn: John Neate

**PURPOSE:** To seek Council authorization to forward this application to a Public Hearing on 2019 October 29 at 6:00 pm.

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**RECOMMENDATIONS:**

1. **THAT** a Rezoning Bylaw be advanced to First Reading on 2019 October 07 and to a Public Hearing on 2019 October 29 at 6:00 p.m.
2. **THAT** the following be established as prerequisites to the completion of the rezoning:
  - a) The submission of a suitable plan of development.

**R E P O R T**

**1.0 REZONING PURPOSE**

The purpose of the proposed rezoning bylaw amendment is to permit a cafe of up to 50 seats (JJ Bean Cafe) within an existing multi-tenant industrial development, to serve the day-to-day needs of adjacent industrial developments and their employees.

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## 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 BACKGROUND

- 3.1 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.
- 3.2 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.
- 3.3 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 1,383.51 m<sup>2</sup> (14,892 sq. ft.). As part of the business operation, the company currently provides the retail sale of foods produced on the premises within 108.51 m<sup>2</sup> (1,168 sq. ft.) of the unit's total floor area.

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3.4 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, 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.

3.5 On 2019 June 10, Council received the initial report of the Planning and Building Department regarding the rezoning of the subject site and authorized the Department to continue to work with the applicant in preparing 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 now submitted a plan of development suitable for presentation to a Public Hearing.

#### 4.0 GENERAL COMMENTS

4.1 The applicant is requesting that an 108.51 m<sup>2</sup> (1,168 sq. ft.) portion of the subject unit be rezoned from the M5 Light Industrial District to the CD Comprehensive Development District (based on M5'r' Light Industrial District) to permit a restaurant with a maximum of 50 seats. The cafe area would occupy the front portion of Unit 101. The proposed restaurant would operate Monday to Friday, from 7:00 a.m. to 3:00 p.m., and would meet the general meal service needs of employees within the industrial building on-site and in the surrounding industrial area. The restaurant would primarily serve foods that are made with products that are produced on the premises. There are no proposed changes to the façade of the existing building, and the proposed restaurant use does not require any additional parking for the subject site.

4.2 The following is an assessment of this rezoning proposal utilizing Council adopted guidelines for M'r' restaurants:

4.2.1 *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

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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 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.

- 4.2.2 *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.

- 4.2.3 *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.

- 4.2.4 *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.

- 4.3 The required services to serve the site have been provided as part of Rezoning Reference #15-12 and Subdivision Reference #11-22; therefore, there are no off-site servicing requirements associated with this rezoning application.

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## 5.0 DEVELOPMENT PROPOSAL

- 5.1 Floor Area of Subject Unit (Unit #101)
- |                              |  |
|------------------------------|--|
| 2 <sup>nd</sup> Floor Office | - 233.0 m <sup>2</sup> (2,508 sq. ft.)           |
| Cafe                         | - 108.51 m <sup>2</sup> (1,168 sq. ft.)          |
| Manufacturing                | - 312.15 m <sup>2</sup> (3,360 sq. ft.)          |
| Warehouse                    | - <u>729.85 m<sup>2</sup> (7,856 sq. ft.)</u>    |
| <b>Total (Unit #101)</b>     | <b>- 1,383.51 m<sup>2</sup> (14,892 sq. ft.)</b> |
- 5.2 Floor Area to be Rezoned (M5'r' District) - 108.51 m<sup>2</sup> (1,168 sq. ft.)
- 5.3 Off-Street Parking - 158 spaces required and provided on the subject property (*no change*)
- 5.4 Off-Street Loading - 19 spaces required and provided on the subject property (*no change*)



E.W. Kozak, Director  
PLANNING AND BUILDING

GT:rh

**Attachment**

cc: City Solicitor  
City Clerk



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

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 at 101 – 8288 North Fraser Way, Burnaby that we are seeking to rezone. I am also the owner of the building through a trust that I control.

The current zoning is CD (M2, M5) and I am seeking to have the property rezoned to CD (M2, M2R, M5) to allow for seating. The current zoning allows us to sell the products that we create on site, but does not allow our customers to be seated.

We have installed 2 washrooms (1 is handicap) and have built everything to code. We are requesting zoning that would allow seating – whatever number that you are comfortable with.

JJ Bean is offering something very unique to the neighbourhood in that we are not just a coffee shop – we offer a plethora of house baked goods, freshly made wraps and sandwiches, and espresso based beverages that are at an extremely high level of quality. JJ Bean has won best coffee chain in Vancouver every year since 2008 (Georgia Straight Best of Vancouver, Readers' Choice).

Despite our inability to have seating, the café is doing quite well. To that end, we have started a petition so you can see the desire of the neighbourhood to have seating. Since March 4th when we first opened we have collected 500 signatures.

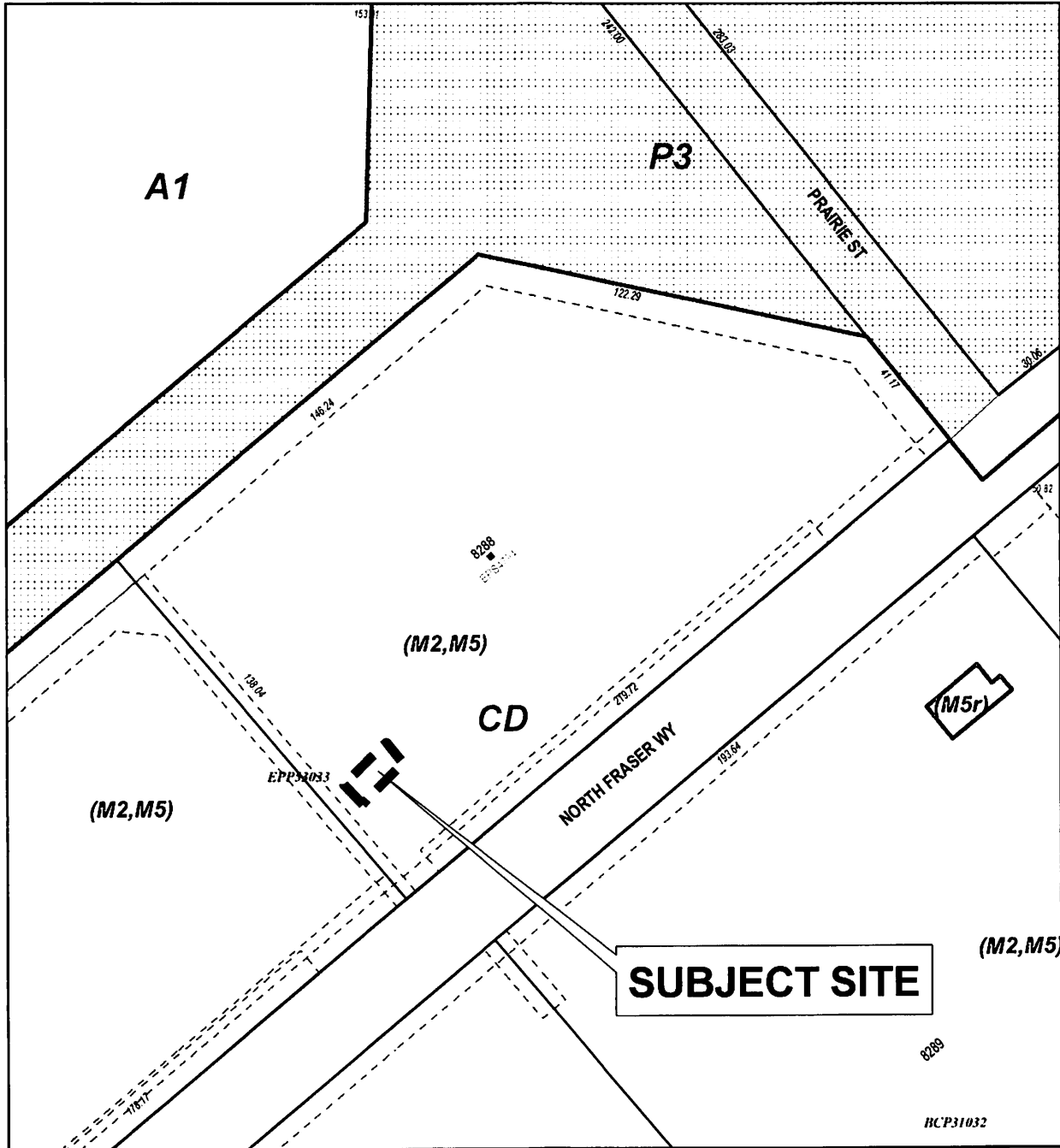
We look forward to your reconsideration of seating at JJ Bean.

Head Office  
Unit #101  
8288 N. Fraser Way  
Burnaby, BC  
Canada V3N 5G4  
T 604-253-7245  
F 604-529-2326

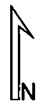
jjbeancoffee.com  
@jjbeancoffee

Sincerely,

John Neate



PLANNING & BUILDING DEPARTMENT



DATE:  
SEP 05 2019

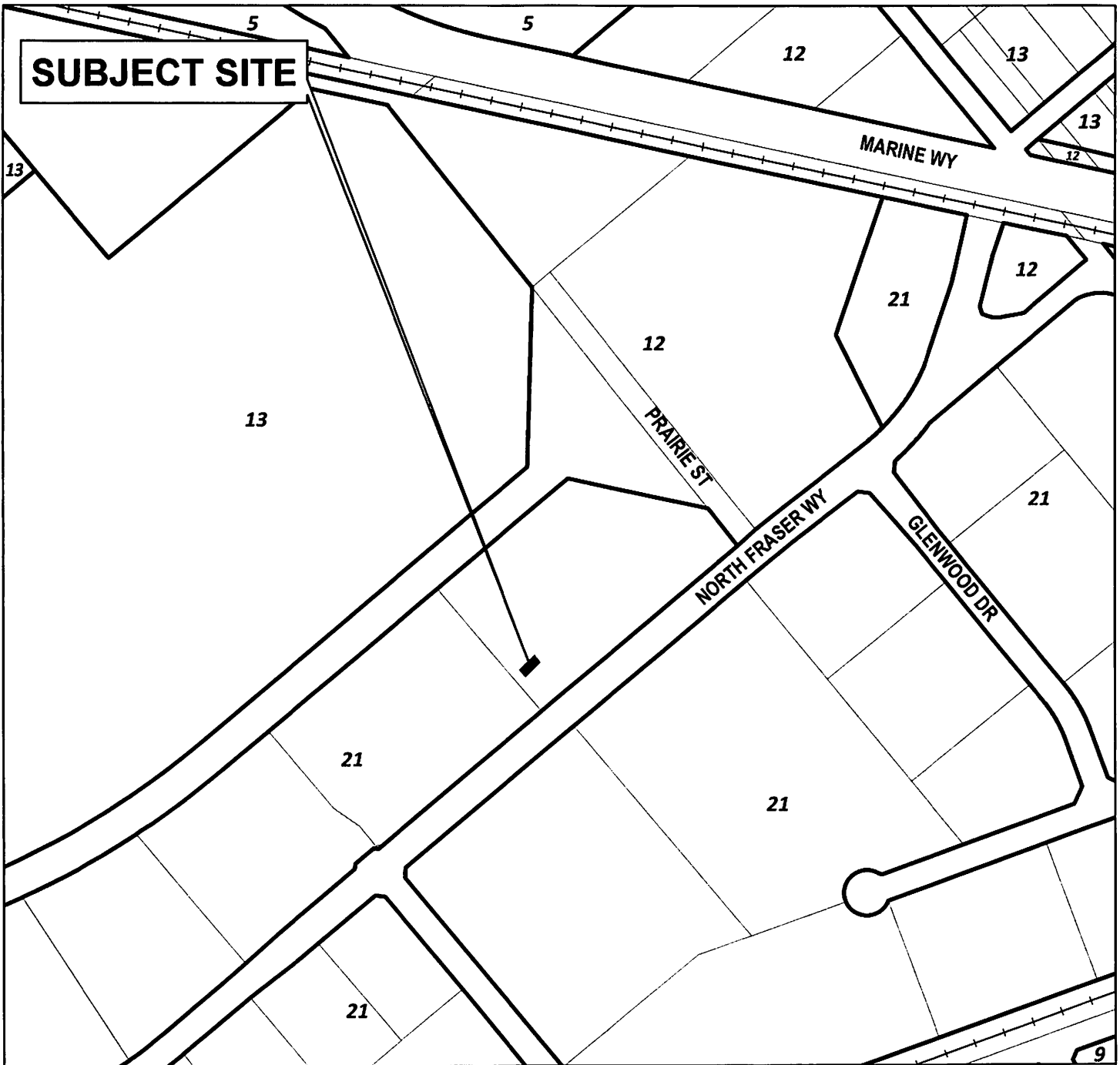
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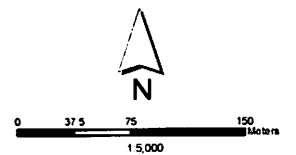
 Subject Site

Sketch #1



- [ 1 ] Single and Two Family Residential
- [ 2 ] Low Density Multiple Family Residential
- [ 5 ] Commercial
- [ 9 ] Industrial

- [10] Institutional
- [12] Park and Public Use
- [13] Agricultural
- [21] Big Bend Business Centre



PLANNING & BUILDING DEPARTMENT

## Big Bend Community Plan