

TO: CITY MANAGER 2019 October 23

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: **REZONING REFERENCE #19-37**
General Commercial Uses in an Existing Specialized Retail Centre
Big Bend Development Plan

ADDRESS: 5751 Marine Way (see *attached* Sketches #1 and #2)

LEGAL: Lot 1, District Lot 155B and 155C, NWD Plan BCP24486, and
Lot 2, District Lot 155B, Group 1, NWD Plan, BCP24486

FROM: CD Comprehensive Development District (based on C2 Community Commercial District)

TO: Amended CD Comprehensive Development District (based on C2 Community Commercial District, Byrne Road and Marine Way Development Plan, Big Bend Development Plan guidelines, and in accordance with the development plan entitled "Revised Statement of Uses" prepared by Anka Cornea and Frederick Li)

APPLICANT: ZML Holdings Group Corporation
#534 – 1055 Dunsmuir Street
Vancouver, BC V7X 1L2
Attn: Anka Cornea and Frederick Li

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2019 November 19.

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2019 November 04 and to a Public Hearing on 2019 November 19 at 6:00 p.m.
2. **THAT** the amendment to the Byrne Road and Marine Way Development Plan to permit general commercial uses, as outlined in Section 4.1 of this report, be approved (to take effect upon the granting by Council of Second Reading of the Rezoning Bylaw related to the subject site).

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3. **THAT** the following be established as prerequisites to the completion of the rezoning:
- a) The submission of a suitable plan of development (statement of uses).
 - b) The amendment or discharge of covenants registered on title restricting C2 Community Commercial District uses.

R E P O R T

1.0 REZONING PURPOSE

The purpose of the proposed rezoning bylaw amendment is to permit general commercial uses, based on the C2 Community Commercial District, in the existing specialized retail centre.

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

- Enhance City workforce diversity - Support a diversified City workforce by identifying barriers and implementing proactive strategies.

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 is located within the Byrne Road and Marine Way Development Plan, within the broader Big Bend Development Plan area. The Byrne Road and Marine Way Development Plan was approved by Council in 2002. The Plan designated an area on the north side of Marine Way to the west and east of Byrne Road, which includes the subject site, as a specialized retail area, in order to attract larger-scale specialized retailers that sell a single or specialized category of goods (Sites C, D, and E), as shown on *attached* Map 4. The Plan also identified an area directly to the south of the subject site across Marine Way (Sites G and H), as a general retail centre, which provided for a wider range of permitted commercial uses than those permitted in the specialized retail area (see *attached* Sketch #1 and Map 4).

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On 2006 June 26, Council gave Final Adoption to Rezoning Reference #04-10, which provided for a development plan for a specialized retail centre at the subject site. The permitted goods for sale included items such as office furniture, equipment and supplies, home improvement and building materials, home furnishings and appliances, sporting goods, and electronic goods. All general commercial uses under the C2 Community Commercial District were excluded under the specific CD Comprehensive Development District zoning of the site.

- 3.2 Since 2007, a number of specialized retailers have located at the retail centre including Winners, PetSmart, Michaels, Staples, and Sport Chek, as anticipated under the Byrne Road and Marine Way Development Plan. However, since that time, due to the changing nature of the retail industry, the retail centre has experienced difficulty in attracting and maintaining additional specialized retailers. Further, due to the specific CD Comprehensive Development District zoning of the site that excludes general commercial uses, the centre continues to experience a high vacancy rate. Staff have received numerous enquiries to locate general commercial uses at the retail centre, but have been unable to support the proposed uses given the specialized retail designation of the site. Moreover, it is believed that general retail uses would complement the retail centre to the south and would bring consistency to the overall commercial precinct.
- 3.3 On 2019 September 16, Council received the 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 (statement of uses) suitable for presentation at a Public Hearing.

4.0 GENERAL COMMENTS

- 4.1 The applicant is requesting rezoning to the Amended CD Comprehensive Development District (based on C2 Community Commercial District, Byrne Road and Marine Way Development Plan, and Big Bend Development Plan as guidelines) in order to permit general commercial uses in the existing specialized retail centre (see *attached* Sketches #1 and #2).

It is noted that the inclusion of general commercial uses, while not identified in the Plan, is considered desirable and supportable, in order to assist in the ongoing success of the retail centre, and other designated specialized retail areas within the Plan. As such, an amendment to the Byrne Road and Marine Way Development Plan is proposed. The amendment would provide for general commercial uses in the existing specialized retail centre, as well as the other properties designated for specialized retail uses to the west of the subject site (Sites C, D, and E), as identified on Map 4 of the Byrne Road and Marine Way Development Plan (see *attached* Map 4).

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- 4.2 In order to provide for the full range of C2 Community Commercial District uses on the subject site, any covenants registered on title restricting general commercial uses shall be amended or discharged accordingly. No changes are proposed to the buildings under the subject rezoning application.
- 4.3 Primary servicing for the subject site has been provided through Subdivision Reference #05-32, however, the Director Engineering will be requested to provide an estimate for any further services necessary to serve this site.

5.0 CONCLUSION

Staff support the subject rezoning application, and proposed amendment to the Byrne Road and Marine Way Development Plan, in order to provide for general commercial on the subject site, as well as the other properties designated for specialized retail uses within the Plan to the west.

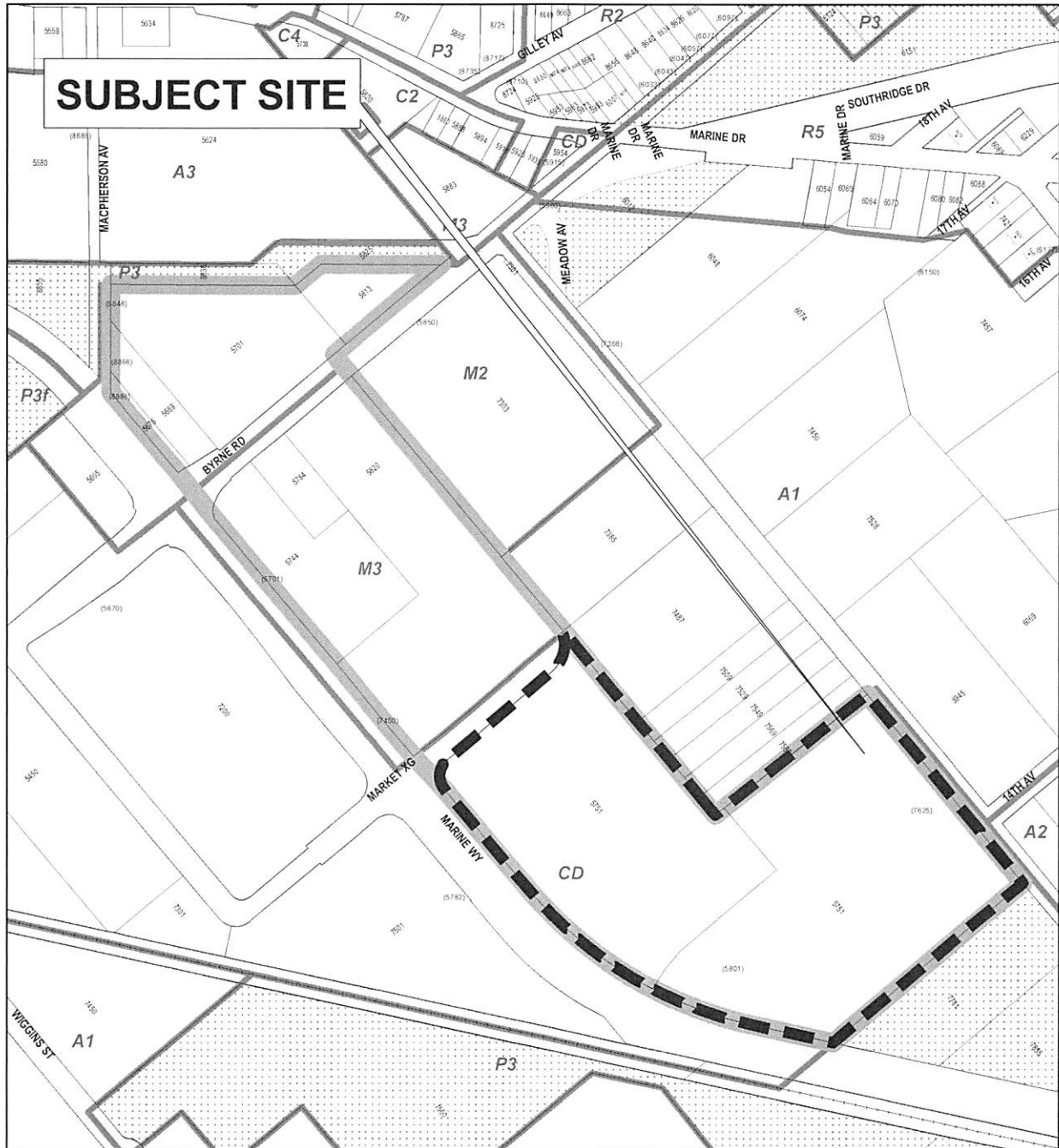


E. W. Kozak, Director
PLANNING AND BUILDING

SMN:rh

Attachments

cc: City Solicitor
City Clerk



PLANNING & BUILDING DEPARTMENT



DATE:

OCT 03 2019

SCALE:

1:6,000

DRAWN BY:

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REZONING REFERENCE #19-37

5751 MARINE WAY

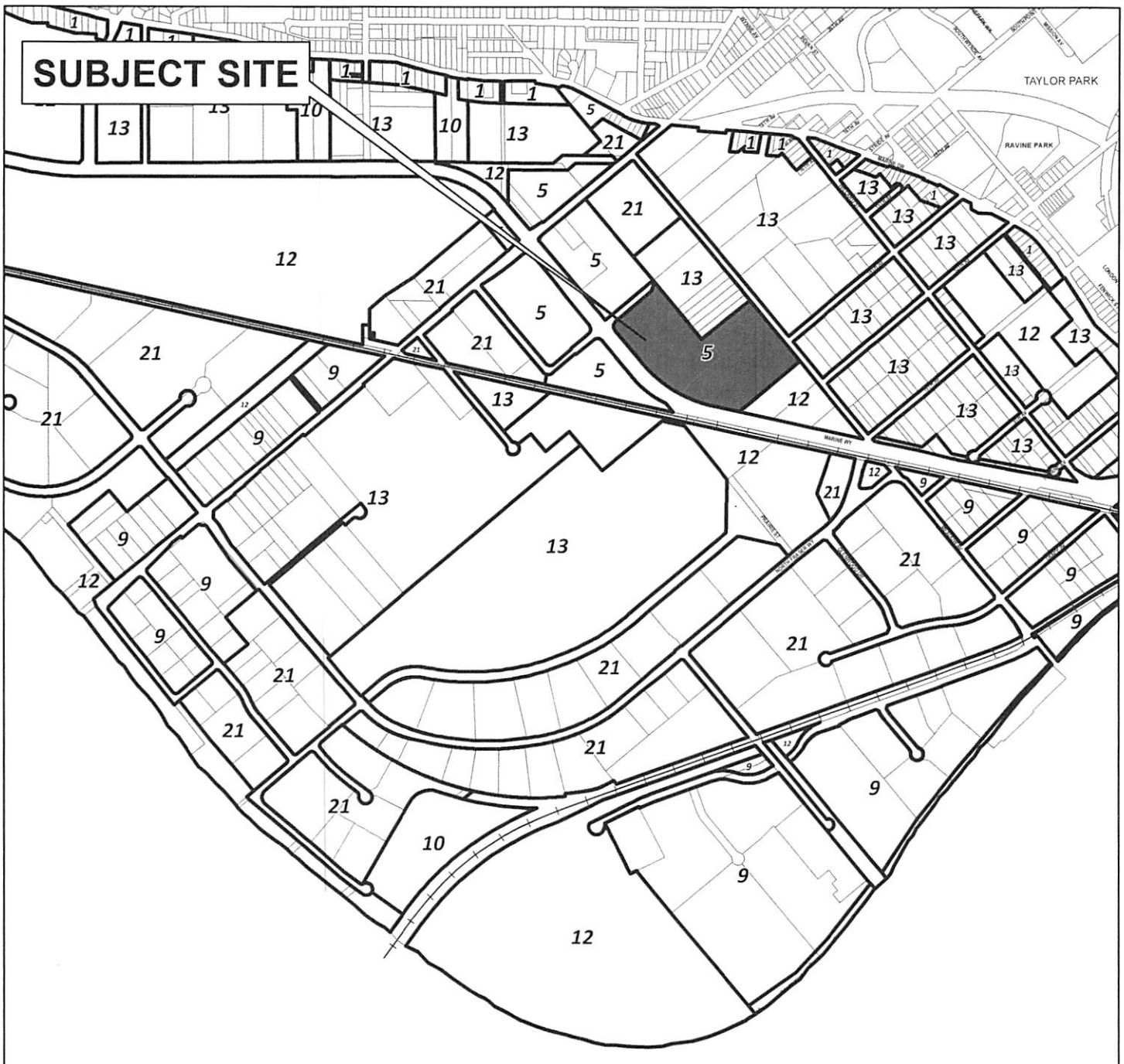


Subject Site



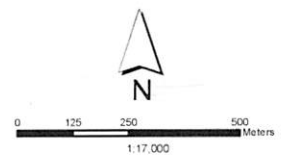
Existing Specialized Retail Area
And Proposed Plan Amendment Boundary

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

