

CITY OF BURNABY

PLANNING AND BUILDING REZONING REFERENCE #16-57 2017 JANUARY 25

ITEM #04

1.0 GENERAL INFORMATION

- 1.1 Applicant:** Myhomedesigner.com Ltd.
37009 – 2930 Lonsdale Avenue
North Vancouver, BC V7N 4H9
(Attn: Aryo Falakrou)
- 1.2 Subject:** Application for the rezoning of:
Lot 104, DL 42, Group 1, NWD Plan 45236
- From:** M5 Light Industrial District
- To:** CD Comprehensive Development District (based on M5r Light Industrial District)
- 1.3 Address:** A Portion of 7650, 7652 and 7654 Winston Street
- 1.4 Location:** The subject property is located south of Winston Street between McConnell Drive and Lozells Avenue. (Sketch #1 *attached*).
- 1.5 Size:** The property is rectangular in shape with an average width of approximately 125.28 m (411 ft.), a depth of approximately 81.81 m (268 ft.) and a total area of approximately 10,249.57 m² (110,326 sq. ft.).
- 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 bring the existing restaurant (El Comal Mexican restaurant) into compliance with the Zoning Bylaw, to serve the day-to-day needs of adjacent industrial developments and their employees.

2.0 NEIGHBOURHOOD CHARACTERISTICS

The subject site comprises three tenant spaces within a one-storey multi-tenant industrial building on the subject property. The property is located south of Winston Street, between McConnell Drive and Lozells Avenue (see Sketch #1 *attached*). This property, which is zoned M5 Light Industrial District, is located within the Government Road neighbourhood and is

designated General Industrial in the Official Community Plan (OCP). The property is not located within a Community Plan Area. The subject property is adjacent to M5 Light Industrial District zoned properties to the east, south, and west and R1 Residential District zoned properties to the north across Winston Street. Vehicular access to the site is from Winston Street.

3.0 BACKGROUND INFORMATION

- 3.1 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 blanket addition of cafes and restaurants as a permitted principal use in industrial zones, it was considered prudent for Council to consider each application on its own merits, through the utilization of a sub-category in each 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.

4.0 GENERAL INFORMATION

- 4.1 The proposed restaurant area, which measures approximately 172.24 m² (1854 sq. ft.), occupies the front portion of the three combined units (units 7650, 7652, and 7654 Winston Street) that have been used by El Comal Mexican Foods Corporation for manufacturing and warehousing. Currently, the front portion of 7650 Winston Street is utilized for the retail sale of foods produced on the premises and the front portion of 7652 Winston Street is utilized for a seating area for the immediate consumption of foods produced on-site. Retail sale of goods produced on the premises is permitted as an accessory use in M5 District. However, the seating area which serves as a restaurant is not a permitted use. To expand the seating area into the front portion of 7654 Winston Street and to bring the existing seating area into compliance with the Zoning Bylaw, the applicant is requesting to rezone the subject portion of the tenant spaces from the M5 District to the CD Comprehensive Development District (based on M5r District).
- 4.2 The proposed restaurant with a maximum 50 seats and six employees would operate Monday to Saturday, from 9:00 a.m. to 5:00 p.m. The restaurant'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 restaurant primarily serves foods that are made with products that are produced/prepared on the premises.
- 4.3 The following is an assessment of this rezoning proposal utilizing Council adopted guidelines for M 'r' restaurants:

- 4.3.1. *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 Lougheed Highway and Bainbridge Avenue, and at Lougheed Highway and Production Way, both of which are approximately 2.0 km away from the subject site. There is one M1'r restaurant located approximately 350.0 m (1,148 ft.) to the southwest (4191 McConnell Drive) as well as one M5'r zoned property which does not currently have a restaurant, located approximately 2.0 km from the site to the east (3610 Bonneville Place). The existing restaurant facilities in the area are beyond an easy walking distance (122.0 m [400.26 ft.]) of the people working within the subject industrial area.

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

While the proposed restaurant is fronting Winston Street, which is classified as a Major Collector – Primary, it is partially screened by a landscaped buffer along the south side of Winston Street. The subject building is located approximately 23.0 m (76 ft.) from the street due to the location of the existing parking in front of the building.

- 4.3.3. *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 industrial properties in the area, adjacent to Winston Street which has bike lanes on both sides. This property is considered to be conveniently located to serve the day-to-day needs of the surrounding industrial area.

- 4.3.4. *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 absence of restaurant facilities within an easy walking distance from the site, there is a sufficient market to support the proposed restaurant. It should be noted that the operation of the accessory retail use for number of years and the demand to expand the seating area is an indicator of a sufficient market in the industrial area to support the restaurant.

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

- 4.4 The Director Engineering will be requested to provide an estimate for services necessary to serve this site, including any necessary street, lane, boulevard, and pedestrian/cycle improvements. Servicing requirements may include, but are not necessarily limited to road dedication on the south side of Winston Street to accommodate a future sidewalk.

- 4.5 Any necessary dedications and statutory rights-of-way will be determined by a detailed geometric and will be noted in a future report to Council.
- 4.6 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.

5.0 RECOMMENDATION

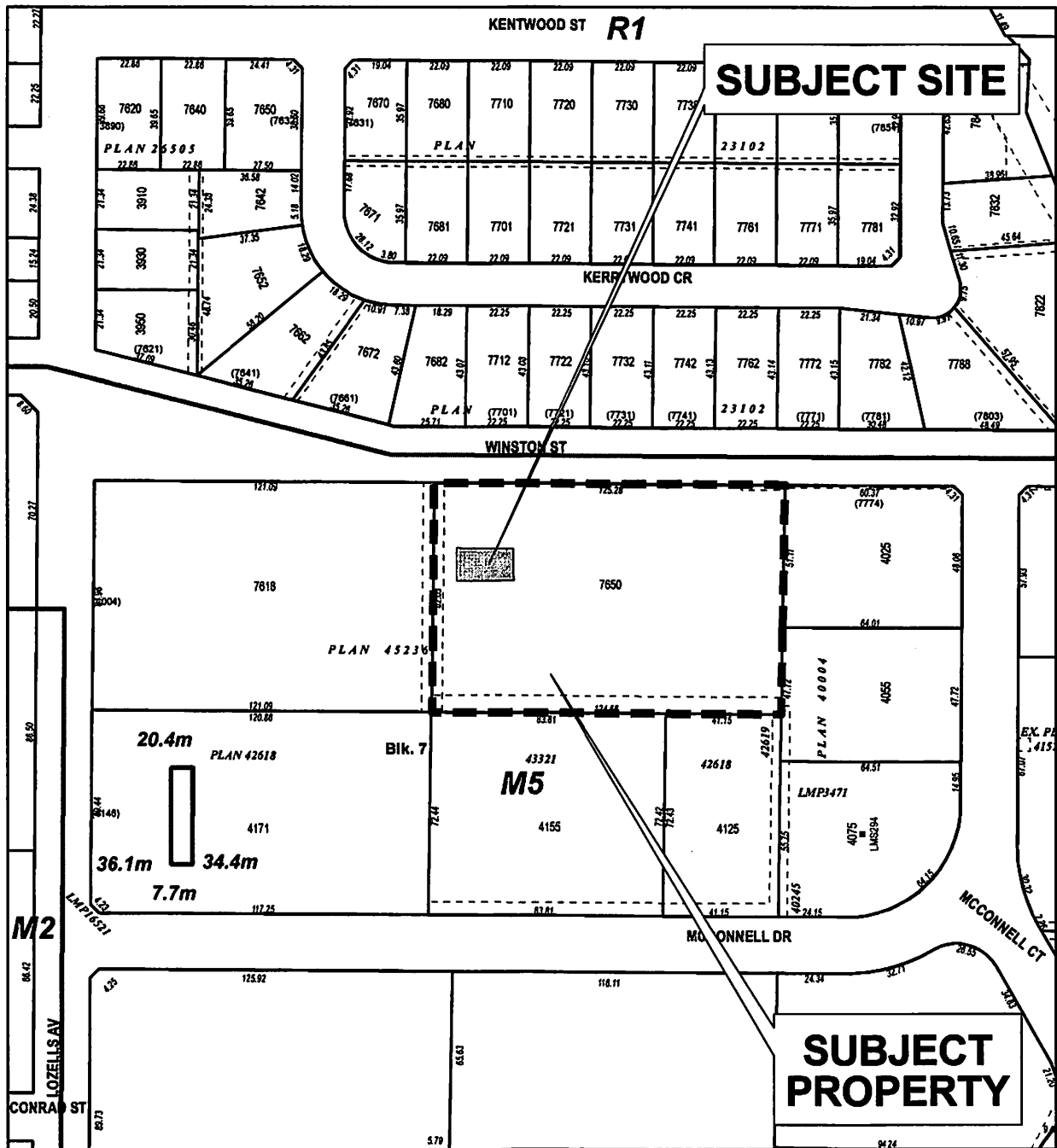
THAT the Planning and Building Department be authorized to continue to work with the applicant towards the preparation of a suitable plan of development for presentation to a Public Hearing on the understanding that a more detailed report will be submitted at a later date.

LP

PS:spf
Attachment

cc: Director Engineering
City Solicitor
City Clerk

P:\REZONING\Applications\2016\16-57 7650, 7652, 7654 Winston Street\Rezoning Reference 16-57 Initial Report 20170130.doc



PLANNING & BUILDING DEPARTMENT

DATE:

JAN 23 2017

SCALE:

1:2,300

DRAWN BY:

AY

REZONING REFERENCE #16-57
7650, 7652 AND 7654 WINSTON STREET



Subject Property



Subject Site

Sketch #1

Aryo Falakrou (Arch Tech AIBC, ASTTBC)

President

Myhomedesigner.com Ltd.

37009-2930 Lonsdale Ave.

North Vancouver, BC, V7N 4H9

Phone: 604-929-6696

Date: Dec. 19, 2016

Lou Pelletier, Director

City of Burnaby Planning Department

4949 Canada Way

Burnaby, BC V5G 1M2

Re: Rezoning Letter of Intent

7650-7652-7654 Winston Street Burnaby, BC

I, Aryo Falakrou, on behalf of MyHomedesigner.com Ltd (agent for El Comal Mexican Foods Corp.), have submitted this application to rezone a portion of 7650-7652-7654 Winston Street from the current M5 Light Industrial District to the M5r Zoning District. El Comal Mexican Food operates as a manufacturer and warehouse for tortillas and tortilla chips. The intent of this rezoning application is to bring a small restaurant portion of the business into compliance with the Zoning Bylaw. The restaurant is intended to serve local industrial area employees.

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



Aryo Falakrou (Arch Tech AIBC, ASTTBC)

President

Myhomedesigner.com Ltd.