

CITY OF BURNABY

PLANNING AND BUILDING
REZONING REFERENCE #19-63
2020 FEBRUARY 05

ITEM #02

1.0 GENERAL INFORMATION

- 1.1 Applicant:** Van Land Use
413 Alberta Street
New Westminster, BC V3L 3J6
Attn: Joseph Van Vliet
- 1.2 Subject:** Application for the rezoning of:
Strata Lot 1, District Lot 28, Group 1, NWD Strata Plan NW2348,
Together with an Interest in the Common Property in Proportion to
the unit Entitlement of the Strata Lot as Shown on Form 1
- From:** C2 Community Commercial District
- To:** CD Comprehensive Development District (based on C2h Community
Commercial District)
- 1.3 Address:** 7755 6th Street
- 1.4 Location:** The subject site is comprised of one commercial retail unit (CRU)
within a commercial development located on the west corner of 6th
Street and 12th Avenue (Sketch #1 *attached*).
- 1.5 Size:** The site consists of one CRU with an area of approximately 142.6 m²
(1,535 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 is to permit a private retail
liquor store use.

2.0 POLICY FRAMEWORK

The proposed development aligns with the following goals and sub-goals of the Corporate Strategic Plan:

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 is comprised of one CRU within a commercial development located on the west corner of 6th Street and 12th Avenue. The property is improved with surface parking and a one-storey commercial building. There are currently six licensed businesses operating within the development: two restaurants, one hair and aesthetics salon, one non-profit grocery market, one hookah lounge, and one pharmacy. The proposed private retail liquor store space, located in the middle of the development between the grocery market and the salon, was most recently occupied by an insurance company.

The subject site is located within the Sixth Street Community Plan area (Sketch #2 *attached*) and is designated for medium density multiple-family residential use. Single-family residential dwellings are located directly southwest of the site, with single and two-family dwellings beyond. Directly to the northwest is a single-family dwelling with a commercial development beyond. To the northeast, across 6th Street, is a multiple-family residential development, while to the south across 12th Avenue are commercial developments. Vehicular access to the site is from both 6th Street and 12th Avenue. Loading access is from 12th Avenue.

4.0 BACKGROUND INFORMATION

On 2006 May 08, Council adopted a Liquor Store Location Framework (“Framework”) for Burnaby, along with the Guidelines for Assessing Rezoning Applications for Liquor Stores. The Framework divides the City into four quadrants based on the Town Centres, in order to ensure a balanced distribution of liquor stores throughout the City. Principal objectives of the Framework include the establishment of a Liquor Distribution Branch (LDB) Signature Liquor Store in each Town Centre prior to the establishment of smaller LDB and private retail liquor stores, or Licensee Retail Stores (LRS), in the respective quadrants. The purpose of these objectives is to offer equity and certainty for consumers throughout the City in terms of product availability, convenience, and stable pricing.

5.0 GENERAL INFORMATION

- 5.1 The applicant wishes to relocate an existing private retail liquor store (LRS) from outside of Burnaby to the subject site, and is therefore seeking to rezone the subject site, a 142.6 m² (1,535 sq. ft.) CRU within a multi-unit commercial development, from the C2 Community Commercial District to the CD Comprehensive Development District (based on C2h Community Commercial District guidelines), in order to permit the establishment of an LRS. It is noted that the proposed C2h District zoning for the subject site would permit the LRS use, in addition to all other uses permitted in the C2 District.

- 5.2 The Liquor Store Location Framework contains guidelines for assessing rezoning applications for liquor stores, including locational, store size, and operational criteria. The following subsections review the consistency of the proposed development with these criteria:

5.2.1 Locational Criteria

The locational criteria for liquor stores require establishment of an LDB Signature Store in a Town Centre prior to establishment of supporting LDB stores or LRSs in the same quadrant. In the City's southeast quadrant, which includes the subject site, the locational criteria requires the establishment of an LDB Signature Store in the Edmonds Town Centre area. As the Highgate Village Liquor Store at 7155 Kingsway is an LDB Signature store, this criterion has been met.

Additional locational criteria require that supporting LRSs are a component of an established or new commercial service centre (Town Centre, Urban Village, or Neighbourhood Centre as outlined in the Official Community Plan). The proposed LRS is located in an established commercial development within the Sixth Street Community Plan, an Urban Village.

Further locational criteria require a reasonable distribution of both LDB liquor stores and LRS stores. The closest liquor store to the subject site is the Oliver Twist Liquor Store, located approximately 1 km (0.62 miles) to the northwest at 7557 Edmonds Street.¹ It is also noted that there is a current rezoning application (Rezoning Reference #19-07, which received Second Reading from Council on 2019 October 07) for a liquor store at 5097 Canada Way, more than 3 km (1.86 miles) to the northwest. As such, there is a disbursed distribution of liquor stores within this area of Burnaby.²

Other locational criteria require appropriate relationships between a proposed liquor store and the following uses:

- ***Private and public schools, particularly secondary schools***

Twelfth Avenue Elementary School is located more than 0.4 km (0.25 miles) northwest of the subject site, and St. Thomas More Collegiate (a private high school) is located more than 0.7 km (0.43 miles) southwest of the site. It is also noted that New Westminster Secondary School is located approximately 0.3 km (0.19 miles) south of the site.

¹ It is noted that the Liquor and Cannabis Regulation Branch requires that liquor stores are not located closer than 1 km to each other. The applicant is required to ensure that this requirement is met.

² New Westminster liquor stores are also located more than 1 km from the subject site.

- ***Adjacent residential dwellings and parks***

The site is adjacent a single and two-family neighbourhood and across the street from multiple-family dwellings. The nearest park, Eastburn Park, is located more than 100 m (328 ft.) northeast of the site.

- ***Other potential sensitive uses (e.g. cabarets, child care centres)***

The nearest Liquor Primary facility is the Oliver Twist Pub at 7557 Edmonds Street, approximately 1 km (0.62 miles) northwest of the site. The closest child care is a home-based child care facility at 7738 14th Avenue, approximately 0.3 km (0.19 miles) west of the site. A hookah lounge is located two CRUs north of the site, within the same commercial development. Though there have been some hookah lounges which have been the subject of complaints to the City, with liquor use being a contributing factor and one hookah lounge having their Business Licence revoked, this specific hookah lounge has not been the subject of complaints to the City, has been in operation since 2014, and does not have an LCRB Food Primary or Liquor Primary liquor licence.

Given the modest size of the proposed LRS, its integration into an established commercial development with established businesses, its location within an interior CRU, and its orientation towards 6th Street and away from proximate single and two-family dwellings, the potential for adverse neighbourhood impacts or nuisances is considered low. As such, the proposed LRS is not expected to pose a conflict with nearby schools, parks, child-oriented and sensitive uses, or neighbouring residential dwellings.

As per the guidelines, assessment for rezoning applications for liquor stores also includes consideration of adequate vehicular and pedestrian circulation on the property, and safe and convenient vehicular access, without causing undue traffic impacts on the surrounding area. Vehicular access to the subject site is from both 6th Street and 12th Avenue. It is noted that the 6th Street driveway will be required to be relocated approximately 15 to 20 m to the northwest in order to increase the driveway's separation from the 12th Avenue intersection. Sufficient off-street parking and loading is provided on the property, and there would be no change in parking and loading requirements for this use (relative to other commercial uses in the C2 District). Sidewalks are provided along both adjacent streets, and the site is located less than 50 m (164 ft.) from a bus stop. Therefore, the subject site generally provides adequate vehicular and pedestrian access, as required by the locational criteria.

5.2.2 Store Size Criterion

The proposed LRS, at 142.6 m² (1,535 sq. ft.), does not exceed the maximum store size criterion of 418.06 m² (4,500 sq. ft.).

5.2.3 Operational Criteria

Operational criteria include appropriate hours of operation, which must be formalized through registration of a Section 219 Covenant. The guidelines anticipate that the hours for LDB Signature Stores in Town Centres will be longer and later than smaller stores; they also require that the general pattern of operating hours of nearby commercial businesses be considered. The Liquor and Cannabis Regulation Branch permits LRS establishments to be open from 9:00 am to 11:00 pm, seven days a week, with hours further regulated by the City.

The other CRUs on the subject property are occupied by businesses that have Monday to Thursday closing times between 1:30 pm and 1:00 am, and Friday to Sunday closing times between 12:30 pm and 2:00 am. If authorized by Council, this Department will determine operating hours to be established under a Section 219 Covenant.

The guidelines also recommend that, for safety and security purposes, a minimum of two employees be present at all times and video surveillance systems be installed. If authorized by Council, this Department will work to ensure that appropriate safety and security measures are undertaken.

- 5.3 The Director Engineering will be requested to provide an estimate for any services necessary to serve the site.
- 5.4 The owner will be required to enter into a Section 219 Covenant to establish operating hours.
- 5.5 The proposed prerequisite conditions to the rezoning will be included in a future report.

6.0 RECOMMENDATION

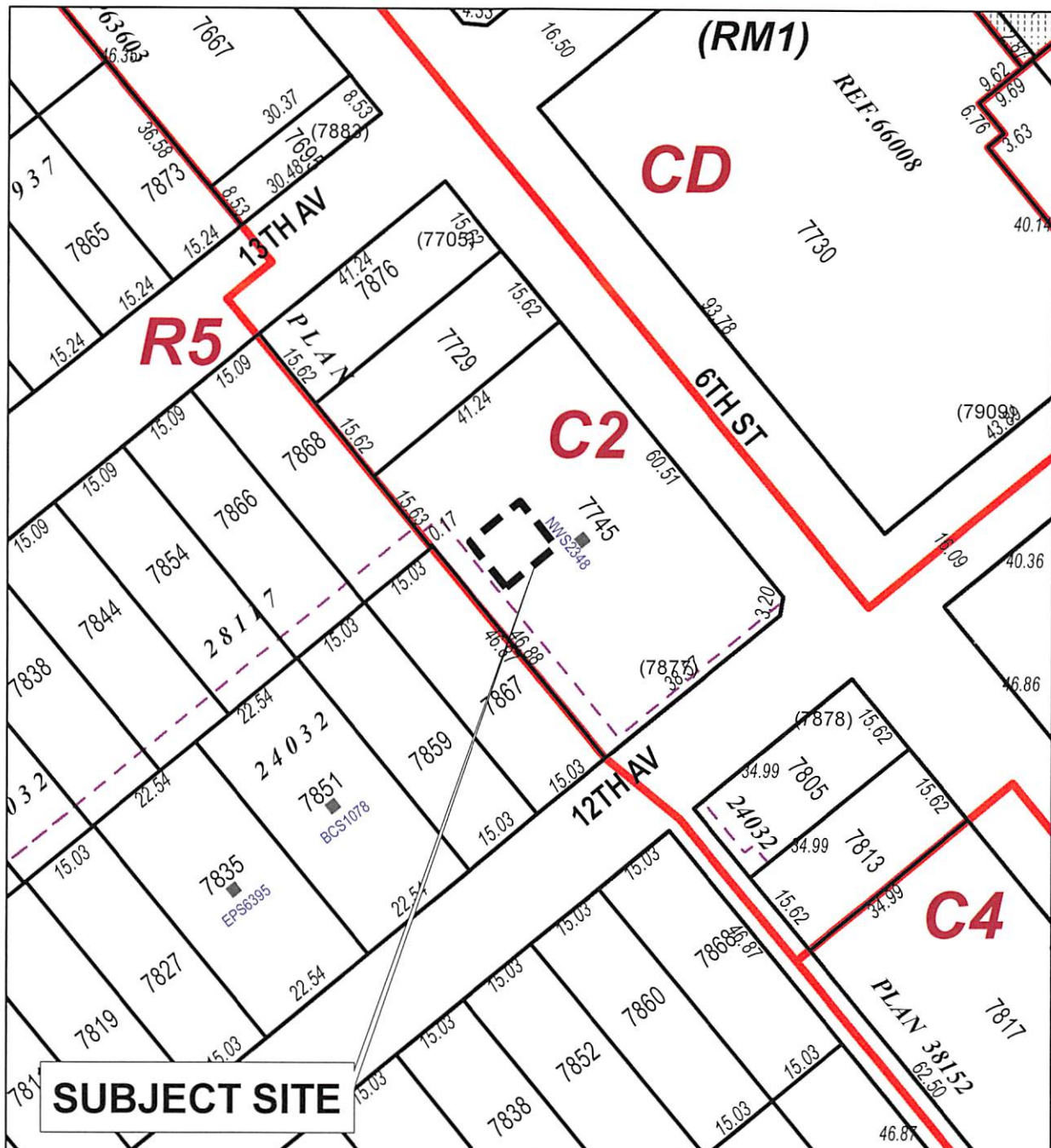
THAT the Planning and Building Department be authorized to continue to work with the applicant towards the preparation of a suitable plan of development for presentation to a Public Hearing on the understanding that a more detailed report will be submitted at a later date.



LS:tn

Attachments

cc: City Solicitor
City Clerk



SUBJECT SITE



PLANNING & BUILDING DEPARTMENT



Date:
JAN 24 2020

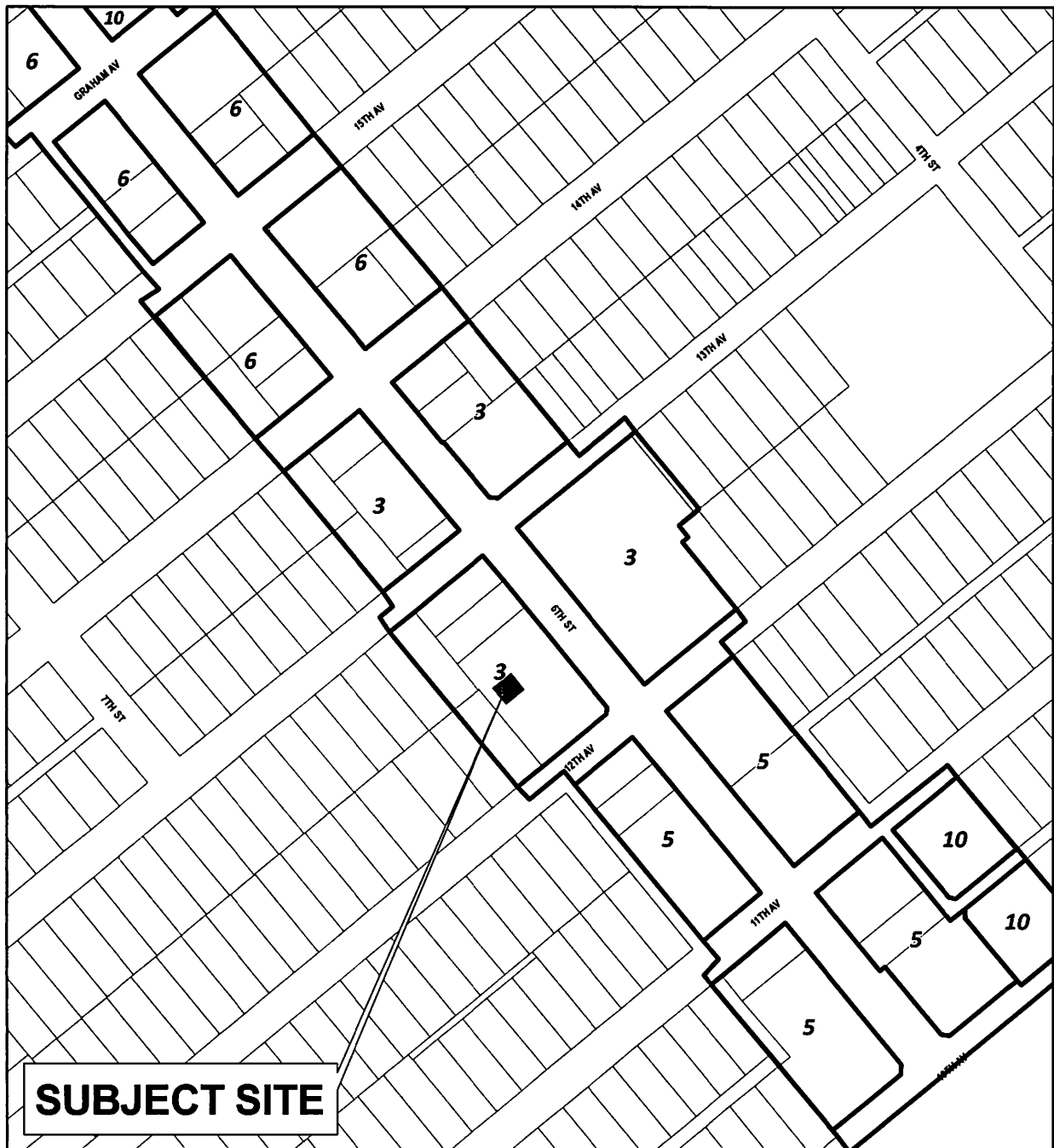
scale:
1:1,100

Drawn By:
JS

REZONING REFERENCE #19-63
7755 6TH STREET

 Subject Site

Sketch #1



SUBJECT SITE

General Land Use Designation Key

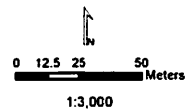
- 3 Medium Density Multiple Family Residential
- 5 Commercial
- 6 Medium Density Mixed Use
- 10 Institutional



Planning and Building Dept

Printed on January 23, 2020

Sixth Street Community Plan



Sketch #2



November 14, 2019

Lisa Scott
City of Burnaby
Planning and Building Department
4949 Canada Way
Burnaby, BC, V5G 1M2

Dear Lisa:

RE: Letter of Intent for 7755 6th Street, Burnaby

On behalf of Van Land Use Consulting, this letter is to outline the intent for the rezoning of 7755 6th Street.

There is an existing retail building located on the southwest side of 6th Street between 12th and 13th Avenues. The address of the property is 7745 6th Street Burnaby and it is devised into multiple commercial retail units. A Licensee Retail Store is being proposed to operate in the vacant unit at 7755 6th Street (previously operating as 'All Write Insurance'). The unit is approximately 1535 square feet. The site is currently zoned C2 and requires a rezoning to C2h.

A petition of support has been signed by 155 people, most of whom are Burnaby residents living within 1km of the proposed store and who provided their names, contact number and addresses. This petition has been attached with our application, as well as a map to show the proximity of supporters to the proposed store.

The City of Burnaby, compared to other municipalities, is greatly underserved for liquor retail. There are only 16 private and government stores serving its residents (approximately one store for every 15,000). The City of Vancouver, for example, has 74 stores (approximately one store for every 8,250 residents).



The neighborhoods that this store is intended to serve are greatly underserved to liquor retail. Approval of this location would fill a large void that the residents of this area are currently facing.

Our proposed location fits well within all required provincial regulations, as well as Burnaby's Liquor Store Location Framework. A Signature BC Liquor Store is currently operating in this quadrant of the City and there is adequate parking and loading available on site.

Should you have any questions regarding this application for rezoning, please do not hesitate to contact me at (778) 551-0067.

Best regards,

Van Land Use Consulting

A large, stylized handwritten signature in black ink, which appears to be "J. Van Vliet". The signature is written over the printed name and title of the signatory.

Joseph W. Van Vliet, BCom
Principal