

TO: MAYOR & COUNCILLORS
FROM: GENERAL MANAGER PLANNING AND DEVELOPMENT
SUBJECT: **TUP #23-04 – 5609 IMPERIAL STREET - RETAIL GROCERY STORE**
PURPOSE: To seek Council approval for Temporary Use Permit (TUP) #23-04 to permit the use of a retail grocery store that is approximately 596 m² on the subject site for a maximum of three (3) years.

REFERENCES

Address: 5609 Imperial Street
Legal: 024-187-721
Lot 1 District Lot 94 Group 1 New Westminster District Plan LMP38145
Applicant: Cloudscape Architecture Inc.
1906 – 1155 The High Street
Coquitlam, BC V3B 7W4
Attention: Eizaburo Kibavashi
Current Zoning: C4 Service Commercial District
Proposed Temporary Use: Retail Grocery Store (C2 Community Commercial District)

RECOMMENDATION

THAT the issuance of Temporary Use Permit #23-04, included as Attachment 2 to the report titled “TUP #23-04 - 5609 Imperial Street – Retail Grocery Store” dated March 25, 2024, be approved.

1.0 POLICY SECTION

The proposed Temporary Use Permit (TUP) aligns with the following policies and plans adopted by Council:

- Corporate Strategic Plan (2022),
- Official Community Plan (1998),
- Economic Development Strategy (2007),
- Social Sustainability Strategy (2011),
- Environmental Sustainability Strategy (2016), and
- Transportation Plan (2021).

2.0 BACKGROUND

The subject site is located in the Royal Oak Community Plan area, on the north side of Imperial Street between MacPherson Avenue and Kingsway (see **Attachment 1**). The site is improved with a one-storey commercial building and mezzanine that previously accommodated office space and an auto repair garage with surface parking. Existing vehicle access to the site is via Imperial Street and Lane Street.

The site is currently designated for Medium Density Mixed Use in the Royal Oak Community Plan, and zoned C4 Service Commercial District. To the north of the site are commercial buildings, to the east of the site is a mix of industrial and commercial buildings, and to the south of the site are industrial buildings.

The applicant is requesting a temporary use permit to operate a retail grocery store (approximately 596 m² in size) within the existing commercial building. The proposal also includes the operation of an outdoor mobile retail cart, and the use of the on-site surface parking.

3.0 GENERAL INFORMATION

3.1 Temporary Use Description

The applicant is proposing renovations to the existing building and site improvements to operate a retail grocery store and outdoor mobile retail cart on the subject site. The interior of the building will be renovated to permit open grocery aisles, freezer and refrigeration displays, a deli with walk-in coolers, a customer service cashier area, packing room, and an employee lounge. The proposed site plan and landscaping plan conforms to the *Burnaby Zoning Bylaw* requirements for a retail grocery store use (see **Attachment 2**).

3.2 Policies and Bylaw Consideration

Under the *Burnaby Zoning Bylaw*, grocery stores exceeding 280 m² in gross floor area are not permitted by the subject site’s C4 Service Commercial District. The proposed temporary use for a 596 m² retail grocery store would be permitted in accordance with Section 302.1(8) of the C2 Community Commercial District.

The proposed Temporary Use Permit facilitates an interim use of the site that will service the neighbourhood. Given the absence of grocery stores nearby and the increase of residential development in the surrounding area, the proposed temporary use is expected to be of considerable benefit to employees and residents in the area.

It is noted that the Royal Oak Urban Village Plan is currently under review, and future proposals for the redevelopment of the site would be expected to follow the guidance of the existing or updated Community Plan. Further, the proposed temporary use does not include the construction of new buildings or additions that could deter or delay redevelopment of the property in line with Community Plan designations.

Overall, the proposed temporary use has a design, operation, and intensity of use that is compatible with adjacent properties and land uses. As such, the proposed temporary use is considered supportable.

3.3 Terms and Conditions of Permit

The temporary use for a Retail Grocery Store is permitted subject to the following conditions:

- a. Compliance with Section 302.2 of the Burnaby Zoning Bylaw.
- b. Completion of:
 - i) The parking improvements and renovations to the existing building on the site, substantially in accordance with the site plan drawings attached as Schedule A to the Permit (see **Attachment #2**); and,
 - ii) the landscaping improvements substantially in accordance with the landscape plan attached as Schedule B to the Permit (see **Attachment #2**), and thereafter use and maintenance of the site in accordance with such plans.

As a condition of the issuance of the TUP, the applicant will be required to deliver to the City security in the amount of \$67,415.77 to ensure the provision of the required parking and landscaping improvements.

3.4 Duration of Permit

Under the *Local Government Act*, a TUP is valid until the earlier of the specified expiry date and the date that is three (3) years from the date of issuance, and an application for one extension to the permit may be made and issued for up to three (3) additional years. A new TUP application is required after one extension. Subject to Council approval, the proposed TUP will be valid for three (3) years from the time of issuance of this permit.

4.0 COMMUNICATION AND COMMUNITY ENGAGEMENT

In accordance with the *Burnaby Development Procedures Bylaw*, public notices were mailed out to the properties within 50.0 m (164 ft.). Of the subject site and published in accordance with the *Burnaby Public Notice Bylaw*. In addition, the applicant has posted public notification signs on the site for a minimum of 30 days prior to this council meeting. The purpose of this public notification is to inform the public about the proposed temporary use and provide an opportunity to comment on the application.

5.0 FINANCIAL CONSIDERATIONS

There are no financial considerations related to this proposal.

Respectfully submitted,

E.W. Kozak, General Manager Planning and Development

ATTACHMENTS

Attachment 1 – Sketch #1

Attachment 2 – Temporary Use Permit #23-00004 (including Schedule A and B)

REPORT CONTRIBUTORS

This report was prepared by Jenna Singh, Planning Analyst and reviewed by Jennifer Wong, Assistant City Solicitor and Jesse Dill, Director Development.