

TO: MAYOR & COUNCILLORS

FROM: GENERAL MANAGER PLANNING AND DEVELOPMENT

SUBJECT: TUP #25-02 - 4-2909 BAINBRIDGE AVENUE

PURPOSE: To seek Council approval for Temporary Use Permit (TUP) #25-02 to permit a commercial school within existing retail unit #4.

REFERENCES

Address: 7000 Lougheed Highway
(Alias: Unit 4-2909 Bainbridge Avenue)

Legal: 011-439-378
Parcel "One" District Lots 59 and 78 Group 1 New Westminster
District Reference Plan 78006

Applicant: Xugen Ye c/o Mingxin Charity Society of Canada as authorized agent for Lin Licao

RECOMMENDATION

THAT Temporary Use Permit #25-02 included as Attachment 2 to the report titled "TUP #25-02 – 4-2909 Bainbridge Avenue" dated April 22, 2025, be approved; and

THAT the City Solicitor be directed to register notice of Temporary Use Permit #25-02 with the Land Title Office.

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),
- Bainbridge Urban Village Community Plan (2022),
- Economic Development Strategy (2007),
- Social Sustainability Strategy (2011),
- Environmental Sustainability Strategy (2016) and,
- Transportation Plan (2021).

2.0 BACKGROUND

The subject site is located at 2909 Bainbridge Avenue (legal address 7000 Lougheed Highway) within the Bainbridge Urban Village Community Plan, on the south side of Lougheed Highway along Bainbridge Avenue (see Attachment 1). The site is improved with three commercial buildings and has surface parking accessible via two accesses off Bainbridge Avenue. The properties north, east, and south of the subject site are generally improved with single- and two-family dwellings. The site to the west of the subject site is improved with warehouse buildings utilized for light industrial food processing and was the subject of Rezoning Reference #22-28 for a multi-phased mixed use master plan.

Under the Bainbridge Urban Village Community Plan, the site is designated for Village Core Mixed Use. Through Rezoning Reference #22-15, the site was zoned to the Comprehensive Development District (based on RM5uv-a Multiple Family Residential District, C2 Community Commercial District, M2 General Industrial District, P5 Community Institutional District and the Bainbridge Urban Village Community Plan as guidelines, and in accordance with the development plan entitled “Burnaby Lake Heights Urban Village Master Plan” prepared by 7000 Lougheed Limited Partnership (Create)) in order to permit a multi-phased mixed use master plan for the site. The site is currently the subject of Rezoning References #22-32 and #25-02 to advance Phase 1a and Phase 1b of the Burnaby Lake Heights Master Plan, in the western portion of the site. The proposed temporary use will be confined to an existing commercial building Unit #4 on the site, which is located outside of the Phase 1a and 1b lands.

3.0 GENERAL INFORMATION

3.1 Temporary Use Description

The applicant is proposing to use a commercial retail unit within an existing commercial building for a commercial school to deliver educational and recreational programming for children and their caregivers. The retail unit would be organized into different work zones for rehabilitation classes, consultation services, and learning activities.

There would be a maximum of three instructors delivering programming to a maximum of 15 children at any given time. The hours of operation will be 7-days a week, from 8:00AM to 6:00PM daily. This site is suitable for a learning facility and aligns with the vision for the area as outlined in the Bainbridge Community Plan.

There are no interior or exterior changes required to facilitate the use. As the *Burnaby Zoning Bylaw* requirements for off-street parking for recreational uses is the same as commercial retail uses, no additional parking spaces are required to accommodate the temporary use.

3.2 Policies and Bylaw Considerations

The subject site is part of the phased Burnaby Lake Heights Master Plan, zoned CD (based on RM5uv-a, C2, M2, P5). Under the *Burnaby Zoning Bylaw*, commercial

schools are permitted in C2 Community Commercial District, though the Master Plan did not specifically allow for transition uses in the existing commercial buildings on site, beyond those which would otherwise be permitted as legal non-conforming uses under the provisions of the *Local Government Act*. Therefore, a TUP is needed to permit the use temporarily until the site is redeveloped in accordance with the approved Master Plan. The applicant is requesting a Temporary Use Permit to permit this use in accordance with Section 302.1(15) of the Zoning Bylaw (C2 Community Commercial District) within the existing commercial building.

Overall, the proposed temporary use has a design, operation, and intensity of use that is compatible with adjacent properties and land uses, with anticipated noise and traffic impacts comparable to the existing conditions on the site. Further, the proposed temporary use does not include the construction of new buildings, additions, or alterations that could deter or delay the redevelopment of the property in line with the Burnaby Lake Heights Master Plan. As such, the proposed temporary use is considered supportable.

3.3 Terms and Conditions of Permit

The temporary use is permitted subject to the following conditions:

- a. compliance with use conditions of Section 302.2 of the Burnaby Zoning Bylaw.

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 (see Attachment 2) 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 the permit.

4.0 COMMUNICATION AND COMMUNITY ENGAGEMENT

In accordance with the *Local Government Act* (LGA) and the *Burnaby Development Procedures Bylaw*, public notice of the subject TUP application was delivered to adjacent property owners and occupants (within 30m of the subject property) at least ten (10) days before Council considers the application for approval. A public notice was also published on the City's website, distributed as part of the City's online newsletter and a sign was posted along the subject site's frontages.

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 – Sketches #1 and #2

Attachment 2 – Permit

REPORT CONTRIBUTORS

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