

RE: DELEGATION FROM MR. DENNIS P. COATES
RETAIL BEER AND WINE STORES

(1988 August 08, Item 2 a)

MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendation of the Director Planning & Building Inspection be adopted.

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TO: MUNICIPAL MANAGER 1988 AUGUST 10

FROM: DIRECTOR PLANNING &
BUILDING INSPECTION

SUBJECT: RETAIL BEER AND WINE STORES
DELEGATION; MR. DENNIS P. COATES

RECOMMENDATION:

1. That a copy of this report be sent to Mr. Dennis P. Coates

REPORT

1.0 BACKGROUND INFORMATION:

- 1.1 On 1988 June 27 Council received a report from the Planning & Building Inspection Department regarding "Changes In The Municipal Role In Consideration of Liquor License Facilities". One of the recommendations included in this report was that the Burnaby Zoning Bylaw be amended to include the C2a Community Commercial District and the C3a General Commercial District. The establishment of a sub-designation within the C2 and C3 Districts (C2a and C3a) with "retail liquor outlets" identified specifically as a permitted use was recommended. The intention of establishing these new zoning districts would be to ensure that all retail liquor outlets in Burnaby be assessed for suitability of location through the rezoning process, under an application to rezone to the C2a District or the C3a District.

Council adopted the recommendations of the Department of Planning and Building Inspection at that time.

- 1.2 Council received a delegation (Mr. Dennis Coates of Mair Janowsky Blair) regarding the proposed Zoning Bylaw text amendments on 1988 August 8. Mr. Coates indicated that he was representing the Mountain Shadow Inn Neighbourhood Pub and Delaney's Place Neighbourhood Pub and expressed his concerns regarding the creation of the C2a and the C3a District and the resulting requirement that all applicants for retail beer and wine stores be required to complete the rezoning process. Mr. Coates' brief included three comments on the proposed C2a and C3a District, for retail liquor outlets. These comments are addressed individually below.

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2.0 GENERAL DISCUSSION:

- 2.1 The following provides Mr. Coates three comments on retail beer and wine stores and the proposed Zoning Bylaw text amendments, as well as this Department's reply to each comment:
- (a) "The Beer and Wine Stores are in many cases integrated into the pub or hotel operation and it would be impossible to designate and specify the portion of the premises that is used for the Beer and Wine Store and the part that is used for the other facilities. Some of the facilities which I have viewed around the Province have integrated cooling facilities, office facilities and storage facilities."
- Response: In most cases, staff would not foresee the necessity to specify that a certain portion of a site be rezoned to the C2a or the C3a District, but rather that the entire site be rezoned to the C2a or C3a District. In certain cases, it may be prudent to suggest to the applicant that the area to be rezoned be specified within the site to protect against possible land use conflicts with abutting residential areas. For example, this would be the preferred approach if the proposed rezoning involved a large site, of which only part of the site might be considered to provide potential conflicts with a nearby residential area. It should be stressed, however, that in most cases a partial rezoning of the site would not be considered necessary and staff would work with the potential applicant on a case-by-case basis to attain the most flexible arrangement possible, while still ensuring that a retail liquor outlet is located in the most compatible location in relation to adjacent uses.
- (b) "It may be impossible to designate an exact area for the Retail Beer and Wine Store use and it may be that the specific size and location may change in some detail in the future, particularly if additional products were allowed to be sold through the Retail Beer and Wine Store such as Wine and Beer from other Provinces of Canada."
- Response: This point is largely addressed in (a) above. For the most part, it is anticipated that applications will usually be processed to rezone entire sites in which a retail liquor outlet is proposed in connection with a neighbourhood pub or a full service hotel, but that in cases where it is seen as desirable to specify a specific portion of the property for rezoning, staff will work with the applicant to attain the most suitable arrangement possible.
- (c) "Many of the neighbourhood pubs are located in leased premises and the landlords I am sure would not be happy to consent to any zoning amendment which limits the use in a specific space of the shopping centre and makes the operation of the shopping centre technically more complex."
- Response: The C2a District and the C3a District would not be restricted exclusively to the beer and wine store use, but rather would allow the additional use (retail liquor outlets) permitted in the (a) suffix zoning category in addition to those uses already permitted in the pertinent C2 or C3 district. This would permit all those uses permitted in the C2 Community Commercial District to still be considered permitted uses on a site zoned C2a Community Commercial District and would not reduce a commercial property landlord's flexibility. The same principle would apply to the C3a General Commercial District.

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- 2.2 Council should also be aware that the property on which the Mountain Shadow Inn is located (7174 Barnet Road) is zoned CD Comprehensive Development District and as a retail liquor outlet is not indicated on the adopted CD plans, amendment rezoning would be required in order to permit a retail beer and wine store at this location, regardless of the Zoning Bylaw text amendment. This would also be the case with the Loughheed Hotel and with proposed neighbourhood public houses at Griffiths Avenue and Kingsway and in Metrotown.

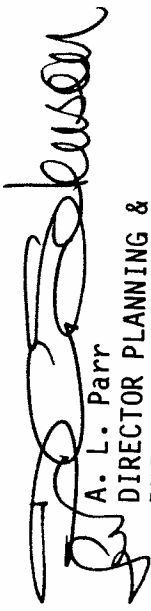
3.0 CONCLUSION:

- 3.1 In most cases it is not anticipated that it would be necessary to specify that a certain portion of a site be rezoned to the C2a or the C3a District, but rather the entire site would be rezoned to the C2a or C3a District. Council should also be aware that the C2a District and the C3a District would also be retail liquor outlets as an additional permitted use to the pertinent zoning category, but not be exclusive of the other permitted uses in the C2 or C3 District.

AWP

BW:bd

cc: Municipal Solicitor



A. L. Parr
DIRECTOR PLANNING &
BUILDING INSPECTION

