

**TO:** CITY MANAGER **DATE:** 2005 September 28

**FROM:** DIRECTOR PLANNING AND BUILDING **FILE:** PC 86000 20  
Reference: STR #05-1

**SUBJECT:** STRATA TITLE APPLICATION #05-1  
4400 Still Creek Drive (see *attached* sketch)  
McDonald's Restaurants of Canada Ltd. (Former Regional Head Office  
Facility with Drive-in Restaurant Component)

**PURPOSE:** To obtain Council authority for the strata titling of an existing and occupied commercial building subject to the conditions in this report.

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**RECOMMENDATION:**

1. **THAT** the strata titling of 4400 Still Creek Drive be approved subject to complete satisfaction of the following prerequisite conditions:
  - a. The satisfaction of the requirements of the Chief Building Inspector as outlined in Section 3.3 of this report.
  - b. The submission of the necessary strata title plans.

**REPORT**

**1.0 INTRODUCTION:**

The Planning and Building Department is in receipt of an application for Strata Title Approval of an existing and occupied commercial building at 4400 Still Creek Drive, which is owned by McDonald's Restaurants of Canada Ltd.

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From: Director Planning and Building  
Re: STR #05-1; 4400 STILL CREEK DRIVE  
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**2.0 BACKGROUND INFORMATION:**

- 2.1 Council approval is required where conversion of previously occupied buildings into strata title is requested, according to the provision of Section 242 of the Strata Property Act. As the Approving Authority, Council may
  - (a) approve the strata plan, or approve the strata plan subject to terms and conditions, or
  - (b) refuse to approve the strata plan, or refuse to approve the strata plan until terms and conditions of the approving authority are met
  
- 2.2 The subject property is zoned CD Comprehensive Development District (based on M5 Light Industrial District and C7 Drive-In Restaurant District guidelines). The subject site is within the Willingdon Business Park and is generally designated for M5 District office development. The site was rezoned to permit a McDonald's regional head office and drive-in restaurant. The concept behind the rezoning was that the drive-in restaurant at this location was an integral component and ancillary use of the McDonald's regional head office, providing a related training facility / drive-in restaurant.

**3.0 GENERAL DISCUSSION:**

- 3.1 The application submitted is for the strata titling of the existing and occupied building into two strata units, one strata unit composed of the drive-in restaurant and one strata unit composed of the office component. McDonald's intentions in this case are to retain the drive-in restaurant portion of the site and either sell or rent out the office strata unit after the strata title procedure is complete, depending on what the market dictates. The office portion is approximately 33,000 sq. ft., while the restaurant portion is approximately 10,000 sq. ft., with a maximum capacity of 150 seats. No physical expansion of the building is anticipated in connection with the strata titling of the building. McDonald's no longer requires regional office space of this magnitude. They have advised that some of the office employees have already been relocated to Toronto as part of centralization initiatives.
  
- 3.2 The strata titling of this building, resulting in the potential separate ownership of the office and restaurant portions of the building, is not supportive of the initial concept of the drive-in restaurant being linked and ancillary to the regional head office function. Nevertheless, in light of the fact that maintaining the single ownership on this property is not stipulated in the zoning for the property and the restaurant already exists as an accepted component of the adjacent business park area, this application is supported in principle.

3.3 The applicant has been advised that the Chief Building Inspector will be recommending that this application for strata title conversion not be given final approval and the strata plans executed by the City until the following items have been addressed under permit and final inspection and approval have been carried out:

**BUILDING:**

**General:**

- Ensure all exit signs and emergency lights are serviced
- Provide fire alarm verifications and U.L.C. monitoring confirmation
- Remove all storage items from electrical/mechanical rooms
- All exits/exit paths to be cleared and unobstructed
- All exit doors to be self closing and self latching with no hold open devices
- Replace all damaged and missing ceiling tiles
- Patch/make good all ceilings in electrical, mechanical, storage, and janitor's rooms
- Geotech. P. Eng. to review and address methane gas
- Have geotech and structural P. Eng check and address any settlement.

**Office Section (4400 Still Creek):**

- Obtain and have finalized permits for electronic magnetic devices
- Verify / confirm Siamese servicing, labelling and connections to Burnaby Fire Department standards
- Executive Lounge – Remove double key entrapment device
- Janitors' rooms to be self closing and self latching
- Remove all hold-opening devices (elephant's feet) along staff entry/exit lobby
- Provide adequate sprinkler clearances to storage items.

**Restaurant Section (4410 Still Creek):**

- Kitchen exhaust systems to have separate annunciation at fire alarm panel
- All cooking appliances to be seismically fastened

**Garbage Room:**

- min. 2 hour fire stopping of all penetrations are required
- min. 1.5 hour fire protection rated dampers for penetrating ducts
- provide adequate sprinkler coverage below overhead door when in the open position

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**PLUMBING & GAS:**

Install double check valve assemblies on the domestic water supply to the following:

- Domestic service at point of entry after water meter
- All ice makers
- All water cooled compressors
- The fire service to the premises

Install the reduced pressure backflow devices on the domestic water supply to the following:

- Espresso machine
- Sinks, dishwasher and devices connected to chemical dispensers
- Water filter systems

Install reduced pressure backflow devices and a Watts #9BD or equivalent on the domestic water supply to the following:

- Post-mix beverage dispensers using C02
- Install hose end vacuum breakers on all hose bibs

The existing backflow prevention devices require testing by a certified tester. As well, the following devices also require testing:

- RPBD on boiler maker-up/cooling tower
- DVCA on irrigation
- DCVA on ice machine in staff lunch room

Separate water meters may be required.

**ELECTRICAL:**

- Install barriers on all relay panels as required
- Re-affix the heat detector at drive-thru kiosk
- Correct the trouble condition on the fire alarm system
- Ensure that the controls and switches for the cooling tower are within the occupancy being serviced or within a common area
- Confirm that the two electrical services are totally independent of each other
- Finalize all outstanding electrical permits.

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3.4 The applicant has submitted a letter dated 2005 September 19 indicating that they are prepared to undertake the above requirements and that they should be completed within 90 days of Council approval of the strata title conversion.

If Council approves the subject strata titling of the existing and occupied building into two strata title lots and once the first condition of approval is completed to the satisfaction of the Chief Building Inspector, the applicant will be required to submit the strata title survey plans for execution by the City and registration in the Land Title Office.

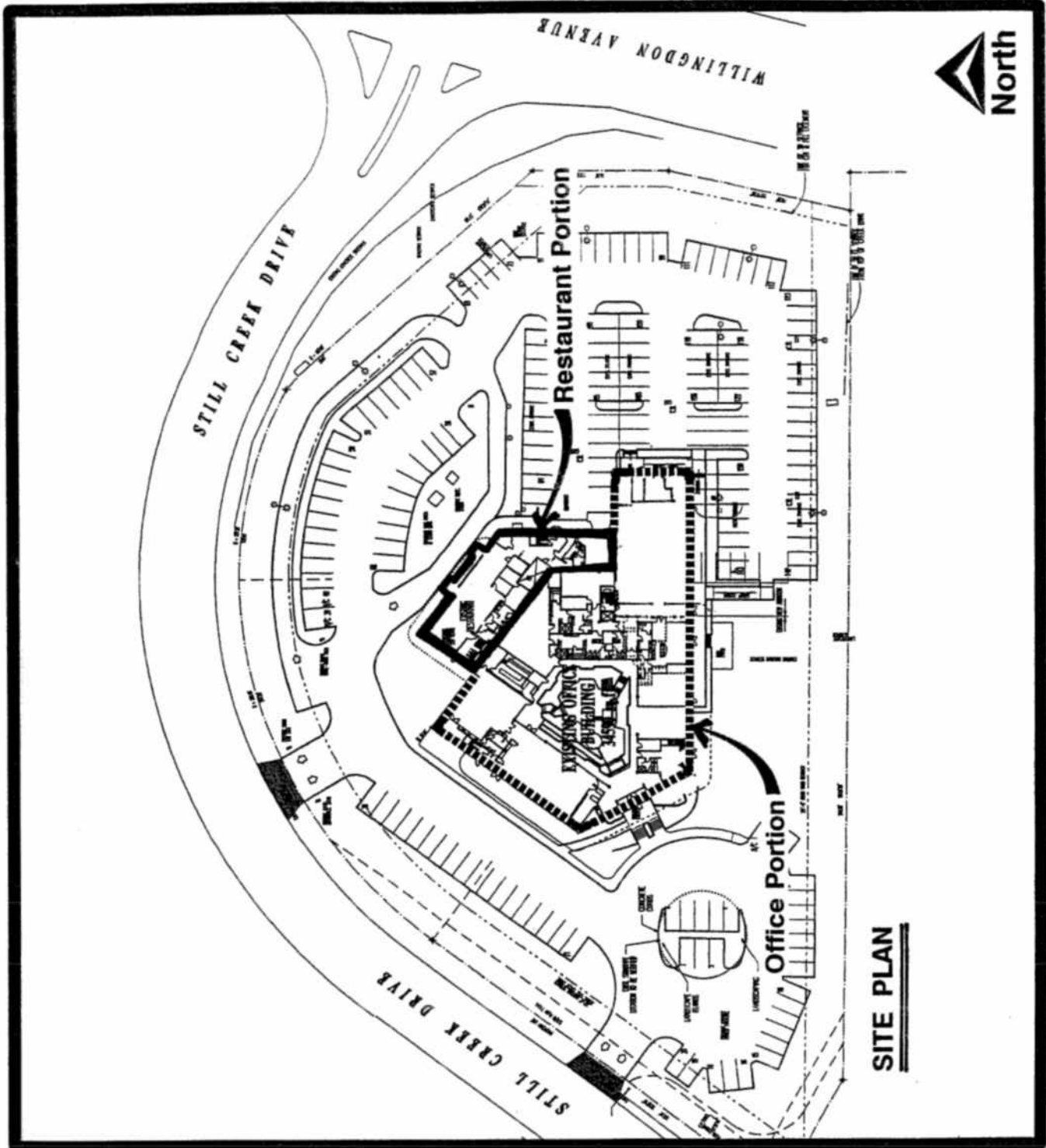


J. S. Belhouse  
Director Planning and Building

BW:hr  
Att.

cc: Chief Building Inspector  
City Solicitor

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### Planning and Building Department

Scale: N.T.S.

Drawn By: J.P.C.

Date: September 2005

### Strata Title Application # 05 -- 01

4400 Still Creek Dr.

McDonald's Restaurant / *Office*.

Sketch # 1