

COMMUNITY DEVELOPMENT COMMITTEE

*HIS WORSHIP, THE MAYOR
AND COUNCILLORS*

**SUBJECT: POLICY GUIDELINES FOR RESTAURANTS IN BURNABY'S
DESIGNATED INDUSTRIAL AREAS**

RECOMMENDATION:

1. THAT Council approve the proposed amendments to the locational guidelines for evaluating rezoning applications to the M 'r' District zoning designation, as outlined in Section 3.1 of this report.

REPORT

The Community Development Committee, at its meeting held on 2010 September 21, received and adopted the *attached* report responding to the Committee's request to review existing locational guidelines for restaurant development proposals in designated industrial areas.

Respectfully submitted,

Councillor C. Jordan
Chair

Councillor D. Johnston
Vice Chair

Councillor P. Calendino
Member

Copied to: City Manager Chief Licence Inspector City Solicitor Director Planning and Building
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TO: CHAIR AND MEMBERS
COMMUNITY DEVELOPMENT COMMITTEE

DATE: 2010 September 16

FROM: DIRECTOR PLANNING AND BUILDING

FILE: 42000 20

SUBJECT: POLICY GUIDELINES FOR RESTAURANTS IN BURNABY'S
DESIGNATED INDUSTRIAL AREAS

PURPOSE: To respond to the Committee's request to review existing locational guidelines for restaurant development proposals in designated industrial areas.

RECOMMENDATION:

1. **THAT** Council give approval to the proposed amendments to the locational guidelines for evaluating rezoning applications to the M 'r' District zoning designation, as outlined in Section 3.1 of this report.

REPORT

1.0 INTRODUCTION

- 1.1 On 2010 May 17, Council received a rezoning application (Rezoning Reference #10-06) to permit the establishment of a restaurant within a multi-tenanted industrial complex at Unit #101 – 5489 Byrne Road under the M5'r' Light Industrial District designation. In its report to Council, the Planning Department put forward a recommendation of non-support for the subject rezoning application on basis that the subject industrial complex (Riverway Business Centre) was adjacent to the Market Crossing Commercial Precinct, which provided access to a number of existing cafes and restaurants. This position was based on the application of Council's adopted policy guidelines for evaluating restaurant development proposals on industrial lands (see *attached* policy guidelines). The report also noted that a Section 219 Covenant is registered on the subject site which also precludes the establishment of cafes/restaurants.

Arising from discussions, Council referred the matter to the Community Development Committee to examine the merits of the rezoning application and the adopted policy guidelines for review of such applications.

- 1.2 On 2010 June 29, the Committee received a delegation from Mr. Val Varga and Mr. Catalin Chiloflisch, the proponents of the subject rezoning application (REZ #10-06). The delegation indicated that there was a need to establish a restaurant within the subject industrial complex (Riverway Business Centre) to serve the needs of its employees. They also indicated that while the subject industrial complex is across from the Market Crossing

Commercial Precinct, in which there are a number of existing commercial restaurants, given the location and length of the Byrne Road pedestrian cross walk, the restaurants within the Commercial Precinct are not within easy walking distance for employees within the Riverway Business Centre. Further, given the size of the Riverway Business Centre development of 20,705 m² (222,874 sq. ft.) of office and industrial space, they indicated that there was sufficient need and demand for a convenience cafe to serve the development.

Arising from discussion, the Committee requested staff to review the existing locational guidelines for M 'r' District restaurants. This review considers the merits of permitting such restaurant developments in multi-tenanted industrial complexes, on a similar basis to large single-use industrial developments in Burnaby where cafeterias and/or restaurants are permitted as an ancillary use to the industrial development to serve the needs of its employees.

This report responds to that request.

2.0 BACKGROUND INFORMATION

- 2.1 On 1979 April 02, Council gave Final Adoption to a text amendment to the Burnaby Zoning Bylaw which created the M 'r' District sub-category in the M1 Manufacturing, M2 General Industrial, M3 Heavy Industrial and M4 Special Industrial Districts to accommodate the establishment of cafes/restaurants within industrial areas to serve the day-to-day needs of industries and their employees. The provision of cafes/restaurants in designated industrial areas was considered appropriate in recognition of the apparent lack of public restaurant facilities in certain industrial areas.

Under the provisions of the Bylaw, each development proposal for a café or restaurant on an industrial site is considered on its own merits through the rezoning process utilizing the 'r' zoning designation of the prevailing M District. Council, at that time, also adopted policy guidelines for evaluating the locational suitability of a café/restaurant development proposal on industrial lands. These guidelines form the basis for giving consideration to the rezoning required to implement such development proposals.

On 2001 January 15, Council expanded the M 'r' District sub-zoning category to the M5 Light Industrial District.

- 2.2 Since the introduction of the M 'r' District, under its policy guidelines, Council has approved the rezoning of 22 industrial sites to the M 'r' District to permit the establishment of a café or restaurant, of which over half are within or in proximity to a designated business centre (see attached Sketch #1). Such cafes/restaurants are typically located within a multi-tenanted industrial building, occupying a unit ranging between 500 sq. ft. to 2,000 sq. ft. in size, and are oriented internally within the site. It is noted that there remains continuing opportunities within the City to develop café/restaurant operations oriented to serve the immediate industrial areas through rezoning to the M 'r' District in line with Council's adopted policy.

2.3 Several large single-use industrial developments, including BC Hydro, Telus, Best Buy-Future Shop, Ballard Powers Systems, and Commonwealth Construction, have established internal restaurants/cafeterias to serve the needs of their employees. Such foods services are provided as an ancillary use to the principal office-industrial use of the buildings, and do not require an M 'r' District designation. This opportunity for accessory restaurants/cafeterias also continues to be available for larger single use developments.

3.0 REVIEW OF LOCATIONAL GUIDELINES FOR M 'r' DISTRICT RESTAURANTS

3.1 The locational guidelines for evaluating the suitability of rezoning individual sites to the M 'r' District to permit the establishment of a café/restaurant has generally worked well at providing a needed service within industrial areas and provide continuing opportunities for additional cafes/restaurants in areas that may currently be under served, including in multi-tenanted industrial development complexes and business centres. The review, however, as highlighted by the subject rezoning application for the Riverway Business Centre (REZ #10-06), has found that the policy guidelines in some specific locational contexts may not sufficiently address the needs of larger multi-tenanted industrial complex and business centre developments, which have a similar site area and employee base as large single use industrial developments. As such, it is proposed that the locational guidelines be amended to provide additional criteria for evaluating the suitability of rezoning individual units within larger multi-tenanted industrial development to the M 'r' District to permit the establishment of a café/restaurant oriented to serve the immediate industrial development.

The following amendments to the policy guidelines are proposed:

- a) The proposed cafe/restaurant should not be located within easy walking distance or 122 m (400.26 ft.) of existing commercial centres or sites supporting cafe/restaurant establishments; and
- b) No more than one café/restaurant should be permitted within an industrial development complex or business centre.


The above proposed criteria are intended to allow for the establishment of a restaurant/café within larger industrial complex/business centres to serve the needs of its employees, while ensuring that the number of such café/restaurant developments are limited within a defined area. The balance of the policy guidelines for evaluating the locational suitability of a site for a café/restaurant development proposals continue to be appropriate to meet objectives to serve the day-to-day needs of employees in industrial areas where such café/restaurant developments are accessible, convenient and centrally located, while ensuring that such non-industrial activities does not generate a significant commercial draw or disrupt established industrial activities.

3.2 Should Committee and Council concur with the proposed amendments to the locational guidelines for evaluation rezoning applications to the M 'r' District zoning designation, as outlined in Section 3.1 of this report, the Planning Department would be in a position to re-evaluate the restaurant development proposal under Rezoning Reference #10-06. A future report to Council will be provided should the applicant wish to pursue rezoning following Council's adoption of the proposed amendments to the M 'r' District locational guidelines.

To: Community Development Committee
From: Director Planning and Building
Re: Review of Policy Guidelines for M 'r' Restaurants
2010 September 16..... Page 4

4.0 CONCLUSION

The 1979 Council adopted locational guidelines, which form the basis for giving consideration to individual rezoning application to the M 'r' District designation in order to permit the establishment of a café/restaurant in an industrial area, remain relevant and consistent with the City's land use objectives. In multi-tenanted industrial development complexes and business centres which have a higher employment density, the establishment of a café/restaurant oriented to serve the day-to-day needs of employees may be supportable on some developments. As such, it is proposed that the locational guidelines be amended to provide additional criteria for evaluating the suitability of rezoning individual units within a multi-tenanted industrial development to the M 'r' District to permit the establishment of a café/restaurant oriented to serve the immediate industrial development.


B. Luksun, Director
PLANNING AND BUILDING

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