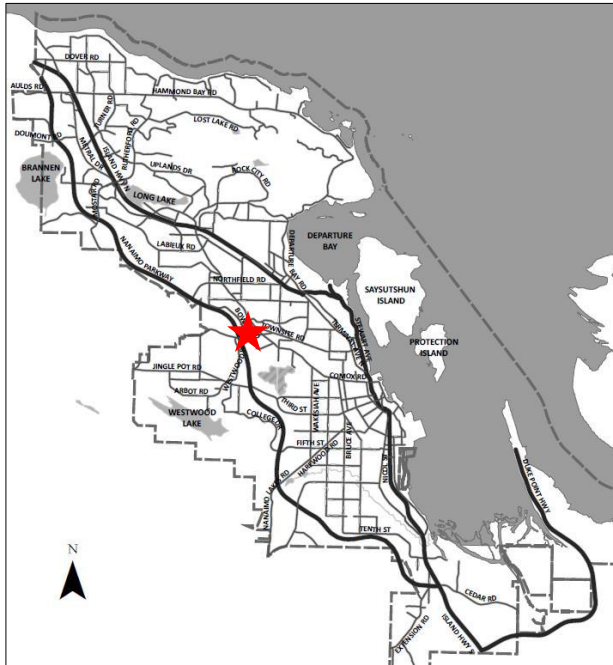


DATE OF MEETING | September 9, 2024 |

AUTHORED BY | KIRSTEN DAFOE, PLANNING ASSISTANT, CURRENT PLANNING |

SUBJECT | **DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP467 –
1870 EAST WELLINGTON ROAD** |



Proposal:

Variance to increase the maximum permitted gross floor area for an individual retail use



Zoning:

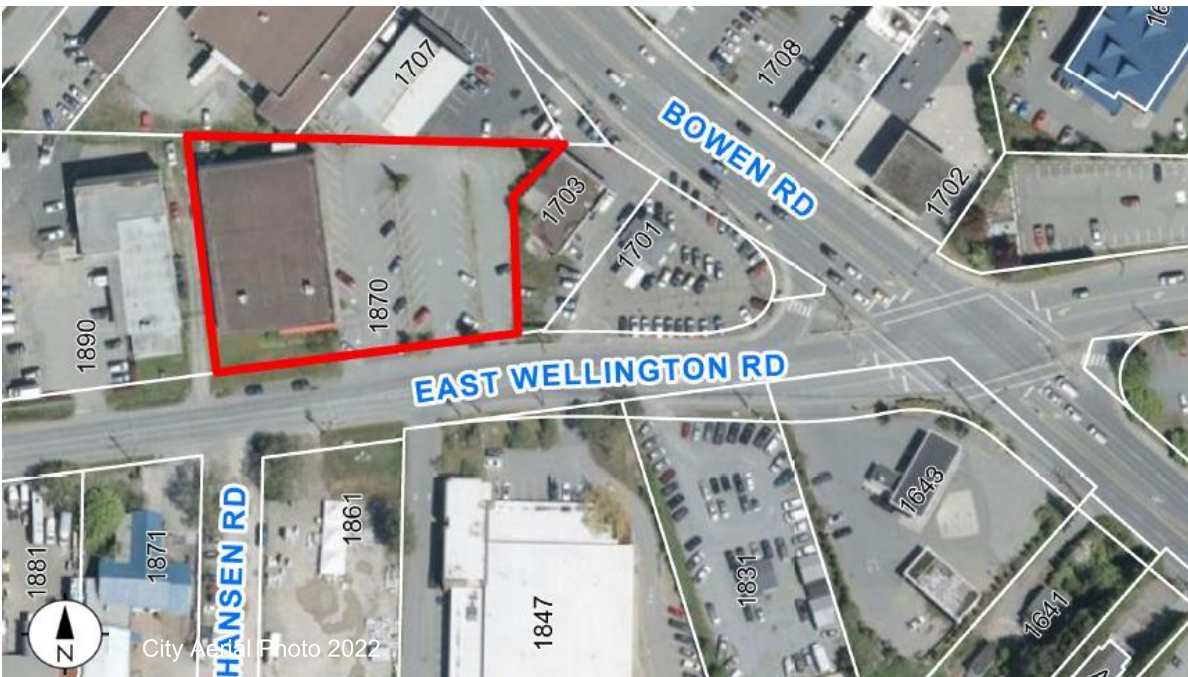
COR3 – Community Corridor

City Plan Land Use Designation:

Mixed Use Corridor

Lot Area:

4,345m²



OVERVIEW

Purpose of Report

To present for Council's consideration a development variance permit application to vary the conditions of use in the COR3 zone to increase the maximum permitted gross floor area for an individual retail use within an existing building at 1870 East Wellington Road.

Recommendation

That Council issue Development Variance Permit No. DVP467 to increase the maximum allowable gross floor area for an individual retail use at 1870 East Wellington Road as outlined in the "Proposed Variance" section of the Staff Report dated 2024-SEP-09.

BACKGROUND

A development variance permit application, DVP467, was received from Zack Gilbey, on behalf of Brittain Enterprises Ltd., to vary the "City of Nanaimo Zoning Bylaw 2011 No. 4500" (the "Zoning Bylaw"), in order to increase the maximum permitted gross floor area for an individual retail use from 750m² to 1,230m² at 1870 East Wellington Road.

Subject Property and Site Context

The subject property is located on the north side of East Wellington Road approximately 100m west of the intersection of Bowen Road. The property is developed with a single-storey, single-tenant commercial building constructed in 1978. The building has a gross floor area of approximately 1,230m² and is currently occupied by bowling lanes and ancillary office and storage space. The east portion of the site contains a paved, one-way drive aisle parking lot with 46 parking spaces, sufficient to meet the parking requirements for a retail use of the building. An additional informal gravel parking area has been created along the east property line; though, direct access to this informal parking area from East Wellington Road should be removed.

The surrounding neighbourhood is developed with a range of uses, including light industrial and outdoor storage, commercial, and public uses. Residential uses are located nearby to the north, east, and south.

Statutory notification has taken place prior to Council's consideration of the variance.

DISCUSSION

The current bowling alley, as a Recreational Facility use, is permitted in the COR3 zone without a restriction on floor area. Retail use, however, is restricted to 750m² per individual store. The intent of the floor area limit is to promote a pedestrian-friendly scale for new development.

Proposed Development

The applicant is proposing to relocate their retail business into the existing building after the current tenant vacates the space. The proposed retail use with ancillary office and storage areas will occupy the entire 1,230m² existing building's gross floor area.

Proposed Variance

Maximum Gross Floor Area

The maximum permitted gross floor area in the COR3 zone for an individual retail use is 750m². The proposed gross floor area is 1,230m², a requested variance of 480m². The proposed variance, if approved, would allow a single retail tenant to proceed with alteration permits to occupy the entire existing building, which was originally designed for a single tenant (bowling alley).

If the unit was occupied by another use permitted in the COR3 zone (e.g. office, commercial school, restaurant, or others), it would not have a restriction on the maximum allowed gross floor area. Supporting the variance would allow the re-use of the existing building and site improvements by a use that is otherwise permitted in the COR3 zone. While the intent of the floor area limit is to promote a pedestrian-friendly scale for new development, this proposal is for re-use of an existing building and does not propose new development. In addition, the existing paved parking lot contains sufficient parking spaces to meet the requirements for the proposed retail use.

Staff support the proposed variance as it would allow a tenant to re-use the existing building and no negative impacts on the site or adjacent properties are anticipated. |

SUMMARY POINTS

- Development Variance Permit Application No. DVP467 proposes a variance to increase the maximum allowable gross floor area for an individual retail use from 750m² to 1,230m² at the subject property.
- The proposed variance would accommodate a potential retail store in the entirety of the existing building.
- Staff support the proposed variance, as no negative impacts to the site or adjacent properties are anticipated. |

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Subject Property Map
ATTACHMENT C: Existing Site Plan
ATTACHMENT D: Proposed Floor Plan |

Submitted by:

Lainya Rowett
Manager, Current Planning |

Concurrence by:

Jeremy Holm
Director, Planning & Development |

ATTACHMENT A

PERMIT TERMS AND CONDITIONS

TERMS OF PERMIT

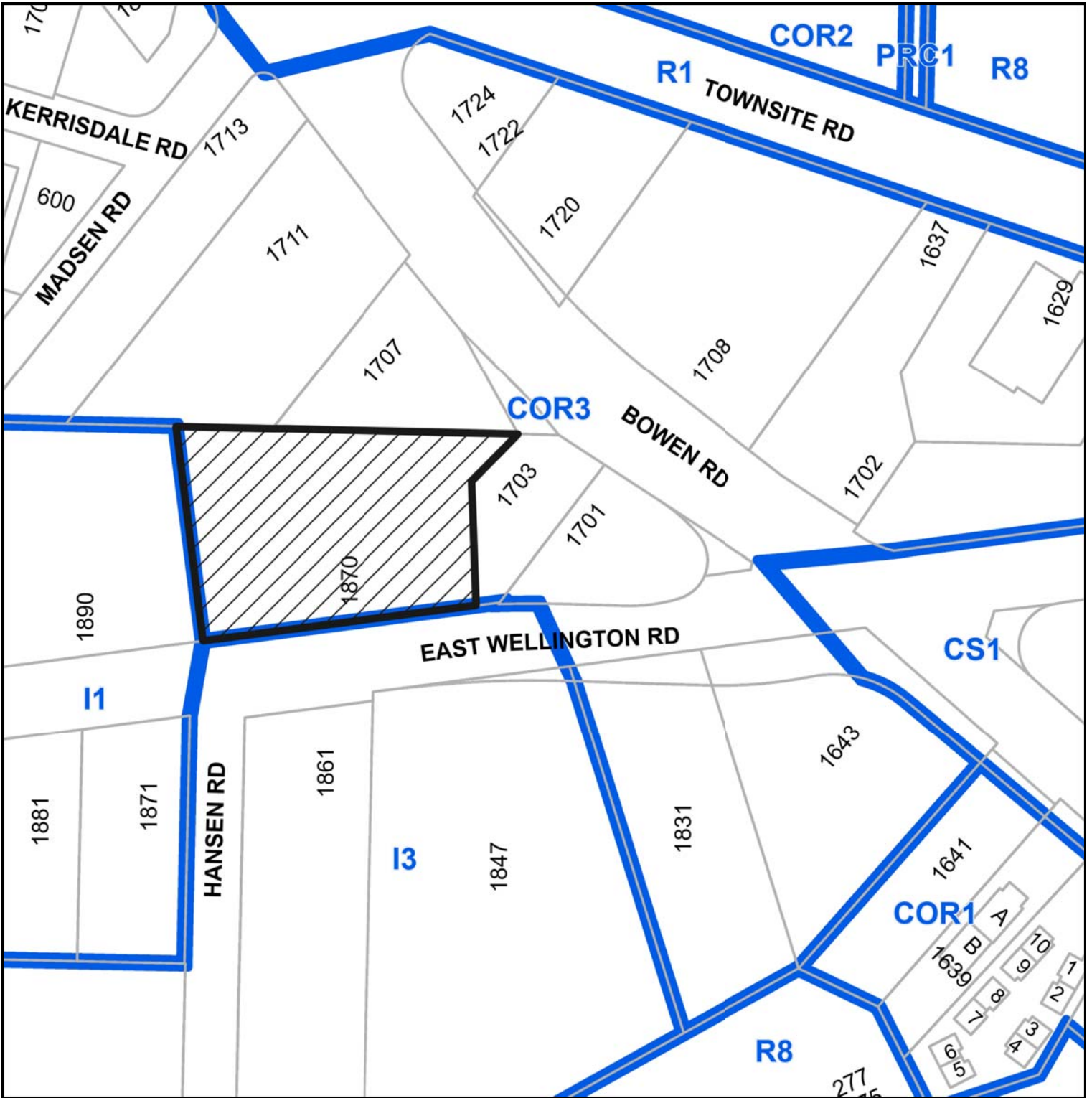
The “City of Nanaimo Zoning Bylaw 2011 No. 4500” is varied as follows:

1. *Section 9.2.1 Conditions of Use* – to increase the maximum permitted gross floor area of an individual retail use from 750m² to 1,230m² to allow a single retail tenant in the existing building.

CONDITIONS OF PERMIT

1. The subject property shall be developed in accordance with the Floor Plan, received on 2024-JUL-10 as shown in Attachment D.
2. Prior to the issuance of a building permit, the permittee shall install a barrier to prevent vehicular access to the gravel parking area directly from East Wellington Road.

ATTACHMENT B SUBJECT PROPERTY MAP



1870 EAST WELLINGTON ROAD

ATTACHMENT C EXISTING SITE PLAN



ATTACHMENT D PROPOSED FLOOR PLAN

