# City of Nanaimo REPORT TO COUNCIL

DATE OF MEETING: 2015-NOV-16

AUTHORED BY: DAVE STEWART, PLANNER, PLANNING & DESIGN SECTION

RE: DEVELOPMENT VARIANCE PERMIT NO. DVP270 - 1721 FLEET PLACE

#### **STAFF RECOMMENDATION:**

That Council issue Development Variance Permit No. DVP270 at 1721 FLEET PLACE to vary the required parking from 36 spaces to 12 spaces, subject to the registration of a covenant limiting the auction use to Saturday and Sunday.

#### PURPOSE:

The purpose of this report is to seek Council authorization to vary the required parking for an auction use and provide further information regarding the restriction of business hours.

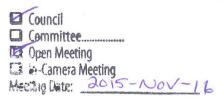
#### BACKGROUND:

On 2015-NOV-02, Council received a report regarding a development variance permit application from ABLE SOLUTIONS LTD. (Able Auctions – Mr. Jeremy Dodd) on behalf of FLEET VENTURES LTD. (Mr. Lance McNabb). The applicant was seeking to vary the provisions of the City of Nanaimo "DEVELOPMENT PARKING REGULATIONS BYLAW 2005 NO. 7013" in order to reduce the required parking for an auction use within the Highway Industrial (I1) zone.

During the 2015-NOV-02 Council meeting, it was moved and seconded that Council refer DVP270 – 1721 Fleet Place back to Staff for further discussion. The motion carried (Resolution #50015). It was noted that Council expressed concern that the proposed hours of auction use be limited to weekends only.

A copy of the 2015-NOV-02 Council report, including all attachments, is included as Attachment A.

In accordance with Statutory Notification requirements, property and business owners have been re-notified that the application is returning to the 2015-NOV-16 Council meeting for consideration of the variance.



#### **DISCUSSION:**

During its 2015-NOV-02 meeting, Council expressed concern that the proposed hours of auction use be limited to weekends only, as described within the applicant's letter of rationale. Council requested Staff provide further information on how the operating hours of the auction can be limited by the City. Planning staff has since met with the City solicitor and can confirm the hours of auction use can be restricted through a restrictive covenant. The applicant has agreed to enter into a restrictive covenant with the City of Nanaimo, which will restrict the permitted hours of auction use to weekends only. Registration of the restrictive covenant to the title of the subject property will coincide with the registration of the development variance permit.

#### Required Variances

Section 22.1 of the City of Nanaimo "DEVELOPMENT PARKING REGULATIONS BYLAW 2005 NO. 7013" requires a total of 36 parking spaces for the proposed use, 12 parking spaces are available onsite, a proposed variance of 24 parking spaces.

Respectfully submitted,

B. Anderson MANAGER

PLANNING & DESIGN SECTION

Concurrence by:

D. Lindsay DIRECTOR

COMMUNITY DEVELOPMENT

T. Seward

ACTING GENERAL MANAGER COMMUNITY DEVELOPMENT &

PROTECTIVE SERVICES

#### **CITY MANAGER COMMENT:**

I concur with the staff recommendation.

Drafted: 2015-NOV-05

Prospero attachment: DVP270

DS/In

## ATTACHMENT A

# City of Nanaimo REPORT TO COUNCIL

DATE OF MEETING: 2015-NOV-02

AUTHORED BY: DAVE STEWART, PLANNER, PLANNING & DESIGN SECTION

RE: DEVELOPMENT VARIANCE PERMIT NO. DVP270 - 1721 FLEET PLACE

#### STAFF RECOMMENDATION:

That Council issue Development Variance Permit No. DVP270 at 1721 FLEET PLACE to vary the required parking from 36 spaces to 12 spaces.

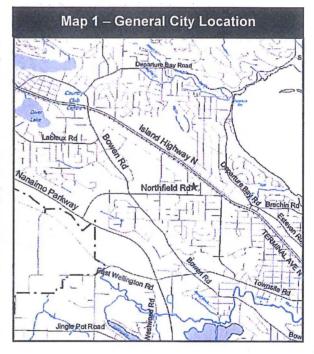
#### PURPOSE:

The purpose of this report is to seek Council authorization to vary the required parking for an auction use.

#### BACKGROUND:

A development variance permit (DVP) application was received from ABLE SOLUTIONS LTD. (Able Auctions – Mr. Jeremy Dodd) on behalf of FLEET VENTURES LTD. (Mr. Lance McNabb) to vary the provisions of the City of Nanaimo "DEVELOPMENT PARKING REGULATIONS BYLAW 2005 NO. 7013" to reduce the required parking for an auction use within the Highway Industrial (I1) zone.

A copy of the applicant's Letter of Rationale is included as Schedule A.



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

#### Subject Property

Zoning	Highway Industrial (I1)		
OCP	Map 1 – Future Land Use Plan – Neighbourhood; Map 3 – Development Permit Area No. 9 – Commercial, Industrial, Institutional, Multi-family and Mixed Commercial/Residential development.		
Location	The subject property is located at the end of the cul-de-sac on Fleet Place, which is accessed from Wilgress Road. The property is included within an industrial park between Northfield Road and the Island Highway.		
Total Area	1870m²		

The subject property is located at the end of Fleet Place which is a short cul-de-sac used to

access five properties including the subject property. Fleet Place is accessed from Wilgress Road, which is in turn, solely accessed from Northfield Road. Surrounding land uses are primarily warehouse or light manufacturing uses. Other uses on Wilgress Road include a dog daycare facility and a boxing club.

#### **DISCUSSION:**

#### **Proposed Development**

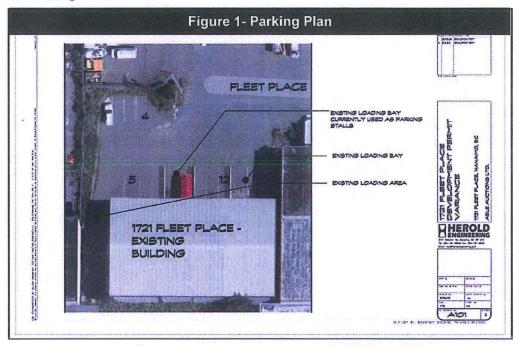
The applicant is seeking a parking variance in order to support an auction use within the 796m² building located at 1721 Fleet Place. The building was previously occupied by a courier service as a warehouse building. An 'auction' is a permitted use within the Highway Industrial (I1) zone, and is calculated as a retail warehouse for parking purposes.

The auction will be housed within the existing 796m² steel warehouse building onsite. That portion of the floor area open to the public for auctions will be calculated based on the parking rate for 'retail warehouse' (1 per 18m² of net floor area). 693m² of the floor area will be used a retail warehouse space and will require 34 parking spaces. The existing 60m² office use including washrooms, lunchroom and entrance lobby, will be calculated based on an office parking rate of 1 space per 22m² of net floor area, for a total of 2 spaces. A total of 36 parking spaces are required for the proposed auction use. The parking required for the proposed used is summarized following:

Use, per Parking Bylaw	Gross Floor Area 693m²	Parking Rate  1 per 18m² of net floor area**	Required Number of Parking Spaces* 34
Retail Warehouse			
Office	60m <sup>2</sup>	1 per 22m <sup>2</sup> of net floor area**	2
Mechanical space	43m <sup>2</sup>	N/A	0
TOTAL	796m <sup>2</sup>		36

<sup>\*</sup> rates are rounded down to the nearest whole number as per the DEVELOPMENT PARKING REGULATIONS BYLAW

Twelve (12) parking stalls are provided on the subject property; as such, a variance of 24 parking spaces is required. An aerial photo showing the location of parking is included as 'Figure 1- Parking Plan'.



The applicant currently plans to hold auctions once to twice per month, typically on a Saturday. Items will be available for public viewing the Friday evening before the auction. During the hours in which the auction facility will be open to the public the majority of neighbouring businesses will be closed. Given the auction hours will be off peak hours for the neighbouring industrial uses, the applicants have approached neighbouring properties in order to request permission for auction clients to park on their property during the Saturday auctions. While nothing has been formally registered on title, the applicant has received letters from the business/property owners for the following properties:

- 2221 Wilgress Road
- 1- 2210 Wilgress Road
- 2217 Wilgress Road
- 1710B Fleet Place

<sup>\*\*</sup> net floor area equals 90% of gross floor area

The letters are included as Appendix B within the applicant's letter of rationale (Schedule A).

In addition to the neighbouring off-street parking options available, the applicant's engineering consultant notes there is a potential availability of 37 on-street parking spaces on Fleet Place and Wilgress Road. It should however be noted, these on-street parking spaces are informal and many do not meet City parking standards. If the street was to be redeveloped, the number of spaces available will be reduced.

To better understand the parking needs within the area during the proposed auction use times, the applicant's engineering consultant (Kyle Riley, Herold Engineering) counted the number of vehicles on Fleet Place and Wilgress Road. Counts were conducted on Friday September 25<sup>th</sup> from 5:30pm to 6:30pm and on Saturday, September 26<sup>th</sup> from 9:30am to 10:30am. During the Friday count, a total of 9 cars were counted leaving Wilgress Road (2 from Fleet Place), and 17 cars turned onto Wilgress Road, the majority of which were heading to the dog daycare or boxing club, both of which were opened during this period. During the Saturday count, 22 cars were observed turning into Wilgress Road, of which 17 were to the dog daycare facility. During both periods, the applicant's consultant estimated the on-street parking was approximately 20% full.

In addition to the live auction, many auction items are viewed and sold online. The applicants note, online bidding accounts for over 50% of auction sales. Allowing auction customers to bid online has significantly reduced the auction uses parking demand. Not all auction items are the same and, as such, auction items are often grouped into categories which are bid upon at different times. By grouping items and advertising the times, various categories will be auctioned off at different times of the day; therefore, the auction use is able to stagger the attendance of customers. Customers interested in one category are generally not in attendance for the auctioning of items within other categories.

#### Required Variances

Section 22.1 of the City of Nanaimo "DEVELOPMENT PARKING REGULATIONS BYLAW 2005 NO. 7013" requires a total of 36 parking spaces for the proposed use, 12 off-street parking spaces are available onsite, a proposed variance of 24 parking spaces.

Respectfully submitted,

B. Anderson MANAGER

PLANNING & DESIGN SECTION

Concurrence by:

D. Lindsay

DIRECTOR

COMMUNITY DEVELOPMENT

T. Seward

ACTING GENERAL MANAGER COMMUNITY DEVELOPMENT &

PROTECTIVE SERVICES

#### **CITY MANAGER COMMENT:**

I concur with the staff recommendation.

Drafted: 2015-OCT-15 CNCLRPT 2015NOV02 DVP269-3413 Barrington Road DS/In



October 05, 2015

3725-001/02

City of Nanaimo Community Development Department 411 Dunsmuir St. Nanaimo, BC V9R 5J6

Attn: David Stewart, Planner - Planning and Design Section

Re: Development Permit Parking Variance for 1721 Fleet Place, Nanaimo, BC

Dear David,

We are submitting this Design Rational for a parking variance on behalf of our clients, Able Auctions, for a property they are proposing to purchase at 1721 Fleet Place in Nanaimo, BC. Upon completion and acceptance of this parking variance, Able Auctions plans on purchasing the building and expanding their existing business from the lower mainland and open their first auction house on Vancouver Island here in Nanaimo. It will be their 4th location, with Auction houses in Vancouver, Abbotsford and Langley.

The purpose of this design rational and development permit variance is to use the number of existing parking stalls on the site, in conjunction with the existing street parking on Wilgress Road and the partnership agreements with the neighbours that are attached to this report in the appendix.

#### **About Able Auctions**

Able Auctions has conducted business throughout Western Canada for more than 30 years. Over that time they have conducted an average of ten auctions per month, selling product for a variety of consignors ranging from The Vancouver Regional Cooperative Purchasing Group (consisting of 12 local municipalities) to The Federal Government of Canada to thousands of small, medium and large privately owned businesses.

Able Auctions takes several steps to make the auction process environmentally friendly, not the least of which is our on line bidding (which now accounts for over 50% of our total sales and affects bidding on over 75% of the items we sell). This process allows bidders to participate from their own home or office. This may seem small, but over the course of ten auctions per month, 120 auctions per year, and so on, it will add up.

Able Auctions has conducted over 150 charity auctions on behalf of dozens of local charities over the years. They have always made it a tradition to donate our time and expertise at these events. They have also donated over \$250,000.00 to local charities including: CKNW orphan's fund, Variety Club, local food banks throughout BC, local minor sports organizations throughout BC, The Cystic Fibrosis Foundation, Ducks Unlimited and many others.

(Included in Appendix A are some location descriptions and aerial photos as well as reference letters)

#### Zoning

The property is currently zoned as I-1 Highway Industrial and is designated as such on the OCP Land Use Map from the City of Nanaimo. The proposed use as an Auction House is within the permitted uses of the site.

#### **Proposed Project Description**

Our Client is currently looking at expanding their existing business from the Greater Vancouver area with a new location in Nanaimo and is in the process of purchasing the property in question. The property is located at 1721 Fleet Place, a small cul de sac accessed off of Wilgress Road. Wilgress is a dead end street accessed off of Northfield Road. The building and its surrounding neighborhood would be classified as a small industrial park, with a variety of small businesses including construction trades such as sign making, automotive repair and a doggie daycare resulting in a neighbourhood that is under-utilized in the non-peak hours. (Please see below in the Parking Study section for greater detail)

The current building on site consists of a pre-engineered steel warehouse building with a total area of 796m². There is an existing office component of 70 m² in the north-east corner of the building that contains a lobby, 3 offices, a lunch room and two washrooms, including one accessible WC.

The Client proposes to renovate the building slightly to suit their operational requirements by adding a new entrance door from the parking lot into the warehouse area and a new customer washrooms in the warehouse area. The remainder of the warehouse:

- Will house an 'Auction area' which houses the auctioneers podium, a presentation screen for showing information about the current lot on auction, and space for 50 movable chairs to be set up
  - o (Approximately 50m² of floor area for this)
- Will be used as display, with aisles of products being displayed on table or pallets, or set up on the floor for the larger items such as furniture, bicycles, equipment, etc.
  - (Approximately 643m²)

The format of the auctions Able Auctions is as follows. The current business plan is set for one auction a month. Auctions are typically held on a Saturday. The evening before, on the Friday, the warehouse is open to preview the lots available. Currently, the plan is to open the facility at around 5:30 pm to take advantage of the available street parking in the industrial park.

The day of the auction the public is allowed access to the warehouse again to view the lots they are interested in. Access can happen in person, and as mentioned earlier, in ever increasing numbers, online through the client's website. The lots are auctioned in a category system, with similar items being grouped into similar lots. Grouping items means customers interested in equipment sales are not in the building at the same time frame as a customer looking for a bicycle or furniture.



This staggered approach results in a refresh of customers throughout the day, reducing the demand for all day parking. Our client has also secured agreements with four of the existing neighbours to date, allowing off hour use of their parking areas.

Parking Calculations as per the City of Nanaimo's Parking Bylaw 7013:

50m² Assembly Use:

1 spot / 12m2 = 4.2 spaces

643m² Retail Warehouse:

1 spot / 18m2 = 35.7 spaces

TOTAL

39.9 - 40 spaces

The current site has 12 lined parking stalls, and the properties in question (with an agreement in place) have a combined total of 31 counted off street places. This brings a total of 43 off street parking spaces for the use of Able Auctions. Staffing levels will vary between 3 to 5 people depending on auction size, and staff will be encouraged to park at the end of Wilgress Road on auction days to provide more customer parking onsite.

Other parking areas within the neighbourhood are located on Wilgress Road. There is currently two sections of curb parking at the beginning of Wilgress Road, with 7 counted areas on the East side of the road and 5 spaces on the West side of the road. There is a gravel area near the intersection of Wilgress and Northfield that is currently being used as perpendicular parking on the West side of the road. This area is 28m long, not including the 6m clearance for the stop sign. As per CoN parking regulations, at 2.75m in width, 10 cars can park in this area. At the end of Wilgress road, on the East and North sides of the street is another gravel area used as perpendicular parking. This area is 41m long, measured by logical parking arrangements and accounting for clearances for the fire hydrant. At the above 2.75m typical width, 15 cars could use this space. Total available on street parking in the neighborhood shows a potential of 37 parking spaces. Able Auctions strives to be a good neighbour and will continue working with their neighbourhood.

(Included in Appendix B are agreement letters for the usage of the neighboring off street parking)

#### Parking and Traffic Study

As part of this development permit variance, I have personally conducted a small traffic study on both Fleet Place and Wilgress Road. Wilgress Road is accessed off of Northfield Drive, approximately 350m west of the intersection at Highway 19. Both Wilgress and Fleet place are dead end roads, with Fleet place being 160m North of the intersection of Wilgress and Northfield Road.

The roads in question are a quiet industrial park, in which Able Auctions prefers to reside. I attended the site for an hour on typical times that Able Auctions conducts business that is open to the public. I was on site Friday, September 25<sup>th</sup> from 5:30 to 6:30 PM, which is the start time of the lot preview, and Saturday, September 26<sup>th</sup>, from 9:30 to 10:30 AM, which would be after the auction starts.



#### Friday, September 25th - 5:30 to 6:30 PM

Upon arrival on site at 5:30 I did a survey on businesses that were open and occupied during the time frame. 5:30 was chosen as a start time, as the majority of the business would be closed for the weekend at this time. At the chosen time, there were three businesses that were open, and one that has traffic from its own trucks returning from work. The businesses that were in operation were Dog n Suds Doggie daycare, The Nanaimo Boxing Club and Acme Signs. Pro-Pacific Restorations had trucks returning to its compound on Fleet place, however the office was closed.

During my sample timeframe the following observations were made:

- A total of 9 cars were counted leaving Wilgress Road. These appeared to be employees leaving work. Two of these cars left from Fleet Place.
- A total of 17 cars turned onto Wilgress Road from Northfield. Of the 17 cars, about half
  of the traffic stopped at Dog N Suds to pick up their dog from the Doggy Daycare. 4 cars
  were U-turns that drove down the road and returned without stopping. The remaining
  cars were travelling to the sign shop (employee take out dinner runs) and the boxing
  club.

Street parking during the observation period was approximately 20% occupied (as shown by photos labeled 1 and 2 in the attached Appendix C)

#### Saturday, September 26th - 9:30 to 10:30 AM

Upon arrival on site at 9:30 I did a survey on businesses that were open and occupied during the time frame. 9:30 was chosen as a start time, as the majority of the business if open on the weekend would be in operation at this time. At the chosen time, there were three businesses that open. The businesses were Best Paw Forward dog obedience, Dog N Suds Doggy Daycare and Kitchen and Bath Classics.

During my sample timeframe the following observations were made:

- A total of 22 cars were observed turning in off of Northfield Road.
- Of those 22 cars, 17 were to Dog N Suds for a quick drop off visit
- The remaining 5 cars drove past Dog N Suds for business in the industrial park. My
  observations were that they were employees / business owners stopping by for work
  related activities within businesses that were closed. 2 of the cars stayed beyond my
  observation period.
- One of the 5 cars going past Dog N Suds was a u-turn.

Street Parking was observed to be approximately 20% full (as shown by the photos labeled 3 and 4 in the attached Appendix C)



#### Landscaping

Landscaping will remain as is, with the existing gravel planting beds to stay in place, with some maintenance and pruning to be done. Coordination with the City of Nanaimo will be undertaken at this step.

#### Summary

Able Auctions looks for potential business locations in industrial parks for the following reasons:

- An auction requires a large, open concept warehouse style building. These typically are only found in Industrial Zoned areas, and as such, they are rarely designed with ample on-site parking
- Able Auctions had tailored their business model to work within these Industrial Areas on
  off-peak hours of Friday Evenings and Saturdays. This arrangement currently works in
  their three Lower Mainland city locations, and we feel that the property on Fleet place
  would work for their first Vancouver Island location in Nanaimo.

We have laid out the above report to demonstrate how we can effectively operate the proposed auction house with the combined use of owner supplied off street parking, a neighbourhood parking agreement and existing on street parking.

If you have any questions please contact the undersigned.

Yours truly,

HEROLD ENGINEERING LIMITED

Kyle Riley



# Appendix A

### Google Maps 19757 92a Ave



19757 92a Ave Langley, BC V1M 3B3

#### Able Auctions Langley:

Located in the 401 Industrial Park, Township of Langley. Business License number 51220

M-2 General Industrial zoning, official building use: Auction Mart.

Industrial auction facility with average attendance of 750 people per auction split between on line and in person bidders.

1 public washroom, 1 staff washroom.

Handicapped only parking on Auction day, no other on-site parking. Lots of street parking.

### Google Maps 1055 Vernon Dr



Imagery @2015 Google, Map data @2015 Google 20 n

1055 Vernon Dr Vancouver, BC V6A

#### Able Auctions Vancouver:

Located in the East Vancouver Industrial Zone. Business License number 15-104793

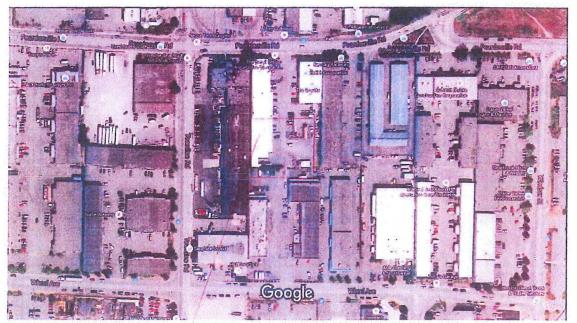
12 Industrial zoning, official building use: Auctioneer.

Industrial auction facility with average attendance of 200 people per auction split between on line and in person bidders.

2 public washroom2

15 on-site parking stalls. Lots of street parking.

### Google Maps Google Maps



Imagery @2015 Google, Map data @2015 Google 20 m

#### Able Auctions Abbotsford:

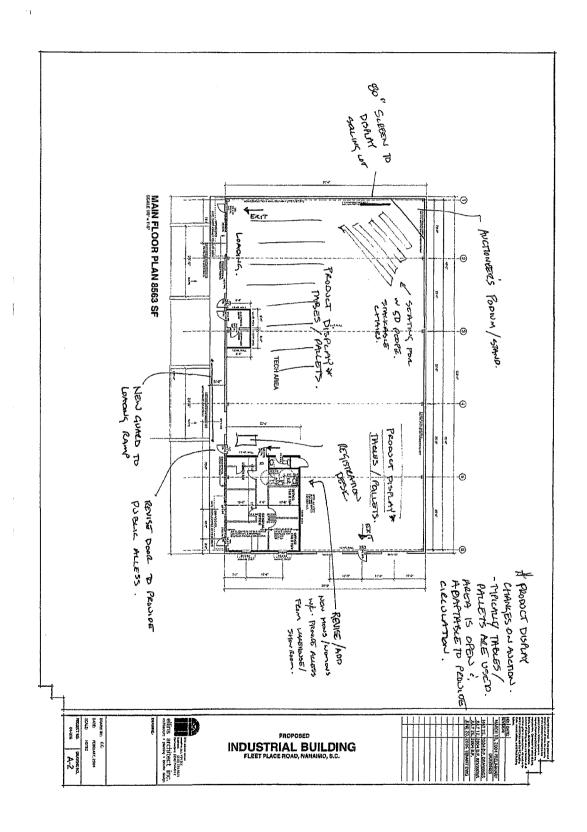
Located in West Abbotsford Industrial area, City of Abbotsford. Business License number 104694

12 General Industrial zoning, official building use: Auction.

Industrial auction facility with average attendance of 350 people per auction split between on line and in person bidders.

2 public washrooms, 1 staff washroom.

On-site staff parking only, no street parking, we rent parking from neighbours as most are closed on weekends.



## Appendix B

Able Solutions Inc. 19757 92A Ave. Langley, BC V1M 3B3

Attention: Mr. Jeremy Dodd

Dear Mr. Dodd:

RE: Parking for 1721 Fleet Place, Nanaimo, BC

I am the beneficial owner of the adjoining property. It is my understanding that you intend to hold public auctions at the referenced property on Saturdays (once or twice a month).

We support your endeavour and have no objection to you and your clients using the available on-street parking and parking on our property, provided that loading bays are not blocked and the auctions are limited to twice per month on Saturdays only.

We look forward to having a good neighbour relationship.

Yours truly,

Peter Johns

Owner: 2221 Wilgress Road,

Nanaimo, BC V9S 4N3

Phone: 250-714-2051

Able Solutions Inc. 19757 92A Ave. Langley, BC V1M 3B3

Attention: Mr. Jeremy Dodd

Dear Mr. Dodd:

RE: Parking for 1721 Fleet Place, Nanaimo, BC

I am the beneficial owner of the adjoining property. It is my understanding that you intend to hold public auctions at the referenced property on Saturdays (once or twice a month).

We support your endeavour and have no objection to you and your clients using the available on-street parking and parking on our property, provided that loading bays are not blocked and the auctions are limited to twice per month on Saturdays only.

We look forward to having a good neighbour relationship.

Yours truly,

Jamie Duchen

Owner: 1-2210 Wilgress Road Nanaimo, BC V9S 4N4

Able Solutions Inc. 19757 92A Ave. Langley, BC V1M 3B3

Attention: Mr. Jeremy Dodd

Dear Mr. Dodd:

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We support your endeavour and have no objection to you and your clients using the available on-street parking and parking on our property, provided that loading bays are not blocked and the auctions are limited to twice per month on Saturdays only.

We look forward to having a good neighbour relationship.

Yours truly,

**Brad McCauley** 

Owner: 2217 Wilgress Road,

Nanaimo, BC V9S 4N3

Able Solutions Inc. 19757 92A Ave. Langley, BC V1M 3B3

Attention: Mr. Jeremy Dodd

Dear Mr. Dodd:

RE:

Parking for 1721 Fleet Place, Nanaimo, BC

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We support your endeavour and have no objection to you and your clients using the available on-street parking and parking on our property, provided that loading bays are not blocked and the auctions are limited to twice per month on Saturdays only.

We look forward to having a good neighbour relationship.

Yours truly,

Greg McCarley

Owner: Westwood Metals Ltd. 1710B Fleet Place

Nanaimo, BC V9S 5M2

# Appendix C

Appendix C: Street Parking Photos

Friday, September 25th 5:30 - 6:30 PM

Photo 1, street parking on Wilgress Road, near intersection with Northfield

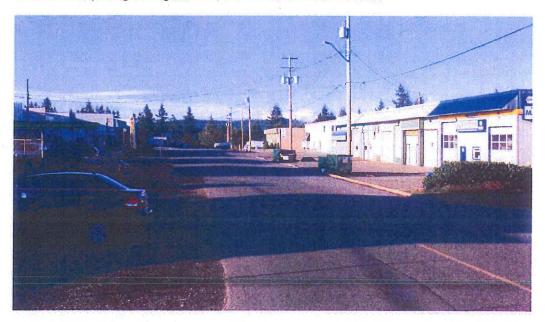


Photo 2, Street Parking at north end of Wilgress Road



Saturday, September 26th 9:30 - 10:30 AM

Photo 3, street parking on Wilgress Road, near intersection with Northfield



Photo 4, Street Parking at north end of Wilgress Road

