

DATE OF MEETING November 21, 2016

AUTHORED BY DAVE STEWART, PLANNER, CURRENT PLANNING AND SUBDIVISION

SUBJECT DEVELOPMENT VARIANCE PERMIT NO. DVP296 – 3032 BARONS ROAD

OVERVIEW

Purpose of Report

To present for Council’s consideration a development variance permit application to reduce the required number of parking spaces for a commercial school at 3032 Barons Road.

Recommendation

That Council issue Development Variance Permit No. DVP296 at 3032 Barons Road to reduce the required number of parking spaces from 22 to 10.

BACKGROUND

A development variance permit application, DVP296, was received from Nordli Holdings Ltd. (Mr. Kurt Nordli) on behalf of Brown Holdings Ltd., to vary the provisions of the City of Nanaimo “Development Parking Regulations Bylaw 2005 No. 7013”, in order to reduce the required number of parking spaces for a commercial school.

Subject Property

<i>Zoning</i>	COR3 - Community Corridor
<i>Location</i>	The subject property is located on Barons Road, approximately 46m north of the Barons Road/Norwell Drive intersection.
<i>Total Lot Area</i>	781m ²
<i>Official Community Plan</i>	Corridor

The subject property is located on Barons Road to the north of Country Club Centre. The building on the subject property is currently occupied by the Wellington Branch of the Vancouver Island Regional Library. The library is scheduled to relocate to Country Club Centre in early 2017.

The subject property is located next door to a 30 space parking lot at 3042 Barons Road and is 70m from the Country Club Centre bus exchange. On-street parking is also available on Barons Road.

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

Regular Council Meeting
2016-NOV-21

DISCUSSION

The applicant is proposing to relocate the Shima Karate School to within the existing building on the subject property. The school is currently located within the commercial centre at 4286 Departure Bay Road, approximately 69m southeast of the subject property.

The existing building has a gross floor area of 446m². One parking space is required for every 20m² of gross floor area for a commercial school; and, as such, the proposed use will require 22 parking spaces. Ten parking spaces are currently provided onsite, a variance is required for the remaining 12 spaces.

The applicant will also be purchasing the adjacent property to the north at 3042 Barons Road; a 30 space parking lot. The applicant has agreed to enter into a restrictive covenant with the City in order to ensure 12 parking spaces located at 3042 Barons Road will be retained as accessory parking for the commercial school at 3032 Barons Road. The property located at 3042 Barons Road is also zoned COR3 and is currently operating as an accessory parking lot to support the library use on the subject property.

The applicant's Letter of Rationale is included with the attached development variance permit (Attachment B).

PROPOSED VARIANCE

Parking Variance

The City of Nanaimo "Development Parking Regulations Bylaw 2005 No. 7013" requires one parking space for every 20m² of gross floor area within a commercial school. The required 22 parking spaces must be provided within the subject property.

The requested variance is to reduce the required parking for a commercial school from 22 parking spaces to 10 parking spaces, a proposed variance of 12 parking spaces.

SUMMARY POINTS

- The applicant is requesting to reduce the number of parking spaces to 10 to support a commercial (karate) school, a proposed variance of 12 parking spaces.
- The existing property and adjacent parking lot are currently used by the library which is to be relocated.
- As a condition of the development variance permit, the applicant will enter into a covenant with the City to require 12 parking spaces on the neighbouring lot to be available exclusively for the commercial school patrons.

ATTACHMENTS

ATTACHMENT A: Development Variance Permit No. DVP00296

ATTACHMENT B: Letter of Rationale

ATTACHMENT C: Aerial Photo

Submitted by:



L. Rowett
Manager, Current Planning and Subdivision

Concurrence by:



D. Lindsay
Director, Community Development

ATTACHMENT A



DEVELOPMENT VARIANCE PERMIT NO. DVP00296

BROWN HOLDINGS LTD
Name of Owner(s) of Land (Permittee)

Civic Address: 3032 BARONS ROAD

1. This development variance permit is issued subject to compliance with all of the bylaws of the municipality applicable thereto, except as specifically varied by this permit.
2. This permit applies to and only to those lands within the municipality described below, and any and all building structures and other developments thereon:

Legal Description:

LOT 3, SECTION 5, WELLINGTON DISTRICT, PLAN 29823

PID No. 001-350-633

3. The City of Nanaimo "Development Parking Regulations Bylaw 2005 No. 7013" is hereby varied as follows:

Section 22.1 requires a specified number of parking spaces based on use. The variance is to reduce the required parking for a commercial school from 22 parking spaces to 10 parking spaces, a variance of 12 parking spaces.

4. The permittee, as a condition of the issuance of this permit, shall develop the land described herein strictly in accordance with the following terms and conditions and provisions and in accordance with any plans and specifications attached hereto which shall form a part thereof.

Schedule A Location Plan
Schedule B Site Plan
Schedule C Conditions of Permit

5. If the permittee does not substantially commence the construction permitted by this permit within two years of the date of this permit, this permit shall lapse.
6. This permit prevails over the provisions of the bylaw in the event of conflict.
7. This permit is not a building permit nor does it constitute approval of any signage. Separate applications must be made for a building permit and sign permit.

AUTHORIZING RESOLUTION PASSED BY COUNCIL
THE DAY OF , .

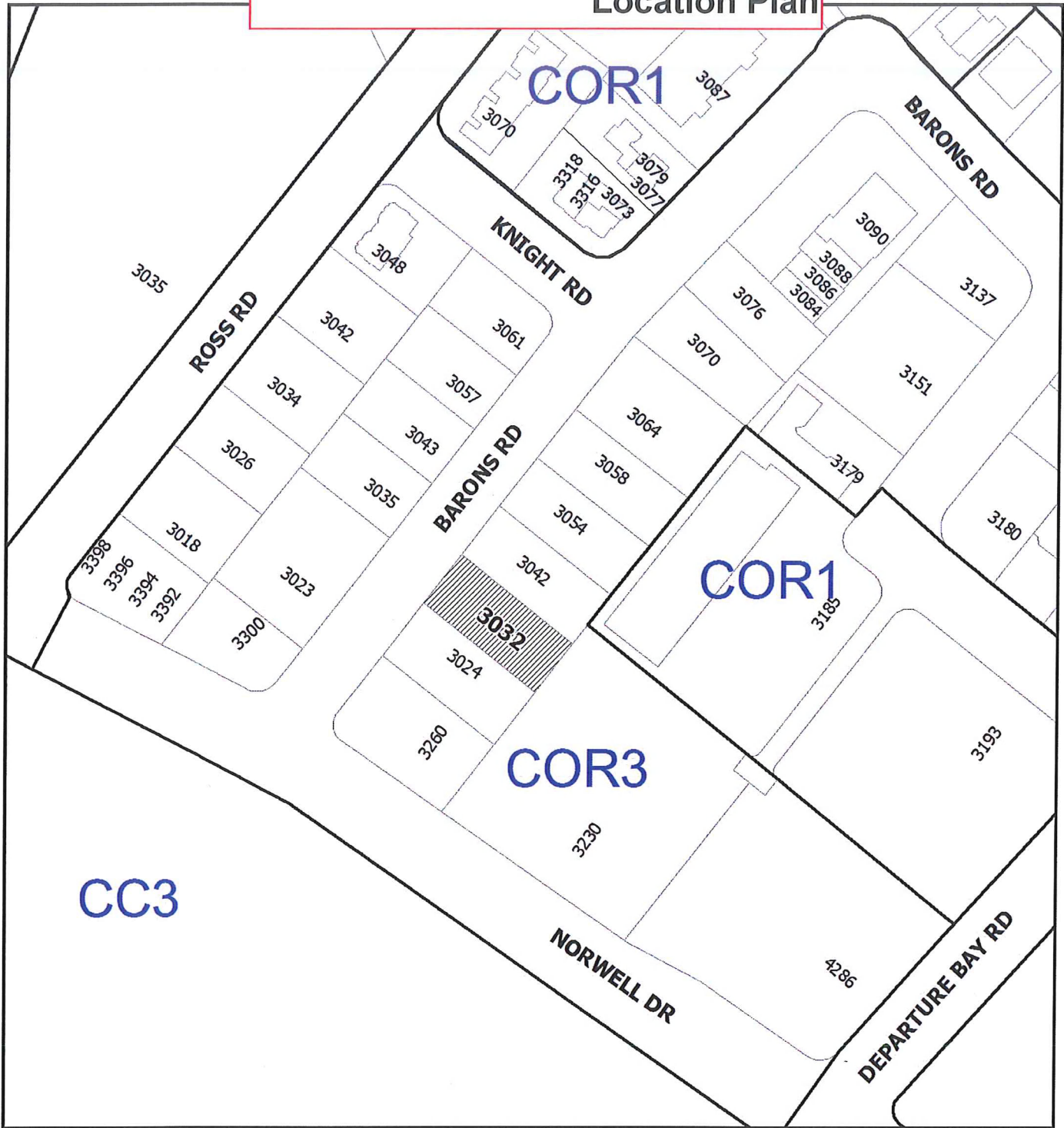
Corporate Officer

Date

DS/In

Prospero attachment: DVP00296

Location Plan



CC3

COR3

COR1

COR1

DEVELOPMENT VARIANCE PERMIT NO. DVP00296



LOCATION PLAN

Civic: 3032 Barons Road
Lot 3, Section 5,
Wellington District, Plan 29823

 **Subject Property**

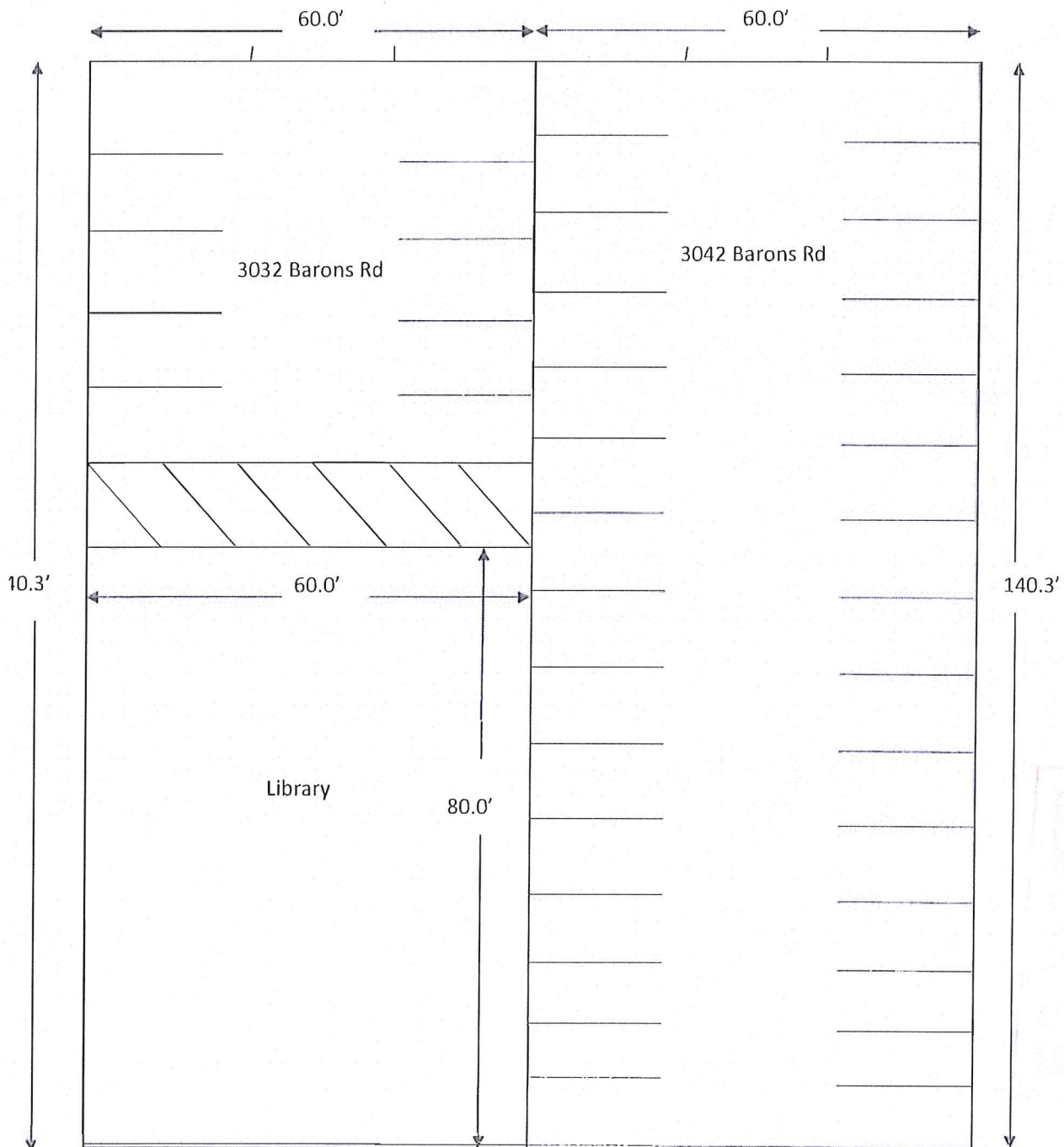
Site Plan

3032 Barons Rd

- Number of parking spaces required = 22
- Number of parking spaces provided = 10
- Variance Requested = 12 spaces

3042 Barons Rd

- Number of parking spaces provided = 30
- A covenant will be placed on 3042 Barons Rd tying 12 of the 30 parking spaces to 3032 Barons Rd to satisfy requirement for the karate school.



Development Variance Permit DVP00296
3032 Barons Road

Schedule C

Conditions of Permit

DEVELOPMENT VARIANCE PERMIT CONDITIONS

DVP00296 - 3032 Barons Road

1. Prior to the issuance of development variance permit, the applicant shall enter into a covenant with the City of Nanaimo in order to require at least 12 parking spaces on the property located at 3042 Barons Road to be available exclusively for the use of patrons of the commercial school located at 3032 Barons Road.

ATTACHMENT B

Variance Rationale Letter

3032 & 3042 Barons Rd, Nanaimo, BC

To whom it may concern,

Shima Karate School has been in Nanaimo for 28 years now, we have taught thousands of students, helping create strong confident citizens.

We have been renting for all of the 28 years, but now have the opportunity to purchase the library on Barons rd.

The library has been operating for many years in that location and has been using the adjacent lot for extra parking for all of these years; we are simply asking to continue something that has been happening for many years already.

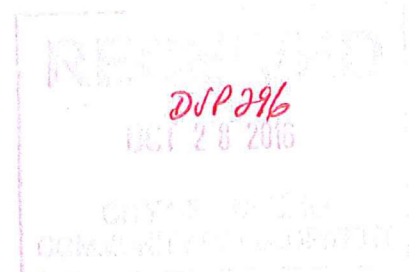
The building has been approved by both the building department and the fire department for the use of Shima Karate School; the last thing is approval of the variance by the city to continue using the lot for additional parking.

We are asking permission to reduce the parking from the required amount on 3032 Barons to what is located on the library site. We will create a covenant that will tie the two properties together for parking purposes.

We will be purchasing both properties so doing this will be easy.

Thank you

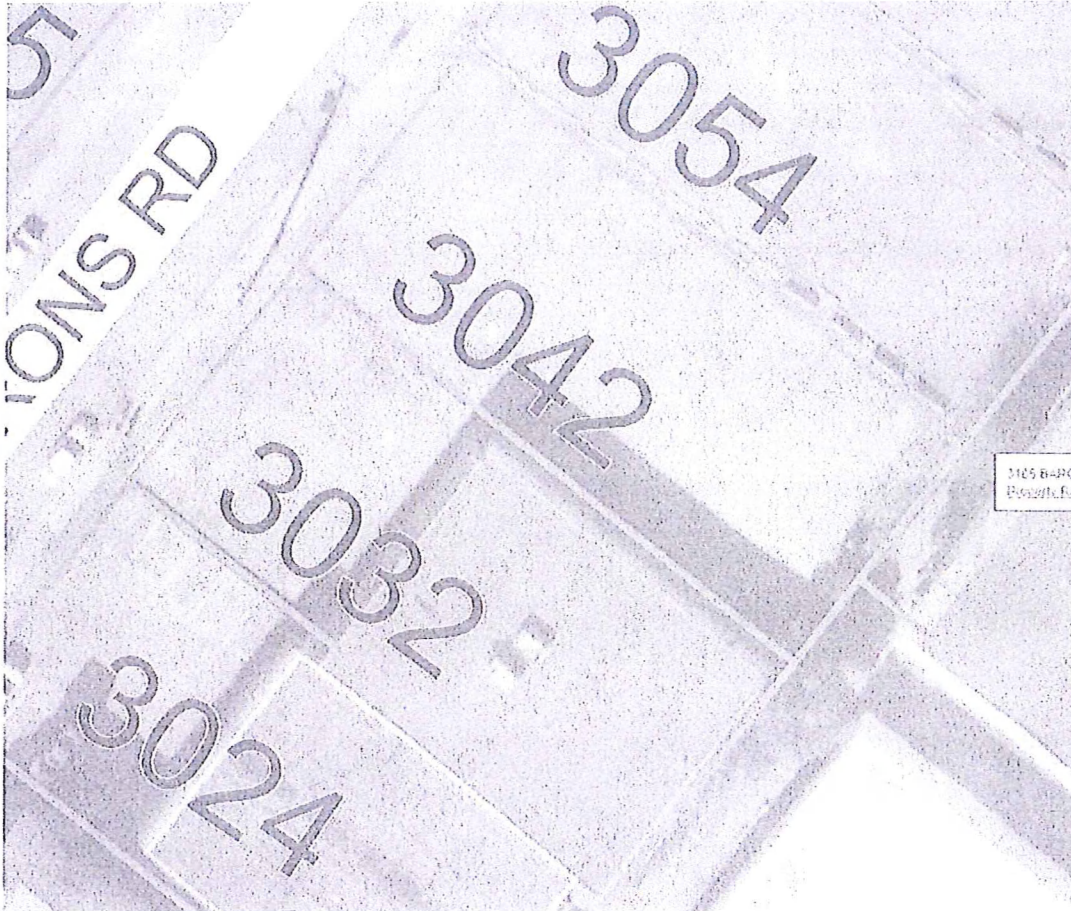
Kurt Nordli



Information

3032 & 3042 Barons Rd, Nanaimo

Lot 3, Section 5, Wellington District, Plan 29823 and Lot 4, Section 5, Wellington District, Plan 29823



- Required parking for 3032 Barons Rd for Shima Karate School to operate is base on 1 space per 215 Sq/ft of gross floor area. The building is 4800 sq/ft so required is 22 parking spots,
- 3032 Barons has 10 parking spots, including 1 handicap spot,
- 3042 Barons Rd has 30 available spots
- We are asking to put a covenant on 3042 Barons Rd tying 12 of the 30 spots to 3032 Barons for the use of the karate school



ATTACHMENT C

Aerial Photo



DEVELOPMENT VARIANCE PERMIT NO. DVP00296

