

DATE OF MEETING June 13, 2016

AUTHORED BY BRIAN ZUREK, SUBDIVISION PLANNER, ENGINEERING AND SUBDIVISION

SUBJECT DEVELOPMENT VARIANCE PERMIT NO. DVP288 – 2560 BOWEN ROAD AND 1900 LABIEUX ROAD

OVERVIEW

Purpose of Report

To present Council with a development variance permit application to exempt the construction of frontage works and services as part of the lot consolidation of 2560 Bowen Road and 1900 Labieux Road.

Recommendation

That Council issue Development Variance Permit No. DVP288 at 2560 Bowen Road and 1900 Labieux Road.

BACKGROUND

Council is being asked to approve DVP288 (Attachment A), to vary the provision of the City of Nanaimo "Subdivision Control Bylaw 1989 No. 3260" to exempt the City from constructing frontage works and services triggered by the subdivision of the City-owned lands adjacent to the Madill property from the larger City-owned parcel at 2020 Labieux Road.

The variance is being requested to facilitate the lot consolidation of the City-owned lands (Attachment B) around the former Madill site with the larger parent parcel owned by Bowen Road Developments Ltd. (Attachment C).

DISCUSSION

The City of Nanaimo has an Offer to Purchase Agreement which transfers approximately 1.02ha (2.53 acres) of City land to Bowen Road Developments Ltd. (2560 Bowen Road). The City land will be consolidated with 2560 Bowen Road to provide an opportunity to redevelop the property for auto service/sale, commercial retail ventures; and will include a residential development. The subsequent development will require amendments to the Official Community Plan, rezoning, subdivision, and construction of works and services. A comprehensive development plan will be presented to Council at a future date.

The sale of the City lands requires the land to be subdivided from a larger parcel of City-owned land that includes Fire Hall No. 2, the Public Works Yard, St. John Ambulance and Haven House Society. The proposed subdivision of the City land triggers frontage works and services under the Subdivision Control Bylaw, which would require road and sidewalk construction totaling 825m along Labieux Road and 80m on Dorman Road.

In light of the fact that the land on Labieux and Dorman Roads is owned by the City of Nanaimo, the City is ultimately responsible for constructing the works and services.

Regular Council Meeting

The section fronting the Madill lands will have its works and services completed by the developer at the time of redevelopment.

SUMMARY POINTS

- Staff is requesting that the City of Nanaimo “Subdivision Control Bylaw 1989 No. 3260” be varied to exempt the City from the construction of frontage works and services.
- The variance will enable the lot consolidation of the City-owned lands with a larger parent parcel owned by Bowen Road Developments Ltd.
- The consolidated parcel is subject to a larger redevelopment plan that will require further approvals from the City. The frontage works and services will be secured at that time.

ATTACHMENTS

ATTACHMENT A: Development Variance Permit DVP00288

ATTACHMENT B: City Owned Lands

ATTACHMENT C: Consolidated Lot

Submitted by:



B. Anderson
Manager, Planning and Design

Concurrence by:



D. Lindsay
Director, Community Development

ATTACHMENT A



DEVELOPMENT VARIANCE PERMIT NO. DVP00288

CITY OF NANAIMO
Name of Owner(s) of Land (Permittee)

**Civic Address: 2560 BOWEN ROAD and
1900 LABIEUX 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 A, SECTIONS 148, 19 AND 20, RANGE 7, MOUNTAIN DISTRICT,
PLAN 2299, EXCEPT THOSE PARTS IN PLAN 16078, 27441, VIP58294
AND VIP62569
PID NO. 003-192-121**

**LOT B, SECTION 20, RANGES 6 AND 7, MOUNTAIN DISTRICT, PLAN
43870
PID NO. 004-501-934**

3. The City of Nanaimo "SUBDIVISION CONTROL BYLAW 1989 NO. 3260" to exempt the City from constructing frontage works and services triggered by the subdivision of the City-owned lands adjacent to the Madill property from the larger City-owned parcel at 2020 Labieux Road.

The variance is being requested to facilitate the lot consolidation of the City-owned lands around the former Madill site with the larger parent parcel owned by Bowen Road Developments Ltd.

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

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.

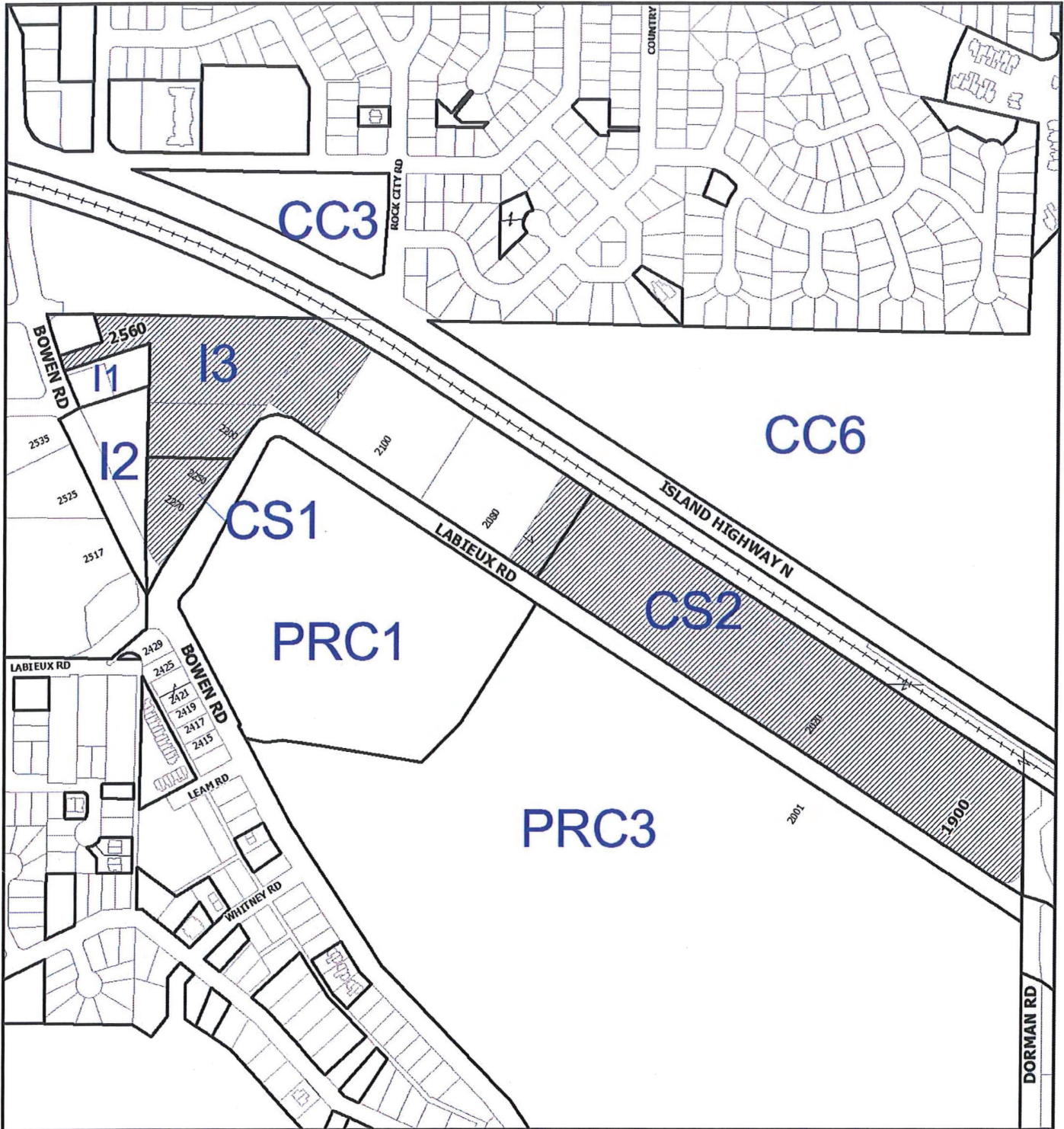
AUTHORIZING RESOLUTION PASSED BY COUNCIL
THE DAY OF , 2016 .

Corporate Officer

Date

Prospero attachment: DVP00288

SCHEDULE A



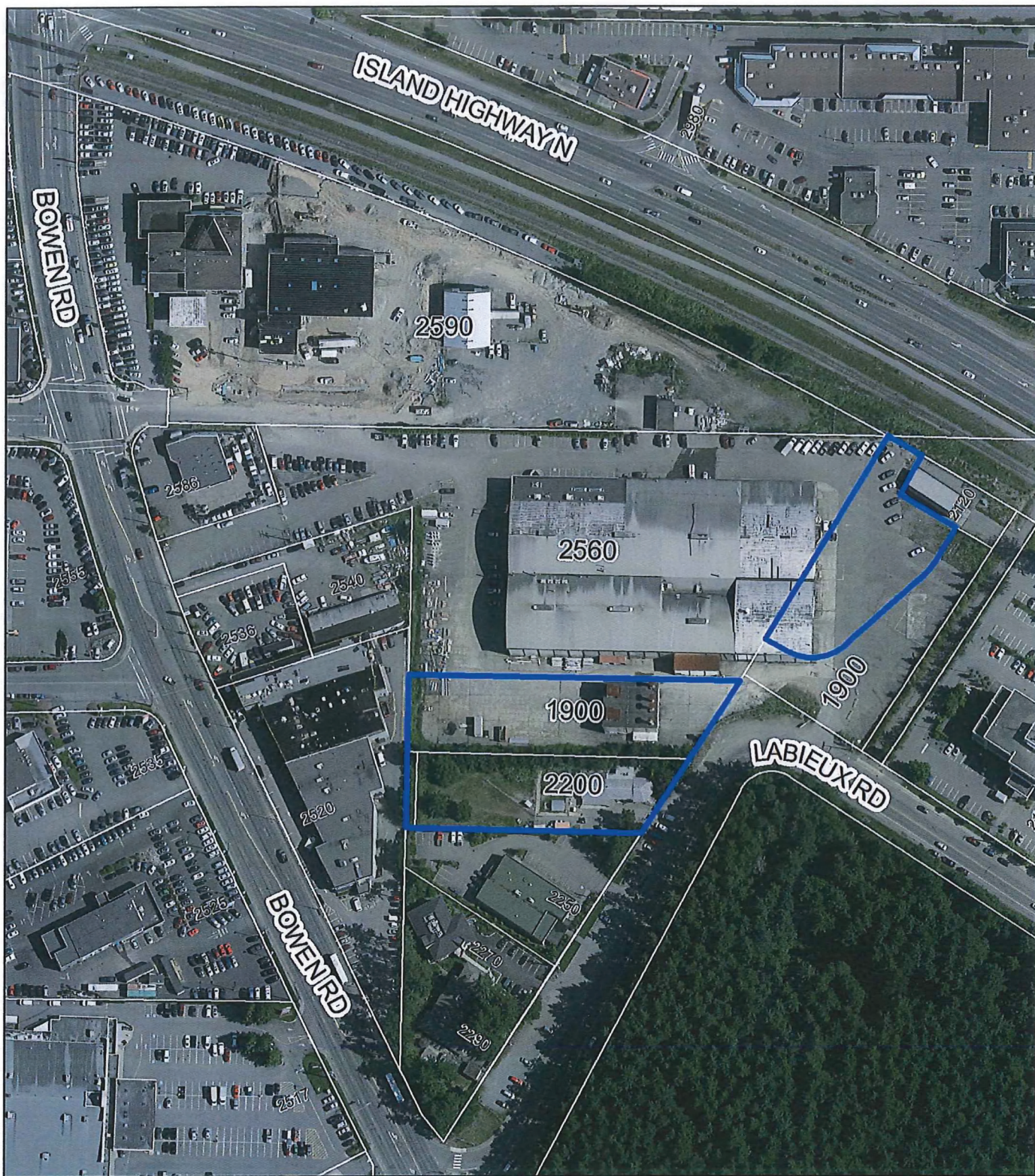
DEVELOPMENT VARIANCE PERMIT NO. DVP00288

LOCATION PLAN

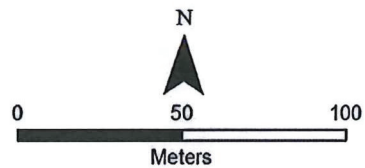
Civic: 2560 Bowen Road and 1900 Labieux Road

 **Subject Properties**

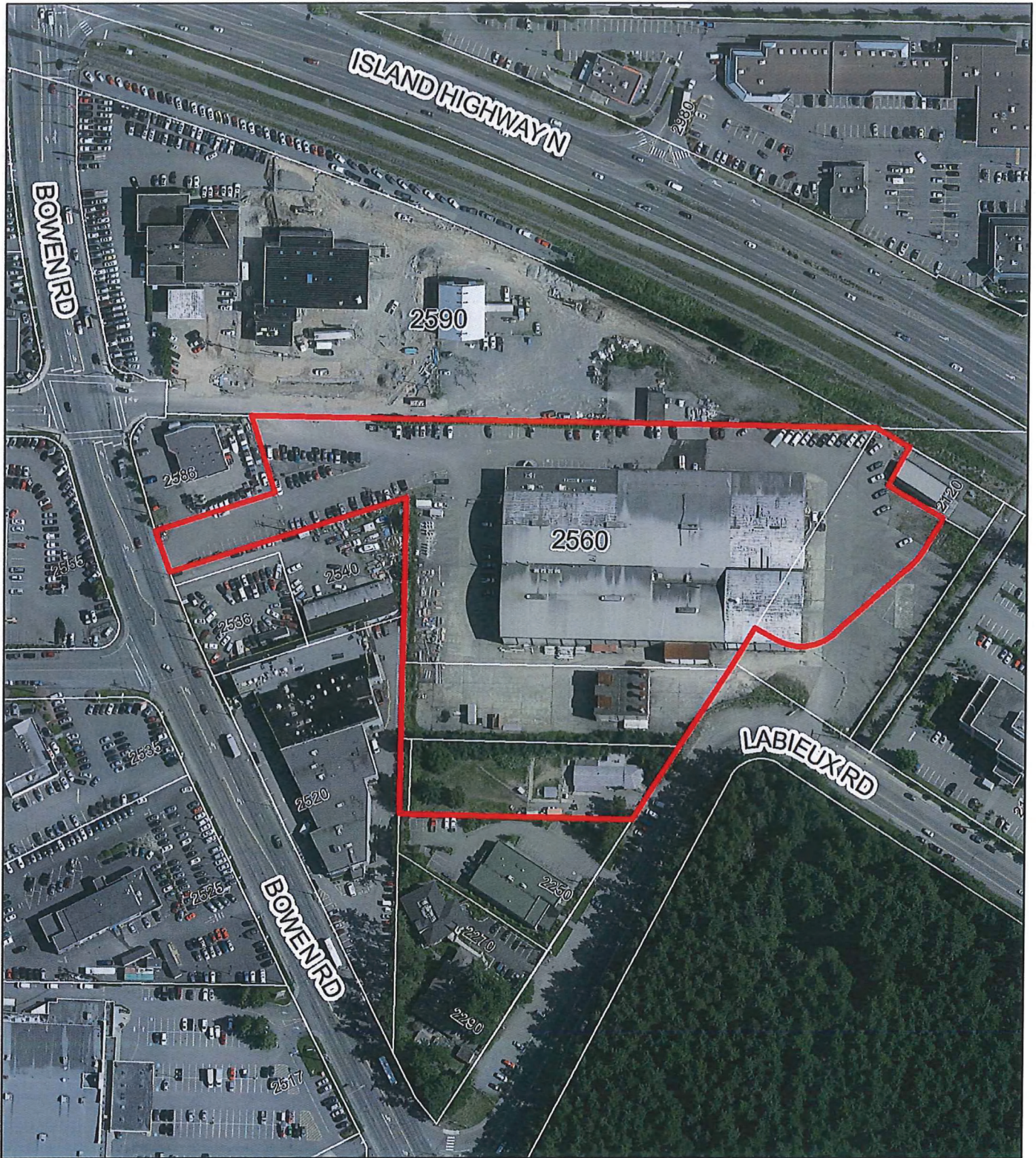
ATTACHMENT B



City Lands - 1900 and 2200 Labieux Road Total Area = 1.02 ha (2.53 acres)



ATTACHMENT C



 Consolidation Parcel - 2560 Bowen Road Total Area = 2.97 ha (7.3 acres)

