

DATE OF MEETING [January 13, 2020]

AUTHORED BY [GEPKE STEVENSON, PLANNER]

**SUBJECT [DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP397 – 3945 BIGGS ROAD]**

## OVERVIEW

### **Purpose of Report**

To present for Council’s consideration, a development variance permit application to waive the frontage works and services requirements for the planned redevelopment of the Nanaimo Correctional Centre at 3945 Biggs Road. ]

### **Recommendation**

That Council issue Development Variance Permit No. DVP397 at 3945 Biggs Road to vary “Building Bylaw 2016 No. 7224”, subject to the terms and conditions specified in Attachment A of the report..]

## BACKGROUND

A development variance permit application, DVP397, was received from HDR Architectural Associates Inc. requesting to vary the provisions of City of Nanaimo “Building Bylaw 2016 No. 7224” (the “Building Bylaw”). The applicant requests the requirement for frontage works and services, triggered by the future redevelopment of the Nanaimo Correctional Centre located at 3945 Biggs Road, be waived.

The Province of British Columbia is planning to redevelop the existing correctional centre by constructing new buildings to replace the existing outdated buildings, which will then be demolished. The redevelopment will trigger provision of frontage works and services on both sides of Biggs Road and on the south side of Dunster Road.

### **Subject Property & Site Context**

<i>Zoning</i>	CS2 – Community Service Two AR1 – Rural Resource
<i>Location</i>	The subject property is located in northwest Nanaimo and is bounded by Dunster Road on the north, Nanaimo Parkway on the east, Biggs Road and AR1-zoned land on the south, and Brannen Lake and the city boundary on the west.
<i>Total Area</i>	Approximately 47 ha
<i>Official Community Plan (OCP)</i>	Map 1 – Future Land Use Plan – Parks and Open Space

The existing correctional centre is located in the southwest quadrant of the site. The remainder of the site is comprised of two large forested areas and an open field. The site is adjacent to

Brannen Lake on the west; to the north is an established low-density residential area; across the Nanaimo Parkway to the east are forested park and industrial areas; and to the south is a mobile home park and agricultural lands.

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

## **DISCUSSION**

### **Proposed Variance**

Due to the size and configuration of the lot, the road frontages are extensive. Approximately 1.5km of frontage would require works and services. The applicant has identified the works and services requirements as cost-prohibitive to the project and requests a variance to waive the requirement for frontage works and services. In support of the request, the applicant proposes to provide pedestrian improvements along a portion of Dunster Road, along Nanaimo Parkway from Dunster Road to Biggs Road, and along Biggs Road to the Millstone River crossing. The proposed pedestrian improvements are described in a letter from the applicant (Attachment C) and shown in a drawing (Attachment D). Final construction details and trail alignments would be determined through Engineering Design review.

The future reconstruction of the correctional centre complex would take place in the same general vicinity as the existing complex of buildings, after which the existing buildings would be demolished. The new complex would be similar in size and function to the existing complex and traffic volumes are not expected to change significantly.

Staff consider the required frontage works and services to be in excess of what future traffic volumes for the development would demand. The site is adjacent to the City boundary and roadways outside the boundary are constructed to Ministry of Transportation and Infrastructure rural standards. The proposed pedestrian improvements would complete the existing sidewalk on the north side of Dunster Road and provide trail connections along Nanaimo Parkway and Biggs Road that would deliver local and community wide benefit.

Staff support the requested variance. |

### **SUMMARY POINTS**

- Development Variance Permit Application No. DVP397 proposes to vary the Building Bylaw to waive the requirement to construct frontage works and services adjacent to 3945 Biggs Road.
- The applicant proposes to provide pedestrian improvements along Dunster Road, Nanaimo Parkway, and Biggs Road.
- Staff support the proposed variance.

## **ATTACHMENTS**

ATTACHMENT A: Permit Terms and Conditions  
ATTACHMENT B: Location Plan  
ATTACHMENT C: Letter from HDR Architectural Associates Inc.  
ATTACHMENT D: Drawing SK1 by Herold Engineering  
ATTACHMENT E: Aerial Photo

### **Submitted by:**

Lainya Rowett  
Manager, Current Planning

### **Concurrence by:**

Jeremy Holm  
Director, Development Approvals

Dale Lindsay  
General Manager, Development Services

# ATTACHMENT A

## PERMIT TERMS AND CONDITIONS

### TERMS OF PERMIT

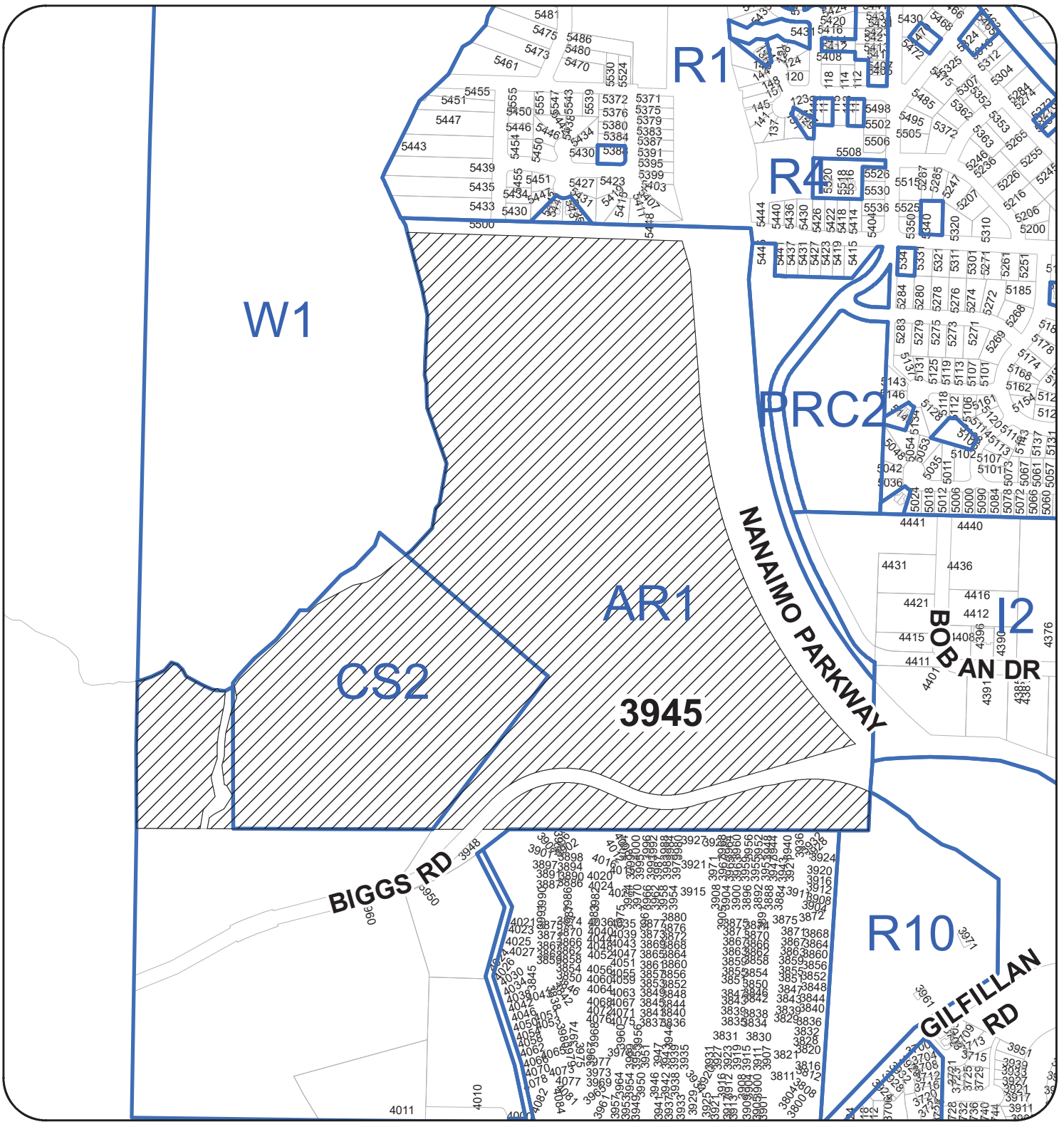
“Building Bylaw 2016 No. 7724” is varied as follows:

1. *Section 24.1.1. Highways, subsection 24.1.1.1* – waived.
2. *Section 24.1.2 Sidewalks (Concrete), subsection 24.1.2.1* – waived.
3. *Section 24.1.4 Boulevards* – waived.
4. *Section 24.1.5 Ornamental Lighting* – waived.

### CONDITIONS OF PERMIT

1. Off-site pedestrian improvements shall be constructed on Dunster Road in accordance with item 1.1.3 in the letter from HDR Architectural Associates received 2019-OCT-29, as shown in Attachment C, and in general accordance with the drawing SK-1 by Herold Engineering received 2019-OCT-29, as shown in Attachment D.
2. Off-site pedestrian improvements shall be constructed from Dunster Road to Biggs Road and along Biggs Road to the Millstone River crossing in accordance with item 1.1.4 and item 1.1.5 in the letter from HDR Architectural Associates received 2019-OCT-29, as shown in Attachment C, and in general accordance with the drawing SK-1 by Herold Engineering received 2019-OCT-29, as shown in Attachment D.

**ATTACHMENT B  
LOCATION PLAN**



**DEVELOPMENT VARIANCE PERMIT NO. DVP000397**

**LOCATION PLAN**

CIVIC: 3945 BIGGS ROAD

LEGAL: LOT 1, DISTRICT LOT 22G, WELLINGTON DISTRICT, PLAN VIP73819



SUBJECT PROPERTY



29 October 2019  
City of Nanaimo  
455 Wallace Street  
Nanaimo BC V9R 5J6

Atten: Mr. Bill Corsan MCIP RPP - Director, Community Development

**Re: Nanaimo Correctional Centre – Off-Site Improvements – Development Variance Permit**

Pursuant to our discussions over the past few months and on behalf of the Provincial Government implementation team, attached is our application for a Development Variance Permit. The following text, extracted from the Statement of Requirements being used by bidders for tender purposes, is intended to confirm the full scope of off-site works required as a result of implementing the above referenced project.

**Division 32 - Offsite Improvements**

- 1.1.1 Exterior Improvements (Division 33)
- 1.1.2 The Design Builder will comply with and construct all off-site improvements as required by the City of Nanaimo. Refer to the aerial diagram in conjunction with the Nanaimo Trail Implementation Plan - May 2007 as provided in the Data Room.
- 1.1.3 Works and services along Dunster Road will include the completion of the sidewalk on the north side of Dunster Road, from Mildmay Road east to the existing sidewalk with a stormwater management system. The design and construction will be in accordance with City of Nanaimo Manual of Engineering Standard Specifications and include a non-mountable concrete curb, 1.5 m concrete sidewalk, pedestrian sidewalk ramp at the intersection, catch basins connected to the existing storm sewer, drainage behind the sidewalk, hydro pole relocation, asphalt patch, and all work incidental to the installation of the new sidewalk;
- 1.1.4 Construct a multi-use trail from Dunster Road to Biggs Road utilizing standards for an Urban Hard Surface Trail as described in the Nanaimo Trail Implementation Plan - May 2007; and
- 1.1.5 Construct a multi-use trail along the frontage of the property along Biggs Road to the Millstone River Crossing utilizing standards for an Urban Hard Surface Trail as described in the Nanaimo Trail Implementation Plan - May 2007.

We trust the above to adequately summarized the scope of work required. Also attached as part of this application is a plan illustrating the extent of the trail network to be constructed.

RECEIVED  
DVP397  
2019-OCT-29  
Current Planning

We appreciate that this is the start of an internal review process intended to culminate in a final evaluation by Council for approval purposes. To this end, we look forward to assisting your efforts in compiling and completing any required supporting documentation.

We trust that if anything additional to the information contained within this application is required by our team, notification will be given to allow for our response.

Having a new trail network for Nanaimo residents as a part of the new correctional centre development is part of the legacy we look forward to making happen.

Yours truly

**HDR Architectural Associates Inc.**



Richard Bolus Architect AIBC RAIC LEEDap  
*NCC Government Implementation Team Member*

*Attach:*

- a) Development Variance Permit Application form*
- b) Appointment of Agent form*

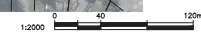
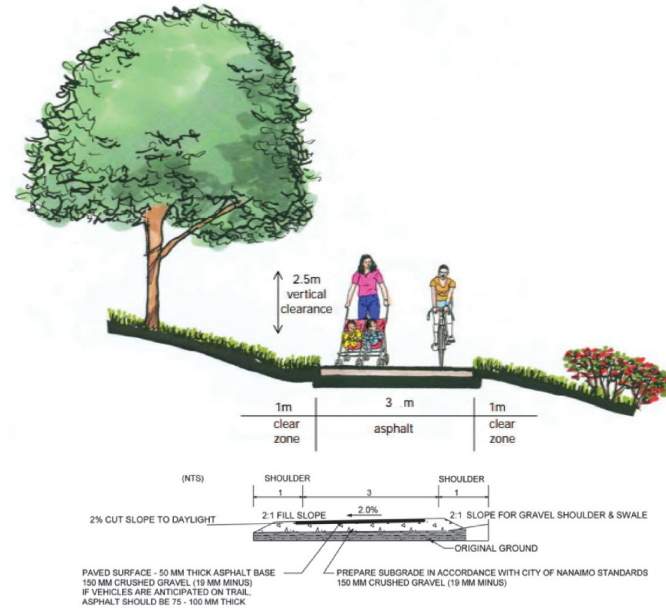
hdrinc.com

Suite 500 – 1500 West Georgia Street, Vancouver, BC V6B 4M3  
T (604) 687-1898 F (604) 682-5898

# ATTACHMENT D DRAWING SK1 BY HEROLD ENGINEERING



PROPOSED 3.0m TRAILWAY PLAN  
SCALE 1:2000



ISSUES	
No.	DATE ISSUED FOR

CLIENT

NANAIMO CORRECTIONAL CENTRE  
 PROPOSED TRAILWAY  
 NANAIMO, BC  
 NANAIMO CORRECTIONAL CENTRE

**HEROLD ENGINEERING**  
 3701 Shenton Rd, Nanaimo, BC V9T 2H1  
 Tel: 250-751-8558 Fax: 250-751-8559  
 Email: info@heroldengineering.com

PROPOSED TRAILWAY:  
 PLAN &  
 TYPICAL SECTION

DESIGNED GPH	ENGINEER'S SEAL
DESIGN REVIEW	
DRAFTED EGAP	
DRAFTING REVIEW	
PROJECT No. 1469-030	CLIENT DRAWING No. SK-1
SCALE 1:2000	PERMIT No.
REL. DRAWING No. SK-1	REVISION 1 of 1

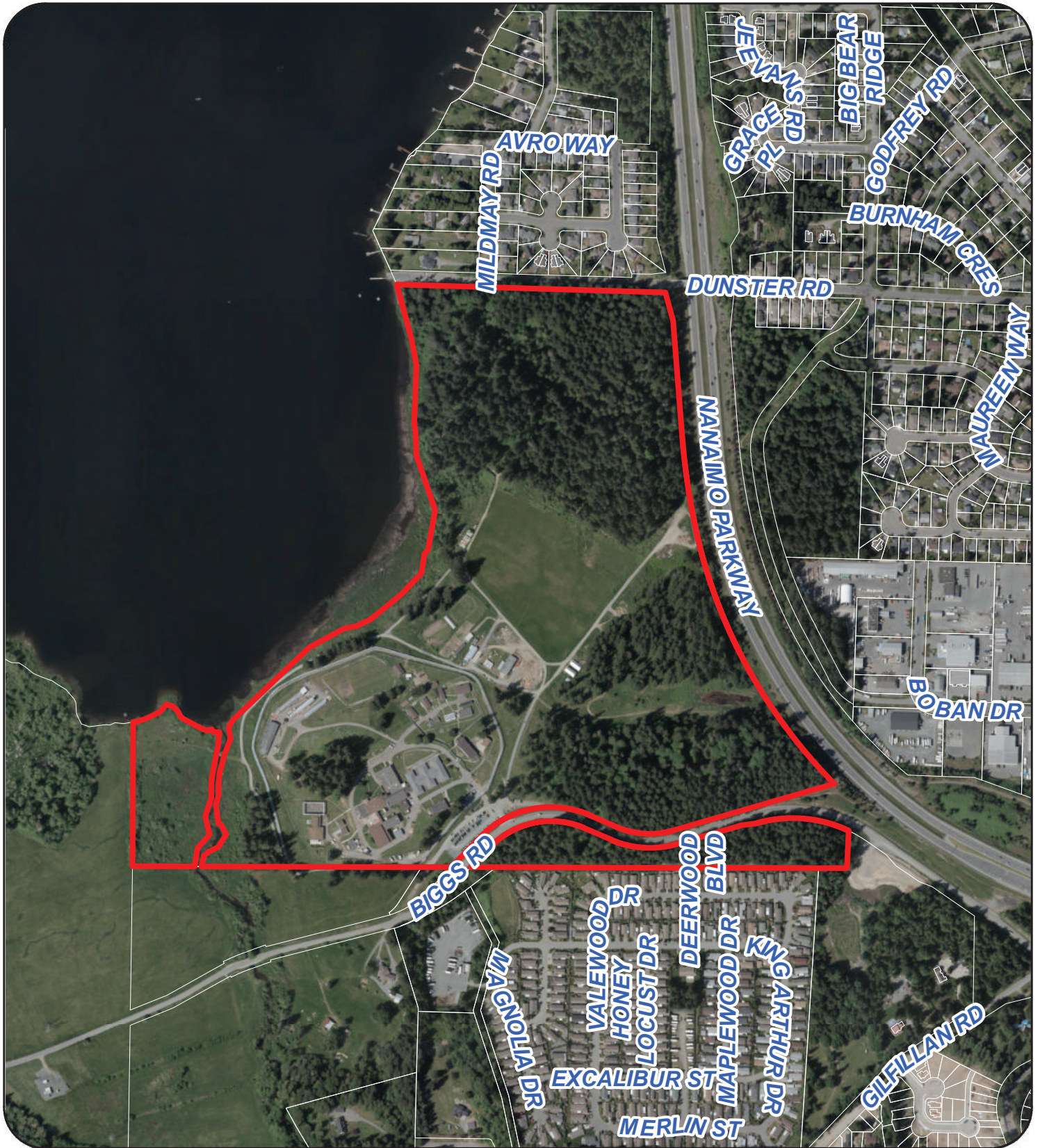
**RECEIVED**  
**DVP397**  
**2019-OCT-29**  
 Current Planning

DESTROY ALL DRAWINGS SHOWING PREVIOUS REVISION

File: N:\Projects\1469-030\_Nanaimo Correctional Centre Civil\1469-030\_Drawing\1469-030\_Drawing\_Plot\_Trimmer\_Aug\_26\_19\_2:35 PM User: Evan\_Pepper



ATTACHMENT E  
AERIAL PHOTO



DEVELOPMENT VARIANCE PERMIT NO. DVP000397



 3945 BIGGS ROAD