

City of Nanaimo

REPORT TO COUNCIL

DATE OF MEETING: 2012-MAY-14

AUTHORED BY: D. STEWART, PLANNER, CURRENT PLANNING

RE: REZONING APPLICATION NO. RA292 – 2375 HAYES ROAD

STAFF'S RECOMMENDATION:

That Council:

1. receive the report pertaining to "ZONING AMENDMENT BYLAW 2012 NO. 4500.020"; which is presented under the Bylaws section of the agenda; and
2. direct the applicant to remove the non-conforming rooftop sign prior to adoption of the zoning amendment bylaw.

PURPOSE:

The purpose of this report is to provide Council with background information regarding a new rezoning application and associated Zoning Bylaw No. 4500 amendment, which is being considered for First and Second Readings this evening.

SUMMARY:

The City of Nanaimo has received an application from Maureen Pilcher and Associates Inc., on behalf of 0930602 BC Ltd. (Mr. Paul Shorting), to rezone the subject property from Highway Industrial (I1) to Light Industrial (I2) to permit a recycling depot.

planNANAIMO ADVISORY COMMITTEE (PNAC):

At its meeting of 2012-APR-17, PNAC recommended that Council approve the application.

BACKGROUND:

Subject Property and Surrounding Area

The subject property is located within the existing industrial park between Divers Lake to the west and Bowen Road to the east. The subject property is approximately 5,903m² (1.5 acres) in area and was formally used as an automobile dealership and body shop for Wheaton Pontiac Buick. The property fronts on Kenworth Road to the south and abuts Hayes Road to the east and north of the property. As a low volume cul-de-sac, Hayes Road can provide heavy truck access to the site without having an effect on traffic flow or safety.

An existing recycling depot, Nanaimo Recycling Exchange (NRE), is located immediately south of the subject property on the other side of Kenworth Road.

NRE is currently located at 2477 Kenworth Road. NRE has submitted a development permit and rezoning application in order to relocate to the neighbouring property at 2491 Kenworth Road. To the north of the subject property, across the Island Highway, is Country Club Shopping Centre.

Official Community Plan

The property falls within the Light Industrial designation on Map '1' of the Official Community Plan (OCP). The Light Industrial designation encourages a mix of technology, research and development, and warehousing and distribution uses. Permitted in the Light Industrial designation are uses which:

- generate limited shopping and retail traffic;
- require large enclosed display and storage areas;
- have a public retail sales area for products manufactured or assembled on site;
- require access to major roads for supply and distribution;
- are not a shopping destination or a primary retail use;
- are not compatible with residential uses;
- do not require large customer parking lots and areas; and
- do not include use of hazardous materials or hazardous waste generation or storage.

Staff is of the opinion that while the proposed recycling depot will generate higher traffic volumes than found in typical industrial uses, it is consistent with the direction provided for uses within the Light Industrial designation of the OCP.

Proposed Development

The applicant proposes to rezone the subject property from Highway Industrial (I1) to Light Industrial (I2) in order to permit a recycling depot use. The applicant plans to convert the existing building to a recycling depot for the collection of bottles, cans, household appliances, electronics and scrap metal; all materials will be stored within the building.

The current zoning of the property allows for a 'refund container recycling depot' but the applicant wishes to rezone in order to operate as a 'recycling depot' which allows for the storage of a wider variety of recycled products on site, including scrap metal. A refund container recycling depot is defined within Zoning Bylaw No. 4500 as the following:

REFUND CONTAINER RECYCLING DEPOT - means a collection facility and distribution point for bottles, cans, and other refundable containers to be reused or recycled within a building, but does not include processing except packaging for shipping and does not include outside storage. (Emphasis added.)

A recycling depot is defined as:

RECYCLING DEPOT - means a collection facility and distribution point for material to be recycled and stored within a building, but does not include processing except assembling or packaging for shipping. A recycling depot shall not be construed to include an automobile wrecking yard, a display yard, or a junk yard. (Emphasis added.)

While a refund container recycling depot is limited in its collection to bottles, cans and other refundable containers, by rezoning to a recycling depot the applicants business can then take a wider variety of material to be recycled. The proposed site plan is attached (Attachment 'B').

Future Works and Services

Generally, for rezoning of industrial lands in urban areas the installation of a sidewalk is sought as part of the frontage works and services triggered by the Building Bylaw. As the proposed business intends to use the existing building, no sidewalk construction will be required at this time.

Rooftop Signage

The existing rooftop sign above the building does not comply with current City of Nanaimo signage bylaw standards and is considered a non-conforming sign. The City's "SIGN BYLAW 1987 NO. 2850" does not permit a sign or portion thereof (including support structures) that extends or projects above the roof line of a building. Typically through a rezoning application the City of Nanaimo seeks to bring existing structures and signs into compliance with current bylaws wherever possible; as such, in order to bring the existing signage on the property into compliance, Staff has requested the rooftop sign be removed as a condition of rezoning.

The applicant feels the sign is important to the success of the business and has elected to seek Council support of the rezoning application without requiring the removal of the sign. Staff recommends the sign be removed prior to adoption of the proposed zoning amendment bylaw.

Community Contribution

Given that the application does not include any new building construction and the limited nature of the proposed change from a refund container recycling depot to a recycling depot, no community contribution has been requested. In lieu of a community contribution, Staff recommends the removal of the rooftop sign, as noted above.

Respectfully submitted,

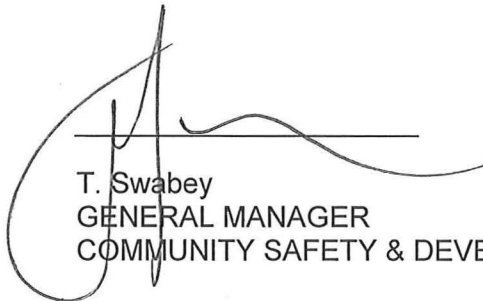


D. Stewart
PLANNER
CURRENT PLANNING

Concurrence by:



A. Tucker
DIRECTOR OF PLANNING
COMMUNITY SAFETY & DEVELOPMENT

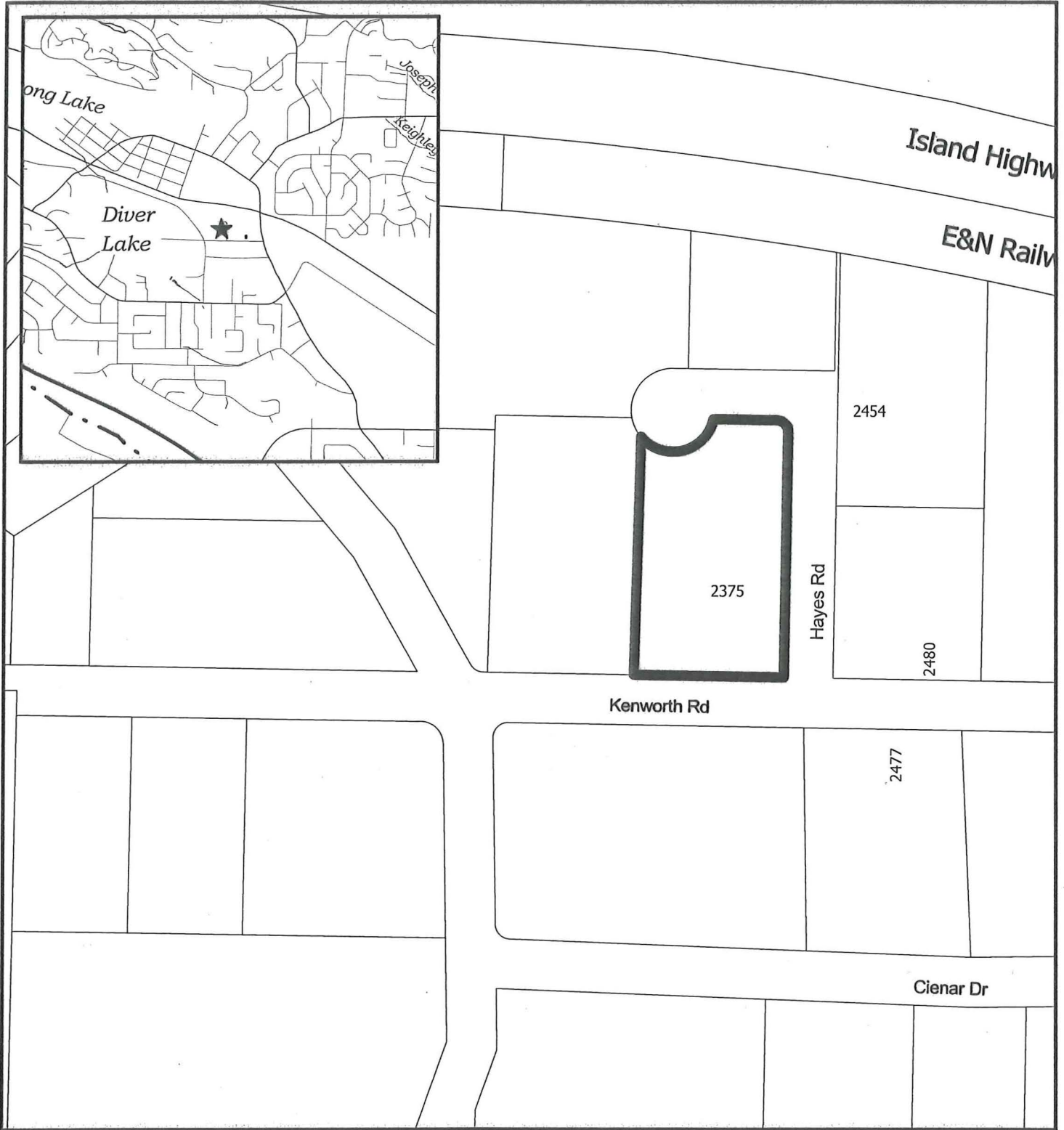


T. Swabey
GENERAL MANAGER
COMMUNITY SAFETY & DEVELOPMENT

CITY MANAGER COMMENT:

I concur with the staff recommendation.

Attachment A



REZONING APPLICATION NO. RA000292

LOCATION PLAN

Civic: 2375 Hayes Road



 **Subject Property**

TRAFFIC/PARKING PLAN

RECEIVED

APR 02 2012
RA292
CITY OF NANAIMO
DEVELOPMENT SERVICES

ENTRANCE

EXIT

SHIPPING
RECEIVING

ENTRANCE

EXIT

26'-0"

OCC

DROP-OFF
(CARDBOARD)

30'-0"

ELECTRONICS
DROPP-OFF

ENTRANCE
(BEVERAGE
CONTAINER
RETURN)

HAYES ROAD

EXIT

33'-0"

27'-0"

KENWORTH ROAD

ENTRANCE

ENTRANCE

