

City of Nanaimo

REPORT TO COUNCIL

DATE OF MEETING: 2013-JULY-08

AUTHORED BY: GARY NOBLE, DEVELOPMENT APPROVAL PLANNER
PLANNING & DESIGN SECTION

RE: DEVELOPMENT VARIANCE PERMIT NO. DVP212 - 4900 WELLINGTON ROAD

STAFF RECOMMENDATION:

That Council direct staff to proceed with the required Statutory Notification for Development Variance Permit No. DVP212 at 4900 Wellington Road.

PURPOSE:

The purpose of this report is to seek Council authorization to vary the provisions of "ZONING BYLAW 2011 NO. 4500", in order to vary the Community Corridor (COR3) zone – Condition of Use, to recognize two existing individual retail uses greater than 500 m². The existing building containing Wholesale Sports Outdoor Outfitters, has a gross floor area (GFA) of 3989 m²; and the Commercial Rental Unit (CRU) in the pad building has a gross floor area (GFA) of 639 m².

BACKGROUND:

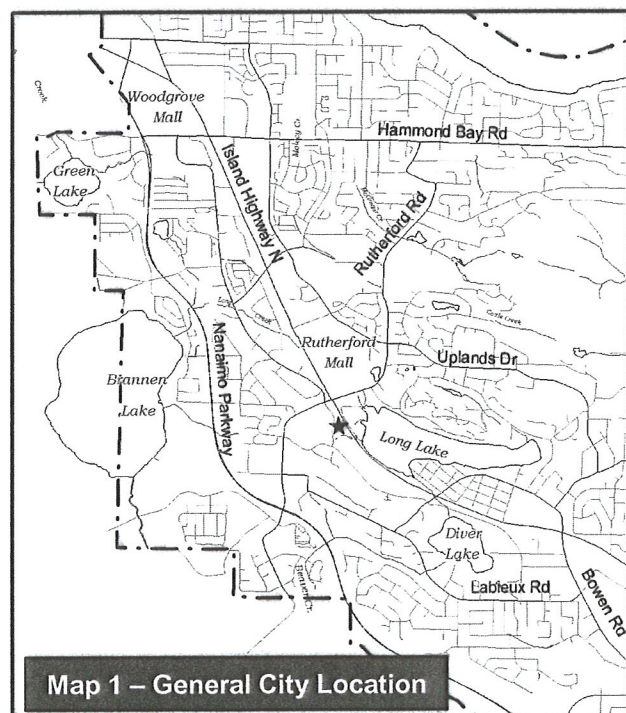
A development variance permit application was received from Maureen Pilcher & Associates Inc, on behalf of Wellington Court Holdings Corp. , to vary the provisions of the City of Nanaimo "ZONING BYLAW 2011 NO. 4500", to recognize two individual retail uses greater than 500 m², within the Community Corridor (COR3) zone.

One of the retail uses is located within a large format building (currently occupied by Wholesale Sports Outdoor Outfitters) and the other retail unit is located in the pad building (previously occupied by Reaction Sports), which is divided into several CRU's.

Notification must take place prior to Council's consideration of the approval of the variance. Staff supports the variance and recommends Council direct staff to proceed with notification.

Subject Property

The subject property, located at 4900 Wellington Road is approximately 1.7 ha (4.2 acres) and contains a commercial centre (See 'Map 1-General City Location' and 'Map 2-Subject Property Location').



Map 1 – General City Location

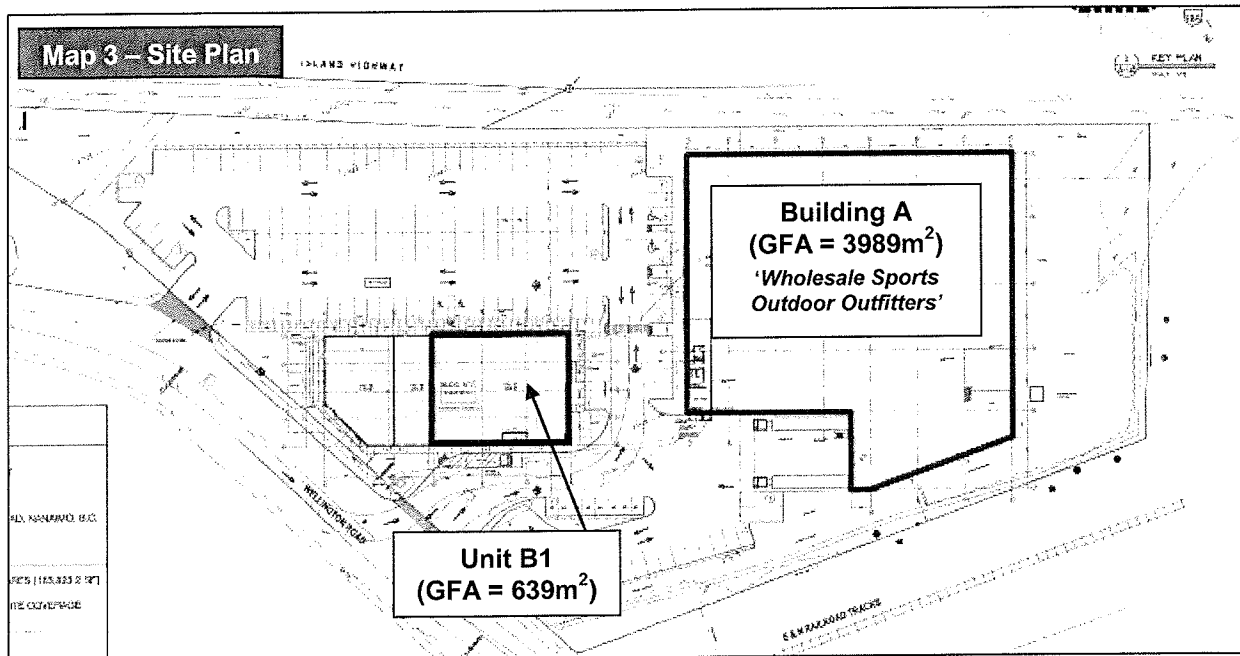
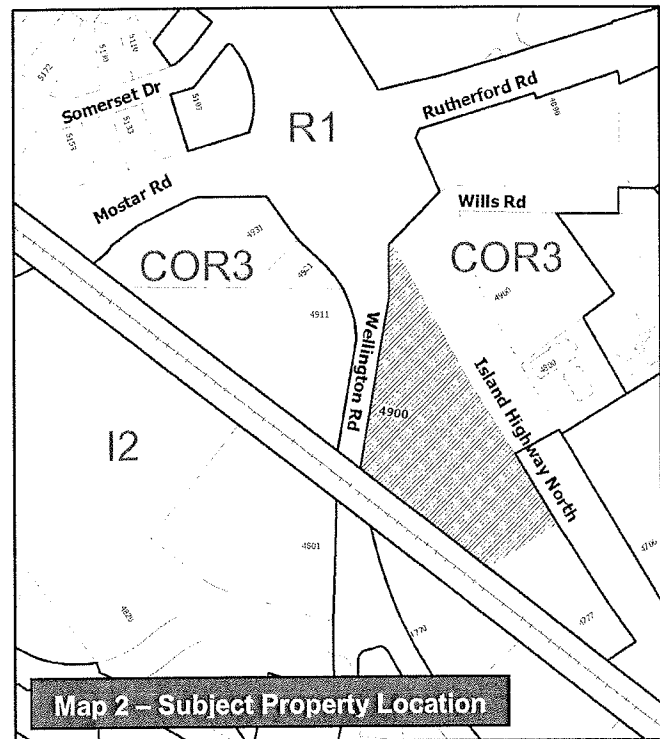
DISCUSSION:

The subject property is currently zoned Community Corridor 3 (COR3). Retail uses are permitted within the COR3 zone; however a 'Condition of Use' requires that an individual retail use shall not exceed 500 m². The applicant has applied to vary the condition of use for two existing retail units on the subject property.

The subject property contains two principle buildings: a large format, single-use, building; and a smaller pad building which is divided into commercial rental units (CRU). The current retailer in the large format building is Wholesale Sports Outdoor Outfitters, which has a gross floor area of 3989 m². The existing pad building is divided into three CRUs, the largest unit (B1) has a gross floor area of 639 m².

Both of the existing buildings were issued Development Permits under the C-13 zone of Zoning Bylaw No.4000, which did not contain a restriction on the size of the retail unit. Therefore, the site was within a different zone with different regulations at the time the Development Permits were issued.

Map 3 shows the existing site plan and location of current retail units.



Required Variance

Section 9.2.1 (COR3 Zone) – Retail 'Conditions of Use' – an individual retail use cannot exceed a gross floor area (GFA) of 500 m². The proposed variances are to recognize two retail units that exceed the GFA limitation:

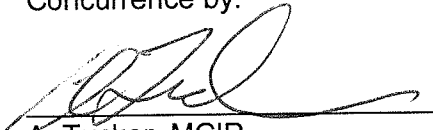
- Building A: to allow a maximum GFA of 3989 m², a variance of 3489 m².
- Unit B1: to allow a maximum GFA of 639 m², a variance of 139 m².

Respectfully submitted,

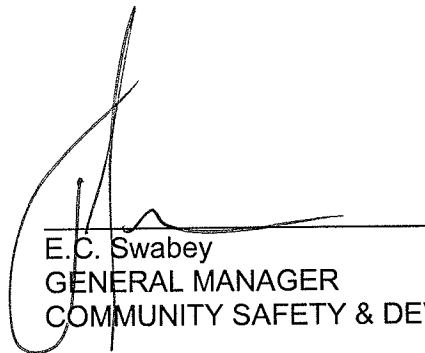


B. Anderson, MCIP
MANAGER
PLANNING & DESIGN SECTION

Concurrence by:



A. Tucker, MCIP
DIRECTOR
PLANNING



E.C. Swabey
GENERAL MANAGER
COMMUNITY SAFETY & DEVELOPMENT

CITY MANAGER COMMENT:

I concur with the staff recommendation.

Drafted: 2013-JUN-26

Prospero attachment: DVP00212

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