

DATE OF MEETING | May 17, 2021 |

AUTHORED BY | MATTHEW REMPEL, PLANNING ASSISTANT, CURRENT PLANNING

SUBJECT | **DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP417 –  
1925 BOWEN ROAD** |

## **OVERVIEW**

### **Purpose of Report**

To present for Council's consideration, a development variance permit application to vary the conditions of use in the COR3 zone to increase the maximum permitted gross floor area for an individual retail use. |

### **Recommendation**

That Council issue Development Variance Permit No. DVP417 at 1925 Bowen Road with the following variance to:

- increase the maximum permitted gross floor area for an individual retail use in the COR3 zone within existing Unit 17 from 750m<sup>2</sup> to 940m<sup>2</sup>. |

## **BACKGROUND**

A development variance permit application, DVP417, was received from Eldorado Development Corp., to vary the provisions of "City of Nanaimo Zoning Bylaw 2011 No. 4500" (the "Zoning Bylaw"), to increase the maximum permitted Gross Floor Area (GFA) for an individual retail use within the COR3 zone to allow a retail store within an existing commercial unit (Unit 17) at 1925 Bowen Road.

### **Subject Property and Site Context**

<i>Zoning</i>	COR3 – Community Corridor
<i>Location</i>	The subject property is located on the west side of Bowen Road between Meredith Road and Dufferin Crescent.
<i>Total Lot Area</i>	2.27 Ha
<i>Official Community Plan Future Land Use Designation</i>	Corridor
<i>Neighbourhood Plan Land Use Designation</i>	n/a

The subject property contains an existing shopping center with a mix of retail and service uses and backs on to the Green Rock Industrial Park to the west and Country Grocer to the south. There is a well-established neighbourhood on the east side of Bowen Road, which is primarily single family residential with some multi-family developments.

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

## **DISCUSSION**

The subject commercial unit (Unit 17) was previously occupied by a flooring store from 1991 to 2019, which was permitted as a Furniture and Appliance Sales use in the COR3 zone without a restriction on floor area. Retail use, however, is restricted to 750m<sup>2</sup> per individual store. The intent of the floor area limit is to promote a pedestrian-friendly scale of development and prevent large-format retailers from operating within the Corridor zones.

### **Proposed Development**

A retail store is proposed to occupy the vacant Unit 17, which is 940m<sup>2</sup> in floor area, and as such, requires a variance to allow the retail use as proposed. The applicant proposes to increase the maximum permitted GFA to allow retail use in the existing unit.

### **Proposed Variance**

#### *Maximum Gross Floor Area*

The applicant proposes to increase the maximum permitted GFA in the COR3 zone for an individual retail use from 750m<sup>2</sup> to 940m<sup>2</sup>, a requested variance of 190m<sup>2</sup>. This would accommodate a potential retail tenant that would require the use of the entire unit.

The layout of the unit was originally constructed to function as a single retail space, and if the unit was occupied by another use in the COR3 zone (e.g., office, commercial school, restaurant, or others), it would not have a restriction on the maximum GFA. While the proposed variance would allow a slightly larger commercial retail space, it would still be in keeping with the scale of the existing shopping centre and would not accommodate a large-format retailer as discouraged within the Corridor zone. In addition, the unit's configuration in the corner of the building would not divide as effectively into smaller commercial retail units.

No negative impact is anticipated and Staff support the proposed variance.

## **SUMMARY POINTS**

- Development Variance Permit No. DVP417 proposes a variance to increase the maximum permitted gross floor area for a retail use from 750m<sup>2</sup> to 940m<sup>2</sup> for an existing unit on the subject property.
- The proposed variance would accommodate a potential retail store in Unit 17.
- Staff support the proposed variance.

## **ATTACHMENTS**

ATTACHMENT A: Permit Terms  
ATTACHMENT B: Context Map  
ATTACHMENT C: Location Plan  
ATTACHMENT D: Site and Floor Plans  
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**

## **TERMS OF PERMIT**

The “City of Nanaimo Bylaw 2011 No. 4500” is varied as follows:

1. *Section 9.2.1 Conditions of Use* – to increase the maximum permitted gross floor area of an individual Retail use within existing Unit 17 from 750m<sup>2</sup> to 940m<sup>2</sup> as show on the Site Plan.

# ATTACHMENT B CONTEXT MAP



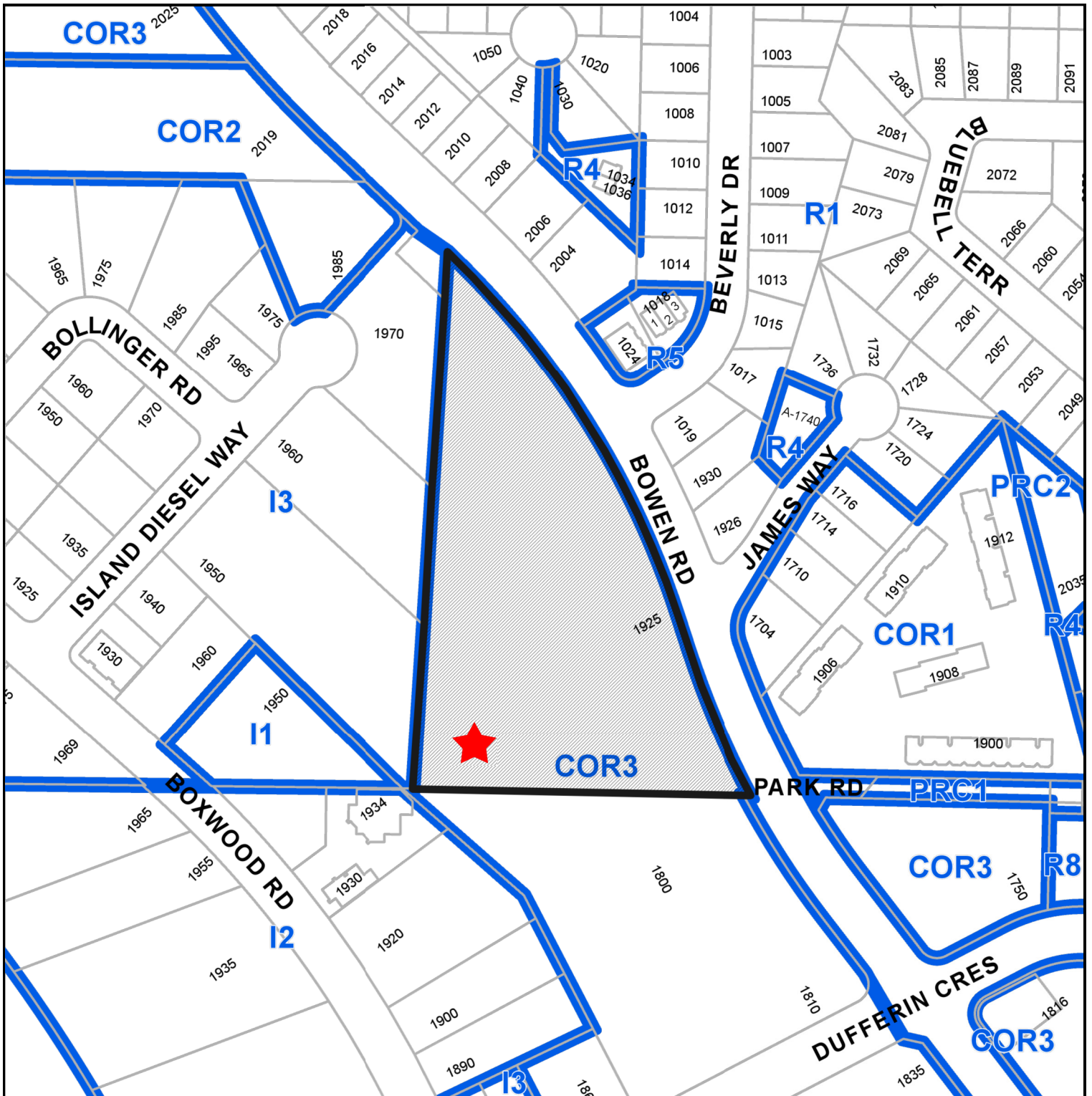
DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP00417

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1925 BOWEN ROAD

# ATTACHMENT C LOCATION PLAN



**DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP00417**

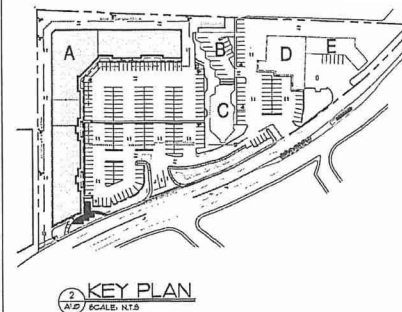


**Subject Property**

CIVIC: 1925 BOWEN ROAD

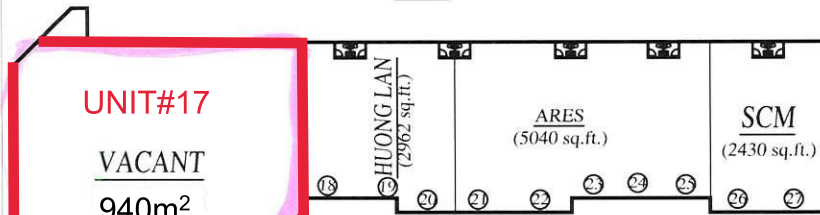
LEGAL: LOT 1, SECTION 16, RANGE 8, MOUNTAIN, PLAN 7045



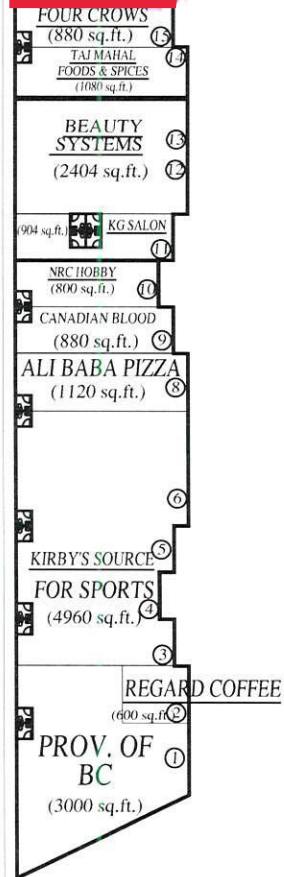


BOUNDARIES SHOWN HEREON ARE DERIVED FROM  
EXISTING RECORDS AND MUST BE CONFIRMED BY  
SURVEY PRIOR TO THE DETERMINATION OF DIMENSIONS  
OR AREAS FOR DEVELOPMENT PURPOSES.

PH 1

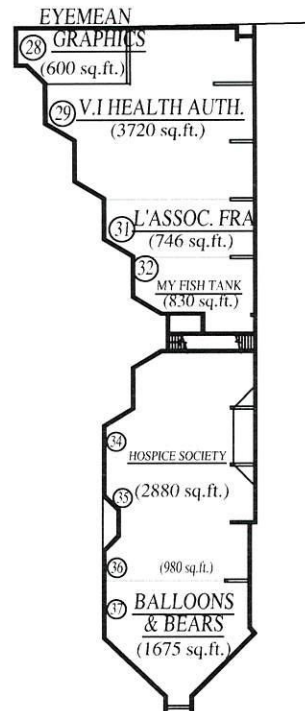
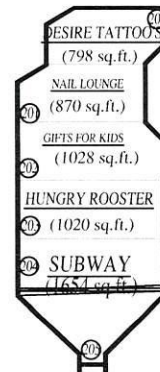


WEST BLOCK "B"

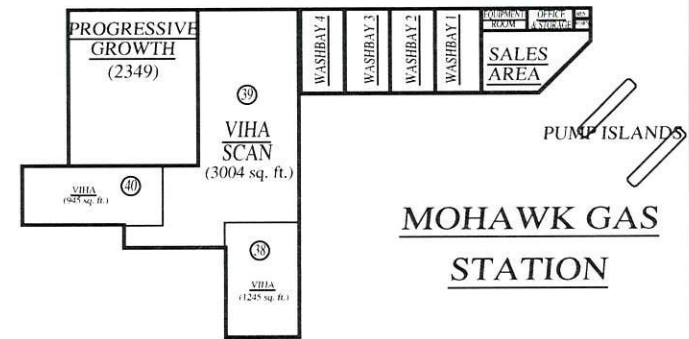


SOUTH BLOCK "A"

PH 2

MAIN FLOOR  
PLANUPPER FLOOR  
PLAN

PH 3



NORTH BLOCK

MOHAWK GAS  
STATION**BOWEN CENTER**

NANAIMO, B.C.

P/N 5999  
5-NOV-20

RECEIVED FILE:BOWEN  
DVP417  
2021-MAR-17  
Current Planning



## An aerial photograph of a residential neighborhood. A large, irregularly shaped property is outlined in red. Within this red-outlined area, a red five-pointed star marks a specific location. The property is situated between several streets: Island Diesel Way to the west, Bowen Rd to the east, and Park Rd to the south. Other visible streets include Bollinger Rd, Boxwood Rd, Dufferin Cres, James Way, and Bluebell Terr. Numerous individual lots are shown, many with their lot numbers labeled. The area appears to be a mix of residential and possibly commercial or industrial use, given the size of some buildings and parking areas.

