

DATE OF MEETING | December 20, 2021 |

AUTHORED BY | LISA BRINKMAN, PLANNER, CURRENT PLANNING |

SUBJECT | REZONING APPLICATION NO. RA474 – 6201 BLUEBACK ROAD |

OVERVIEW

Purpose of Report

To present Council with a rezoning application proposing to amend the Local Service Centre (CC1) zone to allow a liquor store as a site-specific use to be located in the existing building on the property at 6201 Blueback Road. |

Recommendation

That:

- “Zoning Amendment Bylaw 2021 No. 4500.195” (to amend the Local Service Centre [CC1] zone to allow a liquor store as a site-specific use at 6201 Blueback Road) pass first reading;
- “Zoning Amendment Bylaw 2021 No. 4500.195” pass second reading; and
- Council direct Staff to secure the community amenity contribution prior to adoption of “Zoning Amendment Bylaw 2021 No. 4500.195”, should Council support the bylaw at third reading. |

BACKGROUND

A rezoning application (RA474) for 6201 Blueback Road was received from Van Land Use Consulting on behalf of 7-Eleven Canada Inc. The applicant is proposing to amend the Local Service Centre (CC1) zone to allow a liquor store as a site-specific use within the existing building on the property located at 6201 Blueback Road.

Subject Property and Site Context

Location	The subject property is located at the corner of Dover Road and Blueback Road in North Nanaimo.
Lot Area	2,246 m ²
Current Zone	Local Service Centre (CC1) Zone
Proposed Zone	Local Service Centre (CC1) Zone with a site-specific amendment to allow a liquor store at 6201 Blueback Road.
Official Community Plan Designation	Neighbourhood

The subject property contains a gas station and a retail unit, and commercial uses are also located to the west. Multi-family and single family residential uses are located to the north, south and east. |

DISCUSSION

The applicant is proposing to amend the Local Service Centre (CC1) zone to allow a liquor store as a site-specific use on the property located at 6201 Blueback Road. The property currently contains a gas station, convenience store, and a retail unit containing a wine making business. The applicant is proposing to relocate the liquor store licence from the community of Hazelton (north of Smithers) to Nanaimo, and the liquor store would be sited in the retail unit at 6201 Blueback Road, which currently contains the wine making business. In 2015, the Provincial Liquor and Cannabis Regulation Branch (LCRB) amended their policy to allow liquor retail store licences to be moved anywhere within the province. Prior to 2015, liquor retail store licences could only be moved from one location to another within a municipality.

Official Community Plan

The Official Community Plan (OCP) designates the subject property as 'Neighbourhood' which supports local service centres within residential neighbourhoods. City records indicate that commercial use has occurred on the subject property since 1992. In addition, the City has established criteria to be considered when a new liquor store is proposed as outlined in the table below:

Licensed Retail Store (LRS) Criteria

Criteria	Response	Meets Criteria
The LRS should be on or in close proximity to a major road.	The proposed liquor store is located on Dover Road, which is designated as an Urban Arterial road in the OCP.	Yes
The LRS shall not be located within 150m of a school.	McGirr Elementary is greater than 400m from the subject property.	Yes
The LRS shall not be located adjacent to a nightclub.	A night club is not adjacent to the subject property.	Yes
The size of the LRS shall be consistent with the nature of the immediate area, and the size of the existing retail stores.	The liquor store is proposed to be located in an existing retail space 197m ² in size, which is similar to the sizes of the adjacent retail spaces.	Yes
The design of the LRS should enhance or improve the aesthetics of the surrounding area, not distract from them.	The liquor store would be located within an existing building and minimal exterior improvements are proposed.	Yes
Consideration shall be given to a requirement for on-site parking and loading for each LRS within the downtown core and mandatory outside the downtown core.	The required number of parking spaces is already provided onsite for retail use, and one loading space is provided.	Yes
The applicant must outline their awareness of potential negative impacts and include proposed limits on the hours of operation, the product range, target markets, property maintenance and beautification programs.	A letter from the applicant, Van Land Use Consulting (2021-JULY-26), is provided in Attachment F. The proposed hours of operation are 9:00 am to 11:00 pm seven days per week.	Yes

Criteria	Response	Meets Criteria
Consideration of impact of LRS when within close proximity of libraries, public recreation centre, community centres, parks, places of worship, and other family oriented facilities.	The McGirr Sports Complex, Saxer Park, and Groveland Park are located in the area, but are greater than 300m from the subject property. Three schools are also located in the area; however, they are greater than 400m from the subject property.	Yes
The projected traffic volumes and on-street parking associated with the LRS should not negatively impact nearby residential and commercial areas.	There is no on-street parking located in this area of Dover Road and Blueback Road; all parking is accommodated on site. The proposed traffic volume is not expected to impact the surrounding residential neighbourhood.	Yes
The support of the local community for the proposed LRS is important for Council's decision.	The applicant has submitted a letter of support with the signatures of 57 residents from the neighbourhood (see Attachment F). A rezoning sign was posted on the property on 2021-NOV-30. Also, the rezoning application was referred to the Dover Community Association.	Yes
The application shall be reviewed by the RCMP.	The RCMP have no safety concerns regarding the proposed liquor store use at 6201 Blueback Road.	Yes
A copy of the LCRB approval in principle letter for the proposed LRS.	The applicant has submitted 'An Approval in Principal' letter from the LCRB (see Attachment E).	Yes

Community Contribution

As outlined in Section 7.3 of the Official Community Plan, applicants are encouraged to provide an amenity contribution as part of their rezoning proposal. The applicant is proposing a community amenity contribution of \$10,000, with 40% of these funds to be directed to the Housing Legacy Reserve Fund, and 60% to be directed to park improvements in north Nanaimo. Staff support this proposal.

SUMMARY POINTS

- A rezoning application has been received to amend the Local Service Centre (CC1) zone to allow a liquor store as a site-specific use to be located in the existing building on the property at 6201 Blueback Road.
- The subject property is designated as 'Neighbourhood', which supports local service centres within residential neighbourhoods.
- A community amenity contribution of \$10,000 is proposed.

ATTACHMENTS

ATTACHMENT A: Context Map
ATTACHMENT B: Location Plan
ATTACHMENT C: Site Plan
ATTACHMENT D: Proposed Floor Plan
ATTACHMENT E: LCRB Approval in Principle Letter (2021-MAY-05)
ATTACHMENT F: Van Land Use Consulting Letter with Support Signatures (2021-JUL-26)
ATTACHMENT G: Aerial Photo
“Zoning Amendment Bylaw 2021 No. 4500.195”

Submitted by:

Lainya Rowett
Manager, Current Planning

Concurrence by:

Jeremy Holm
Director, Development Approvals

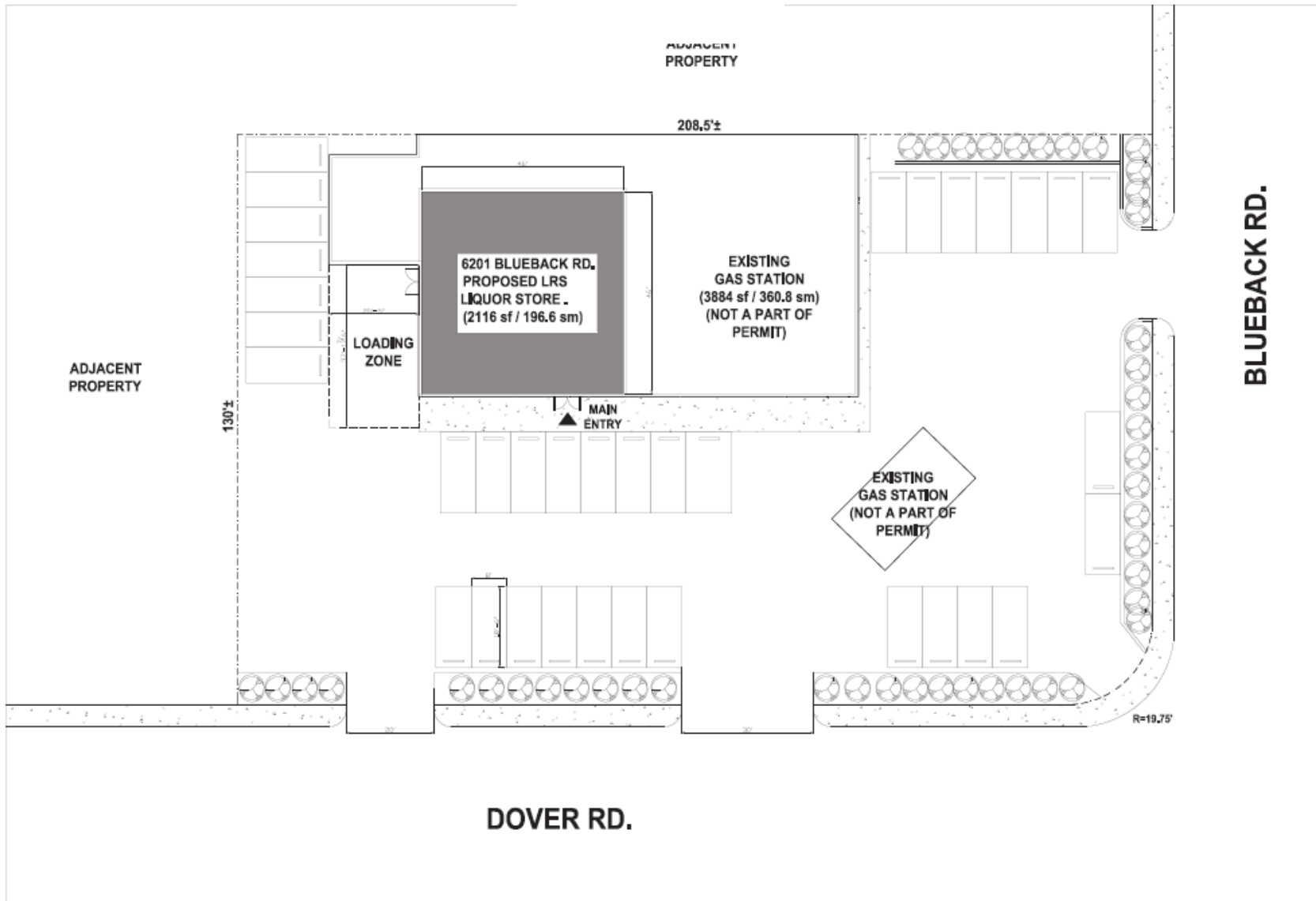
Dale Lindsay
General Manager, Development Services

ATTACHMENT A CONTEXT MAP



6201 BLUEBACK ROAD

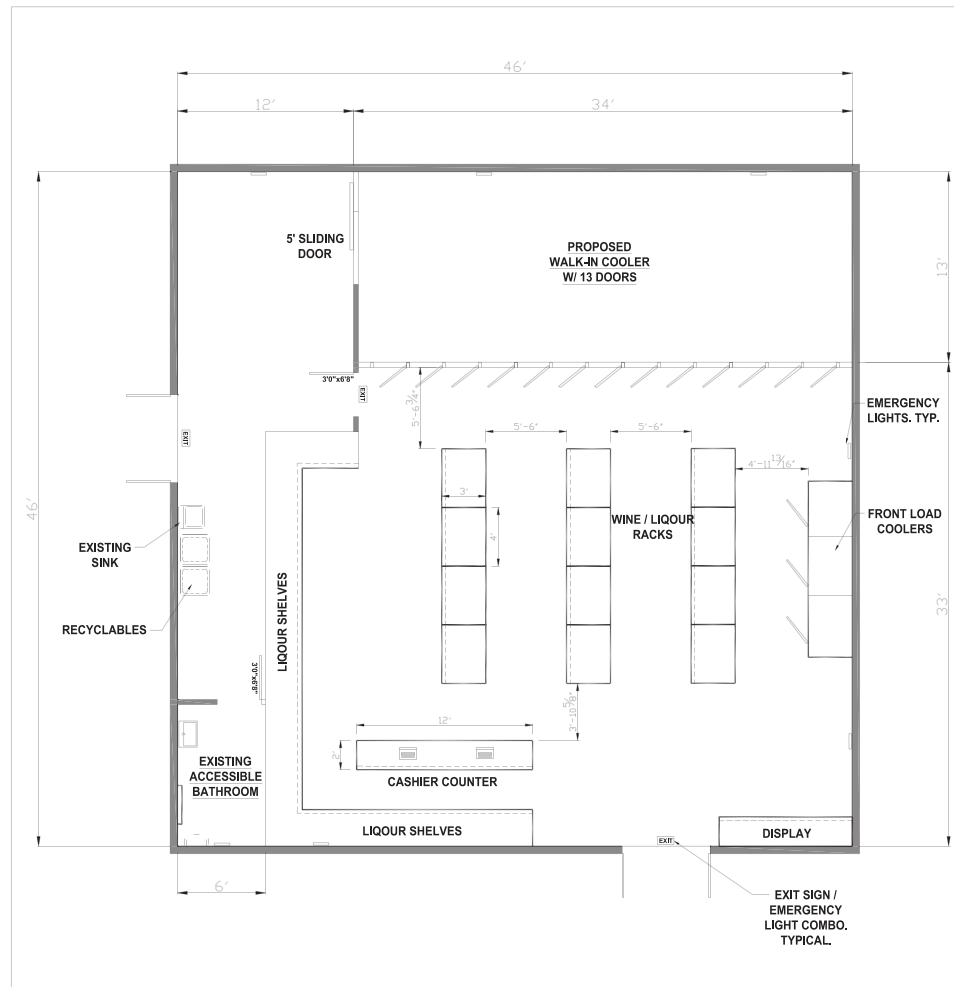
ATTACHMENT C SITE PLAN



EXISTING SITE PLAN
SCALE: 1/16" = 1'-0"

CONTACT: Van Land Use Consulting 778-551-0067 joevanvliet@gmail.com		PROJECT: 6201 BLUEBACK ROAD NANAIMO, B.C.	TITLE: SITE PLAN	PROJECT NO: 210712	SCALE: AS NOTED	RECEIVED RA474 2021-JUL-27 <small>2:00 PM</small>
				DRAWN BY: B.L.	DATE: JULY 26, 2021	A-1.1
					REVISED:	

ATTACHMENT D PROPOSED FLOOR PLAN



PROPOSED FLOOR PLAN
SCALE: 1/4"=1'-0"

RECEIVED
RA474
2021-JUL-27

CONTACT: Van Land Use Consulting 778-551-0067 joevanvliet@gmail.com	PROJECT: 6201 BLUEBACK ROAD NANAIMO, B.C.	TITLE: <h3 style="text-align: center;">FLOOR PLANS</h3>	PROJECT NO: 210712 DRAWN BY: B.L.	SCALE: AS NOTED DATE: JULY 26, 2021 REVISED:	DRAWING NO: <h2 style="font-size: 2em;">A-1.2</h2>
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ATTACHMENT E
LCRB APPROVAL IN PRINCIPLE LETTER (2021-MAY-05)

1 of 2

BRITISH
COLUMBIA

Job# 020729

May 5, 2021

1243997 B.C. Ltd

Via email: hdsinv@gmail.com

**Re: Application for Transfer of Location – Approval in Principle
Licensee Retail Store licence # 195416
Establishment: Liquor Mart Liquor Store
Current location: 1520 Omineca Street, Hazelton
Proposed location: 6201 Blueback Road, Nanaimo
Approval in Principle Expiry: May 5, 2022**

Your application to relocate the above-noted Licensee Retail Store (LRS) has been granted Approval in Principle (AIP).

This AIP allows you to proceed with construction and/or renovations of the proposed establishment. However, you are reminded that our review of the floor plans is specific to liquor licensing requirements and does not replace any requirement to obtain approvals from other agencies. You are responsible for complying with relevant local government's bylaws and appropriate fire and health regulations.

Your AIP floor plans are enclosed and the area proposed for licensing is outlined in yellow. If there are any changes to the information shown on the floor plan, you must submit revised floor plans for review prior to the final inspection.

Your proposed establishment name and signage are approved.

Please note that minor changes to the floor plan, establishment name or signage, must be submitted with sufficient time for review prior to the final inspection. Significant amendments, including changes that will impact the location of the main entrance of the establishment will require termination of the current application and the submission of a new application. If significant amendments are required, you are encouraged to contact the Branch with any questions prior to terminating your application as once your application is terminated other active applications that have been received within the 1Km radius of your proposed location may take precedence.

Final Inspection: a final inspection will be required before your application can be approved. You should contact Liquor Inspector, **Greg McCammon at 250 741 3612 or email Greg.McCammon@gov.bc.ca** approximately two weeks prior to completion of construction to arrange the inspection.

RECEIVED
RA474
2021-JUL-27
Current Planning

**Liquor and Cannabis
Regulation Branch**

Mailing Address:
PO Box 9292 Stn Prov Govt
Victoria BC V8W 9J8

Location:
4th floor 645 Tye Road
Victoria BC V9A 6X5
Phone: 250 952-5787
Facsimile: 250 952-7066

Website:
www.gov.bc.ca/liquorregulationandlicensing

- It is recommended that an authorized signatory attend the final inspection; however, you may ask someone to attend on your behalf. Please ensure that the person attending the final inspection can make a decision or answer questions with respect to any compliance concerns on behalf of the licensees;
- Please contact me as soon as you have confirmed the date for the inspection so that we can discuss your plans for opening the LRS. This will help to avoid delays in the final stages of your application.
- Prior to the final inspection you should contact your local government liquor store to confirm that you will be able to purchase liquor for your LRS at that location. If you expect sales in excess of thirty cases per week you may wish to take advantage of the Liquor Distribution Branch's direct delivery process. More information is available by contacting Store 100/Vancouver Wholesale Customer Centre at 604-775-0681.
- **NOTE:** This licence is currently in dormant status and will need to be changed to active status before final approval. You will need to complete and submit the LCRB132 Dormancy Notification form.

The final application requirements must be completed before the expiry of this AIP. If you require additional time you must request an extension at least 30 days prior to the expiry of AIP or your application may be terminated with no further notice.

Extension requests must include an explanation for the delay, and estimated timeline for completion, and should be accompanied by evidence demonstrating that the delay is beyond the control of the applicant. Where a third party is responsible for the delay, a letter from the third party outlining the current status should accompany the request for extension. We must be satisfied that the need for an extension is reasonable and that the delay is not directly attributable to the applicant.

After the final inspection is complete and all outstanding application information has been provided your application will proceed to final review, after which you will be notified of the outcome of your application. If approved, a new licence and validated floor plans for the new location will be issued.

As a reminder, your licence will expire on **April 30, 2022**. To avoid unnecessary delays in processing your application, additional fees, and operational interruptions please make sure the licence is renewed before it expires.

If you have any questions, please contact me at 778-974-2350 or email Laura.Scagliati@gov.bc.ca

Sincerely,



Laura Scagliati
Licencing Analyst
Liquor and Cannabis Regulation Branch

**ATTACHMENT F
VAN LAND USE CONSULTING LETTER WITH SUPPORT
SIGNATURES (2021-JUL-26)**



July 26, 2021

Lisa Brinkman
City of Nanaimo
Planning Department
411 Dunsmuir Street
Nanaimo, BC, V9R 5J6

Dear Lisa:

RE: Letter of Intent for 6201 Blueback Road, Nanaimo

On behalf of Van Land Use Consulting, this letter is to outline the intent for the rezoning of 6201 Blueback Road, Nanaimo.

There is an existing retail building located on the north side of Dover Road and West of Blueback Road that is devised into two commercial retail units. A Licensee Retail Store is being proposed to operate in the space currently operating as 'Off the Vine Winemaking'. The unit is approximately 2116 square feet and is currently zoned CC1. Only interior alterations being proposed to the existing retail store, with exception of the exterior signage reusing the existing sign boxes. The size of the proposed LRS is consistent with the nature of the immediate area and the size of the neighboring existing retail stores along Dover Road.

A petition of support has been signed by 60 people, who are Nanaimo residents living within approximately 500m of the proposed store, and provided their names, contact number and addresses. This petition has been attached with our application with a map to show the proximity of supporters to the proposed store.

The owners operate multiple stores throughout British Columbia under the Liquor Mart brand with a solid track record with the Liquor and Cannabis Regulation Branch. They have also built and operated a store in the City of Nanaimo on Departure Bay Road under a partnership. The owners operate all stores within the LCRB guidelines and regulations, and provide special training to staff, with specific focus on sales to minors. All staff are required to have previous experience in liquor retail and have



current Serving it Right certification. A video surveillance system and signage throughout the store will also help to prevent service to minors as well as minimize any unsightliness on the property.

The neighborhoods that this store is intended to serve are underserved for liquor retail, as any existing liquor store is at least 1km away. Approval of this location would fill a large void that the residents of this area are currently facing, and would provide a walkable option to their nearest neighborhood liquor store. Since there are no nearby family-oriented uses, and the proposed location is within an existing commercial retail area, the negative impacts to the surrounding area should be negligible.

Our proposed location fits well within all required provincial regulations, and has already received provincial approval from the Liquor and Cannabis Regulation Branch. It also meets all of the City of Nanaimo Licensee Retail Stores (LRS) Rezoning Criteria. Adequate parking and loading are available on site and meets all related by-laws without requiring any variances.

Should you have any questions regarding this application for rezoning, please do not hesitate to contact me at (778) 551-0067.

Best regards,

Van Land Use Consulting

Joseph W. Van Vliet, BCom
Principal

Letter of Support

We, the immediate neighbours of the commercial area on Dover Road in Nanaimo at Blueback Road, are in support of a specialty beer and wine store to operate at this location. We support the rezoning application to Nanaimo City Council for the property at 6201 Blueback Road, Nanaimo.

#	First and Last Name	Phone Number	Address
1	Chris Pennell	[REDACTED]	6420 Southampton Rd.
2	Bonb Pennell	[REDACTED]	"
3	Aaron Bahris	[REDACTED]	6534 Southampton Rd
4	Dalia Bahris	[REDACTED]	" "
5	BETTY MUGHOS	[REDACTED]	6339 SAVARY
6	Cora Woodman	[REDACTED]	212 Kingfisher Pl
7	Colin Woodman	[REDACTED]	" "
8	RICHARD CUNNINGHAM	[REDACTED]	200 KINGFISHER PL
9	Len Liu	[REDACTED]	6267 Lasalle Rd.
10	RAY & MARG WARKWICK	[REDACTED]	6355 LASALLE RD
11	Neil Campbell	[REDACTED]	6343 Lasalle Rd
12	Sharon "	[REDACTED]	" " "
13	Danya Ouellette	[REDACTED]	6337 Lasalle Road
14	Joelyn Laurenciano	[REDACTED]	6427 Nidri Pl.
15	SUSAN BOYLE	[REDACTED]	6438 NIDRI PL.
16	Beverly Beyman	[REDACTED]	6432 Nidri Pl.
17	Mats Beyman	[REDACTED]	6432 Nidri Pl.
18	Arundia	[REDACTED]	6341 REDWIND C/O P 2000

Letter of Support

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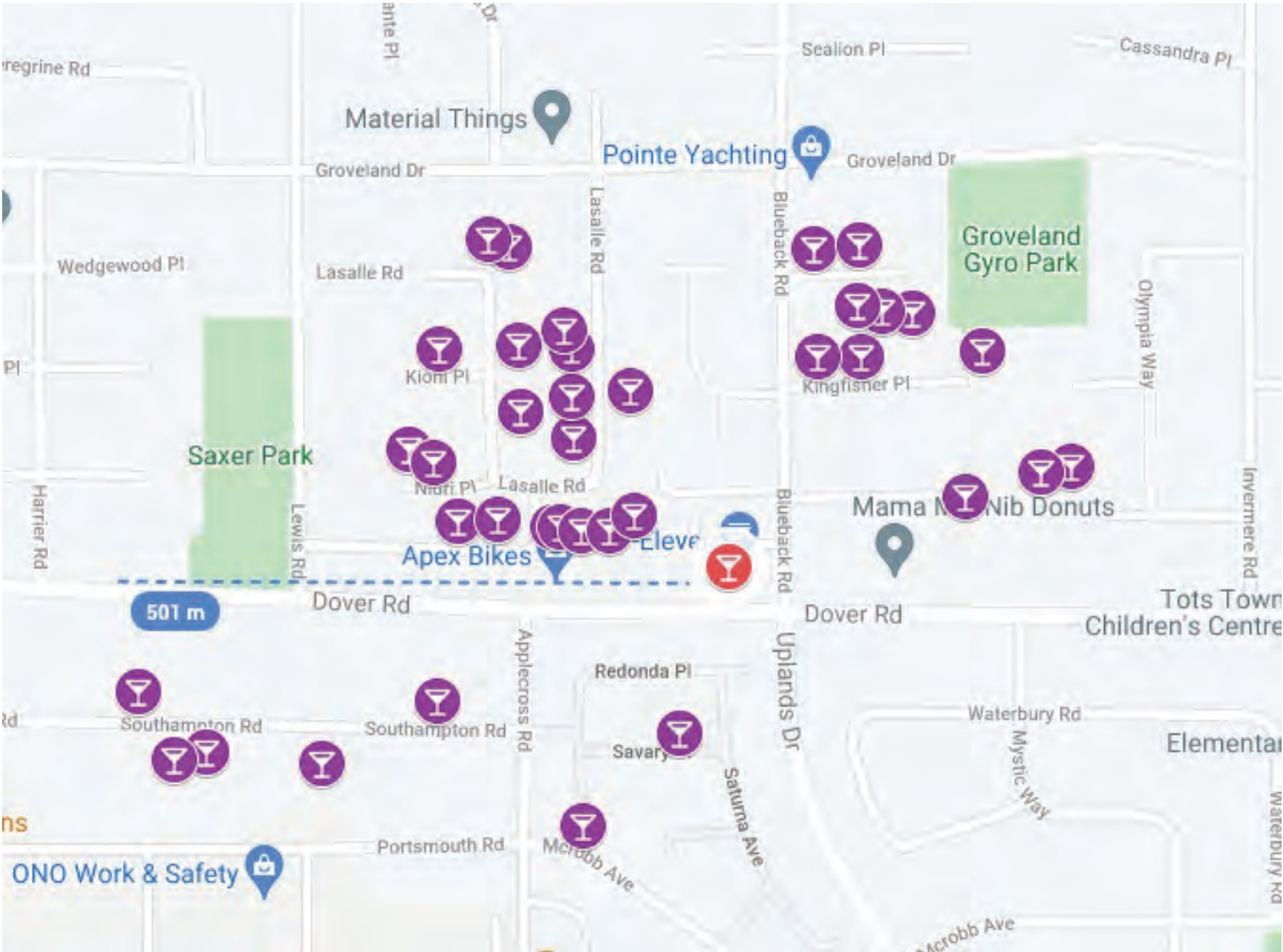
#	First and Last Name	Phone Number	Address
19	Jesse Dickens	[REDACTED]	6354 Lasalle Rd
20	Madi Wagenaar	[REDACTED]	6417 Lasalle Road
21	Trevor Wagenaar	[REDACTED]	6417 Lasalle Road
22	Myona Wagenaar	[REDACTED]	6417 Lasalle Road
23	MYLEE HENDY	[REDACTED]	6429 Lasalle Rd
24	LEE HENDY	[REDACTED]	6429 Lasalle Rd
25	BRYAN GORDON	[REDACTED]	6445 LASALLE RD
26	MUNICA GORDON	[REDACTED]	6445 LASALLE RD
27	GEOR MASLOUSKI	[REDACTED]	6449 LASALLE RD.
28	IRENE COCKETT	[REDACTED]	6456 KIONI PLACE NAN BC
29	GARY JOHNSON	[REDACTED]	6203 Peollos Pl
30	BERRY " "	[REDACTED]	" "
31	Tricia Johnson	[REDACTED]	300 Cambridge Pl.
32	STEVE LESSARD	[REDACTED]	312 "
33	SUE LESSARD	[REDACTED]	" " "
34	Carlec Bilokvaly	[REDACTED]	325 Cambridge Pl
35	Brant Hanneson	[REDACTED]	325 Cambridge Pl.
36	BOB SAUNDERS	[REDACTED]	319 CAMBRIDGE RD

Letter of Support

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#	First and Last Name	Phone Number	Address
37	Sheanna Tulin	[REDACTED]	6463 Southampton.
38	Val Hodgson	[REDACTED]	6533. Southampton
39	Harold Beltry	[REDACTED]	6533 Southampton
40	Theresa Kane	[REDACTED]	6543 11
41	Hannah Dunbar	[REDACTED]	130 New Dale Place
42	Shermy Vatchern	[REDACTED]	242 Kingfisher Place
43	Shermy Vatchern	[REDACTED]	242 Kingfisher Place.
44	Sherril Robertson	[REDACTED]	6396 Lasalle Rd.
45	Royce Robertson	[REDACTED]	6396 Lasalle Rd.
46	Konrad Korkowski	[REDACTED]	6394 Lasalle Rd.
47	Tricia Korkowski	[REDACTED]	6394 Lasalle Rd
48	Wahyati Kabe	[REDACTED]	6392 LASALLE RD
49	Terry Young	[REDACTED]	6388 Lasalle rd
50	Amber Robinson	[REDACTED]	6388 Lasalle Rd
51	Terra Skirrow	[REDACTED]	6382 Lasalle Rd
52	Oris Skirrow	[REDACTED]	6382 Lasalle Rd
53	Paige Skirrow	[REDACTED]	6382 Lasalle Rd
54	Shannon Dickens	[REDACTED]	6354 Lasalle Rd

MAP - SUPPORTING SIGNATURES



**ATTACHMENT G
AERIAL PHOTO**



REZONING APPLICATION NO. RA000474

 6201 BLUEBACK ROAD

CITY OF NANAIMO

BYLAW NO. 4500.195

A BYLAW TO AMEND THE "CITY OF NANAIMO ZONING BYLAW 2011 NO. 4500"

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 469, 477, 479, 480, 481, 482, and 548 of the *Local Government Act*,

THEREFORE BE IT RESOLVED the Municipal Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "Zoning Amendment Bylaw 2021 No. 4500.195".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

(A) By amending Section 10.2.5 by adding 'Liquor Store' as a site-specific permitted use as follows:

Use	Permitted Location Address	Legal Description of Permitted Location
Liquor Store	6201 Blueback Road	LOT 2, DISTRICT LOT 53, WELLINGTON DISTRICT, PLAN VIP60953

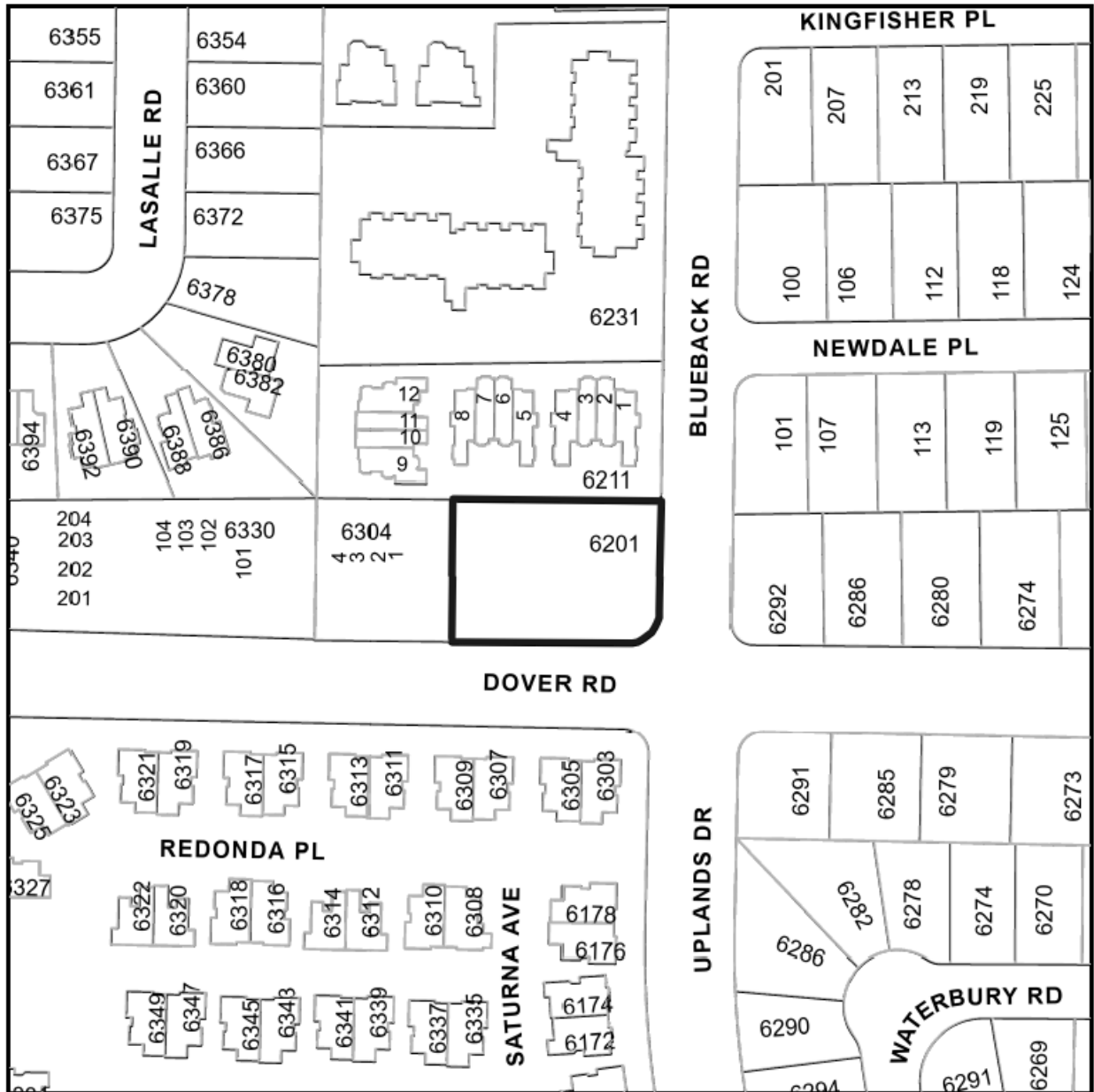
PASSED FIRST READING: _____
PASSED SECOND READING: _____
PUBLIC HEARING HELD: _____
PASSED THIRD READING: _____
ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: RA000474
Address: 6201 Blueback Road

SCHEDULE A



REZONING APPLICATION NO. RA000474



Subject Property

CIVIC: 6201 BLUEBACK ROAD

LEGAL: LOT 2, DISTRICT LOT 53, WELLINGTON DISTRICT, PLAN VIP60953