

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 <sup>2</sup>
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**

<b>Criteria</b>	<b>Response</b>	<b>Meets Criteria</b>
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 <sup>2</sup> 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 Principle' 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:**

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### **Concurrence by:**

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