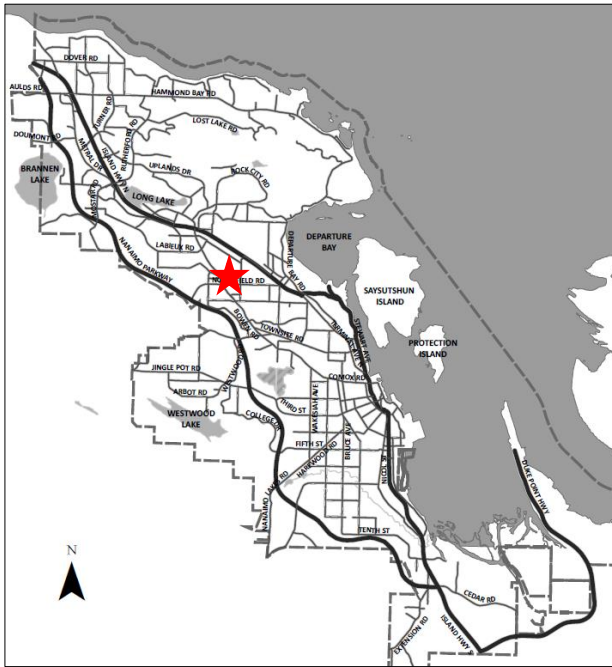


DATE OF MEETING February 27, 2023

AUTHORED BY KRISTINE MAYES, PLANNER, CURRENT PLANNING

SUBJECT TEMPORARY USE PERMIT APPLICATION NO. TUP25 – 2116
NORTHFIELD ROAD

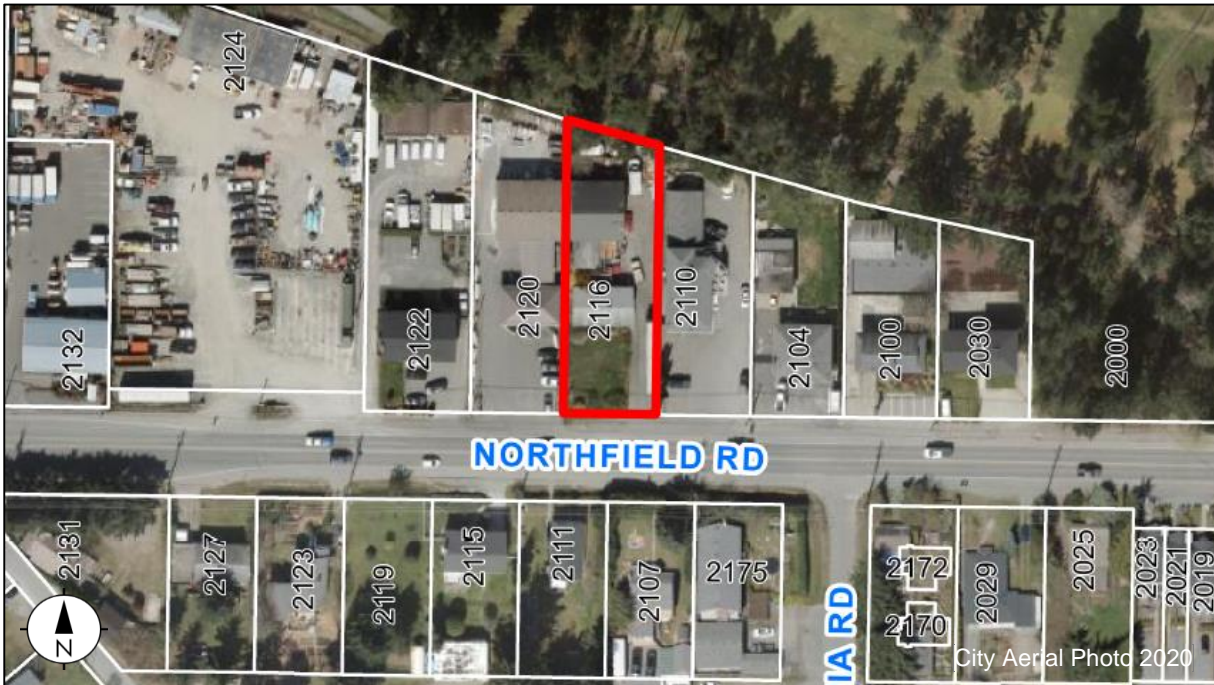


Proposal:
A Temporary Use Permit to allow industrial uses.

Zoning:
COR2 – Mixed Use Corridor

City Plan Land Use Designation:
Mixed-Use Corridor

Lot Area:
1,375m²



OVERVIEW

Purpose of Report

To present for Council's consideration a temporary use permit application to allow industrial uses (custom workshop and mini storage) at 2116 Northfield Road.

Recommendation

That Council issue Temporary Use Permit No. TUP25 to allow custom workshop and mini storage uses at 2116 Northfield Road for a period of three years.

BACKGROUND

A Temporary Use Permit (TUP) application, TUP25, was received from Philip Dube, to permit a temporary industrial use (custom workshop and mini storage) for a period of three years at 2116 Northfield Road.

Section 492 and 493 of the *Local Government Act* allow municipalities to approve TUPs to allow a use that is not permitted under zoning. A TUP can be issued for up to a three-year term, with the possibility of one renewal for up to an additional three years. A rezoning and potentially an Official Community Plan amendment application would be required should the applicant wish to continue the use following the expiration of a TUP.

Subject Property & Site Context

The subject property is located in the Northfield Neighbourhood and contains a single residential dwelling (occupied by the applicant), 148m² machine shop (constructed in 1979), 36m² shop addition (constructed in 1999), 13m² office, and 17m² shed. The subject property backs onto Beban Park (buffered by a berm) and is flanked on either side by industrial and commercial businesses. The neighbourhood is in transition from a historical mix of industrial, commercial and residential uses to a more compatible mix of commercial and residential uses as demonstrated by an active Development Permit (DP1183) for a mixed-use (residential and commercial) development to the east at 2124 Northfield Road.

A metal fabrication business operated on the subject property between 1993 and 1999. At that time, the subject property was zoned "Transition Industrial" (I1) under the "City of Nanaimo Zoning Bylaw 1993 No. 4000", which permitted repair shops (excluding auto repair shops); tools and equipment rentals and service; and warehouse and mini storage. Following the adoption of the "City of Nanaimo Zoning Bylaw 2011 No. 4500", the subject property was rezoned to Mixed Use Corridor (COR2) to align with the previous Official Community Plan (Nanaimo 2008) "Corridor" land use designation, which supported a range of residential and commercial uses but no longer supported industrial uses. The current City Plan land use designation envisions a Mixed Use Corridor.

In 2022, a business license application was received for a combination of uses including e-Bike and motorbike repair, wood furniture design and manufacturing, which sought, in part, to recommence the prior metal fabrication use. Given the change in zoning to COR2 in 2011, and as the previous businesses ceased to operate on the property in 1999 (discontinued for more than 6 months), the proposed metal fabrication use would not be permitted to operate as a non-

conforming use under Division 14 of the *Local Government Act*, or under the COR2 zone, or home-based business regulations. Accordingly, the business license application was rejected and the applicant has applied for a TUP to allow the business to temporarily operate on the subject property to allow time to relocate in the future.

Public Notification

Public notification for this application was completed in accordance with Section 494 of the *Local Government Act*, and includes:

- Posting the Notice on the City’s website;
- Publishing the Notice in a local newspaper; and,
- Mailing and delivering the Notice to the adjacent property owners and occupants.]

DISCUSSION

The applicant proposes to resume the prior metal fabrication use (custom workshop), within the 36m² shop addition and rent the 148m² machine shop portion of the building as a storage space (mini storage). As condition of the TUP, the uses shall be contained entirely within the machine shop building and addition.

Referrals to City departments have been undertaken. No concerns were noted regarding the use of the existing commercial buildings to facilitate the proposed temporary use.

The required parking spaces have been provided in accordance with the City of Nanaimo “Off-Street Parking Regulations Bylaw 2018 No. 7266”.

The uses adjacent to the subject property include a granite supply business (west) and office equipment sales (east), as such, the proposed uses are compatible within the existing land use context. The machine shop building is screened from Northfield Road by the dwelling on the subject property and by a vegetated berm from Beban Park. No changes are proposed to the subject property to facilitate the proposed use and site impacts are negligible as there will be a minimal increase of traffic to the site.

Staff support the issuance of the proposed TUP, which allows a small-scale industrial use that is consistent with the current industrial character of the neighbourhood to operate within existing buildings on the subject property. Allowing the TUP accommodates the continuation of a historic business on the subject property without precluding the opportunity for future redevelopment to better align with the zoning and City Plan land use designation in the future.]

SUMMARY POINTS

- Temporary Use Permit application No. TUP25 proposes allowing custom workshop and mini storage industrial uses at 2116 Northfield Road.
- Staff support the issuance of the proposed TUP.]

ATTACHMENTS

ATTACHMENT A: Permit Conditions
ATTACHMENT B: Subject Property Map
ATTACHMENT C: Site Plan
ATTACHMENT D: Site Photos

Submitted by:

Lainya Rowett
Manager, Current Planning

Concurrence by:

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Director, Development Approvals

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/ Deputy CAO