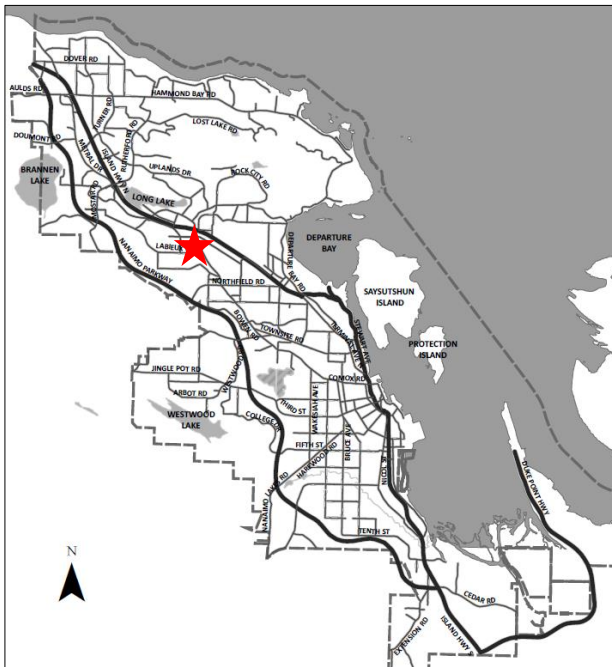


DATE OF MEETING | March 18, 2024 |

AUTHORED BY | ALEXA O'HANLEY, PLANNING ASSISTANT, CURRENT PLANNING |

SUBJECT | **DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP462 –
UNIT 102 & UNIT 104 – 2517 BOWEN ROAD** |



Proposal:

Variance to increase the maximum permitted gross floor area for an individual retail use within an existing building.

DVP

Zoning:

COR3 – Community Corridor

City Plan Land Use Designation:

Mixed-Use Corridor

Lot Area:

2.39ha



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 within an existing building at 2517 Bowen Road.

Recommendation

That Council issue Development Variance Permit No. DVP00462 to increase the maximum permitted gross floor area for an individual retail use within an existing building at 2517 Bowen Road as outlined in the "Proposed Variance" section of the Staff Report dated 2024-MAR-18.

BACKGROUND

A development variance permit application, DVP462, was received from BJK Architecture Inc., on behalf of Mid Island Consumer Services Co-operative, to vary the provisions of the "City of Nanaimo Zoning Bylaw 2011 No. 4500" (the "Zoning Bylaw"), in order to increase the maximum permitted gross floor area for an individual retail use from 750m² to 2,458m², within Unit 102 & Unit 104 (combined) at 2517 Bowen Road.

Subject Property and Site Context

The subject property contains an existing shopping centre with a mix of retail and service uses. The property fronts onto Labieux Road (south) and Bowen Road (east). Surrounding uses include a duplex residential strata to the west, car dealerships to the north, commercial services to the east, and single family residential lots to the south across Labieux Road.

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

DISCUSSION

The subject commercial units were previously occupied by a daycare facility from 2004 to 2022 (Unit 102), and a furniture and mattress store from 2016 to 2023 (Unit 104). The proposed use across both units is to be occupied by a single retail tenant. Retail use in the COR3 zone has a restriction on gross floor area. The intent of the floor area limit is to promote a pedestrian-friendly scale of development and discourage large-format retailers from operating within the Corridor zones. The potential retail tenant's business model requires the use of the entire space and therefore necessitates a variance.

Proposed Development

A retail store is proposed to occupy vacant Units 102 and 104, which total 2,485m² in gross floor area and as such, requires a variance to allow the retail use as proposed. The applicant proposes to increase the maximum permitted gross floor area from 750m² to 2,458m² to allow retail use in the existing units.

Proposed Variance

Maximum Gross Floor Area

The maximum permitted gross floor area in the COR3 zone for an individual retail use is 750m². The proposed gross floor area is 2,485m², a requested variance of 1,735m². The proposed gross floor area would allow a potential retail tenant to occupy an existing vacant portion of the building (Unit 102 and Unit 104 combined), which was originally designed for a single tenant (grocery store).

The applicant has provided the following rationale in support of the variance:

- Given the existing internal layout the space cannot be easily demised into smaller retail units;
- If demised, the storefronts would be too narrow for most tenancies. An interior ‘mall’ could be explored but is not desirable as it would have limited visibility and exposure;
- While the proposed variance would allow a larger retail space, it would be keeping the scale of the existing shopping centre; and
- All required parking is provided onsite.

If approved, the variance would allow the potential retail tenant to proceed with licensing and alteration permits.

Staff support the proposed variance as it would allow a tenant to fill the existing vacant space and no negative impacts to the site are anticipated. |

SUMMARY POINTS

- Development Variance Permit Application No. DVP462 proposes a variance to increase the maximum permitted gross floor area for an individual retail use from 750m² to 2,485m² at the subject property.
- The proposed variance would accommodate a potential retail store in Unit 102 and Unit 104 (combined).
- Staff support the proposed variance as no negative impact to the site is anticipated. |

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Subject Property Map
ATTACHMENT C: Site Plan |

Submitted by:

Lainya Rowett
Manager, Current Planning

Concurrence by:

Jeremy Holm
Director, Planning & Development