



**DEVELOPMENT PERMIT WITH VARIANCE APPLICATION NO. PL2022-058**  
**1752 TIMBERLANDS ROAD, ELECTORAL AREA A**

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**RECOMMENDATIONS**

1. That the Board approve Development Permit with Variance No. PL2022-058 to permit the construction of two light industrial buildings on the property subject to the terms and conditions outlined in Attachment 2.
2. That the Board direct staff to complete the required notification for Development Permit with Variance No. PL2022-058.

**BACKGROUND**

The Regional District of Nanaimo (RDN) has received an application from Teaco Properties Ltd. on behalf of Burbank Developments Ltd. to permit the construction of two industrial buildings on the property. The subject property, legally described as Lot 1, District Lot 15, Bright District, Plan 35579, is approximately 0.97 hectares in area and is zoned Industrial 1 Zone (IN1), pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" (Bylaw 500). The property is located to the east and south of the Timberland mobile home park and west of the E&N rail corridor (see Attachment 1 – Subject Property Map).

The property is currently used for the residential use and storage of manufactured homes and recreational vehicles and is in the process of coming into compliance with the zoning bylaw. The property will be serviced by a well and onsite sewage disposal.

The proposed development is subject to the Cassidy and Aquifer Development Permit Areas (DPA) per the "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw No. 1620, 2011".

***Proposed Development and Variance***

The proposed development includes the construction of two light industrial buildings. One of the buildings is for a laundry distribution company and one is for a glass warehousing company (see Survey Plan with Variance in Schedule 2, Site Plan in Schedule 3 and Building Elevations in Schedule 4 of Attachment 2 – Draft Development Permit with Variance). The development permit guidelines apply to ensure that the form of the industrial development complements the rural character of the area with appropriate building construction materials and landscaping. The development permit guidelines also ensure precautions are taken to ensure the proposed development will be serviced with adequate water without affecting existing groundwater users and that the development will not be a source of contamination.

The applicant proposes to vary the following regulations from the “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” (Bylaw 500):

- Section 3.4.31 – Maximum Number and Size of Buildings and Structures to increase the height from 8.0 metres to 8.9 metres for proposed Building 2 of the light industrial buildings.

### ***Land Use Implications***

To demonstrate consistency with the form and character guidelines of the Cassidy DPA, the applicant has provided building elevations and a landscaping plan.

### ***General Design Guidelines***

The proposed buildings are steel constructed to accommodate industrial warehousing products including loading areas for trucks. With respect to DPA guidelines for designs that are varied and aesthetically pleasing, the building profiles depict blue and grey cladding with timber canopies over entrances (see Schedule 4 – Building Plans and Elevations of Attachment 2 – Draft Development Permit with Variance).

### ***Parking and Loading***

Consistent with the DPA guidelines, most of the parking and loading areas are located between or to the rear of the buildings, with few spaces visible from Timberlands Road. Property lines adjacent to Timberlands Road or the mobile home park will have a landscape buffer to screen parking areas. The applicant has also addressed guidelines for vehicle and truck movement, including emergency vehicles and delivery vehicles. Pedestrian pathways are shown on the site plan (see Schedule 3 – Site Plan of Attachment 2 – Draft Development Permit with Variance).

### ***Landscaping and Screening Guidelines***

Bylaw 500 zoning regulations and DPA guidelines establish standards for landscaping buffering along Timberlands Road and neighbouring property lines. For zoning standards, the property frontage is required to have a landscape buffer of five metres, which includes trees every 10 metres of road frontage and evergreen shrubs with minimum five gallon pot size. The proposed landscaping includes Serbian Spruce and Greenspire Linden, and for evergreen shrubs includes Oregon Grape interspaced with Feather Reed and Foundation Grass. In accordance with DPA guidelines, the landscaping plan considers plants appropriate to the conditions; the buffering of adjacent neighbourhoods; aesthetic appeal of the development; rural character; and includes native vegetation. As a condition of approval, the applicant must provide a landscape security in the amount of \$67,000 which will be held according to the terms of the development permit to ensure the completion of planting and maintenance (see Schedule 2 – Terms and Conditions and Schedule 5 – Landscaping Plan of Attachment 2 – Draft Development Permit with Variance).

### ***Site Illumination and Signage***

To comply with site illumination guidelines, the building elevations identify that the buildings will be fixed with LED downlighting for the parking lot. The DP will include a condition for exterior light of roads, parking areas or buildings within the proposed development to use full cut off lens lighting fixtures to ensure there is no glare onto neighbouring properties. Currently no signage is proposed. Should there be signage, a new development permit application will be required.

### ***Bylaw 500 Variance Justification***

The applicant's proposal identifies that the glass warehousing building (proposed Building 2) requires a variance due to the additional space required for the storage of products within the warehouse racking system. The building plans show 8.242 metres at the ridge from the main floor elevation, though measures 8.742 metres according to RDN height calculation method from the lowest point of natural grade under the roof peak. The applicant requests the height be varied to 8.9 metres for additional room to accommodate differences in the assumed values of the pre-engineered roofing framing. To minimize the variance, the applicant has limited the roof to a 0.5/12 roof slope. Given that the maximum height and height calculation are restrictive for the permitted industrial use of warehousing, the applicant has provided sufficient justification as required by "Board Policy B1.5: Development Variance Permit, Development Permit with Variance & Floodplain Exemption Application Evaluation".

### ***Environmental Implications***

The applicant has provided a Hydrogeological Assessment, prepared by Waterline Resource Inc. (the Assessment) and dated March 17, 2022, to address the Aquifer DPA guidelines to ensure there is adequate water for the proposed use and to protect groundwater from potential sources of contamination. The Assessment identifies a well capacity of 55 m<sup>3</sup> per day after a two hour pump test and 120 m<sup>3</sup> per day after a twenty four hour pump test. Given that the Assessment determines that groundwater demand is expected to be 0.8 m<sup>3</sup> per day for the industrial use, the demand for water will be less than 1% of the reported well capacity. With respect to impacts of water diversion on adjacent well users, the capture zone for the well is not far from the well and impacts are not expected as the nearest well is 80 metres away.

The Assessment identifies that the underlying aquifer is susceptible to changes in land use as it is unconfined. The Assessment recommends that surface water from parking areas will pass through an oil and grit separator before infiltrating into the subsurface. The Assessment also confirms that the sewage disposal area for 25 employees has suitable setbacks from the well and that the warehousing activities will contain no Schedule 2 activities under the *Contaminated Sites Regulation*. To implement recommendations for the oil and grit separator, the applicant has provided a Servicing Report prepared by Aplin Martin dated March 22, 2022. The applicant has also submitted a maintenance schedule for the stormwater management facilities, which as per DPA guidelines will be registered as a Section 219 covenant to ensure maintenance is followed.

### ***Intergovernmental Implications***

The application was referred to the RDN Fire Services Coordinator and Cranberry Fire Department. Comments from the fire department supports the proposal based on the property owner installing a standpipe with a 500 gallon per minute flow rate connected to the well and includes a backup generator. The fire department will have exclusive access to the standpipe from Timberlands Road. As a condition of approval the applicant will need to confirm fire department access to the standpipe has been secured prior to the issuance of the first building permit.

### ***Public Consultation Implications***

Pending the Electoral Area Services Committee's recommendation and pursuant to the *Local Government Act* and the "Regional District of Nanaimo Development Application and Notification Procedures Bylaw No. 1845, 2022", property owners and tenants of parcels located within a 100.0 metre radius of the subject property will receive a direct notice of the proposal and will have an opportunity to comment on the proposed variance prior to the Board's consideration of the application.

## **FINANCIAL IMPLICATIONS**

The proposed development has no implications related to the Board 2022 – 2026 Financial Plan.

## **STRATEGIC PLAN ALIGNMENT**

The proposed development has been reviewed and the proposal will be in keeping with Key Strategic Area 6.0 Economic Coordination of the 2019 – 2022 Board Strategic Plan, by supporting local business and coordination with local fire services.

## **REVIEWED BY:**

P. Thompson, Manager, Current Planning

L. Grant, General Manager, Planning and Development

## **ATTACHMENTS:**

1. Subject Property Map
2. Draft Development Permit with Variance