

STAFF REPORT TO COUNCIL

**Report Prepared By:** Christina Hovey  
**Meeting Date:** February 4, 2020  
**File No:** 3060-19-19  
**RE:** DEVELOPMENT PERMIT APPLICATION – WAREHOUSE AND OFFICE AT 902 LUDLOW ROAD (Madill the Office Company)

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**RECOMMENDATION:**

That Council:

1. Issue Development Permit 3060-19-19 for a two-storey industrial building at 902 Ludlow Road (PID: 030-553-164).
2. Authorize the Mayor and Corporate Officer to sign Development Permit 3060-19-19.

**EXECUTIVE SUMMARY:**

A two-storey office and warehouse building is proposed at 902 Ludlow Road. Staff recommends that Council issue Development Permit No. 3060-19-19 because the proposal is generally consistent with the guidelines for Development Permit Area 5 – Industrial.

**PREVIOUS COUNCIL DIRECTION:**

None.

**INTRODUCTION/  
BACKGROUND:**

The subject property, 902 Ludlow Road, is approximately 0.6 ha in area. The property is located between Ludlow Road and Oyster Bay Drive, inland from the Ladysmith Fisherman's Wharf. The applicant is proposing to construct a two-storey office and warehouse building for a company selling office supplies and furniture (Madill the Office Company). The proposed building footprint is slightly under 1000 m<sup>2</sup>, with a warehouse and enclosed parking/loading area on the lower storey and office space on the upper storey.



Figure 1: Northwest Elevation

There is currently a mobile home located on the subject property. The mobile home is proposed to be moved to a neighbouring parcel, as authorized by Temporary Use Permit 3340-18-03.

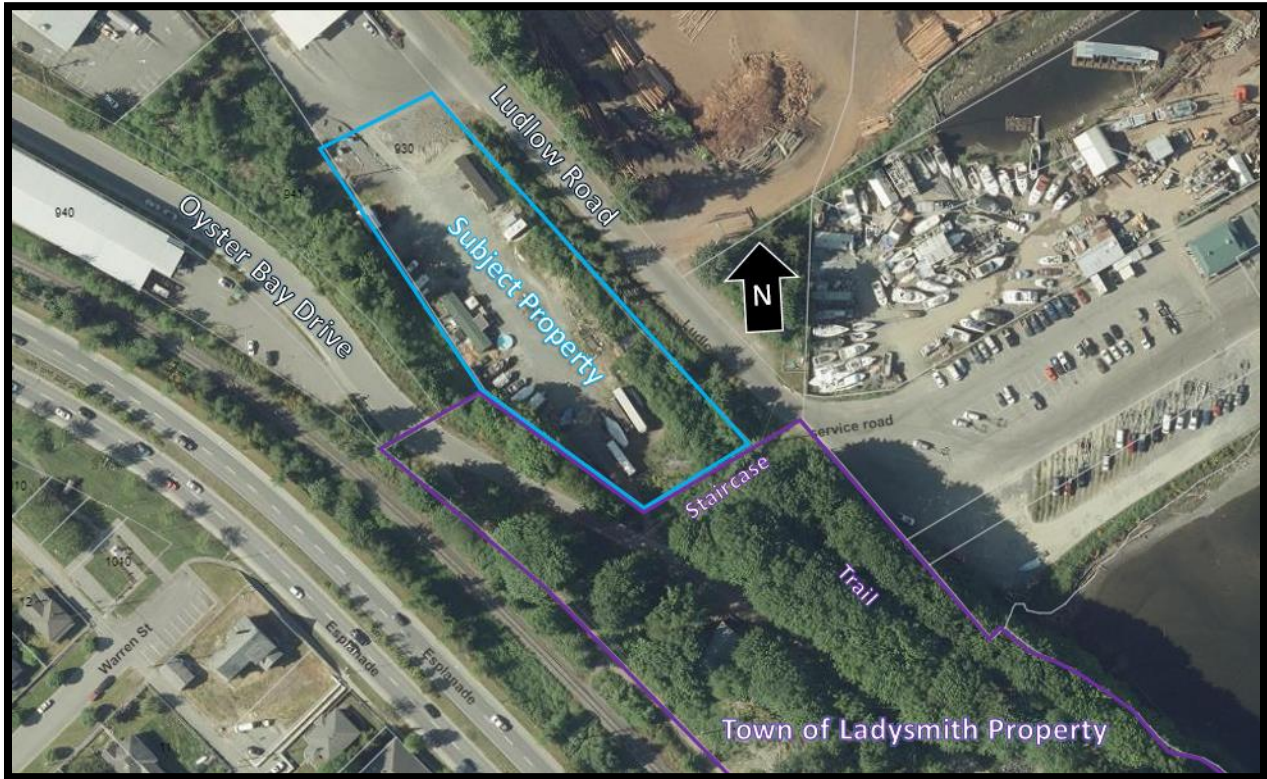


Figure 2: Context

### Site Access:

The main access for the development is proposed to be from Ludlow Road, with secondary site access from Oyster Bay Drive. The main access is shared with the neighbouring Card Lock gas station and “Wash Me Ludlow” car and equipment wash. The shared driveway is located on the neighbouring property, with an easement registered on that property to allow for continuous access for the subject property.

The site plan shows a secondary driveway access from Oyster Bay Drive on a portion of the road that has not been formally dedicated as a highway (road). This section of Oyster Bay Drive is part of a large parcel along the waterfront owned by the Town of Ladysmith. It will be more straightforward to grant an access permit to the 902 Ludlow Road site if the road is formally dedicated. In a separate report, Council will be asked to consider dedicating the portion of Oyster Bay Drive adjacent to 902 Ludlow Road.

### Steep Slope:

The subject property slopes steeply from Oyster Bay Drive towards Ludlow Road, with approximately 15 m of grade change between the two roads. There is an existing retaining wall along Oyster Bay Drive that is proposed to be replaced with an engineered slope. As required

by an existing covenant on the property (CA6986068), any work done in the area of the existing retaining wall will need to be done in accordance with geotechnical reporting and under the supervision of an engineer. The existing covenant may need to be replaced or amended at the time of building permit to reflect the changes to the property.

**Town Property to the South:**

The area immediately south of the property is owned by the Town of Ladysmith. There is an existing trail that runs parallel to the waterfront and ends at the eastern boundary of the subject property. The trail is accessed from Ludlow Road at the Ladysmith Fisherman’s Wharf via a staircase. The Parks Department has plans to replace the staircase including adding a connection between the trail and Oyster Bay Drive.

**ANALYSIS:**

The property is designated as Industrial in the OCP and is within the Light Industrial Zone (I-1) in the Zoning Bylaw. The proposed use is consistent with the OCP designation and the zoning regulations for the I-1 zone.

**Development Permit Area:**

The subject property is within Development Permit Area 5 – Industrial (DPA 5). The purpose of DPA 5 is to provide guidance for the general character of industrial development and to promote energy conservation, water conservation, and the reduction of greenhouse gas emissions.

The proposed development has been reviewed for consistency with the DPA 5 guidelines and is generally consistent with the DPA 5 guidelines. A summary of observations on the proposals consistency with the DPA 5 guidelines is provided below in Table 1.

**Table 1: Summary of Consistency with DPA 5 Guidelines**

<b>Guidelines</b>	<b>Observations</b>
<b>Building Design</b>	<ul style="list-style-type: none"> <li>• According to the applicant, the industrial building is designed to recall the “rough and gritty, yet dreamy character of the Ladysmith harbor” and the logging history of the area and of the company.</li> </ul>
<b>Building Siting &amp; Massing</b>	<ul style="list-style-type: none"> <li>• The building façade will not be visible from non-industrial areas.</li> <li>• The building façade is articulated with large windows and contrasting materials at the building entrances.</li> <li>• The roofline is articulated with a large overhang in a contrasting material.</li> </ul>

Guidelines	Observations
<b>Windows &amp; Doors</b>	<ul style="list-style-type: none"> <li>• The entrance to the public area of the building is located closest to the main road access. The main entrance will be visible from Ludlow Road and will be signed. Note that a separate sign permit will be required.</li> <li>• The windows and doors are proportional to the size of the building walls and are architecturally compatible.</li> <li>• The entrance to the building does not have direct at-grade access from the abutting sidewalk. This would be difficult given the topography of the site and a pathway is proposed to connect the building to the sidewalk on Ludlow Road.</li> </ul>
<b>Signs, Canopies &amp; Lighting:</b>	<ul style="list-style-type: none"> <li>• A professional quality, freestanding sign is proposed. Note that a separate sign permit will be required.</li> <li>• All building entrances are recessed or covered to provide weather protection.</li> <li>• Lighting is provided throughout the site and at building entrances.</li> </ul>
<b>Materials &amp; Colours:</b>	<ul style="list-style-type: none"> <li>• The building is proposed to be constructed of vertical board and batten wood cladding contrasted with smooth natural wood on exposed interior elements.</li> </ul>
<b>Mechanical, Electrical &amp; Security Equipment:</b>	<ul style="list-style-type: none"> <li>• The mechanical equipment is screened with natural horizontal cedar plank screening.</li> </ul>
<b>Accessibility &amp; Connectivity:</b>	<ul style="list-style-type: none"> <li>• There is a proposed path that wraps around the west and south sides of the building.</li> <li>• There are pedestrian crossings connecting the parking areas to the building entrances and a pathway connecting the main entrance to the sidewalk that will be constructed on Ludlow Road.</li> </ul>
<b>Vehicle &amp; Bicycle Parking:</b>	<ul style="list-style-type: none"> <li>• The parking is divided into smaller areas to avoid an auto-dominated appearance.</li> <li>• The parking area and site is proposed to be enhanced with landscaping.</li> <li>• Ten bicycle parking spots and a shower are proposed.</li> </ul>

<b>Guidelines</b>	<b>Observations</b>
<b>Loading Facilities:</b>	<ul style="list-style-type: none"> <li>• The proposed loading area will not be visible from Ludlow Road, and will be largely screened from Oyster Bay Drive.</li> </ul>
<b>Landscape:</b>	<ul style="list-style-type: none"> <li>• No existing trees will be retained.</li> <li>• The landscaping is proposed to work with the grade changes on the site to provide screening from adjacent areas.</li> <li>• A screened picnic area is proposed for employees.</li> <li>• Native and drought resistant plants are proposed, and groundcover has been proposed rather than mulch or gravel. An irrigation system is proposed.</li> <li>• The landscaping plan has been prepared by a registered Landscape Architect and a security for \$129,800 will be provided to ensure the work is completed.</li> </ul>
<b>Energy Conservation, Rain Water Management &amp; Water Conservation:</b>	<ul style="list-style-type: none"> <li>• The applicant identified the following Green Building Design Measures: <ul style="list-style-type: none"> <li>○ Use of the following building materials: Extensive use of wood, fibre-glass window frames,</li> <li>○ Thermal envelope to meet ASHRAE 90.1 – 2016 for energy efficiency</li> <li>○ Use of a bio swale for rain water management,</li> <li>○ Landscaping designed for water conservation (including the irrigation system, standards for soil and mulch, and species selection).</li> </ul> </li> <li>• Ten bicycle parking spots and a shower are proposed.</li> </ul>
<b>Recycling, Organics &amp; Solid Waste Management:</b>	<ul style="list-style-type: none"> <li>• The recycling and waste storage area is proposed to be screened with horizontal cedar planks. The storage area is located behind the loading area, away from the main entrance and easily accessible for material pick up and drop off.</li> </ul>
<b>Crime Prevention:</b>	<ul style="list-style-type: none"> <li>• Crime prevention has been considered in site design, as well as in landscaping, and lighting choices.</li> <li>• Landscaping will delineate the boundary of private property and the adjacent public trail.</li> </ul>

**ALTERNATIVES:**

Council may decide to refuse issuance of DP 3060-19-19 where the refusal is based upon determination that the DP application does not meet the DPA 5 guidelines.

**FINANCIAL IMPLICATIONS:**

None.

**LEGAL IMPLICATIONS:**

The subject property is within DPA 5, so a DP is required prior to issuance of a Building Permit.

If the DP is refused, then reasons must be given, based on the DPA 5 guidelines, since the issuance of a DP is not a completely discretionary decision of Council.

The Ministry of Environment & Climate Change Strategy has issued notice that the Town may issue a Development Permit. The province has received and accepted a notice of independent remediation for the site.

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

None.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

This application has been referred to the Infrastructure Department, the Parks Department, and the Building Inspector. Their comments have been incorporated into the development permit, and/or will be addressed through the Building Permit application.

**ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Complete Community Land Use | <input type="checkbox"/> Low Impact Transportation         |
| <input checked="" type="checkbox"/> Green Buildings             | <input type="checkbox"/> Multi-Use Landscapes              |
| <input type="checkbox"/> Innovative Infrastructure              | <input type="checkbox"/> Local Food Systems                |
| <input type="checkbox"/> Healthy Community                      | <input checked="" type="checkbox"/> Local, Diverse Economy |
| <input type="checkbox"/> Not Applicable                         |  |

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

- |   |   |
|---|---|
| <input type="checkbox"/> Infrastructure | <input checked="" type="checkbox"/> Economy |
| <input type="checkbox"/> Community      | <input type="checkbox"/> Not Applicable     |
| <input type="checkbox"/> Waterfront     |   |

*I approve the report and recommendation(s).*

**Guillermo Ferrero, Chief Administrative Officer**

**ATTACHMENT(S):**

Draft DP No. 3060-19-19