

## STAFF REPORT TO COUNCIL

**Report Prepared By:** Julie Thompson, Planner  
**Meeting Date:** June 16, 2040  
**File No:** DP 3060-20-10  
**RE:** DEVELOPMENT PERMIT APPLICATION – 204 DOGWOOD DRIVE

### RECOMMENDATION:

That Council:

1. Issue Development Permit 3060-20-10 for the proposed development at 204 Dogwood Drive.
2. Authorize the Mayor and Corporate Officer to sign Development Permit 3060-20-10.

### EXECUTIVE SUMMARY:

The construction of an outdoor patio and additional improvements has been proposed at 204 Dogwood Drive, with the intent to establish a Neighbourhood Pub within the existing commercial building. Staff recommend that Council issue Development Permit 3060-20-10 as the proposal is generally consistent with the guidelines for the Commercial Development Permit Area (DPA 3).



*Figure 1: 204/202 Dogwood Drive (recently consolidated from 3 lots).*

### PREVIOUS COUNCIL DIRECTION:

Resolution # & Meeting Date	Resolution Details
March 31, 2020 CS 2020-102	That Council adopt "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 30) 2019, No. 2049" <i>Motion Carried</i>  (to allow a 200m <sup>2</sup> Neighbourhood Pub at 202/204 Dogwood Drive)

### INTRODUCTION/BACKGROUND:

The subject property currently contains a residential dwelling (202 Dogwood Dr.) with an attached commercial building (204 Dogwood Dr.) containing a barbershop. Commercial parking is located at the front of the commercial building, with access off Dogwood Drive. The subject property is within the Local Commercial (C-1) zone and is adjacent to residentially zoned properties on either side. Other C-1 properties are located across the street.



**Figure 2:** Existing front commercial façade at 204 Dogwood Drive.

The applicant is proposing to establish a 45 seat (29 inside, 16 outside) Neighbourhood Pub use with a micro-brewery within the existing commercial building located on the subject property. The existing barbershop will also be accommodated within the existing building. The applicant has submitted a Development Permit (DP) application for improvements to the site and existing commercial building at 204 Dogwood Drive, including:

- An outdoor patio covered by a 28.5m<sup>2</sup> cedar pergola at the front of the commercial building to provide outdoor seating for the pub.
- Exterior alterations to the commercial building such as new paint, new windows and doors, lighting, trim, and signage.
- Additional landscaping along the southeast side property line and the front property line.
- Expansion of the parking area by approximately 3m on the northeast side of the existing parking area, and improvements such as lighting, curbs, and planters.
- A new pedestrian pathway with adjacent fencing.
- Bicycle parking.



**Figure 3:** Front façade rendering of proposed improvements at 204 Dogwood Drive.

**ANALYSIS:**

The subject property is designated Local Commercial in the Official Community Plan (OCP) and is within the C-1 zone in the Zoning Bylaw. The proposal is consistent with the OCP designation and the zoning regulations. The subject property is within the Commercial Development Permit Area (DPA 3), thus a DP is required to allow the proposed development.

***Development Permit Area:***

The objectives of DPA 3 are to enhance highway commercial, tourist commercial, general commercial and neighbourhood commercial development in Ladysmith, and to ensure that commercial development is complementary to the existing character of Ladysmith and aligned with the Town’s vision for future growth.

The proposed development has been reviewed for consistency with the DPA 3 guidelines. The DPA 3 guidelines and staff observations have been summarized in Table 1, below:

<b>Guidelines</b>	<b>Observations</b>
Building Design	<ul style="list-style-type: none"><li>• The commercial building is existing.</li><li>• The proposed cedar patio/pergola and exterior design changes, such as the grey exterior paint, woodgrain accents and configuration of windows and doors, complement the existing commercial building.</li></ul>
Building Siting & Massing	<ul style="list-style-type: none"><li>• The height of the pergola (approx. 2.5m) respects the height of the existing commercial building (approx. 4.6m).</li><li>• The development incorporates a pedestrian walkway connecting the commercial development with the street.</li><li>• The existing building and proposed pergola contain variations in building height and massing and provide a variety of building form.</li></ul>
Building Frontage	<ul style="list-style-type: none"><li>• The proposed pergola adds additional articulation of the building frontage.</li><li>• Bicycle racks and lighting are provided, but not at the streetscape, as the existing building is set back from the street.</li><li>• Rear laneway will not be developed for active commercial use, which will be from the front of the building.</li><li>• Improvements to the laneway include new paint on the building façade.</li><li>• No unimproved blank walls adjacent to the street and lane are proposed. Walls adjacent to the lane contain windows.</li></ul>
Roof Form	<ul style="list-style-type: none"><li>• Existing building roof is sloped with a gable pitch and consists of asphalt shingle.</li><li>• Pergola roof is flat, adding variation to roof slopes.</li></ul>
Windows & Doors	<ul style="list-style-type: none"><li>• Large bay door acts as a window and is proposed to open onto outdoor patio.</li><li>• Proposed windows and doors are proportioned to the size of wall on which they appear.</li><li>• Windows are architecturally compatible with the overall building design.</li><li>• Exterior doors are fully glass and double as windows.</li><li>• Doors and windows are highlighted with trim.</li><li>• Primary entrances to the pub and the barbershop are clearly defined through the use of lighting, signage, and pedestrian pathways. Entrances have access from the sidewalk via an on-site pedestrian pathway.</li><li>• Weather protection is provided over building entrances via a roof overhang.</li></ul>
Signs, Canopies & Lighting	<ul style="list-style-type: none"><li>• Proposed signage for the pub - ‘Shoot the Moon’ – is of professional quality and consistent with the design and character of the building.</li><li>• The proposed free-standing sign at the driveway entrance off Dogwood Drive is lower profile.</li></ul>

Guidelines	Observations
	<ul style="list-style-type: none"> <li>• A roof overhang provides weather protection over the front building entrances.</li> <li>• Lighting along the pedestrian pathway is provided.</li> <li>• Lighting fixtures next to primary building entrances are decorative.</li> <li>• Exterior façade lighting and parking area lighting follow dark-sky principles and are directed downward.</li> </ul>
Outdoor Patios	<ul style="list-style-type: none"> <li>• An outdoor patio to be used for outdoor dining is proposed for the pub, contributing to outdoor vitality. The area of the patio under the pergola is 28.5m<sup>2</sup>.</li> </ul>
Materials & Colour	<ul style="list-style-type: none"> <li>• Exterior cladding of commercial building consists of existing stucco on the rear and sides, with board-and-batten on the front.</li> <li>• The pergola is proposed to be cedar.</li> <li>• The colour scheme is cohesive and consists of dark grey (paint) for the commercial building with black, aluminum and woodgrain accents.</li> </ul>
Mechanical, Electrical & Security Equipment	<ul style="list-style-type: none"> <li>• Small sized, galvanized steel rooftop exhaust is proposed at the rear, adjacent to the lane.</li> </ul>
Accessibility & Connectivity	<ul style="list-style-type: none"> <li>• A ground level entrance to the pub is proposed.</li> <li>• The barbershop entrance contains stairs, but an additional ground-level point of entry is proposed.</li> <li>• A pathway consisting of a mix of permeable pavers and concrete connecting the sidewalk to the primary commercial entrances is proposed.</li> <li>• The pedestrian pathway is adequately illuminated.</li> <li>• One disability parking space is provided in accordance with the Zoning Bylaw parking regulations.</li> </ul>
Vehicle & Bicycle Parking	<ul style="list-style-type: none"> <li>• DPA guidelines support vehicle parking at the rear; however, the site layout is existing and parking is currently located at the front of the parcel. The parking area is proposed to be extended approximately 3m from the northeast side of the parking area in order to accommodate parking on both sides of the existing parking lot, with an adequate maneuvering isle in the middle.</li> <li>• The parking area is screened from public view and neighbouring properties with fencing and landscaping.</li> <li>• The parking area is partially screened from the patio view with planters.</li> <li>• The parking area is shared between the barbershop and the pub.</li> <li>• Residential parking is currently at the northwest rear corner of the parcel, accessed via the laneway, and is not proposed to change.</li> <li>• Outdoor bike racks are provided near the barbershop and pub entrances.</li> <li>• Vehicle and bicycle parking requirements are consistent with the Zoning Bylaw.</li> </ul>
Loading Facilities	<ul style="list-style-type: none"> <li>• No loading bays are required and none are proposed.</li> <li>• A separate delivery entrance for the pub is proposed at the front of the building.</li> </ul>
Landscape	<ul style="list-style-type: none"> <li>• A row of existing cedar trees will be maintained and will become part of the required landscape buffer along the southwest parcel boundary.</li> <li>• Existing mature trees and fencing will be used to provide a buffer between the commercial use and the existing residential use on the parcel as well as a neighbouring residential property to the northeast. The trees and fencing will act as a substitution for the Zoning Bylaw landscape buffer requirement on the northeast side parcel line, in accordance with the following DPA3 guideline, “the minimum landscape buffer requirements provided in Part 7 of the Zoning Bylaw may be varied where the abutting parcels in a zone that permits residential use would be buffered through alternative measures on the parcel such as topography, non-commercial land uses, other structures and/or landscaping or existing vegetation”.</li> <li>• Plant material for the commercial area landscaping consists of a combination of trees (new and existing), landscape grass and shrubs.</li> <li>• Existing wood fencing is to be retained.</li> </ul>

Guidelines	Observations
	<ul style="list-style-type: none"> <li>• New fencing is proposed to be wood to complement existing wooden features and new features in the building design.</li> <li>• Two new shade trees in the parking area are provided in accordance with the Zoning Bylaw shade tree requirement.</li> <li>• All landscaping work and plant material will conform to the most recent edition of the BC Landscape Standards published by the BC Society of Landscape Architects.</li> <li>• The proposed DP will require monetary security to ensure that the required soft landscaping will be completed and established.</li> </ul>
Energy Conservation	<ul style="list-style-type: none"> <li>• The building is existing; proposed internal renovations do not include new energy efficient heating and cooling systems.</li> </ul>
Rain Water Management & Water Conservation	<ul style="list-style-type: none"> <li>• Automatic high efficiency (drip) irrigation is proposed.</li> <li>• Permeable pavers are proposed for the majority of the pedestrian pathway.</li> </ul>
Recycling, Organics & Solid Waste Management	<ul style="list-style-type: none"> <li>• Solid waste storage is located within an existing enclosure at the rear of the building and is screened from public view.</li> </ul>
Crime Prevention	<ul style="list-style-type: none"> <li>• Parking and exterior lighting is proposed, which will provide greater ability to see throughout the site at night.</li> </ul>
Public Realm	<ul style="list-style-type: none"> <li>• Pedestrian pathway to the building entrances provides a link from the public realm.</li> </ul>
Neighbourhood Commercial	<ul style="list-style-type: none"> <li>• The massing and height of the existing commercial building (single storey) and proposed pergola respects the character of neighbouring buildings and does not overpower them.</li> <li>• The existing commercial building is proposed to be refurbished and will continue to be used commercially.</li> <li>• The existing commercial building is proposed to be multi-use, containing both a barbershop and a pub, and is attached to a residential dwelling.</li> <li>• The general location of the existing building entrances will be retained.</li> <li>• Signs are pedestrian-oriented.</li> <li>• Adequate vehicle and bicycle parking is provided.</li> <li>• There is an existing private outdoor space for the attached residential use.</li> </ul>

The proposed development is generally consistent with the DPA 3 guidelines. Based on this analysis, it is recommended that Council issue DP 3060-20-10.

**ALTERNATIVES:**

Council can choose to not issue DP 3060-20-10 where refusal is based upon determination that the application does not meet the DPA 3 guidelines.

**FINANCIAL IMPLICATIONS:**

None.

**LEGAL IMPLICATIONS:**

The subject property is within DPA 3, therefore a DP is required prior to issuance of a building permit.

If the DP is refused, reasons must be given based on the DPA 3 guidelines, as the issuance of a DP is not a completely discretionary decision of Council.

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

N/A

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

The application was referred to the Engineering and Building Inspection departments. Building and Engineering requirements will be addressed at the time of building permit.

An existing door well is located at the rear of the building and encroaches into the lane. The door well is not shown on DP 20-10 and its removal will be required at the time of building permit.

**ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Complete Community Land Use | <input type="checkbox"/> Low Impact Transportation |
| <input 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 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).***

**Erin Anderson, Acting Chief Administrative Officer**

**ATTACHMENT(S):**

Draft DP 3060-20-10