

**MONDAY, JUNE 19, 2017  
COUNCIL MEETING**

**SUPPLEMENTAL AGENDA**

**DEVELOPMENT APPLICATIONS**

**Development Permit Application – Carol and Gary Wagenaar  
1030 Oyster Bay Drive..... 1 - 8**

Staff Recommendation:

That Council:

1. Consider whether it will issue Development Permit 3060-17-09 to permit site improvements and the issuance of a building permit for a temporary building for an equipment rental business to operate for one year at 1030 Oyster Bay Drive (Lot 1, District Lot 24, Oyster District, Plan VIP72824, except part in Plan VIP81529); and that a security of \$10,000 be submitted to guarantee the removal of the portable building and temporary fencing by June 30, 2018; and
2. Authorize the Mayor and Corporate Officer to sign the Development Permit if approved.

**NEW BUSINESS**

**Acquisition of Art**

Staff Recommendation:

That Council direct staff to purchase numbered print #1 of the John Marston design for the Canada 150 banner “Eagle’s Flight” for \$225.00, and the original Michael Dean painting titled Roberts Street for \$625.00 (framed), with the funds to come from the Public Relations budget.

**Vancouver Island Economic Alliance  
Request for Letter of Support.....9 - 11**

Staff Recommendation:

That Council submit a letter to the federal Foreign Trade Zone Task Force



expressing the Town of Ladysmith's support of the Vancouver Island Economic Alliance application to be designated as a Foreign Trade Zone (FTZ).

## **ADJOURNMENT**

**STAFF REPORT TO COUNCIL**

**From:** Felicity Adams, Director of Development Services  
**Meeting Date:** June 19, 2017  
**File No:** 3060-17-09

**RE:** Development Permit Application – Carol and Garry Wagenaar  
**Subject Property:** Lot 1, District Lot 24, Oyster District, Plan VIP72824, except part in Plan VIP81529 (1030 Oyster Bay Drive)

**RECOMMENDATION(S)**

That Council:

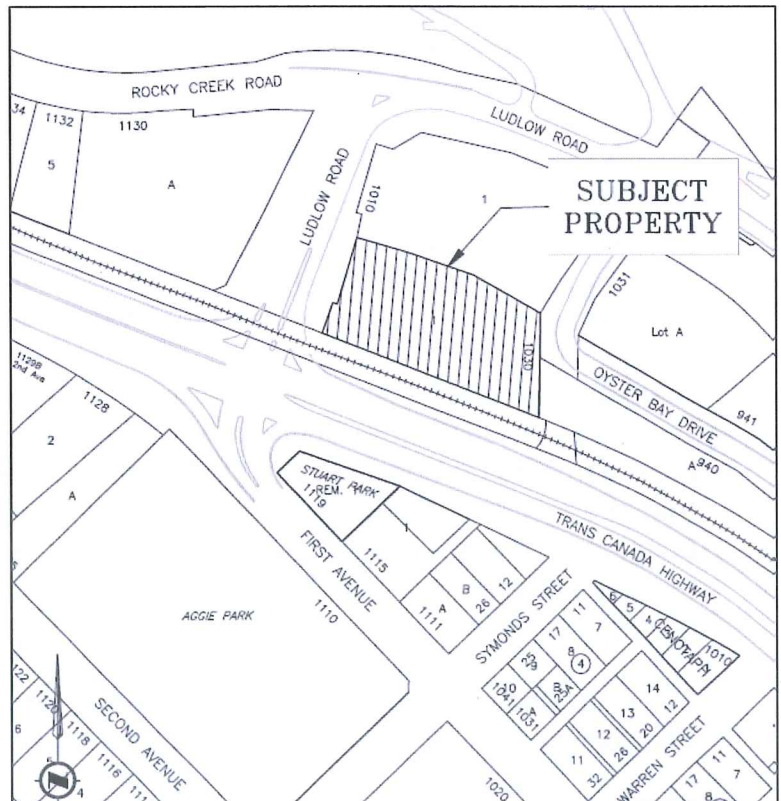
1. Consider whether it will issue Development Permit 3060-17-09 to permit site improvements and the issuance of a building permit for a temporary building for an equipment rental business to operate for one year at 1030 Oyster Bay Drive (Lot 1, District Lot 24, Oyster District, Plan VIP72824, except part in Plan VIP81529); and that a security of \$10,000 be submitted to guarantee the removal of the portable building and temporary fencing by June 30, 2018; and
2. Authorize the Mayor and Corporate Officer to sign the Development Permit.

**PURPOSE**

The purpose of this staff report is to present a Development Permit application for site improvements and a temporary building to be located on the vacant portion of the property at 1030 Oyster Bay Drive.

**PREVIOUS COUNCIL DIRECTION/RESOLUTIONS**

A Development Permit was approved by Council in March 2012 to permit a 1,479m<sup>2</sup> (15,920 ft<sup>2</sup>) two storey commercial/light industrial building and site improvements at 1030 Oyster Bay Drive. Phase one of the project is complete, and Ladysmith Motorsports is operating from this building.



## **INTRODUCTION/BACKGROUND**

A development permit application has been received for site improvements and a portable building for an equipment rental business to operate for one year on the vacant half of the property at 1030 Oyster Bay Drive. The subject property is zoned Light Industrial (I-1). 'Machinery and equipment rental and sales' is a permitted use in the I-1 zone.

Since 2012 the owners of the land have not been successful in securing tenants to allow the construction of phase two of the original development project. For this reason the owners have been exploring other options for the property.

## **DISCUSSION**

The business Xtend Rental is proposing two phases to starting their business in Ladysmith. The business rents out machinery such as skid steers, excavators, and bobcats. The subject of this Development Permit 17-09 is for phase one only.

**Phase One:** In the short term the applicants are proposing to level the vacant half of the property and install a portable building 89m<sup>2</sup> (24' x 40') in size. The building would have one washroom. The property is accessed by a driveway from Oyster Bay Drive. Dust free gravel parking, with a minimum of three parking spaces, would be created. Temporary fencing and a sign is also proposed. Rental machinery would be stored outside for display. A site plan for the phase one improvements is included in the attached development permit. The development permit also shows the temporary fence style and proposed portable building. A sign permit will be completed for the proposed sign.

**Phase Two:** The owners of Xtend Rental are interested in permanently locating on the vacant portion of the property. Within the next year the Xtend Rental business owner intends to purchase the vacant half of the land, and develop the site with an attractive building, landscaping and other site improvements. A development permit application would be required and will be presented to Council for the phase two improvements. In this scenario, phase two of the existing Oyster Bay Quay building would not proceed.

### **Development Permit Area 5 – Industrial**

The property falls within Development Permit Area 5 – Industrial (DPA 5). The phase one improvements do not meet the guidelines in DPA 5. Thus it is recommended to require that the applicant submit a bond of \$10,000 as security to ensure that the temporary building is removed by June 30, 2018. It is important that the temporary building and fencing be removed in one year to allow for a development that meets the DPA 5 guidelines.

The proposed temporary building meets the setback requirements of the Zoning Bylaw. The Zoning Bylaw requires a minimum of three parking stalls for the phase one

improvements. The parking for phase one is proposed to be dust free and identified by concrete wheel stops.

### **SCOPE OF WORK**

The current stage of this application is for Council to consider issuing Development Permit 3060-17-09 to allow phase one improvements for a machinery rental business to start-up at 1030 Oyster Bay Drive.

### **ALTERNATIVES**

n/a

### **FINANCIAL IMPLICATIONS**

n/a

### **LEGAL IMPLICATIONS**

A development permit is required prior to buildings and structures being placed on the land.

### **CITIZEN/PUBLIC RELATIONS IMPLICATIONS**

Development permits do not require statutory notice. Public input was received during the preparation of the development permit guidelines.

### **INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS**

The building inspector has advised the applicant of the requirements for a building permit for a portable building. The Infrastructure Services department will work with the applicant to ensure servicing to the portable building.

It is anticipated that the applicant will apply for a driveway permit to construct a driveway access from Ludlow Road to 1030 Oyster Bay Drive. Also, the applicant has applied to subdivide the vacant portion of the land from the developed portion containing the Oyster Bay Quay building.

### **RESOURCE IMPLICATIONS**

Processing development permit applications is within available staff resources.

### **ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT**

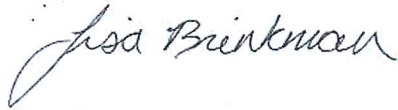
Staff will work the applicant to ensure that the phase two portion of the development considers the Visioning report.

### **ALIGNMENT WITH STRATEGIC PRIORITIES**

Allowing the phase one portion of the business to proceed is consistent with the strategic priority of dynamic economic development.

**SUMMARY**

Council may consider issuance of development permit 3060-17-09 to allow a portable building and site improvements to permit the start-up of a machinery rental business.



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Report Author (Lisa Brinkman, Senior Planner)

June 15, 2017

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Date Signed

Reviewed By

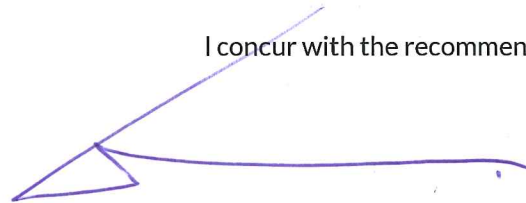


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Felicity Adams, Director of Development Services

June 15, 2017

\_\_\_\_\_  
Date Signed

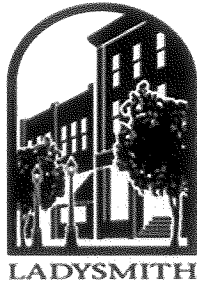
I concur with the recommendation.



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Guillermo Ferrero, City Manager

**ATTACHMENT(S)**

DP 3060-17-09



**TOWN OF LADYSMITH  
DEVELOPMENT PERMIT**  
(Section 489 *Local Government Act*)

FILE NO: 3060-17-09

DATE: June 19, 2017

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Name of Owner(s) of Land (Permittee): Terra-North Inc., Inc. No. A0078580

Applicant: Garry and Carol Wagenaar (Terra-North, Inc.)

Subject Property (Civic Address): 1030 Oyster Bay Drive

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1. This Development Permit is subject to compliance with all of the bylaws of the Town of Ladysmith applicable thereto, except as specifically varied by this Permit.
2. This Permit applies to and only to those lands within the Town of Ladysmith described below, and any and all buildings structures and other development thereon:

Lot 1  
District Lot 24  
Oyster District  
Plan VIP72824  
PID# 025-143-476  
(referred to as the "Land")

3. This Permit has the effect of authorizing:
  - (a) the issuance of a building permit for the construction of a temporary building on the Land in accordance with the plans and specifications attached to this Permit, and subject to all applicable laws except as varied by this Permit; and
  - (b) the alteration of land or a building or structure on land designated in the Official Community Plan under section 488(1)(f) of the *Local Government Act*.

Subject to the conditions, requirements and standards imposed and agreed to in section 5 and 6 of this Permit.

4. This Permit does not have the effect of varying the use or density of the Land specified in Town of Ladysmith Zoning Bylaw 2014, No. 1860.
5. The Permittee, as a condition of the issuance of this Permit, agrees to:
  - a) Place the 'portable building' in the location indicated on Schedule A.
  - b) Remove the 'portable building' and 'temporary fencing' indicated on Schedule A and B by June 30, 2018.
  - c) Provide dust free onsite parking, with wheel stops, as indicated in Schedule A.

6. This Permit is issued on the condition that the Permittee has provided to the Town of Ladysmith security in the form of an irrevocable Letter of Credit to guarantee the performance of the conditions in section 5 of this Permit. The Letter of Credit shall be for a period of two years, shall be automatically extended, and shall be in the amount of \$10,000.
7. Should the Permittee fail to satisfy the conditions referred to in section 5 and 6 of this Permit, the Town of Ladysmith may undertake and complete the works required to satisfy the conditions at the cost of the Permittee, and may apply the security in payment of the cost of the work, with any excess to be returned to the Permittee.
8. Should there be no default as herein provided, or where a Permit lapses, the Town of Ladysmith shall return any security provided to the Permittee.
9. If the Permittee does not substantially start any construction permitted by this Permit within **six months** of the date of this Permit as established by the authorizing resolution date, this Permit shall lapse.
10. The plans and specifications attached to this Permit are an integral part of this Permit.
11. Notice of this Permit shall be filed in the Land Title Office at Victoria under s.503 of the *Local Government Act*, and upon such filing, the terms of this Permit (3060-17-09) or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
12. This Permit prevails over the provisions of the Bylaw in the event of conflict.
13. Despite issuance of this permit, construction may not start without a Building Permit or other necessary permits.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL OF THE TOWN OF LADYSMITH ON THE  
 \_\_\_\_ DAY OF \_\_\_\_\_ 201\_\_.

\_\_\_\_\_  
 MAYOR

\_\_\_\_\_  
 CORPORATE OFFICER

\_\_\_\_\_  
 OWNER

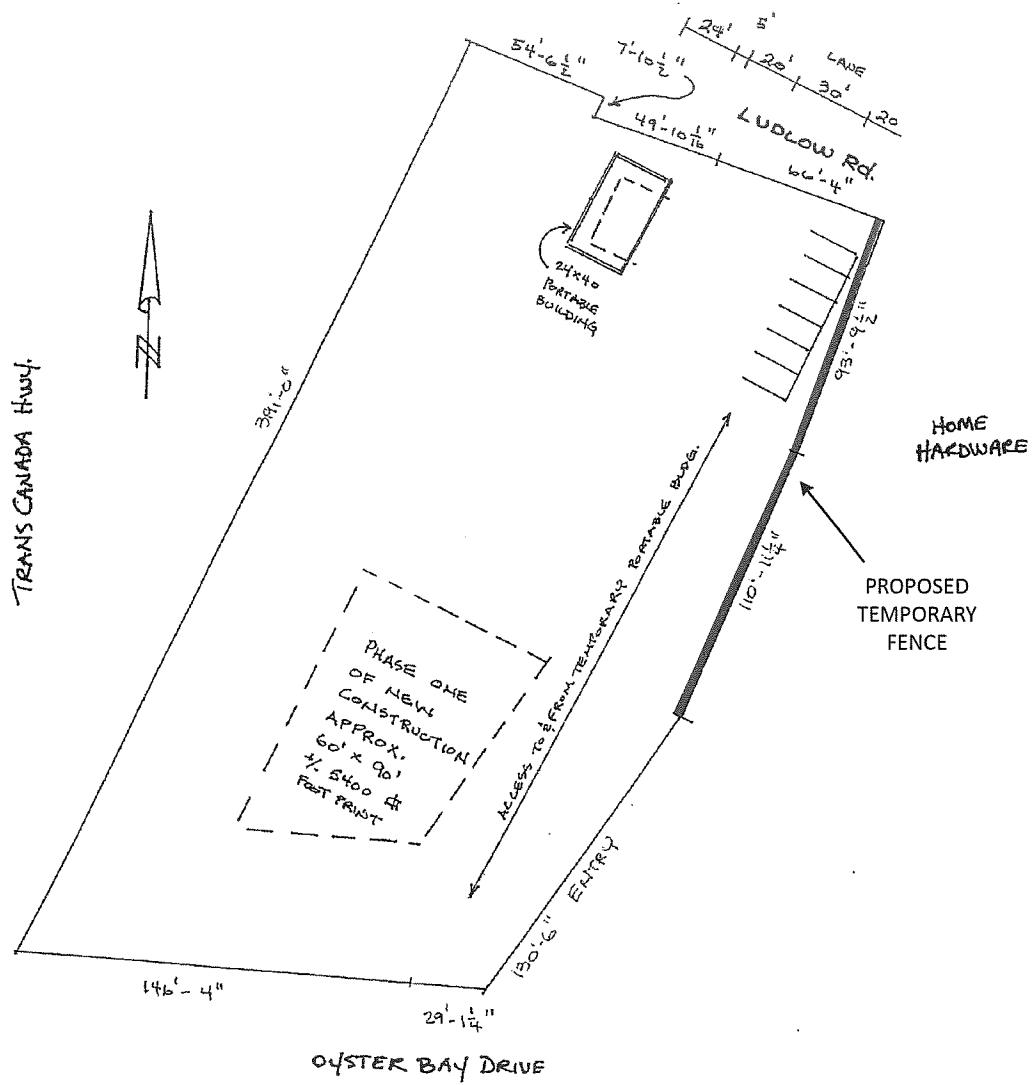
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 OWNER

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 P LEASE PRINT NAME



# PARKING & ACCESS PLAN FOR TEMPORARY PORTABLE



Development Permit 3060-17-09  
 Schedule A: Site Plan  
 1030 Oyster Bay Drive  
 Carol and Garry Wagenaar



**Figure 1: Portable building to be sited at 1030 Oyster Bay Drive**



**Figure 2: Temporary Fencing to be installed at 1030 Oyster Bay Drive**

**Development Permit 3060-17-09  
Schedule B: Site Plan  
1030 Oyster Bay Drive  
Carol and Garry Wagenaar**



George Hanson | President  
[george@viea.ca](mailto:george@viea.ca)

Vancouver Island Economic Alliance  
P.O. Box 76, Station 'A', Nanaimo, BC, V9R 5K4  
T 250-667-5225 | [www.viea.ca](http://www.viea.ca)

Building Alliances for Economic Vitality & Sustainability

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**From:** George Hanson [<mailto:george@viea.ca>]  
**Sent:** Friday, May 12, 2017 5:23 PM  
**Subject:** VIEA is applying for Vancouver Island to be designated as a Foreign Trade Zone

You are receiving this message because you are a member of the Economic Alliance with direct interest in improving our import/export capacity on Vancouver Island.

We welcome your participation.

The attached documents are to provide you with our application outline, a letter requesting you to provide a letter of support, and a sample letter of support for you to edit or ignore as you see fit.

We have submitted a letter of intent to the Foreign Trade Zone Task Force confirming VIEA's intention to submit application by the end of June. Thus, letters received from your organization within the next 5 weeks will be especially appreciated. There are no financial obligations attached to this request. If you require further information, please feel free to call me or email me directly.

This FTZ application is but one piece in the transportation/manufacturing puzzle on which the Economic Alliance has been working for several years. We believe that this designation will help facilitate expansion and diversification while increasing the Island's profile as an active and attractive economy.

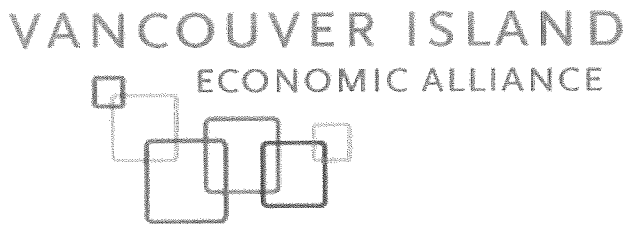
Thank you for your consideration.



George Hanson | President  
[george@viea.ca](mailto:george@viea.ca)

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P.O. Box 76, Station 'A', Nanaimo, BC, V9R 5K4  
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Building Alliances for Economic Vitality & Sustainability



May 12, 2017

VIEA Member – Stakeholders in the Island Economy

**Re: Support in principle for Vancouver Island to receive Foreign Trade Zone status**

Dear Stakeholder,

**Background:** The Vancouver Island Economic Alliance has submitted a Letter of Intent to the federal Foreign Trade Zone Task Force expressing that VIEA will make application before the end of June 2017 for Vancouver Island to be designated as a Foreign Trade Zone (FTZ).

**Rationale:** This application is an extension of the work of the Economic Alliance over the last several years to encourage development of an intermodal transportation plan and to increase competitive advantage for advanced manufacturers on Vancouver Island. FTZ designation will help raise the profile of Vancouver Island as a centre for import/export and provide easy access to federal decision-makers so as to facilitate problems and answer questions for our transportation and manufacturing stakeholders.

**Request:** VIEA's application must include letters of support from local government, provincial government and private sector leaders. We therefore respectfully request a letter of support from your organization (A sample letter is attached for your convenience.) While VIEA will eventually be raising funds to forward this work, the letters we seek at this time will in no way require any financial commitment to this initiative.

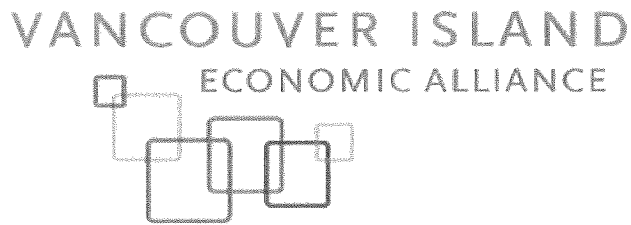
Attached is an outline of VIEA's FTZ application so that you can see how we are intending to position Vancouver Island for increased export activity. We are happy to answer any questions you may have.

We will appreciate receiving your letter of support before the end of May 2017.

Thank you for your consideration and assistance.

Sincerely,

George Hanson  
President



May 12, 2017

George Hanson, President  
Vancouver Island Economic Alliance  
P.O. Box 76, Station A  
Nanaimo, BC, V9R 5K4

**Re: VIEA Application for Foreign Trade Zone Designation**

Mr. Hanson,

This letter is to confirm our support in principle for your application to achieve Foreign Trade Zone designation for Vancouver Island.

We are aware of the work of the Economic Alliance over the last several years advocating for a comprehensive intermodal transportation plan; developing initiatives to reduce barriers and increase competitiveness for advanced manufacturers; convening wood industry stakeholders and creating business cases for new value-added manufacturing; and exploring product branding opportunities to increase distribution and demand for Island-made products.

We see that establishing Vancouver Island as a Foreign Trade Zone would be a logical and progressive step in this larger process towards improving the positioning of the Island Region as a Canadian Pacific Gateway to Asia and the Americas.

We are happy to support this application and we will remain interested and willing to consider further participation as the initiative matures.

Sincerely,