

**Town of Ladysmith
REGULAR COUNCIL AND PUBLIC HEARINGS
AGENDA LATE ITEMS
APRIL 20, 2021**

Recommendation:

That Council amend the agenda to add the following items, received after publication of the agenda:

- | | Page |
|--|-------------|
| 3.1.3. Public Hearing #1 Submissions – 336 Belaire Street
Add additional public submissions received up to 4:00pm on Tuesday, April 20, 2021. | 2 |
| 4.4. Public Hearing #2 Submissions – Development Permit Area 4
Add additional public submissions received up to 4:00pm on Tuesday, April 20, 2021. | 26 |

PUBLIC HEARING #1
336 Belaire Street

**Public submissions received between
Thursday, April 15 (agenda publication
date)and
4:00pm on Tuesday, April 20, 2021.**

RECEIVED APR 19, 2021

From: Alice Alexander

Sent: April 17, 2021 1:12 PM

To: Town of Ladysmith <info@ladysmith.ca>

Subject: I am against the Proposed apartment building at 336 Belaire St.

Dear Sir or Madam;

I am **against** this proposal! The developer wanted 3 stories, and is said to now want 4. Next it will be 5 or more, if not stopped! Why would the city allow challenges to what has already been decided?

Yours sincerely,
Alice Alexander

RECEIVED APR 19, 2021

From: Claire Voldeng

Sent: April 18, 2021 8:36 AM

To: Town of Ladysmith <info@ladysmith.ca>

Subject: Zoning Bylaw Change Proposal - 336 Belaire, Lot 1, District lot 56, Oyster District, Plan 27861

I'm **NOT IN FAVOR** of this further request, to take this development to 4 stories. When approval has already been given for 3 stories, it should be accepted by the developer. So should the Dalby site have been accepted, but the developers keep pushing the town for more, the town should stick to first decisions that are made and not allow these rezoning requests. **What a lot of added time and expense to the town, to revisit all this. The site is extremely small to accommodate what is proposed to begin with. Concerning to me are traffic congestion, parking, change of the neighborhood. As a patient of my chiropractor who lives on the street, I can just imagine the chaos of people coming in and out to accommodate everything planned in that building. IMPORTANT: Adding 4 more residential units might mean 8 or more additional cars, is concerning. If people don't have enough assigned parking underground, they park anywhere else around their building. PLEASE COUNT THIS LETTER AS A NOT IN FAVOR VOTE!**

Respectfully submitted
CLAIRE VOLDENG

RECEIVED APR 19, 2021

OUTSIDE CIRCULATION AREA

From: Denise
Sent: April 18, 2021 6:17 AM
To: Town of Ladysmith <info@ladysmith.ca>
Subject: Proposed development on Belaire St

I am writing this to share my thoughts on the proposal to build a 4 story building at 336 Belaire. I feel this is inappropriate for numerous reasons. We already have problems with water and I feel this would also affect traffic and parking in the area.

I also feel it would affect the image Ladysmith enjoys of being a picturesque small town.

Why the developer is being allowed to present this proposal again after the town had already allowed for a maximum of three stories is hard to understand.

Lastly, I highly doubt the suggestion of affordable housing at this location,. With beautiful views and walking proximity to our charming downtown area I'm sure the developer is anticipating cashing in on this location regardless of how It Will affect the currents residents of this areacanff the town overall.

Denise Armstrong
3745 Clifcoe Rd
Ladysmith, BC
V9G2B4

RECEIVED APR 19, 2021

-----Original Message-----

From: Diana

Sent: April 19, 2021 7:01 AM

To: Town of Ladysmith <info@ladysmith.ca>

Subject: 336 Belaire

Hi there, we are against the rezoning of this property mainly for congestion of traffic. This would be like your approval of Tim Horton which was in our view a huge mistake, the congestion of traffic is horrendous. Please listen to the people of Ladysmith.

RECEIVED APR 19, 2021

From: Heidi Summer

Sent: April 17, 2021 6:34 PM

To: Town of Ladysmith <info@ladysmith.ca>

Subject: re : Jailhouse Development at 336 Belaire St.

I am absolutely not for this proposal. 4 stories high! No way! This will cause far too much congestion for that street /neighborhood. I don't think Ladysmith needs or can handle such high density.

Heidi Summer

RECEIVED APR 19, 2021

From: JACQUELINE BROCKLESBY

Sent: April 18, 2021 3:15 PM

To: Town of Ladysmith <info@ladysmith.ca>

Subject: Jailhouse development

I am **AGAINST** another story being approved to this development.

I live on Methuen street so I am in the area and feel that council is allowing too much density in this area.

I would like the input of those who already live in the area be taken into account when council makes a decision on what

"Is in the best interest of the town".

Jacqueline

RECEIVED APR 19, 2021

From: Mary Taylor

Sent: April 17, 2021 4:09 PM

To: Town of Ladysmith <info@ladysmith.ca>

Subject: WE ARE AGAINST - proposed changes to the mixed use development on 336 Belaire Street...

To Whom It May Concern:

We are OPPOSED to the application for amendment of the zoning bylaw to change the comprehensive development 6 - Belaire Mixed Use Zone (CD-6) to allow for a fourth story for 4 more residential units.(Lot 1, District Lot 56, Oyster District, Plan 27861)

As people who frequent this area, we have concerns that commercial use of the site will drastically change the residential dynamic of the community... However, it is our understanding that the commercial aspect to this development has already been approved in the 2018 application for development.

The previous approved proposal will already seriously impact traffic and parking in the area. The addition of 4 more residential units will only exacerbate an already difficult problem.

The developer's poor redesign of adding underground parking (so essentially wanting to build a 5 story building), and COVID related money problems are not compelling enough reasons to amend the already approved zoning for this site. It does not bode well that the developer has not got enough money to fund this development without major design changes that will impact the neighborhood and Ladysmith itself. (What happens if the developer runs into other problems with this development?? Will even more design changes be needed in order to fund the completion of the project??)

This new application for amendment does not show respect for the council's previous decision regarding this matter, and is causing further anxiety and frustration to the local homeowners and others who frequent the area.

Therefore, we are asking that the council vote NO in this matter...

Yours truly,

Mary Taylor RN, BSN

Andy Court FCP, RCRT, BA

RECEIVED APR 19, 2021

OUTSIDE CIRCULATION AREA

From: NOEL McKenna

Sent: April 18, 2021 6:00 AM

To: Town of Ladysmith <info@ladysmith.ca>

Subject: Zoning bylaw amendment No 2066, 336 Belaire St

I am OPPOSED to the bylaw changes requested for this site. I do not believe that the developer has ever acted in good faith with regards to this project. During his first rezoning he presented signatures supporting the development from many non-residents. He obtained the changes that he requested and is now coming back and asking for more.

A major part of the first proposal was a brew pub and that idea was attractive to many on council because of the jobs it would bring and the opportunity for a new place to go. This was removed from the development .

This latest rezoning has had no public meeting. There was a zoom meeting that was held that 7 people attended. It was not scheduled to be convenient to attend for the average person.

I am against any rezoning changes at this time while we are reviewing the OCP.

What is the plan for this area? What is the vision? Spot rezoning has no place in proper planning for a town.

You need to have proper consultation and involve the community. A town is not just made up of roads and buildings. It is the people who make up the town and form it's character.

The only reason this developer wants another floor is simply to make more money.

Please do not approve this bylaw amendment.

Noel McKenna

125 Methuen ST

RECEIVED APR 19, 2021

From: ronald essiambre

Sent: April 17, 2021 2:51 PM

To: Town of Ladysmith <info@ladysmith.ca>

Subject: No three or 4 stories

We don't want any development the intrudes on the size of agreed upon statutes

RECEIVED APR 19, 2021

From: Starr Adams

Sent: April 17, 2021 6:22 PM

To: Town of Ladysmith <info@ladysmith.ca>

Subject: Zoning Bylaw for 336 Belaire

This property was already approved last year for 3 stories and the developer should honour that. The parking will be terrible with visitors to this site, I'm completely against the proposed change for 4 stories.

Starr Adams

SUBMISSION FOR THE PUBLIC HEARING ON APRIL 20TH 2021:
PROPOSED 4-STOREY MIXED USE BUILDING AT 336 BELAIRE

Simply put, the 336 Belaire site owner has already enjoyed a major concession when on December 2nd 2019, despite the compelling objections of locals, Councillors approved a 3-storey mixed used building. The owner had publicly conceded that "With generous consideration ... Mr. Green will submit a 3-storey mixed use building concept" due to the vehement opposition to a 4-storey structure. His self-written, supportive form letters spoke to a 3-storey building too. Therefore, the claim among other unfounded ones in alarming current promotional literature that there has been "general acceptance for 4-storeys" is offensive, grossly misleading and, in fact, completely false. For instance, at the June 5th 2019 neighbourhood meeting (at which I happened to be a chairperson), every single person present in the packed meeting room supported only a then-zoned 2-storey commercial building and adamantly opposed any other for many valid reasons. Representatives from that meeting presented these strong views to the Town Council on December 2nd 2019.

**** In standard business dealings, if one party is clearly dishonest, the conducting of business is promptly ended by the offended party, particularly if that party's duty is to act on behalf of countless others.***

The only neighbourhood information meeting of sorts about the proposed change to, now, a 4-storey building was a restrictive afternoon Zoom meeting on January 12th involving only 3 members of the public. The developer cancelled the January 11th afternoon meeting but, incredibly, submitted a baseless 4-page report to Town Council about the meeting despite the fact that it had never happened! Councillors will undoubtedly agree that this is completely reprehensible. However, the developer had invited input so I wrote to ask pertinent questions and share concerns about the very misleading mistakes and falsehoods in the literature. Again, there was a complete lack of transparency and co-operation because the developer wouldn't respond except to instruct that "All communications should be sent directly to the Town of Ladysmith as there will be no direct response from R.W. Wall Ltd."

**** The Developer's formal statement about its association with the Town of Ladysmith in this manner and the making use of Town Hall staff to handle its mail depicts the Town of Ladysmith as its ally. Worse, this is likely to have placed the Town of Ladysmith in an untenable Conflict of Interest situation which would require that Town Councillors recuse themselves from anything whatsoever to do with the matter, including voting on it.***

The site owner's wish revert to an already-dismissed 4-storey building is supposedly to make the project "economically viable". (We don't know how safely that broad conclusion was arrived at, of course.) However, the owner had already insisted that making any profit "*is secondary* to the benefit to the community" and he, as well as Town Council, know what the community's united views are. The owner knew when purchasing the site that it was zoned for a 2-storey commercial building. Now, not enough parking, local people's justified outrage about the proposed building's complete variance with the scale, form and character of the neighbourhood's single family homes, traffic issues and so on have arisen. Unfortunately, many people are encountering varying degrees of economic distress in this pandemic era. And risk takers know that risky ventures can turn out to be – guess what? – risky. So surely the site owner isn't seriously hoping to evoke sympathy and get bailed out by being permitted to construct an even taller building despite the already-voiced vehement objections of locals who have been stretched to the limit already? And all this exhausting, time-consuming and stressful commotion is about possibly housing only about 4 more people, up to perhaps only 8, on a costly additional floor!

**** The role of people in the community certainly isn't to accommodate the property owner's wish to protect his investment at even greater cost to their own well-being, life-styles and long-established cherished neighbourhood. And under the Community Charter all municipal councillors must prioritize the well-being and interests of the community, not a land owner or developer.***

Ladysmith Town Councillors must surely know what stand they must take on this matter!


 J.J. Sheridan, 21-332 Belaire, Ladysmith



April 19th 2021

TEXT OF REPLY EMAIL FROM R.W.WALL LTD., March 11 2021

From:
RW Wall Mar 11, 2021, 1:33 PM.

Good afternoon,

I will mail out some handouts today to the address you noted below.

All communications should be sent directly to the Town of Ladysmith as there will be no direct response from R.W. Wall Ltd.

Thank you and have a great day. Stay healthy!

Penny Harper
Controller
R.W. Wall Ltd.

(

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|

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-----Original Message-----

From: JULIA SKELLY

Sent: April 19, 2021 2:47 PM

To: Town of Ladysmith <info@ladysmith.ca>

Subject: Re: 336 Belair Proposal

Please have a heart and don't approve this application.

Julia Skelly
Chemainus BC

Sent from my iPhone

Received April 20, 2021

From: Colum

Sent: April 19, 2021 8:20 PM

To: Town of Ladysmith <info@ladysmith.ca>

Subject: 336 Belaire Street Jailhouse development

I oppose the construction of four stories building in the proposed spot on 336 Belair. I feel that this area is already congested enough at the time that I leave for work in the mornings. I am against the construction of this building.

Received April 20, 2021

Within Circulation Area

Re: Zoning Bylaw amendment

Bylaw No. 2066

Subject Property: 336 Belaire Street-Lot 1 ,District Lot56,Oyster District,Plan 27861

I find myself yet again writing letters to whomever will listen. My conclusion is no one will. They haven't yet. When I see a 4x8 sheet of plywood erected, with Town of Ladysmith rhetoric signage, I tend to be cynical. I have mentioned to most that the so called "notice of Public Hearing", just means that Development services is going through the process of allegedly being democratic. however, my experience is that the deals and promises are already or have already been made and we the general public just get the smoke and mirrors sales pitch. When I see a current sitting councilor meet onsite with the owner, Mr. Fred Green and have a chat about life, about I'm sure the "process", only to have that same councilor advocate at a public hearing on his behalf, I can't conclude anything other than a promise made, a deal done, and certainly a conflict of interest.

We, the local neighbors held a meeting in June 2019 when the first signs went up. I mentioned then, and still conclude today that we all are collateral damage. When you drop a bomb, it is justified by some as being for the greater good. If it destroys one....it is not justified, period. I have heard on far too many occasions now from the Town so called leaders, the politically correct terms like..."you gotta look at the big picture",or..."change is inevitable". You see I applauded certain long time town's folk for running for council and sitting there. Thought they could, and would make a difference, however I see how they morphed into politicians along the way and have become influenced by not so admiring attributes.

You see, the "big picture" is what many have lost sight of. This is about money, period. nothing more, nothing less. For the owner who bought a Lemon and is trying to turn it into 40 year old Scotch, to a General Contractor who has revenue streams to consider, and of course, the empire that is the Town Of Ladysmith. You see I understand DCC's, Building permit fees, Development Variance fees, and of course those everlasting property taxes. Nothing wrong with revenues however the negligence comes when one forgets the spending. The horse has not only left the barn, it has definitely rode off into the sunset.

I wrote a comprehensive letter the last time this developer applied for a change in the rules, only for the town to throw it all out. Yes, I call it that because that's what the town did. I spent hours, days pulling information from the Town of Ladysmith's Development permit areas, The so called Official community plan. Even the ministry of highways regulations(which btw-over ride the Town's rules).all this information was there ,in black and white. Rules set in place to establish neighborhoods, the community, to protect the investments some have in their homes, their way of life, their lifestyles. It was probably over 20 so called "rules" that the Town overlooked and threw away. Not some,...but ALL of them!

Doc Wickam park,zoned P4,Town rules say designated 4 parking stalls for this ..specifically. My guess is this development (tenants) will occupy those, no one will enforce it. The proposed rendering on the books right now show a drive access for underground parking nearest the intersection on Belaire Street which is in contravention to the Town's bylaws! It is too close and will cause accidents. Why do I know

this because it is in the Town's documents. I also lost my driveway access onto Dogwood from when my home was built in 1937. When the Town re-aligned the intersection, I lost my driveway because "it was too close to the intersection." Trust me, I will be watching for the permit application process to see if the town breaks the rules. If so I will re-apply for my driveway access. The Town also has provisions (rules) for parking within distances of bus stops, which you have on Belaire in front of Doc Wickam park, parking within a certain distance of stop signs, which you have on Rigby, parking within certain distances of crosswalks, which you have on Rigby, lower Belaire and Dogwood. All of these rules are put in place for safety, for sightlines, to protect people. Again, collateral damage. What's a few close calls all in the name of the bigger picture.

Rigby place is a dead end laneway, not a proper street. The turnaround at the end is not a culdesac and will not be adequate for the massive traffic flow that will happen. This will affect the existing tenants at the end in the duplex, as well as the Dr's Chiropractic offices there. When the construction happens, it will be jammed with vehicles, one can only hope the bylaw enforcement officer will do their job. When the building is complete, delivery vehicles, garbage trucks, etc will have difficulty as the turning radius will not be as per requirements.

The unknown here is the potential commercial spaces. The town of Ladysmith is allowing the owner to speculate, which is irresponsible on the Town's behalf. You are speculating with the people that live here. As per the Town of Ladysmith's requirements, Zoning bylaws, there are provisions for onsite parking for businesses, seating numbers dictate that, (if a coffee shop or brew pub). Designated loading zones, disabled parking stalls, electric car stalls, bike/motorcycle stalls, and garbage Annex for garbage bins, recycling bins, and if a food service, and catchment for food wastes or cooking oils.

You see when it was asked for a 3 storey they did not have proper onsite parking. You, the Town of Ladysmith bent the rules and allowed them to use a smaller stall size to squeeze the numbers. Cars don't shrink. You also do not plan for the inevitable, which is zero limitations on who lives in each unit, how many vehicles they have, which could be 3-4 per unit, and again speculating on the required employee parking, staff, let alone actual patrons and customers.

I can see into the future, because I lived it in the past. I have lived here when the RCMP station was in full operation. A single storey building with staff. Limited site parking for both detachment vehicle and staff. When the public or other business was conducted during the day, vehicles would park on Belaire and Rigby, blocking views. The Town put up no parking signs, and for good reason. It was due to a few accidents, which I saw first hand because people could not see. These same rules apply now.

The reality is this should not be a 3 storey, let alone a 4 storey. To have an owner come in and speculate on other's futures is setting a dangerous precedent. Imposing one's free will on other is not his right. It is no one's. We live in a democracy. Change is inevitable, yes, I understand that, for this site had dairy cows in it when I was a kid, as it was great grampa Declark's dairy farm, so yes, I've seen change.

I've also stepped back over the years to really appreciate the big picture. I can assure you, this isn't it. I implore Development services and the Town of Ladysmith to follow their own guidelines, own rule book, own Official Community plan and deny this request for a Zoning Bylaw to allow an additional floor.

Time and again I read the "notice of Public hearing" and it references to make sure that the building fits in with the form, fit, and character" of the surrounding area. This does none of that.

I appreciate your review of my points, and those who know me hope can read between the lines.
Passionate about my community? You bet!

Take care, stay safe.

Doug Judson

218 Dogwood Drive

Right across the street!

Received April 20, 2021

Within Circulation Area

From: Henny Vogelzang

Sent: April 19, 2021 7:00 PM

To: Town of Ladysmith <info@ladysmith.ca>

Subject: 336 Belaire, rezoning proposal/addition for increased height---NO PLEASE

I would like to indicate that I am against this rezoning proposal. This subject was discussed at a previous meeting and the town approved 3 storeys. What is the point of rules and regulations if developers can just continue to ask, over and over again, until the town reconsiders and changes their rules? What is the point of a town "PLAN" if it is never kept?

A 4 storey building is a very large building for that lot. It will impact the neighbourhood with many people and cars.

I think the hopes for a ramp to underground parking from Belaire Street is a very disconcerting plan, as that corner is a traffic challenge on any day, adding in a blind spot entry/exit is just asking for motor vehicle accidents. I live on Rigby and I can assure you that people go very quickly around that corner.

Rigby Place is unusually busy as it is, with the park, the duplex and a Chiropractic business, cars are often going back and forth on Rigby. Adding a 4 storey complex to the mix is only asking for problems, as apparently the developer is hoping to put parking on the park side of the road. The interesting thing is that the town put "NO PARKING" on that side of the road when there was a police station there, because it was too difficult for the police to exit their parking lot efficiently. I do believe the residents will have the same problem that the police had. I can't even imagine what a fire truck will do, with that sort of parking congestion. If the building itself had a crisis such as a fire, where would the residents of the street go, without an exit point off Rigby, as the road would be filled with the emergency vehicles.

I am concerned about the overlooking of 4 (almost 5) storeys over the Belwood estates. It will very much reduce the privacy of the people with patios directly below this proposed building. I understand this is the nature of "progress" but those people in Belwood have very tiny patios and not really much of an option to privatize their space. I am afraid they will be very uncomfortable under such a large building.

Years ago, Belwood was proposed by the developer to be 2 storeys high. The town / neighbourhood rejected the proposal and demanded simply one storey. What makes Belwood 1 storey appropriate, but "JAILHOUSE" 4 storey appropriate. With what frame of mind do these choices get made?

I of course am the Chiropractor at the end of the street. This large building will take quite a lot of time to build. I was not planning to quit any time soon, and I am concerned about the effect this building will have on my business. I am aware that developments take time, but the town was not very helpful when Belwood was built and the workers started their loud machines at 6

a.m. I was told "it's a heat wave, you can't expect them to work in the mid day" so they worked all summer at very early hours and very late hours. Again, for months we had loud banging noises, land compactors thumping, it sounded like a war zone here. Apparently the town doesn't much respect their community plan or their noise bylaws. The dump trucks raced past my office, breaking several windshields with flying rocks etc. I hope there is some control over this 336 Belaire development, as the town's help with Belwood was basically useless. In fact several times a flat deck was parked across from my parking lot and my patients could not get out. I would have to take time out of treating people to go find the driver. This cul-de-sac needs revision if you want to allow building construction and large residential complexes on it.

So if you propose to allow a 4 storey building, I think you must also recognize that the street needs fixing, to make it an appropriate cul-de-sac, with well laid out traffic patterns. I was forced to put my patient parking on an angle when we did our construction, the point being that it was a cul-de-sac and people were supposed to turn around at the end of the street. There is absolutely no indication of such a traffic pattern being laid out by the town. People will drive in expecting a road instead of a dead end, and find themselves backing into multitudes of parking along the street and park. Add in a garbage truck etc, and it's going to be very confusing.

So basically, altho the building itself is a beautiful proposal, it is too big and too invasive for the area. I hope you will not change the zoning.

Yours truly,

Henny Vogelzang
Chiropractor
209 Rigby Place, Ladysmith BC.

Received April 20, 2021

From: Pat Stuart
Sent: April 20, 2021 8:59 AM
To: Council <towncouncil@ladysmith.ca>
Subject: jailhouse development 336 belaire, ladysmith

Parking in the area is likely to cause problems for the chiropractic office next door to the proposed development.

Patients often have major mobility concerns and lack of parking will make life more difficult for patients.

The proposed number of parking spaces of 21 when 27 are required leaves at least the potential for 12 extra parked vehicles in the area. To say nothing of visiting guests and their vehicles.

Please reconsider.

To: Ladysmith Town Council

Re: Zoning Bylaw No. 2066 Amendment to allow a Fourth Storey @ 336 Belaire Street.

Dear Members of the Ladysmith Town Council, at the last rezoning public hearing with regard to 336 Belaire Street, by unanimous motions of the Ladysmith Town Council, the immediate neighbours of 336 Belaire Street, were forced into accepting the construction of an up to three storey mixed use residential/commercial development, adjacent to their single and two storey residences. The developer originally wanted four storeys but to appease the outcry from the immediate neighbours he changed his rezoning request to three storeys, making himself look like a somewhat considerate developer going from four to three storeys. Obviously his word and his will to satisfy the neighbours is no longer an issue as now the rationale for the fourth storey is the installation of underground parking. The last time I talked to the developer on site I was informed that the plans for the proposed three storey development were coming along and construction was expected to begin in the spring of 2021. Well, how things have really changed especially with the former Dalby commercial property now being rezoned for five storeys and I feel for the residents of Forward Avenue who will actually be looking up at six storeys with the underground parking added in. If the 336 Belaire Street zoning amendment to allow a fourth storey is approved the immediate residents of Belwood Village will be looking up at five storeys as the proposed underground parking is at the same level as their ground floors. The location of the underground parking lot entrance/exit on Belaire Street is in very close proximity to the Dogwood Drive & Belaire Street busy intersection, creating a scenario for possible traffic accidents. I have witnessed many vehicles that have turned off of Dogwood onto Belaire, hitting the gas pedal to race up to the Belaire & 4th Ave. Extension intersection, at which they do not have to stop to either go through or turn right. With regard to the latest proposed building plans, there will be two parking spaces located on Belaire St., of which the one closest to the Dogwood Drive intersection will accommodate a regular size vehicle and the longer one closer to Rigby Place is designated as a commercial loading zone. Vehicles parked in either one of these parking spaces will not only impede the visibility of vehicle drivers exiting the underground parking, but also impede the visibility of vehicle drivers turning from Dogwood Drive onto Belaire Street of vehicles exiting the underground parking, as well as impeding the visibility of vehicle drivers exiting Rigby Place, this seems to be a real recipe for traffic accidents.

Recently my wife, Henny Vogelzang & I met with Donna Hais, General Manager, R.W. (Bob) Wall Ltd., and I pointed out that in the new proposed site plans & drawings the ground floor looked like it was level with the Rigby Place street and looked higher than in the previous three storey plan. She concurred that was right and told us that the reason for raising the building up higher to be level with the Rigby Place street is to accommodate the underground parking. In essence this proposed four storey building will be one storey higher plus the height of raising it to be level with the Rigby Place street. The already approved three storey development will block out about 60% of our view of Stuart Channel & the gulf islands and also 60% of our neighbour Doug Judson's beautiful fir trees. Now the proposed four storey plus building will only allow us a view of the very tops of those fir trees and looking at nature's beautiful fir trees is so much more serene than looking up at the side of a four storey building. Of great concern to us is the loss of our privacy on both our sun deck and on the inside of the South end of our house which we had built with thirty various sized windows on the South side alone, to allow for the sun to shine in and for us to enjoy the beautiful views. In the winter months the sunshine we crave ever so much from early morning to mid afternoon will probably be cut back by two to three hours and living in the shadow of a four storey building was not in our original retirement plans.

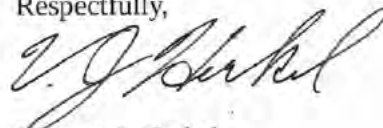
Also of major concern is the approximate one year construction phase of either a three or four storey development, in that we will be subjected to an onslaught of noises from site preparation vehicles & equipment, air particulate pollution, traffic congestion on Rigby Place from construction vehicles and workers vehicles, especially if they park at the residential end of the street in the cul-de-sac which should be a no parking zone. The poorly defined Rigby Place gravel covered cul-de-sac has been an ongoing concern for the past 40 years, lacking in defined boundaries and no parking signs which were in place when the RCMP occupied the old 336 Belaire Street building. Over the past many years not only the patients using Henny's Chiropractic Clinic parking lot have experienced great difficulty trying to turn around because other vehicles were parked in the cul-de-sac, but also when the waste disposal trucks and snow plow vehicles are not able to turn around, they then have to back down Rigby Place out onto Belaire Street, causing a traffic flow interruption. Even now with no vehicles parked in the cul-de-sac it takes the waste disposal vehicle and some big delivery trucks two or three

tries of back & forth movement to turn around. After 40 years and the construction of a new development at 336 Belaire Street maybe now is the time to rectify the neglected Rigby Place cul-de-sac.

With regard to the proposed plans showing upgrades and enhancements to Rigby Place, shrub placements at not only the corners of the Rigby Place and Belaire Street intersection, but also the boulevard next to the end of our driveway, should be kept close to ground level to prevent impeding the visibility of not only vehicle drivers turning either left or right onto Belaire Street, but also the visibility of drivers backing out of either our driveway or the patient parking area. The installation of ninety degree parking along Rigby Place should alleviate the use of the Rigby Place cul-de-sac for vehicles to turn around. Henny & I discussed with Donna Hais the retention of the pampas grass planted by Tom & Wilma Wickham and Donna Hais informed us that the two proposed parking spaces in the vicinity of the pampas grass could be removed from the proposed upgrades as the ninety degree parking spaces along the edge of Wickham Park on Rigby Place were ancillary to the number of required parking spaces for a development to go ahead. Wickham Park is used almost daily by dog owners playing fetch with or just walking their dogs for exercise, summer time uses by families with children playing various sports or just simply sitting on the grass in the shade of one of the many trees and in the winter months having fun tobogganing or playing in the snow, these are the types of uses that Tom & Wilma donated the park land for.

Locating three to five storey multi use residential/commercial developments in neighbourhoods that have relatively minimal sloping land is poor municipal planning considering what has been done in the past around Ladysmith. The four storey Ladysmith Manor on Dogwood Drive is on sloping land and from our main floor sundeck we see over it very nicely. The four storey Villa apartments located on second avenue do not block the views of the third avenue residents located above it. The downtown Ladysmith hotels do not block the views of second avenue residents. These types of buildings fit in well with the lay of the land in Ladysmith, which should determine what types of future developments are best suited to fit in with the natural terrain of Ladysmith. The perfect location for up to six storey higher density residential developments would be on the West side of First Avenue between the streets Buller and Symonds, and due to the steep grade of the land up to Second Avenue, the residents of which would have no problem seeing over the tops of them. The Dogwood Drive and Bayview Avenue neighbourhoods already have higher density residential developments that fit in well with Ladysmith's sloping terrain, so why is there a need to have four or five storey multi use developments sticking up above the one and two storey neighbourhood residences, when there are other better suited areas in Ladysmith for these kind of developments. The already approved up to three storey development for 336 Belaire Street will look out of place in our neighbourhood and adding a fourth storey will make this multi use development even more unsuited for our neighbourhood. Our biggest frustration is not the developer but our Ladysmith Town Council and especially the Town Planning Department that seems to be working on behalf of the developers and their proposed developments. The mandate of Town Council members is to work on behalf of Ladysmith's residents, dealing with their concerns, needs and aspirations for well planned additions to their existing neighbourhoods. Denying the zoning amendment for a fourth storey is the right action as the developer is already approved for an up to three storey development, which also means that the developer does not have to build a three storey development and if the developer truly cared about what is best suited to fit in with our neighbourhood a one or two storey development would be built. An excellent example is the adjacent Belwood Village complex which could have been a two storey development, but the developer chose to build single storey patio homes that fit in very nicely on the gently sloping terrain and Belwood Village became a most welcomed addition to our neighbourhood.

Respectfully,



Vincent J. Herkel
209 Rigby Place
Ladysmith, BC
April 19, 2021

Received April 20, 2021

From: Shirley Tripp
Sent: April 20, 2021 11:51 AM
To: Town of Ladysmith <info@ladysmith.ca>
Subject: 336 Belaire Street Development

Greetings Councillors of Ladysmith

I am NOT in favour of allowing an additional floor to be added to a building which has been approved for 3 floors in spite of many requests to reconsider the 3 floor proposal by the Residents of Ladysmith. Council is voted in to reflect the wishes of the residents. This is not happening. Let's take a holistic approach to this new proposal...we are going to start water restrictions in May, proving we have a water supply problem already and are further stressing the facilities with the new builds in Ladysmith.

4th Avenue and 4th Avenue Extension is already experiencing higher volumes of traffic. The residents of this new multi-unit apartment must exit onto Belaire, then 4th Avenue causing additional stresses on a busy residential street. There are many families who chose to live here for the quiet and safe environment to raise their children and I believe this would be impacted negatively by the additional traffic.

Let's ensure you listen to those who elected you and vote accordingly. I support change...but it must be in the spirit of the bigger plan and not just a \$\$ grab. Residents and businesses deserve better than that.

Respectfully,

Shirley Tripp
4th Avenue Extension

PUBLIC HEARING #2
All Properties within Development Permit Area 4 Multi-
Unit Residential

Public submissions received between
Thursday, April 15 (agenda publication
date)and
4:00pm on Tuesday, April 20, 2021.

RECEIVED APR 19, 2021

From: NOEL McKenna
Sent: April 18, 2021 5:43 AM
To: Town of Ladysmith <info@ladysmith.ca>
Subject: Bylaw 2070

I am OPPOSED to this bylaw amending the OCP at this time. There are quite a few lots affected by this zoning at I am against any major rezoning or variances being done this way while we are in the OCP review process. Let us have a meaningful and open public consultation process while this review is being done. What's the rush?

Noel McKenna
125 Methuen St.