

Received May 13, 2025

From: Frank Crucil

Sent: May 13, 2025 8:26 AM

To: Sue Bouma <sbouma@ladysmith.ca>

Cc: Frank Crucil ; Mike Crucil

Subject: Rocky Creek Development 1130 Rocky Creek Road --Public Hearing

Hi Sue.

We want to provide this submission for the upcoming Public Hearing on 1130 Rocky Creek Road

We are strong advocates of Ladysmith and the need for economic development. In times of personal attacks coming from south of the borderas Canadians we need to count on each other more than ever. These projects that this fellow and our project on Rocky Creek bring local jobs and boost our economy and the exposure to Ladysmith which in turn encourages future developers to look favorably at Ladysmith as a good place to invest . And perhaps encourage development of the long, long awaited Waterfront development.

Speaking for Mike and I it is very frustrating with all the Bureaucracy that has been created over the decades, one has to have a lot of patience to work thru the very costly process.

I am trusting council would support this development and show leadership for the good of all....as developments like these bring new jobs and confidence to the town.

Thanks

Frank and Mike Crucil

FMC Holdings Ltd.

MAY 13, 2025

Dear Town of Ladysmith Council,

Similar to the last submission for the Public Hearing in January, I am again writing to support the proposed development at 1130 Rocky Creek Road. This long-vacant land is a prime spot to bring new business to Ladysmith. With some of the new housing going in the commercial space would see strong traffic from residents in the area. As a business operator in the area I would welcome the development.

This project will revitalize the area, boost our local economy, and make the town more attractive to visitors and residents. Please move forward with this opportunity to make the most of this valuable space.

Thank you for your work to improve our community.



EHREN MADILL



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33 Roberts Street
Ladysmith, B.C. V9G 1A4

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E info@ladysmithcofc.com
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May 13, 2025

Town of Ladysmith
Box 220, 410 Esplanade
Ladysmith BC, V9G 1A2

Attention: Mayor Deena Beeston
Ladysmith Town Council
Allison McCarrick - Chief Administrative Officer
Sue Bouma – Manager of Corporate Services/Corporate Officer

Re: Ladysmith Chamber of Commerce Statement on Ludlow Road Roundabout

Dear Mayor Beeston, Town Council and Senior Staff,

The Ladysmith Chamber of Commerce supports the construction of a roundabout on Ludlow Road, recognizing its importance in improving traffic flow, safety, and accessibility for future development on the waterfront side of the highway.

As the Town of Ladysmith is a significant landowner in this area, the Chamber encourages the Town to finance and construct the roundabout ensuring that the benefiting properties pay their proportionate share of the costs upon development.

To achieve this, we urge the Town to explore available financial tools under the Community Charter, such as borrowing, Development Cost Charges, and latecomer agreements. A strategic approach will support future growth while maintaining fiscal responsibility and fairness for all stakeholders.

We appreciate your consideration of this important infrastructure investment and welcome the opportunity to collaborate on solutions that benefit Ladysmith's citizens and developments.

Sincerely,

Cheri Mactier
Board President
Ladysmith Chamber of Commerce

**OFFICE LOCATION**

#18 - 1156 Rocky Creek Road
 Ladysmith, B.C.
 Phone: (250) 924-2250
 Fax: (250) 924-2251

MAILING ADDRESS

Box 778
 Ladysmith, B.C.
 V9G 1A5

"A Fully Bonded and Insured – General Contractor providing Civil and Residential Servicing"

Public Hearing – 1130 Rocky Creek Road

Joshua Development Corp., Oyster Harbour Development Corp.

May 13, 2025

To the Town of Ladysmith (Mayor, Council Members, Town Administration staff),

We, at David Stalker Excavating Ltd., are in full support of the application being presented before Town staff for the following reasons:

- David Stalker Excavating Ltd. were selected as the "low bidder" amongst 5 reputable civil construction central island companies, during the original tender process in the Spring season of 2023.
 Our local company has been in Ladysmith for 32+ years now, with our head office located on Rocky Creek Road for the last 12 years. We directly employ internally from 20 to 40 central island workers annually.
- We were officially "awarded" (subject to project funding) the project as per the tender process, but with the scopes of offsite works being required for improvements (benefitting multiple area corporate businesses at the expense of one individual development property) created such an additional burden to the overall project – the project was suspended at that time.
- Our support to the developer includes for the application for removal of the requirement to build the design traffic flow control "roundabout" at the intersection of Ludlow Road and Rocky Creek Road. This concept benefits all local area established businesses and property owners in the area, but should not be the financial burden of one isolated individual property development owner.
- This project creates local jobs, to multiple construction crews during the project various stages of construction, followed by the future store front retail employees.
- More tax base for the Town of Ladysmith
- More economic local business in Ladysmith.
- Developing and cleaning up that specific corner of high visual exposure property that reflects on public image to locals and tourists as they are traveling in and through along the island destinations.
- Unique property such as this carry additional costs beyond standard flat land developing, due to land elevation countours and retaining walls to protect the railway R.O.E. integrity and level off zones within the property for public access ease.



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- The costs involved in development projects continue to increase annually at considerable rates for offsite development & onsite development. Equipment, wages, materials, gravels, disposal tipping fees, and subtrades facing the same increases affects the final project costs.
- Pricing in our industry does not ever see the privilege of decreasing. In the time since this project was priced in Spring 2023, we have now faced an average minimum 15% price increase in the selected local gravel supplier, the fill material disposal dumpsite property (which are very limited to gain access to for options), on PVC pipe and products, on concrete supply and products, and asphalt to name a few particulars.

Thank you for your time and considerations pertaining to this application being presented.

A blue ink signature of David Stalker, consisting of a stylized 'D' and 'S'.

David Stalker
Owner / President
David Stalker Excavating Ltd.
Office: 250-924-2250 ext.2

A blue ink signature of Daryl Foulds, featuring a large, looped 'D' and 'F'.

Daryl Foulds
General Manager
David Stalker Excavating Ltd.
Office: 250-924-2250 ext.1

1130 ROCKY CREEK ROAD APPLICANT PUBLIC HEARING SUBMISSION



Sections

1. Introduction
2. Application Public Input History
3. OCP & Town of Ladysmith Tax Policy Alignment
4. Economic Benefits
5. Community Benefits
6. Traffic Findings

1130 ROCKY CREEK ROAD APPLICANT PUBLIC HEARING SUBMISSION

1. Introduction

Thank you for taking the time to learn about our proposed development at 1130 Rocky Creek Road, located at the intersection of Rocky Creek Road and Ludlow on Highway 1. This site is a major gateway to the Town of Ladysmith, and we are deeply committed to ensuring that our development will be a positive addition to the community while aligning with the vision outlined in Ladysmith's Official Community Plan (OCP).

We have provided a summary of key facts related to our development at 1130 Rocky Creek Road in this submission. If you are seeking more in-depth information, please refer to our original public hearing submission for the 2nd public hearing on January 21, 2025 on [page 5 of Late Agenda Items](#) as well as in the [Council Minutes, Agendas, and Video](#) link and dates provided in *Previous Information* in the box below on this page.

We are a small family run development company that prides itself on investing in and building productive relationships with local communities. We devote substantial time and resources to projects that we believe will benefit everyone in the long term. Our focus is on creating developments that foster sustainable growth and community enrichment, and we take immense pride in the quality and integrity of our work.

We unfortunately will not be able to attend this 3rd public hearing in person as it is our son's elementary school graduation celebration the same evening and we will be with him to celebrate.

We appreciate your consideration of our proposal and hope the information provided will address any questions you may have. Should you require further details or clarification, please do not hesitate to reach out.

Thank you again for your time.



Ashley Garib

Previous Information

Additional information can be found on the Town of Ladysmith Council Meeting webpage under [Council Minutes, Agendas, and Video](#) for each respective date:

- May 6, 2025
- February 18, 2025
- January 21, 2025
- December 17, 2024
- September 20, 2022
- September 7, 2022
- September 7, 2021
- June 15, 2021
- June 1, 2021
- July 7, 2020

1130 ROCKY CREEK ROAD APPLICANT PUBLIC HEARING SUBMISSION



2. Application Public Input History

- This is the third public hearing for this development.
 - The 1st public hearing occurred June 15, 2021. There was only one submission – a letter of support
 - The 2nd public hearing on January 21, 2025 had multiple letters of support and no opposition to the proposed project. The only 2 submissions made against the proposal had concerns with traffic changes in the area
 - See [Note Regarding Traffic Changes](#) in Section 6 on Page 9 of this document
 - At the original Neighbourhood Information Meeting at Eagle's Hall on July 23, 2020, there were 2 attendees who both supported the project. No further public input was received via digital methods
- The development application was submitted over 5 years ago in April 2020
- We have been in discussions with TOL Staff since 2018 and this application was presented by TOL Staff to Council in 2020 for direction.
 - Council requested a number of amenities including the HandyDART stop, intense landscaping and outdoor electrical supply for the Festival of Lights.
 - We included all of these into our development at that time.

DEVELOPMENT ALIGNMENT WITH TOWN OF LADYSMITH POLICIES

3. OCP & Town of Ladysmith Tax Policy Alignment

OCP & Policy Alignment

This development is aligned with the **Official Community Plan**, which was adopted in May 2023 and awarded a **Silver Award for Excellence in Policy Planning** from the Planning Institute of BC.

This development is located in an OCP designated Priority Growth Area as part of Midtown. The OCP outlines that growth should be concentrated and incentivized in these areas.

The **2023-2026 Strategic Plan** reiterates this and outlines that an overarching goal of TOL is to promote an environment that facilitates business development and job creation.

Waterfront Area Plan

The **Waterfront Area Plan** goes back to 1997, with the last major revision completed in 2018.

This development will attract new visitors and pedestrians from downtown, increasing interconnectivity on this side of the Highway. This will attract attention and interest in further expansion. These are benefits in addition to the development's direct economic contributions to TOL budgets.

DCC Bylaw and Revitalization Tax Exemption Economic Program

This property is eligible for the **DCC Bylaw and Revitalization Tax Exemption Economic Program** that TOL enacted to encourage new business investment and reinforce the Town's commitment to economic revitalization

Bylaw Excerpts

TOWN OF LADYSMITH BYLAW NO. 1807

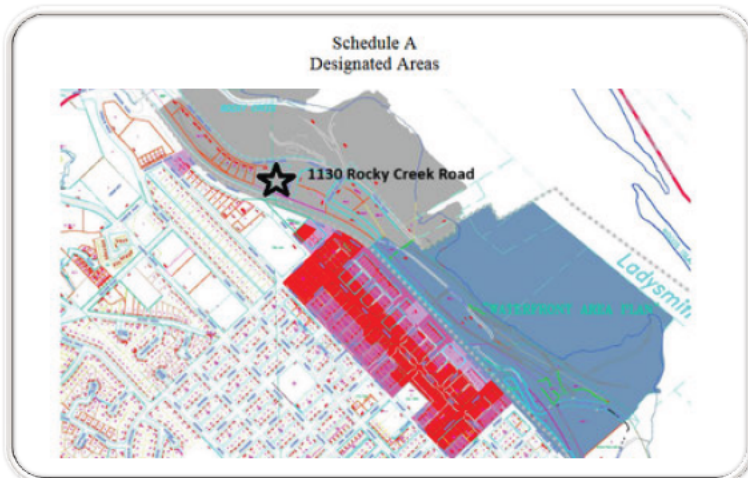
A Bylaw to Establish a Revitalization Tax Exemption – Economic Program

WHEREAS Council may, by bylaw, establish a revitalization tax exemption program;

AND WHEREAS Council wishes to establish a revitalization tax exemption for economic revitalization in order to encourage the commercial and industrial redevelopment of those areas, identified in Schedule "A" of this Bylaw, which are experiencing challenges in attracting and retaining investment;

AND WHEREAS Council wishes that the following objectives of the program be established by this Bylaw:

- To stimulate construction and alteration of buildings within Ladysmith; and
- To encourage new business investment in commercial and industrial used lands and, in turn, encourage new employment; and
- To promote a higher standard of urban design within business areas and employment areas in order to increase the attractiveness of these locations; and
- Generally reinforce the Town's commitment to economic revitalization.



DEVELOPMENT BENEFITS FOR LADYSMITH

4. Economic Benefits

Increased DCCs

This project will increase TOL's DCC budgets and should enable TOL to allocate additional funds to high priority projects. As outlined in the [TOL's 2024 Financial Statements](#), the total DCC reserve is just over \$9.7M with \$1.7M in the DCC Roads allocation.

Increased Property Taxes

This development will increase annual property tax revenues for Ladysmith. Commercial rates are higher and help keep property taxes lower for residents on a long-term basis.

Land Swap & Cash in Lieu Revenue

The 'Land Swap' is the transaction we undertook with TOL to ensure that they had the land needed to build the proposed roundabout in the future.

We paid \$170,000 to TOL because of a difference in size between the corner needed for the roundabout and the excess land we obtained. See the Land Swap Visual on this page. We did not gain more buildable square footage from this transaction.

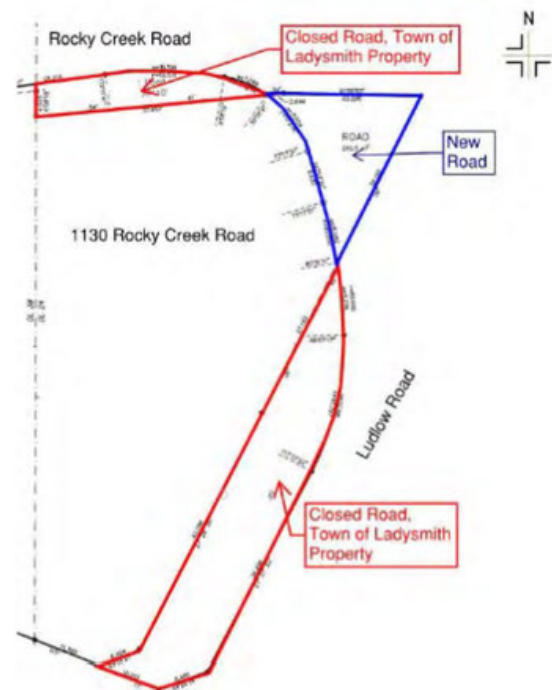
The Cash in Lieu is estimated to be \$104,000 and will be paid to TOL directly to construct sidewalks that are part of the roundabout construction.

Local Employment Opportunities

Employment opportunities for local residents help keep both residents and dollars in the community, while also minimizing commuting times. This includes during construction and afterwards through ancillary services such as landscaping, waste disposal and building maintenance. It will also increase the attractiveness of Ladysmith as a stop for tourists and other travelers on Highway 1.

The resulting economic activity is likely to support other Ladysmith businesses as well, creating a positive ripple effect throughout the local economy.

Land Swap Visual from Dec 17, 2024
TOL Council Agenda



DEVELOPMENT BENEFITS FOR LADYSMITH

5. Community Benefits

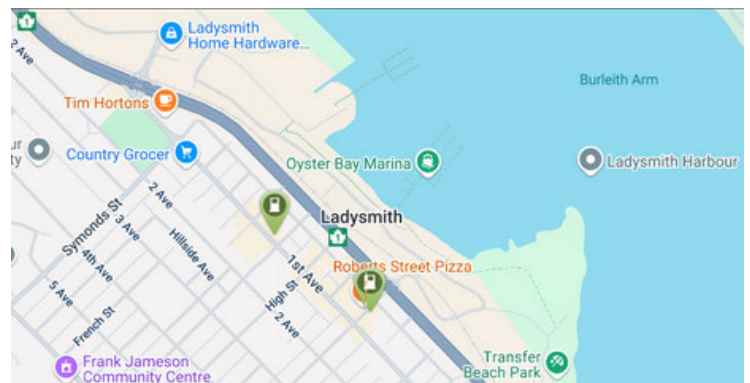
Public Transportation

The development will include a HandyDART Stop and Shelter, helping increase public transport accessibility in Ladysmith



Energy Transition Infrastructure

The development will include EV chargers directly on the highway. This will help expand charging options for both residents and will increase Ladysmith's attractiveness as a stop for EV drivers



PlugInBC

Civic Amenities

Expanded Outdoor Electrical Supply for the Festival of Lights and Light Up Parade
Intense Landscaping for visual appeal



DEVELOPMENT TRAFFIC FINDINGS

6. Traffic Findings

Traffic Impact Assessments

We have paid for 2 Traffic Impact Assessments (TIA), including an additional Traffic Memorandum focused on Home Hardware's access and egress.

The most recent TIA was finalized in October 2024. It was completed by a well-known reputable firm, Watt Consulting, who regularly undertakes work for municipalities including Ladysmith.

The TIA assessed all traffic movements in the area including areas as far away as the Grouhel Rd/Hwy 1 intersection at the request of TOL Staff.

The entire TIA report is included in the [TOL Council December 17, 2024 Agenda](#) on pages 381-436.

TOL Staff confirmed again on [May 6, 2025](#) that a roundabout is not required for this development.

The TIAs were directed by and confirmed satisfactory by TOL Staff to proceed as this development does not require a roundabout to function at a high level of service (LOS B).

Waterfront Area Transportation Review - 'The Binnie Report'

The Binnie Report incorporated a roundabout at the Rocky Creek/Ludlow intersection based on discussions with the Town of Ladysmith. It was not independently identified and recommended.

It appears that this was proposed to enforce Home Hardware's RIRO approvals as outlined in the Binnie Excerpt below and proposed by TOL Staff in the [October 15, 2018 TOL Council Agenda](#), which includes the full Binnie Report on pages 44-137.

It was also based on projections of 300 residential units in the Waterfront Area Plan by 2023. As of 2025, no construction or plans appear forthcoming.

Binnie Report Excerpt

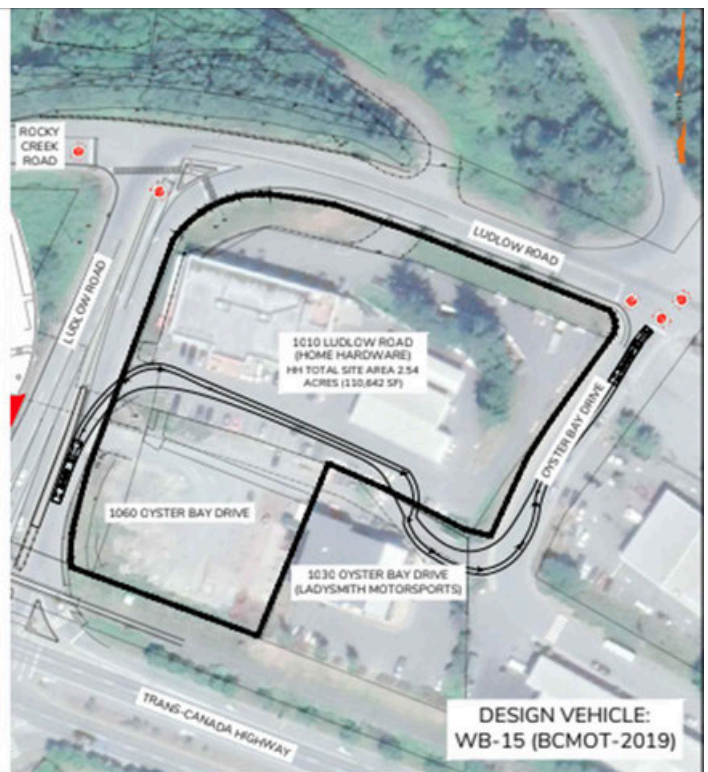
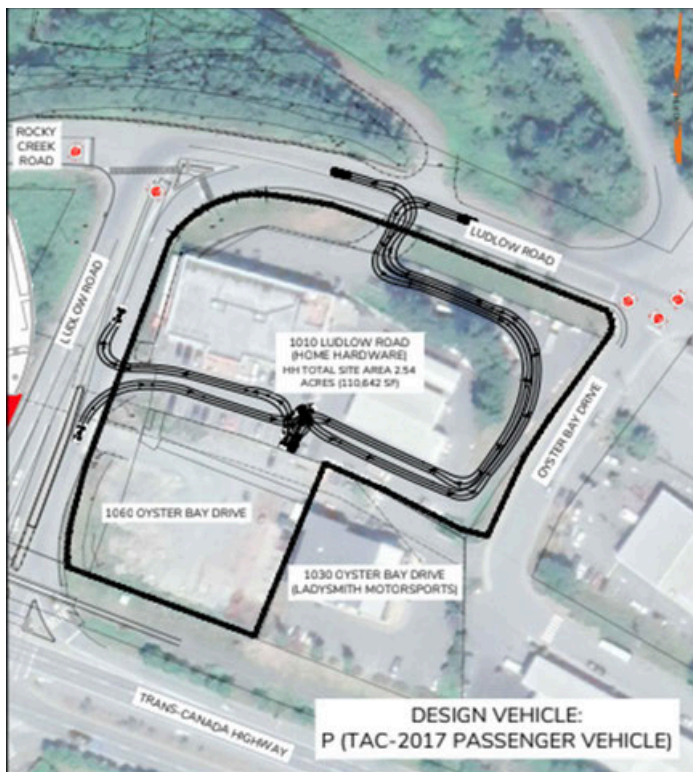
3.2.2 Scenario 2 – Shared Existing Driveway with New Roundabout

In the analysis for Scenario 2, the proposed driveway for Xtend Rental was assumed to be consolidated with the existing access to Home Hardware. This scenario also assumes the enforcement of a RIRO configuration at the driveway to Home Hardware. The existing median is recommended to be extended along Ludlow Road to Rocky Creek Road to help facilitate the enforcement of the RIRO configuration from Home Hardware. Based on discussions with the Town, a roundabout is proposed for the existing stop-controlled intersection of Rocky Creek Road and Ludlow Road to facilitate vehicles wishing to access Highway 1 from exiting the existing Home Hardware access. The roundabout should be designed to accommodate the B-train vehicles that utilize the intersection to access the existing lumber mill north of the Study area.

DEVELOPMENT TRAFFIC FINDINGS

Traffic Movement Patterns at Neighbouring Properties as Approved by TOL Council

These images are from the Traffic Impact Assessment outlining the existing development approvals for 1010 Ludlow Road (Home Hardware), 1060 Ludlow Road (formerly 1060 Oyster Bay Drive now Home Hardware parking), and 1030 Oyster Bay Drive (Ladysmith Motorsports)



DEVELOPMENT TRAFFIC FINDINGS

Traffic Movement Patterns at Neighbouring Properties as Approved by TOL Council

This image is a basic google maps drawing outlining these existing underutilized access points and that they are currently available for exiting the sites as required under TOL Bylaws and outlined on the previous page of this submission. The recent expansion of Home Hardware's parking lot to the 1060 Ludlow Road property is outlined.



Note Regarding Traffic Changes

The traffic concerns raised at the January 2025 public hearing were regarding changes originally proposed by TOL Staff in October 2018 prior to and unrelated to this application.

These traffic changes would bring 1010 Ludlow Road (Home Hardware), 1060 Ludlow Road (Home Hardware recent parking expansion) and 1030 Oyster Bay Drive (Ladysmith Motorsports) in line with their original approvals and TOL Bylaws.

DEVELOPMENT TRAFFIC FINDINGS

MOTI Original Response on Traffic Requirements

These were Ministry of Transportation and Infrastructure's (MOTI) original comments follow our April 2020 application. They do not require a roundabout and if 1130 Rocky Creek Road is limited to Right Out Only on Ludlow Road, they do not require any changes to traffic infrastructure in the area.



Ministry of Transportation
and Infrastructure

DEVELOPMENT SERVICES GENERAL COMMUNICATION

Your File #: 3360-20-02
eDAS File #: 2020-04431
Date: Oct/16/2020

Town of Ladysmith
Julie Thompson
C-132 Roberts Street
PO Box 220
Ladysmith, British Columbia V9G1A2
Canada

Attention: Julie Thompson Acting Senior Planner

**Re: Proposed General Referral Approval Application for:
Lot A District Lots 24 and 38 Oyster District Plan VIP71248
Map: 1159319,445040
1130 Rocky Creek Road, Ladysmith**

The following comments have been received by the Ministry Engineer regarding the TIA:

- MOTI would like the access to meet the minimum recommended distance from the intersection as mentioned in the report (70m). This would put it generally in the vicinity of the access to the Home Hardware, and I think is more appropriate.

I also feel that we could likely restrict this access to right out only, as most in-bound traffic is likely to be pass by trips on the highway, especially during peak hours, and they'll have to go down to the full movement access to get in, anyway. If we don't restrict to RO only, I want some aggressive traffic islands installed to prevent a left turn in from Ludlow.

I'd like to know more about the TOL's timeline for installing a roundabout at the intersection of Ludlow and Rocky Creek Road. They appear to be leaning heavily on this for mobility and civil improvements.

If you have any questions please feel free to call Jamie Leigh Hopkins at

Yours truly,

Jamie Leigh Hopkins
Development Services Officer

Local District Address

Vancouver Island District

Third Flr
2100 Labeux Road
Nanaimo, BC V9T 6E9
Canada

Phone: (250) 751-3248 Fax: (250) 751-3289

H1180-eDAS (2009/02)

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DEVELOPMENT TRAFFIC FINDINGS

October 2024 Traffic Impact Assessment Key Findings

Please see below for key excerpts from the TIA, which address the potential safety concerns that TOL Staff have highlighted in previous [Council meetings](#). Watt Consulting found that forecasted traffic volumes would be accommodated by the existing configuration until at least 2026 but likely longer as there are no active development applications for the waterfront area.

MEMORANDUM

Date: 2024-10-15
To: Ashley Garib, Oyster Harbour Development Corp
Subject: Ludlow Road / Rocky Creek Road Roundabout
Condition for 1130 Rocky Creek Road

WATT CONSULTING GROUP

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4.2 Current Conditions

4.2.1 Upper Ludlow Access

Legality of Left In/Out

Although the median has been extended across the entire Ludlow Road frontage of 1060 Oyster Bay Drive (per Binnie's recommendation), it does not extend past the Home Hardware access. Although it is understood that a crosshatched painted island once existed between the median and the Rocky Creek Road intersection, historical satellite imagery shows the crosshatch markings fading over the years from 2006 to 2014. When WATT visited the site in January 2024, the existence of crosshatch markings between the lines was not noted as they were no longer visible at all on the wet road.

The Town has requested confirmation of "whether a driver making [a left turn exiting Home Hardware] would be contravening the Motor Vehicle Act". Both double yellow lines and crosshatched painted islands are intended to discourage unsafe turning movements and encourage drivers who do turn to exercise caution. Neither legally bans safe turning movements under the Motor Vehicle Act, only passing movements that cross the yellow line.

Safety of Left In/Out

The Town has also requested confirmation of "whether not preventing [a left turn exiting Home Hardware] would be safe from a traffic engineering perspective". For legal purposes, whether or not the movement is "safe" at any given time is to be determined by the driver. The Act does not specifically define what conditions are "safe", however if the turn results in a collision, it can be considered unsafe and therefore illegal. WATT offers the following considerations on the safety of the left turn out of Home Hardware:

Time Gaps

As conflicting through traffic volumes on Ludlow Road increase, the opportunities for "safe" (and therefore legal) left turns entering and exiting the upper Ludlow Home Hardware access will decrease. Very high through traffic volumes may encourage unsafe (and therefore illegal) left turns by exiting traffic. Per WATT's TIA Update, when the 1130 Rocky Creek Road site is occupied (assumed to be 2026), Ludlow Road is expected to see a peak of 297 vehicles per hour in both directions combined at the access. This represents an average of one conflicting vehicle every 12 seconds. The

MEMORANDUM

Date: 2024-10-15
To: Ashley Garib, Oyster Harbour Development Corp
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WATT CONSULTING GROUP

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actual time gaps between vehicles may vary significantly due to gaps created by the signalized intersection at Highway 1 / 1st Avenue-Ludlow Road.

In 2036 (assuming full build-out of the waterfront development described in Binnie's report) the TIA Update expects a peak of 435 vehicles per hour in both directions combined. This represents an average of 1 conflicting vehicle every 8 seconds.

Turning movement data for traffic using the upper Ludlow Home Hardware access was collected by WATT on Wednesday, January 24, 2024 from 4:00 PM to 5:00 PM and on Thursday, January 25, 2024 from 8:00 AM to 9:00 AM. The results are shown in **Table 1**.

Table 1 – Vehicle Turning Movements Using Home Hardware Upper Ludlow Access

Movement	AM	PM
EBR (Right In)	24	25
NBR (Right Out)	2	2
WBL (Left In)	4	1
NBL (Left Out)	18	22

The forecasted peak of thru traffic on Ludlow Road occurs during the PM peak hour, so it would conflict with 22 vehicles turning left out of the upper Ludlow Home Hardware access. It is believed that sufficient gaps in thru traffic exist for these vehicles to turn left out of Home Hardware safely in the 2026 horizon year.

In the 2036 horizon year, the number of safe gaps available for vehicles turning left out of Home Hardware will be reduced. As there are currently no active development applications for the waterfront area, however, there is no clear indication of when the forecasted 2036 horizon volumes will actually occur.

DEVELOPMENT TRAFFIC FINDINGS

October 2024 Traffic Impact Assessment Key Findings

Please see below for the Conclusions and Recommendations of the TIA completed by Watt Consulting. As outlined earlier in this submission, the full report is available in the [TOL Council December 17, 2024 Agenda](#) on pages 381-436.

MEMORANDUM

Date: 2024-10-15

To: Ashley Garib, Oyster Harbour Development Corp

Subject: Ludlow Road / Rocky Creek Road Roundabout
Condition for 1130 Rocky Creek Road

WATT CONSULTING GROUP

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5.0 CONCLUSIONS

The proposed access configuration to the 1130 Rocky Creek Road development addresses MoTI and the Town's requirements for 1130 Rocky Creek Road traffic without the need for a roundabout. The access will be right out only with the delineators along the centreline of the road from the existing median to within 10m of the Rocky Creek Road / Ludlow Road intersection. Once the roundabout is built and the delineators replaced with concrete/raised medians the site access can be right in / right out.

Binnie's transportation review of the Town's Waterfront Area Plan recommended a roundabout to allow safe and legal U-turns by traffic exiting Home Hardware, 90% of which currently turns left out onto Ludlow Road near the proposed 1130 Rocky Creek Road access (on the opposing side of the road). While originally restricted in Development Permit 07-06, this (Home Hardware access on Ludlow Road) left turn is currently legal from the perspective of the Motor Vehicle Act, and WATT does not believe that it will be made unsafe by forecasted traffic to and from the 1130 Rocky Creek Road development.

Elimination the left turn movement from the Home Hardware upper lot access, with the delineators would enforce the right-in/right-out only as contemplated in the original Home Hardware access approval. Paved egress from the upper lot is currently available to Ludlow Road (south segment) via the property's own lower access and to Oyster Bay Drive via existing easement on 1030 Oyster Bay Drive.

There is considerable development potential in the area and, as such, several sites are forecasted to add traffic through the Ludlow Road / Rocky Creek Road intersection in the coming years. As traffic volumes increase, a roundabout may be considered to improve safety at this intersection.

MEMORANDUM

Date: 2024-10-15

To: Ashley Garib, Oyster Harbour Development Corp

Subject: Ludlow Road / Rocky Creek Road Roundabout
Condition for 1130 Rocky Creek Road

WATT CONSULTING GROUP

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6.0 RECOMMENDATIONS

As of August 9, 2024, the Town has indicated that they wish to enforce the ban on left turns entering and exiting Home Hardware prior to roundabout construction. To accomplish this, WATT makes the following recommendations for Ludlow Road as shown in **Figure 5**:

1. Re-paint the hatched median between the existing Ludlow Road concrete median and the Rocky Creek Road / Ludlow Road intersection to make it visible to drivers
2. Install the proposed temporary centreline barrier within the painted median from the concrete median to 10 metres from the Rocky Creek Road / Ludlow Road intersection. Bolt-down delineators with a retroreflective coating at the top are recommended as they can be easily removed when the concrete median is extended to the new roundabout.
3. Install R-015-L (No Left Turn) signage facing exiting traffic at the Home Hardware upper Ludlow Road access.
4. Install R-019-1 (No U-Turn) signage facing eastbound traffic (on Ludlow Road) at the Ludlow Road / Rocky Creek Road intersection.
5. When the roundabout is installed in the future, by others, allow right in / right out access to 1130 Rocky Creek Road on the Ludlow Road access.

These measures are intended to temporarily prevent left turn movements at the Home Hardware upper access until the roundabout is constructed. It is expected that the existing concrete median will be extended to the roundabout when the roundabout is constructed.

From:
To: [Public Hearing Submissions](#)
Subject: Please support Home Hardware's needs regarding a median in front of their store
Date: May 15, 2025 2:55:10 PM

Please listen carefully to Home Hardware's needs. Respect them and act on their specific needs to support local business.

The City's heavy-handed approach to local people's needs was inappropriate for the marina, and its inappropriate again now. Please choose to support our citizens and existing businesses, while we still have them. Make better choices.

Adam Harris
Ladysmith

EXTERNAL EMAIL: The sender is external to the Town of Ladysmith. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Town of Ladysmith,

This is a written submission for the public hearing to consider amendments to Covenant CB215820.

I do not support removing the condition for the developer to build the roundabout from the covenant. I have organized some considerations below.

- **1130 Rocky Creek is driving the need for a roundabout.** According to my understanding of the staff reports and traffic analysis the 1130 Rocky Creek development is the catalyst and tipping point for needing the roundabout.
 - **Timing of the roundabout should coincide with the development.** In my opinion, the roundabout should ideally be ready for use by the opening of the new development. By removing the roundabout condition from the covenant, the development opening has the potential to be out of sync with the completion of the roundabout, meaning the development might be operational before the roundabout is installed. This would result in dangerous traffic patterns, which I understand is the reason for the proposed temporary median and the concerns from Home Hardware and their customers.
 - **Cost of the roundabout should be primarily paid by the developments that need it.** The expected traffic from this development is a tipping point making the roundabout the best option for traffic management on Ludlow. Certainly, the increased traffic from future developments will also require this roundabout, but those timelines are less certain and presumably they will come after 1130 Rocky Creek is built. My understanding of the latecomer fee system is that this a prime situation where it could be applied. Because this project is driving the immediate need for infrastructure upgrades, they should front a significant share of the cost. Later projects will benefit from the first developer's investment and so will pay their fair shares back to the first developer. Being "the bank" for infrastructure upgrades is one of the challenges of being the first developer in an area, however there are often strategic benefits that come with being first that help offset those challenges. Either way, this is something the developer in question signed up for when they first agreed to the conditions of the covenant in 2021.
- **Business development is important.** I want to be clear that I support business development in Ladysmith. Business tax revenue, jobs, and availability of local services are all important. But, I feel that some business developments benefit the community more than others, for example ones that will fill a current gap in local services or provide commercial space for existing local businesses who need space to rent.
 - **1130 Rocky Creek will have a low-medium positive impact on Ladysmith.** In the case of the proposed development at 1130 Rocky Creek, I personally see this as low

benefit, or at most medium benefit to the community. My understanding is phase 1 will be 3 commercial spaces, 2 of which already have secured tenants, with a 3rd under negotiation, all of which would be new businesses to town. Therefore, this development will likely not add additional commercial space rental opportunities for existing business in town, at least in the short term. Given that we already have a Starbucks and a dollar store in town, I don't see these businesses as greatly beneficial or filling a strong need in our community at this time. I acknowledge there will be some business tax revenue and potentially some local retail/service industry jobs, although my understanding is this is currently not the most needed category of job, as evidenced by hiring challenges at existing fast-food restaurants in town.

- **High value developments should be incentivized.** I believe there are situations when certain business or residential developments will clearly bring significant benefit to the community, I feel it would be wise for council to consider ways to incentivize those developments, including considering strategies that reduce costs for the developer (even though that inevitably puts more burden on taxpayers overall), or cause minor inconveniences to the public, for the sake of a greater good to the community. However, I personally do not feel this is one of those situations. To be clear, I am not arguing that this project should be blocked. People have a right to build and operate businesses on their property for profit, within legal parameters, regardless of whether those businesses are perceived to bring direct value to the local area. However, I feel that the town should not make sacrifices in other areas that negatively impact the community in an attempt to ensure this project proceeds.
- **Businesses are responsible for their decisions.** The developer has claimed that the condition of the roundabout makes their financial plan untenable. Though I can sympathize on a human level, they made a business decision to accept the conditions of the covenant in 2021, knowing that the cost of infrastructure can and often does increase. I view this as a calculated business risk that the developer took. The town is not responsible for the developer's business decisions and should not feel obligated to provide a "bailout" - in the form of removing covenant conditions - to help a business that has put themselves in this situation.
- **We can't know what the developer will do.** There are many moving pieces in the world of commercial development, and if the town leaves the condition of the roundabout on the covenant we cannot know for certain that the developer will abandon their project as they have threatened. On the other hand, if the town removes the condition in an attempt to ensure the project goes forward, there is no guarantee that the developer will not abandon the project for other reasons. Indeed, the removal of the roundabout condition on the covenant will likely make the property much easier to sell, so that could become an attractive option for the developer.

In summary, I believe that the condition of building the roundabout should remain on the covenant on 1130 Rocky Creek. I believe the best interests of the community are served by ensuring a roundabout is built on Ludlow by the time the new development is completed, and without using additional contributions from the town beyond the \$990,000 in DCCs already committed. If these

previously agreed conditions now cause the developer to abandon this project, that will be unfortunate in some ways, but I believe it will be the “lesser evil” compared with making sacrifices in the form of higher financial contributions to the roundabout by the town, and/or less than ideal traffic management on Ludlow for a period of time. I urge council not to remove this condition.

Thank you for taking the time to read and consider my thoughts on this topic.

Respectfully,

John Scott

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