

A PUBLIC HEARING AND SPECIAL MEETING OF THE
COUNCIL OF THE TOWN OF LADYSMITH
AGENDA
7:00 P.M.

Monday, December 2, 2019
Ladysmith Eagles Hall
921 1st Avenue

Pages

1. CALL TO ORDER

2. AGENDA APPROVAL

Recommendation

That Council approve the agenda for this Public Hearing and Special Meeting of Council for December 2, 2019.

3. PUBLIC HEARING NO. 1

3.1 Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw 2018 and Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw, No. 2020

4

Subject Property: 336 Belaire Street (Lot 1, District Lot 56, Oyster District, Plan 27861)

3.1.1 Outline of Public Hearing Process - Mayor Stone

3.1.2 Introduction of Bylaws - Director of Development Services

3.1.3 Public Submissions

11

3.1.4 Final Call for Public Submissions - Mayor Stone

3.1.5 Closure of hearing for Bylaws 2018 and 2020 - Mayor Stone

4. PUBLIC HEARING NO. 2

4.1 Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2021 183

Cannabis Retail Zoning

4.1.1 Outline of Public Hearing Process - Mayor Stone

4.1.2 Introduction of Bylaw - Director of Development Services

4.1.3 Public Submissions

4.1.4 Final Call for Public Submissions - Mayor Stone

4.1.5 Closure of Hearing for Bylaw 2021 - Mayor Stone

5. SPECIAL MEETING OF COUNCIL CONVENES

6. BYLAWS - OFFICIAL COMMUNITY PLAN AND ZONING

6.1 Subject of Public Hearing No. 1 - Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw 2018 and Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw, No. 2020 188

Recommendation

That, subject to any additional matters raised at the public hearing,
Council:

1. Proceed with third reading and final adoption of Bylaw 2018, cited as Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw 2018.
2. Proceed with third reading and final adoption of Bylaw 2020, cited as Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw, No. 2020.
3. Direct staff to refer Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw, No. 2020 to the Ministry of Transportation and Infrastructure, pursuant to the Transportation Act.

Recommendation

That, subject to any additional matters raised at the public hearing, Council:

1. Proceed with third reading and final adoption of Bylaw 2021, cited as Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw, No. 2021.
2. Direct staff to refer Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw, No. 2021 to the Ministry of Transportation and Infrastructure, pursuant to the Transportation Act.

7. ADJOURNMENT

TOWN OF LADYSMITH

BYLAW NO. 2018

A bylaw to amend "Official Community Plan Bylaw 2003, No. 1488"

WHEREAS pursuant to the *Local Government Act*, the Municipal Council is empowered to amend the Official Community Plan;

AND WHEREAS pursuant to section 488 (1)(f) of the *Local Government Act*, an official community plan may designate development permit areas for the establishment of objectives for the form and character of commercial, industrial or multi-family residential development;

AND WHEREAS the Municipal Council considers it advisable to amend " Official Community Plan Bylaw 2003, No. 1488";

NOW THEREFORE the Council of the Town of Ladysmith in open meeting assembled enacts as follows:

1. Schedule A – Zoning Bylaw Text of “Official Community Plan Bylaw 2003, No. 1488” is hereby amended as follows:
 - a. by deleting the following from section 3.8.1
“The Local Commercial designation is applied to small scale commercial centres located within and serving the daily needs of the surrounding residential population in neighbourhoods. It provides for a limited range of retail, office, and service uses, which do not compete with the commercial uses in the downtown core. The maximum density allowed in a Local Commercial designation is up to 0.5 FSR for commercial uses. The maximum floor area for any one commercial use is limited to 200 square metres. Development within a Local Commercial designation is subject to the Section 3.8.5 Development Permit Area Guidelines in this Plan”,
 - b. and replacing with the following
“The Local Commercial designation is applied to small scale commercial centres located within and serving the daily needs of the surrounding residential population in neighbourhoods. It provides for a limited range retail, office, and service uses, which do not compete with the commercial uses in the downtown core. The maximum density allowed in a Local Commercial designation is up to 0.5 FSR for commercial uses. The maximum floor area for any one commercial use is limited to 200 square metres. Residential uses in conjunction with commercial uses may be supported, provided they are consistent with the scale, form and character of the surrounding neighbourhood. Development within a Local Commercial designation is subject to the Section 3.8.5 Development Permit Area Guidelines in this Plan”.
2. Map 2 – Development Permit Areas of " Official Community Plan Bylaw 2003, No. 1488" is hereby amended as follows:
 - a. By designating the subject property legally described as, Lot 1, District Lot 56, Oyster District, Plan 27861 (336 Belair Street) as shown in **Schedule I** which is attached to and forms part of this Bylaw as, DPA 4 –Multi-Unit Residential.

CITATION

- (3) This bylaw may be cited for all purposes as "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw, No. 2018”

READ A FIRST TIME on the 4th day of November 2019

READ A SECOND TIME on the 4th day of November 2019

PUBLIC HEARING held pursuant to the provisions of the *Local Government Act*

on the day of , 2019

READ A THIRD TIME on the day of , 2019

ADOPTED on the th day of , 2019

Mayor (A. Stone)

Corporate Officer (J. Winter)

TOWN OF LADYSMITH

BYLAW NO. 2020

A bylaw to amend "Town of Ladysmith Zoning Bylaw 2014, No. 1860"

WHEREAS pursuant to the *Local Government Act*, the Municipal Council is empowered to amend the Zoning Bylaw;

AND WHEREAS the Municipal Council considers it advisable to amend "Town of Ladysmith Zoning Bylaw 2014, No. 1860";

NOW THEREFORE the Council of the Town of Ladysmith in open meeting assembled enacts as follows:

- (1) Schedule A – Zoning Bylaw Text of “Town of Ladysmith Zoning Bylaw 2014, No. 1860” is hereby amended as follows:
 - (b) The table in Section 9.1 ‘Creation of Zones’ is amended by adding the following at the end of the Table:
“Belaire Mixed-Use CD-6”
 - (c) Part 17: Comprehensive Development Zones is amended by adding a new zone as “17.6 Comprehensive Development 6 – Belaire Mixed-Use (CD-6)” as shown in **Schedule I** which is attached to and forms part of this Bylaw.
- (2) Schedule B - Zoning Bylaw Map of "Town of Ladysmith Zoning Bylaw 2014, No. 1860" is hereby amended as follows:
 - (a) By adding the following comprehensive development zone to the end of the ‘Zoning Designations’ list:
“CD-6 Belaire Mixed-Use”
 - (b) By placing “Comprehensive Development 6 – Belaire Mixed-Use (CD-6)” on the subject property legally described as: Lot 1, District Lot 56, Oyster District, Plan 27861 (336 Belair Street) as shown in **Schedule II** which is attached to and forms part of this Bylaw.

CITATION

- (3) This bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw, No. 2020”

READ A FIRST TIME on the 4th day of November, 2019

READ A SECOND TIME on the 4th day of November, 2019

PUBLIC HEARING held pursuant to the provisions of the *Local Government Act*

on the day of , 2019

READ A THIRD TIME on the day of , 2019

APPROVED pursuant to s. 52(3)(a) of the *Transportation Act*
on the th day of , 2019

ADOPTED on the th day of , 2019

Mayor (A. Stone)

Corporate Officer (J. Winter)

Schedule I – Bylaw 2020

17.6 COMPREHENSIVE DEVELOPMENT 6 – BELAIRE MIXED-USE (CD-6)

The purpose of the CD-6 Belaire Mixed-Use is to accommodate a three-storey mixed-use development containing ground floor commercial and second and third floor multi-family residential development.

1. Principal Uses

- a) *Coffee shop*
- b) *Community care facility*
- c) *Media production studio*
- d) *Multiple-Unit Dwellings.*
- e) *Neighbourhood pub*
- f) *Office*
- g) *Personal service establishment*
- h) *Restaurant*
- i) *Retail sales*
- j) *Veterinary clinic*

2. Accessory Uses

- a) *Home Based Business*, subject to Part 6, Section 6.8.

3. Sizing and Dimension of Parcels

- a) No *Parcel* shall be created which has a *Parcel Area* less than 1,500 square metres.
- b) No *Parcel* shall be created which has a *Frontage* less than 30 metres.

4. Size and Density of the Use of Land, Buildings and Structures

- a) The *Floor Space Ratio* shall not exceed 0.9
- b) The maximum number of Dwelling Units permitted in this Zone is one.
- c) Notwithstanding Section 17.6(4)(b), the owner shall be entitled to a maximum residential density of 53.5 units per hectare, to a maximum of 8 units, provided that:
 - i) the owner constructs, at their cost, street parking and drainage improvements , in accordance with the standards established by the Town, on that portion of Rigby Place immediately adjacent to Wickham Park; and
 - ii) prior to obtaining a building permit for the dwelling units under this section, the owner provides a bond or other surety satisfactory to the Town from which the Town may draw upon if the owner fails to complete the works under (i).
- d) No commercial use on the parcel shall have a *Gross Floor Area* greater than 250 square meters
- e) The combined *Floor Space Ratio* for all commercial uses on the property shall not exceed 0.5.
- f) No *Building* or *Structures* shall exceed a *Parcel Coverage* of 40.0 percent.
- g) A *Parcel* may contain more than one *Principal Building*.

5. Siting, Sizing and Dimension of Uses, Buildings and Structures

- a) No *Principal Building* or *Structure* shall exceed a *Height* of 11.0 metres.
No *Accessory Building* or *Structure* shall exceed a *Height* of 7.5 metres; except where the roof pitch is less than 4:12, in which case the maximum *Height* shall be 5.0 metres.

- b) No *Principal Buildings* or *Structures* shall be located closer to the *Parcel Line* than the minimum *Setback* shown in the Table below:

PARCEL LINE	MINIMUM SETBACK
<i>Front Parcel Line</i> (Belaire Street)	2.0 metres
<i>Interior Side Parcel Line</i>	4.5 metres
<i>Exterior Side Parcel Line</i>	2.0 metres
<i>Rear Parcel Line</i>	17.0 metres

- c) No *Accessory Building* or *Structure*, with a *Finished Floor Area* (10 m²) as shown in the Table below, shall be located closer to the *Parcel Line* than the minimum *Setback* shown in the Table below:

PARCEL LINE	MINIMUM SETBACK
<i>Front Parcel Line</i>	6.0 metres
<i>Interior Side Parcel Line</i>	4.5 metres
<i>Exterior Side Parcel Line</i>	3.0 metres
<i>Rear Parcel Line</i>	13.0 metres

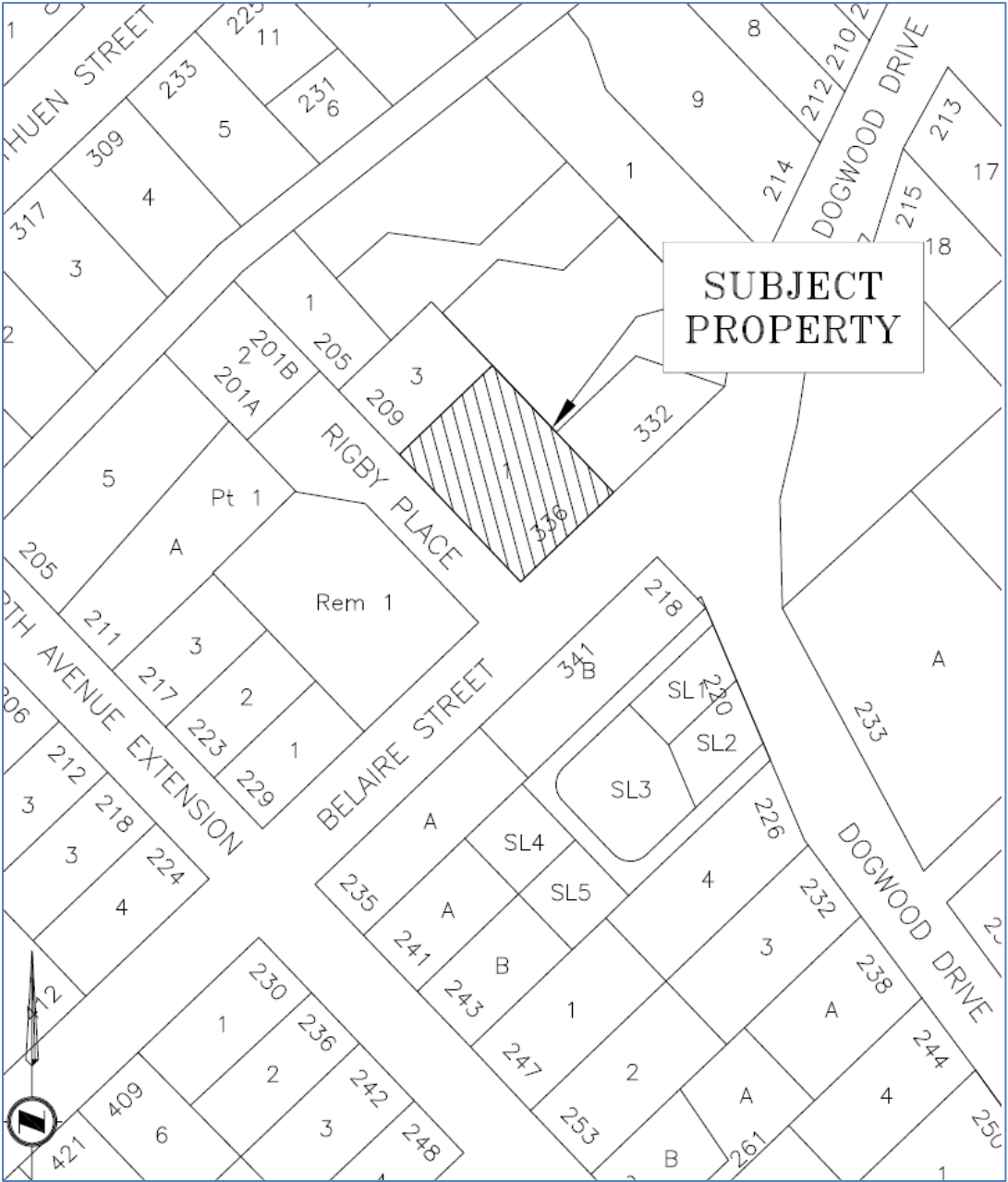
6. Landscaping and Screening

- a) *Landscaping* and screening shall be provided in accordance with Part 7: Landscaping and Screening Regulations.

7. Parking and Loading

- a) Off-street parking and off-street loading shall be provided in accordance with Part 8: Parking and Loading Regulations.

Schedule II – Bylaw 1983



RECEIVED
June 19/19

Page 1 Of 3

Mr Fred Green
3082 Yellow Point Road
Ladysmith, BC V9G1C3

June 10, 2019

Dear Sir.

I am pleased to see that some redevelopment is being planned for the property at 336 Beldaire St. Ladysmith as it has been derelict for many years.

I live in Belwood Village at 332 Beldaire St. and did attend your two recent public meetings for enlightenment on your proposal.

Belwood Village, as you are aware, is an eighteen-unit senior complex comprised of one level patio homes where everyone enjoys the peace and tranquillity. These being the main reasons for choosing such a place to live.

My concerns relating to your proposed development are many. I wish you to consider again what fits best in the neighbourhood.

1 The structure is too high and will not fit the theme of the area, which consists mainly of one and two storey homes.

2 It will shadow Belwood Village homes and patios from afternoon and evening sun and restrict light.

3 The privacy of Belwood residents will be comprised as the balconies on your building look down into the patios and windows of the homes.

4 The brewpub will generate odours, which will be a nuisance and possible health hazard to the seniors enduring it.

5 We could expect incessant noise due to the long hours of operation, possibly from 6.30 am until 10.00pm.

We'd be subjected to vehicles coming and going with engines revving and loud voices from the outdoor patio and parking lot.

6 Parking will be a major issue as the twelve or more suites will have at least that many cars, staff could require another thirty parking spots, customers many more and also service vehicles. The streets would be congested, and homeowners parking would be restricted.

7 Where will the dumpsters be located?, hopefully not alongside Belwood fence as they tend to smell and attract rodent?

8 Traffic along Belaire St is increasing rapidly, more homes being built in Holland Creek area, Belaire and Dogwood are the main thoroughfares from there to downtown. There was a vehicle accident last week at the junction of Belaire and Dogwood.

9 Property values of homes in Belwood Village very likely will be affected, mainly because of the whole concept of retirement living in a quiet, restful patio home is compromised.

10 The name Jailhouse Pub being adjacent to our complex is not complementary to either ourselves or to Wickham Park where children come to play.

Mr Green, I urge you to reconsider your plans on how to develop 336
Belaire St. Ladysmith, I am not against the redevelopment of this property
but not what you have proposed.

Yours respectfully


Alan Wilson

Copies to

Town of Ladysmith, Mayor and Councilors
PO Box 410 Esplanade, Ladysmith, BC, V9G1A2

Town of Ladysmith Planning Dept. Senior planner Lisa Brinkman
Senior Planner Lisa Brinkman, PO Box 220,
132C Roberts St., Ladysmith, BC V9G1A2

Dr. Henny Vogelzang

209 Rigby Place
Ladysmith BC V9G 1A4

June 10, 2019

Mr. Fred Green,
3082 Yellow Point Road,
Ladysmith BC, V9G 1C3

Dear Mr. Fred Green,

Re: 336 Belaire Street, Ladysmith

Thank you for your inclusion of the town's people with respect to your future development of 336 Belaire Street. I have been to your meetings and I recognize that the proposed diagram and plan is only a proposal, but since you asked for opinions, I have decided to share mine.

As the Chiropractor next door, my greatest concern will be the amount of parking and traffic this complex attracts. I see that you have put in parking, but when I read the by-laws, I see that you require two parking spots for each 2 bedroom unit (you have 12 units in the plan), which by present design already puts you at 24 spots required "on site". You will also require one visitor spot for every 5 residences, which brings you up to about 26 spots on site. For every 20 parking spots, there must also be one 'handicap' parking spot, which will be larger than the others. For the amount of residences, you must also have bike parking 'on site'.

Between each 4 parking spots you must have a shade tree, and it also has a designated amount of space to grow and flourish.

There are landscape buffers to be placed between residential and commercial sites, which means that you must put a worthy fence or hedge between our property and yours, and the Belwood Estates and yours.

I see nowhere on the plans where you plan to put the garbage, but dumpsters must be accessible to the garbage truck. I assume you won't want it near your patrons, so you will likely choose the north corner, which will affect 5 neighbours directly. Unless you keep it very clean, there will be complaints about the smell. The designated size around a large dumpster is firmly stated in the Ladysmith by-laws and will definitely take up at least 2 of the designated

parking spots on your picture.

To further my studies, you have parking designed along the streets, but our little street is a designated cul-de-sac and has been ill developed for years. However, it is a cul-de-sac and I was forced to park my patients on an angle so that they could go "around" the cul-de-sac to get out of the street. I assume the same rules will apply to your patrons. My concern is that with all the parking you propose on the street, turning around will be difficult for all patrons. Even worse, the garbage truck, snow plows and fire trucks will have trouble moving in this cul-de-sac if it is plugged with parked patrons. This will put every building on the street in harm's way, should we require emergency services. Parking on the street will be limited by the town, as it is necessary for them to control local traffic to maintain safety.

That sends your patrons to park onto Belaire, Dogwood or 4th Avenue. The corner of Belaire and Dogwood is an extremely busy corner and a main thoroughfare for the town's people and emergency crews in bad weather, so I would think that the town or the police will advise no parking in front of your establishment. Your patrons will have to move further up the street. However, there is a bus stop on Belaire, and apparently there are significant restrictions on parking too close to a bus stop, which leaves only 4th Avenue and Dogwood. From what I have heard, Dogwood is already a horrible place for parking because the residents of the apartments are forced to park along the street. I can't speak for 4th Avenue, but it's a busy corner, and a major route for children walking from school, so having it plugged up with parking is going to get some complaints from people that don't even live here but have children going to school.

In the proposal you suggested a Cafe, Brew Pub and Catering business. You need a parking spot for every 5 seats you create for patrons. I have no idea how many seats you will have in both a Cafe and Brew Pub combined, but I suspect you have already run out of on site parking before you calculate in patron and employee parking. I understand that all employees do not work at the same time, but usually there is a cross over time when some come and some go, and at that time, they will all require parking or bike parking. People do not wait for one to leave so the next employee can have the same spot, no business can work like that.

At present you have a height restriction on the building, and you would require approval to make it taller. By making it taller, you will place more demand of our infrastructure in the town, more water, more parking, more of everything. I do not know if the town would approve your designed building on such a small space.

An off street loading zone will require sufficient room to "avoid conflict with any pedestrian access, bike path, parking space, Street, Lane or Highway." I have no idea how you plan to do that with your already overloaded parking lot filled with shade trees, cars, dumpsters and bikes. The beeping of trucks backing up will be considered quite an annoyance to many in

the area as well, especially since many delivery vehicles come in the early morning. Curbside offloading is not acceptable by town bylaws.

As a Chiropractor running a business on this street, I can tell you that the eyesore it is now is not great for my business. I find myself having to tell patients to drive "past the ugly abandoned building" to get to my office. I am excited to see the lot improved. However, building a building of your proposed size will take a lot of time, probably a year or more, during which our road will be a fiasco, and then afterwards the parking will be unreasonably over crowded. So, I appeal to your good sense, and restructure your plan to something that will fit the neighbourhood and not do damage to its neighbours. I know you say you have to make money, but I too must make an income, and I must defend my patients to the best of my ability. Please revise your plan to something that makes more of us comfortable and proud.

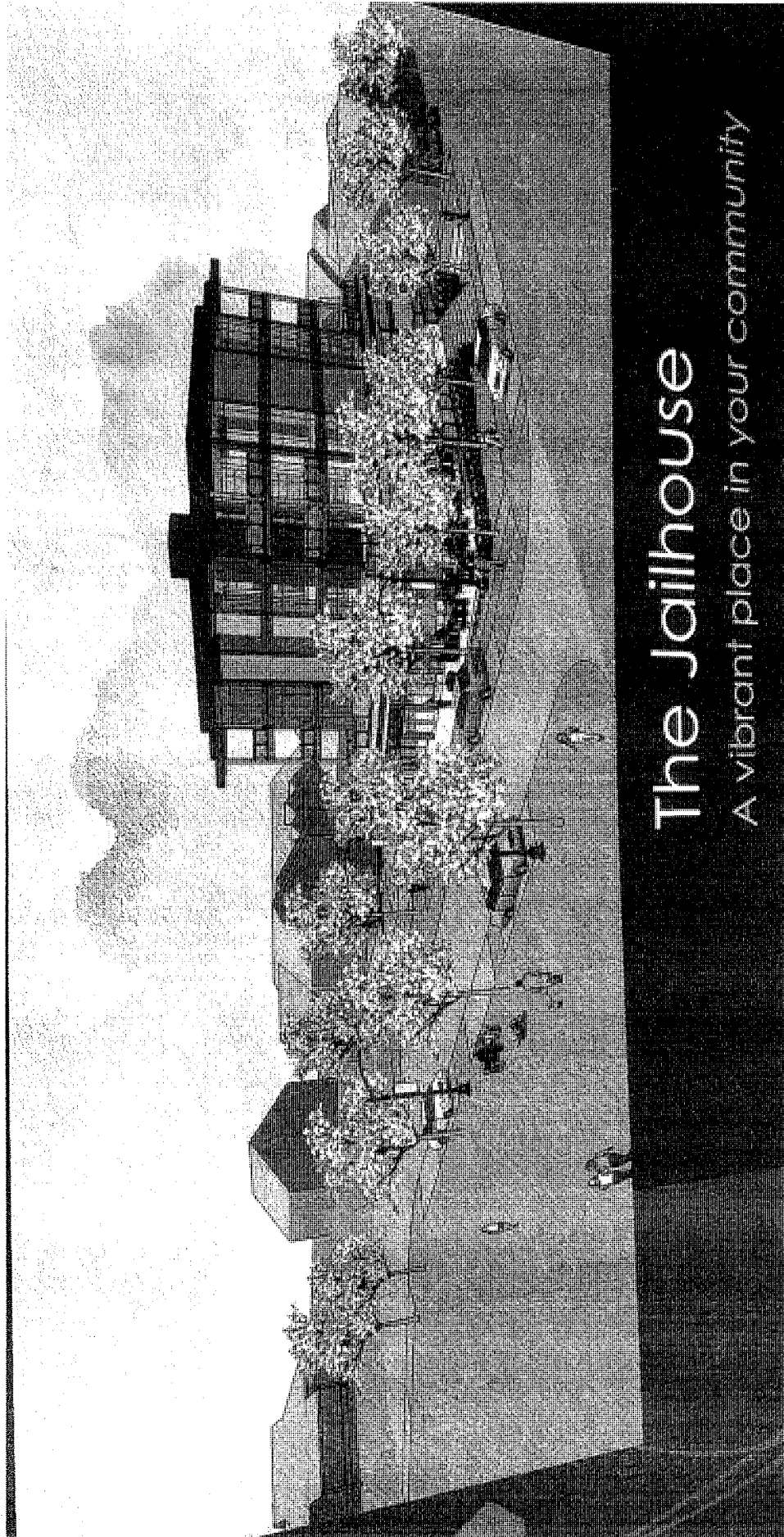
As a private citizen, I have concerns about noise from heat pumps, air conditioners, people coming and going, the blocking of sunlight to various houses in the neighbourhood, the restriction of our present view and the invasion of our privacy by having apartments overlooking our living room windows and patio. I worry about the light from the parking lot and the sounds of patrons late in the evening and delivery trucks in the early morning. These concerns are likely going to be brought up by many other citizens as well as myself.

Yours most respectfully,



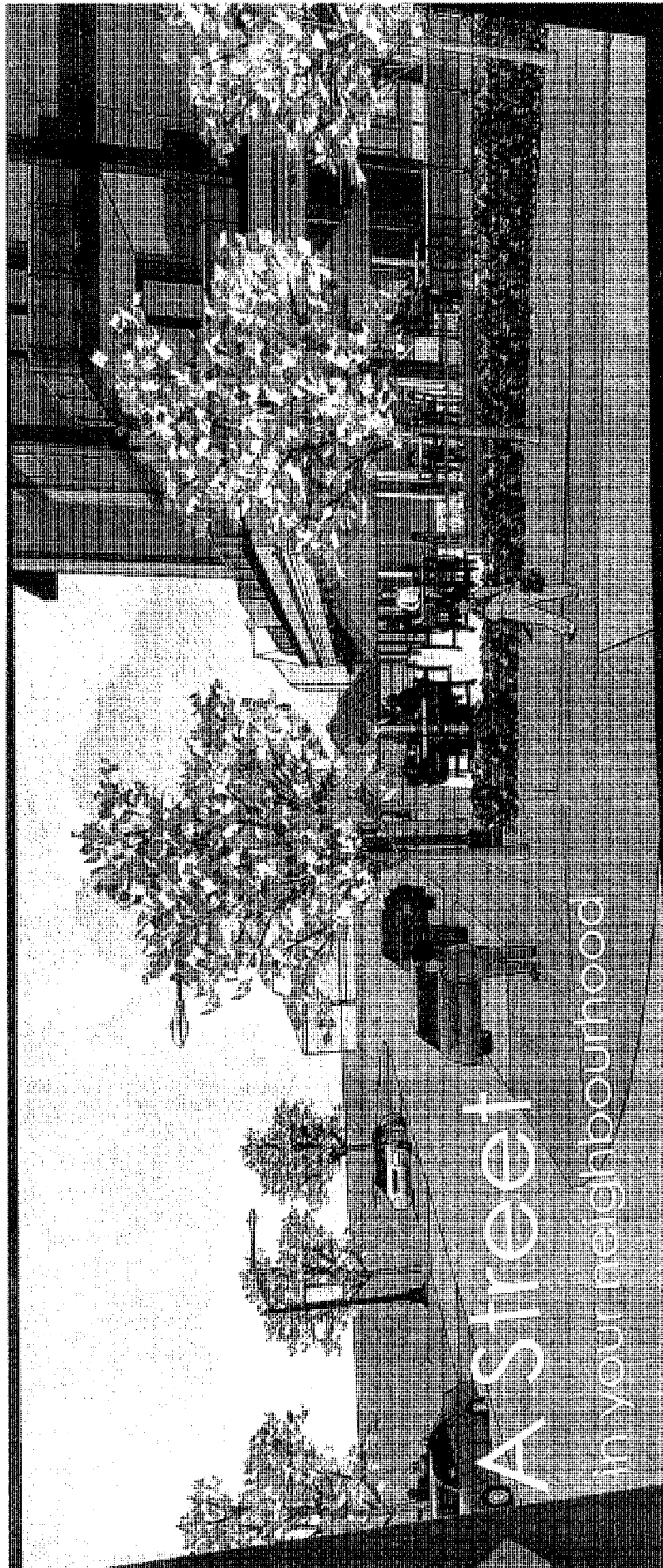
Dr. Henny Vogelzang

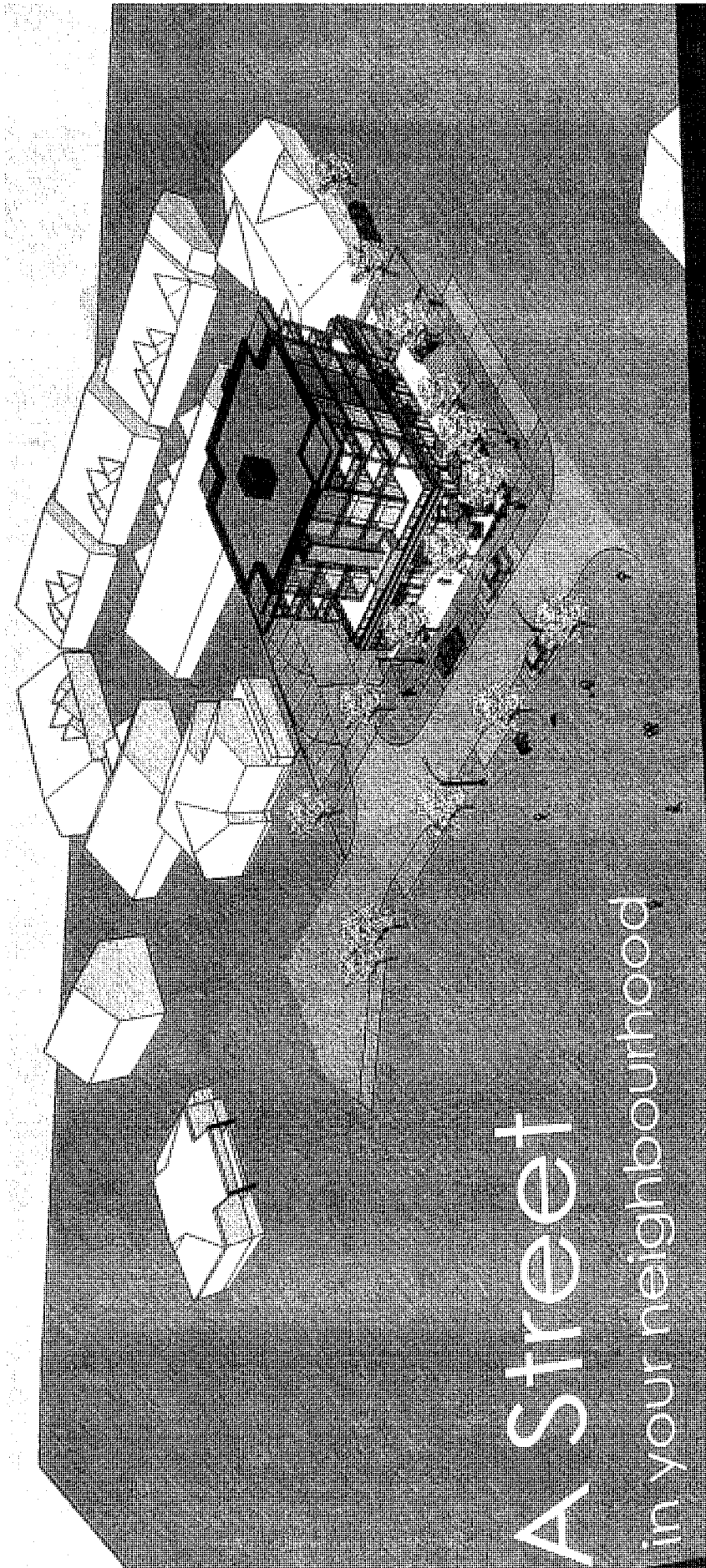
CC: Town of Ladysmith, Mayor and Councillors, Box 220 Ladysmith, V9G 1A2
Town of Ladysmith Planning Department Box 220 Ladysmith, V9G 1A2



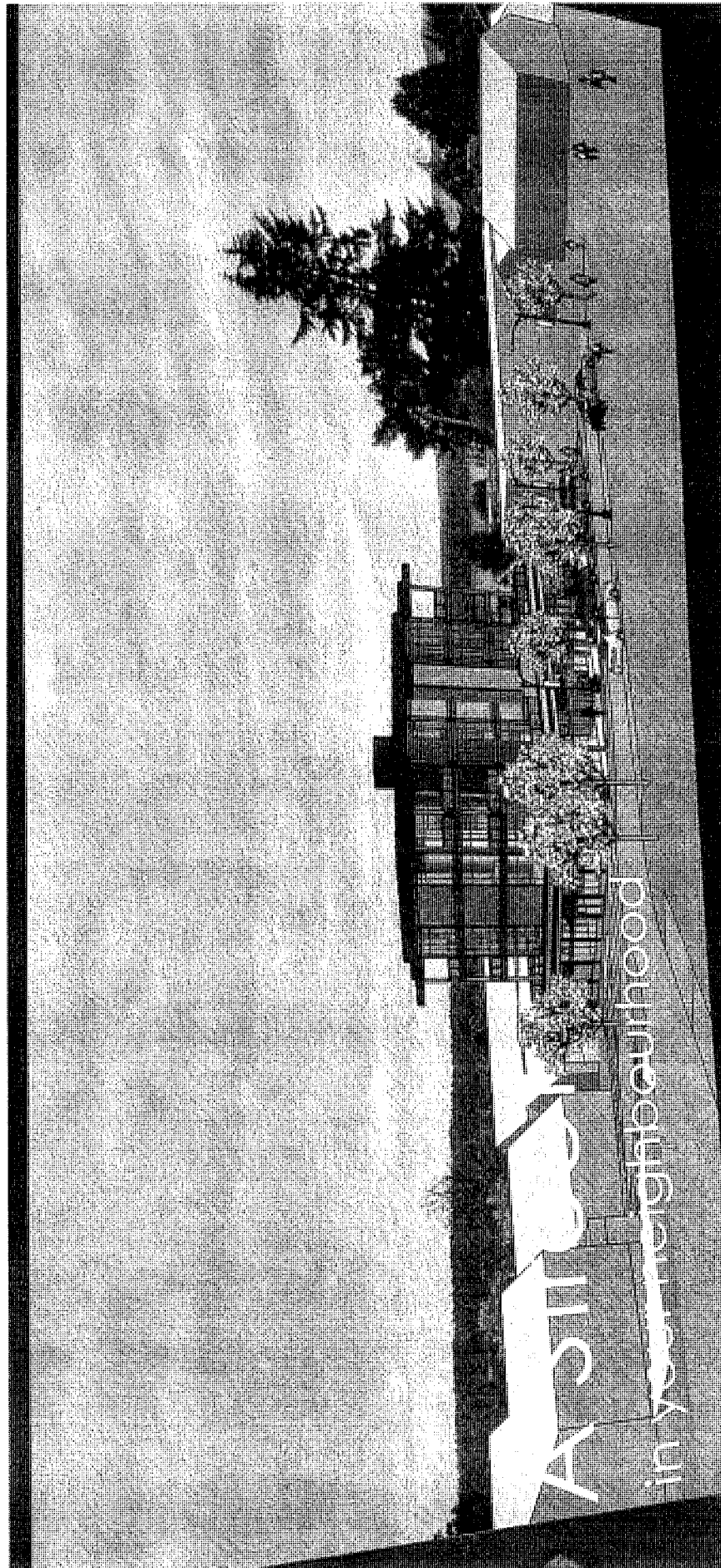
The Jailhouse

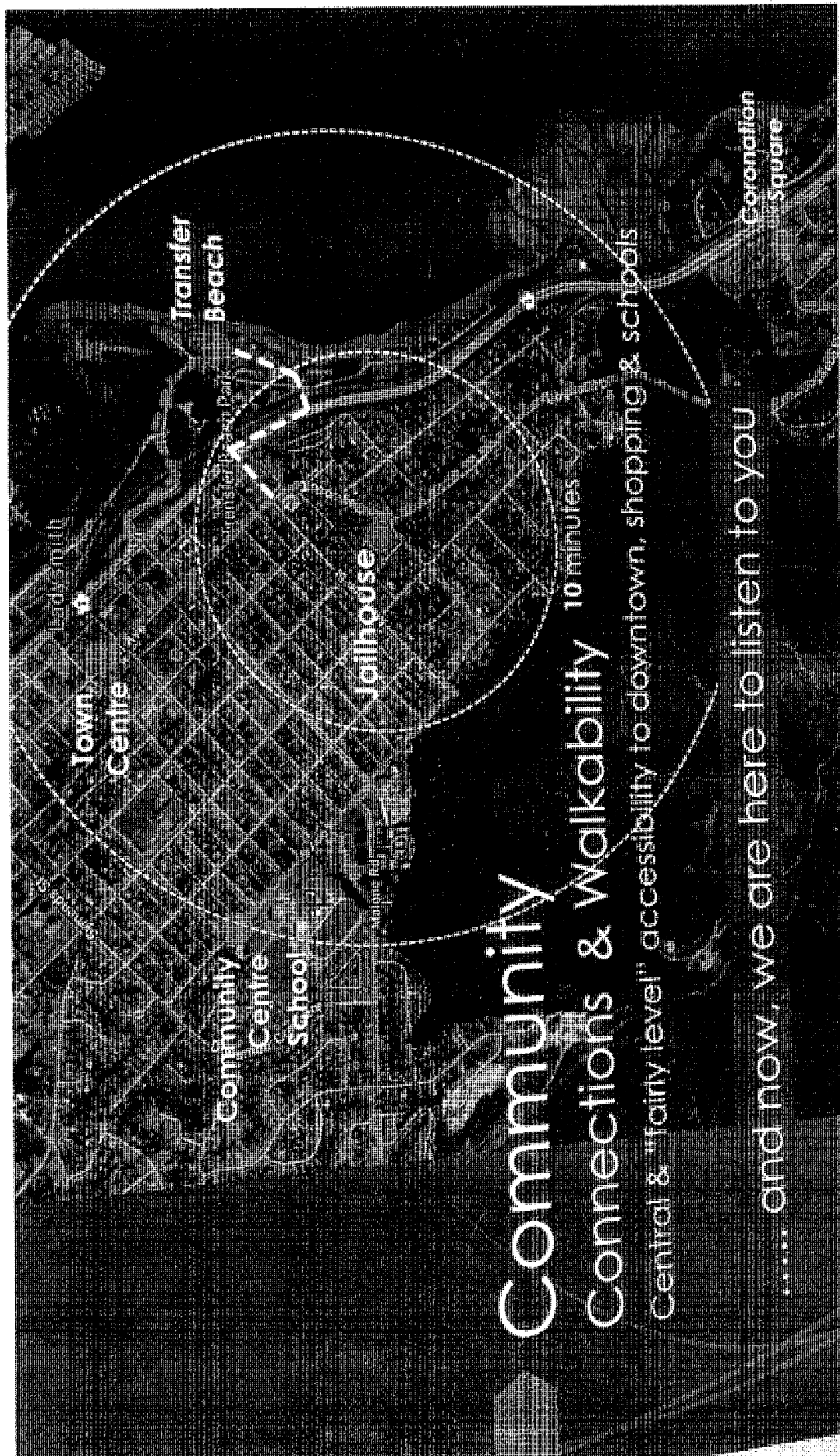
A vibrant place in your community





A Street in your neighbourhood





Community

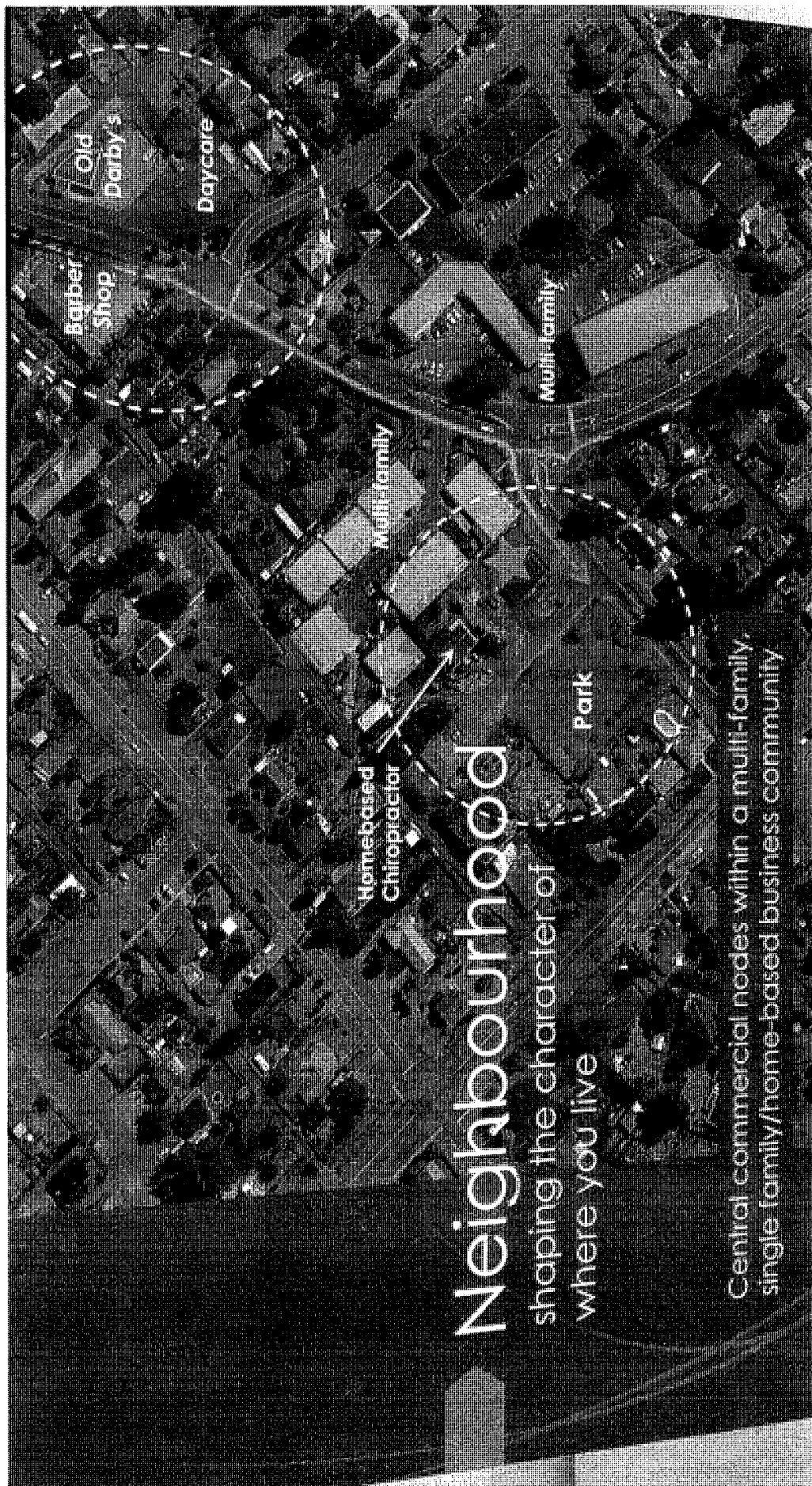
Connections & Walkability

Central & "fairly level" accessibility to downtown, shopping & schools

..... and now, we are here to listen to you



Creating Place



Received June 12, 2019

229 4th Avenue Extension

Ladysmith, BC

June 6, 2019

Mr Fred Green
3082 Yellowpoint Road
Ladysmith, B.C. V9G 1C3

Re: Former Police Station

Hello, Fred. I attended both your public meetings (my husband was out of town for work and unable to attend) Initially it sounded like you wanted to do good for the town, but by the end of the 1st meeting I g I could see you had a pre-set plan & agenda all along. The dis-heartening part was you kept saying you wanted to help the town, especially the youth to have a reason to stay in Ladysmith. I'm not sure how this will help a few people stay – it might just drive some people out!

I was born (1957) and raised in Ladysmith and lived in the same house during that time until I graduated from high school. Our address is 229 4th Avenue at Belair (house with the pool and tall gray fence) After the passing of my father and the declining health of my mother, we moved her to a care home and relocated from the mainland to their home to be closer to her. We embarked on updating the house in preparation for sale, but as we did the home improvements and enjoyed the unobstructed view from the back of the house, we realized there was such a good feeling about the place, that we just couldn't leave. (We bought the house from my Mom) The good feeling came from the peaceful view we have from our back windows. We have spent the last 4 years remodeling our home ourselves (and many thousands of dollars) We knew Wickham park would remain the same, as Tom & Wilma Wickham were close friends of my parents (Al & Anne Johnston) and promised them they would never allow a building on the land. We knew the old police station could be replaced at some point but did not expect a tall 4 story building could possibly take it's place. **We find it hard to believe the town of Ladysmith will let this happen and hopefully they will not approve the application/rezoning.** By the way, my parents also gave a lot of their time to the town of Ladysmith through the Kinsmen, Boy Scouts, coaching, the hospital board, Lifeline and more. I am only saying this as I'm sure there are seniors on Methuen street and in Belmont Village who have similar backgrounds and they deserve the upmost respect & consideration in their "golden" years.

We are happy that the police station eyesore will be removed and a little bit of "life" injected into the area, shouldn't hurt. We personally don't have an issue with a low rise, limited hours brew pub being located at this site, however there is a senior complex of 18 units that will be very much impacted as well as others in the area. (We do have an objection to another 3 floors) We realize there may be some people happy, such as the person at the 2nd meeting who thought it was great to "have progress." However millennials or even some of the older generation don't always attach the same value of peacefulness, views and having a nice home in a nice area, as others do. In our case, we already have a

busy corner around our home at 4th & Belair, and our backyard & back of the house is our sanctuary. This is very important to us. There just needs to be a balance between progress and retaining the rights of the original residents

Parking is a concern. You mentioned at the 2nd meeting you would have 20 spots for parking. Likely 12 parking spots will be filled by the 12 rental units, and very possibly there will be a 2nd person in the units so let's assume at least half of the units will need a 2nd parking spot. That will take up 18 spots. If there are even 10 employees working at a time at the various enterprises on the main floor, then another 7 – 10 spots will be allocated. Where are the customers going to park? All of a sudden the area of Rigby and Belair and Dogwood will have cars around. This is also a safety concern and will affect the look of the neighbourhood, with cars scattered around.

Another concern is noise. There will be people noise and car noise. I am guessing there will also be noise coming from heating & cooling systems on the roof?

We ask that you rethink your plan in consideration of the residents in the area who actually live in this neighbourhood. The proposed structure, although lovely in design, does not fit in our neighbourhood. It's too high of a structure and we don't want to lose our privacy.

To summarize, Fred you mentioned you love Ladysmith. So, do we. **You live in Yellowpoint – we live in this neighbourhood.** How would you feel if a developer came and wanted to build a similar structure near your property obstructing your view, light and privacy?

We understand you need a return on investment, however why is it at our expense, and that of our neighbours? **We request you downscale this structure to 2 storeys to fit in with the neighbourhood.** Then we can retain our pride in our neighbourhood, retain our property values and we even promise to support the businesses you build.

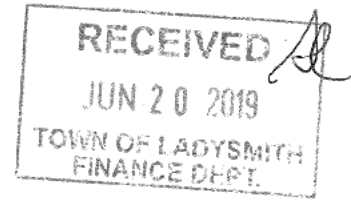
Thank you,

Raelene & Mike Cormier

Cc: Mayor & Council
Ladysmith Planning Department

Darren & Lisa Rasmussen

July 17, 2019



Mr. Fred Green
3082 Yellow Point Road
Ladsmith, BC V9G1C3

Dear Mr. Green,

We are writing this letter in concern for the proposed development at 336 Belaire, Ladysmith.

We have lived at 217 – 4th Avenue Extension for the past 29 years, we have enjoyed a beautiful view from our sundeck which will be severely obstructed by your proposal. We were neighbours with

Dr. Wickham for 20 years and his vision was for this property to not affect anyone's view in the neighbourhood, not just his view. As well he did not donate this park to be a busy parking lot, but to enjoy this peaceful green space by all neighbours and the community and this will be lost if this proposal goes ahead.

There are many things to consider with this proposal not just the view, but the parking, noise, lights and loss of privacy will be huge for this neighbourhood.

We are not against development on this property, we are just against this proposed development.

Thank you,

A handwritten signature in cursive script, appearing to read "Lisa Rasmussen".

Darren & Lisa Rasmussen

cc: Town of Ladysmith, Mayor & Councillors, PO Box 220, 410 Esplanade, Ladysmith, BC V9G1A2

Town of Ladysmith Planning Department (Sr. Planner, Lisa Brinkman), PO Box 220, 132C Roberts Street, Ladysmith, BC V9G1A2

June 17, 2019

Mr. Fred Green

cc: Town of Ladysmith Mayor and Councillors

cc: Town of Ladysmith Planning Dept.



We are writing this letter in regards to your proposed plan to develop the Belaire Property where the old Police Station now sits. We have attended the meetings and we have many concerns regarding your plans. First and foremost we are concerned about the negative impact on the health and well being of all of us who live around that area. The majority of us are seniors with a few families including young children. Our property backs onto Wickham Park so the impact on us will be huge. We are both seniors living with disabilities and have chosen to adapt our home to allow us to stay here in our nice quiet neighborhood while we age. Putting in the proposed structure and businesses will change our quality of life in many ways.

We will lose property value. The size of the building will block out our view completely. I can imagine the seniors in Bellwood Village will lose not only their daylight but any sense of peace and privacy they have. There will be light and noise pollution 24/7. With my pain syndrome this could keep me locked in doors with windows closed. Not to mention the beeping signals from delivery trucks of which there will surely be many. Parking!! Not realistic in anyway. That corner on Belaire is already too busy. There is no room on Rigby Place to park without being on the edge of the park. We were made aware of an easement running through our property continuing down through your proposed parking lot. If you were just building 2 floors of rental suites it may be possible.

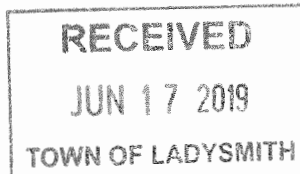
We purchased our property with the knowledge of Dr. Wickams plan to donate the land to the town to create a park for the residents in the area to enjoy with their children, grandchildren and a place of peace and quiet. What you propose does not honor his legacy or vision in any way. I was also under the understanding when we purchased that there is height restrictions and other bylaws specific to that particular property. These need to be addressed.

There is a perfect place to build a brew pub down on 1st. Ave. where the old food bank building sits. Your proposal is not an acceptable plan for our neighborhood.

Please take our concerns seriously,


Gary & Julie Lacroix

223 4th. Ave. Ext. Ladysmith



Ladysmith,
June 15th 2019 .

To: The Mayor and Town Council, Town of Ladysmith
Ms. Lisa Brinkman, Senior Planner, Town of Ladysmith
Mr. Colin Bollinger, Sr. Building Inspector/Bylaw Compliance Officer, Town of Ladysmith
Mr. Fred Green, 3082 Yellow Point Road, Ladysmith, V9G 1C3

TO WHOM IT MAY CONCERN:

This is about Mr. Fred Green's ideas for the old RCMP building site situated in the core of a strictly residential area. It's beside Belwood Village too – a long-established, quiet, secluded community of almost entirely elderly retired persons, including some with chronic medical conditions. The one-level patio homes were specifically designed for such people. I am one of them, living here on the advice of my medical practitioners. It is unimaginable that the living environment that is so crucial for us – the most vulnerable group of persons – could be dismantled.

Only some people at Mr. Green's Presentation #1 on February 21st took a survey and only some of those submitted one. So the input Mr. Green received surely wouldn't have represented an adequate number of local and impacted persons. He has said that the survey results supported his vision of part commercial/part residential. However, it seems that *rental* apartments weren't referred to until Presentation #2 on May 22nd when Mr. Green suggested that a management company might be hired (i.e. governing personnel residing *off-premises*).

Please imagine living beside, and dwarfed by, a tall building that casts giant shadows and blocks sunlight. Three floors, apparently, would be occupied by unsupervised renters with balconies and windows in close proximity to, or even overlooking, the formerly peaceful, private homes of old people! Imagine the loud voices, music and socializing; the cooking and barbequing smells; smoking; bright lights; clanging of dumpster lids; starting up of vehicles; etc.; etc., at all hours on all days. Ironically, to accommodate renters, the same number of old people would have their own lives overturned. So why not, instead, have leased offices for which the site is zoned already, perhaps drawing more ongoing monthly income by means of the office-sharing practice which is fast becoming the norm? In any event, rented office space is surely far more reliable, long-term and non-destructive than having tenants. Business hours would be observed and the coming and going of clients/customers would be dramatically reduced as well as the vying for inadequate parking spaces.

Imagine, too, living beside a brew pub with deliveries and staff arriving in the early hours; the smell of brewing pervading the neighbourhood; brisk business being conducted at weekends and perhaps late into evenings too; customers continually driving in and out; people drinking and littering in Wickham Park; etc. The park's notice board reminds everyone that Dr. and Mrs. Wickham donated the park land specifically for families' recreational activities for generations to come. On that basis, the Town of Ladysmith gratefully accepted the land. Children often play there. Yet Mr. Green proposes as an extension of that park *a brew pub*, a facility that only a small segment of families would use and one that many other family members might even actively avoid. Why not, instead, provide a juice & soda bar, icecream parlour, donut or bagel shop – venues that all family members, including children and grandchildren, can patronize and enjoy together, just as the Wickhams had envisaged?

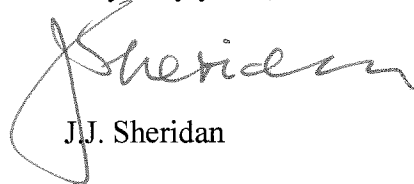
Other concerns are about where the many essential large dumpsters would be situated, the offensiveness of their smell and the deafening noise of regular, large collection trucks. As well, based on Mr. Green's plans, there'd be a critical shortage of parking spots as underground parking isn't an option, as well as little or no room on Rigby Place for roadside parking, deliveries/pick-ups, and heavy-duty, service, emergency and town vehicles. And where would the fire hydrant(s) be located? As well, added volume to the already excessive traffic and congestion at Bel Aire/Dogwood, Rigby Place/Bel Aire and Fourth Avenue/Bel Aire would be intolerable and would induce more accidents.

The RCMP/ICBC might have a lot to say about that! Last, the design of the proposed building is completely incompatible with its surroundings. Looking down Belaire, one sees peaked roofs interspersed with greenery and trees beyond. A modern, tall, squared, multi-glass-windowed, flat-roofed, impersonal edifice would stand out like a sore thumb and oppressively dominate and spoil the whole area for everyone. Furthermore, calling it The Jailhouse sounds derisive and very unappealing!

Last, but of great importance, property values here and in the near neighbourhood would be likely to plummet.

"Location, location, location," realtors say. It seems they are right in respect to Mr. Green's ideas. Great ideas. Entirely wrong location! Mr. Green wants to add to the town's quality of life and making a profit is secondary to the benefit to the community. ("Chronicle", February 28/19) His proposed development, though probably very well-intended, would clearly, however, bring about entirely the opposite. So multiple people are hoping Mr. Green is a man of his word, as he seems to be. Faith is placed in Ladysmith's Planning and Bylaws Departments and Town Council to wisely dismiss Mr. Green's current plans and encourage him to come up with other workable and beneficial ones. I believe he'd have resounding neighbourhood support if he does so.

Very truly yours,

A handwritten signature in dark ink, appearing to read "J.J. Sheridan". The signature is fluid and cursive, with a large loop at the beginning and end.

J.J. Sheridan



Doug Judson

218 Dogwood Drive,



Thursday, June 20, 2019

Lisa Brinkman

Box 220

132c Roberts Street

Ladysmith, B.C.

V9G 1A2

Lisa Brinkman, Senior Planner, Town of Ladysmith

Today I am writing you in regards to the proposed re-development of the property at 336 Belaire street and subsequent negative impacts on our neighborhood , our quiet residential homes and lifestyle.

I am 52 years old and live across the street and have done so for almost 52 years one might say. The home was my grandparents, and upon their passing I took ownership and have lived here myself for close to 18 years. The property at 336 Belaire was once part of my great grandfather's dairy farm, DeClark's Dairy.

I am certainly familiar with the area and have seen many changes over the years. Some good, some bad. In the early 1970's Dr. Tom Wickham who was the owner of that land was approached by Hillview Holdings out of Kelowna to locate a site and build the RCMP station. A deal was done and Tom sold off a portion of land with restrictions, provisions of sale, mostly due to height limitations . That land was zoned for this project ,under an "I" designation, which was *institutional*. A *restrictive covenant* was placed on the land to limit the maximum height for good reason. Tom. his wife and family lived uphill from the proposed site and Tom was concerned for his own views, and certainly that of his neighbors and how the building would impact the area. He wanted all to accept his selling of that parcel and subsequent lifestyle changes. This is why the building was one storey with a flat roof.

After the building was vacated by the RCMP it was offered for sale and some attempts were made to occupy what was there. A previous owner had plans and applied for rezoning to a C-1 to allow for her office spaces, and

from what I understand shared offices spaces, including a physiotherapist and a forestry consulting firm. When the rezoning was undertaken the neighbors were contacted and we all attended meetings regarding the issues.

The biggest concern was with increased traffic volumes in a residential area, and potential street parking on the frontage of Belaire street, and on Rigby place. Rigby place is only a laneway, a dead end street and not a proper cul-de-sac. The Town listened to our concerns and as such put a site specific regulation on that property. I refer you to the Town Zoning Bylaws 1860, Part 11- 9 a)

9. Site Specific Regulations a) For the Parcel legally described as Lot 1, District Lot 56, Land District 45, Plan 27861 (336 Belaire Street), Convenience Store and Restaurant are not permitted Principal Uses.

The reasons were to limit the volumes of increased traffic and inadequate parking on street, and off-street(on the property). It also addressed our concerns about hours of operation as a "9-5" commercial space was more suitable, an office setting with limited traffic and hours to help maintain the residential lifestyle in the area. The RCMP operations were just that. Limited hours, and limited public parking requirements, let alone staff parking.

From what I can see the 336 Belaire proposal has 2 businesses, separate from each other, as well as an apartment complex, estimated at 12 single dwellings. Knowing the area well, having first hand knowledge of the traffic, volumes, times of day, weather, emergency vehicle routes during snow events, Rigby place's current access for residences and home based businesses, any allowed street parking will have a detrimental and negative impact. The Town Zoning Bylaws and Street and Parking Bylaws have addressed these issues in great detail and again I will reference them for clarity to my explanation. If the Town Planners, Development Services staff, and Mayor and Council follow their own bylaws and enforce what is already in place, any street parking is non-existent, onsite parking is impossible based on land size and requirements alone, in regards to locations to the busy intersection, driveways, crosswalks, stop signs, bus stops etc.

Attached is an overview of the area with references to the Zoning bylaws and Streets and parking bylaws which eliminate entirely any street parking, and also point out the substantial off street parking requirements which with this proposal cannot be met.

C-1 requires front parcel setback of 6 metres, side setbacks at 3 m and 1.5, taking into consideration the required landscape buffers-size and scope

No parking 30 feet (9 metres) from lateral line of intersection. ref: Street and traffic bylaws 1309, Part V, section 31.17

Belaire splits into 2 lanes here, one for both left and a right turn designated lane-no parking on street in advance of the intersection

Landscape buffer (Bylaw 1904 2a). required wherever C-1 zone abuts a residential zone section 7.2.2 c) Options 1 & 2 zoning

No parking available on boulevard as distance from curb to sidewalk is less than a metre. Also too close to the vehicles coming off of Dogwood up Belaire

Easement-Sanitary and storm drains to adjacent property-no building. Landscape buffer is questionable to be permitted overtop

No parking 20 metres before and 10 metres beyond bus stop

Proposal of 12 single roomed apartments, 2 commercial businesses.

As per zoning bylaws Part 8, C-1. Parking and loading required off street.

Apartments-12 spaces, 3 visitor stalls, (2 bedroom 24 spaces.) 1 loading zone, designated per 300-500 sq metres of floor space, 2 required for 501 -2500 sq metres. 2 designated for persons with disabilities Minimum for apartment proposal is 15 regular @ 15.08 sq/m = 226.20 sq/m

Handicap 2 @ 21.46 sq/m = 42.92 sq/m

Loading zone 1 @ 27 sq/m = 27 sq/m

Total of 296.12 sq metres of land.

Each business requires 2 handicap stalls each, so 4 total, 2 individual loading zones and using C-1 required parking off street under 'Coffee Shop' as a standard, 1 parking stall per 5 seats. Estimating 50 seats conservatively would require 10 additional stalls, estimating another 10 plus for the proposed pub.

Total needed : 32 regular stalls

3 visitor stalls, 3 designated loading zones, 6 handicap stalls. Total land use of 692.32 sq/m. This does not take into account required land for the Landscape buffers (rear lot and right side), clear unobstructed pathways of 1.2 metres from each handicap parking to all 3 entrances, required bicycle spaces/lockups for both the multi-residential, and employees/patrons. Other land use required would be a garbage annex location, with animal proof barriers, lockup and odour control for garbage, recycling, food wastes, and possible cooking oil disposal. Angle parking is not allowed onsite as there has to be a through road for both 45 & 60 degree parking. By default it would have to be at 90 degrees and as such a required 7.3 metres is needed between stalls to allow maneuvering to exit. **There is inadequate parking for this proposal.**

Part V, 31.7 no parking within 6 metres (20ft) within the approach to stop sign

P-2 zones require a minimum 4 parking stalls @ 2.6 m x 5.8 metres.

P-2 zone

Not a proper cul-de-sac—not adequate room for vehicles to turn. A multiple point turn is required. Street parking not allowed in this area. Every vehicle that turns onto Rigby will need to turn

Street and Parking bylaw # 1309 Part V, section 31.6..no parking within 15 metres to the approach of crosswalk, 6 metres beyond this would include both sides of Rigby place

Regarding frontage, I am to understand the building will be demolished, removed entirely from site. If so, the C-1 setback requirements will now be 6 metres from the front parcel line. The current building is non-conforming.

" No Principal Building or Structure located on a Parcel shall be located closer to the Parcel Line than the minimum Setback shown in the Table below : PARCEL LINE MINIMUM SETBACK Front Parcel Line 6.0 metres Interior or Exterior Side Parcel Line 3.0 metres Other interior Side Parcel Line 1.5 metres Rear Parcel Line 3.0 metres "

Driveway access off of Belaire street can't be allowed as it is too close to the roadway and intersection of Dogwood drive. Vehicles come around the corner fairly quickly and any potential vehicles in front of 336 Belaire, whether angled parking or parallel parked would be at risk of a collision. There is also only about 1 metre from the current curb and sidewalk, not allowing adequate space for parking. Standard Parking Space 2.6 metres wide x 5.8 metres long (additional 1.2 metres in width for a handicap stall) with additional requirements for maneuvering.

Ref: bylaw # 1309 Streets and traffic bylaw Section V,31 no parking

(17) within 9 metres of the lateral line of an intersecting roadway. From Dogwood drive "up" Belaire street, in front of the proposed development at 336. This also applies to Rigby place as you turn right onto Rigby. (9 metres from Belaire street (curb lines). On the corner of Belaire and Rigby there is a view sightline that must be kept clear for traffic coming in and out of Rigby, both looking up and down Belaire as vehicles exit. 6 metres back from the parcel line, maximum 1 metre tall.

The proposed building may indeed be back from this site line, however I would expect that the Town planners not allowing vehicles to park here for safety reasons would be included. The cross walk area also has clearances for allowed parking of vehicles.

Section 31.6 no parking (6) within 15 metres of the approach of or 6 metres beyond a crosswalk;

From all indications so far there will be no on street parking in front of this proposed building on Belaire street, on either side. "Uphill" from Rigby place is Wickham park. Graciously donated by Tom Wickham and family. There is to be no street parking on Belaire in front of Wickham park as there is a bus stop there. As per the Town bylaw # 1309 : Section 31.(16) no parking within 20 metres of the approach of or 10 metres beyond any bus stop sign. As Wickham park is zoned "P-2", a neighbourhood park, it requires a minimum of 4 designated parking

stalls.(Table 8.1 required parking spaces) As a result of the bus stop no parking, by default the 4 designated parking stalls for the Park has to be on Rigby place. There is a ditch line there now, so parking is not available other than up the street on Rigby, near the end on the left. The winter rains off of Wickham park fill up the ditchline entirely and even overflows as it exits out a storm drain near Belaire. This happens many times during the winter months. Filling in this ditch with an end to gaining parking will cause runoff and groundwater issues for the Municipality. It is a mute point however as again if the Town follows its own standards, no parking is allowed along this section and as such the ditch line should not be filled in to accommodate any such parking.

When The RCMP building was in place and fully operational both the left side and right side of Rigby place had "no parking signs" . They included both sides of Rigby right up to the entrance to the rear parking lot. Vehicles started to park on both sides of the street and it caused traffic issues. Sometimes RCMP members attempting to leave were impeded by parked cars. Vehicles used to park on the front (Belaire st) before the roadway was redone, widened, sidewalks and curbs put in which took away from safe parking. As Rigby place is a narrow lane, and not a "normal road" as per the comparison's to other streets, parked vehicles will plug up that street. When two vehicles have to pass it is incredibly tight to do so. Fortunately with the very low traffic flow as is, that is limited. Add in proposed multiple businesses with apartments and a rear entrance only? This will be a hazardous traffic situation. I have seen this area firsthand during light up and during Ladysmith Day's parades, and the congestions and parking is absurd. If these "2 days" are an indication of what a large volume business/residential space will produce daily, it will fail. The reality is that each and every vehicle that may want to turn onto Rigby is now committed or obligated to carry on up this road. With no proper cul-de-sac design or location this area will be a massive congestion point. It is a multiple point turn. As it is, gravel covered, which will create dust in the area homes.

It was actually the original gravel laneway that exited my great grandfathers Dairy farm. Over the years homes were built in that area including a duplex and the Town paved the laneway, installed services and a hydrant. As a retired 25 year member of Ladysmith Fire Rescue, and as a Lieutenant I can question the safety of placing or "committing" an apparatus near the end of that roadway if it is congested with the 336 Belaire development. As "it is" there would be no problems but the roadway has a duplex, a laneway to two houses, a single family dwelling with a home based business that all enter onto it. As mentioned, if bylaws are implemented and enforced the parking of vehicles in this area should be dealt with.

On Rigby, as you leave you encounter a stop sign, waiting to get onto Belaire street. As per the towns Streets and Traffic bylaw 1309 Part V, section 31.7 parking prohibited 6 metres on the approach to a stop sign. At this point it is a crosswalk. As per Town bylaws Part V, section 31.6 no parking within 15 metres to approach of crosswalk and 6 metres beyond.

Based on all off-streets minimum requirements for parking I conclude that there is totally inadequate parking for this proposal. Referencing Town zoning bylaws, under C-1 designations.

- Apartments 12 spaces if 1 bedroom (double if 2 bedroom)
- 3 visitor stalls per 12 units
- 2 stalls for persons with disabilities
- 1 designated loading zone
- 1 designated bicycle lockup/parking area

Each business requires:

- 2 stalls for persons with disabilities (4 total)
- 1- individual loading zone (2 total)
- 1 parking stall per 5 seats of patrons (Estimate 50 seats per business= 10 stalls(total of 20 just for the businesses. This will most certainly not meet the peak times required and as mentioned street parking is not available.

The C-1 Designation requires landscape buffers between properties that abut residential, which would require minimum fencing heights, and sizeable land loss needed to put in the landscape buffers, including larger trees and shrubs. (As per Zoning bylaws 1904, under "option 1 and option 2", Table 7.1) On the east side, adjacent to the Bellwood estates is a sanitary and storm easement which services residential properties uphill. As no building is allowed on this easement setback requirements must be considered. Taking into consideration the landscape buffers required and as of writing this notice I haven't received clear direction on whether covering over this easement is allowed, one should question whether this should be allowed in such a case the municipality should ever need to service these drains. From experience, I know full well what tree roots can do to 4 inch PVC piping as it can tear into it and cause upheaval. Certainly it will indeed need to be serviced then.

The proposed building would also require designated parking/lockup areas for bicycles, both for employees, residences, and certainly patrons. The rear area would also have allocated areas for a garbage annex, again with design requirements which include animal proofing, lock ups, and hopefully odour proofing. This is a large concern for the neighbours closest who's rear patio's are a mere few metres away from where, most likely this will be placed. A development of this size would most certainly require a minimum of 3 or 4 large dumpsters, all of which will most likely be serviced after hours. Which, like with other properties in our area (Knight's court, Dogwood Apartments) are done early in the day and on weekends to offset peak vehicle usage and obstruction.

Again. I suggest that the required numbers of stalls, parking areas, handicap stalls and ramps, loading zones, clearances between spaces for maneuvering traffic and pedestrian safety, a garbage annex, landscape buffers needed onsite far exceed the available square footage of land, most likely not including the footprint of the building. I haven't included the actual employees required parking, service vehicles for electrical, plumbing, and any other building maintenance required.

The closest neighbors would have to deal with a "live" building. As it is after 6 pm, our area is fairly quiet, as most traffic has subsided and people are home from work for the evening. This building will produce substantial light and noise pollution. All exterior wall lighting, soffit, parking lot and sidewalk lighting, will be on all night. The scope of night lights will be substantial. The same applies for any heating/cooling units whether mounted rooftop, or wall mount heat pumps. Refrigeration units running 24/7 for both the Coffee shop and pub? Ventilation fans required for all the single apartments, certainly the businesses for bathrooms, kitchens, etc. Will there be required smoking zones? Within each business or outdoors? Located where? WCB regulations enforced around this issue, as the businesses have different regulations compared to apartment users. Cannabis is legal..apartment users allowed on their balconies? Every patio that is proposed will be looking into the adjacent properties, in effect destroying any privacy that once was enjoyed. A multi-storey building a matter of 20 feet from some resident's bedroom in Bellwood Estates is unacceptable. Will the apartment complex be "Air B&B" allowed uses? Will there be age restrictions? 2 tenant's per unit, or more? Families? Considering no parking now, who's going to stop it? Pets? Who most likely will abuse the existing Wickham park and not pick up after their pets.

As detailed as I have outlined my concerns, and certainly added many more in general writing, it must be understood I am not opposed to redeveloping this site. As a General Contractor for over 30 years, having built many Doctor's offices, Dental Clinics, Lawyer's offices and dozens of large homes in my career, I am no stranger to breaking ground in an area and drawing the attention of the area residents. I have been on both sides, zoning

meetings on both sides. For the most part outcomes have been amicable and understood, and most municipalities have great planners, development personal, Town staff to put forward the laws of the land, to protect everyone's interests.

I keep going back to my great friendship with Dr. Tom Wickham. He was my papa's Doctor when he fought his battle with cancer, and I talked often with Tom when he himself was faced with it. We talked at length about families, the history of them all around town, and he loved when I started my young family in my now home. He let my kids play in his field endlessly, with no conditions. He loved to hear them laugh, and play for hours. Many a baseball game was had. When I see the sign on the park now, showing kids running around, it is exactly what Tom wanted for this land. I was one of the first he came to when he wrote up the agreement with the Municipality to donate this land. I was overwhelmed to say the least. An incredible gesture, selfless and worthy of a forever stewardship of sorts to watch over it. When I see what is proposed I go back to those days, and it is offensive to even think of the municipality ever considering this proposal. It is an insult to his surviving family, his namesake and his wishes for our neighborhood,... his neighborhood.

I do want to see this eyesore dealt with, as it has been far too many years. I wish any developer the best of luck as I want all to succeed. Two previous owners did not, at this location. As I have said. I have a lifetime of first hand knowledge of the area. I would ask the current owner to reconsider and perhaps look towards a commercial tenant/s with "daytime hours", or even a possible rezoning to Residential which I think would be successful, then putting in a patio home development, or a two storey residential unit, within the 9 metre height restriction, and the site specific regulations, and fits in with the area. There is no doubt we can use more housing, and I am certain the permit process would be acceptable to most.

I appreciate the time and effort to read through my information as I've presented it. I welcome each and everyone who may read this to contact me at anytime to discuss further, and certainly in person at my home, just across the street.

Sincerely,

Doug Judson



218 Dogwood Drive, Ladysmith

July 8, 2019

Fred Green
3082 Yellow Point Road
Ladysmith BC
V9G 1C3

Re: The Jailhouse Project at 336 Belaire Street, Ladysmith, BC

Dear Mr. Green

I have concerns regarding the captioned project as presented at the information session on May 22nd, 2019.

The conceptional drawings shown consisted of a 15 metre high building plus the extension for the lift tower. Building to house a Brew Pub with patio seating on West-Side, various unidentified commercial outlets and at least 3 floors of condos or flats with outdoor patios on all sides of the building. The remainder of the lot to be used for parking spaces.

- Potential of lower property values of homes immediately adjacent to a Brew Pub with outdoor activities on the patio.
- Loss of peace and quiet to the immediate neighbourhood. Bellwood in particular that is an adult oriented complex.
- Long hours of operation (6 AM to 9 or 10PM) with service vehicles operating and Brew Pub guests indulging on the patio.
- The building height will shadow some homes in Bellwood.
- Balconies on the East and North sides will look directly down on private patios and through windows of Belwood homes.
- Parking is seen as a major issue as the 12 or more suites in the building take at least that many cars, employees and customers. There will not be enough on-site spaces, and the adjacent streets and cul de sac will be cluttered.
- The neighbourhood is old and established with one and two story homes and a modern tall building of this size will not fit the landscape.
- Views from the surrounding area will be obstructed due to the height of the building.

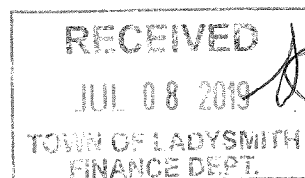
Respectfully submitted for your information and consideration.



Gail Holland, Owner and neighbor at #19 332 Bellaire Street, Ladysmith, BC

CC Town of Ladysmith, Mayor & Councillors P O Box 220 410 Esplanade, Ladysmith BC V9G 1A2

✓ CCTown of Ladysmith, Planning Depart., Senior Planner Lisa Brinkman, P O Box 220 132C Roberts Street, Ladysmith BC V9G 1A2



RECEIVED
July 10/19

Vincent Herkel
209 Rigby Place

Ladysmith, BC,

July 8, 2019

Mr. Fred Green
3082 Yellow Point Road
Ladysmith, BC, V9G1C3

Re: 336 Belaire Street, Ladysmith, BC

Dear Mr. Fred Green,

I am writing to you on behalf of myself, my wife and two sons, residing at 209 Rigby Place, the north adjacent property with the longest individual shared property line to 336 Belaire Street, proposed location of your multi use development project. Our son Mark attended your first invitational public meeting and three of us attended the second meeting, returning home with photos of your proposed multi use commercial and residential development, which helped to give us a better perspective of your proposed development in relation to our home. We have several troubling and unacceptable concerns such as the four storey height, the width, the twelve apartments, privacy issues, the obstruction of the scenic view of trees, islands, Stuart Channel and the horizon, the brew pub and coffee shop with their associated smells and noises. A major concern is the availability of sufficient on site parking for your apartment residents, their visitors, your anticipated forty brew pub and coffee shop employees, their patrons and delivery vehicles. An associated major concern is your proposed off site parking on the west side of Rigby Place along Wickham Park, which means that every vehicle utilizing these proposed parking stalls has to turn around in a poorly defined gravel turn around area located at the end of Rigby Place, in front of the residents driveways, defined parking areas and a resident in home business parking area. A very major concern is the resulting daily parade of vehicles including large delivery and garbage disposal trucks and their associated vehicle engine noises, attempting to turn around in the gravel area at the end of Rigby Place which will be very disruptive to my wife's in home Chiropractic clinic, to her patients with their parking and turn around requirements, to the daily peaceful quiet existence we and our Rigby Place neighbours enjoy with very few vehicles utilizing the turn around area on a daily basis. The impact that the greatly increased vehicle traffic and proposed parking areas on Rigby Place and Belaire Street will have on the use of beautiful Wickham Park by Ladysmith residents from nearby neighbourhoods is also of very deep concern. We are quite concerned about the demolition and construction phases, the use of heavy duty industrial vehicles and associated equipment along with workers vehicles causing traffic and parking congestion on Rigby Place. We are also concerned about associated disruptions caused by noise and air pollution due to the proximity of our home, about 75' from your proposed development and the fact that the Stuart Channel winds blow in from the South-East 95% of the time year round. Another concern is the possible deflating effect your four storey development will have on our beautiful home's valuation. Most importantly is the devastating impact your development will have on our daily lives and routines, the loss of our entitlement to the peace and quiet of dead end Rigby Place which we have enjoyed for the past 35 years at 209 Rigby Place. Taking all of the above into consideration, the gravity of your multi use development started to set in as we realized, that of all the immediate neighbours to your proposed development, we will be the most negatively affected and impacted.

Mr. Fred Green, the immediate residential neighbourhood located on Belaire Street, Rigby Place and Fourth Ave. Extension consists of one and two storey homes, it is blatantly obvious that your proposed obtrusive four storey multi use development does not fit in with our immediate residential neighbourhood housing theme. Your development would be better suited in the Ladysmith commercial downtown core, the Rocky Creek Road industrial area, the Ladysmith waterfront or the East side of Dogwood Drive where the relief of the land is such that even from our main floor sundeck we can see over the four storey Dogwood St., Ladysmith Manor Apartments. A one or two storey residential development, not three or four storeys, would fit in nicely with the immediate residential neighbourhood housing theme and would probably be more acceptable to us and the immediate neighbours. The developer of the Belwood Village property could have gone two to four storeys high, but to address and satisfy the wishes of the immediate neighbours, he decided to build one storey patio homes which were very much accepted by the immediate neighbourhood and his housing project sailed ahead with very little head wind. Belwood Village became and is a very welcome addition to the immediate neighbourhood and I would like to reiterate to you that the building of a town starts with neighbourhoods and when a development fits in nicely with and is acceptable to the immediate neighbourhood, it then becomes an integral part of that neighbourhood and in turn helps to strengthen and enhance the Town of Ladysmith's character and charm, making it a place where existing and perspective citizens of Ladysmith will want to live.

Your idea of hosting general public meetings without addressing the concerns of the immediate neighbours was very disconcerting. Not once prior to your public meetings did you ask to meet with us and the other immediate neighbours to try and come up with a development plan that would fit in nicely with and be acceptable to the immediate neighbourhood of Rigby Place, Belaire St. and 4th Ave. Extension. I find this disrespectful and question the intentions and integrity of an outside developer who ignores the ideas and concerns of the immediate neighbours, citizens of Ladysmith, who will have to gaze upon and put up with whatever is built and its many occupants for years to come.

Your proposed development shows on site parking for twenty vehicles and taking into consideration the twelve apartment residents and their visitor vehicles, your forty employees and patrons vehicles of the brew pub and coffee shop, there appears to be a totally insufficient number of on site parking spaces. Your proposal showed off-site parking spaces installed on Belaire Street and Rigby Place which will cause nothing more than a major disruption to the quiet, calm ambience of our immediate neighbourhood. Turning Belaire St. and Rigby into a parking lot for your development is not a welcome addition to our immediate neighbourhood. Belaire is already a busy enough street, especially from the Dogwood drive intersection up to the Fourth Ave. Extension intersection. During the busy times of morning to late afternoon wait times can be expected turning left off of Rigby Place onto Belaire St. and also turning left off of Belaire St. onto Dogwood Drive and vehicles parked along Belaire St. will create visibility problems leading towards expected accidents. Rigby Place is a narrow, short, undefined two lane, dead end street with a poorly defined turn around area at the end, which has for the last thirty five years or more, made it very difficult for large delivery vehicles, garbage and recycle vehicles and emergency vehicles such as fire trucks, to turn around without having to maneuver back and forth two or three times. Sometimes these large vehicles utilize the driveways and on site parking areas of the immediate neighbours, which has caused damage such as cracked driveway and parking area cement. As it is Rigby Place is a peaceful and serene little street bordered on the west side by the natural beauty of Wickham Park and to turn Rigby Place into a parking lot for apartment residents and their visitors, brew pub and coffee shop employees and patrons is not our idea of enhancing our street and definitely takes away from the natural ambience of Wickham Park. Even your inference in your first "336 Belaire Street – Community Vision Survey" of "Coffee Shop with access to Wiccam Park" (spelled wrong, maybe someone should have looked at the spelling on the sign in the

park), is not in line with the intended use by Dr. Tom and Wilma Wickham which was “to ensure a green space for family recreation for generations to come”, not coffee shop patrons leaving behind their cups, napkins, etc, and food scraps. First thing in the morning, upon opening the bedroom and living room curtains on the west side of our home, we are greeted each day by the natural beauty of Dr. Tom and Wilma Wickham’s Park, pampas grass swaying in the wind, oak trees, Ladysmith residents walking or playing with their pets, kids playing, people just sitting in the park and no parked vehicles blocking the view.

Mr. Fred Green, prior to your second invitational public meeting, I invited you to bring your drawings of your proposed development to our residence and from our south and east side sundeck we would get a good perspective of your proposed development and how it will impact our sight lines looking south and south east (pictures attached outlining view blockage by the three upper storeys of apartments). You neglected to take me up on my invitation and upon attending your second invitational public meeting and seeing your proposed four storey building, then I knew why you did not take me up on my invitation and I realized that you knew prior to your second public meeting that your proposed building will block about 90% of our south and south east viewing area as seen from our dining and living room windows, rooms in which we spend up to 80% of our waking hours. We built our beautiful house in 1984 and the RCMP building was relatively new at the time, zoned institutional, one storey with a flat roof, which Dr. Tom Wickham told us was the height and roof type allowance, as he had put a height restriction covenant on that property upon selling it to the development company that built the RCMP station. Expecting that the RCMP station would be there for the next fifty years or more, we accordingly built our house main living floor to a height that provided us with a view of Stuart Channel and its islands, which we have enjoyed and grown accustomed to for the past 35 years. Now you are about to destroy this part of our lifestyle which we find totally disruptive and offensive to our daily living routines. How would you like it if some outside developer came along and did that to you? Three years ago we had installed new thermal pane glass windows in our whole house, on the south side alone we have 30 panes of glass, ranging in size from patio doors, picture windows and many smaller windows, flooding our living room, dining room, kitchen and other south-southeast facing rooms with sunlight. During the winter months when we need and crave sunlight the most, the sun rises in the south east and at its lowest perigees creating some very beautiful sunrises and cloud effects, this will be taken away from us from late fall till early spring, replaced by an offensive aesthetic disturbing view of three upper storeys of apartments with a fifth storey elevator shaft on top and the associated shadows that will blanket our home. This is totally unacceptable and immediately raises health concerns for my sun rays loving wife, myself and our sons. In the summer on the hottest days we open the south and south-east windows and we welcome the cool breeze coming in off of Stuart Channel and in the winter months we also welcome the lower in the sky sun’s rays coming into our home through our 30 panes of glass, which helps to keep our home warm.

Mr. Fred Green, going back to our first of many conversations I strongly suggested to you what we the immediate neighbours would like to see developed on your 336 Belaire St. property, which was preferably housing similar to that of Belwood Village. I had heard rumours that a brew pub might be built and due to family member health issues I strongly expounded my families objections to a brew pub due to smells, noises and hours of operation. Of the six or more conversations I have had with you, me being the one to initiate each one except the last one, not once were you forth coming about your development plans except that you had ideas that you were considering, as mentioned in your 336 Belaire – Community Vision Survey. Shortly afterwards you held your first public meeting which my son attended and some immediate neighbours from Belwood Village, at which you apparently made it very clear to those attending that a residential development was not in your plans, which totally blind sided the immediate neighbours who attended to suggest a residential development in a residential

neighbourhood, not commercial in a residential neighbourhood. Just for your info one Ladysmith commercial zoned property was rezoned to residential, another institutional property is or will be zoned multi residential and the Dalby's commercial property will probably become residential. You told me that if you rezoned to residential that you would lose money which I find hard to believe as assessed values on residential properties in Ladysmith are out pacing the commercial properties and my corporation owns residential land in Ladysmith, which from 2016 to 2019 the residential assessed value has risen 77.78%. Also I read in the Feb. 28/2019 issue of the Chronicle that you said making a profit is secondary to the benefit to the community, and a real benefit to our immediate neighbourhood would be a residential development project that fits in and is acceptable to the immediate neighbourhood, that is where it starts, not out there in the general public of the Town of Ladysmith. Prior to you purchasing the property, 336 Belaire St., do you not agree that it would have made good business sense to go around to the immediate neighbourhood, knock on some doors and find out what the neighbours would like to see developed on the subject property. I firmly believe that you knew from the time you purchased the property, 336 Belaire Street, that a brew pub was in the works and the steps you have carefully taken since then, including your public meetings, have been to garner and rally support for your brew pub development project from the Ladysmith general public, totally sidestepping and circumventing the need of having a meeting with the immediate neighbours. My wife and I, as respected citizens, myself an honoured recipient of the Ladysmith Citizen of The Year Award, and business owners in Ladysmith for the past 43 years, my family ties going back to the 1890's, my grandfather, father and relatives who were coal miners in the Extension mines, have all helped and contributed extensively, both monetarily and voluntarily to the building up and the well being of our Town of Ladysmith. We, my wife and family, trust that our heartfelt and serious concerns will hit home with our Ladysmith Town Council, resulting in the referring of you, Mr. Fred Green, back to the immediate neighbours to come up with a development plan that addresses all of our concerns and is acceptable to the immediate neighbours of Rigby Place, Belaire Street and 4th Ave. Extension.

Respectfully,



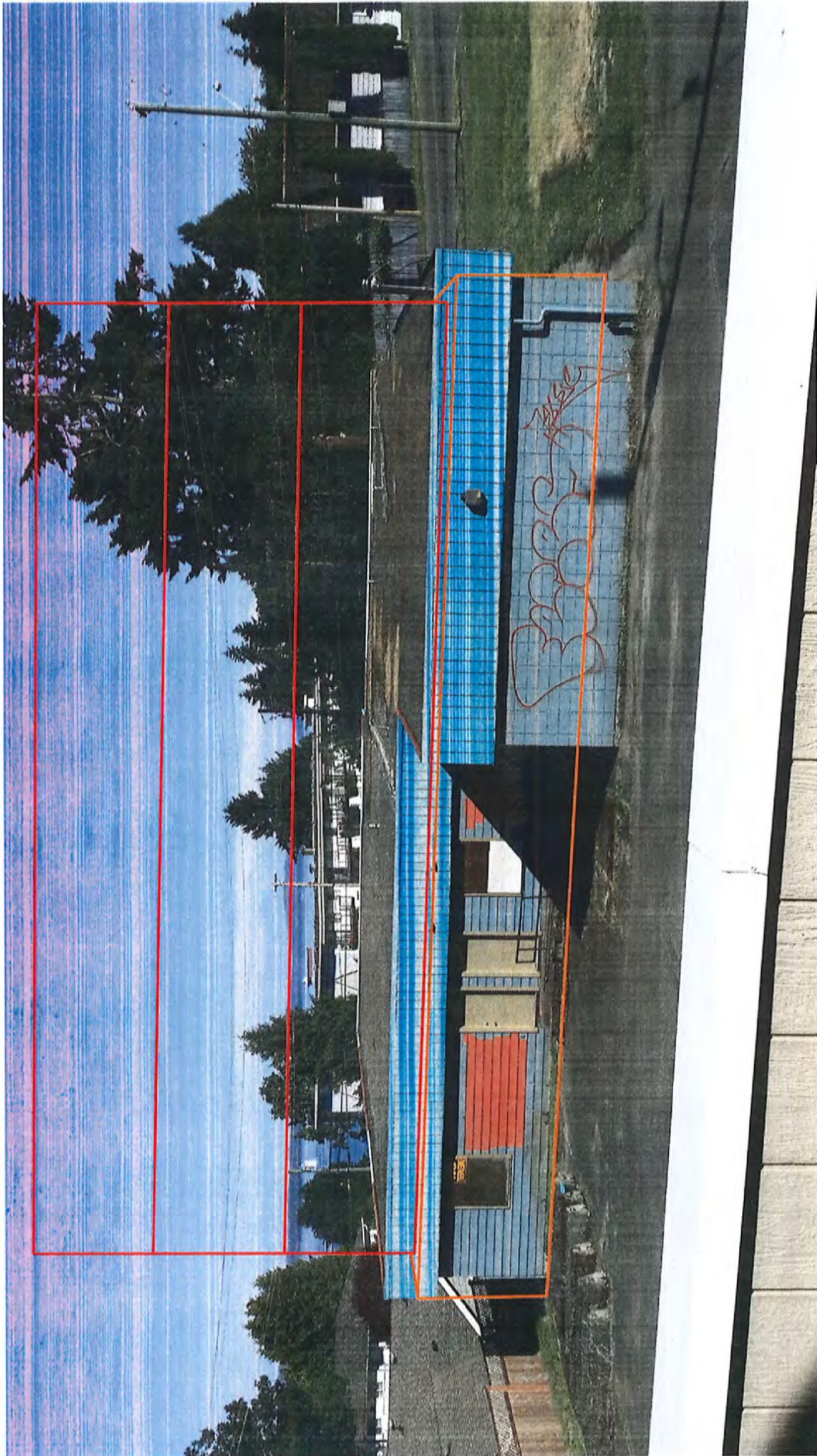
Vincent J. Herkel

CC: Town of Ladysmith, Mayor and Councillors, PO Box 220, Ladysmith, BC, V9G1A2
Town of Ladysmith Planning Department, PO Box 220, Ladysmith, BC, V9G1A2

"DINING ROOM WINDOW VIEW"



"LIVING ROOM WINDOW VIEW"



Fred & Karen Green

June 29, 2019

Dear Alan,

Thank you for taking the time to express your thoughts on the Bell Air project. May apologies for the delay in replying as I am just home from 3 weeks of travel.

With regard to your thoughts I have some comments which I hope is helpful.

Item 1 is height. After the last meeting I met with various neighbors and concluded that the 4th floor was problematic in the eyes of many. Our subsequent submission limits the building to 3 floors. As you know the current zoning permits 3 floors.

Item 2 - As illustrated at the meeting using Angela's software for shadowing, the building has very little additional impact and with the elimination of the 4th floor, it will be even less.

Item 3 - The proposed building is moved forward to the park and the residential levels are further indented to address the perception of

Fred & Karen Green

residents on the higher ground being directly above the back yards of the few homes adjacent to that proposed location. The neighbourhood has extensive multi-story buildings and this adjustment is made to minimize any perceptions of oversight.

4. Odours - the perception is incorrect. All neighbourhood Breweries incur the perception and a visit to any will illustrate that the fermenting process occurs later in the sequence and is not vented to the outside. There is no health hazard.
5. Any commercial operation (as zoned today) will generate some level of activity. The patio has been purposely positioned behind the building from Belwood and is proposed to have glass sides to minimize any noise impact.
6. Parking is an important issue and has and is being worked to ensure we meet all requirements. I am not sure which home owners will be affected as both Belwood and the few others on Regby have plenty of private parking.

Fred & Karen Green

7. The details of any support systems including dumpsters will be addressed and conform to all by laws of Ladysmith.
8. Traffic - whether it is for the current C-1 commercial zoning or any proposed zoning will be different than today of course. But, the deliberations will consider the trade off of a vacant lot versus the merits of some form of increased activity.
9. Property values - obviously a judgement call but my view is that the removal of the RCMP eyesore and creation of a family oriented community gathering place will improve values.
10. The jailhouse development reflects the original use and has proven quite popular when looked at through the lens of fun and humor. The actual facility is most likely to be named the "Ladysmith Community Brewery" reflecting the aspiration of pulling together the neighborhood and welcoming the locals for conversation and a good meal.

Fred & Karen Green

Alan, once again thank you for your input. It is impossible to keep or make everyone happy but I am hopeful that my efforts to locate the proposed building and limit it's height will assist various parties to see the merits of such a proposal.

I would be happy to have you visit or chat any time.

Regards

Fred

Fred & Karen Green

June 29, 2019

Dear Dana and Lisa,

Thank you for sharing your thoughts on the Tail House project proposal. After our 2nd voluntary public meeting earlier this month I visited with various neighbors who had approached me after the meeting. As a result of their input I adjusted the proposal to 3 stories and this has been welcomed by many who understand that the C-1 zoning currently allows 3 stories. It has proven to be an expensive lot with the necessary remediation and some likely demolition and as such no party is likely to forgo the upper floors as expenses and capital must be recovered.

At each meeting an opportunity has been provided for input and then summarized. The majority of people have supported multi story - multi purpose and a community brewery as a sensible evolution for this eyesore lot.

I am hopeful that the community will support our proposal but encourage you to participate in the next more formal steps. I would be happy to meet with you at any time. Regards

[Signature]

Darren & Lisa Rasmussen

July 17, 2019

Mr. Fred Green

Dear Mr. Green,

We are writing this letter in concern for the proposed development at 336 Belaire, Ladysmith.

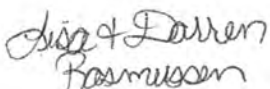
We have lived at 217 – 4th Avenue Extension for the past 29 years, we have enjoyed a beautiful view from our sundeck which will be severely obstructed by your proposal. We were neighbours with

Dr. Wickham for 20 years and his vision was for this property to not affect anyone's view in the neighbourhood, not just his view. As well he did not donate this park to be a busy parking lot, but to enjoy this peaceful green space by all neighbours and the community and this will be lost if this proposal goes ahead.

There are many things to consider with this proposal not just the view, but the parking, noise, lights and loss of privacy will be huge for this neighbourhood.

We are not against development on this property, we are just against this proposed development.

Thank you,



Darren & Lisa Rasmussen

cc: Town of Ladysmith, Mayor & Councillors, PO Box 220, 410 Esplanade, Ladysmith, BC V9G1A2

Town of Ladysmith Planning Department (Sr. Planner, Lisa Brinkman), PO Box 220, 132C Roberts Street, Ladysmith, BC V9G1A2

Fred & Karen Green

July 4, 2019

Dear Doug,

Thank you for your input regarding the Jail House project at 336 Bel Air submitted June 20/19.

I appreciate the respectful and professional presentation of your perspective. I don't agree with your conclusions and please let me share why.

The former RCMP building was purpose built for the day 45 years ago and either renovation or removal is a somewhat complex and expensive process. As such, any party who is prepared to tackle such a project will require sufficient size and capability to warrant the risks and manage some reasonable return. With this context I think it is inevitable that the final resolve on the site will be a 3 story building. The current C.1 zoning allows for 3 stories.

That is what I purchased 18 months ago and I don't think that anyone can realistically expect a party to reduce the stories at the expense of a missed opportunity to recover the capital and expense of such a challenging site.

I understand that a few parties would prefer a single story retirement project but no one has pursued that for a decade and it would miss an important opportunity

Fred & Karen Green

To evolve Ladysmith and such a project is not why I bought the site and is of no interest to me.

I am hopeful that my submission crafted after further consultation with the neighbours who sought meeting after our 2nd voluntary public meeting in early June will address the concerns of some. We limited the building to 3 stories which has been well received by many and I hope will address some of your concerns as well as it also reduces the parking needs.

Your extensive commentary on parking is interesting and I can assure you that all of those issues have been considered. We likely took a somewhat different approach by asking "What can we do" rather than "Why it won't work" so our conclusions will obviously be different.

My hope is that the evolution of Ladysmith building on and respecting its heritage will be complemented with a view to the future. We recently have an abandoned eyesore and a very modestly used Wickham Park. An opportunity exists to create a family friendly community gathering location with both the community brewery and a cafe'.

Fred & Karen Green

The Tailhouse project has the opportunity to create 35+ permanent jobs, generate substantial incremental tax revenue for Ladysmith, stimulate the benefits of the economic multiplier of that commerce in Ladysmith, remove a decades old eyesore and complex problem which affects not only the immediate neighbors but the hundreds of residents who pass by it weekly.

Additionally, the Tail House project can create a community gathering location which appeals to all generations but importantly it adds a much needed feature to attract and retain the next generation of residents and community leaders to enable Ladysmith's future.

Doug, I hope in time the benefits of our proposed project outweigh any concerns and I would be happy to meet you if it is helpful in your deliberations

Respect
Fred

CC - Ladysmith

Fred & Karen Green

July 9, 2019

Dear Gail,

Thank you for sharing your views on the Tail House property. As part of our extensive process to engage the community of Ladysmith I met with several neighbours who has sought meetings after the 2nd voluntary public meeting in early June. As a result of those further consultations, including Bobby the president of Bellwood's association, I revised the building proposal to 3 stories from the original 4 story building.

During the early dialogue with Bellwood residents similar views about oversight were expressed and that was instrumental in our proposed siting towards the park and towards Bel Air. In doing so we minimised the likelihood that Belwood residents would perceive the feeling of oversight that you are concerned about. Additionally we inset the residential floors to further address that concern.

I understand and respect that residents see the project through their own eyes and how the elimination of a decades old eyesore will have a new image and real or perceived impact. That said, the current C.O. zoning allows for 3 stories

Fred & Karen Green

and the complex and expensive remediation and removal will require the resources needed to address this property in its current sad state. That in turn requires a project that can generate sufficient economic activity/return to warrant tackling the eyesore.

Our submission includes visuals which indicate that sightlines and shadowing of the 3 story building is very modest on both 4th Ave and Bellwood neighbours and is the very best location on that site for impact minimization.

Please be assured that all issues regarding parking are being handled in a combination of on site and off site solutions which will ensure our project meets all requirements and enables a successful project.

Said, I think that the abandoned eyesore and uncertainty of future development is actually a far worse impact on real estate valuation. The clarity of the site development and its' quality, family oriented facilities as well as an opportunity to bring the underutilized Wickham Park to life are all going to enhance the area.

Additionally the benefits to the greater Ladysmith area include 35+ jobs and the economic multiplier in the community, the family friendly gateway location of the community messery and the Cafe which will attract and retain another generation as well as meet the needs of existing residents and this improvement will elevate the tax base for

Fred & Karen Green

Ladysmith for the benefit of all residents.

I know that there will be no solution which keeps or makes everyone happy but I am hopeful that the choices to locate the building and the family friendly nature of the proposed operators will earn the support of Bellwood residents and the broader community and in time you and your friends and family will be able to enjoy both the clarity of the future of this eyesore lot and the cafe and community brewery we propose.

I would be happy to meet with you if you wish to further our dialogue.

Regards 

CC Ladysmith

Fred & Karen Green

July 4, 2019

Dear Henry,

Thank you for your letter of June 10/19 and my apologies for the delay in responding as I was travelling.

I'd like to commend you on the professionalism of your letter and that of your son Marky's efforts both privately and in the town meetings.

Unfortunately from my first day on site when your husband Vince told me "Not gonna happen" to my most recent attempt to discuss the project (when I asked Vince for further input the day after our meeting #2) when Vince told me "the only acceptable outcome is a single story building", I have felt that my efforts to engage have not been well received.

Despite feeling this way I have continued to engage in the hope that a satisfactory outcome might emerge and I still hope it is possible.

As a result of my meetings with various neighbours after our 2nd public voluntary meeting, I revised the project to limit the building to 3 floors which has been very well received by many.

Fred & Karen Green

The current proposal shifted the building as far away from your property lines as is physically possible. As owners of a C-1 property in Ladysmith ^{on 2nd Street} you and Vince understand the current zoning and my ability to construct a 3 story building. My efforts are intended to minimize the impact by shifting away but please note that current C-1 setback, would actually force the building to your side. I am trying to avoid that outcome.

As this is a complex older building it is an expensive undertaking perhaps validated by the lack of parties over the past decade who have been willing to take on this challenge. My assessment is that any developer will require the 3 stories to generate the economic return needed.

Henry, Ladysmith has a proud heritage and history but it also requires a bright future. My hope is that the transformation of the RCMP eyesore into a family friendly community gathering place will play a modest role in creating a community able to attract and retain the next generation. Those people will, I believe become the backbone of Ladysmith for decades to come.

As always I will gladly meet you if it is helpful.

c Ladysmith

Regards

Fred

Fred & Karen Green

June 29, 2019

Dear Mr/Ms Sheridan,

Thank you for taking the time to share your thoughts on the Tail House proposal.

Our lengthy process of community discussions both informal and formal have provided considerable insight into the views of both the broad community and the more immediate neighbours.

I have voluntarily arranged, advertised and paid for 2 large public meetings with attendance of 60 and about 50 which provided a forum for both listening and explaining the realities of tackling the RCMP eyesore which has sat abandoned for so long.

We have summarized and analyzed the input and conclude that the community is supportive of our proposal.

Based on very early feedback for the Belwood representatives the proposed building was moved away from that fence line and towards Bel Aire in an effort to minimize the impact on Belwood residents. In addition the residential floors were further set back to limit the perception of upper floors peering straight down into the handful of residences on that fence line close to Bel Aire.

Fred & Karen Green

At the second meeting Angela used the shadowing software to illustrate that there was very limited impact on any home.

After the second meeting I followed up with various neighbours who had expressed a more specific private discussion. Included was your Belwood friend Bobby. As a result of those discussions I instructed Angela to limit our proposal to 3 floors which has been welcomed by many parties.

With regard to the residential component within our proposed mixed use proposal I have not yet decided on condos or apartments. Both have their appeal as condos provide the early return of capital while rental apartments provide a future stream of income. My personal view is that fine people rent as well as own and I have no reason to believe that renters will behave any differently than owners as your letter implies.

Also of interest the 2nd tenant of the commercial floor is most likely to be a 'Cafe' which we hope will address your aspiration to see the largely unused Wickham Park brought to life with kids and parents.

Fred & Karen Green

The characterization of your neighbours and patrons of the proposed Ladysmith Community Brewery as people who will drink and litter in Wickham Park is I think quite misguided and perhaps an unintended statement made in the emotional state of writing a letter on a subject close to your heart.

The community brewery concept is family friendly, no TV, no loud music and closed and locked up by 1000 pm. I hope that if approved, you will someday gather with friends or family for a meal and good conversation.

While I respect the right and need for all parties to express their views I also hope that the past approach undertaken by some immediate neighbours to shut down any and all development of the Belvoir lot is not successful for the benefit of Ladysmith. The 35 jobs, tax generation, community gathering location appealing to all age groups and the elimination of the RCMP eyesore are components of a compelling case to step out of the past and prepare Ladysmith to attract and retain the next generation of home owners, community minded active residents and families who will generate excitement, income and enthusiasm for Ladysmith's future.

I would be happy to meet with you at anytime if it is helpful.

Regards *Fred*

Fred & Karen Green

June 28, 2019

Hi Reelene and Mike,

My apologies for the delay in responding but I have just returned from 3 weeks away.

Thank you for sharing your views on the proposed project. I'd like to think that I have taken many steps to share and listen to the broader community and the closer neighbours. The 2 meetings and the visits and questionnaires have all informed us of the interests of many parties.

After the second meeting I concluded that the extra (4th) floor was unappealing to both those on 4th and the folks below the property for various reasons. As such I instructed Angela to submit our application as a 3 story building which I hope will provide some relief to your concerns. As you know the property is zoned commercial and for 3 stories and has been so for a decade so I don't think it is likely that anyone would build less.

My expectation is that there will be a Café also

Fred & Karen Green

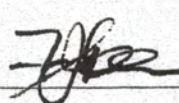
and likely 8 condos or apartments. The town planning department is instrumental in considering all parking requirements and we of course will abide by those directions.

I respect your request and understand that purchasing a home adjacent to a commercially zoned lot has some risk and it is fair to ask for an alternate plan. I purchased a commercially zoned lot and matched it with a young couple's dream to create a unique community brewery and believe that it is a wonderful plan for the community of Ladysmith.

The planning process includes another formal public meeting and I'm sure the Council will be happy to hear the views both supportive and opposing.

I hope in time the project will be approved and then supported by the community but we will have to let the process unfold.

I'm happy to chat with you anytime

Regards 



August 19th 2019

To: The Mayor and Town Council, Town of Ladysmith
Ms. Lisa Brinkman, Senior Planner, Town of Ladysmith
Mr. Colin Bollinger, Sr. Building Inspector/Bylaw Compliance Officer, Town of Ladysmith
Mr. Fred Green, 3082 Yellow Point Road, Ladysmith, V9G 1C3

TO WHOM IT MAY CONCERN:

Because I've just learned that the proposed development of the old RCMP site on Bel Aire is on the Council's Agenda today, in haste I respectfully submit the following:

- Any input the President of Belwood Village's Strata Council gave Mr. Green was not at the direction of or following consultation with Belwood residents. No meeting had been held with them to get their feedback and she wasn't present at Fred Green's presentations on February 21st and May 22nd or at the neighbourhood meeting on June 5th.
- The new Editor of The Chronicle learned soon after Mr. Green's May 22nd presentation and directly after publishing his May 30th article in The Chronicle stating that "the meeting was positive ..." that, in fact, many persons present were gravely alarmed about Mr. Green's plans. They had only just learned about them, after all, so they'd not yet had any opportunity to discuss them and share their thoughts..
- Mr. Green's and/or Ms. Quek's positive comments about the public's reactions to their two presentations are not non-partisan but are understandably made from their own viewpoints, of course!

Respectfully yours,

J.J. Sheridan

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

I am writing as a resident of Ladysmith to express my support for the re-zoning proposal of a three-storey, multipurpose building on the site of the former RCMP Station.

The site is an excellent opportunity to create a family-oriented community brewery and coffee shop with walkable and great cycling access. I understand that it will generate approximately thirty-five permanent jobs. The economics of this plus the new tax revenue are most welcome.

I expect to enjoy these venues with friends and family.

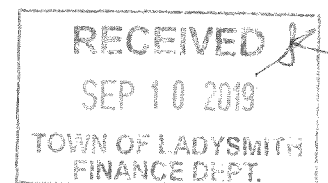
In addition, I believe it is important that Ladysmith celebrates its heritage but also that we continue to grow as well as attract and retain our youthful citizens. I think this mixed-use project will assist to give our next generation opportunities to stay and contribute to our community, making our town a place for all generations.

Sincerely,



Name: BOBBY TENNISON

Address: #1-332 BELAIRE ST. LADYSMITH



Outside Circulation Area

Date: Sept 11, 2019

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

I am writing as a resident of Ladysmith to express my support for the re-zoning proposal of a three-storey, multipurpose building on the site of the former RCMP Station.

The site is an excellent opportunity to create a family-oriented community brewery and coffee shop with walkable and great cycling access. I understand that it will generate approximately thirty-five permanent jobs. The economics of this plus the new tax revenue are most welcome.

I expect to enjoy these venues with friends and family.

In addition, I believe it is important that Ladysmith celebrates its heritage but also that we continue to grow as well as attract and retain our youthful citizens. I think this mixed-use project will assist to give our next generation opportunities to stay and contribute to our community, making our town a place for all generations.

Sincerely,

Name: Aja Wedge

Address: 252 Bayview Ave Ladysmith BC V9G 1A6



Outside Circulation Area

Date: Sept 12/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

I am writing as a resident of Ladysmith to express my support for the re-zoning proposal of a three-storey, multipurpose building on the site of the former RCMP Station.

The site is an excellent opportunity to create a family-oriented community brewery and coffee shop with walkable and great cycling access. I understand that it will generate approximately thirty-five permanent jobs. The economics of this plus the new tax revenue are most welcome.

I expect to enjoy these venues with friends and family.

In addition, I believe it is important that Ladysmith celebrates its heritage but also that we continue to grow as well as attract and retain our youthful citizens. I think this mixed-use project will assist to give our next generation opportunities to stay and contribute to our community, making our town a place for all generations.

Sincerely,

Name: Jaci Geiger

Address: 1021 Coburn Place



Outside Circulation Area

Date: Sept 23 / 19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

I am writing as a resident of Ladysmith to express my support for the re-zoning proposal of a three-storey, multipurpose building on the site of the former RCMP Station.

The site is an excellent opportunity to create a family-oriented community brewery and coffee shop with walkable and great cycling access. I understand that it will generate approximately thirty-five permanent jobs. The economics of this plus the new tax revenue are most welcome.

I expect to enjoy these venues with friends and family.

In addition, I believe it is important that Ladysmith celebrates its heritage but also that we continue to grow as well as attract and retain our youthful citizens. I think this mixed-use project will assist to give our next generation opportunities to stay and contribute to our community, making our town a place for all generations.

Sincerely,



Name: Lillian Morton

Address: 970 COSBURN PL LADYSMITH BC V9G 1N6



Date:

September 11/2019

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

I am writing as a resident of Ladysmith to express my support for the re-zoning proposal of a three-storey, multipurpose building on the site of the former RCMP Station.

The site is an excellent opportunity to create a family-oriented community brewery and coffee shop with walkable and great cycling access. I understand that it will generate approximately thirty-five permanent jobs. The economics of this plus the new tax revenue are most welcome.

I expect to enjoy these venues with friends and family.

In addition, I believe it is important that Ladysmith celebrates its heritage but also that we continue to grow as well as attract and retain our youthful citizens. I think this mixed-use project will assist to give our next generation opportunities to stay and contribute to our community, making our town a place for all generations.

Sincerely,

Name:

Thom Allan

Address:

214 Dogwood Dr.





In Support
of the proposed improvements to the abandoned former RCMP site at
336 Belaire Street, Ladysmith BC

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A walkable and cyclable gathering spot centrally located in our community is a welcome addition that will contribute to making Ladysmith a community that will attract and retain a younger generation as well as cater to all generations.

We encourage our town planners and council to support and approve this exciting project.

I hope to soon be sitting on the café patio!

Name	Address	Phone #	Signature
1 Shelly White	630 4th Ave		
2 LINDA HARRIS	10621 CHEMUNING RD.		
3 Caleb Burness	628 Walkem Road		
4 Amber Ree	555 Halliday Pl.		
5 Dana Griswold	849 Stirling Dr		
6 Sharon Olson	106-1150 Wullen Rd		
7 Bruce Haddock	39-5411 Jim Lambie Dr		
8 Leanne Riddoch	1158 Cloke Rd		
9 Yvonne Dupke	333 High St.		
10 Marsha Jiri	626 Farrell Rd		
11 Melissa Black	1276 Mckenley Rd		
12 Bobby Gump	104 STEPHENSON ST.		
13 Glenn Busz	65-941, Malone Rd		
14 Robyn Haywood	117 Warren St		
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RECEIVED
Sept. 26/19

Date:

Sept 12 2019

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

I am writing as a resident of Ladysmith to express my support for the re-zoning proposal of a three-storey, multipurpose building on the site of the former RCMP Station.

The site is an excellent opportunity to create a family-oriented community brewery and coffee shop with walkable and great cycling access. I understand that it will generate approximately thirty-five permanent jobs. The economics of this plus the new tax revenue are most welcome.

I expect to enjoy these venues with friends and family.

In addition, I believe it is important that Ladysmith celebrates its heritage but also that we continue to grow as well as attract and retain our youthful citizens. I think this mixed-use project will assist to give our next generation opportunities to stay and contribute to our community, making our town a place for all generations.

Sincerely,

Name:

Michelle

Address:

4760 Brentown-Page Rd C2

RECEIVED
Sept. 26/19

Date: September 12, 2019

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

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Sincerely,



Name:

Janice MacKenzie

Address:

4760 BREXTON - PKGE RD
LADYSMITH, BC, V9G 1L7

RECEIVED
Sept. 24/19

Date: Sept 11/2019

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

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Sincerely,

Name: Dan Tymk
Address: 4760 Brenton-Page Rd D3

RECEIVED
Sept. 26/19

Date:

Sept 12/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

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Sincerely,

Name:

GLENN SMITH

Address:

4760 BRENTON PARK

RECEIVED
Sept. 24/15

Date: Aug 20 2015

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

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Sincerely,

Name: LINDA HART

Address: 10621 CHAMAINUS RD LADYSMITH

RECEIVED
Sept. 26/19

Date: Aug 31/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

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Sincerely,

Name: G. M. CRAIG
Address: 4760 BENTON PARK RD. (D-1)

RECEIVED
Sept. 26/19

Date: SEPT. 12/2019

To the **Town of Ladysmith**

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Sincerely,

Name: ROBERT FERRIER BII
Address: 4760 BRENTON PAGE RD.

RECEIVED
Sept. 26/19

Date: Aug 20/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

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Sincerely,

Name: Shelly White

Address: 630 4th AVE LADYSMITH

RECEIVED
Sept. 26/19

Date: Sept 12/19

To the **Town of Ladysmith**

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Sincerely,



Name: _____

Address: 4760 Berntson Pagar RD B6
LADYSMITH B.C.
V9G 1L7

RECEIVED
Sept 26/19

Date: Sept 01/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2


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Sincerely,

Name: TAMI RAE CRAIG 
Address: #3 4760 BRENTON PARK RD
LADYSMITH B.C. V8G 1L7

In Support
of the proposed improvements to the abandoned former RCMP site at
336 Belaire Street, Ladysmith BC

We the undersigned support the re-zoning proposal for a three-storey, mixed use building at the corner of Rigby and Belaire. The siting, proposed community brew and coffee shop, two floors of residential, plus the development of public parking adjacent to Wickham park is a balanced and appealing solution to the decade's old abandoned eyesore building.

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I hope to soon be sitting on the café patio!

RECEIVED
OCT 03 2019
TOWN OF LADYSMITH

Name	Address	Phone #	Signature
1 Wesley Fenner	533 3 rd AV		
2 Erin Doherty	" "		
3 Michelle Rawluk	1120 2nd Avenue		
4 Bre Sherwood	292 Gill Rd		
5 Mitchell Clark	9392 Smiley Rd.		
6 Chris Groves	292 Gill rd		
7 Brianna Maerle	655 h. sw h.		
8 Megan Fisher	1169 Stillin Dr		
9 Patrick Goss	1120 Second Ave 2		
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RECEIVED
OCT 03 2019
TOWN OF LADYSMITH

Name	Address	Phone #	Signature
1 YVONNE BROSZ-DEFOOR	131 METHVEN ST		
2 Sara Defoor	#31-815 Dunsmaire cre		
3 Gord Defoor	131 Methven St		
4 Steven Babin	31-815 Dunsmaire cre		
5 Pat Hawkes	Fanning		
6 BONNIE CRICKSHANK	508 Symonds Ldy.		
7 Wendy Frawluk	110 Esplanade Ladysmith		
8 Max Cam	140 Glen Ave Ladysmith		
9 Marylene Leno	140 Glen Ave Ladysmith		
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Date: Sept 26, 2019



To the **Town of Ladysmith**

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Sincerely,

Name: Kaitlyn Godkin

Address: 603 Craig Rd, Ladysmith

Date: Sept. 13/19



To the **Town of Ladysmith**

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Sincerely,

Name:  Nicole Tippenhaver
Address: 13650 Long Lake Rd.

In Support
of the proposed improvements to the abandoned former RCMP site at
336 Belaide Street, Ladysmith BC

We the undersigned support the re-zoning proposal for a three-storey, mixed use building at the corner of Rigby and Belaide.
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I hope to soon be sitting on the café patio!

Name	Address	Phone #	Signature
1	ANASTEE 1385 LEASK RD CEDAR		
2	Josh Lancaster 4954 Yellowpoint cedar LADYSMITH COMMUNITY		
3	KEITH LINLEY MARINA, 611 OYSTER BAY DR		
4	Kevin Zarr 928 Harrington Rd Ladysmith		
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Name	Address	Phone #	Signature
1 Allison Brind	834 CRAIG RD, LADYSMITH, BC		
2 MEGAN NEWTON	427 DAVIS RD, LADYSMITH BC		
3 Dylan McKinlay	427 Davis Road Ladysmith BC		
4 BRYAN LOVELESS	425 DAVIS RD LADYSMITH		
5 SUSAN LOVELESS	425 DAVIS RD LADYSMITH		
6 LUNA LE	42 - 512 Jim Cram DR, LADYSMITH		
7 DAKE NEWTON	79-10980 WESTWOOD RD		
8 Paul Brown	917 Hanington Rd Ladysmith		
9 Chloe Bozak	678 Colonia Drive 250		
10 MICHEL BINAUD	834 CRAIG RD LADYSMITH		
11 Taylor Delcart	102 Ryan place Ladysmith 25		
12 Bill Dyke	102 Ryan place Ladysmith 25		
13 Mare Piche	36 - 512 Jim Cram		
14 Leni GARDNER	46-512 JIM CRAM DR		
15 Andrew Labun	42-512 Jim Cram Dr		
16 BOSTER BEN	43-512 JIM CRAM DR		
17 LACEY WILLIAMS	" "		
18 SHAYNE WHITE	834 CRAIG RD.		
19 Madeline Tremblay	4923 Homestead Way		
20 Roberta Bowman	462 Davis Ladysmith		
21 TOM LUSCOMBE	611 OYSTER BAY DR.		
22 LANA COMENOV	#19 10980 WESTWOOD RD.		

RECEIVED
OCT 4/19

Date: August 8, 2019

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

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Sincerely,

Name: Jean Nishet

Address: 114 Ryan Pl., Ladysmith

RECEIVED
OCT 4/19

Date: Aug 8/19

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Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

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Sincerely,

Name: Leanne Michelin

Address: 602 Sanderson Drive Ladysmith.

RECEIVED
Oct 4/19

Date: Oct 4/19

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Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

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Sincerely,

Name: Melanie St. John

Address: 3908 Saltair Rd, Ladysmith

RECEIVED
OCT 4/19

Date: August 12, 2019

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

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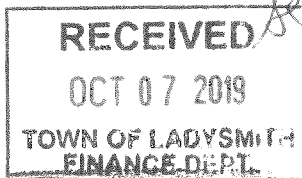
Sincerely,

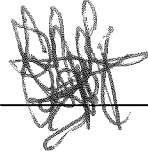
Name:

Stacey Hull

Address:

11A White Street, Ladysmith BC



Date:  Oct 5, 2019

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
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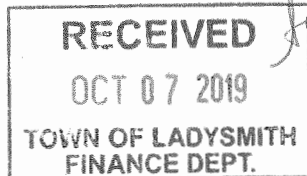
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Sincerely,

Name: Aisha Alsop
Address: 202 Dogwood DR



Outside Circulation Area

Date: Oct. 4/19

To the **Town of Ladysmith**

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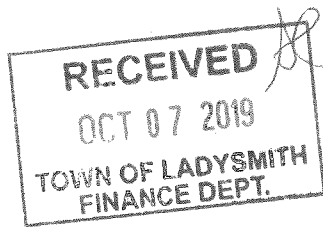
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Sincerely,

Name: Dan Smith

Address: 8858 Chemainus Rd.



Date: 4 Oct 2019

To the **Town of Ladysmith**

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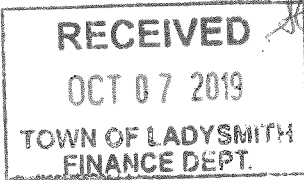
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Sincerely,

Name: N. EPP-ENANS

Address: 232 Roberts St. Ladysmith



Date: OCT 4/2019

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Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

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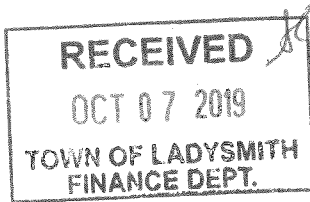
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I expect to enjoy these venues with friends and family.

In addition, I believe it is important that Ladysmith celebrates its heritage but also that we continue to grow as well as attract and retain our youthful citizens. I think this mixed-use project will assist to give our next generation opportunities to stay and contribute to our community, making our town a place for all generations.

Sincerely,

Name: [Signature] 1. TOLLERSON.
Address: 4111 HAMBROOK ST. LADYSMITH BC.



Date: September 28, 2019

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

I am writing as a resident of Ladysmith to express my support for the re-zoning proposal of a three-storey, multipurpose building on the site of the former RCMP Station.

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Sincerely,

A handwritten signature in dark ink, appearing to read "Nadine Epp-Evans".

Name: Nadine Epp-Evans

Address: 232 Roberts Street

In Support
of the proposed improvements to the abandoned former RCMP site at
336 Belaide Street, Ladysmith BC

We the undersigned support the re-zoning proposal for a three-storey, mixed use building at the corner of Rigby and Belaide.
The siting, proposed community brew and coffee shop, two floors of residential, plus the development of public parking adjacent to Wickham park is a
balanced and appealing solution to the decade's old abandoned eyesore building.

A walkable and cyclable gathering spot centrally located in our community is a welcome addition that will contribute to making Ladysmith a community that
will attract and retain a younger generation as well as cater to all generations.

We encourage our town planners and council to support and approve this exciting project.

I hope to soon be sitting on the café patio!

Name	Address	Phone #	Signature
1 L. J. S.	539 Louise Road		
2 Chantell Hoes3	905 Hamington Rd		
3 Lori Kelland	809 Malone Rd. Ladysmith		
4 Nina Charley	809 Craig rd. Ladysmith		
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In Support
of the proposed improvements to the abandoned former RCMP site at
336 Belaire Street, Ladysmith BC

We the undersigned support the re-zoning proposal for a three-storey, mixed use building at the corner of Rigby and Belaire.
The siting, proposed community brew and coffee shop, two floors of residential, plus the development of public parking adjacent to Wickham park is a balanced and appealing solution to the decade's old abandoned eyesore building.

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I hope to soon be sitting on the café patio!

Name	Address	Phone #	Signature
1 DARRIN RAE	320 BELLA ST.		
2 Kerri Morris	#20- 711 Malone Rd		
3 Tracy Paterson	1125-B Walkem Rd		
4 RALPH OLSON	1125-A WAIKEM RD		
5 Brandy Olson	1125-A Walkem Rd		
6 Tristan Eagle	1804 Woobank Rd		
7 HATLENE CHARLEY	809 CRAIG RD		
8 Ourania Barbounis	520 5 TH - AVE		
9 Sarah Crichton	6-3449 Hallberg Rd		
10 Julianne Eagle	1804 Woobank Rd		
11 Garrett Ellis	470 Belaire ^{ST.}		
12 Melissa mrus	1127 2nd AVE.		
13 Gabbi Knoop	312 Warren St		
14 Tracy Nelson	312 Warren St		
15 Tyson Folz	2280 Brads Ln		
16 Cami Eagle	1804 Woobank rd		
17 Brian Eagle	1804 Woobank rd		
18 June Person	1804 Woobank rd		
19 DEVON BONKE	9984 Chemainus rd		
20 Arianna Isaac	930 Colburn pl.		
21 Gayle Gilroy	394 Woodleg Rd		
22 Jeannie Peters	#31-100 Gifford Rd.		

In Support
of the proposed improvements to the abandoned former RCMP site at
336 Belaire Street, Ladysmith BC

We the undersigned support the re-zoning proposal for a three-storey, mixed use building at the corner of Rigby and Belaire. The siting, proposed community brew and coffee shop, two floors of residential, plus the development of public parking adjacent to Wickham park is a balanced and appealing solution to the decade's old abandoned eyesore building.

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Name	Address	Phone #	Signature
1 Mike Hjort	10896 CHOMARWOOD RD		
2 Kyle Dethle	4942 Christie Rd		
3 LYLE SKAKUN	247 DOBWOOD DR		
4 Dan Schomer	506 Walkem rd		
5 Kyle Bales	941 Malcom		
6 Michael Poughkany	603 Craig RD		
7 Nicolas Deckach	631 First Ave.		
8 Claire Rodger	230 Edgewood Cres		
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Name	Address
Howie Davis	13110 Code Rd
1 Randy Davis	13423 Code Rd
2 Steve Dinsman	5010 Graham Rd
3 Michael Dunn	4996 Christie Rd
4 Cory Friesenham	38 Front St
5 Krista Aurala	4910 Christie
6 Rob Cesari	4812 Fairbrook
7 SANDY VIRTANEN	5060 CHRISTIE RD
8 LINDA EDWARDS	4960 COVENTRY LANE
9 GREG EDWARDS	4960 COVENTRY LANE
10 Kim Graczyk	11185 Northwatts Rd.
11 Kim Chadwick	5069 Graham Rd
12 John Graczyk	11185 Northwatts Rd.
13 LEO GARNEAU	#12 5150 CHRISTIE RD Ladysmith
14 Rod HADY	6666 CHISHOLM TRAIL DUNCAN
15 Tim CHADWICK	5069 Graham RD Ladysmith
16 Tammy Leslie	13580 Circle O Place Ladysmith
17	
18	
19	
20	
21	
22	

Oct 9/19

Date:

Aug 14/2019

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

I am writing as a resident of Ladysmith to express my support for the re-zoning proposal of a three-storey, multipurpose building on the site of the former RCMP Station.

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Sincerely,



Name:

CHRIS SAUNDERS

Address:

238 DOGWOOD DR.

Date: SEPT 5, 2019

Oct 9/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

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Sincerely,



Name: LORNE R. SHAW

Address: 1121 WALKER RD

Oct 9/19

Date: Aug 14 / 2019

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

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Sincerely,

Name: Al Moore

Address: 20-1156 Rocky Creek

Oct 9/19

Date: AUG 30, 2019

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

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Sincerely,



Name: ADELE PETERSON

Address: 704 PARKS PL, LADYSMITH, BC

Oct 9/19

Date: Aug 30 2019

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2


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Sincerely,

Name: ALLAN PETERSON 

Address: 704 PARKS PLACES LADYSMITH

Oct 9/19

Date: Sept 11/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

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Sincerely,

Name: [Signature]

Address: 1212 McInnes Rd.
V9G-1P9

Oct 9/19

Date: Aug. 15/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

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Sincerely,

Name: Brandon Logan

Address: 412 High Street

Oct 9/19

Date: Aug 30 2019

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

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Sincerely,

Name: 

Address: 621 Walkers Rd
Ladysmith

Oct 9/19

Date: Aug 28, 2019

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

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Sincerely,

Name: 

Address: 350 Morgan Rd Ladysmith, B.C.

Date: Aug 29, 2019

Oct 9/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

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Sincerely,

Name: Chandler Gresmole Chandler Gresmak

Address: 804 Malone Rd Ladysmith, BC

Date: August 27, 2019

Oct 9/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
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Sincerely,

Name: Cand Wheat

Address: 207 APT 10 LADYSMITH
V9G 1B3

Date: Aug 29 2015

Oct 9/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
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Sincerely,

Name: Doreen Helkurt

Address: 417 Michener St Ladysmith BC

Oct 9/19

Date: 2019-08-15

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2


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Sincerely,

Name: Dave Giles 
Address: 622 Wallace Place
Ladysmith, BC V9G 1P1

Oct 2/19

Date: Aug 29, 2019

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

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Sincerely,

Name: Deirdre Lidgate

Address: 604 Milne Rd

Oct 9/19

Date: OCT 5 / 2019

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
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Sincerely,

Name: DAVID PERRY

Address: 226 ROBERTS ST LADYSMITH

Date: Aug 12/19

Oct 9/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

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Sincerely,

Name: DARIN DAE [Signature]

Address: 320 BULLOCK ST.

Date:

Aug 14 2019

Oct 9/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

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Sincerely,

Name:

Dean Richards

Address:

976 Thetis Drive

Oct 9/19

Date:

Aug 14/19

To the **Town of Ladysmith**

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Sincerely,

Name: Daniel Schomer

Address: 506 Walkem rd.

Date:

Aug-14-2019

Oct 9/19

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Sincerely,

Name:

DAVE SCOTT

Address:

751 COLONIA DR.
LADYSMITH B.C.
V9G 1N2.

Oct 9/19

Date:

Aug 14 2019

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

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Sincerely,

Name: Eric M Sumpton

Address: 820 4TH AVE

Oct 9/19

Date: Sept 30th 2019

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2


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Sincerely,

Name: Elaine Wilkinson 
Address: 547 Greenhorn Place
Ladysmith BC
V9G 1K3

Oct 9/19

Date: Sept 11/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

I am writing as a resident of Ladysmith to express my support for the re-zoning proposal of a three-storey, multi-purpose building on the site of the former RCMP Station.

The site is an excellent opportunity to create a family-oriented community brewery and coffee shop with walkable and great cycling access. I understand that it will generate approximately thirty-five permanent jobs. The economics of this plus the new tax revenue are most welcome.

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Sincerely,

Name:

Jennifer Byrne

Address:

968 Oliver Terrace Ladysmith BC

Date:

Aug. 15/19

Oct 9/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

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Sincerely,



Name:

JAN CHRISTENSON

Address:

378 DOGWOOD DR. LADYSMITH, B.C.

Oct 9/19

Date:

Sept 11/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

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Sincerely,

Name:

Janice Copp

Address:

1212 McKinley Rd
Ladysmith BC
V9G 1A9

Date: Sept 2, 2019

Oct 9/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

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Sincerely,

Name:

Jodi De Hoop

Address:

1132 Walkem Road

Oct 7/19

Date: Sept 13, 2019

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

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Sincerely,

Janet Gray

Name: JANET GRAY

Address: 1132, Dilson Place
Ladysmith

Oct 9/19

Date:

14 August 2019

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

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Sincerely,

Name:

Jason Kelland

Address:

809 Nature Rd, Ladysmith

Date: Sept 16, 2019

RECEIVED
October 19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

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Sincerely,



Name:

John Palmer

Address:

31-100 Gifford Rd Ladysmith BC

Oct 9/19

Date:

Aug 14/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

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Sincerely,

Name:

Kyle Baird

Address:

941 Malone

Oct 9/19

Date: August 15/19.

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

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Sincerely,

Kim Duncan

Name: Kim Duncan

Address: 622 Wallace Pl Ladysmith BC.

Date: Sept 18/19

RECEIVED
OCT 9/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

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Sincerely,

Name: Kinsey Lowood

Address: 641 Giovando way

Date: Aug 13, 2019

RECEIVED
Oct 9/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

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Sincerely,

Name: Keri Morris

Address: 720-711 Malone Rd

Oct 9/19

Date: Sept. 3/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

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Sincerely,

Name: KEITH MAZURENKO K.M.

Address: 825 Russell Road

Date: Sept 25/19

RECEIVED
Oct 9/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

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Sincerely,

Name: Kara Olson

Address: 1125 Walkem Rd

Oct 9/19

Date: Aug 14/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

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Sincerely,

Name: KEVIN PUGH

Address: 206-218 BAYVIEW, LADYSMITH.

Date:

15 AUG / 19

RECEIVED
Oct 9/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

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Sincerely,



Name: LYLE SKAKUN

Address: 247 DOGWOOD DR.

Oct 9/19

Date: October 06 2019

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

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Sincerely,



Name: MARTIN BYRNE

Address: 800 MILLON'S ROAD, LADYSMITH

Oct 9/19

Date: Sept 2/2019

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

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Sincerely,

Name:

Martin J. DeHoop

Address:

1132 Waakem Rd

Date: Aug 29/19

Oct 9/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

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Sincerely,

Name: M Gould

Address: 775 MACKIE RD

Oct 9/19

Date: Sept. 05/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

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Sincerely,



Name: Mairi Jane Davenport

Address: 1200 Rocky Creek Rd.

Oct 7/19

Date: Sept 2/2019

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

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Sincerely,

Name: M. James DeHoop
Address: 1132 Walkem Road



Date: AUG 29, 2019

Oct 9/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
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Sincerely,

Name: Michael Lidgati
Address: 804 Malone Rd Ladysmith BC

Date: Aug 14 2019

RECEIVED
Oct 9/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
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Sincerely,

Name: Michael Paghkany
Address: 603 Craig Rd

Oct 9/19

Date: Aug 14 2019.

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

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Sincerely,



Name: Mike Richardson

Address: 1249 4th Ave.

Date: Sept 5, 2019

Oct 9/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

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Sincerely,



Name: Margaret Shaw

Address: 1121 Walkem Rd

Date: Sept 5, 2019

Oct 9/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
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Sincerely,

Name: Mark Smith

Address: 1331 Birchwood Ladysmith BC

Date:

Aug. 14/19

Oct 9/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

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Sincerely,

Name:

Mike Stone

Address:

114 STEPHENSON ST
Ladysmith B.C.

Oct 9/19

Date: August 14, 2019

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

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Sincerely,

Name: Nicolas Derkacy

Address: 631 First Ave.

Oct 9/19

Date:

Sept 19/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

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Sincerely,

Name:

Rita Bauml

Address:

809 First Ave Ladysmith



Date: Sept 5 2019

Oct 9/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

I am writing as a resident of Ladysmith to express my support for the re-zoning proposal of a three-storey, multipurpose building on the site of the former RCMP Station.

The site is an excellent opportunity to create a family-oriented community brewery and coffee shop with walkable and great cycling access. I understand that it will generate approximately thirty-five permanent jobs. The economics of this plus the new tax revenue are most welcome.

I expect to enjoy these venues with friends and family.

In addition, I believe it is important that Ladysmith celebrates its heritage but also that we continue to grow as well as attract and retain our youthful citizens. I think this mixed-use project will assist to give our next generation opportunities to stay and contribute to our community, making our town a place for all generations.

Sincerely,

Name: R. Lelcourt

Address: 417 METHLEN ST. Ladysmith BC

Oct 9/19

Date:

Aug 30, 2019

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

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Sincerely,

Tracy Copp

Name:

Tracy Copp

Address:

621 Walkem Rd Ladysmith

Oct 9/19

Date: Sept 27, 2019

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

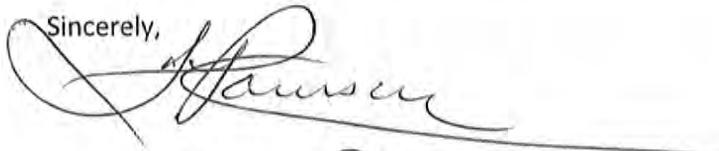
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Sincerely,



Name:

Tracy Paterson

Address:

1125- B Walkern Rd
Ladysmith, BC.

Oct 9/19

Date: Sept 13, 2019

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

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Sincerely,



Name: Tracy Paterson

Address: 1125-B Walkem Rd, Ladysmith.

Oct 9/19

Date: November 14 2019

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

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Sincerely,

Name: Lenny Allen

Address: 1655 Stillin Drive Ladysmith

Oct 10/19

Date: Oct 09/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

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Sincerely,

Name: Don Paine
Address: 818 Esplanade.
Ladysmith



Date:

Oct. 4th 2019

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2
Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

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Sincerely,

Huoni Tollefson
Huoni Tollefson

Name:

Huoni Tollefson

Address:

411 Hambrook St. Ladysmith

Oct 10/19

Date:

Oct 7/09/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2


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Sincerely,



Name:

MORRIS BEN

Address:

810 ESPLANADE AVE LADYSMITH



Date: Oct 7/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

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Sincerely,

Name: TANIA ROSS

Address: 430-3RD AVE

Oct 10/19

Date:

Oct 9/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

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Sincerely,

Name:

V. Mortensen

Address:

434 Battie Drive Ladysmith

RECEIVED
Oct. 24/19

Date: OCTOBER 4 119

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

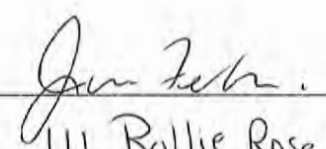
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Sincerely,

Name: 

Address: 111 Rollie Rose Dr. Ladysmith



October 9th, 2019.

To the Town of Ladysmith,

This is a letter of support for the proposed re-zoning for a multi-level, mixed use building at the corner of Rigby Place & Belaire Street. The proposed plan for ground level commercial space in the form of a brew hall and cafe with the residential housing on the above floors is a breath of fresh air and a positive injection to our beautiful community.

The site is centrally located and is within walking distance for the vast majority of our residents, which will reduce the concerns for parking and traffic in the area. With Wickham park in the adjacent lot, the two facilities would compliment each other nicely with a place to enjoy a coffee and some lovely green space just steps away.

The economic impact with the addition of employment for our citizens, increased tax revenue for the town and the increased business in the area with a brew hall are all positive metrics. Additionally, the social impact of additional housing and the retail space becoming a vibrant gathering spot for everyone in our community is something we can all agree would reap benefits for us all.

In regards to the concerns about noise due to a brew hall, if you look at similar businesses in largely populated communities such as Vancouver, you will see that noise is not typically a factor. As an example, Steamworks Brewery with a brew pub and tasting room on-site is located alongside a residential community in Burnaby with a park across the street. If you take a walk in that neighborhood, there is no noise generated by the pub/tasting room.

We strongly encourage our towns planning team, town council and residents to put their support behind this project.

Kind regards,

Marcus & Charlene Kong
Ladysmith residents

RECEIVED
October 19

In Support
of the proposed improvements to the abandoned former RCMP site at
336 Belaire Street, Ladysmith BC

We the undersigned support the re-zoning proposal for a three-storey, mixed use building at the corner of Rigby and Belaire.

The siting, proposed community brew and coffee shop, two floors of residential, plus the development of public parking adjacent to Wickham park is a balanced and appealing solution to the decade's old abandoned eyesore building.

A walkable and cyclable gathering spot centrally located in our community is a welcome addition that will contribute to making Ladysmith a community that will attract and retain a younger generation as well as cater to all generations.

We encourage our town planners and council to support and approve this exciting project.

I hope to soon be sitting on the café patio!

Name	Address	Phone #	Signature
1 Tate Johnson	10843 Lytle Rd, Ladysmith		
2 Carolyn Bradbury	602 Sanderson Rd Ladysmith		
3 Parker Krause	944 Oliver Terrace Ladysmith		
4 Charlene Kong	314 Dogwood Drive Ladysmith		
5 Maureen Molsberry	4251 Sky Rd, Saltair Bc		
6 Cathy Goldie	11190 N. Watts Rd Ladysmith		
7 MIKE SUNGA	4th St. Ladysmith		
8 JULIA TRATZ	2582 Pylades		
9 BRAD WITTEHAGED	422 PARKHILL		
10 ELVIRA LOEWEN	32 1150 WALKEM		
11 JACÉ LOEWEN	* 32 1150 WALKEM RD		
12 L.N. Stewart	126 French St		
13 Bob Boyd	365 4th Ave Ext		
14 Alicia Pilkington	4053 Homestead Way		
15 Linda Mye	963 Newidown Rd		
16 PAT R-IAN	10519 MATTHEE RD		
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Name	Address	Phone #	Signature
1 Rod Alsop	202 Dogwood Dr.		
2 Rebecca Cairns	204 Dogwood Dr.		
3 Dave Winterbourn	Cassidy		
4 Don Hennessey	Ladysmith		
5 G. Hansen	Ladysmith		
6 Rick Senten	Ladysmith		
7 Ed GATEY	871 CAMERON WAY Ladysmith		
8 Doug HENDERSON	10980 WESTBOURNE #32 142 RYM PEARCE		
9 C JAMES WRIGHT	141 BASFORD ST		
10 James Robinson	Ladysmith		
11 MIKE SCANLAN	340 TYKRELL ROAD		
12 MARK MEDID	#1 - 1350 TIMBERLAND RD		
13 Dan MEDFORTH	#28-1350 TIMBERLAND Rd		
14 W. Ouellet	200 SANISON RD		
15 D Lone	433 KILMORE		
16 Chris Bomford	10765 Guilbride Dr.		
17 JEFF HARLOW	1118 STILLW DR		
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Name	Address	Phone #	Signature
1	W. RETRAK #9-100 Bedford Rd.		
2	PATRICK McNAMARA 9485 GORDON ROAD, CAEMANUS		
3	Russ Middleton 1011 Dwyndwr Cres Ladysmith		
4	Bill Morrison 831 Cameron Way		
5	Brannan O'Leary 220 First Avenue		
6	Anders Steen 101B Walker Ave		
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Oct 31/19

Date: Oct 22/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

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I expect to enjoy these venues with friends and family.

In addition, I believe it is important that Ladysmith celebrates its heritage but also that we continue to grow as well as attract and retain our youthful citizens. I think this mixed-use project will assist to give our next generation opportunities to stay and contribute to our community, making our town a place for all generations.

Sincerely,

Name: 

Address: 23-206 HONS WAY

RECEIVED
October 19

Date: Oct 30 2019

To the **Town of Ladysmith**

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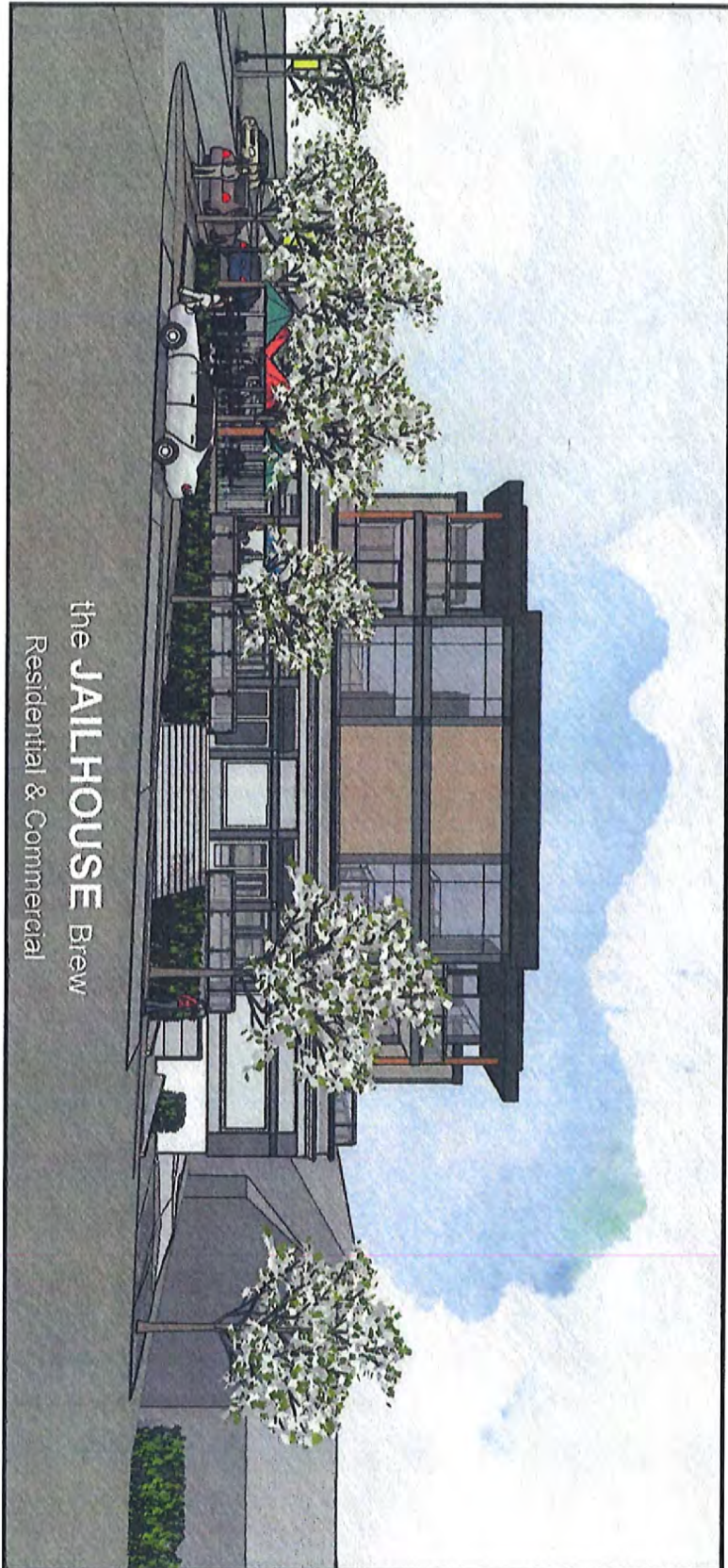
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Sincerely,

Name: 

Address: 140 Ryan Place Ladysmith



at the Old RCMP Building site - 336 Belaire Street, Ladysmith



RECEIVED
OCT 31/19

Date: 24 OCT 19

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Sincerely,



Name: DANIEL W. HUNTER

Address: P.O. BOX LADYSMITH, BC V9G 1A6

RECEIVED
OCT 31/19

Date: Oct 24/19.

To the **Town of Ladysmith**

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Sincerely,

Name: Don Hyde

Address: 134 ARBUTHUS CRESCENT

Oct 31/19

Date: Oct 22 2019

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

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Sincerely,

Name: Paul Westheuser

Address: 207 Jameson Ladysmith BC.

Oct 31/19

Date: OCT. 21/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

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Sincerely,

Name: Heather Monahan

Address: 21-206 MONS WAY LADYSMITH

Oct 31/19

Date: Oct. 23/19

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Sincerely,

Name: JERRY BOWEN

Address: #14-100 GIFFORD RD.
LADYSMITH B.C.

Oct 31/19

Date: Oct 22nd / 19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

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Sincerely,

Name: Jessica Hunter

Address: 1124 Second Ave. Ladysmith

Oct 31/19

Date: _____

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Sincerely,

Name: _____

Address: _____

J. McDougall
Ladysmith

Oct 31/19

Date: OCT 22/19

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Sincerely,

Name:

Address:

Jan Hamer
Ladysmith

Oct 31/19

Date: 22 Oct 2019

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Sincerely,

Name: K. Fiedlin

Address: LADYSMITH 132C Roberts St.

Oct 31/19

Date:

Oct. 23/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

I am writing as a resident of Ladysmith to express my support for the re-zoning proposal of a three-storey, multipurpose building on the site of the former RCMP Station.

The site is an excellent opportunity to create a family-oriented community brewery and coffee shop with walkable and great cycling access. I understand that it will generate approximately thirty-five permanent jobs. The economics of this plus the new tax revenue are most welcome.

I expect to enjoy these venues with friends and family.

In addition, I believe it is important that Ladysmith celebrates its heritage but also that we continue to grow as well as attract and retain our youthful citizens. I think this mixed-use project will assist to give our next generation opportunities to stay and contribute to our community, making our town a place for all generations.

Sincerely,

Name:

R. Clow

Address:

110 W 3 Way

LADYSMITH, B.C

Oct 31/19

Date:

Oct 24/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

I am writing as a resident of Ladysmith to express my support for the re-zoning proposal of a three-storey, multipurpose building on the site of the former RCMP Station.

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In addition, I believe it is important that Ladysmith celebrates its heritage but also that we continue to grow as well as attract and retain our youthful citizens. I think this mixed-use project will assist to give our next generation opportunities to stay and contribute to our community, making our town a place for all generations.

Sincerely,

Name:

Paul Bouma

Address:

239 A Bayview AVE.

Oct 31/19

Date: Oct 2/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

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Sincerely,

Name: PAUL HAMLYN

Address: 120 HIGH ST

Oct 31/19

Date: Oct 22, 2019To the **Town of Ladysmith****Mayor Aaron Stone and Councilors**, 410 Esplanade, Ladysmith BC V9G 1A2**Lisa Brinkman**, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

I am writing as a resident of Ladysmith to express my support for the re-zoning proposal of a three-storey, multipurpose building on the site of the former RCMP Station.

The site is an excellent opportunity to create a family-oriented community brewery and coffee shop with walkable and great cycling access. I understand that it will generate approximately thirty-five permanent jobs. The economics of this plus the new tax revenue are most welcome.

I expect to enjoy these venues with friends and family.

In addition, I believe it is important that Ladysmith celebrates its heritage but also that we continue to grow as well as attract and retain our youthful citizens. I think this mixed-use project will assist to give our next generation opportunities to stay and contribute to our community, making our town a place for all generations.

Sincerely,

Name: ROBERT IMREAddress: Sta. 5, 207 Ianison Rd.

Oct 31/19

Date:

Oct 23/19

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

I am writing as a resident of Ladysmith to express my support for the re-zoning proposal of a three-storey, multipurpose building on the site of the former RCMP Station.

The site is an excellent opportunity to create a family-oriented community brewery and coffee shop with walkable and great cycling access. I understand that it will generate approximately thirty-five permanent jobs. The economics of this plus the new tax revenue are most welcome.

I expect to enjoy these venues with friends and family.

In addition, I believe it is important that Ladysmith celebrates its heritage but also that we continue to grow as well as attract and retain our youthful citizens. I think this mixed-use project will assist to give our next generation opportunities to stay and contribute to our community, making our town a place for all generations.

Sincerely,



Name:

Valerie Blatt

Address:

1118 Stillen Dr.
V9G1P2

Oct 31/19

Date: Oct 22, 2019

To the **Town of Ladysmith**

Mayor Aaron Stone and Councilors, 410 Esplanade, Ladysmith BC V9G 1A2

Lisa Brinkman, Sr. Planner, 132C Roberts Street, Ladysmith, BC V9G 1A2

I am writing as a resident of Ladysmith to express my support for the re-zoning proposal of a three-storey, multipurpose building on the site of the former RCMP Station.

The site is an excellent opportunity to create a family-oriented community brewery and coffee shop with walkable and great cycling access. I understand that it will generate approximately thirty-five permanent jobs. The economics of this plus the new tax revenue are most welcome.

I expect to enjoy these venues with friends and family.

In addition, I believe it is important that Ladysmith celebrates its heritage but also that we continue to grow as well as attract and retain our youthful citizens. I think this mixed-use project will assist to give our next generation opportunities to stay and contribute to our community, making our town a place for all generations.

Sincerely,

Name: Yolande Schwabe

Address: Ladysmith BC V9G1A2

TO WHOM IT MAY CONCERN
Town of Ladysmith

Ladysmith,

November 25th 2019

NOV 25 2019

SUBMISSION FOR PUBLIC HEARING, DECEMBER 2, 2019

re: 336 Belaire, Lot 1, District Lot 56, Oyster District, Plan 27861

I adamantly OPPOSE approval of Bylaws 2018 and 2020. I live beside 336 Belaire in Belwood Village which has 18 patio homes and is known as a seniors' retirement complex.

The proposed apartment block ...

... would dominate, and be the focal point of, the whole district which is a long-established, quiet, residential neighbourhood of older homes, many of which have views of water, mountains and trees:

... would absolutely not be consistent in any manner with the scale, form and character of the area due to its proposed height (3-storeys), as well as its modern, squared shape with no peaked roof:

... is proposed to shockingly have no resident manager/caretaker, leaving residents free to conduct themselves as they please, the owner of the proposed building in fact not even being a Ladysmith resident but living far out of town:

... would have residents going back and forth at *opposite times* to the proposed brew pub's times, thereby creating non-stop activity and noise all day and well into the night:

... would be so close to Belwood Village that the elderly owners there would have their privacy, quiet life-styles and even health severely and permanently impacted.

The proposed brew pub ...

... would be in complete opposition to the late Dr. Wickham's designation that Wickham Park (directly opposite 336 Belaire) be a fun area *for families* to enjoy. On the signboard there's even a picture of children playing to illustrate that purpose. A brew pub is supposedly viewed by the owner of 336 Belaire as a family venue and an extension, so to speak, of the park. *But families with young children don't go to brew pubs! As well, families, children and many others would avoid parks if beer consumption or production is being carried out virtually on the park's doorstep!* What's wrong with a family-oriented icecream parlour or juice bar, for instance, instead?

... would be expected to focus on evening and weekend activity, creating intolerable noise and disruptions to all the many nearby residents' right to peace, quiet and the enjoyment of their homes *especially* in the evenings and at weekends:

... would necessitate frequent deliveries being conducted noisily outside of business hours. No rear lane access, for example, could be provided for such activities:

... simply does not fit or belong in the centre of a strictly residential area when beer is readily available a short distance away in town.

Either OR both of the proposed ventures:

(i) couldn't provide enough parking space for residents and staff. Visitors; dumpsters; disabled persons; service, emergency & Town of Ladysmith vehicles would all need parking spaces too but simply couldn't be accommodated:

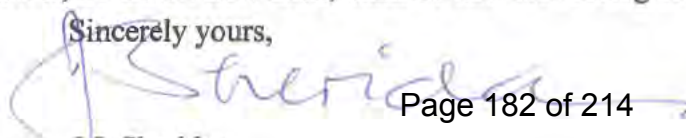
(ii) would create greatly-increased traffic flow, funneled as it would be into an already alarmingly hazardous and excessively busy intersection at Dogwood/Belaire.

Summation:

* Clearly, a pub and modern apartment block/condo building don't belong in the heart of a longtime peaceful residential and retirement area. How could anyone with a home in the area have anticipated that "commercial" zoning (meaning business offices probably) and OCP in the core of their neighbourhood would ever be placed at risk?

* Although everyone will be glad to see the old RCMP building demolished, replacing it with buildings and purposes that are completely inappropriate, unsuitable and justifiably opposed is clearly *not* the answer, no matter how keen, admired and convincing the property owner might be!

Sincerely yours,



J.J. Sheridan

TOWN OF LADYSMITH

BYLAW NO. 2021

A Bylaw to amend "Town of Ladysmith Zoning Bylaw 2014, No. 1860"

WHEREAS pursuant to the *Local Government Act*, the Council of the Town of Ladysmith is empowered to amend "Town of Ladysmith Zoning Bylaw 2014, No. 1860" (the "Zoning Bylaw");

AND WHEREAS Council considers it advisable to amend the Zoning Bylaw to permit the retail sale of cannabis in certain zones;

NOW THEREFORE the Council of the Town of Ladysmith in open meeting assembled enacts as follows:

1. Schedule A of the Zoning Bylaw is amended as follows:

(a) Part 4: Definitions is amended by:

- i. deleting the defined term "Sales, Marihuana Retail";
- ii. adding the following definitions in alphabetical order:

"Cannabis Control and Licensing Act" means the Cannabis Control and Licensing Act [S.B.C. 2018] c.29, as amended or replaced from time to time;

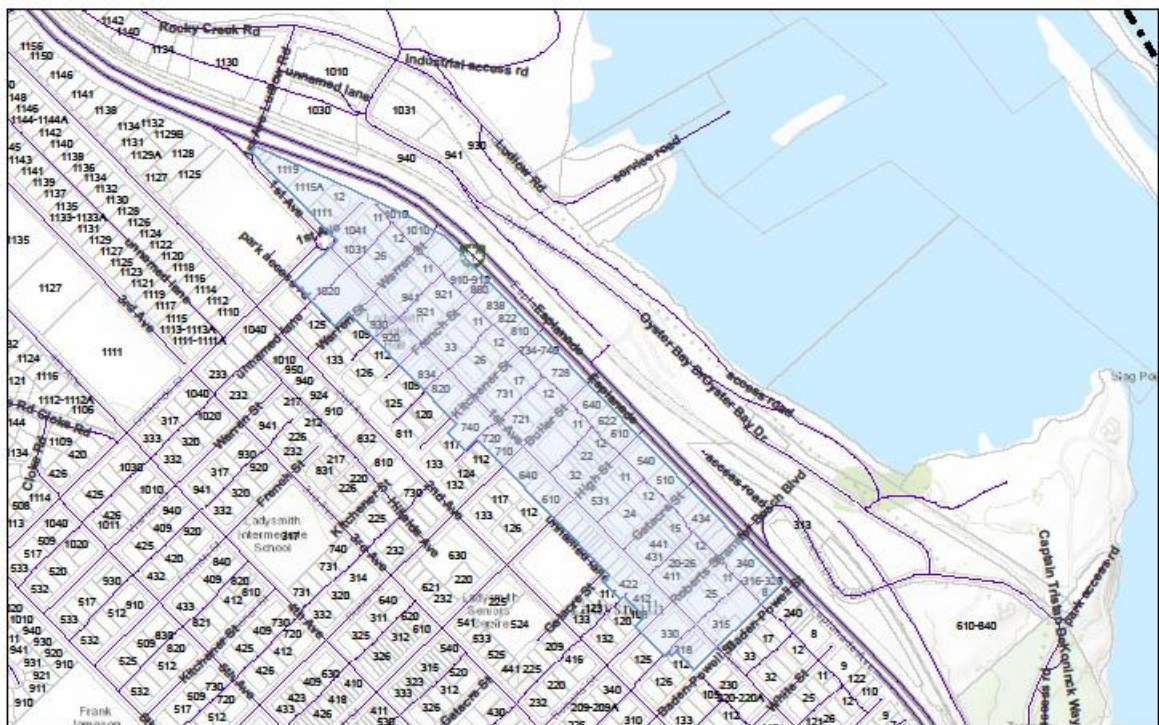
"Sales, Cannabis Retail means the sale of Cannabis or products containing Cannabis from a retail store licensed under the Cannabis Control and Licensing Act, to persons who attend at the premises but do not consume Cannabis at the premises;

- iii. in the definition of "Sales, Retail", replacing the phrase "Marihuana Retail Sales" with "Cannabis Retail Sales";

(b) Part 6, section 6.3 is amended by deleting section 6.3(a)(vii);

- (c) Part 8: Parking and Loading is amended by adding to the Commercial section of Table 8.1 “Cannabis Retail Sales” in Column 1 and “1 per 30 square metres of Gross Floor Area” in Column 2;
- (d) Part 11: Commercial Zones is amended by:
 - i. adding “Cannabis Retail Sales but only in the Parcels that are zoned C-2 and contained within the shaded area identified in Figure 11.2” to the list of Principal Uses in section 11.2.1 of the Downtown Commercial (C-2) zone;
 - ii. adding the following as Figure 11.2 following section 11.2.10:

Figure 11.2



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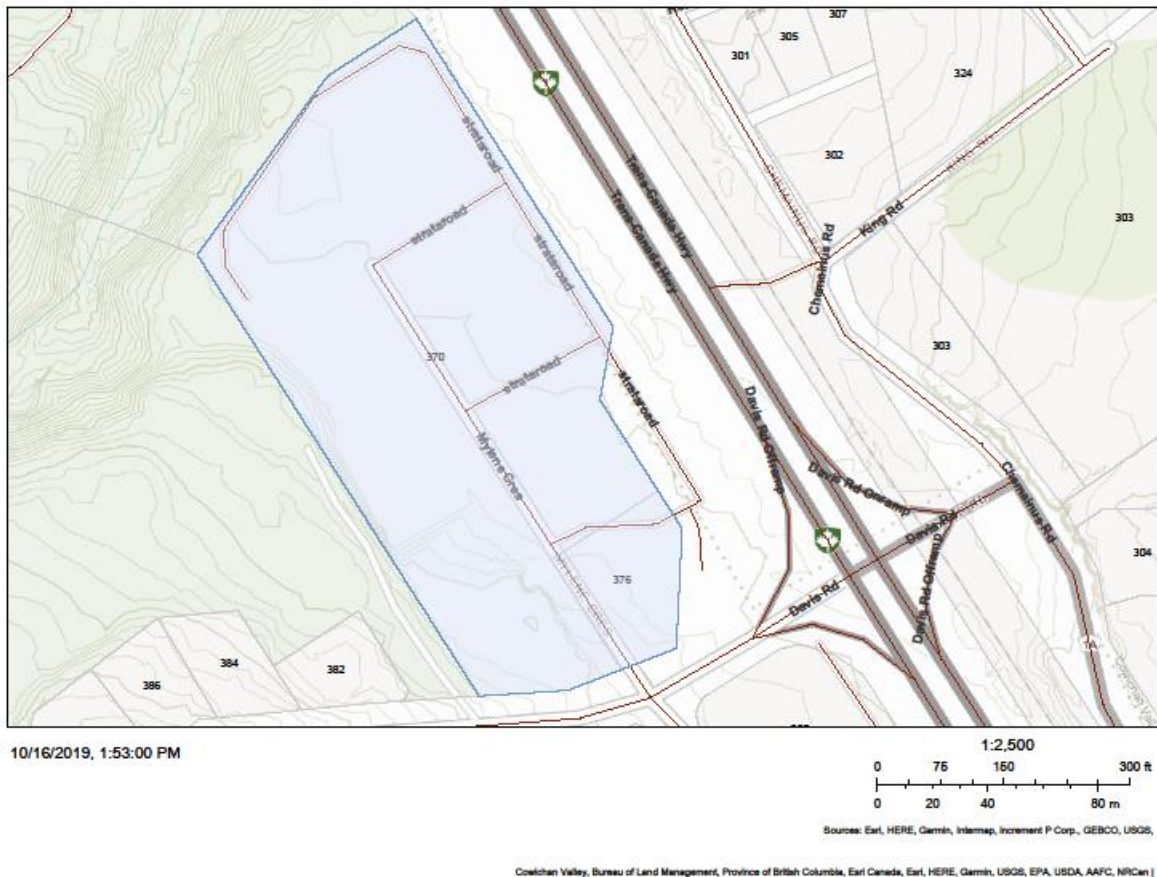
1:10,000
0 300 600 1,200 ft
0 90 180 360 m

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS,

Cowichan Valley, Regional District of Nanaimo, Bureau of Land Management, Province of British Columbia, Esri Canada, Esri, HERE, Garmin, Intermap, USGS, METANASA, EPA, USDA |

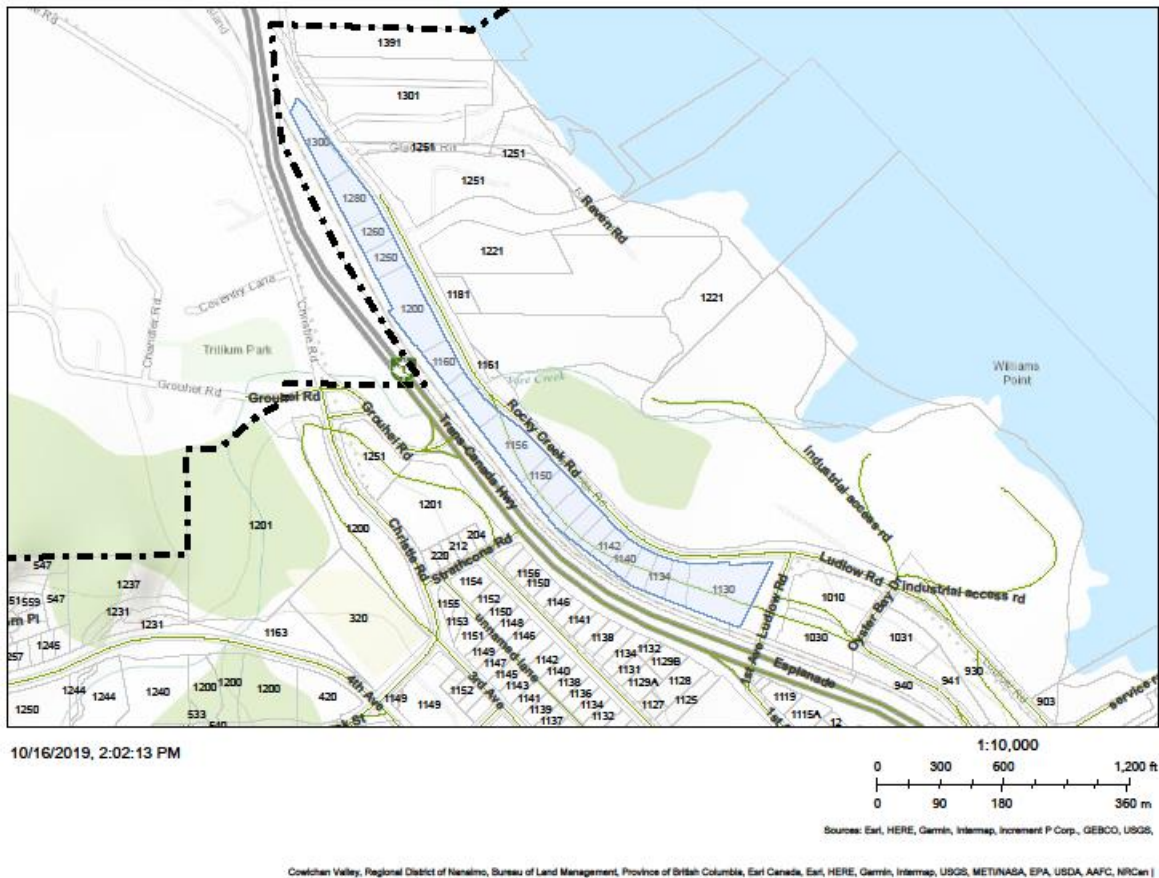
- iii. adding “Cannabis Retail Sales but in the Parcels contained within the shaded area identified on Figure 11.5” to the list of Principal Uses in section 11.5.1 of the Shopping Centre Commercial (C-5) zone;
- iv. adding the following as Figure 11.5 following section 11.5:

Figure 11.5



- (e) Part 12: Industrial Zones is amended by:
 - i. adding “Cannabis Retail Sales but only in the Parcels that are zoned I-1 and contained within the shaded area identified in Figure 12.2.1” to the list of Principle Uses in section 12.2.1 of the Light Industrial (I-1) zone; and
 - ii. Adding the following as Figure 12.2.1 following section 12.2.9”

Figure 12.2.1



- (f) And by making such consequential changes as are required to reflect the foregoing amendments, including without limitation changes in the number, ordering of alphabetical lists, and Table of Contents of the Zoning Bylaw.

CITATION

2. This Bylaw may be cited for all purposes as “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2021.

READ a first time this 4th day of November, 2019.

READ a second time this 4th day of November, 2019.

PUBLIC HEARING held pursuant to the provisions of the Local Government Act

On the _____ day of _____ 2019.

READ a third time this _____ day of _____ 2019.

APPROVED pursuant to s.52(3) of the *Transportation Act*

On the _____ day of _____ 2019.

ADOPTED this _____ day of _____ 2019.

Aaron Stone, Mayor

Joanna Winter, Corporate Officer

TOWN OF LADYSMITH

BYLAW NO. 2018

A bylaw to amend "Official Community Plan Bylaw 2003, No. 1488"

WHEREAS pursuant to the *Local Government Act*, the Municipal Council is empowered to amend the Official Community Plan;

AND WHEREAS pursuant to section 488 (1)(f) of the *Local Government Act*, an official community plan may designate development permit areas for the establishment of objectives for the form and character of commercial, industrial or multi-family residential development;

AND WHEREAS the Municipal Council considers it advisable to amend " Official Community Plan Bylaw 2003, No. 1488";

NOW THEREFORE the Council of the Town of Ladysmith in open meeting assembled enacts as follows:

1. Schedule A – Zoning Bylaw Text of “Official Community Plan Bylaw 2003, No. 1488” is hereby amended as follows:
 - a. by deleting the following from section 3.8.1
“The Local Commercial designation is applied to small scale commercial centres located within and serving the daily needs of the surrounding residential population in neighbourhoods. It provides for a limited range of retail, office, and service uses, which do not compete with the commercial uses in the downtown core. The maximum density allowed in a Local Commercial designation is up to 0.5 FSR for commercial uses. The maximum floor area for any one commercial use is limited to 200 square metres. Development within a Local Commercial designation is subject to the Section 3.8.5 Development Permit Area Guidelines in this Plan”,
 - b. and replacing with the following
“The Local Commercial designation is applied to small scale commercial centres located within and serving the daily needs of the surrounding residential population in neighbourhoods. It provides for a limited range retail, office, and service uses, which do not compete with the commercial uses in the downtown core. The maximum density allowed in a Local Commercial designation is up to 0.5 FSR for commercial uses. The maximum floor area for any one commercial use is limited to 200 square metres. Residential uses in conjunction with commercial uses may be supported, provided they are consistent with the scale, form and character of the surrounding neighbourhood. Development within a Local Commercial designation is subject to the Section 3.8.5 Development Permit Area Guidelines in this Plan”.
2. Map 2 – Development Permit Areas of " Official Community Plan Bylaw 2003, No. 1488" is hereby amended as follows:
 - a. By designating the subject property legally described as, Lot 1, District Lot 56, Oyster District, Plan 27861 (336 Belair Street) as shown in **Schedule I** which is attached to and forms part of this Bylaw as, DPA 4 –Multi-Unit Residential.

CITATION

- (3) This bylaw may be cited for all purposes as "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw, No. 2018”

READ A FIRST TIME on the 4th day of November 2019

READ A SECOND TIME on the 4th day of November 2019

PUBLIC HEARING held pursuant to the provisions of the *Local Government Act*

on the day of , 2019

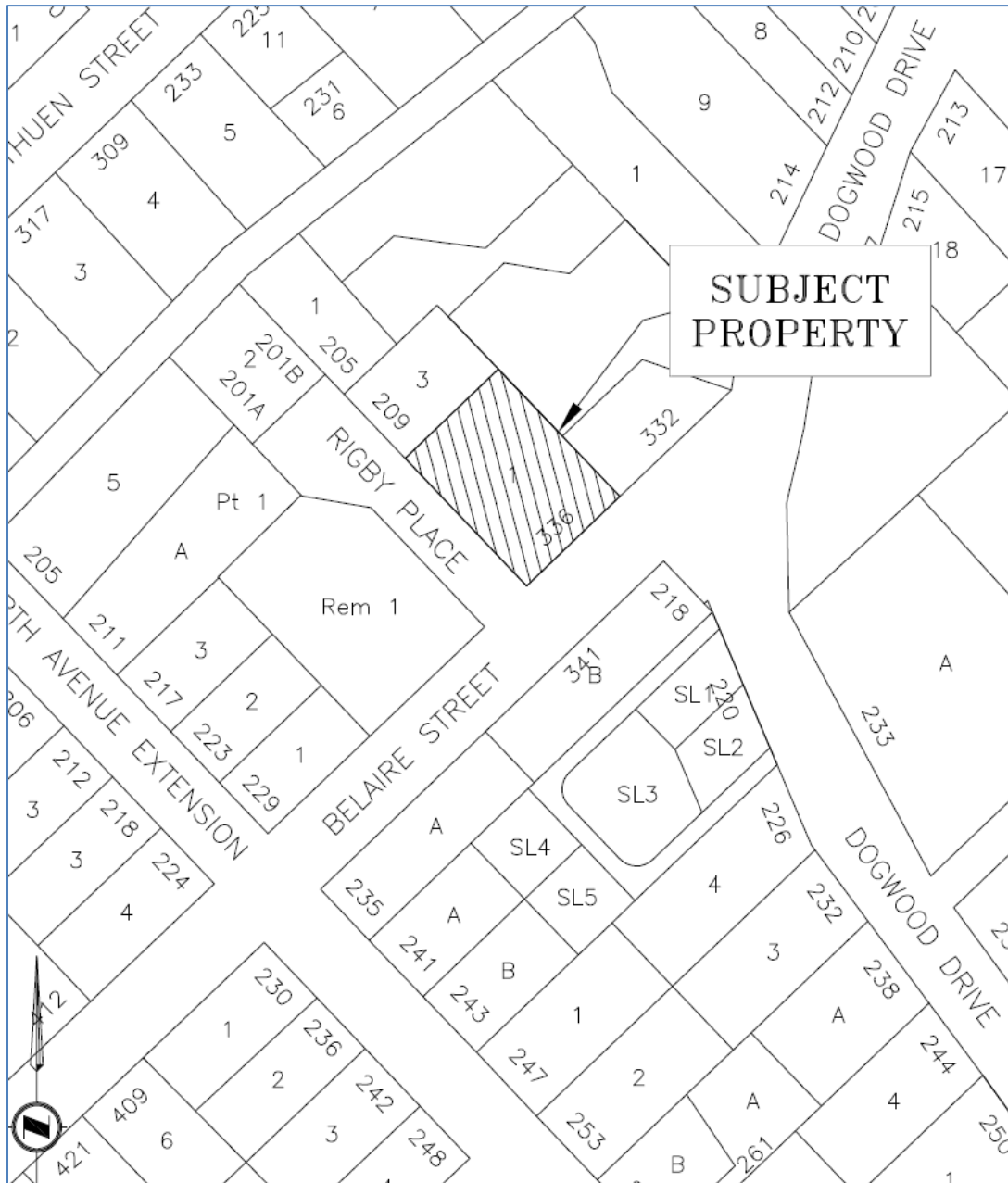
READ A THIRD TIME on the day of , 2019

ADOPTED on the th day of , 2019

Mayor (A. Stone)

Corporate Officer (J. Winter)

Schedule I – Bylaw 2018



TOWN OF LADYSMITH

BYLAW NO. 2020

A bylaw to amend "Town of Ladysmith Zoning Bylaw 2014, No. 1860"

WHEREAS pursuant to the *Local Government Act*, the Municipal Council is empowered to amend the Zoning Bylaw;

AND WHEREAS the Municipal Council considers it advisable to amend "Town of Ladysmith Zoning Bylaw 2014, No. 1860";

NOW THEREFORE the Council of the Town of Ladysmith in open meeting assembled enacts as follows:

- (1) Schedule A – Zoning Bylaw Text of “Town of Ladysmith Zoning Bylaw 2014, No. 1860” is hereby amended as follows:
 - (b) The table in Section 9.1 ‘Creation of Zones’ is amended by adding the following at the end of the Table:
“Belaire Mixed-Use CD-6”
 - (c) Part 17: Comprehensive Development Zones is amended by adding a new zone as “17.6 Comprehensive Development 6 – Belaire Mixed-Use (CD-6)” as shown in **Schedule I** which is attached to and forms part of this Bylaw.
- (2) Schedule B - Zoning Bylaw Map of "Town of Ladysmith Zoning Bylaw 2014, No. 1860" is hereby amended as follows:
 - (a) By adding the following comprehensive development zone to the end of the ‘Zoning Designations’ list:
“CD-6 Belaire Mixed-Use”
 - (b) By placing “Comprehensive Development 6 – Belaire Mixed-Use (CD-6)” on the subject property legally described as: Lot 1, District Lot 56, Oyster District, Plan 27861 (336 Belair Street) as shown in **Schedule II** which is attached to and forms part of this Bylaw.

CITATION

- (3) This bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw, No. 2020”

READ A FIRST TIME on the 4th day of November, 2019

READ A SECOND TIME on the 4th day of November, 2019

PUBLIC HEARING held pursuant to the provisions of the *Local Government Act*

on the day of , 2019

READ A THIRD TIME on the day of , 2019

APPROVED pursuant to s. 52(3)(a) of the *Transportation Act*
on the th day of , 2019

ADOPTED on the th day of , 2019

Mayor (A. Stone)

Corporate Officer (J. Winter)

Schedule I – Bylaw 2020

17.6 COMPREHENSIVE DEVELOPMENT 6 – BELAIRE MIXED-USE (CD-6)

The purpose of the CD-6 Belaire Mixed-Use is to accommodate a three-storey mixed-use development containing ground floor commercial and second and third floor multi-family residential development.

1. Principal Uses

- a) *Coffee shop*
- b) *Community care facility*
- c) *Media production studio*
- d) *Multiple-Unit Dwellings.*
- e) *Neighbourhood pub*
- f) *Office*
- g) *Personal service establishment*
- h) *Restaurant*
- i) *Retail sales*
- j) *Veterinary clinic*

2. Accessory Uses

- a) *Home Based Business*, subject to Part 6, Section 6.8.

3. Sizing and Dimension of Parcels

- a) No *Parcel* shall be created which has a *Parcel Area* less than 1,500 square metres.
- b) No *Parcel* shall be created which has a *Frontage* less than 30 metres.

4. Size and Density of the Use of Land, Buildings and Structures

- a) The *Floor Space Ratio* shall not exceed 0.9
- b) The maximum number of Dwelling Units permitted in this Zone is one.
- c) Notwithstanding Section 17.6(4)(b), the owner shall be entitled to a maximum residential density of 53.5 units per hectare, to a maximum of 8 units, provided that:
 - i) the owner constructs, at their cost, street parking and drainage improvements , in accordance with the standards established by the Town, on that portion of Rigby Place immediately adjacent to Wickham Park; and
 - ii) prior to obtaining a building permit for the dwelling units under this section, the owner provides a bond or other surety satisfactory to the Town from which the Town may draw upon if the owner fails to complete the works under (i).
- d) No commercial use on the parcel shall have a *Gross Floor Area* greater than 250 square meters
- e) The combined *Floor Space Ratio* for all commercial uses on the property shall not exceed 0.5.
- f) No *Building* or *Structures* shall exceed a *Parcel Coverage* of 40.0 percent.
- g) A *Parcel* may contain more than one *Principal Building*.

5. Siting, Sizing and Dimension of Uses, Buildings and Structures

- a) No *Principal Building* or *Structure* shall exceed a *Height* of 11.0 metres.
No *Accessory Building* or *Structure* shall exceed a *Height* of 7.5 metres; except where the roof pitch is less than 4:12, in which case the maximum *Height* shall be 5.0 metres.

- b) No *Principal Buildings* or *Structures* shall be located closer to the *Parcel Line* than the minimum *Setback* shown in the Table below:

PARCEL LINE	MINIMUM SETBACK
<i>Front Parcel Line</i> (Belaire Street)	2.0 metres
<i>Interior Side Parcel Line</i>	4.5 metres
<i>Exterior Side Parcel Line</i>	2.0 metres
<i>Rear Parcel Line</i>	17.0 metres

- c) No *Accessory Building* or *Structure*, with a *Finished Floor Area* (10 m²) as shown in the Table below, shall be located closer to the *Parcel Line* than the minimum *Setback* shown in the Table below:

PARCEL LINE	MINIMUM SETBACK
<i>Front Parcel Line</i>	6.0 metres
<i>Interior Side Parcel Line</i>	4.5 metres
<i>Exterior Side Parcel Line</i>	3.0 metres
<i>Rear Parcel Line</i>	13.0 metres

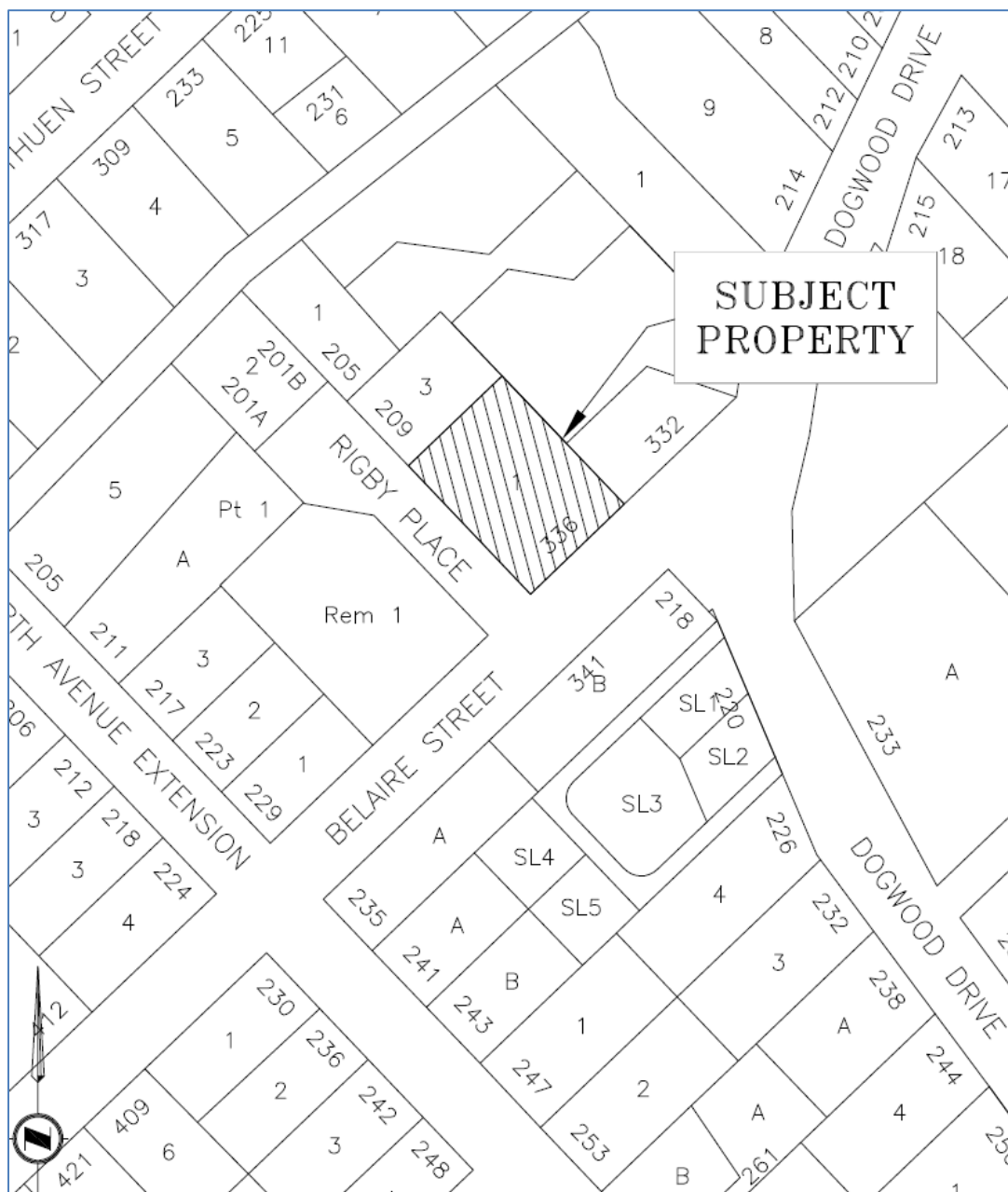
6. Landscaping and Screening

- a) *Landscaping* and screening shall be provided in accordance with Part 7: Landscaping and Screening Regulations.

7. Parking and Loading

- a) Off-street parking and off-street loading shall be provided in accordance with Part 8: Parking and Loading Regulations.

Schedule II – Bylaw 1983



STAFF REPORT TO COUNCIL

Report Prepared By: Jake Belobaba, Director of Development Services
 Meeting Date: November 4, 2019
 File No: 3360-19-07
 RE: OCP and Zoning Amendment 336 Belaire

RECOMMENDATION:

That Council:

1. Proceed with first and second reading of Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw 2018;
2. Proceed with first and second reading of Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw, No. 2020;
3. Direct staff to proceed with scheduling and notification of a public hearing for Town of Ladysmith Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw 2018 and Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2020 as required by section 464(1) of the *Local Government Act*;

EXECUTIVE SUMMARY:

The purpose of this report is to introduce the necessary bylaws to approve an application to amend the Official Community Plan (OCP) and Zoning Bylaw to allow a proposed mixed-use building at 336 Belaire Street.

PREVIOUS COUNCIL DIRECTION

Resolution	Meeting Date	Resolution Details
CS 2019-273	2019/08/19	<ol style="list-style-type: none"> 1. Receive summary reports for the March 8/19 and June 1/19 neighbourhood information meetings held by AYPQ Architecture and Fred Green regarding the property at 336 Belaire Street. 2. Receive the letters submitted to date regarding the property at 336 Belaire Street. 3. Consider the application to amend the: <ol style="list-style-type: none"> a. Official Community Plan (OCP) by supporting residential use in combination with local commercial use in the 'Local Commercial' designation; and by adding the Multi-Unit Residential Development Permit Area (DPA 4) to the property at 336 Belaire Street; and b. Zoning Bylaw by rezoning the property at 336 Belaire Street from 'Local Commercial (C-1)' to a new zone 'Comprehensive Development 6 (CD-6)' to accommodate the proposed three storey mixed use building; 4. Having given consideration to s.475 of the Local Government Act (consultation during OCP development), direct staff to: <ol style="list-style-type: none"> a. Refer OCP amendment application 3360-19-07 to the Stz'uminus First Nation, pursuant to the

Resolution	Meeting Date	Resolution Details
		<p>Town's Memorandum of Understanding; and</p> <p>b. Refer application 3360-19-07 to the Community Planning Advisory Committee.</p> <p>5. Direct that the applicant retain professional Engineer(s) to submit the following (pursuant to the Development Approval Information Bylaw 1887):</p> <p>a. Concept drawings for Rigby Place and Belaire Street improvements, including proposed parking spaces, sidewalks, crosswalks, and cost estimates for work in Town streets; and</p> <p>b. A traffic impact assessment that identifies the traffic impacts of the proposed development to the neighbourhood (including pedestrian and vehicle circulation, and safety considerations).</p> <p>6. Direct that staff:</p> <p>a. Remove DP 08-16 (FB248768) from the certificate of title of 336 Belaire Street (PID 002-221-349) as this development permit has expired.</p> <p>b. Work with the applicant regarding an amenity contribution and/or land use matters (i.e. traffic impacts, parking matters, patio location, patio hours, and lighting) and report back to Council; and</p> <p>c. Commence the preparation of an OCP amending bylaw and Zoning amending bylaw for the proposed mixed use development at 336 Belaire Street.</p>

INTRODUCTION/BACKGROUND:

An application has been received to amend the OCP and Zoning Bylaw for a proposed three storey mixed-use building at 336 Belaire Street. The property is 1,530m² in size and contains building previously used as a police station. The applicant has expressed interest in using the existing building in the short-term for commercial use. At a later date, the applicant intends to remove the existing building and construct a new three storey building. The new building will have a commercial first storey and second and third storey residential units. In particular, the applicant has expressed interest in a restaurant with a micro-brewery and a coffee shop for the first storey. A maximum of eight residential units are proposed for the subject property. The applicant's proposal package, concept drawings, design rationale, neighbourhood context, and other information is attached to this report.

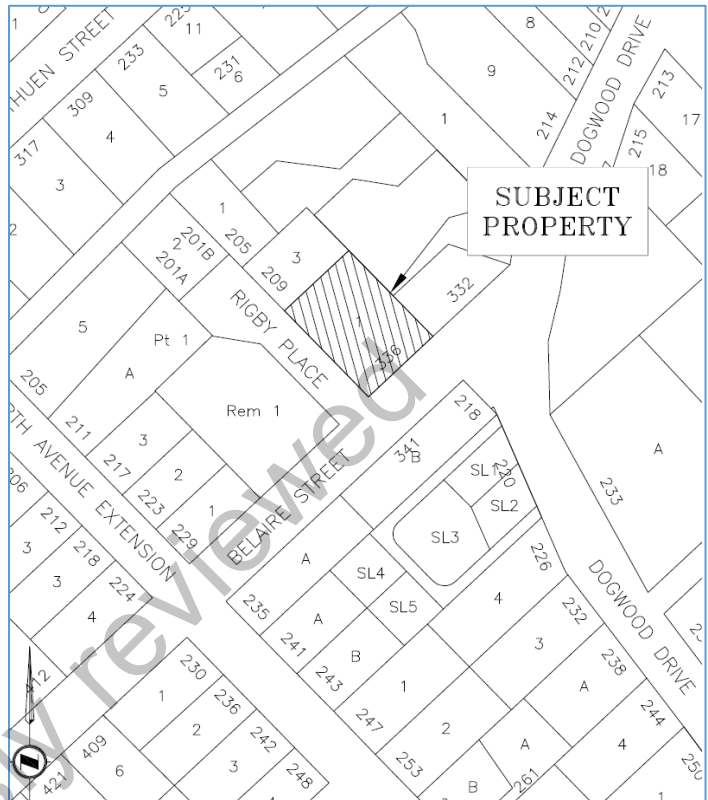
At its August 19, 2019 meeting, Council required the applicant to provide a Traffic Impact Assessment and concept drawings, complete with cost estimates for street improvements on Rigby Place and Belaire Street. These were received on October 9th and have also been attached to this report.

Official Community Plan (OCP)

The property is designated as 'Local Commercial' in the Official Community Plan (OCP). The 'Local Commercial' designation description is noted below:

"The Local Commercial designation is applied to small scale commercial centres located within and serving the daily needs of the surrounding residential population in neighbourhoods. It provides for a limited range of retail, office, and service uses, which do not compete with the commercial uses in the downtown core. The maximum density allowed in a Local Commercial designation is up to 0.5 FSR for commercial uses. The maximum floor area for any one commercial use is limited to 200 square metres. Development within a Local Commercial designation is subject to the Section 3.8.5 Development Permit Area Guidelines in this Plan".

If residential use is supported at 336 Belaire Street it is recommended to add a policy to the 'Local Commercial' designation to state that residential use is supported in combination with local commercial uses (which is implied in the existing wording). The proposed development meets the 0.5 FSR limit for commercial floor area. Each commercial use (coffee shop, restaurant etc.) is proposed to be 250m² or less. This is considered consistent with the 200m² limit in the OCP due to the size of the site, the developments overall adherence to the 0.5 FSR limit for commercial uses, "back of house" requirements of uses like a neighbourhood pub, and the use of an existing building with a large footprint to fill. A restaurant with a micro-brewery is not currently located in the downtown core.



The property falls within Development Permit Area 3 'Commercial' (DPA 3). The objective of DPA 3 is to ensure that commercial development is complementary to the existing character of Ladysmith and aligned with the Town's vision for future growth. If residential use is supported at 336 Belaire Street, it is recommended to also apply Development Permit Area 4 'Multi-Unit Residential' (DPA 4) to the subject property. The objective of DPA 4 is to achieve a high level of design for multi-unit development, to enhance the Town's neighbourhoods, and to ensure that development is complementary to the existing character of Ladysmith. Prior to improvements to the existing building or construction of a new building, a development permit will be required. At that time, a more detailed review of the projects form and character will occur.

Zoning Bylaw

The property is currently zoned Local Commercial (C-1), with a site specific clause limiting commercial uses to coffee shop, personal service establishment (i.e. hairdresser, yoga studio, florist, aesthetician), office and artist studio. A dwelling and secondary suite are also permitted. The maximum permitted height in the C-1 zone is 9m.

To accommodate the proposed development a comprehensive development zone is proposed. The applicant is requesting zoning with a maximum building height of 11m (3 storeys), 613m² of allowable ground floor commercial space, and up to eight residential units on the second and third storeys. A maximum of eight residential units are proposed, the size of which would be approximately 80m² for one bedroom units and 160m² for two bedroom units. The remaining space on the residential floors would be used for exterior deck space, an elevator, stairway, hallways, and ventilation service shafts for rooftop equipment. A 1.5m wide landscape buffer is proposed along the interior side and rear parcel line, which is consistent with the landscape buffer requirements in the Zoning Bylaw. Table 1 outlines the proposed zoning in greater detail.

Table 1: Application Summary

	Current	Proposed
Official Community Plan	Local Commercial	Local Commercial Add policy that states that residential use is supported in combination with local commercial uses.
Development Permit Area	DPA 3 Commercial	DPA 3 Commercial and DPA 4 Multi-Unit Residential
Zoning	Local Commercial (C-1)	Comprehensive Development 6—Belaire Mixed-Use (CD-6)
Commercial Uses	Coffee shop Office Artist studio Personal service establishment (i.e. hairdresser, tailor, yoga studio, florist, laundromat)	Coffee shop Office (includes an office for medical and dental services) Personal service establishment (i.e. hairdresser, tailor, yoga studio, florist, laundromat) Retail sales Restaurant Neighbourhood pub (includes micro-brewery) Media production studio Community care facility Veterinary clinic
Residential Use (density)	One dwelling unit and one secondary suite	8 dwelling units (maximum) 53 units per hectare
Max gross floor area for commercial use	100m ² per commercial use	Commercial use on first storey (613m ²) The basement would be limited to accessory storage related to the commercial and residential uses within the building.
Floor Space Ratio	0.5	0.9 (0.4 for commercial and 0.5 for residential)
Parcel Coverage	40%	40%
Height	9m	11m – with a 1.5m projecting elevator shaft

Minimum building setbacks from property lines	Front 6m Exterior Side 3m Interior Side 1.5m Rear 3m	Front (Belaire St.) 2m Exterior side (Rigby Pl.) 2m Interior side (adjacent to 332 Belaire St.) 4.5m Rear (adjacent to 209 Rigby Pl.) 17m
Accessory structure setback (i.e. garbage enclosure)	Front 6m Exterior Side 1m Interior Side 1m Rear 1m	Front (Belaire St.) 6m Exterior Side (Rigby Pl.) 3m Interior Side 4.5m Rear 13m
Landscaping and Screening	3m or 1.5m wide landscape buffer along rear and interior side parcel line.	1.5m wide landscape buffer along rear parcel line. 1.5m wide landscape buffer along interior side parcel line.
Parking and Loading	One off-street space per 30m ² of commercial gross floor area. One off-street space per residential unit. Up to 25% of parking spaces may be small car spaces Two Loading Spaces	22 off-street parking spaces. Eight more are required for residential units constructed in the project's second phase. 50% of parking spaces are proposed to be small car spaces. One loading space on site. Another provided along Belaire Street.

Traffic and Parking

Pursuant to the Development Approval Information Bylaw 1887, the applicant was required by Council to retain a professional Engineer to submit:

- Concept drawings for Rigby Place and Belaire Street including proposed parking spaces, vehicle turn-arounds, sidewalks, rainwater management, crosswalks, cost estimates and identified variances (if applicable) to Town Engineering standards; and
- A traffic impact assessment identifying traffic impacts of the proposed development to the neighbourhood (including pedestrian and vehicle circulation, and safety considerations).

The Town's Engineering Department found no issues with the streetscape concepts and the findings of the traffic impact assessment. Since the value of the project is likely to exceed \$50,000, the applicant would be required to complete street frontage improvements on the portion of Belaire Street and Rigby Place abutting the property (e.g. street parking spaces, sidewalks, curbs) when a building permit is applied for (pursuant to Bylaw 1834).

The Zoning Bylaw requires one off-street parking space per 30m² of commercial space. 613m² of commercial space is proposed in the development, thus approximately 21 off-street parking spaces would be required for commercial uses. If a restaurant with a micro-brewery is located in the building, one off-street parking space is required per five restaurant seats. The 613m² space would allow for a total of 100 seats (combined restaurant and coffee shop), generating the requirement for 20 off-street parking spaces. Two loading spaces are required for the commercial use. A loading space is proposed adjacent to the property in the streetscape concepts along Belaire Street and one is shown near the northeast corner of the building. Like parking spaces, loading spaces must be located on the same property as the uses they serve. Given the provision of an adjacent off-site loading space (which is an efficient use of road space) staff are recommending that the proposed zone contain a clause reducing the on-site loading requirement for the property to one.

The Zoning Bylaw requires one off-street parking space per one bedroom residential unit, and two off-street parking spaces for residential units with two or more bedrooms. One visitor off-street parking space is also required per 5 residential units. Approximately 9-10 off-street parking spaces would be required for residential use.

The Zoning Bylaw also requires that two spaces be designed for persons with disabilities, and that bicycle parking be provided. The commercial use requires one “Class A¹” bicycle parking space for every ten employees and approximately three “Class B²” parking spaces. For the residential component, two Class A spaces and two Class B spaces are required. Two parking spaces for persons with disabilities are also required and are shown in the attached concepts.

In total of 20-21 parking spaces are required for the first phase of the development (22 are proposed and approximately 31 parking spaces will be required when the site is redeveloped to include residential units. The streetscape design concepts attached to this report indicate that five public street parking spaces would be created adjacent to the property (two on Belaire and three on Rigby). The concept also shows that five spaces could be added along Rigby Place adjacent to the park. The applicant has proposed that the spaces adjacent to the park constitute an amenity contribution to be executed through an amenity zoning clause (noted below). Under the Zoning Bylaw, parking must be located on the same parcel as the use for which it is required. However, it is not necessary for the second phase of the proposal to demonstrate compliance with this parking standard at this time and staff note that there are a number of options to address parking when the site is redeveloped to include residential units. These include:

- Constructing additional parking on site.
- Obtaining a variance through DP guidelines that support variances to parking standards in favor of form and character.
- Shared parking and/or off-site parking configurations encouraged in DP guidelines.
- Utilizing shared parking arrangements, small car and motorcycle/scooter parking or authorized under Part 8 of the Zoning Bylaw to free up parking spaces for residential uses.
- A development variance permit (requires Council approval).

PROPOSED BYLAWS:

Official Community Plan Amendment Bylaw 2018

Bylaw 2018 will add the subject property to DPA #4 for multi-family residential. If approved, the subject property will be subject to both DPA #3 and DPA#4, meaning future development of the site will be subject to form and character requirements for both residential and commercial uses.

Bylaw 2018 also amends section 3.8.1 of the OCP to state that residential use is supported in combination with local commercial uses, which is implied in the existing wording. This is a general amendment that will apply to all areas designed for Local Commercial throughout the Town.

¹ Class A is bicycle parking in a waterproof bicycle locker, secured bicycle room, or other secured area within a building and must contain bicycle racks.

² Class B is bicycle parking provided in the form of bicycle racks to which the frame and at least one wheel can be secured

Zoning Amendment Bylaw No. 2020

Bylaw 2020 will establish a Comprehensive Development zone for the subject property; with site-specific setbacks, height, land use, lot coverage and density regulations. The proposed zone will limit individual commercial uses to a floor area of 250m² and set a total commercial FSR of 0.5. The proposed zone also includes a clause pursuant to section 482 of the *Local Government Act*. The clause allows up to eight residential units, provided the owner provides street parking and drainage works along Rigby Street fronting Wickham Park. The zone contains only two special parking and loading conditions: a reduction in required on-site loading spaces to one, and an increase in the allowable percentage of small car parking spaces from 25% to 50%. Landscaping standards have not been reduced under the zone.

ALTERNATIVES:

Council can choose to:

1. Amend one or both of the bylaws and give the bylaws first and second reading as amended.
2. Not approve the proposed bylaws.
3. Refer the proposal back to staff for further review, as specified by Council.

FINANCIAL IMPLICATIONS:

N/A

LEGAL IMPLICATIONS:

The proposed zoning amendments apply to areas within 800 meters of a controlled access highway and must be referred to the Ministry of Transportation and Infrastructure for approval following third reading. Also, if the proposed bylaws receive first and second reading as recommended, a public hearing will be required.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Two neighbourhood information meetings were held by the applicant. The applicant's summary reports of these meetings are attached to this report. A number of letters were also received from local residents regarding the proposed development. These letters are also attached to this report.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The Infrastructure Services department reviewed the application including the recently submitted traffic impact assessment and street design concepts. Infrastructure Services found no issues with the assessment or the street design.

As an amenity contribution the applicant has expressed interest in contributing to improvements to Wickham Park. The Director of Parks Recreation and Culture is supportive of this proposal. The applicant is proposing a density benefit provision for the proposed zone pursuant to section 482 of the *Local Government Act*. The clause would allow the eight dwelling units proposed for the second phase only if the above-noted improvements to Wickham Park are provided. This clause would allow the first, commercial-only phase of the development to proceed without improvements to Wickham Park, requiring construction of these improvements only when the site is redeveloped to include the residential units.

COMMUNITY PLANNING ADVISORY COMMITTEE (CPAC) REVIEW

The application was reviewed by CPAC on Wednesday, October 30, 2019. The committee endorsed the application with no recommended conditions or changes.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

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

ALIGNMENT WITH STRATEGIC PRIORITIES:

- | | |
|--|---|
| <input type="checkbox"/> Employment & Tax Diversity | <input type="checkbox"/> Natural & Built Infrastructure |
| <input type="checkbox"/> Watershed Protection & Water Management | <input type="checkbox"/> Partnerships |
| <input type="checkbox"/> Communications & Engagement | <input checked="" type="checkbox"/> Not Applicable |

I approve the report and recommendation(s).

Guillermo Ferrero, Chief Administrative Officer

ATTACHMENT(S):

Bylaw 2018
Bylaw 2020
Application Package
Traffic Impact Assessment
Streetscape Concept and Cost Estimate
Neighbourhood Information Meeting Summaries
Letters from Residents

TOWN OF LADYSMITH

BYLAW NO. 2021

A Bylaw to amend "Town of Ladysmith Zoning Bylaw 2014, No. 1860"

WHEREAS pursuant to the *Local Government Act*, the Council of the Town of Ladysmith is empowered to amend "Town of Ladysmith Zoning Bylaw 2014, No. 1860" (the "Zoning Bylaw");

AND WHEREAS Council considers it advisable to amend the Zoning Bylaw to permit the retail sale of cannabis in certain zones;

NOW THEREFORE the Council of the Town of Ladysmith in open meeting assembled enacts as follows:

1. Schedule A of the Zoning Bylaw is amended as follows:

(a) Part 4: Definitions is amended by:

- i. deleting the defined term "Sales, Marihuana Retail";
- ii. adding the following definitions in alphabetical order:

"Cannabis Control and Licensing Act" means the Cannabis Control and Licensing Act [S.B.C. 2018] c.29, as amended or replaced from time to time;

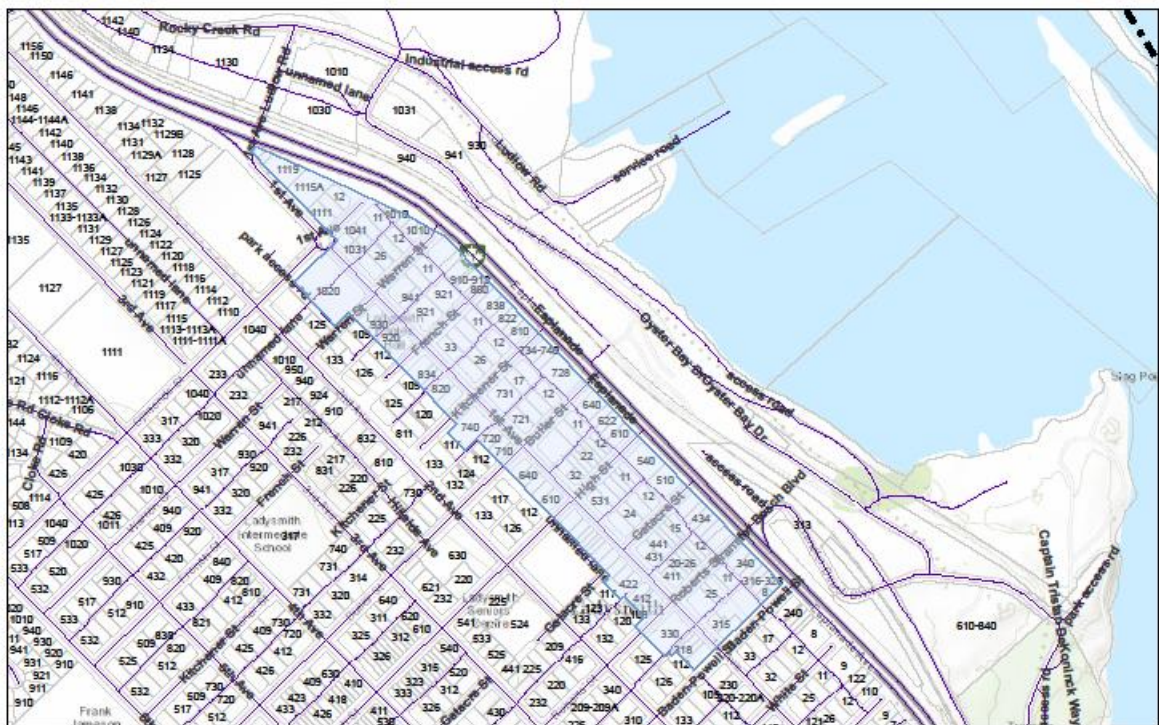
"Sales, Cannabis Retail means the sale of Cannabis or products containing Cannabis from a retail store licensed under the Cannabis Control and Licensing Act, to persons who attend at the premises but do not consume Cannabis at the premises;

- iii. in the definition of "Sales, Retail", replacing the phrase "Marihuana Retail Sales" with "Cannabis Retail Sales";

(b) Part 6, section 6.3 is amended by deleting section 6.3(a)(vii);

- (c) Part 8: Parking and Loading is amended by adding to the Commercial section of Table 8.1 “Cannabis Retail Sales” in Column 1 and “1 per 30 square metres of Gross Floor Area” in Column 2;
- (d) Part 11: Commercial Zones is amended by:
 - i. adding “Cannabis Retail Sales but only in the Parcels that are zoned C-2 and contained within the shaded area identified in Figure 11.2” to the list of Principal Uses in section 11.2.1 of the Downtown Commercial (C-2) zone;
 - ii. adding the following as Figure 11.2 following section 11.2.10:

Figure 11.2



10/16/2019, 1:34:14 PM

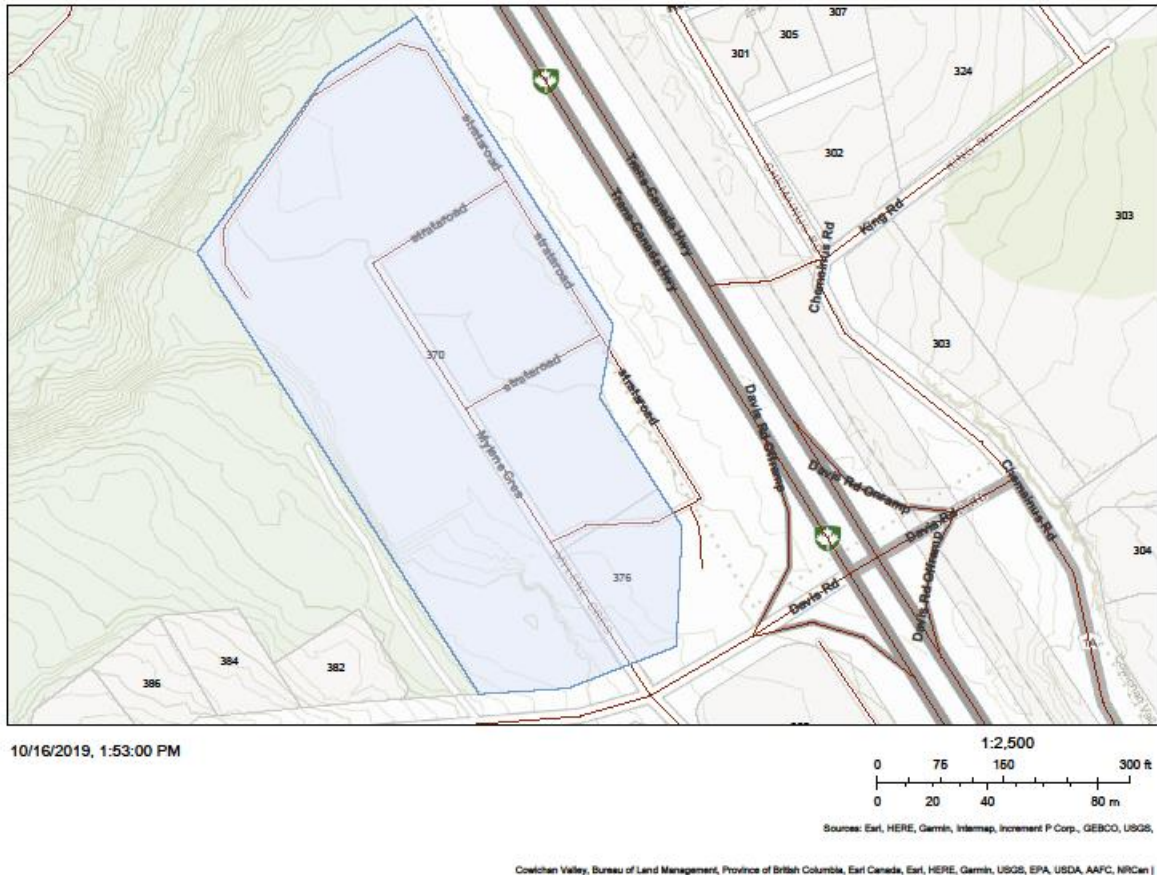
1:10,000
0 300 600 1,200 ft
0 90 180 360 m

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS,

Cowichan Valley, Regional District of Nanaimo, Bureau of Land Management, Province of British Columbia, Esri Canada, Esri, HERE, Garmin, Intermap, USGS, METANASA, EPA, USDA |

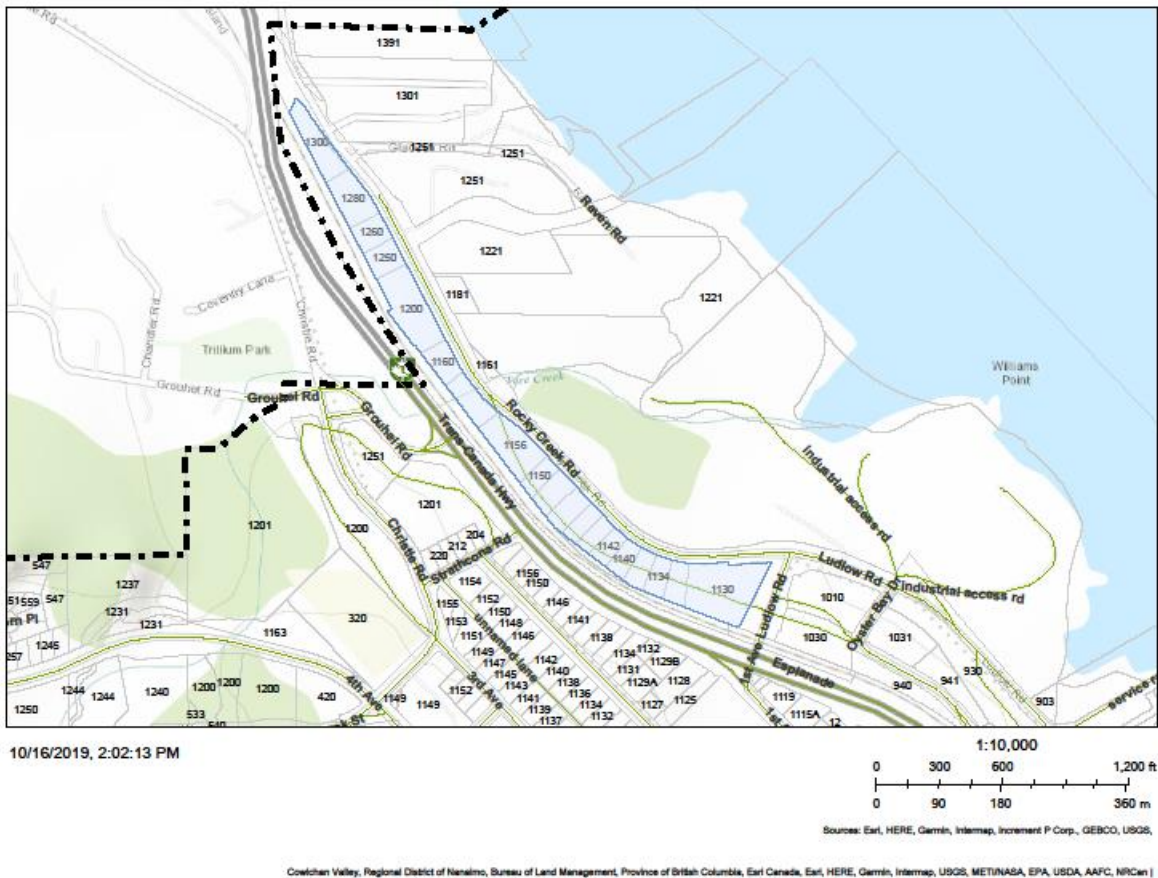
- iii. adding “Cannabis Retail Sales but in the Parcels contained within the shaded area identified on Figure 11.5” to the list of Principal Uses in section 11.5.1 of the Shopping Centre Commercial (C-5) zone;
- iv. adding the following as Figure 11.5 following section 11.5:

Figure 11.5



- (e) Part 12: Industrial Zones is amended by:
 - i. adding “Cannabis Retail Sales but only in the Parcels that are zoned I-1 and contained within the shaded area identified in Figure 12.2.1” to the list of Principle Uses in section 12.2.1 of the Light Industrial (I-1) zone; and
 - ii. Adding the following as Figure 12.2.1 following section 12.2.9”

Figure 12.2.1



- (f) And by making such consequential changes as are required to reflect the foregoing amendments, including without limitation changes in the number, ordering of alphabetical lists, and Table of Contents of the Zoning Bylaw.

CITATION

2. This Bylaw may be cited for all purposes as “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2021.

READ a first time this 4th day of November, 2019.

READ a second time this 4th day of November, 2019.

PUBLIC HEARING held pursuant to the provisions of the Local Government Act

On the _____ day of _____ 2019.

READ a third time this _____ day of _____ 2019.

APPROVED pursuant to s.52(3) of the *Transportation Act*

On the _____ day of _____ 2019.

ADOPTED this _____ day of _____ 2019.

Aaron Stone, Mayor

Joanna Winter, Corporate Officer

STAFF REPORT TO COUNCIL

Report Prepared By: Jake Belobaba, Director of Development Services
Date: October 30, 2019
Report Reviewed By: Guillermo Ferro, CAO
Meeting Date: November 4, 2019
File No: 3360-02-19
RE: Zoning Amendments to Allow Cannabis Retail

RECOMMENDATION:

That Council:

1. Proceed with first and second reading of Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2021;
2. Direct staff to proceed with scheduling and notification of a public hearing for Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2021 as required by section 464(1) of the *Local Government Act*;
3. Proceed with first, second and third reading of Ladysmith Fees and Charges Bylaw 2008, No. 1644, Amendment Bylaw No. 7, 2019, No. 2022; and
4. Endorse Cannabis Retail Stores Public Notification Procedures Policy 13-6410-A.

EXECUTIVE SUMMARY:

This report presents to Council for consideration the necessary bylaws and policy required to implement Council's direction to legalize cannabis retail in select areas of Ladysmith.

PREVIOUS COUNCIL DIRECTION

Resolution	Meeting Date	Resolution Details
CS 2019-298	2019/09/16	<p>That Council:</p> <ol style="list-style-type: none"> 1. ... 2. Direct staff to prepare the necessary bylaw amendments to allow the retail sale of cannabis in a specified area of commercially zoned properties generally described as 1st Avenue and Esplanade between Ludlow and Baden-Powell Streets, as well as at Coronation Square. 3. Direct staff to include in the bylaw amendment to allow the retail sale of cannabis in a specified area of properties zoned light industrial in the area generally described as Ludlow Road and Rocky Creek Road.

Resolution	Meeting Date	Resolution Details
MS 2019-049	2019/09/09	That the Committee recommend to Council that staff be directed to prepare the necessary bylaw amendments to allow the retail sale of cannabis in a specified area of commercially zoned properties including 1st Avenue and Esplanade between Ludlow and Baden-Powell Streets, as well as at Coronation Square.
CS 2019-278	08/19/2019	That Council: 1. Receive the report "Community Survey on Retail Sale of Cannabis" May 2019 (Mustel Group) and summary of social media and PlaceSpeak public engagement regarding the retail sale of cannabis; and 2. Direct staff to review best practices from other municipalities in B.C. and utilize the public engagement results, to report back to Council with recommendations to permit the retail sale of cannabis in Ladysmith.
CS 2019-279	08/19/2019	That Council refer discussion of the results of the survey on the retail sale of cannabis to the next meeting of the Municipal Services Committee.
CS 2019-118	04/01/2019	That Council: 1. Continue with the proposed community consultation on the retail sale of cannabis in Ladysmith.
MS 2019-010	02/25/2019	That the Committee recommend that Council continue with the proposed community consultation on the retail sale of cannabis in Ladysmith.
CS 2018-346	09/17/2018	That Council: 1. Approve the proposed public survey on the retail sale of cannabis in Ladysmith 2. Direct that the survey be mailed to every household in Ladysmith
CS 2018-347	09/17/2018	That Council direct staff to investigate recent regulations regarding cannabis cultivation restrictions and adjust the public survey accordingly if necessary.
CS 2018-113	04/16/2018	That Council establish a budget of \$20,000 to support public consultation on the retail sale of non-medical cannabis in Ladysmith, with the funds to come from surplus, and direct staff to amend the Financial Plan accordingly.
CS 2018-114	04/16/2018	That the Mayor appoint three members of Council, including the Mayor, to an ad hoc Committee of Council to support the public consultation process on the retail sale of non-medical cannabis in the Town of Ladysmith.
CS 2018-115	04/16/2018	That Council direct the ad hoc Committee to use the 'Municipal Guide to Cannabis Legislation' - the framework provided by the Federation of Canadian Municipalities - to develop recommendations on locational or other criteria and a desired public input strategy and scope for Council's consideration with respect to the retail sale of non-medical cannabis in the Town of Ladysmith prior to embarking on a public consultation on the matter.

INTRODUCTION/BACKGROUND:

Recreational Cannabis became legal in Canada on October 16, 2018. Under the regulatory regime established by the federal *Cannabis Act* and the provincial *Cannabis Control and Licensing Act* the Government of Canada, Provincial governments and local governments each have a set of regulatory powers to regulate cannabis retail. Municipalities in BC can regulate cannabis retail stores through zoning, business regulation and “veto” powers related to the issuance of a provincial license. In March of 2017, the Town passed Bylaw 1921, which amended the Zoning Bylaw to prohibit cannabis retail within the Town.

From March 2017 to September 2019, public consultation, which included a survey of residents was carried out. On September 16, 2019, Council directed staff to bring forward zoning amendments to allow cannabis retail in the downtown (in the area between Esplanade, First Avenue, Ludlow Road and Baden-Powell Street), Coronation Square and Rocky Creek Road. Zoning Amendment Bylaw 2021, if approved, would execute these proposed amendments. Companion bylaw amendments and a policy are also required to ensure cannabis retailers can obtain provincial licenses in Ladysmith and to ensure the Town does not bear the cost of processing license referrals.

Under the provincial *Cannabis Control and Licensing Act* and the *Cannabis License Regulation*, cannabis retailers must obtain a provincial retail license to operate. This license cannot be issued without a positive recommendation from the local government—i.e. if a local government refuses to endorse a license application or abstains from considering it, the Province cannot issue the license. Similarly, if a license referral is improperly considered by the local government, the Province may require the local government to reconsider it. When considering a license referral, a local government must:

- Consider each application separately (blanket endorsements are not allowed).
- Gather resident views either by written comments in response to a public notice, a public hearing, a referendum or by another method the local government considers appropriate.
- Make a written submission to the Province, which must include the views of the local government, the views of residents, a description of the method used to gather resident views, a recommendation from the local government and reasons for the recommendation.

The provincial guide for local government approval of licenses is attached to this report and outlines these requirements in greater detail.

A local government can charge a fee to the applicant for processing and considering a provincial license referral. The proposed Cannabis Retail Stores Public Notification

Procedures policy, would establish the process required to comply with provincial license referral requirements and Bylaw 2022 establishes a fee for this process. Each bylaw and policy before Council for consideration is described in greater detail below.

Proposed Zoning Amendment Bylaw

Pursuant to Council resolution CS 2019-298, Zoning Amendment Bylaw 2021 will define the three areas specified by Council as areas where cannabis retail may be permitted; hereafter referred to as the “designated areas”. Since the three designated areas contain properties zones that do not allow retail (e.g. residential, live-work, parks, service station commercial and tourist commercial zones), and the Council resolution speaks to allowing retail on properties zoned “commercial” and “light industrial”, staff have assumed Council’s intention was to further limit cannabis retail to properties with commercial or light industrial zoning that already allows retail. Subsequently, Bylaw 2021 will establish a two part requirement for cannabis retail:

1. It must be zoned C-2 (in the Downtown), C-5 (in Coronation Square) I-1 (Rocky Creek Road); and
2. it must be located in a designated area.

Should Council wish to allow cannabis retail in more zones within the designated areas, ‘Alternative 1’ below, would allow the bylaw to proceed immediately to public hearing “as amended” and without the need to refer the bylaw back to staff. Similarly, ‘Alternative 2’ would remove one or more of the designated areas from Bylaw 2021 and allow the bylaw to proceed straight to public hearing. These alternatives have been provided to allow Council to easily refine the proposed cannabis regulations without needing to refer the bylaw back to staff.

Proposed Public Notification Procedures

The proposed policy establishes a procedure for considering provincial license referrals that complies with legislated requirements. The policy requires:

1. Notice on the subject property at least 14 days prior to the Council’s consideration of the license referral.
2. Mail notification to all owners and tenants of land within 60m of the boundary of the subject property.
3. Two consecutive advertisements in a local newspaper.

Under the proposed policy the applicant would be required to post the sign. Staff will carry out the mail and newspaper notification, however, the applicant is required to pay the mailing and newspaper costs. The proposed policy also outlines information that must be included in the notices listed above. Generally speaking, the notification requirements are similar those required for public hearings, although a public hearing is not required under the policy.

The proposed policy allows public feedback to be submitted in writing pursuant to Section 33(3)(a) of the *Cannabis Control and Licensing Act*. A staff report to Council is not required prior to Council consideration. Council can simply consider the written submissions, render a decision and provide reasons for the decision in accordance with the requirements of the *Cannabis Control and Licensing Act* and *Cannabis Licensing Regulation*. Staff will then prepare and submit the required submittals to the Province. If Council chooses not to endorse the license application, the Province must deny the application. If Council chooses to endorse the application, the Province then makes a final decision as to whether or not to issue the license.

Proposed Fees and Charges

Fees and Charges Amendment Bylaw 2022 establishes a base fee of \$2,000 for considering provincial license referrals. Mailing and advertising costs will be charged on top of this fee. This fee is the same as the fee for rezoning applications. Although quite different in process and requirements, the average cost to the Town (e.g. staff time, legal etc.) of processing both applications is expected to be similar, hence the same fee.

DISCUSSION:

Pursuant to Council's direction, staff have prepared the necessary zoning bylaw amendments and companion bylaw and policy changes to allow cannabis retail to occur in the designated areas. The proposed bylaws and policy are in keeping with Council's instructions and will allow retailers to begin applying for provincial licenses in the areas defined by Council. The OCP predates the legalization of cannabis retail in Canada, however, the proposed regulations would not be inconsistent with the policies of the OCP. Staff recommend adopting these new rules as drafted.

ALTERNATIVES:

Council can choose to:

1. Amend Bylaw 2021 to allow cannabis retail to occur in additional zones found within one or more of the designated areas and give the bylaw first and second reading as amended.
2. Amend Bylaw 2021 to delete:
 - a. clause 1(d)(i) and 1(d)(ii), to remove the Downtown as a designated area,
 - b. clause 1(d)(iii) and 1(d)(iv), to remove Coronation square as a designated area, or
 - c. clause (e), to remove Rocky Creek Road as a designated area.
3. Not approve the proposed bylaws and policy.
4. Refer the proposed regulations back to staff for further review, as specified by Council.

FINANCIAL IMPLICATIONS:

No additional resources (e.g. staffing) have been allocated or requested to process cannabis license referrals. Bylaw 2022 will establish a fee of \$2,000 for processing

provincial license referrals which is expected to cover the average cost of processing provincial license referrals. An opportunity cost is created from processing retail license referrals—i.e. resources to process referrals would otherwise be allocated to development applications, project work etc. However, at this time, the opportunity cost is expected to be manageable.

LEGAL IMPLICATIONS:

The bylaws have been developed with the support of legal counsel to meet legislative requirements. The proposed zoning amendments apply to areas within 800 meters of a controlled access highway and must be referred to the Ministry of Transportation and Infrastructure for approval following third reading. Also, if the zoning amendment bylaw receives first and second reading as recommended, a public hearing will be required.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

A public survey was conducted from April 29, 2019 to May 22, 2019 and the results of the survey were considered by Council on August 19, 2019, September 9, 2019 and September 16, 2019.

If the proposed zoning amendment bylaw is approved, the Town will begin receiving referrals from the Province for retail licenses. Collecting and considering public feedback is a provincial requirement for each license application. As noted above, Cannabis Retail Stores Public Notification Procedures Policy 13-6410-A meets these requirements.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

N/A

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

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

ALIGNMENT WITH STRATEGIC PRIORITIES:

- | | |
|--|---|
| <input type="checkbox"/> Employment & Tax Diversity | <input type="checkbox"/> Natural & Built Infrastructure |
| <input type="checkbox"/> Watershed Protection & Water Management | <input type="checkbox"/> Partnerships |
| <input type="checkbox"/> Communications & Engagement | <input checked="" type="checkbox"/> Not Applicable |

I approve the report and recommendation(s).

Guillermo Ferrero, Chief Administrative Officer

ATTACHMENT(S):

Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2021

Ladysmith Fees and Charges Bylaw 2008, No. 1644, Amendment Bylaw No. 7 , 2019, No. 2022

Cannabis Retail Stores Public Notification Procedures Policy 13-6410-A

'Local Governments' Role in Licensing Non-Medical Cannabis Retail Stores': Liquor and Cannabis Regulation Branch

Previously reviewed