



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council

File No.: 3360-20-2102

From: Chief Administrative Officer

Date: September 7, 2021

Subject: Zoning Amendment Bylaw No. 3030 - 3040 Kilpatrick Avenue

PURPOSE:

The purpose of this report is for Council to consider a Zoning Amendment to rezone the property legally described as Lot 1, Section 67, Comox District, Plan EPP79267 Except Air Space Plan EPP81977 (3040 Kilpatrick Avenue) from Comprehensive Development Twenty-Six (CD-26) to Comprehensive Development Twenty-Six A (CD-26A) to facilitate a multi residential development.

CAO RECOMMENDATIONS:

That based on the September 7, 2021 staff report “Zoning Amendment Bylaw No. 3030 – 3040 Kilpatrick Avenue” Council approve OPTION 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 3030, 2021;

That Council direct staff to schedule and advertise a statutory Public Hearing with respect to the above referenced bylaw; and

That Final Reading of the bylaw be withheld pending the registration of a Section 219 Covenant.-

Respectfully submitted,

Geoff Garbutt, M.Pl., MCIP, RPP
Chief Administrative Officer

BACKGROUND:

The applicant proposes to rezone the subject property to permit a 41-unit residential building at 3040 Kilpatrick Avenue. This is the final phase of a mixed-use development; the other two phases comprise a 74-unit residential building (strata-Phase One) and a mixed-use building with 58 rental residential units and 914 sq. m. of commercial space (Phase Two).

The 3,750 m² (0.93-acres) subject property is distinct from 3070 and 3080 Kilpatrick Avenue, which site Phases One and Two, respectively, by way of an airspace subdivision. The current CD-26 zoning (Zoning Amendment Bylaw No. 2868, 2017) allows multi residential use but identifies a drive-through restaurant as the intended use for the subject site. Adjacent land uses include a live/work strata complex to the east that has street access though the subject property and a commercial building to the north. Within the surrounding neighbourhood there is a diverse mix of commercial, industrial and residential uses as well as a linear City park along Cliffe Avenue (**Figure 1**).



Figure 1: Subject Property and Context

The subject property includes two access driveways for Phases 1 and 2, one of which is also the sole access for neighbouring 3030 Kilpatrick live/work units, as well as some covenanted residential and commercial parking spaces for the Phase 2 mixed-use building (**Schedule No. 6**). The majority of the property is currently undeveloped and has most recently been used as a construction staging area for the first two phases. Images of the site before and after the construction of the first two phases are shown in **Figure 2**.



Figure 2: Subject Property along Kilpatrick Avenue before and after phases 1 and 2

The proposed development comprises one five-storey building similar in form and character to the existing earlier phase buildings (**Schedule No. 1-2, 4-5**). The existing accesses and parking spaces will remain. Direct pedestrian access will be maintained from Kilpatrick Avenue to each of the buildings and a pedestrian connection through the development to the City’s greenway along Cliffe Avenue will be enriched with a play area on the subject site (**Schedule No. 6**).

The applicant is proposing to rezone the property from Comprehensive Development Zone 26 (CD-26) to a new CD-26A zone to facilitate the proposed development. Comprehensive Development zones are drafted for a specific development concept which does not fit within one of the City’s standard zones. Should the rezoning application be approved, but the project not be constructed, future development of the subject properties would have to adhere to the current development concept or require an application for a zoning amendment. The proposed change from a drive thru commercial building to a multi-residential development is shown below.



Figure 3: Subject Property Plan and Building Front as Permitted by CD-26 Zone (left) and as Proposed (right).

DISCUSSION:

Official Community Plan Review

The subject property is designated Commercial Shopping Centre in the OCP. Policies related to the Shopping Centre designation concentrate on providing a strong retail base with complementary office, personal service and restaurant uses, and in improving the appearance of these highly visible areas. While the focus is on guiding commercial development, there is policy support for locating residential uses close

to major shopping malls and other commercial areas where there is an association with significant amenities and public services. The proposed development will add 41 residential units adjacent to Anfield Centre and in close proximity to Driftwood Mall, two major shopping destinations in the city. The development is also located at the southern end of the Region’s Frequent Transit Corridor in proximity to a proposed future Transit exchange, and the project would facilitate a significant offsite upgrade to sanitary infrastructure for the area as noted in the Asset Management Implication section below, enabling additional development to the south.

The development is subject to the Multi Residential and Multi Residential Above 3 Storey Development Permit Guidelines. The applicant has submitted preliminary drawings and renderings as part of the rezoning application however details related to building character, materials and landscaping for the project will be finalized through the Development Permit process. The preliminary design is generally consistent with the development permit guidelines.

Zoning Review

This application is to rezone the subject property from Comprehensive Development Twenty-Six (CD-26) to Comprehensive Development Twenty-Six A (CD-26A) to accommodate the proposed multi residential building. The proposed CD-26A zone (**Schedule No. 1**) was drafted to reflect the development proposal as introduced in **Schedule No. 2** and detailed in **Schedules No. 4-6. Table 1** below provides a comparison of the existing CD-26 zoning, the proposed CD-26A zone and the R-4A zone, which is the most common multi-residential zone in the immediate area and provides land use regulation context. **Table 1** also notes the impact that the proposed building would have on the overall development concept.

Table 1.

Zoning Bylaw 2500, 2007 Section	CD-26	Proposed CD-26A	Result Total Phased Development	R-4A
8.53.2 Permitted Uses	General service, medical clinic, financial institution, office, restaurant, personal service, retail, fitness facility, studio, community service, liquor store, multi residential, and home occupation	multi residential and home occupation	General service, medical clinic, financial institution, office, restaurant, personal service, retail, fitness facility, studio, community service, liquor store, multi residential, and home occupation	Single, duplex and multi residential, home occupation, daycare, care facility, accessory commercial services for personal care and convenience of onsite residents, and community service limited to adult daycare
8.53.3 Max. Lot Coverage	40%	20%	~34%	Not Applicable
8.53.4 Max. FAR	1.2	0.82	~1.5	Apartments – 1.33
8.53.5 Min. Lot Size	1.0 ha	0.4 ha	1.08 ha	0.125 ha
8.53.6 Min. Lot Frontage	30.0 m	60.0 m	~92.5 m	30.0 m
8.53.7 (1) Front Setback	7.5 m below 9.0 m high; 11.5 m above 9.0 m high	8.0 m below 11.5 m high; 20.5 m above 11.5 m high	varies	6.0 m
8.53.7 (2) Rear Setback	7.5 m	18.0 m	varies	6.0 m
8.53.7 (3) Side Setback	4.5 m; 6.5 m 5 th storey abutting residential use	9.5m north; 13.5m south	varies	3.0 m; 4.5 m 4 th storey or flanking street

8.53.8 Building Height	Building 1 – 10.5 m roof parapet; 12.5 m elevator top Building 2 – 12.5 m roof parapet; 14.5 m elevator top Building 3 – 8.5 m	15.0 m to roof parapet; 17.0 m to elevator top	varies	14.0 m for apartment
8.53.9 Useable Open Space (UOS)	None previously required for Building 3 as no residences contemplated. 1,930 m ² total (about 16 m ² per dwelling unit) and a walkway between Cliffe and Kilpatrick	Min. 70 m ² play area, 250 m ² rooftop amenity area, decks and patios avg. 9 m ² , min. 4.5 m ²	varies	20.0 m ² per unit for apartment
8.53.11 (1) Min. Parking Spaces Per Residential Unit	1.3	52 for 41 units (1.27)	1.29	1.5 stalls per residential unit
8.53.11 (4) Min. Parking Space Width; Length	2.6 m; 5.5 m	2.6 m; 5.5 m		2.75 m; 5.5 m
7.1.6 (7) Min. Extra Space Against Wall	0.6 m	Per parking plan (~0.3 m min.)	varies	0.6 m
8.53.11 (5) Min. Underground Aisle Width	6.7 m in accordance with existing schedule	6.7 m in accordance with new schedule	6.7 m	7.2 m
8.53.11 (6) Max. Small Car Proportion	25%	25%	20%	10%
8.53.12 (1) Min. Landscape Buffer Width Adjoining Residences or Park	4.0 m except as in existing Schedule A	4.0 m except as in new Schedule A (min. 3 m)	varies	3.0 m
8.53.12 (2) Min. Landscape Buffer Width Adjacent Commercial Use	3.0 m	3.0 m	varies	3.0 m
8.53.12 (2) Min. Landscape Buffer Width Adjoining Street	7.5 m	7.5m except as in new Schedule A (min. 6 m)	varies	4.5 m

* minor exceptions have been built into the CD-26 and CD-26A zones for specific building features

Use and Density

The proposed multi residential building will result in an increase in floor area ratio project-wide by about 20% over the maximum currently permitted. In this regard, the subject site had been intended as a much lower-density two-storey drive-through restaurant. The applicant has noted difficulty securing a business to fill the approved drive-through restaurant building and also a high vacancy in the already built ground floor commercial units in Phase 2, contrasted with ready market absorption of residential units, as reason for the proposed changes.

Staff viewed the preceding comprehensive development plan as broadly compatible with surrounding land use, site constraints, increased housing supply and transportation goals. The current plan increases the residential and overall built density, a direction consistent with the draft OCP for the area. There are neighbourhood concerns associated with the increased density, as reflected in increased and substantial

public feedback (as noted below and detailed in **Schedule No. 3**), though this partly reflects there being more neighbours now with the first two phases complete (including 3080 Kilpatrick residents whose comments all included parking concerns).

Building Height and Setbacks

At five storeys, the proposed building would be similar in height to the first two, as would the proposed elevation at the top of the elevator at 30.12 m (vs. 28.55 m for Building 1 per DP1729 and 29.8 m for Building 2 per DP1813). The proposed building's calculated height is 16.42 m from the average height of the curb at the front lot line. The parapet is 14.3 m and the top floor steps back above 11 m. The existing zone allows 8.5 m for a building at this location. This increased height – in concert with the expanded building footprint as seen in **Figure 3** above – brings massing that would reduce the street visibility of 3030 Kilpatrick Avenue live/work units which is a primary concern for some neighbours as noted in the citizen/public engagement section below and **Schedule No. 3**. Staff note, as seen in **Figure 2** above, the pre-development sightlines to the ground floor commercial uses in the adjacent live-work units were largely obscured from the west and south as a result of grade changes from the street and existing vegetation. Post development, the sightlines from the north will remain largely unchanged as the access road for this development and the existing commercial development to the north will remain unchanged, as seen in **Figure 4**. However, it is acknowledged that if approved the larger footprint of the residential building will reduce sightlines to the existing live-work units when compared to the approved commercial drive-through. In an effort to assist the adjacent businesses the developer has proposed to include a location on the development site for signage.



Figure 4: 3030 Kilpatrick Ave from north

Proposed setbacks are wide, especially the rear setback at 18.0 m (14.0 m to the underground parking). The proposed building siting is 23.81 m from the nearest rear lot line; however, an 18.0 m setback is proposed to provide flexibility for the final design of an accessibility ramp. The front setback is proposed to be 8.0 m for the first four floors, aside from ground floor patio divider projections, and a wide 20.5 m for the top floor. North and south side setbacks are 9.5 m and 13.5 m, respectively, with more modest top floor stepping. Side yard setbacks include driveways on both sides of the building, so they may not bring the spacious feeling and through-site visibility that the raw numbers suggest, but they are more than double the existing requirement or that of the multi residential R-4A zone.

Landscaping and Useable Open Space

A detailed landscaping plan will be submitted as part of the development permit application requirements. As specified in the proposed CD zone, a 7.5 m wide landscaped frontage will be required along Kilpatrick Avenue, with allowance for a usable open space for first floor units to project to within 6.0 m. The rear landscape buffer narrows slightly from the previously approved plan, to a minimum of 3.0 m, in order to convert previously considered small car parking spaces to full size, but otherwise meets existing requirements.

Usable open space was not originally required for this portion of CD-26, as it was to be commercial. Elsewhere in the development, 1,980 m² of useable open space is provided which equates to approximately 16 m² per dwelling unit, whereas multi residential developments typically require 20 m² per dwelling unit. The current application approaches the 20 m² per dwelling unit target but the focus is on quality spaces over just quantity: A 266 m² (2,863 ft²) rooftop amenity area and a 75 m² rubber-tiled play area with benches (**Schedule No. 6**) along the trail connection complement the shared or private patios and decks which average 9.4 m² (101.3 ft²) and are each a minimum of 4.7 m² (50.3 ft²). The play area does not feature a play structure. As discussed with the previous rezoning, with the exception of walking trails, there is limited recreation space in the neighbourhood and onsite. While it is advantageous for developments targeting families with young children to provide onsite play areas, it may be less important for other groups likely to reside in a more urban style of development such as singles, couples without children, families with older children and senior residents. The developer will be contributing approximately \$20,500 toward the Parks, Recreation, Cultural and Seniors Facilities Amenity Reserve Fund in accordance with OCP policy. This contribution can then be used to improve park space and recreational facilities in the area. The amenity contributions will be secured through a covenant registered on title prior to final adoption of the zoning amendment, payable at building permit application.

Parking

The existing zone permits relaxations of parking ratios when compared to standard zoning requirements. The current proposal maintains parking allocated to Phase 2 and trail connectivity, but provides one fewer parking space (52) than would be required to meet the existing zone's 1.30 spaces per residential unit minimum (53). The overall parking requirements are shared between phases and secured by easement. A parking study by Watt Consulting Group submitted for the previous rezoning recommends 1.2 spaces per unit plus 0.1 visitor spaces per unit. A 2021 Watt Consulting Group parking study examined use of parking spaces for Building 1, which is a 74-unit strata building, on a February Tuesday evening from 9:00-10:30pm. 73 vehicles were found. Based on this and other inputs such as unit mix and visitor parking studies elsewhere, Watt calculates a demand of 40 spaces (**Schedule No. 6**). Public comments, however, suggest that existing parking is insufficient with residents of the existing buildings parking on neighbouring commercial properties whether due to not having paid for private stalls or having multiple vehicles possibly unreported to the property manager (**Schedule No. 3**).

There is policy support in the OCP for reducing the required number of parking stalls in effort to encourage alternate modes of transportation, the site is within 100 m of the busy Anfield bus stop on the frequent transit corridor, and one secure weatherproof bicycle parking space is proposed per unit, as well as six short-term spaces. If parking allocation issues can be worked out to reduce spillover to neighbour properties, this can be a strong location for alternative transportation choices that support reduced parking requirements. Despite the recent Watt study findings, staff does not recommend further reductions beyond what is proposed. The current proposal's parking plan, included in as **Schedule C** of the CD-26A zone in the attached **Schedule No. 1** draft zoning amendment bylaw, additionally shows electric vehicle charging.

Traffic and Access

The applicant submitted a 2021 Traffic Impact Assessment report by Watt Consulting Group that examines the proposed multi residential development's traffic impacts and site access (**Schedule No. 6**). The proposed development would negligibly increase traffic along Kilpatrick Avenue, not changing level of service (LOS) classification for any directional movements at the Kilpatrick Avenue / 29th Street, Kilpatrick / 30th St, or Cliffe Avenue / Anfield Road intersections, all remaining at existing LOS A-C classifications on an A through F scale on which A is best, F is worst, and D is commonly considered to be on the threshold of

acceptability. The site access on Kilpatrick Avenue (westbound-exit), produces an LOS C with the new building. A two-way Kilpatrick left turn lane allows left-turn site access. The study expects 18 PM peak hour trips generated by the proposed 41 units, less than one-third the 57 PM peak hour trips modelled for a 3,000 square foot drive-through coffee shop in the previous 2016 Watt Consulting Group Traffic Impact Assessment. As the proposed development is within 800 m of a Ministry of Transportation and Infrastructure highway, the development application and traffic impact assessment were circulated to the Ministry for review. The Ministry has stated that it has no objections to the proposal.

The area lacks schools and civic amenities, but it has many commercial amenities and services accessible by foot (5 minutes to Anfield Centre, 7 to Driftwood mall) and bus service runs every 20 minutes during peak hours to Anfield Centre/Driftwood mall, downtown Courtenay, North Island College and downtown Comox, providing access to schools and many civic amenities and services. Kilpatrick Avenue has sidewalk on the same side as the proposed development and the site also links to the City trail along Cliffe Avenue.

Affordable Housing Policy

The City's Affordable Housing Policy recognizes that finding affordable and adequate housing remains a challenge for many of our citizens. It encourages a range of housing opportunities and the provision of support services to improve the overall well-being of our community. While the proposed development does not include any subsidized or below market rental units, it does align with the affordable housing policy to increase housing densities near or adjacent to major destinations in the City as a means of expanding housing options.

FINANCIAL IMPLICATIONS:

There are no direct financial implications related to the processing of this rezoning application as the fees are designed to offset the administrative costs. The application fee for the proposed zoning amendment was \$10,000.

The development will also be subject to development cost charges which will be determined at time of Building Permit dependent on final building design. The proposed development will also contribute community amenity contributions to the Affordable Housing and the Parks, Recreation, Cultural and Seniors Facilities Amenity Reserve Funds in accordance with OCP policy at time of Building Permit.

ADMINISTRATIVE IMPLICATIONS:

Processing zoning bylaw amendments is a statutory component of the corporate work plan. Staff have spent more than 120 hours processing and reviewing this application. Should the proposed zoning amendment receive First and Second Readings, staff will spend an additional 5 hours in preparation for the public hearing, preparation of the covenants to be registered on title, final reading of the bylaw, and updating the bylaws and maps.

ASSET MANAGEMENT IMPLICATIONS:

The applicant has agreed to complete a required capacity upgrade to the Mansfield sanitary lift station as part of the development. This represents an estimated \$550,000-\$650,000 that will also enable additional development further south. Should the rezoning be denied, staff will include funds in a future budget to undertake these works.

2019 – 2022 STRATEGIC PRIORITIES REFERENCE:

- Communicate appropriately with our community in all decisions we make
- Focus on asset management for sustainable service delivery
- ▲ Encourage and support housing diversity

OFFICIAL COMMUNITY PLAN REFERENCE:

Shopping Centres:

4.2.3(1) support residential use close to major shopping malls and consider it appropriate in commercial areas along Cliffe Avenue, Ryan Road, Comox Road, or Island Highway where an association with major amenities and public services can be demonstrated.

Residential:

- 4.4.2(1) Optimize the use of existing lands in the City with a long term consideration to expand boundaries and protect adjoining lands from further development to meet the future needs of the City.
- 4.4.2(8) Ensure all new development includes the provision of amenities including buffer areas along major roads, neighbourhood parks, sidewalks, trails, and public facilities.
- 4.4.3(1) balance land uses to create a vibrant and diverse neighbourhood and community
- 4.4.3(2) create neighbourhoods that will offer a variety of transportation choices
- 4.4.3(Density)(5) City supports the designation of multi residential housing in a variety of locations to avoid large concentrations of the same type of housing in one area and to help provide more diversity within neighbourhoods. In this regard,
 - a) multi residential development shall be limited in scale and size outside of the downtown area
 - b) have sufficient amenity space for the recreational needs of the development, access to schools, parks, walkways, transit and complementary commercial/service uses, adequate buffers areas from major roads and adjacent land uses
 - c) priorities for multi-residential development will be:
 - high – downtown area including along riverfront
 - medium – intensification of existing sites
 - low – peripheral expansion subject to Local Area Plan

Climate Change:

Objective 1: (1) The City will encourage and support initiatives that reduce the number of passenger vehicle trips throughout the community

Objective 1: (4) The City will reduce the ratio of parking for new developments within its jurisdiction

Objective 2: (3) To encourage incremental infill development in core and suburban settlement areas, the City will:

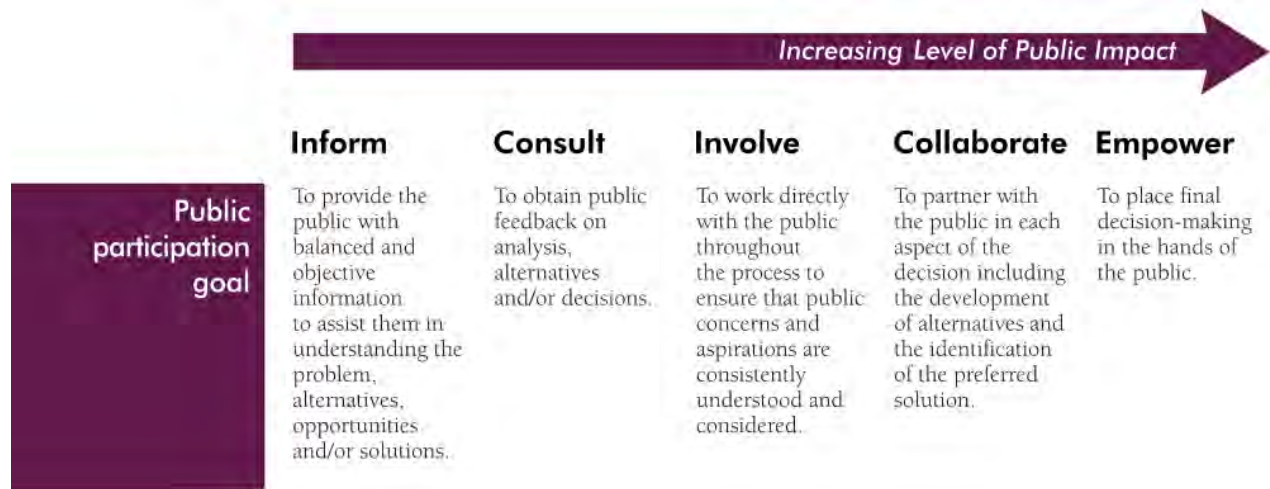
- a) Encourage compact developments within 400 m of service corridors

REGIONAL GROWTH STRATEGY REFERENCE:

The proposed development is consistent with the following Regional Growth Strategy policies: locating housing close to existing services, directing new residential development to Core Settlement Areas; directing higher density developments to Municipal Areas; and increasing housing opportunities within existing residential areas in Core Settlement Areas by encouraging multi-family infill developments.

CITIZEN/PUBLIC ENGAGEMENT:

Staff will “consult” the public based on the IAP2 Spectrum of Public Participation:



Should Zoning Amendment Bylaw No. 3030, 2021 receive First and Second Readings, a statutory public hearing will be held to obtain public feedback in accordance with the *Local Government Act*. Prior to this application proceeding to Council, the applicant hosted two public information Zoom meetings (March 30th and May 4th), posted a questionnaire on the company website, and sent Alternative Public Information Packages to owners and residents within 100m of the subject property.

The first Zoom meeting had short notice time and neither Zoom meeting notified all owners and renters within 100m due to a City clerical error (missing addresses in the new 3070 and 3080 Kilpatrick buildings), but Zoom meetings are viewed by Planning as complementary to the required Alternative Public Information Mailouts. City staff learned June 28th that 3080 Kilpatrick residents had been notified by email rather than mail and that they were not given City contact information for feedback, but Planning did receive direct feedback from some 3080 Kilpatrick residents as noted below, and residents will be contacted directly by the City for Public Hearing should Council choose to schedule one. A summary of the public engagements is attached as **Schedule No. 3**, including meeting notes and correspondences to the applicant and to the City that were passed redacted to the applicant for comment.

The applicant reported 35 responses to the questionnaire on the company website from ten email addresses, all but one supportive. One email address had 23 associated names and provided one comment, that the location is great. This was echoed by two individual responses, one specifically noting stores and walking trails. The opposing comment was from a respondent with numerous concerns that were more fully documented in other forms of consultation summarized below.

The City received responses from 36 people representing 32 addresses, some of whom also had comments noted from the Zoom meetings. Of the 32 addresses, seven voiced support, 21 opposition and four had

specific concerns but not clear support or opposition. Parking was the most frequent topic, mentioned by people at 18 addresses, followed by negative impact on nearby business (11 total). Both of these have been discussed in previous sections. Traffic was a concern in 13 responses, but with two distinct sets of concerns both discussed above – congestion (8) and safety (7).

Other comments received in decreasing numbers included: Due process and notice; 3030 Kilpatrick visibility; neighbourhood feel; affordability; housing need; construction impacts; form/design; timing (relation to COVID-19 and/or market conditions); garbage/dog waste; noise; crime; views/visibility for 3070/3080 Kilpatrick; interpersonal conflict; tenure; maintenance costs including parking enforcement; location/fit; 3030 Kilpatrick access; sign; shadow; snow; emergency water/waste flows; service interruptions; construction workforce sourcing; want of approved drive-through use; property values; water pressure; mental health; and bringing people and money into the community. No major changes to plans were noted based on the above. The applicant did however discuss most topics, revise plans and provide supplementary materials to clarify parking and access, indicate agreement on backup power systems for emergency pumps, and considerably expand the rooftop open space plus add some limited programming to the play area which may improve safety by attracting resident recreation farther from parking and vehicle access areas.

A petition against the proposed development was emailed to the City July 23rd 2020 with 251 names collected from three neighbouring businesses, included in Schedule No. 3.

OPTIONS:

OPTION 1: (Recommended)

That based on the September 7th, 2021 staff report “Zoning Amendment Bylaw No. 3030 – 3040 Kilpatrick Avenue” Council approve OPTION 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 3030, 2021;

That Council direct staff to schedule and advertise a statutory Public Hearing with respect to the above referenced bylaw; and

That Final Reading of the bylaw be withheld pending the registration of a Section 219 Covenant.

OPTION 2: Defer consideration of Bylaw No. 3030 with a request for more information.

OPTION 3: Defeat Bylaw No. 3030.

Prepared by:



Mike Grimsrud,
Planner II

Reviewed by:



Matthew Fitzgerald, RPP, MCIP
Manager of Development Planning

Concurrence by:



Ian Buck, RPP, MCIP
Director of Development Services

Concurrence by:



Geoff Garbutt, M.Pl., MCIP, RPP
Chief Administrative Officer

Attachments:

- Schedule No. 1: Draft Zoning Amendment Bylaw No. 3030
- Schedule No. 2: Applicant's Written Project Description
- Schedule No. 3: Public Information Meetings, Mailouts & Feedback
- Schedule No. 4: Site and Building Plans
- Schedule No. 5: Sustainable Evaluation Checklist
- Schedule No. 6: Additional Materials – Total Development Parking, Parking Study, Traffic Study, Play Area

Schedule No. 1: Draft Bylaw

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 3030

A bylaw to amend Zoning Bylaw No. 2500, 2007

The Council of the Corporation of the City of Courtenay in open meeting assembled enacts as follows:

1. This bylaw may be cited for all purposes as “**Zoning Amendment Bylaw No. 3030, 2021**”.
2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:
 - (a) Amending Division 8 – Classification of Zones through the addition of:

Part 53 – Comprehensive Development Twenty-Six A Zone (CD-26A) 3040 Kilpatrick Avenue as attached in **Attachment A**.
 - (c) by rezoning Lot 1, Section 67, Comox District, Plan EPP79267 Except Air Space Plan EPP81977 (3040 Kilpatrick Ave.) as shown in bold outline on **Attachment B** which is attached hereto and forms part of this bylaw, from Comprehensive Development Zone Twenty-Six (CD-26) to Comprehensive Development Zone Twenty-Six A (CD-26A).
 - (d) That Schedule No. 8, Zoning Map be amended accordingly.

3. This bylaw shall come into effect upon final adoption hereof.

Read a first time this	day of	, 2021
Read a second time this	day of	, 2021
Considered at a Public Hearing this	day of	, 2021
Read a third time this	day of	, 2021
Finally passed and adopted this	day of	, 2021

Mayor

Corporate Officer

Approved under S.52(3)(a) of the Transportation Act

Tallina McRae, Development Services Officer
Ministry of Transportation and Infrastructure
Vancouver Island District

Attachment A

Part 53 - Comprehensive Development Twenty-Six A Zone (CD- 26A) (3040 Kilpatrick Ave.)

8.53.13 Intent

The CD-26A Zone is intended to accommodate a multi residential development on the property legally described as Lot 1, Section 67, Comox District, Plan EPP79267 Except Air Space Plan EPP81977. This property shall be developed substantially in accordance with Schedules A, B, and C, which form part of this zone

8.53.14 Permitted Uses

The following uses are permitted and all other uses are prohibited except as otherwise noted in this bylaw:

- (1) *Multi Residential*
- (2) *Home Occupation*

8.53.15 Lot Coverage

A *lot* shall not be covered by buildings to a greater extent than 20% of the total area of the *lot*

8.53.16 Floor Area Ratio

The maximum *floor area ratio* shall not exceed 0.82

8.53.17 Minimum Lot Size

A *lot* shall have an area of not less than 0.40 hectares

8.53.18 Minimum Lot Frontage

A lot shall have a *frontage* of not less than 60.0 m

8.53.19 Setbacks

Except where otherwise specified in this bylaw the following minimum *building setbacks* shall apply:

- (1) *Front Yard*: 8.0 m for that portion of a building with a height less than 11.5 m and for railings above and affixed to said portion
20.5 m for that portion of a building with a height greater than 11.5 m
Despite the required *front yard setbacks* above, architectural fence details may project into the front yard setback up to 2.0 m with a height up to 2.0 m
- (2) *Rear Yard*: 18.0 m except for underground parking structures which shall be at least 14.0 m

- (3) *Side Yard*: 9.5 m north side
13.5 m south side

8.53.20 Height of Buildings

Maximum *building height* shall be in accordance with Schedule B and includes the elevator and roof top mechanical systems. Maximum *building height* is 15.0 m to roof parapet and 17.0 m to top of elevator measured from curb height. For clarity, the curb height is determined as the average curb height along the lot frontage

8.53.21 Useable Open Space

Useable open space must be provided and include at minimum:

- (1) 70 m² play area as shown in Schedule A
- (2) 250 m² rooftop amenity area
- (3) Patios or balconies for averaging 9 m² per unit, with a minimum size of 4.5 m²

8.53.22 Off-Street Parking and Loading

Off-street parking shall be provided and maintained in accordance with the requirements of Division 7 of this bylaw except:

- (1) 52 *parking spaces* shall be provided for 41 dwelling units on the property and corresponding visitor parking
- (2) 33 *parking spaces* shall be provided for 3080 Kilpatrick Avenue commercial and residential use
- (3) Minimum parking stall dimensions are 2.6 m in width and 5.5 m in length for standard stalls
- (4) Minimum aisle width in the underground parking structure can be reduced to 6.7 m in accordance with Schedule C
- (5) Minimum additional space for *parking spaces* and manoeuvring aisles where abutting a wall or building can be reduced in accordance with Schedule C
- (6) No more than 25% of *parking spaces* can be designated as small car *parking spaces*
- (7) Bicycle parking facilities must be provided at a rate of one secure stall per unit

8.53.23 Landscaping and Screening

In addition to the Landscape Requirements identified in Part 14 of this bylaw, the following landscape requirements shall be met:

- (1) A landscaped area of not less than 4.0 m in width shall be provided inside all property lines adjoining residential use and public parkland except reduced widths shown in Schedule A
- (2) Where a *lot* in this zone adjoins a *street*, a landscaped area of at least 7.5 m in width extending along the entire frontage of the property shall be provided inside the property line except reduced widths shown in Schedule A
- (3) Storage areas, garbage and recycling containers shall be screened and gated to a minimum *height* of 2 m by a *landscaping* screen or solid decorative *fence* or a combination thereof.

Schedule A

Note: Please refer to full size drawings in file 3360-20-2102



<p>A - 1.02</p>	<p>2021.06.28</p>	
	<p>OCIP & REZONING APPLICATION</p>	
	<p>BUILD 3</p>	
	<p>NEWPORT VILLAGE COMMUNITY DEVELOPMENT LTD</p>	

Schedule B

Note: Please refer to full size drawings in file 3360-20-2102



dbs
ARCHITECTURAL DESIGN & ENGINEERING
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SUITE 200
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TEL: 604.681.8888
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NEWMARK VILLAGE
COURTNEY DEVELOPMENTS LTD.

BUILD 3
OCP & RE-ZONING
APPLICATION

2021.06.28

A - 1.27

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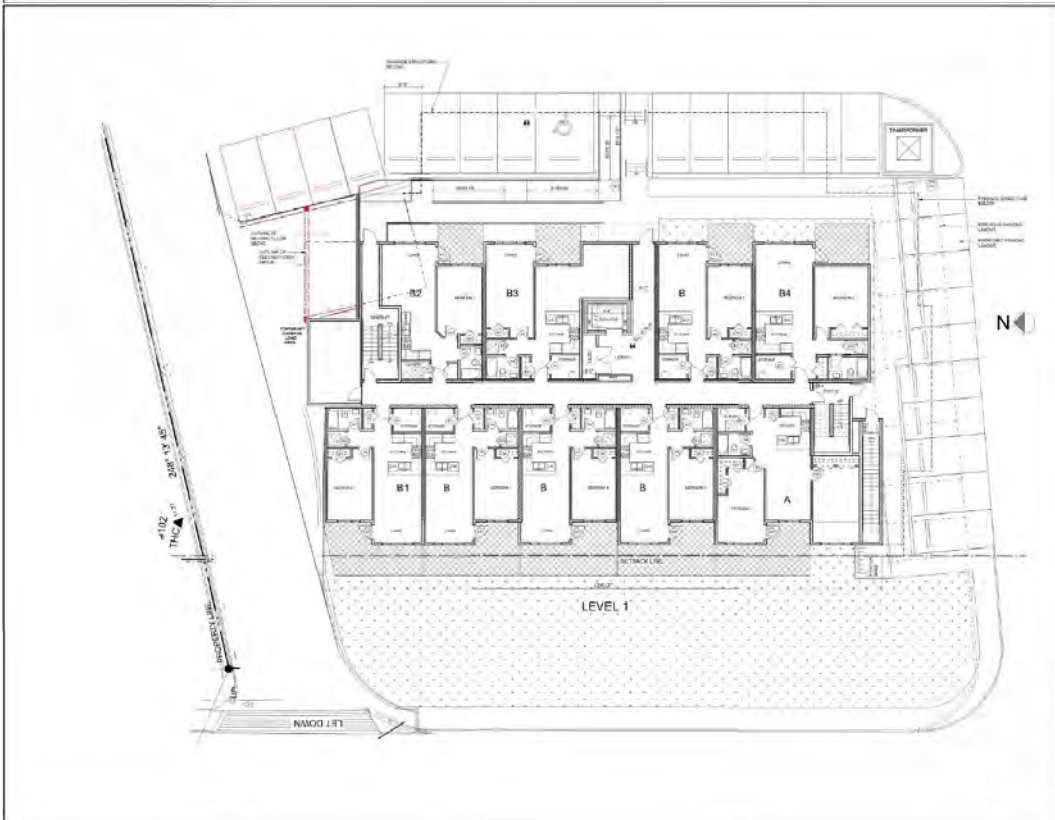
BUILD 3
OCP & RE-ZONING
APPLICATION

2021.06.28

A - 1.28

Schedule C

Note: Please refer to full size drawings in file 3360-20-2102

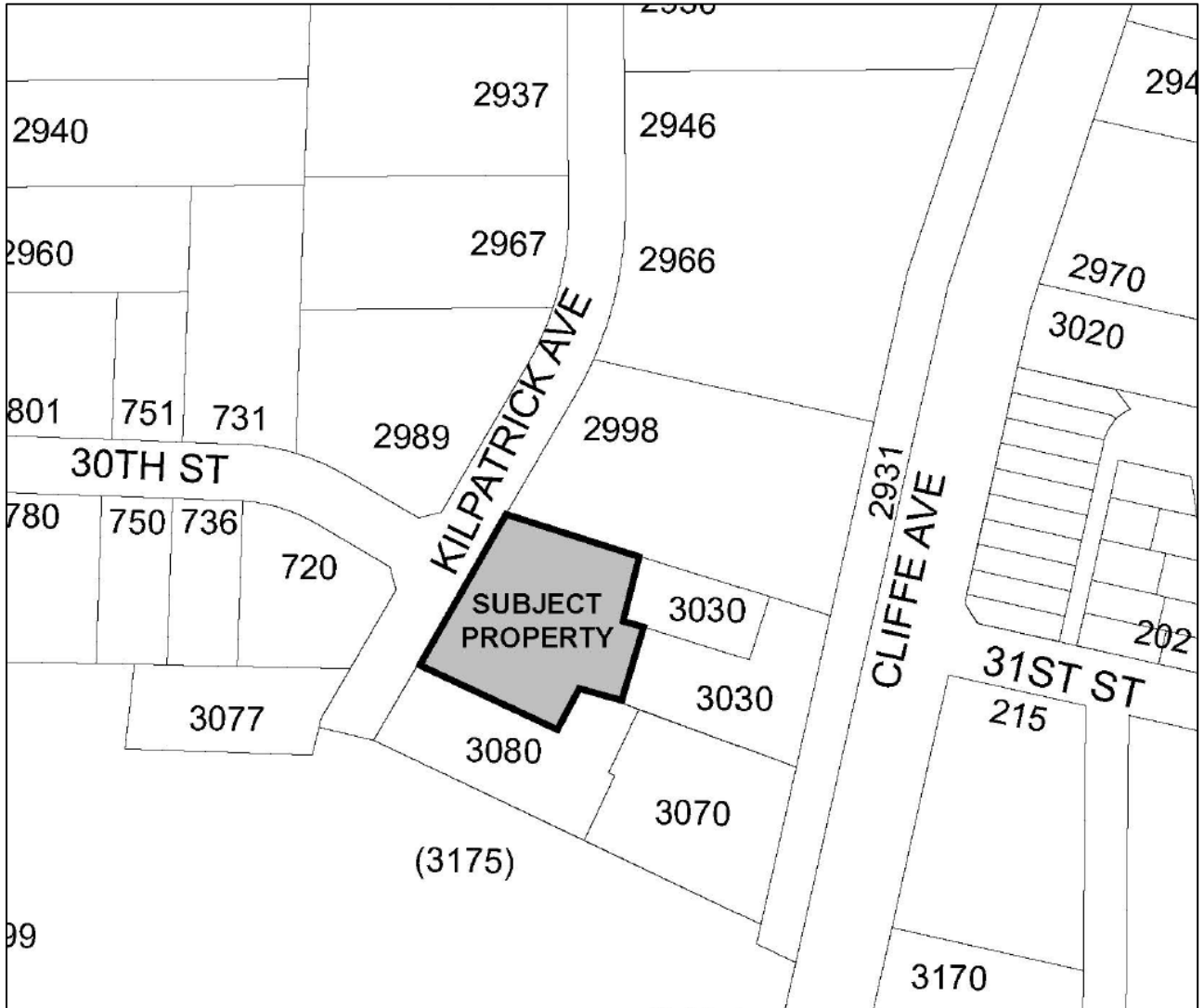


MEMPHIS LLC
MEMPHIS DEVELOPMENT LLC
BUILD 3
DCP & RE-ZONING
APPLICATION
2021.06.28
A - 1.20



MEMPHIS LLC
MEMPHIS DEVELOPMENT LLC
BUILD 3
DCP & RE-ZONING
APPLICATION
2021.06.28
A - 1.21

Attachment B



Schedule No. 2: Applicant's Written Project Description



CITY OF COURTENAY

Zoning Amendment Application

Supplemental Planning Report for Building 3 at Newport Village

3040 Kilpatrick Ave

January 10, 2021

Newport Village Courtenay Development Ltd.

January 10, 2021

Att: Matthew Fitzgerald

City of Courtenay
830 Cliffe Avenue
Courtenay, BC
V9N 2J7

RE: **Zoning Amendment Application**
*Proposed new Condo Building in the South Commercial Neighbourhood at
Newport Village*

Project Location: **3040 Kilpatrick Ave**
Courtenay, BC

Dear Matthew, Ian & Council,

Further to our meeting November 18th 2020 and subsequent discussions with yourself, please find enclosed and attached Development Applications, Supplemental Planning Report, Project Plans and additional preliminary attachments & Reports for the above referenced property to Amend the Zoning (CD26) for a new Condo building.

Approval of this application will facilitate a new Residential building constructed as:
- Building 3, at Newport Village

We look forward to working with Council & Staff towards bringing forward our Building 3 at Newport Development to this transit-oriented neighbourhood.

Respectfully,

Sasha Rasovic
President

Cell: 604.722.0430
Email: sasha@dulex.ca

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Additional Attachments

- i. Architectural Concept Plans**
- ii. Engineering Key Plan & Servicing Feasibility**
- iii. High Level Traffic Impact Report**
- iv. Parking Study**
- v. Archeology Report**
- vi. Phase 1 Environmental Report**
- vii. Geotechnical Report**
- viii. Survey**

1.0 EXECUTIVE SUMMARY

Newport Village Courtenay Dev Ltd in co-ordination with our Consultant Team are pleased to submit our *Zoning amendment Application* for Building 3 in *South Commercial Neighbourhood*, South Courtenay

Our Development Team has undergone a comprehensive review of the current zoning & DP Planning Documents, Zoning Bylaws and Policy Statements for this key area. We have met with Planning Staff and Senior Planning Management regarding our development.

This application has been triggered by the Ultra Low new Condo supplies in the City of Courtenay and a large void in new Residential Units within close proximity to the large “Big Box” Commercial Development. As a community stakeholder and land owner of a key development property within the South Courtenay Commercial Neighbourhood we are excited to come forward with an application to amend our current zoned (CD26) development for a new Condo Building . The enclosed report, attached plans, studies and reports provide a summary of the rationale and vision of our submission for Rezoning amendment.

A Development Permit and Subdivision application will be submitted in due course following final review and steps from staff and council.

In keeping with the City of Courtenay Transit-Oriented Development Strategy, the Development Proposal integrates these policies and attempts to leverage the opportunities for the future with-in this identified transit neighbourhood. We recognize the land use transition that is taking place within this neighbourhood and are sensitive to the existing assets and building forms surrounding the site.

Building 3 is the last phase at Newport Village where we have already constructed two 5 storey buildings. The site is located on an established transportation and pedestrian spine to service the residents of South Courtenay with access to the Cliffe Ave Transit corridor. The surrounding uses transition from our Building 1 – 74 units Condo Building & Building 2 – mixed use 58 units Apartment and commercial ground floor building, 2-3 storey Live-Work Townhouses to the North East and the large Box-Store Commercial Development the “Smart Centre” directly adjacent to the South.

Balancing the current land uses, existing long term assets, recognized transit corridor the land use transitions will be critical to the planning and development of this neighbourhood. With an eye to the future, this key property is positioned to provide a built form that will further establish Kilpatrick Ave as a neighbourhood node while providing the necessary density and housing choices

2.0 DEVELOPMENT SUMMARY

The subject property is located between Kilpatrick & Cliffe Avenue in the Southern Corridor of Courtenay

Address: 3040 Kilpatrick Ave

Lot Area: 40,367 square feet



Current OCP: Commercial Shopping Centres
Proposed OCP: Condo
Current Zoning: CD-26
SCN: - South Commercial Neighbourhood

Context

The South Commercial Neighbourhood is influenced by a predominant Industrial and Commercial land use with low/medium density residential townhouses & 3, 4 & 5 level Apartment style Developments

The site is bordered to the South by a large “Big-Box” store Commercial Development know as the “Smart Centre” covering approximately 23 Acres with 243,000 Sq. Ft. of Leasehold space home to some National Tenants; Walmart, Staples, Winners Sport Check, Best Buy, etc just to name a few.

Existing Development consist of Building 1 – 74 Units 5 storey, Building 2 mixed use 58 Residential units & ground floor Commercial 5 storey, North of the site is a 3 Story “Live-work” Strata Townhouse Development, directly adjacent to several City blocks of Commercial Developments .

On the East side of Cliffe Ave, opposite the proposed development is a newly constructed Purpose Built Rental Complex “Acadia on the Walk” with 2 stand alone 4 Storey Residential buildings. This Development has only surface Parking.

Topography

The overall site is slightly sloping West to East with approximately 5-8ft of grade difference. The existing sidewalk elevation on Kilpatrick Ave will provide the benchmark for the main floor grade & entrance elevations.

Engineering

The site is currently vacant and has never been built on. The site has been improved with curb & gutter, sidewalk and street lights all deep and shallow utilities have already been installed



Proposed Development Concept

The Development Proposal is an amendment to the current Development C-D26. five Level wood frame on a concrete parkade. The development concept would provide secure underground and enclosed parking with short term enclosed parking at grade for visitor use. All Parking stalls will have EV plug in capacities. The building design allows for generous setbacks to the west and East, will include an expanded urban pedestrian realm between Kilpatrick and Cliffe Ave keeping consistent with Form 7 Character of the 2 previously constructed Buildings. All units will have a designated Bike stall in Parkade Bike room 1st of its kind in Courtenay

2.1 Architectural

Brad Humphrey Architect have prepared substantially detailed Building & Site plans (attached) as part of the Rezone amendment Application. While we recognize these plans are well beyond the requirements for the attached application they provide a strong base line concept and design rationale to continue with a High Quality Urban design for the neighbourhood.

In response to key issues the project has provided an expanded public realm, key building articulation, material diversity and a vocabulary that expresses a continues new vision for the area. Having great success with the first 2 Buildings, keeping a continuous realm of Form & Character was a must, in bringing forward this Building 3.

Unit sizes and layouts have taken into consideration a mix of housing affordability, demographics and market dynamics in the neighbourhood. The current affordability and economics of the local market has yet again dictated a wood frame form as the most feasible.

2.2 Landscaping Report

Fred Brooks Engineering & Landscape Architecture has been retained and will produce Landscape Drawings for DP Submission

2.3 Civil Engineering

Wedler Engineering has been retained and has fully designed & inspected installation to all Utilities & Servicing for the entire Development, all report were submitted to Engineering. Attached are completed Civil Engineering drawings with works completed to service the Development;

1. Preliminary Key plan of the service connections
2. Sanitary Catchment area wide analysis
3. Water flow analysis and review

2.4 Traffic

Watt Consulting Group was retained to further update the Traffic impact study. Attached is their report identifying the opportunities, constraints and traffic impact for the proposed Building.

2.5 Parking

Watt Consulting Group was retained to conduct a Parking study and set an appropriate Parking ratio for our Development. Brad Humphrey Architect has reviewed the relevant Policies and has incorporated the ratios with respect to resident and visitor stalls consistent with the newly adopted Parking Policies.

2.6 Sustainable Initiatives

The following Initiatives will be adopted

- Create Erosion & Sediment Control Plan for the construction phase of the Development
- Site is not prime farmland or ecologically sensitive land
- Site is unoccupied land located close to bus route
- Implement Storm Management Plan
- Light pollution reduction. To provide low light levels and uniformity ratios for exterior areas and avoid light pollution of adjacent developments
- Landscape areas allow water infiltration and water retention

Water efficiency

- Water efficiency irrigation
- All fixtures will be designed with optimum water management, including water efficient toilets, faucets and shower heads

Energy and Atmosphere

- Building will meet the 2016 Ashrae 90.1 requirements
- Zero use of CFC- based refrigerants in base building HVAC&R systems
- Occupancy sensors in common areas
- Day light control
- Residential Units will be equipped with Star energy appliances
- Centralized on demand hot water will be provided

Material and Resources

- Provide accessible areas serving the entire building dedicated to separation collection and storage of materials for recycling
- Regional material will be introduced as much as possible (within 800km by truck or 2 400km shipped by rail or water)
- Use of energy efficient windows and doors

Indoor Air Quality

- Use of low-emitting materials; adhesives, sealants, paints, coatings, carpets and wood flooring

Innovation and Design

- Use of wood as renewable construction materials
- Proximity to a regional Transit system
- Majority of Residential Parking located underground
- Installation of infrastructure for Electric vehicle charging stations

2.7 Additional Reports

In addition to the attached plans, reports, studies and drawings, Dulex has completed comprehensive Phase 1 Environmental Studies, Geo-technical and Archeology reports to compliment the design and planning rationale opportunities & constraints of the site.

These reports and studies will be submitted in compliance with further applications upon milestone approvals for the development concept. Should these reports be required earlier to provide background and supporting information for the development concept we would be pleased to provide.

3.0 PLANNING RATIONALE & COMMENTS

The foundational planning and land use principles are derived from the adopted City of Courtenay Transit-Oriented Development Strategy, Zoning Bylaws, Housing Strategies and the existing built form context of the South Commercial Neighbourhood.

The relevant documents and conditions as referenced above provide the framework and opportunities & constraints for the site layout, density, setbacks, building heights, public realm, streetscape, future potential, community vision and land use potential.

Considerations for the short term impact and long term transition opportunities must be weighted in balance to determine the sweet spot for any land use decisions. Given these distinct transitional circumstances in the SCN, the proposed Building further provides an opportunity to bring additional Units of High Quality Urban form to this Development & Transit Oriented Commercial Community/Area.

Recognizing and leveraging these future and recognized existing assets provides the rationale for the densification on this site as proposed. In addition the following planning concepts, principles and opportunities provide substantial framework;

- ✓ The existing built form Live-Work Strata Townhouses to the North East have substantial economic life and consolidation for re-development is unlikely in the near to long term
- ✓ Will Compliment existing and newly constructed 2 Buildings at Newport Village
- ✓ Successful transit station areas require sufficient development densities that support appropriate transit ridership and local commercial uses
- ✓ Focusing the development pattern allows key services and activity to energize an area and support a vibrant public realm
- ✓ Increased and more affordable housing choices in close proximity to transit
- ✓ More cost-effective urban development, through focusing new growth in existing urban areas and close to transit investments
- ✓ Healthier lifestyles and less environmental impact, through increased transit use, cycling and walking
- ✓ Organized around six 'key objectives', the SCN will provide an opportunity to realize higher density, mixed-use and pedestrian-friendly development within the existing Transit hub, and also effectively mitigate development impacts in these areas

4.0 COMMUNITY ENGAGEMENT

Building on the Community Engagement process and subsequent Council Adoption, the proposed Building will be introduced to the stakeholders within the SCN Community. This engagement will be introduced under several forms and opportunities;

1. Informal zoom meetings with property owners & stakeholders
2. Direct mail of proposed land use concept and development principles
3. Telephone discussions

Upon Development Application and City OCP Amendment Process:

4. Formal Community Consultation Open House and processes
5. Local Community Paper Advertising
6. Site Signage and request for feedback
7. Additional Zoom meetings with property owners and stakeholders

As part of the Community Consultation process required for the development team will provide opportunities for the community to review and provide feedback to the proposed development concept. Recognizing the importance of community input and consultation, our team will provide a summary report and comprehensive feedback survey of the proposed development, density, building form, streetscape, setbacks, compliance and various other planning and design principles.

Opportunities exist for the City of Courtenay Planning Department and Council to have an early indication and response to specific strategies within the SCN Corridor as a result of the Community Consultation required under our development approval process and activities.

Leveraging this data and feedback will assist with the development of the vision for the overall land use strategy of the broader area and community. In addition, this information will provide a platform for the City Planning Department to further refine the ultimate Neighbourhood Plan for SCN.

5.0 SUMMARY

This unimproved, vacant property is located within the South Commercial Neighbourhood Area of City of Courtenay and is the last Phase of Newport Village Development. This Urban property within an established neighbourhood is located on a key transportation spine and Courtenay's largest Commercial-Industrial with future Development potential in this area.

The proposed development responds to the land use strategies and existing built form context providing a dire need of the Residential component needed to further positively impact a Historic low vacancy rate and a solid Residential base.

Early and often community consultation will be the corner stone of this development proposal with an opportunity for the City Planning Department to leverage the feedback from neighbourhood stakeholders as they move forward with the Area Plan simultaneously.

Incorporated within the development feasibility studies are and will be significant engineering data. This information will provide relevant capacity information necessary to the ultimate build out of the community. Leveraging these opportunities as we move forward with our development application and approval process with Mayor and Council support, will provide significant savings and information to the greater area planning.

As a stakeholder, front runner and applicant within the SCN Corridor Area, we will accomplish significant community consultation necessary to move forward with this key Transit Community and future City Asset.

In response to these development principles, consultation commitments and City Planning opportunities, Newport Village Courtenay Development Ltd. is seeking approval to move forward with our formal Rezoning Amendment Process with the support of Mayor, Council and Staff to begin the development approval process without delay.

Schedule No. 3: Public Information Meetings, Mailouts & Feedback



251-255 Newport Drive
Port Moody, BC V3H 5H1

P : 604.519.0003

F : 604.519.0005

www.newportcourtenay.com

Summary of Virtual Public Information Meetings #1 and #2 – Newport Village Phase 3

June 24th, 2021

Attn: Planning Department
Development Planning
City of Courtenay

Dear Planning Department,

On March 30th 2021, Newport Village Courtenay Development Ltd.'s development team hosted the first virtual open house to inform local residents about our proposed plan for Phase 3 at Newport Village Courtenay. Invites were sent to surrounding neighbors as per the mail list provided by the city. In addition to a mailout, we provided an option for those to express their support or concerns on a survey through our website.

On May 4th, Newport Village Courtenay Development Ltd.'s development team hosted a second virtual open house to inform local residents about our proposed plan for Phase 3 at Newport Village Courtenay who did not receive the first mail out. Although Michael Grimsrud informed us that this meeting was not mandatory (image #1 below), we, Newport Village, opted to hold it nonetheless. As such, the purpose of this second meeting was to inform local residents who weren't in attendance at the first meeting about our proposed plans. Invites for this meeting were sent to surrounding neighbors as per the original mail list provided by the city

After this mailout was sent, the City of Courtenay's planning department notified us via email that they had made an error in providing the first address list (Image #2 below). Since we would not have ample time to notify the additional addresses of the meeting, we revised the mailout to create a third mailout and sent to addresses. The purpose of this mailout was to inform of our plans and to direct the additional persons at the corresponding properties to send in their comments and or concerns to ourselves and/or The City of Courtenay directly. As Newport Village owns and rents the dwellings in 3080 Kilpatrick, we emailed all tenants the information as per our third mailout.

At the start of the second public information meeting, we made our purpose very clear in that the meeting was being held in consideration of allowing new participants a chance to speak. To our surprise, there was only one new attendee. To combat any frustrations among previous attendees, we advised them to direct questions to our email. However, three attendants remained adamant to be heard and were being very disruptive and interrupting our Development Manager on multiple occasions. Questions raised were pertaining to items such as engineering, and our Dev. Manager repeatedly informed them to direct questions to email so that we could provide a detailed answer. Nonetheless, we had been continually bombarded with comments of disapproval, slander, and spreading of misinformation until the meeting was finished.

Image #1

From: Grimsrud, Michael <mgrimsrud@courtenay.ca>
Sent: April 28, 2021 2:02 PM
To: sasha@dulex.ca
Cc: Fitzgerald, Matthew <mfitzgerald@courtenay.ca>; PlanningAlias <planning@courtenay.ca>
Subject: 3040 Kilpatrick PIM

Hi Sasha,

Following up on our phone call today:

Owners and residents of 3070 and 3080 Kilpatrick Ave need to be notified of the development and given adequate opportunity to provide feedback. I see that Susan sent you some additional information and a revised list of address labels today.

I understand that you might be holding a Zoom meeting next week – in light of COVID, the City does not require actual Public Information Meetings now, Zoom or otherwise, but allows an Alternative Public Information Mail Out. Rather than inviting neighbours to attend an event, this provides more information than before with a link to detailed information through the City's Development Application Tracker, and invites comments to the City (though we ask that you include your contact information also in hopes of facilitating direct communication). Please see <https://www.courtenay.ca/assets/Departments/Development~/Services/Alternative%20Public%20Information%20Mailout%20Guide.pdf>.

I encourage you to keep your meeting, as it provides an extra opportunity engagement, but there would not be sufficient notice for this to be the only opportunity for newly notified neighbours. In order to fully meet the notice requirement and allow maximum opportunity for feedback, without confusing neighbours or hosting multiple meetings, I suggest you send out Alternative Public Information Mail Outs per the link above to all the address labels (including those already invited to the meeting), and note that you will *additionally* be hosting the Zoom meeting (with details) next week that some people may choose to attend.

Regards and apologies for any confusion.

Mike Grimsrud
Planner II - Development
Phone: 250-334-4441 | mgrimsrud@courtenay.ca | www.courtenay.ca
The City of Courtenay proudly serves our community by providing a balanced range of sustainable municipal services.
OUR CORE VALUES: [People Matter](#) | [Be Accountable](#) | [Depend on Each Other](#) | [Pursue Excellence](#) | Celebrate Success

Image #2

From: Blamire, Susan <sblamire@courtenay.ca>
Sent: April 28, 2021 1:28 PM
To: sasha@dulex.ca <sasha@dulex.ca>
Cc: Grimsrud, Michael <mgrimsrud@courtenay.ca>; Fitzgerald, Matthew <mfitzgerald@courtenay.ca>
Subject: AMENDED NOTIFICATION LABELS RE:Zoning Application-RZ000056(3040Kilpatrick Ave) Public Notice Sign & Alternative Public Information MailOut Notification Labels

Good Afternoon Sasha,

Please find attached the amended notification labels for the alternative public info mailout. Unfortunately when I initially did the notification labels I did not catch the fact that our program that I use to generate the labels did not pull up the units and owner info for 3070 Kilpatrick and I was unaware at the time that 3080 Kilpatrick has tenants occupying the units in that building. I believe that Mike was going to have a conversation with you on possibly proceeding with doing an additional mailout to those owners and occupants that were not included in the original mailout.

The new labels begin on page 3 at the name highlighted in yellow below near the middle of the page. Please let me know if you have any questions.

Sorry for any inconvenience Sasha.

Sue

Below are summaries and recordings of the meetings, and comments we received via email, the survey, etc.

Public Information Meeting #1

Recording:

https://www.dropbox.com/s/g4ak19cok7o6yzt/Public%20Info%20Meeting%20%231%20zoom_0.mp4?dl=0

1. **Date of Mail Out.**
 - a. March 20th, 2021

2. **Number of comments received, and by which means.**
 - a. We received (35) submissions on our website compiled feedback is attached. Feedback was compiled thru our website and at the public consultation session we held on Zoom.
3. **Info provided in mail out.**
 - a. Attached mailout letter along with addresses as provided by the City of Courtenay
See item 9
4. **Summary of questions raised / response and major discussion points.**
 - a. Concerns for businesses exposure at 3030 Kilpatrick Ave.
 - i. Access to 3030 Kilpatrick; We have and will ensure that we will be diligent in not blocking access to their business during construction.
 - ii. Signage for 3030 Kilpatrick; We have proposed to incorporate a location for a sign for them on our site one that they will need to maintain.
 - iii. We support small businesses and will do what we can so that they are not impacted during the construction of our project.
 - b. Concerns for parking supply/availability.
 - i. We have in the past and are currently enforcing property specific bylaws through towing to mitigate people using stalls not assigned to them.
 - ii. Parking studies done by Watt traffic consulting indicates that our parking supply meets demand. Currently, we have a surplus of parking stalls in building 2 as not all tenants have a vehicle. Parking is not an issue at Newport Village.
 - c. "When will units be available for purchase?"
 - i. Estimated that presales will be in the fall of 2021. However, this is pending project approval by the city.
 - d. "Will this be a rental building, or will you be selling units?"
 - i. For sale.
 - e. Majority of persons attending virtual open house were in support of the development.
 - f. Only 3 of the owners from 3030 Kilpatrick attended the meeting; Angela, Justin & Dan. Angela lives and runs her dog spa business out of her unit. She would prefer the 2-lane drive thru concept over the condo building. Justin rents his 2 units as Airbnb's and Dan did not declare whether he lives in the complex.
 - g. Over 40% of owners in building 1 sent in responses that they support this condo development.

Public Information Meeting #2

Recording:

https://www.dropbox.com/s/8o0mp3fqsjwh5gj/Public%20Info%20Meeting%20%232%20zoom_0.mp4?dl=0

1. **Date of Mailout.**
 - a. April 20th, 2021
2. **Number of comments received, and by which means.**
 - a. We received 76 comments both verbally and spoken at the public consultation session we held on Zoom. See item 10

3. Info provided in mail out.

- a. Attached mailout letter along with addresses as provided by the City of Courtenay.
See Item #7

4. Summary of questions raised / response and major discussion points.

See Item #10

Regards,

Alex Rasovic
VP Sales & Marketing
Newport Village Courtenay Developments Ltd.

NOTICE of PUBLIC INFORMATION MEETING

To be held via Zoom:

MARCH 30 2021 @ 6:30-7:30 PM

Please register on our website at newportcourtenay.com for more details

Re: 3040 KILPATRICK AVE



PROPOSED ZONING AMENDMENT

TO REZONE FROM CURRENT;

CD26, STAND ALONE 8.5m STAND ALONE DRIVE THRU BUILDING TO:

CD26, 41 UNIT CONDO BUILDING

Please direct written questions or feedback to:

info@newportcourtenay.com

NEWPORT VILLAGE COURTENAY DEVELOPMENTS LTD.

251-255 NEWPORT DRIVE

PORT MOODY V3H5H1



251-255 Newport Drive
Port Moody, BC V3H 5H1
P : 604.519.0003
F : 604.519.0005
www.newportcourtenay.com

April 12th, 2021

Dana Beatson
Planner II – Development Planning
City of Courtenay

Dear Dana,

On March 30th 2021, Newport Village Courtenay Development Ltd.'s development team hosted a virtual open house to inform local residents about our proposed plan for Phase 3 at Newport Village Courtenay. Below is a summary of information provided in the mailouts and responses we received:

1. **Date of Mail Out.**
 - a. March 20th, 2021
2. **Number of comments received, and by which means.**
 - a. We received (35) submissions on our website compiled feedback is attached. Feedback was compiled thru our website and at the public consultation session we held on Zoom.
3. **Info provided in mail out.**
 - a. Attached mailout letter along with addresses as provided by the City of Courtenay.
4. **Summary of questions raised / response and major discussion points.**
 - a. Concerns for businesses exposure at 3030 Kilpatrick Ave.
 - i. Access to 3030 Kilpatrick; We have and will ensure that we will be diligent in not blocking access to their business during construction.
 - ii. Signage for 3030 Kilpatrick; We have proposed to incorporate a location for a sign for them on our site one that they will need to maintain.
 - iii. We support small businesses and will do what we can so that they are not impacted during the construction of our project.
 - b. Concerns for parking supply/availability.
 - i. We have in the past and are currently enforcing property specific bylaws through towing to mitigate people using stalls not assigned to them.
 - ii. Parking studies done by Watt traffic consulting indicates that our parking supply meets demand. Currently, we have a surplus of parking stalls in building 2 as not all tenants have a vehicle. Parking is not an issue at Newport Village.
 - c. "When will units be available for purchase?"
 - i. Estimated that presales will be in the fall of 2021. However, this is pending project approval by the city.
 - d. "Will this be a rental building, or will you be selling units?"
 - i. For sale.
 - e. Majority of persons attending virtual open house were in support of the development.

The single largest source of complaints was cars parked at 2998 Kilpatrick. Once Newport placed the proper towing signs, local cars stopped parking. Once 2998 Kilpatrick places proper towing signs then parking will no longer be an issue.

Date	Email	Question 1: Your Name	Question 2: Email address
2021-03-23 23:00	[REDACTED]	[REDACTED]	[REDACTED]
2021-03-23 1:43	[REDACTED]	[REDACTED]	[REDACTED]
2021-03-23 18:50	[REDACTED]	[REDACTED]	[REDACTED]
2021-03-23 19:06	[REDACTED]	[REDACTED]	[REDACTED]
2021-03-24 2:15	[REDACTED]	[REDACTED]	[REDACTED]
2021-03-24 2:17	[REDACTED]	[REDACTED]	[REDACTED]
2021-03-24 23:38	[REDACTED]	[REDACTED]	[REDACTED]
2021-03-27 23:12	[REDACTED]	[REDACTED]	[REDACTED]
2021-03-31 1:11	[REDACTED]	[REDACTED]	[REDACTED]
2021-03-31 5:09	[REDACTED]	[REDACTED]	[REDACTED]

Question 3: Phone Number	Question 4: Please select your age range.	Question 5: On a scale of 1-5, how do you feel about this proposal?
[REDACTED]	20-30	5
	50-60	5
	30-40	5
	30-40	5
	20-30	5
	20-30	5
	30-40	5
	40-50	5
	50-60	5
	40-50	5
	60+	5
	30-40	5
	50-60	5
	20-30	5
	40-50	5
50-60	5	
50-60	5	
30-40	5	
40-50	5	
50-60	5	
40-50	5	
40-50	5	
50-60	5	
20-30	5	
30-40	5	
30-40	5	
50-60	5	
20-30	5	
40-50	5	
40-50	5	
60+	5	
	40-50	1

Question 7: What do you like about Newport Courtenay	Question 8: What could be changed to improve Newport Village Courtenay?
23	
Great housing for a community in desperate need of affordable housing	Potential for more units available
Providing reasonable housing in a booming market. High level finishes, thoughtful layouts, curb appeal.	
Affordable and beautiful condos in an ideal location in town. The buildings add more modern character to courtenay.	
Clean and friendly environment	
Great addition to the city. Good to have in our area especially with the much needed housing!	N/A
Clean looking attractive setting with maximum housing potential in a non existent rental and or purchase market	
Great location	Nothing I can think of

Question 10: If you would like to provide any other additional input about the project, please provide your comments below.

_____ 23h Summary of Public Meetings

All the best, hope proposal moves ahead as planned.

Excited about the project.

Yes, the pandemic has impacted businesses so many won't be looking for commercial spaces in the immediate future, but that will eventually change. It's shortsighted to just switch to residential for a fast return rather than waiting, especially at the expense of the neighborhood and the small businesses already here. Small businesses have already been impacted by the pandemic and shouldn't have to carry the load of the pandemic's impact to Newport as well by accepting a zoning change that will bury small businesses behind a huge residential building, giving them a less professional and less visible feel. 3040 should remain commercially zoned.

NEWPORT VILLAGE COURTENAY

251-255 Newport Drive
Port Moody, BC V3H 5H1
www.newportcourtenay.com

NOTICE of PUBLIC INFORMATION MEETING

Open House to be held via Zoom:

May 4th, 2021 @ 5:00-6:00 PM

Please register on our website at www.newportcourtenay.com for more details.

Phase 3 Location

3040 Kilpatrick Ave. Courtenay, B.C.



PROPOSED ZONING AMENDMENT

TO REZONE FROM CURRENT:

CD26, STAND ALONE 8.5m STAND ALONE DRIVE THRU BUILDING

TO:

CD (TBD), 41 UNIT CONDO BUILDING

Please direct written questions or feedback to:

info@newportcourtenay.com

Newport Village Courtenay Developments Ltd.

Spoken Comments/Questions:

1. 11:20 - [REDACTED]

We were told that B2 would be owner/occupied, concerns about parking, lives at 3030 Kilpatrick, constantly cars parked on the business areas overnight, grounds are filthy, not being taken care of, a lot of the tenants in B2 only, lots of people living because rents are high. What assurances are there that B3 will be for market and not changed to rental?

Building 2 has two extra parking stalls to rent so overnight parking is from local area, Building 3 will be sold for market and the building 3 owners can rent to tenants.

2. 15:26 - [REDACTED]

is it an error on the drawings about access or is the plan to have access for residents and customers of 3030 to go through a cut-out in our garden and go through 2098 is that accurate in the drawing on the city website or is that an error? Yes there was an error, there is no longer any access through 2098 which is now corrected.

3. 15:53 - [REDACTED]

Where would the construction supplies, equipment, pump trucks, dump trucks, and construction workers park if you got approval for this? Our consultants will approve of a site plan layout so that proper access will be maintain.

4. 17:00 - [REDACTED]

Did the residents of 3080 and 3070 and businesses surrounding get informed about this meeting?
Yes

5. 23:05 - [REDACTED]

Is there a list of the people who have provided their agreeance to this new change in the development? Is it available? My guess would be that the majority of the 38 people in 3070 who have approved it are the investors who do not live here? Is that correct? Can we find out if there is any owner residents?
All information is considered confidential. The mailouts went to the residents of buildings 3070 and 3080 Kilpatrick Ave.

6. 25:10 [REDACTED]

Concern of business visibility and access. The street elevations along Kilpatrick go from 12.54m to 14.62m. The ground floor elevations of the two 3030 buildings facing Kilpatrick go from 8.93m to 9.23m. With standard floor height of 3.05m the top of the first floor is 11.98m to 12.28m so current business signs are existing below the street elevation.

7. 29:40 – 32:00 [REDACTED]

Slandering the project and development team. No comment

8. 38:29 - [REDACTED]

Since you've already done your plans and site plans and we've all seen them and seen what you've submitted to the city of Courtenay, what are your suggestions on what you would do if the building came to fruition in order to assist the businesses in the back? Because we shouldn't be coming to you asking for you, you should be saying this is what we've already premeditated and planned. You should apply to the City of Courtenay for a Sign Permit

9. 39:30 - [REDACTED]

But what's the guarantee on that and is this something that could be put into action now or is this something that you're saying you'll see what you can do after construction is completed? **It is not up to Newport to place sign, we not opposed the current sign on our property for 3030 Kilpatrick**

10. 40:28 - [REDACTED]

So your agenda is to partition them off and turn into a strata? **There are no restrictions on keeping a building or selling a building.**

11. 41:13 - [REDACTED]

My challenge with that is because you said one thing on Phase 2 and did another. **There are no restrictions on keeping a building or selling a building.**

12. 42:02 - [REDACTED]

Yeah but covid was announced back in March and the decision I think to go rentals if I understand correctly was in June and I have personal knowledge of the real estate market here and things are going faster than anything and were going faster than anything way back in June July the market was hopping. **There are no restrictions on keeping a building or selling a building.**

13. 43:35 - [REDACTED]

"So, I've got a few pointed questions that haven't been covered before, my names Scott I'm Angela's husband. I've got a lot of serious concerns that a lot of people aren't sort of covering so far, and one of them is snow removal. Where is the snow going to be piled up? **Snow will be piled up on 3030, 3070 and 3080 as was done in 2020 and 2019 with no complaints from anyone. Typically, it goes into a parking stall. With parking changes from the previous 3040 drive thru on the surface to the propose parkade there is less snow to be removed from the surface, which is a benefit to 3030, 3070 and 3080 Kilpatrick ave**

How are you going to maintain access to both 3030 as well as the ridiculously proposed underground entrance to the 3040 space? **The access to the parkade will be coordinated with consultants and the City of Courtenay to ensure proper site lines and access.**

Have you even thought about this or is it just about putting as many units as possible to make as much money?" **Newport reason to change towards a residential building was to help families that need homes in Courtenay. There is a huge housing shortage in Courtenay. Providing homes to men, women and children is more important than building a commercial building that will remain vacant. All commercial units on building 2 are vacant as there is an over supply of commercial units in Courtenay. Newport Building 2 has been up for lease from Oct 2018 to current with no offers to lease.**

14. 46:11 – [REDACTED]

“Why is the proposed access to the building, if its to be built, on the north side on what has been a very narrow driveway it was quite a wider driveway and last year or so the entrance was actually narrowed even further, so that makes it very difficult for traffic pulling in off of Kilpatrick avenue onto the driveway if someone’s pulling out from the underground parking its going to be blind spots on the left and right which is going to be a high traffic area I don’t see how that could regularly function as cars are pulling into you know your own complex as well as phase 1 and two and access to all the residences and businesses in 3030 in such a narrow choke point why wasn’t it considered to be put on the south side with the when you guys gave a much wider entrance to your own development but narrowed ours?”

The road access has never been narrow on the north side. We are making it wider in certain locations. There are no blind spots on the left or right. The access to the parkade will be coordinated with consultants and the City of Courtenay to ensure proper site lines and access. All access route in the parkade were considered with the current proposed access based on elevations, slopes and code.

15. 47:40 – [REDACTED]

The underground parking for the proposed phase 3 if it does unfortunately go through for everyone in the whole neighborhood, we noticed on the plans that pumps would be required for both sewage and for rainwater accumulation and stuff like that because its below grade, what are how can you assure us um that in times of emergency such as a storm event or something like that and loss of power that these things will still be able to function and people down downhill mainly in 3030 Kilpatrick wont be flooded?

The pre exiting site layout had all the surface water running from 3040 onto 3030. With the coordination of Consultants we have reduced and contained 3040 storm runover and provide back swales so there is net overall reduction. All surface run off has been corrindated by Civil and approved by the City so no storm water enters 3030. All storm and sewer will be coordinated with consultants

16. 48:41 – [REDACTED]

Now would you guys have backup generators for such thing if loss of power was an issue because that’s when you’re most likely to have flooding is that something that’s part of the potential plan? If required by consultants pumps will have back up generators as this is good idea.

17. 49:09 – [REDACTED]

Ok so in the potential construction phase which were all concerned about being put out of business, because of lack of access and stuff like that another thing were concerned about is loss of services because we noticed on a lot of the drawings and stuff like that is that there is a potential interruption to both cable telephone as well as water services off of Kilpatrick Ave. because there’s a lot of conflicts, what’s the assurance that this wont happen to us or anyone in 3070 or 3080 or if things are interrupted, is the development team willing to compensate businesses for loss of use?

Proper access to 3030 will be maintain to ensure no loss of business. If access is temporally required there will be flag personel directing traffic so that access is maintain to 3030, 3070 and 3080. Our design show that the access road to 3030 is maintained.

18. 56:43 – [REDACTED]

“Have you gotten your review letter back from the city yet?”

“This whole covid thing support small business, support small business, support small business, and you guys wanna come along and you wanna put up a great big wall in front of all these small businesses and you want us to smile with you while you do it and you don’t wanna answer our questions and I find this incredibly frustrating because it did not have to be this contentious its very frustrating to go to an information meeting and not get any information at all. Newport is going to provide an increase in residents which will benefit the local small business. Both buildings 3070 and 3080 are pet friendly, this is a huge source of potential new clients. To date no one has indicate they have received any mail outs or seen any local advertising from your Pet Company attracting them to your business.

Written Comments in the chat:

From [REDACTED] to Everyone: 05:06 PM

The meeting had to be redone because of your lack of proper notice and you know that. Matthew Fitzgerald MADE you redo it. We issued mailouts in accordance with the Cities instructions.

From [REDACTED] to Everyone: 05:10 PM

Highlights include more traffic, even worse parking issues for local businesses, more garbage issues, blocking visibility of businesses located at 3030 Kilpatrick and lining the pockets of the developer Sasha There will be less traffic with a residential building than a 24 hour drive thru. There will be less garbage with a residential building than a 24 hour drive thru. Less noise and nuisence with residential building. The site lines from the road already block your signs on your building, placing a commercial or residential building will stick block visibility. Newport reason to change towards a residential building was to help families that need homes in Courtenay. There is a huge housing shortage in Courtenay. Proving homes to men, women and children is more important than building a commercial building that will remain vacant. All commercial units on building 2 are vacant as there is an over supply of commercial units in Courtenay.

From [REDACTED] to Everyone: 05:11 PM

I have a list of questions and have it recorded that you are not allowing us to ask questions. Newport instructed you to send your questions so we can address them accordingly.

From [REDACTED] to Everyone: 05:12 PM

Ask away [REDACTED]! Newport is still wiling to listen to your questions

From [REDACTED] to Everyone: 05:14 PM

We were told it would be rental before it was built.
The city will not do that There are no restrictions on keeping a building or selling a building.

From [REDACTED] to Everyone: 05:17 PM

And constructing this new building will improve the parking issue?
So this is only for NEW residents? A parkade will reduce surface parking issues. There will be less traffic with residential building than a 24 hour drive thru.

From [REDACTED] to Everyone: 05:22 PM

This is [REDACTED] and u keep muting us. **You were talking at the same time as other people who were talking**

From [REDACTED] to Everyone: 05:22 PM

This is unacceptable. Thank you for wasting everyone's time. **No comment requested.**

From [REDACTED] to Everyone: 05:22 PM

Still unclear what the purpose of this meeting is if it not to ask questions? **The purpose was outlined in the mailout**

From [REDACTED] to Everyone: 05:22 PM

I have sent emails about complaint and nothing was even emailed to me. **No comment requested.**

From [REDACTED] to Everyone: 05:24 PM

How are you regulating & monitoring the amount of people residing in each unit? Two bedroom units are having up to 6 people in some. **Occupancy load complaints are sent to Newport or the Property Management company and investigated. To date none have been receive about one let alone some two bedrooms above the occupancy load.**

From [REDACTED] to Everyone: 05:24 PM

I have certainly spoken to some who do not support it and live in 3070. **The vast, overwhelming majority of people support it.**

From [REDACTED] to Everyone: 05:25 PM

I [REDACTED] don't approve the new Phase as well. I reside at 3030 Kilpatrick Ave **No comment requested.**

From [REDACTED] to Everyone: 05:27 PM

Business owners have been paying land taxes based on a commercial rate and your building will make it even harder for us. So in others words Bill, screw the business owners....Niiiiice **No comment requested.**

From [REDACTED] to Everyone: 05:27 PM

Please everyone contact council about this farce. I have it recorded. **No comment requested.**

From [REDACTED] to Everyone: 05:27 PM

What percentage of the trades people are local in your construction? **Newport does not track local versus non local trades and the question is not part of re-zoning**

From Me to Everyone: 05:31 PM

All video, audio, comments, and questions are being recorded down. We will do our best to get back to you but as indicated, please direct all questions or concerns to info@newportcourtenay.com **No comment requested.**

From [REDACTED] to Everyone: 05:33 PM

It was a pointed question, it should have an answer, a very simple one, re the access. **No comment requested.**

From [REDACTED] to Everyone: 05:39 PM

"Thanks [REDACTED], The developer will have to redo the meeting. The requirement is that the letter is mailed a minimum of two week prior to the meeting which did not occur here. So expect a second letter. Please let me know if you have any other questions, Matthew Fitzgerald, Manager of Development Planning" **No comment requested.**

glen dulex.ca

From: glen dulex.ca
Sent: June 18, 2021 10:14 AM
To: [REDACTED]
Cc: service dulex.ca
Subject: FW: answering questions to [REDACTED]

Hi [REDACTED],

Thank you on submitting these questions if I lived besides a development I'd also like to know as much as possible as whats to come. I waited a tad here until I got all answers as well so that I can quote them to you correctly and only after I received actual answers from our Architect and Engineers I have answered your questions below in RED please review and let me know if you have any additional questions also, I will be in town next weekend (26-27th) and would be very happy to meet you and answer ant further questions you may have

Best regards,

Glen Smith
VP Construction
(P): 604-519-0003
(C): 604-783-5404
251-255 Newport Dr.
Port Moody, B.C. V3H 5H1
www.dulex.ca

dulex

From: [REDACTED]
Sent: May 4, 2021 6:16 PM
To: sasha dulex.ca <sasha@dulex.ca>
Subject: Re: 3040 Kilpatrick PIM

Okay, here is my list of questions for if you got your zoning amendment:

1. Was the map on the city website in error, or do you actual intend to put access through 2998 Kilpatrick? If it was an error, where would access be? **Yes! We have never intendent on relocating existing access-driveway to your complex we have corrected this and nothing will change**
2. Where would construction supplies, trucks, equipment be accessing / stored, and where would construction workers be parking? **We will stage all equipment and Commercial surface parking area of Building 2 being a small building we will not require a large area as all of our deep and shallow utilities have already been completed**
3. Will the north driveway be widened, as it is quite narrow at the street where the sidewalk angles down? **If your asking if the existing driveway access to your complex will be widened/ yes, it will widen**
4. Why was the narrower north driveway chosen for access to the new building proposed? **Newport has 2 access points the new one that we built as our 'Main' access point and the existing "Joint" access-driveway point that your complex uses. 41 residences has 300% traffic flow onto the existing "Joint" access-driveway that original 24hr Drive-thru concept**
5. There is a short distance between the proposed and gated underground parking, has the congestion it would cause entering and exiting the driveway been considered, and what could be done to mitigate that? **We**

designed the exit from Parkade same as original design from drive-thru concept, all vehicles would of turned 90 degrees from ramp onto access-driveway prior to enter it as well we have designed that there are no blind spot for added safety. The traffic report suggest next to no congestion. The report suggest that if 41 residences used the driveway 2.5 times in a 24 hr daily timeframe its about 100 times where a 24 hr drive-thru is estimated to have well over 400

6. What assurances would we have that we would not be flooded in a storm event due to power outage / pump failure in the underground parking? The underground has only 2 pumps to pump perimeter drainage and water flows we will have a backup on demand generator eliminating any drainage issues, the Parkade would have to flood past 8' in its entirety in order for the water to start flowing out of it and further the building will be graded for any water flows to go South and down the overflow pathway (all built) to never come towards your complex so no threat ever to you. All roof and asphalt water flow in heavy events go into our detention system than downgrade

7. Where are you planning on putting the plowed snow in the winter as with several entrances / exits on the north driveway it could prove challenging, and parking is in high demand? Our onsite plan (and as per our snow removal annual budgets) is to plow like all others as needed in large snow fall events we would load into trucks and dispose off site as we do on all of our other projects

8. Will there be any interruptions to services (internet, cable, phone, hydro, water, etc.) to any neighbors during construction and re-routing and how would they be compensated? We don't anticipate anu interruptions as we will not be nor do we have a need to construct outside of our building envelope

9. What is teh expected price point of the units, if stratified, and if rented the prosepective rent range, and would parking be an additional fee as it is currently in 3080? This Building is planned to be "For Sale"

Whatever the requirements are for meetings, and I will certainly be checking, this was an unfortunate waste of time because of a complete lack of willingness to answer any questions. If you weren't willing to answer questions and didn't need to have the meeting, you could have canceled it. [REDACTED], although I did not attend the second info session I did watch the recorded Zoom session, Bill, our Development Manger clearly stated that the meeting was only for individuals that were not able to attend the 1st meeting he repeatedly kept asking that anyone attending the 2nd session send to us written questions so that we can answer them correctly as Bill is not part of the Construction team hes employed as a Development and Marketing Director. As you're aware the 2nd meeting was not mandatory. I can forward you a link to the zoom session if you'd want to rewatch.

[REDACTED]

[REDACTED]

[REDACTED]

From [REDACTED]

Sent: Tuesday, May 4, 2021 6:00:57 PM

To: Sasha Rasovic <sasha@dulex.ca>

Subject: Re: 3040 Kilpatrick PIM

Mine was from his boss.

[REDACTED]

[REDACTED]

[REDACTED]



251-255 Newport Drive
Port Moody, BC V3H 5H1
P : 604.519.0003
www.newportcourtenay.com

NOTICE OF COMMUNITY INPUT

Raising Courtenay apartment-style living to new heights, Newport Village's modern urban design allows you to live comfortably. Enjoy extraordinary mountain or water views* from expansive windows, with warm interiors that bring the surrounding elements of nature into your living space.

The Third and Final Phase of Newport Village will create 41 new one & two bedroom homes tailored to modern, transit-oriented living to complete Comox Valley's tallest new community.

*available from select units



Project Address: 3040 Kilpatrick Ave. Courtenay B.C. V9N 0G7

PROPOSED ZONING AMENDMENT

TO REZONE FROM CURRENT: CD26, STAND ALONE 8.5m STAND ALONE DRIVE THRU BUILDING
TO: CD (TBD), 41 UNIT CONDO BUILDING

View relevant documents on The City of Courtenay website www.courtenay.ca/devapptacker (search by file number or address).

Please return your Comments by May 14th, 2021

Please direct written questions or feedback to: info@newportcourtenay.com

Additionally, comments can be submitted to the City of Courtenay by one of the following methods:

- Drop your comment sheet off in the drop box located at the front entrance of the City of Courtenay or mail: City of Courtenay, Planning Services Department, 830 Cliffe Avenue, Courtenay BC V9N 2J7
- Email your comments to planning@courtenay.ca
- Fax your comments to 250-334-4241

Newport Village Courtenay Developments Ltd.

Glen Smith

From: rent@dulex.ca
Sent: June 25, 2021 9:04 AM
To: Glen Smith
Subject: [FWD: Newport Village Phase 3]

----- Original Message -----
Subject: Newport Village Phase 3
From: <rent@dulex.ca>
Date: Tue, May 04, 2021 9:14 am
To:

Hi Everyone,
You are receiving an email about Newport Village Phase 3 by blind copy.
Please provide feedback as per below instructions.
We look forward to finishing Newport Village in your community.

NEWPORT VILLAGE PHASE 3

Raising Courtenay apartment-style living to new heights, Newport Village's modern urban design allows you to live comfortably.

Enjoy extraordinary mountain or water views* from expansive windows, with warm interiors that bring the surrounding elements of nature into your living space.

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TO: CD (TBD), 41 UNIT CONDO BUILDING

View relevant documents on The City of Courtenay website www.courtenay.ca/devapptracker (search byfile number or address).

Please return your Comments by May 14th, 2021

Please provide feedback through the form on our website.

You may also direct written questions or concerns to: info@newportcourtenay.com.

Thanks,

Abby

Grimsrud, Michael

From: [REDACTED]
Sent: Thursday, March 4, 2021 10:49 AM
To: PlanningAlias
Subject: 3040 Kilpatrick Ave proposal

Hi there:

I will be writing a more detailed letter later but noted that a permit to allow 41 more residential units has been applied for at 3040 Kilpatrick. As a business owner and resident at 3030 i and my business partner and spouse strongly object to this unacceptable proposal. The pressure on traffic and parking is at a saturation point and causing a lot of problems. We will be organizing others to oppose as well. This is too far from the original plan and should be rejected.

[REDACTED]

There will be less traffic with a residential building than a 24 hour drive through.

March 22, 2021 **Continued from above (subsequent correspondence)**

To Whom It May Concern:

Re: Folder # RZ000056

We are writing to express our concerns about the rezoning application for 3040 Kilpatrick Avenue. We believe that the new proposal for a tall, densely populated residential building is too different from the recently approved plan for a single story small commercial building and would be problematic for the area. **Newport reason to change towards a residential building was to help families that need homes in Courtenay. There is a huge housing shortage in Courtenay. Providing homes to men, women and children is more important than building a commercial building that will remain vacant. All commercial units on building 2 are vacant as there is an over supply of commercial units in Courtenay. Newport Building 2 has been up for lease from Oct 2018 to current with no offers to lease.**

While we anticipated many issues of this development, one that we underestimated was the scope of parking problem that it would create in the neighborhood. The parking provided for phase one and two is woefully inadequate for the actual number of people currently living there. The additional cars are regularly parked on surrounding properties. We have had to ask people not to park in our spaces, which puts us in the position of being confrontational in order to protect parking for ourselves and our business, and we have had to make inquiries with towing companies. Even if we opt for the expense of additional signage and a towing contract, it creates another job for us to monitor the parking and make calls to the tow company while we're busy trying to work at our actual job. Neighboring commercial properties constantly have cars from Newport parking in their spaces, between a dozen and two dozen every day. This problem will become significantly worse as pandemic health restrictions ease and there are more visitors, and when the ground level commercial spaces in building 2 of Newport eventually become occupied. Adding another 41 units of residential, with each of those units occupied by multiple people and multiple cars, and only 40 parking spaces will make the problem unbearable.

To date no cars have parked at 3030 Kilpatrick or been towed from 3030 Kilpatrick that we have been made aware. No cars have been referenced from Newport for parking issues at 3030 Kilpatrick. Building 2 has 50% vacant stalls. From what we understand there is a small amount of cars at 2998 Kilpatrick that had notices place on their windows.

The concern that we expressed at the public meeting for the application of the initial development permit was the traffic on Kilpatrick between 29th and the Walmart area. Unfortunately the intersection at 29th and Kilpatrick is a provincial responsibility and after inquiring, the traffic light timing was checked and corrected but will not be changed. There doesn't seem to be interest in putting a right turn lane from Kilpatrick to 29th street. Both pedestrian and vehicle traffic have increased significantly since the first two buildings were completed and the area is quite congested creating long lines between 29th and Walmart.

Newport stands by the Watt Consulting report and the impact of traffic.

While we're sure that the pitch for this rezoning application will be the desire for more housing, not all housing is created equal. If it's not affordable housing it forces people to overcrowd to share costs, which may be why there is not enough parking for the residents of the first two phases. If housing is crammed into a space that is too small to provide adequate parking for residents and visitors, it's creating problems, not solving them. The reality is, as evidenced by the parking problems created by the first two buildings, people still drive cars in the Comox Valley, and people are sharing spaces to reduce housing costs.

**Newport building 2 has 50% vacant stalls
To date no one has ask these 2998 cars to identify their
why they are parked there so any assumption it is related to Newport is groundless.**

Since the two residential buildings have been completed and occupied, the neighborhood has been busier, louder and more messy. It's dangerous to use our driveway because vehicles from Newport don't stop at the stop sign between their parking lot and our driveway. Only luck has prevented a serious T-

To date there has been no requests to clean neighborhood . Since there used to be a grass field it is expected the three building will make it busier and louder than grass. There are no internal stop signs and any violations of the traffic code should be reported to the police.

Continued from above

bone accident. We suggested to the site manager that painting lines and the word Stop there might help but were told that, while he had witnessed the problem himself, the stop sign installed was all that they were required to provide and nothing further would be done at that intersection. There are pedestrians crossing the driveway constantly, often residents walking to their cars that are parked in a parking lot of another business. More than once we've seen cars having to stop suddenly as pedestrians walk right out in front of them without even looking. The buildings are dog friendly, which is wonderful on one hand, but on the other hand it has resulted in a lot of dog messes left on grassy areas on neighboring properties. Another residential building will mean more of all of this and with its location many of the residents would likely use the smaller driveway that gives access to 3030, not the larger Newport one.

The existing buildings have added hundreds of people to this neighborhood. We have reached a saturation point for density on this block.

Newport proposes to build a residential building rather than a 24 hour commercial, which will reduce the above comments and help better serve the local community of Courtenay

We've been living in a construction zone for 3 years now. In that time we've had to fight to keep our driveway, beg not to have our building flooded when silt screens were installed in our drains by the developer without asking or informing us, but not maintained and fight not to have the developer hook into our water line behind our meter during construction. For 3 years we've had a view of multiple RV's, a construction trailer, storage containers and excavators. We've put up with the noise of 3 years of year round construction, sometimes from 6 in the morning until 10 at night, 7 days a week, without a single complaint. From jackhammers to nail guns to the vibrations of the soil compaction that are quite unpleasant. With our work / live building, we didn't get a break from the noise, but we tried to be understanding because the sooner it was done the better.

Newport proposes to build a residential building rather than a 24 hour commercial, which will reduce the above comments and help better serve the local community of Courtenay

Enough is enough though. During the planning phase of the approved development we worked with the planning department to have our most pressing concerns at the time addressed and make the best of it by finding compromises. We were hopeful when the second phase was completed that the third one, a smaller commercial space, would be done fairly quickly and that we could be done with construction, so of course we're frustrated to have to begin this process again. To have the approved plan that we didn't object to changed in the final stretch to something that discards all of our previous efforts and that will increase density significantly and hide the existing businesses at 3030 is frustrating.

Newport proposes to build a residential building rather than a 24 hour commercial, which will reduce the above comments and help better serve the local community of Courtenay

Quite frankly, this proposal seems to prioritize profit for the developer by shoehorning in as many units as possible over the welfare of existing local businesses and residents, including the residents who purchased in building one of the development with mountain views. More residential won't be a good fit, will cause more parking problems, traffic, noise, mess, and conflict, and will negatively impact existing homes and businesses nearby. A commercial space such as the one already approved better compliments not only the original mixed use buildings at neighboring 3030, but would also provide better visibility for the commercial portion of phase two of the Newport development.

We urge City staff and Council to reject this rezoning application.

It should also be noted that as of March 22 we have not received any formal notice as required of this development application, though the application was received by the City almost a month ago.

Thank you for your time and consideration on this issue.

[Redacted]

Answer to these question have been provided in pre

221-3030 Kilpatrick Ave

[Redacted]

Newport reason to change towards a residential building was to help families that need homes in Courtenay. There is a huge housing shortage in Courtenay. Proving homes to men, women and children is more important than building a commercial building that will remain vacant. All commercial units on building 2 are vacant as there is an over supply of commercial units in Courtenay. Newport Building 2 has been up for lease from Oct 2018 to current with no offers to lease.

Grimsrud, Michael Continued from above (subsequent correspondence)

From: [REDACTED]
Sent: Thursday, April 15, 2021 6:01 PM
To: PlanningAlias
Cc: Beatson, Dana
Subject: Question and Concerns re 3040 Kilpatrick Ave proposal

Hi there:

I had emailed Dana directly with a question about the development proposal at 3040 Kilpatrick, but got her out of office reply, so I'm adding more questions and copying to the general planning email in case someone else can answer them.

Here are my questions

- How many residential units are in the now occupied first two phases of Newport at 3070 and 3080 Kilpatrick?
- How many parking spaces were allocated to those two buildings in the original plan?
- Were the 15 spaces that are being kept aside for the commercial spaces in the building at 3080 and the 13 spaces that are now allocated, marked in green numbers on the proposed plans on the City website, to the proposal at 3040, which would have had its own parking in the original plan as a small commercial space with drive thru, counted toward the spaces per unit when the original plan was approved?

If the 15 spaces being reserved for the commercial units the 13 spaces now allocated to the proposed residential building at 3040 – some of which appear to be absorbed into the underground parking for that proposed building - were originally part of the parking per unit ratio that was approved for the existing buildings, it explains why there is such a parking shortage for the existing units, and why while those stalls sit empty (cars are towed for parking in them), the parking lots of nearby businesses have about two dozen cars from Newport parked in them regularly.

I asked the developer during his information session how he would provide reasonable access to the businesses and homes at 3030 Kilpatrick and where he would park things like cranes, trucks, concrete pumpers, excavators, building supplies and construction worker vehicles if he were to get approval for this project as the footprint of the building takes up the entire lot, and he did not answer. I understand that he will need to redo the meeting as proper notice was not given, so I will ask again, but there is no good answer. Likely one of the driveways will be closed during construction, most likely the one accessing 3030 businesses and residents. Access for the residents and small businesses at 3030 will be inconvenient and limited during the long construction phase of this building, likely causing those small businesses, already under pressure with the pandemic, to falter. Access after construction would be challenging too, with the entrance to underground parking on the north driveway too close to Kilpatrick, causing congestion while cars are stopped at the gate. There aren't adequate spaces for residents at Newport now, and won't be adequate spaces for construction worker vehicles during construction, causing them to further impact neighboring businesses.

Thank you again for your time and for your answers to my questions above.

[REDACTED]
221-3030 Kilpatrick Ave Courtenay
[REDACTED]

All parking is in accordance with the drawings. Construction vehicles and site plan will be in accordance with consultants approval. The 3030 driveway will not be closed. Small business will increase with amount of local residents increasing.

Newport proposes to build a residential building rather than a 24 hour commercial drive through, which will reduce the above comments and help better serve the local community of Courtenay

Grimsrud, Michael Continued from above (subsequent correspondence)

From: Grimsrud, Michael
Sent: Monday, May 3, 2021 3:53 PM
To: [REDACTED]
Cc: Fitzgerald, Matthew
Subject: RE: Meeting request

Hi [REDACTED]

I mentioned that it appeared on a plan in a consultant's traffic impact assessment that there might be a misunderstanding about access, which could impact traffic calculations and potentially access during construction. Alternatively it might just not have been pictured properly – this is something I'll need clarified, but I do not expect that the developer plans to eliminate access to 3030 through 3040 Kilpatrick, especially if there is an access covenant or easement. I mentioned this to the applicant after our chat and got the impression that 3030 would not be cut off. I am working on the formal review over the coming days and expect to have a clearer picture of the proposal in the coming weeks as my questions are answered.

Regards,

Mike Grimsrud
Planner II - Development
Phone: 250-334-4441 | mgrimsrud@courtenay.ca | www.courtenay.ca
The City of Courtenay proudly serves our community by providing a balanced range of sustainable municipal services.
OUR CORE VALUES: **People Matter** | **Be Accountable** | **Depend on Each Other** | **Pursue Excellence** | **Celebrate Success**

From: [REDACTED]
Sent: Monday, May 3, 2021 3:19 PM
To: Fitzgerald, Matthew <mfitzgerald@courtenay.ca>; Grimsrud, Michael <mgrimsrud@courtenay.ca>
Subject: Meeting request

Hi Mr. Fitzgerald and Mr. Grimsrud:

Last week I spoke with Mike about the development and zoning amendment application for 3040 Kilpatrick Avenue. Mike pointed out that the developer's plan is to eliminate access through 3040 and cut a hole in the gardens at 3030 to have access through a neighboring property. First of all, there is a covenant for access with 3040 for residents / businesses at 3030 that this plan contravenes. Second of all, it will put all of the businesses at 3030 out of business as well as make it challenging in the event of emergency for emergency services to locate our address.

During the last application process, my husband and I were able to have a meeting with the planner and the planning manager to have our concerns heard. This time around I know that is challenging with Covid, but we would like to try to find a way as this proposal is a real threat to our business. The zoning should be protecting us from this proposal and my impression on the phone last week was that it won't necessarily protect us. This zoning amendment is wholly unacceptable and needs to be rejected out of hand, and we need to discuss all of the concerns in real time.

[REDACTED] Newport proposes to build a residential building rather than a 24 hour commercial, which will reduce the above comments and help better serve the local community of Courtenay

May 20, 2021 **Continued from above (subsequent correspondence)**

Re: 3040 Kilpatrick Avenue Development Proposal and Zoning Amendment.

To Whom It May Concern:

After speaking with several councilors, the city planning department, and attending some Zoom meetings with the development team, we feel that an update to our previous letter is needed.

First, unfortunately, the informational meetings with the developer have been anything but informative. There was much more information on the city development tracker than was available at the meetings. The only additional information was an ambitious timeline for construction, and the introduction of a false dichotomy. The development team is telling people that 5-story residential building with parking garage is their preference over a 24-hour McDonald's offer that they said they had turned down. It's our understanding after talking to the planning department that a full-sized 24-hour restaurant of that type would not have been possible in such a small space. The idea was presented in such a way as to have everyone believe that this lot can only be developed as one of those two choices. Our suggestion that there are a lot of things between those two choices was met with silence in the first meeting. Another meeting was held due to inadequate notice given for the first one.

In the second meeting we were told immediately that no one who had attended the first meeting would be allowed to speak. We asked if we could ask some questions about the proposal once everyone else had finished speaking. The answer was an unequivocal no. The meeting, held inconveniently at 5:00 p.m. on a Tuesday, was a small one and still we were not allowed to talk, in spite of long stretches of awkward silence. We were told that any questions would have to be emailed to them. For a few minutes at the end, the spokesperson relented and allowed limited discussion, and we expressed our concern that if this project went ahead as proposed, it would very likely put us all out of business. The spokesperson said that the city council would have to decide whether their project was worth putting our small businesses out of business in the cost / benefit analysis. We emailed our questions as instructed and have not received a single answer as of this writing.

We'd like to point out that we're not generally against development. This isn't a NIMBY issue. In fact, we were disappointed that the development wasn't completed as previously planned and approved. We worked with city planning department to have some specific concerns addressed during the original proposal. We were satisfied with the end result, and did not oppose it, even though it increased density in our area dramatically. We knew that there was a need for housing and the project as originally approved maintained the mixed use of commercial and residential already present in the neighborhood.

Our objection now is strictly to the zoning amendment to change from a single-story commercial space to a mid-rise residential building. This would change the feel of the development from a commercial / residential mix that fits, to primarily residential. It would block our commercial / residential mix strata behind a residential tower that will seem more like 6 stories due to the grade. The businesses at 3030 would have a less professional, commercial feel and the driveway would have the feel of entering private property. It won't feel welcoming. The 15 commercially zoned units of our 30 units at 3030 would have all of the drawbacks of a commercial area with the traffic, congestion, noise, commercial

Continued from above

taxes, separately billed water and sewer, but with the less professional feel of working out of a house in a residential neighborhood.

We mentioned in our previous letter that parking was an unanticipated issue. We know from talking to many of the councilors that walking, transit, and cycling are being encouraged and we fully support that, having chosen a work / live for ourselves. However, we think it's important to point out that encouraging people to drive less **doesn't mean people will** necessarily choose not to have a car at all. We work where we live and still feel that we need a car to get groceries that we can't carry home, to go to the recycling depot, go to the doctor, pick up our granddaughter, take a dog to the vet, pick up supplies for our business. Not everyone works in a nearby office that they can walk or cycle to. People who work in remote locations often need a car. People working in essential jobs like home support, mobile nursing, trades and repair occupations need vehicles to get from job to job. They need a space to park in while they're at those work sites and a space when they get home. We suspect that the vast majority of people reading this letter have a car, even if other modes of transportation are chosen when possible. As our populations ages, can we realistically expect seniors to walk or cycle in all-weather to run their errands, such as medical appointments? Transit has improved here, but does it realistically work for all situations? Encouraging people to drive less is great, we all want that. However, not providing adequate parking for residential developments isn't stopping people from owning cars: it's just causing conflict and making life more difficult for people who genuinely need a car. Problems arise when developments with inadequate parking are adjacent to commercial properties in areas without sufficient street parking. Businesses need to have parking available for customers, and shouldn't have to provide parking for neighboring residences where the number of units was maximized and the number of parking spaces we kept to a minimum. The development in question appears to have well less than the 1.5 parking spaces per unit required under the bylaws for the first two phases, and woefully inadequate visitor and disabled parking. This final phase is also proposed with well less than the standard 1.5 spaces per unit.

While this neighborhood is within walking distance to some types of shopping, the nearest elementary school, Courtenay Elementary, is not within walking distance for parents with small children. The nearest middle and secondary schools, Lake Trail and Vanier, are much farther. The nearest playground is at the airpark for small children, and the nearest park with a field is Bill Moore, both a fair distance away through high traffic areas. Children living in phase 1 and 2 of the development in question, unfortunately have little choice but to play in the busy parking lot. The only green space in the development, called a play area on the drawings, is a small wedge of turf with two benches, that is unsuitable for play.

The developer purchased 3040 knowing that it was zoned for commercial use. He may try to make the case that he needs a return on his investment by changing the zoning to residential and selling housing, currently in high demand. However, is it fair to change the zoning for his benefit and put our small businesses at 3030 at risk? Small businesses have already suffered due to the pandemic, and can't afford additional hardship. As the development team so coldly pointed out at that second meeting, council may have to decide in the cost / benefit analysis, whether 41 units of new residential is worth the potential loss of small businesses at 3030. Since those businesses were opened in good faith based on the current zoning, it's both unfortunate and nerve-wracking to feel as though our long-established livelihoods now hang in the balance.

Continued from above

We have some had some unfortunate experiences with this developer up until this point. A few years ago, the first day we met Sasha Rasovic, the developer, he told us, unprompted, not to worry, that he wouldn't be moving our driveway, and that he wouldn't be connecting to our water system behind our water meter. When we showed up at the first public meeting for the initial proposal approximately three years ago, we noticed on the drawings that the driveway was in fact moved. There was only one street access point where the south driveway currently is, and quite a maze to get to our homes and businesses at 3030. We were surprised and told him that we had concerns about having the driveway taken away that directly accessed 3030. We were also concerned about only having only one street access for multiple units at 4 separate addresses, about the clunky, maze-like access for our customers to find us, as well as concerns about emergency services being able to locate us if needed, and potential logistical problems that might block a single access for all of the units, such a water main break or car accident. The developer told us that it was his property and he could do whatever he wanted, and that he only had to provide access. We told him that we would have to talk to the city planning department about our concerns. The developer then told us that if we did that, he would build a wall in front of us and plant trees, so that no one would know that our business was here. In the end the plan was altered to keep the north driveway after we expressed our concerns to the city planning department.

At another point, without notice or permission, the developer's site manager installed silt screens in multiple drains on the property of the stratas at 3030, and then didn't maintain them as required, causing flooding in our parking lot for months afterwards. Our clients complained about having to walk through 4-inch-deep water to get to our door. The developer wouldn't send anyone to fix the problem as their workers had returned to the lower mainland. During a storm, when our building itself was at risk of flooding and we called in a panic, begging and then insisting that something be done, and were told to get something long and sharp and poke a hole in the screens ourselves. With difficulty, we were able to do that with one, not the other. A week or two later the developer sent someone from a local contracting company to remove the screens. That person informed us that the screens should have been removed and cleaned monthly to avoid becoming blocked and flooding the area.

On another occasion, Sasha Rasovic cited our easement and, seeming to read it in reverse, told us that he was going to connect to our water supply behind the city water meter during construction. He told us he planned to access our water, install his own meter, inform us of what he had used and reimburse us after we paid the bill. When, during the meeting that he asked for with the stratas at 3030, one strata owner asked him what he was asking us for, he said that he wasn't asking, he was telling us what he was going to do. We informed him that he did not have permission to do so in the form of a letter from a lawyer, a copy of which was sent to the city. After receiving the letter, he did not pursue this course of action and made other arrangements to supply his own water directly from the city.

Quite frankly, we were looking forward to this project being completed as previously approved and no longer being burdened with construction and uncertainty in the neighborhood.

Almost every councillor we spoke with asked us what we would want in the remaining space as an alternative to the latest proposal. What we want is for the developer to maintain the original plan for this part of the development. This remaining construction phase was to be the final commercial portion of what was supposed to be a commercial / residential mixed-use development. Keeping this phase commercial would draw people into the area instead of walling them out, which would benefit the businesses at 3030 instead of harming them. Keeping this lot commercial would continue to give the

Continued from above

neighborhood the vibrant, mixed use feel that it currently maintains instead of tipping the balance of the area from primarily industrial / commercial to primarily residential.

Zoning matters when people are choosing where to put homes and businesses, and in this case the zoning should be protecting the small businesses at risk of real financial harm from this proposal. We purchased our space here within the rules when we sought out an appropriately zoned property for our business. Recently, the city amended the home occupation rules to allow people in our industry to work from home. At the time we had concerns about the change affecting the value of our small commercial space and whether it was fair for the rules to change allowing competitors to provide the same service that we provide from homes when we had actively purchased a properly zoned work / live property for this purpose. We pay commercial taxes and separately for water and sewer service for the residential and commercial portions of our property while others have now given up their commercial leases and operate similar businesses from their homes in residential neighborhoods with lower costs for services. When the city passed the amendment, we were at least able to say that we were in a commercial area with more exposure and a more business-like feel than those working from residential neighborhoods. If this rezoning amendment passes, that will no longer be the case. We'll be in a condo in a residential area but with much higher bills than a home-based businesses and a commercial space that no longer feels like a commercial space and doesn't have any functional value. We put our eggs, home and work, into this basket, based on the zoning here. In this market, moving our home and business would be unreasonable.

We hope that, when we hear people say to support small business and to support local, that our city and our council will lead by example and protect local small businesses by denying this zoning amendment.

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Sincerely,

[REDACTED]

221-3030 Kilpatrick Ave. Courtenay, BC V9N 8P1

[REDACTED]

To date no cars have parked at 3030 Kilpatrick or been towed from 3030 Kilpatrick that we have been made aware. No cars have been referenced from Newport for parking issues at 3030 Kilpatrick. Building 2 has 50% vacant stalls. From what we understand there is a small amount of cars at 2998 Kilpatrick that had notices place on their windows.

Newport proposes to build a residential building rather than a 24 hour commercial, which will reduce the above comments and help better serve the local community of Courtenay

March 11, 2021

City of Courtenay Planning Department

I, an owner at Strata VIS4464 at 3030 Kilpatrick Avenue are opposing the development proposal at 3040 Kilpatrick Avenue.

I feel that the proposal is far from the original proposal of a single story, commercial building such as a coffee shop. A Residential building will add to parking and congestion problems already existing in the area and will negatively impact residents and businesses. Since buildings 1 and 2 have been completed, parking in the area has become a major issue that is causing conflict in the neighborhood. The existing buildings do not have enough parking for the people living in them, let alone visitors. This has forced their overflow parking to other businesses and residences in the neighborhood. I have had to ask people many times not to park in our spaces, sometimes with conflict and have had to make inquiries with towing companies about enforcement contracts. Given that we are still under health orders barring non-essential travel and visiting households, I anticipate that will worsen when restrictions are lifted. I also expect that it will worsen once the commercial spaces in building 2 become occupied. Every neighbouring business and residence will incur the added costs and monitoring, risking confrontations with angry drivers. Traffic around Kilpatrick Avenue is already a problem, with both pedestrian and vehicle traffic significantly increasing. It is very difficult and dangerous entering and exiting the two access points to 3030, 3040, 3070 and 3080 Kilpatrick, with heavy traffic, a hill and curve, a busy commercial area, bus stops. Adding a significant number of residents and another tall building to interfere with visibility will only exacerbate the problem.

Visibility for the businesses at 3030 Kilpatrick is also a problem, impacting our businesses in a time that is already challenging. 3040 was meant to be a community of small businesses, which the existing plan would compliment. It would also, provide better visibility and viability to the commercial portion of this developer's own project.

I respectfully ask that the City staff and Council consider denying the zoning amendment for this proposal. Failure to do so would have a serious negative impact on local residences and businesses and exacerbate already existing challenges.

Thank you for your consideration.



312-3030 Kilpatrick Ave.

Courtenay, BC



Newport proposes to build a residential building rather than a 24 hour commercial, which will reduce the above comments and help better serve the local community of Courtenay

City of Courtenay Planning Department – RE: Folder Number: RZ000056

We, the owners of Strata VIS4464 at 3030 Kilpatrick Avenue are responding to the development proposal at 3040 Kilpatrick Avenue. We feel that the new proposal is too far from the original development permit granted of a single story, small commercial building with parking, such as a coffee shop, that it will add to parking and congestion problems in the immediate area, and will negatively impact residents and surrounding businesses.

Since buildings 1 and 2 have been completed by the same developer, parking in the area has become a major issue that is causing conflict in the neighborhood. The existing buildings do not have enough parking for the people living in them, let alone visitors. The overflow is parking at other businesses and residences in the neighborhood. We have already had to ask people many times not to park in our spaces, sometimes resulting in conflict, and have had to make inquiries with towing companies about enforcement contracts. The overflow of resident and visitor vehicles is filling the parking lots of neighboring businesses with between a dozen and two dozen additional cars every day. Given that we are still under health orders barring non-essential travel and visiting people's households, we anticipate that will get much worse when restrictions are lifted. We also expect that it will be worse once the commercial spaces in building 2 are occupied as they already have very few spaces assigned to them. This proposal is going to add to this problem, forcing every business and residential property in the area to, at their own expense, put up signs and have towing contracts. They will also have the added job of monitoring parking lots and calling for tows and risking confrontations with angry drivers.

Traffic is already a problem. Kilpatrick was already a busy road. Both pedestrian and vehicle traffic have increased significantly since the first two phases of this developer's project were completed and the area is already quite congested. 41 units is going to mean at least 100 more people and likely at least 60 more cars added to that traffic. It is very difficult and dangerous entering and exiting the two access points to 3030, 3040, 3070 and 3080 Kilpatrick. With heavy traffic, a hill and curve, a busy commercial area and bus stops at the entrance of Walmart and 2966 Kilpatrick navigating the traffic is already challenging. Adding a significant number of residents and another tall building to interfere with visibility will exacerbate the problem.

Visibility for the businesses at 3030 Kilpatrick is also a problem. When 3030 and 3040 were one lot, a commercial building with ample parking was planned for what is now 3040 to compliment the small businesses in the work / live portion on 3030. It was meant to be a community of small businesses. A multi-story residential building would bury the small businesses at 3030 behind its tall walls, impacting our businesses in a time that is already challenging for small businesses. The commercial space in this developer's original proposal is closer to what was originally planned than the new proposal and better compliments the mixed use buildings at neighboring 3030. It would also, quite frankly, provide better visibility and viability to the commercial portion of this developer's own project in phase 2.

We respectfully ask that the City staff and Council consider denying the rezoning application for this proposal. Failure to do so would have a serious negative impact on local residences and businesses and exacerbate already existing challenges.

Kind Regards

Strata Plan VIS4464



Strata Secretary

Newport proposes to build a residential building rather than a 24 hour commercial, which will reduce the above comments and help better serve the local community of Courtenay

Newport reason to change towards a residential building was to help families that need homes in Courtenay. There is a huge housing shortage in Courtenay. Providing homes to men, women and children is more important than building a commercial building that will remain vacant. All commercial units on building 2 are vacant as there is an over supply of commercial units in Courtenay. Newport Building 2 has been up for lease from Oct 2018 to current with no offers to lease.

City of Courtenay, Planning Department
830 Cliffe Avenue
Courtenay, BC V9N 2J7



March 31, 2021

Re: Proposed Zoning Amendment (RZ000056) 3040 Kilpatrick Avenue

To whom it concerns,

I am strongly opposed to the above mentioned zoning change for the following reasons:

Visibility & Exposure

The proposed five story building will not only hide our complex from Kilpatrick Ave, it will also block most of sun exposure. We already see diminished sunlight from this development (Building 2), it makes our "afternoon" sun come later in the day as it has to come around the building. Another building similar in height (directly in front of us) will make our homes very dark and cold, we essentially will be in a "hole".

The current shadow effects are from building 1 and 2. Build 3 shadow will be less than building 1 and 2 Commercial vs Residential Please see above google picture.

The property was already rezoned from commercial, the developer has already increased the density that was originally proposed for the site. It is my understanding that Courtenay will be seeing hundreds if new conodo/apartment units in the near future, is this new increase necessary? The developer will complain that there is not a need for commercial in Courtenay (as his commercial is vacant), this is a circumstance of timing, maybe the development needs to wait until there is more of a demand. If Courtenay is to grow we will need more space for the businesses that will support that growth.

Residential growth increases commercial grow, not the other way around

Parking

The developer has a traffic study to argue that parking will not (and is not) be an issue, in reality it is already...add 41 more units it will be worse. Newport cannot support their own parking at present, as the overflow is seen regularly at 2998 Kilpatrick, the Walmart parking lot and in our complex.

Proposed Residential building will result in less traffic than the 24 hour drive thru.

Garbage

The past few months has see an increase of refuse on our property. There is constantly things piled next to our trash bin, and an increasing amount of other litter on our site. Perhaps a coincidence, but it was never an issue prior to Newport.

There have been garbage issues at Newport because of service disruptions and we have not received any complaints concerning refuse from pedestrians of Newport

Management

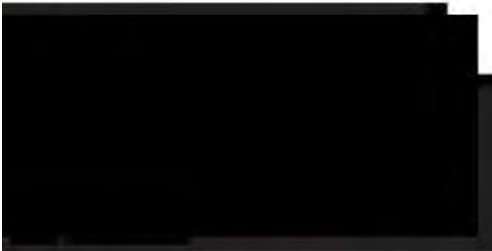
Continued from above

I understand that with rentals can come problems, some tenants don't turn out to be good ones. That said the police presence at Newport (building 2), I have seen the police (many times more than one patrol car), several times since the building has seen tenants. Perhaps it is one person causing all the problems, but it is something that should be noted. If tenant applicants are not properly checked it will lead to more problems for Newport, and also the entire neighbourhood.

I would also like to note that I received the notification of the information meeting on March 30 (the day of). There may have been more attend (on zoom) if the developer had given reasonable notice.

It is for these reasons that I am strongly opposed to the rezoning amendment.

Regards,



811 & 821 3030 Kilpatrick Avenue

Courtenay, BC V9N 8P1

All tenant applications are screen and tenants have to abide by the Residential Tenancy Act of BC, The Strata Act of BC, Tenancy Agreement, Tenancy Addendum, Agent Mangers and Owner.

Residents just follow The Strata Act of BC

Police calls are for domestic and no arrests to date.

Grimsrud, Michael

From: [REDACTED]
Sent: Tuesday, April 6, 2021 2:01 PM
To: CouncilAlias; PlanningAlias
Subject: Newport expansion
Attachments: 20210406_135240.jpg; 20210406_135228.jpg

Hello City of Courtenay

Please see the following photos this photo was taken at was taken at 1:45 April 6th 2021 as you can see there are 16 cars parked along the roadside of the 16 cards only 6 cars are employees of our plaza, the rest are members of Newport with the new building coming in place this is going to cause more congestion and when the people get their business licenses underneath the second location at Newport where were their employees be parking Right now we're in the process of getting a sign so that we can have these cars towed because sometimes there's no parking for us especially on Saturday when the parties happening so please take this information into consideration when approving there amendment
I work at Cuts & curls if you need to call me my phone number is [REDACTED] have a great day and take time to smell the flowers
[REDACTED]



Newport Building 2 has 50% vacant parking stalls.
Newport does not park in these stalls
Picture taken at peak customer time, not overnight
Once Proper towing signs are used any non customer vehicle can be towed



Grimsrud, Michael

From: [REDACTED]
Sent: Tuesday, April 6, 2021 2:38 PM
To: PlanningAlias
Subject: New Residential Development Planned for 3040 Kilpatrick ave.

I am the owner of Cuts N' Curls Salon, one of several businesses in the complex next door to this proposed development. I am completely opposed to this residential building going up here, as there is NOT ENOUGH PARKING! We are already dealing with the residents of Newport and their visitors parking in our parking lot, because they have not enough space in their own building and parking lot. They park in our spots and don't leave sometimes for days. This is completely unfair and unacceptable to all the businesses here in our complex. Please do NOT let this residential building go up at 3040 Kilpatrick ave.

- Newport Building 2 has 50% vacant parking stalls.**
- Newport does not park in these stalls**
- Picture taken at peak customer time, not overnight**
- Once Proper towing signs are used any non customer vehicle can be towed**

Grimsrud, Michael

From: [REDACTED]
Sent: Tuesday, April 6, 2021 11:31 AM
To: PlanningAlias; CouncilAlias
Subject: Development of 3040 Kilpatrick Ave.

I work at Cuts N Curls next to this site. We are already experiencing problems in our parking lot. Residents of the Newport site use our lot that is for the employees and our customers. As a result we have a difficult time finding parking for work. Most of our customers are seniors and they need to park in front of our business. I oppose this plan of constructing another residential building on this site.

[REDACTED]
[REDACTED]

- Newport Building 2 has 50% vacant parking stalls.**
- Newport does not park in these stalls**
- Picture taken at peak customer time, not overnight**
- Once Proper towing signs are used any non customer vehicle can be towed**

Grimsrud, Michael

From: InfoAlias
Sent: Friday, April 9, 2021 11:54 AM
To: PlanningAlias
Subject: FW: General Comments/Questions

Thanks
Anne

From: Courtenay Website [mailto:thirdpartyhosting@courtenay.city]
Sent: Friday, April 9, 2021 11:41 AM
To: InfoAlias <info@courtenay.ca>
Subject: General Comments/Questions

Type of Service Requested General Comments/Questions

Name

[REDACTED]

E-mail Address

[REDACTED]

Phone Number

[REDACTED]

Address

744 Salsbury Rd

Message

I have learned of the proposed new building of a huge 5 story complex with underground parking on Kilpatrick just before Walmart! I feel this will very strongly impact the area negatively! It will hurt the small business located there already that are well established. Especially when we need to commit to small business that carry our residents and economy in this pandemic time. They need our support NOT the big developers who 'do' and then leave us to the upset in our lives and our communities. I am not opposed to development, as with the apartments that already went up (although parking is an issue already as many people rent a large portion of those apartments and share in that rent and there are way too many cars per number of suits and therefore parking spots and are again negatively impacting business in that area!), but development needs to be done along with support of our citizens who LIVE here! Please say NO to this development for the sake of our city and the small business it will very negatively impact. Thank you [REDACTED]

Grimsrud, Michael

From: [REDACTED]
Sent: Saturday, April 10, 2021 9:47 AM
To: CouncilAlias; InfoAlias; PlanningAlias
Subject: Proposed 3040 Kilpatrick Ave.

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning,

I am a unit owner of 3070 (building 1 of Newport Village) and I have just heard about the change of plans regarding the 3rd building. When I purchased my unit in October of 2019 I was told it would be a commercial building, and have heard nothing since. I recently spoke with a business in the area who informed me the plans had changed. To add, the developer held an “information” meeting a week ago, and the owners of 3070 were never notified. Additionally, the businesses were notified by postal mail, which they received 2 hours before the call the scheduled to start. **Not Correct**

Due to the rental shortage in the Valley and tough times to source new businesses in the heart of COVID-19, I can understand wanting to switch plans for a better source of income. Unfortunately, I cannot see how this will be feasible. Currently, the developer only allowed for one parking stall per unit, even for multi-bedroom units. Because the units are so expensive to rent (for good reason, as they are beautiful), most units are occupied by more than one adult. These numbers mean more than one vehicle per unit. If they build another 5 story building, this will only congest the area more. This development plan would make perfect sense in Vancouver or other metropolitan areas with well-developed transit systems, but in small town Courtenay, a vehicle is absolutely necessary. They started to tow vehicles parked in the complex in unauthorized stalls, which forces the overflow of vehicles to other businesses, who are now discussing towing the overflow. This means the residents of Newport Village have absolutely nowhere to park.

Other Rental agencies are renting to people with 2 cars when only one stall is available

Additionally, I can't see how the developer will be able to lease the commercial units of building 2 if they are tucked into the middle of a complex. This will also block long-standing small businesses in the area who have been here for decades. To kick a local established business when they are down, in the middle of a pandemic, shows exactly the lack of community the developer has. He has even threatened other businesses to build something to block their view if they make it hard for him to develop.

Increased residential units will help local business, not harm them

To add, the conditions of [3070 Kilpatrick Ave](#) currently are comparable to a slum. I don't believe that would be part of your scope, so I will be reaching to the additional parties regarding that. However, I wanted to include it here as I believe it also speaks to the character of this developer, as he built these buildings as fast as possible, and doesn't seem to care about the safety of the community.

All owners are welcome to join council and contribute to a better community

Continued from above

To conclude, I am appalled at the experience of Newport Village. I am completely shocked that the developer did not contact anyone from my building to attend the informational zoom meeting last week. He knows we would not be happy, and I'm sure we aren't worth the headache to him and his company. Finally, I am appalled that the city could approve this, which makes me think that the city members did not get the full story.

Thank you,

[REDACTED]

This email is from April 10, 2021 as mail out address were sent from the city without all address about Public meeting. Later this individual received the mail out notice.

Grimsrud, Michael

From: [REDACTED]
Sent: Wednesday, April 21, 2021 4:36 PM
To: PlanningAlias
Subject: Zone changes

I would like to offer my opinion on the proposed changes to the series of apartment complexes near Walmart.

I think that any more apartments in that area is wrong for two reasons.

First and foremost the traffic in this area is already dangerous. The curve on Fitzgerald coming from the Walmart lot is moving fast and to attempt to pull out from the road leading into the new complex is crowded. Any more traffic on that corner would be dangerous not only to pedestrian, but also to bike traffic .

Secondly I believe that changing the terms of the original agreement seems like the city is being hoodwinked. They seem to want to get the part of the plan approved that they could, only to want to add to it later. They what to change the rules part way down the line and that doesn't seem correct, especially to those tenants already in that area.

I hope that my thoughts can be considered even though I live in Comox but am a regular user in this area.

[REDACTED]

Watt Consulting addressed the curve in the road and indicated the proper clear path of site line to traffic be maintained.

Newport reason to change towards a residential building was to help families that need homes in Courtenay. There is a huge housing shortage in Courtenay. Proving homes to men, women and children is more important than building a commercial building that will remain vacant. All commercial units on building 2 are vacant as there is an over supply of commercial units in Courtenay. Newport Building 2 has been up for lease from Oct 2018 to current with no offers to lease.

Grimsrud, Michael

From: [REDACTED]
Sent: Monday, May 3, 2021 3:36 PM
To: PlanningAlias; CouncilAlias
Subject: oppose the zoning amendment at 3040 Kilpatrick Ave.

We oppose the zoning amendment at 3040 Kilpatrick Ave.

[REDACTED]

Grimsrud, Michael

From: Morin,Wendy
Sent: Monday, May 3, 2021 10:59 AM
To: Council; PlanningAlias
Subject: Fwd: Newport development on Kilpatrick

Hi all,

I was asked to forward this to council and planning as for some reason, [REDACTED] emails are bouncing back to her.

Thanks

Wendy

Get [Outlook for Android](#)

From: [REDACTED]
Sent: Monday, May 3, 2021 10:46:57 AM
To: wmorin@courtenay.ca <wmorin@courtenay.ca>
Cc: info@thoughtfulpawsgrooming.com <info@thoughtfulpawsgrooming.com>
Subject: Newport development on Kilpatrick

To City Council and Planning.

I am writing in support and concern for my dog groomer Thoughtful Paws. I have been a customer of theirs for over 10 years. They informed me of their fear of the impact of the Newport development change of plans to build a massive five storey residential building at 3040 Kilpatrick Ave instead of the small one with a half story commercial space with surface parking originally proposed. I was told there is already parking and congestion issues for not just Thoughtful Paws and their two neighbouring businesses but also for businesses in the area with the already completed development next door. Also, it is believed that if this new plan was to be approved their intention would be to close the access road to 3030, 3070 and 3080 Kilpatrick and reroute it through the neighbouring businesses access causing even more congestion. I understand there is a shortage of housing but I believe there is also a need for smart development that considers and supports local businesses that have contributed to our community for years. I appreciate your taking the time to consider the concerns and fears of these business owners in your decision making.

Respectfully,

[REDACTED]

Additional residential occupants will increase local business.

There will be no access roads closed

Grimsrud, Michael

From: [REDACTED]
Sent: Monday, May 3, 2021 4:37 PM
To: PlanningAlias
Cc: CouncilAlias
Subject: FW: Newport Village Phase 3

From: [REDACTED]
Sent: May 3, 2021 4:39 PM
To: 'info@newportcourtenay.com' <info@newportcourtenay.com>
Subject: FW: Newport Village Phase 3

From: [REDACTED]
Sent: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: Newport Village Phase 3

To Whom it may concern,
Phase 3 Location, 3040 Kilpatrick Ave. Courtenay BC
Rezoning request/information feedback – To rezone from Stand alone drive thru building to 41 Unit Condo.
As one of the neighbouring businesses I send this with great concern. My questions to all of you above is – What are you doing about parking and traffic flow onto Kilpatrick? We have had an ongoing problem (extreme & volatile in a lot of cases) of our business parking lot being full with (while under construction) construction workers over a few years to condo owners and tenants using our lot because there is not enough parking allotted for multiple residents in each unit. We have been unable to unload our products, gates are blocked and no parking available for customers and staff. The huge increase in traffic flow onto Kilpatrick is very dangerous to vehicles and pedestrians alike. Thank you in advance for a serious look at the issue's at hand and the responsible/accountable decisions made on behalf of the residents & businesses in all neighbouring directions.

Sincerely [REDACTED] (Store Manager Calais Leisurescapes)
[REDACTED]

Consultant traffic report indicated less traffic with proposed residential building than 24 hour drive thru.

Grimsrud, Michael

From: [REDACTED]
Sent: Monday, May 3, 2021 11:42 PM
To: CouncilAlias; PlanningAlias
Subject: NewPort Village new building.

Hello, my name is [REDACTED] and I am currently a resident of 3080 NewPort building. I am writing regarding to the plans for a third building. All of the residents are not happy about this plans, we do not have enough parking spots, it is a literal Joke. We do not need another building, we need more space.

Not true

We only have **three parking stalls** for each building which in my opinion it isn't enough. It is constantly full and people are forced to park somewhere else. We also do not have enough space to drive. The garbage truck has to move out of the way constantly because he blocks our entrance and exit, it is tiring for us as it is for the driver.

We are aware that someone has emailed you before but to you, it doesn't "prove anything."

No other building should be built. Just a parking lot. Another reason why, there are stores on the building two that may require extra parking stalls, there isn't enough for everyone as well.

Newport Building 2 has 50% vacant parking stalls.

Newport has 6 visitor stalls

Grimsrud, Michael

From: [REDACTED]
Sent: Tuesday, May 4, 2021 2:31 PM
To: PlanningAlias; CouncilAlias
Subject: Phase 3 - 3040 kilpatrick ave

To whom it may concern,

My name is [REDACTED] I live at 3080 Kilpatrick Ave in Courtenay. I have recently been made aware that there is a phase 3 happening near our building. I just want to shed some light on our experience as a renter in this building.

I've been told that you need more information on the surrounding area near the phase 3 property. **Not True**

As renters of the building at 3080 Kilpatrick Ave, we do not have any visitor parking in our "home" - **There are three spots that are available for our visitors amongst the however many units that are in this apartment building.** People are constantly getting towed because there is not enough space for visitors to come and visit or help people in need in this building. People now have to park in the Walmart parking lot to make sure that their car stays safe. And with that being said that's not a whole lot of comfort.

I have been here since day one of this apartment being up and running and it has been a struggle. There are constant drug addicts and homeless people surrounding our apartment building and the cops are called weekly to the building.. I genuinely think adding any form of fast food restaurant or another apartment building will just add more conflict and frustration to both potential buildings.

I'm not saying this because I'm frustrated or upset I've come to terms with the opportunity this apartment has given us. But I do want to be able to set up the future people that are building in phase 3 up for success. **Not True**

Amongst the at least 100 people that live here, there's only **three visitor parking stalls that are available.** If phase 3 turns into an apartment building that will most likely take away some parking stalls that are available for the apartment that I live in currently. I'm sure you can only make so much underground parking stalls.. the bigger the apartment or restaurant, the more hassle it will be for everyone.

If you need to give me a call at any time, I am more than happy to talk about this on the phone! My phone number is [REDACTED] I am writing this on behalf of myself and my boyfriend that I live with.

Much thanks,
[REDACTED] **Newport Building 2 has 50% vacant parking stalls.**

Newport has 6 visitor stalls

[REDACTED]
We have asked the local business to lock their garbage bins to reduce the homeless people and drug addicts going into them. Newport has garbage in a lock room out of site from intruders.

Grimsrud, Michael

From: [REDACTED]
Sent: Monday, May 3, 2021 9:09 PM
To: PlanningAlias
Subject: Phase 3 "3040 Kilpatrick"

Good evening,

I have received news through a long long thread of gossip that there are plans for a 5 story building being built beside my home in 3080 kilpatrick Ave. I, as well as every other tenant in this building would like to be informed of things like this & also would like to know what will be done to compensate the constant construction noises we were not told would be happening when we signed our contracts.

Thankyou,

[REDACTED]

There will be a construction plan inplace for site access.

There is no mention of construction noises and or compensation in any tenancy agreement or tenancy act of BC.

Grimsrud, Michael Continued from above (subsequent correspondence)

From: [REDACTED]
Sent: Tuesday, May 4, 2021 4:39 PM
To: PlanningAlias
Subject: 3040 Kilpatrick Ave

Good evening,

I am a concerned paying tenant of 3080 Kilpatrick Ave, 3040 Kilpatrick Ave is not a good idea. There is no parking here, and another building would be taking up way too much space, there would be too much traffic in and out of this area & businesses would go out of business because of the traffic in this area. Please do not listen to the owners words as he/she does not live here and does not listen to any concerns any of us tenants have.

Thankyou for your time

[REDACTED]

Newport proposes to build a residential building rather than a 24 hour commercial, which will reduce the traffic and help better serve the local community of Courtenay

Newport Building 2 has 50% vacant parking stalls.

Newport has 6 visitor stalls

Grimsrud, Michael

From: [REDACTED]
Sent: Tuesday, May 4, 2021 9:44 PM
To: PlanningAlias
Subject: Against proposal of new building at 3040 Kilpatrick ave

Good evening,

I am writing as the subject says I am strongly against the new development of 3040 Kilpatrick ave, Courtenay bc. The 2 buildings that are currently im this location are garbage already without adding insult to injury by adding another crap building there. I live in 3080 and frankly am about to break my lease due to al of the issues here.

1) there are so many problems with parking, people park anywhere because there is not enough parking spaces as it is. Management tows everyone's vehicles because they park in visitor parking as it is. There is not enough parking for visitors let alone residents. People are parking in the walmart parking lot to compensate and once the commercial suites are rented out this will cause even more issues.

Only visitors can parking visitor stalls, we have two vacate stalls to rent, please contact us if you need additional parking

2) the building has very low water pressure at high usage times in the day and adding more people to this will make it worse.

Today Newport Building 1 and Building 2 have received no water pressure complaints

3) there are already noise issues due to high traffic area of walmart and the strip mall behind the building which is very disturbing starting very early in the morning 4am and weekends and continues very late at night. Adding this building will add more noise and construction mess. Going back to the parking issues then construction workers and service people will also take parking spaces....

No comment required.

4)There have been multiple issues with the homeless breaking into vehicles and living in the underground parkade in the 3080 building, adding another building in the 3040 location will add more targets and the location will no longer be open to viewing from the public and from people driving by which will cause more incidents in this location.

The Police have ask tenants not leave valuables insight as all of Courtenay has these problems

5) Entering the parking lot 1, there have been several occasions with near misses for accidents because of the location of the entrance to the parking lot and traffic coming around the corner from walmart or the strip mall. Adding more traffic to this blind corner will be asking for the near misses to tum into accidents.

Site lines are as Watt report for safety and no accidents have been reported.

Please take Into consideration the issues that exist already before allowing them to build another building in this location.

Kind regards

[REDACTED]

Grimsrud, Michael

From: [REDACTED]
Sent: Wednesday, May 5, 2021 2:19 PM
To: PlanningAlias; CouncilAlias
Subject: Re: Development at 3040 Kilpatrick Ave.

Dear Sirs,

My name is [REDACTED], and I live at 2249 Clark Road, Courtenay B.C., V9J 1T1.

I am writing to express my opposition to the zoning amendment and development proposal at 3040 Kilpatrick Ave.

I feel that this will negatively affect the small businesses in the neighbourhood.

Yours truly,

[REDACTED]

Newport reason to change towards a residential building was to help families that need homes in Courtenay and to increase local commercial business with more local residential customers. There is a huge housing shortage in Courtenay. Providing homes to men, women and children is more important than building a commercial building that will remain vacant. All commercial units on building 2 are vacant as there is an over supply of commercial units in Courtenay. Newport Building 2 has been up for lease from Oct 2018 to current with no offers to lease.

Additional residential occupants help increase local business, not harm them.

Grimsrud, Michael

From: [REDACTED]
Sent: Wednesday, May 5, 2021 12:31 PM
To: CouncilAlias
Cc: PlanningAlias
Subject: Building

Dear Sir or Madame,

Please don't allow more building in front of the businesses where our dog groomers work. It looks okay now, but with another building there, it will be very claustrophobic. Our groomers are Thoughtful Paws. Address Unit # 211-3030 Kilpatrick Ave. Courtenay, B.C. V9N 8P1. Thank you.

Yours truly,

[REDACTED]
2132 Hardy Rd., Courtenay, B.C.
V9J 1T2 [REDACTED]

Sent from my iPad

Grimsrud, Michael

From: [REDACTED]
Sent: Wednesday, May 5, 2021 1:13 PM
To: PlanningAlias; andcouncil@courtenay.ca
Subject: zoning

My name is [REDACTED] and i
live at 2822 Wentworth Road
Courtenay,

I am writing to say that i oppose the
zoning amendment and development
proposal at 3040 Kilpatrick Avenue

Grimsrud, Michael

From: [REDACTED]
Sent: Saturday, May 8, 2021 9:20 PM
To: PlanningAlias; CouncilAlias
Subject: planning amendment 3040 Kilpatrick

Hello,

I write to you with concerns about the amendment to plans for 3040 Kilpatrick.

Since moving to the Comox Valley eight years ago, I have taken my dog to be groomed at Thoughtful Paws – 3030 Kilpatrick. At first, the large lot in front of the strata complex was bare. When construction started on the huge complex adjacent to the strata where Thoughtful Paws is located, we all patiently worked around the extra vehicles on site – even though the added traffic often created both safety concerns and parking issues when arriving with my dog and then leaving with her. Certainly we all hoped that it would settle down once the construction was complete. Now I am told that the latest plan is for additional housing units where the new parking lot for 3040 Kilpatrick is located....directly in front of the location of Thoughtful Paws and several other small businesses.

Obviously, I am concerned for the sustainability of a business that I value and for the owners, who I like. We have already worked through a very hard year and were looking forward to better times. I am also very concerned about the safety of anyone entering or leaving the home/business complex behind the property in question. Even before the added traffic with construction and many new home owners, that driveway could be a little difficult during busy hours or seasons with all of the traffic from the Walmart complex. During the Christmas season, that road is downright dangerous. I truly do not see how adding yet more housing units, with at least one vehicle per unit a reasonable expectation, could be a good plan.

I ask you to think hard and long before voting in favour of this amendment.

Thank you.

[REDACTED]
[REDACTED]
#37 – 3400 Coniston Crescent
Cumberland, BC V0R 1S0

Grimsrud, Michael

From: [REDACTED]
Sent: Monday, May 10, 2021 6:54 PM
To: PlanningAlias
Subject: proposed zoning amendment

Dear reader,

I do own a condo in Newport Village (first phase), I think it's a good place to live as it is right now. I moved from the mainland in search of a quiet place close to services. I think Courtenay is a wonderful place with its green spaces and its balance in its urban infrastructure.

I am particularly concerned about this project. We know that cities today experience many types of problems and overcrowding is one of them. Apart from the lack of sobriety in the spatial distribution of buildings and population, it has been shown that people living in crowded conditions are more likely to experience mental health problems such as stress, depression, etc. That is why I am opposed to the zoning change to allow the construction of 41 units in a condominium building, the current zoning should remain as is, and not modified to accommodate special interest groups. The rezoning would forever alter the character of this area to the negative.

Thank you for your consideration.

Grimsrud, Michael

From: [REDACTED]
Sent: Sunday, May 9, 2021 8:13 PM
To: CouncilAlias
Cc: PlanningAlias
Subject: 3040 Kilpatrick Re-Zoning Proposal

I am writing to ask Courtenay City Council and Courtenay City Planning to review and seriously consider the impact that the proposed rezoning of the lot at 3040 Kilpatrick from Commercial to Residential use will have on our local small businesses in the area.

The proposal to build a five story residential complex on that lot will inevitably affect day to day operations of these small businesses that have had to struggle to remain viable during an unprecedented pandemic. The project will effectively limit their visibility and create parking challenges for their customers. This will add additional stress to, and further burden these businesses.

It is undisputed that small businesses not only make up the fabric of our community but to do so requires that the entrepreneurs dedicate years of focus and hard work to become engrained in our society and benefit so many of us through the services they offer. The congestion and lack of visibility that would be created with the proposed project will add hardship to members of our community who have worked for years to contribute to all of our well-being. These owners have worked diligently to keep their businesses afloat during one of the most stressful times in a generation due to Covid 19. To add another layer of difficulty to their efforts will undoubtedly force some of them to close.

I would ask City Council and our Planning Department to consider rejecting the project as proposed and work with the developer and the affected businesses to come up with a plan that would allow for some development while providing a solution for our much needed and hard working entrepreneurs to continue to service our community. They have done much to be there for us during the pandemic and deserve to be heard and respected so that a satisfactory resolution can enable them to recover from the Covid 19 challenges they faced and took on, and enable them to thrive going forward. We very much need these businesses that not only serve us, but collectively contribute to the soul of our community. We must do everything possible to help these local small businesses remain viable.

I ask that you please reject this proposal as presented, and take the time to further work with affected businesses to find a workable solution before proceeding with the zoning change.

Regards,

[REDACTED]

[REDACTED]

Grimsrud, Michael

From: [REDACTED]
Sent: Saturday, May 8, 2021 7:41 PM
To: info@newportcourtenay.com; PlanningAlias
Subject: Proposed Condo Building 3040 Kilpatrick

My girlfriend says please don't, we wouldn't have bought a place here if we knew she would have to deal with construction all day when she is sleeping after night shifts for another god damn 12 months.

Thanks!!

[REDACTED]

Grimsrud, Michael

From: Fitzgerald, Matthew
Sent: Friday, May 14, 2021 8:13 AM
To: PlanningAlias
Cc: Grimsrud, Michael
Subject: FW: Proposed Rezoning on Kilpatrick Avenue

From: [REDACTED]
Sent: Thursday, May 13, 2021 11:14 PM
To: Fitzgerald, Matthew
Subject: Proposed Rezoning on Kilpatrick Avenue

Dear City Council & Mayor Wells,

Please accept this note of support for the proposed development Newport Village on Kilpatrick Avenue.

I like the design of this development, and believe it will help refresh the neighbourhood like the other developments in the area.

This is a great form of housing in the municipality. New housing is much needed as everything else in Courtenay is not available and single family homes are not affordable for many individuals.

Yours truly,

[REDACTED]

May 05, 2021

Re: Proposed Rezoning on Kilpatrick Avenue

Dear City Council & Mayor Wells,

Please accept this note of support for the proposed development, Newport Village, on Kilpatrick Avenue.

I like the design of this development, and believe it will help refresh the neighbourhood, like the other developments in the area.

This is a great form of housing in the municipality. New housing is much needed as everything else in Courtenay is not available and single family homes are not affordable for many individuals.

Yours truly,



#305-3070 Kilpatrick Avenue, Courtenay, BC

Grimsrud, Michael

From: Fitzgerald, Matthew
Sent: Thursday, May 13, 2021 8:22 AM
To: PlanningAlias
Cc: Grimsrud, Michael
Subject: FW: Proposed Rezoning on Kilpatrick Avenue

See below.

From: [REDACTED]
Sent: Wednesday, May 12, 2021 6:39 PM
To: Fitzgerald, Matthew
Subject: Proposed Rezoning on Kilpatrick Avenue

Dear City Council & Mayor Wells,

Please accept this note of support for the proposed development, Newport Village, on Kilpatrick Avenue.

I like the design of this development, and believe it will help refresh the neighbourhood, like the other developments in the area.

This is a great form of housing in the municipality. New housing is much needed as everything else in Courtenay is not available and single family homes are not affordable for many individuals.

Yours truly,

[REDACTED]

Newport reason to change towards a residential building was to help families that need homes in Courtenay and to increase local commercial business with more local residential customers. There is a huge housing shortage in Courtenay. Providing homes to men, women and children is more important than building a commercial building that will remain vacant. All commercial units on building 2 are vacant as there is an over supply of commercial units in Courtenay. Newport Building 2 has been up for lease from Oct 2018 to current with no offers to lease.

Rezoning Application – Newport Village

Dear Mayor and Council,

I am emailing you to let you know I support the proposed project at 3070 Kilpatrick Avenue.

Given the project is in such a desirable neighbourhood, and that it is minutes to many restaurants and stores nearby, this development offers the best solution to the much-needed housing issues we face within our community.

Approving the development will not only help solve the lack of housing, it will also attract people into our community and help generate substantial financial contribution to the city. Opposition to this project would be a step backward.

I hope you will support this proposed development and help continue providing opportunities for people to live in our great city.

Sincerely,

A large black rectangular redaction box covers the signature and name of the sender.

Grimsrud, Michael

From: Fitzgerald, Matthew
Sent: Monday, May 17, 2021 8:31 AM
To: Grimsrud, Michael; PlanningAlias
Subject: FW: Project Kilpatrick Avenue

Matthew Fitzgerald RPP MCIP

Manager of Development Planning

P: 250-334-4441 (ext. 7255)

E: mfitzgerald@courtenay.ca

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OUR CORE VALUES: **People Matter** | **Be Accountable** | **Depend on Each Other** | **Pursue Excellence** | **Celebrate Success**

From: [REDACTED]
Sent: Saturday, May 15, 2021 2:03 PM
To: Fitzgerald, Matthew <mfitzgerald@courtenay.ca>
Subject: Project Kilpatrick Avenue

Dear Mayor and Council,

My name is [REDACTED] and I live in the Comox Valley. I am writing to you today regarding the development project on Kilpatrick Avenue. I am in full support of this development .

We need a wider variety of housing in the Courtenay area, and the proposed project will help fill the gap. There are already other apartments in the area, so it fits with the neighbourhood.

I hope that you support this development as well.

Sincerely,

[REDACTED]

[REDACTED]

[REDACTED]

2350 Beta Ave Burnaby, BC, VC 5M8

[REDACTED]

Grimsrud, Michael

From: Fitzgerald, Matthew
Sent: Thursday, May 20, 2021 4:29 PM
To: PlanningAlias
Cc: Grimsrud, Michael
Subject: FW: Proposed Rezoning on Kilpatrick Avenue
Attachments: MTM Wealth Planning Ltd_IA Private Wealth.vcf; Rezoning on Kilpatrick Avenue.pdf

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Matthew Fitzgerald RPP NCIP

Manager of Development Planning

P: 250-334-4441 (ext. 7255)

E: mfitzgerald@courtenay.ca

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From: [REDACTED]
Sent: Thursday, May 13, 2021 1:04 PM
To: Fitzgerald, Matthew
Subject: Proposed Rezoning on Kilpatrick Avenue
Importance: High

Hello. As an owner of a unit in Newport Village, I am in full favor of the proposed development. The developer has shown to me their commitment to improving the community.

Thanks for your consideration.

Regards,

[REDACTED]

[REDACTED] **MTM Wealth Planning Ltd./IA Private Wealth**
[REDACTED]
1075 West Georgia Street, Suite 1450
Vancouver, BC V6E 3C9
www.mtmwealth.ca

Re: Proposed Rezoning on Kilpatrick Avenue **Continued from above**

Dear City Council & Mayor Wells,

Please accept this note of support for the proposed development, Newport Village, on Kilpatrick Avenue.

I like the design of this development, and believe it will help refresh the neighbourhood, like the other developments in the area.

This is a great form of housing in the municipality. New housing is much needed as everything else in Courtenay is not available and single family homes are not affordable for many individuals.

Yours truly,

A solid black rectangular redaction box covering the signature area.

Grimsrud, Michael

From: Fitzgerald, Matthew
Sent: Tuesday, May 25, 2021 8:30 AM
To: PlanningAlias
Cc: Grimsrud, Michael
Subject: FW: Newport Phase 3

Matthew Fitzgerald RPP MCIP
Manager of Development Planning
P: 250-334-4441 (ext. 7255)
E: mfitzgerald@courtenay.ca

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

From: [REDACTED]
Sent: Friday, May 21, 2021 8:40 PM
To: Fitzgerald, Matthew <mfitzgerald@courtenay.ca>
Subject: Newport Phase 3

Hi Matthew, just writing to you in full support of the proposed building. As a lifetime resident of the Comox Valley it's quite apparent that the valley is growing wether folks like it or not. One thing is for sure with the potential 3rd phase of Newport Village, we know it's an aesthetically pleasing building that's well built. The Comox Valley is in desperate need of more housing that somewhat resembles affordable. I feel it would be a shame to not utilize the area for such housing.

Thank you very much for your time,

[REDACTED]

From: [REDACTED]
To: [PlanningAlias](#); [CouncilAlias](#)
Subject: 3040 Kilpatrick Petition
Date: Friday, July 23, 2021 8:11:59 AM
Attachments: [3040KilpatrickPetition.pdf](#)

Dear Mayor and Council
cc Planning department

Please find attached a petition. Names were collected through April and May in three of the small businesses adjacent to the proposed development at 3040 Kilpatrick Avenue. Due to Covid-19, we did not actively canvass the neighbourhood. Each person whose name is on the petition came into one of those three businesses and took the time to ask about the development, have the proposal explained to them and have their name added. In cases where it says NS-Covid in place of a signature, the person agreed to be contacted if any councillor or city staff member wished to do so at the phone number provided in order to confirm their desire to have their name added, one of the businesses was operating in a completely contactless manner due to its pandemic protocols. This same business has been operating at much lower capacity due to Covid, as quick turnover drop-in services have been suspended until at least September 2021, reducing the number of people entering the business by approximately 65%. Were it not for the pandemic, we feel confident that we would have collected many more names with canvassing and at normal business operation levels. As is, there are 251 names on the petition.

The pandemic has made opposition difficult in other ways that we would like to point out. While during the last proposal, we were able to meet with planners and have a conversation with the drawings in front of us, this time that was denied due to Covid-19. Conversations were via email or over the phone, without the ability to look over the drawings together, which took more time for both us and the planning department and provided less clarity. The pandemic took away the in person public information meeting with the development team. There was a lot of confusion about what was required at first as we were told by the planning department desk and the manager that it was required over Zoom, and then told later that only a mail out with options to provide feedback to the development team was required. Meetings in a room, where people were allowed to talk, both to each other and the developer, where things that maybe one person hadn't thought of were brought up by another person, where there was open communication, not filtered by a mute button or limited by a feedback form were sorely missed, and we hope that this pandemic protocol is not one of the ones that will remain permanent as it truly does put the community members at a disadvantage. In spite of this disadvantage, we have been told that there has been a great deal of community feedback opposed to this zoning change and development proposal.

[REDACTED]
221-3030 Kilpatrick Ave
Courtenay
[REDACTED]

Petition to deny Zoning Change and Residential Building Development at 3040 Kilpatrick Ave.

We, the undersigned, ask that the City of Courtenay city council reject the application to rezone 3040 Kilpatrick Ave. to allow residential use and deny the proposed development plan to place a residential building at this commercial address. We feel this will irreparably harm small and medium sized businesses and existing residences in the immediate neighbourhood. To allow this zoning amendment and development will burden nearby businesses and residents with overflow parking problems and expense of parking enforcement, obstruction of view of businesses and residences, traffic congestion on roads and lots as well as driveways adjacent to the proposed development.

Name	Address	Phone #	Signature
	78 2000 Sierra Dr Campbell River		NS Covid
	1584 F Oceanspray Lazo		NS Covid
	846 Faskett Comox		NS Covid
	1320 B 13th St Courtenay		NS Covid
	629 Jubilee Cr Comox		NS Covid
	D 629 Jubilee Cr Comox		NS Covid
	2291 Murelett Dr Comox		NS Covid
	#37-3400 CONISTON CUMBERLAND		NS Covid
	2554 Royston Rd Courtenay		NS Covid
	3552 Royston Rd Courtenay		NS Covid
	1962 4th St. East COURTENAY		NS - Covid
	1707 CAPITANO COMOX		NS - Covid
	11-3400 Coniston Cr.		NS Covid
	1707 Capilano Courtenay		NS Covid
	6224 Whitaker Rd Courtenay		NS Covid
	2741 SWANSON ST. COURTENAY		NS - Covid

2

Petition to deny Zoning Change and Residential Building Development at 3040 Kilpatrick Ave.

We, the undersigned, ask that the City of Courtenay city council reject the application to rezone 3040 Kilpatrick Ave. to allow residential use and deny the proposed development plan to place a residential building at this commercial address. We feel this will irreparably harm small and medium sized businesses and existing residences in the immediate neighbourhood. To allow this zoning amendment and development will burden nearby businesses and residents with overflow parking problems and expense of parking enforcement, obstruction of view of businesses and residences, traffic congestion on roads and lots as well as driveways adjacent to the proposed development.

Name	Address	Phone #	Signature
	1418 DOGWOOD COMOX		NS-Covid
	1814 DAYE RD COMOX		NS-Covid
	1241-2 nd ST. COURTENAY		NS-Covid
	3422 LAMOND PI COURTENAY		NS-Covid
	2349 Clarke Rd Courtenay		NS-Covid
	2849 ELDERBERRY CRES. COURTENAY		NS-Covid
	104-130 BACK RD. COURTENAY		NS-Covid
	7340 Anderson Dr Hornby Island		NS-Covid
	#2 2300 Murrelet Courtenay V9M 4J2		NS Covid
	2208 Walbran Dr Courtenay		NS Covid
	4695 B Ashwood PI Courtenay Comox		NS Covid
	654 OLYMPIC DR COMOX		NS Covid
	1912 Dogwood Dr Courtenay		NS Covid
	1830 WRAUGHT COURTENAY		NS-Covid
	2780 FIFE PLACE COURTENAY		NS-Covid
	656 OLYMPIC DR COMOX		NS-Covid

Petition to deny Zoning Change and Residential Building Development at 3040 Kilpatrick Ave.

3

We, the undersigned, ask that the City of Courtenay city council reject the application to rezone 3040 Kilpatrick Ave. to allow residential use and deny the proposed development plan to place a residential building at this commercial address. We feel this will irreparably harm small and medium sized businesses and existing residences in the immediate neighbourhood. To allow this zoning amendment and development will burden nearby businesses and residents with overflow parking problems and expense of parking enforcement, obstruction of view of businesses and residences, traffic congestion on roads and lots as well as driveways adjacent to the proposed development.

Name	Address	Phone #	Signature
	956-26 th St Courtenay		NS Covid
	2117 COOKE AVE. CONROY		NS - COVID
	1257 DON RD. CONROY		NS - COVID
	936-26 th St Courtenay		NS-Covid
	2197 6 th St East Courtenay		NS-Covid
	304 Bates Dr. Tenny Island		NS-Covid
	T#9-109 8 th St. Courtenay		NS-Covid
	1583 England Ave Courtenay		NS-Covid
	2155 Willemar Courtenay		Email-Covid
	5760 Sea Terrace Rd Courtenay		Email-Covid
	123-303 Ardern Rd Courtenay		NS-Covid
	7000 Anderson Dr Hornby Island		NS-Covid
	4745 FORBIDDEN PLAZA RD COURTENAY		NS - COVID
	2288 Suffolk Cr Courtenay		NS-Covid
	4780 BLUE HERON DRIVE BOWEN		NS - COVID
	3432 Harbourside Rd Courtenay		NS-Covid

**Petition to deny Zoning Change and Residential Building
 Development at 3040 Kilpatrick Ave.**

4

We, the undersigned, ask that the City of Courtenay city council reject the application to rezone 3040 Kilpatrick Ave. to allow residential use and deny the proposed development plan to place a residential building at this commercial address. We feel this will irreparably harm small and medium sized businesses and existing residences in the immediate neighbourhood. To allow this zoning amendment and development will burden nearby businesses and residents with overflow parking problems and expense of parking enforcement, obstruction of view of businesses and residences, traffic congestion on roads and lots as well as driveways adjacent to the proposed development.

Name	Address	Phone #	Signature
	4676 Cruickshank Courtenay		NS Covid
	4752 Wimbledon Rd Campbell River		NS Covid
	1600 Comox Ave, Comox		NS Covid
	4752 Wimbledon Rd Campbell River		NS Covid
	2038 Lambert Dr. Courtenay		NS Covid
	2133 Towhee Court Comox		NS Covid
	2220 Salmon Pt Rd Campbell River		NS Covid
	6084 Spence Rd Courtenay		NS Covid
	744 Salisbury Rd Courtenay		NS Covid
	3040 Elderberry Cr Courtenay		NS Covid
	276 A Nim Nim Pl Courtenay		NS Covid
	1987 EVANS PL COURTENAY		NS Covid
	2615 ULVERSTON CUMBERLAND		NS - COVID
	2947 SWANSON ST COURTENAY		NS Covid
	415 3070 KILPATRICK COURTENAY		NS Covid

5

Petition to deny Zoning Change and Residential Building Development at 3040 Kilpatrick Ave.

We, the undersigned, ask that the City of Courtenay city council reject the application to rezone 3040 Kilpatrick Ave. to allow residential use and deny the proposed development plan to place a residential building at this commercial address. We feel this will irreparably harm small and medium sized businesses and existing residences in the immediate neighbourhood. To allow this zoning amendment and development will burden nearby businesses and residents with overflow parking problems and expense of parking enforcement, obstruction of view of businesses and residences, traffic congestion on roads and lots as well as driveways adjacent to the proposed development.

Name	Address	Phone #	Signature
	1815 W. QUHART AV. COURTENAY		NS - COVID
	2106 EVANS PLACE COURTENAY		NS - COVID
	2132 HAROY RD. COURTENAY		NS - COVID
	#10-2161 Evergreen Rd Campbell River		NS - COVID
	1517 THORPE AVE COURTENAY		NS - COVID
	306 1978 Cliffe Courtenay		NS - COVID
	415 Station Rd Fanny Bay		NS - COVID
	3576 Willard Ave Cumberland		NS COVID
	#202-41099 Alderwood Ave Courtenay		NS COVID
	4000 PARNELL RD HORSBY BLVD		NS COVID
	2172 Cooce Ave Comox		NS COVID
	2127 TOWHEE COURT COMOX		NS - COVID
	1209 DUNSMUIR CUMBERLAND		NS COVID
	2051 Lambert Dr Courtenay		NS - COVID
	120 Cammarah Dr Courtenay		NS COVID

**Petition to deny Zoning Change and Residential Building
 Development at 3040 Kilpatrick Ave.**

6

We, the undersigned, ask that the City of Courtenay city council reject the application to rezone 3040 Kilpatrick Ave. to allow residential use and deny the proposed development plan to place a residential building at this commercial address. We feel this will irreparably harm small and medium sized businesses and existing residences in the immediate neighbourhood. To allow this zoning amendment and development will burden nearby businesses and residents with overflow parking problems and expense of parking enforcement, obstruction of view of businesses and residences, traffic congestion on roads and lots as well as driveways adjacent to the proposed development.

Name	Address	Phone #	Signature
	4805 ALBANI Courtenay		NS/COVID
	3208 5th ST. CUMBERLAND		NS/COVID
	1237 Mason Ave COMOX		NS/COVID
	1237 MASON COMOX		NS/COVID
	1570 WEBBON RD COURTENAY		NS/COVID
	3266 7th St Unit 12 CUMBERLAND		NS/COVID
	3266 7th St Unit 12 CUMBERLAND		NS/COVID
	3208 5th ST CUMBERLAND		NS/COVID
	1651 Robb Ave COMOX		NS/COVID
	8940 COMOX RD COURTENAY		NS/COVID
	1618 BALSAM COMOX		NS/COVID
	2550 HARBIDES CRE. COURTENAY		NS/COVID
	3460 SAND PIPER COURTENAY		NS/COVID
	1111-525 DORWOOD ST CAMPBELL RIVER		NS/COVID
	5969 LITTLEFIELD RD. COURTENAY		NS/COVID
	2002 CEDAR CRE. COURTENAY		NS/COVID

Petition to deny Zoning Change and Residential Building Development at 3040 Kilpatrick Ave.

7

We, the undersigned, ask that the City of Courtenay city council reject the application to rezone 3040 Kilpatrick Ave. to allow residential use and deny the proposed development plan to place a residential building at this commercial address. We feel this will irreparably harm small and medium sized businesses and existing residences in the immediate neighbourhood. To allow this zoning amendment and development will burden nearby businesses and residents with overflow parking problems and expense of parking enforcement, obstruction of view of businesses and residences, traffic congestion on roads and lots as well as driveways adjacent to the proposed development.

Name	Address	Phone #	Signature
	2445 WALBRAN COURTENAY		NS/ Covid
	APT 404-1355 Cumberland Courtenay		NS/ Covid
	#204-4700 ALDENWOOD PL COURTENAY		NS/ COVID
	1064-B 17 th ST Courtenay BC		NS/ COVID
	#9-1270 Guthrie Comox		NS/ Covid
	2135 Cardinal Pl Comox		NS/ Covid
	#14-3266 7 th COURTENAY		NS/ Covid
	1142 CUMBERLAND RD. COURTENAY		NS/ COVID
	411-2275 Comox		NS/ COVID
	1919 A CHOQUETTE PL COURTENAY		NS/ COVID
	2615 CATHY CR. COURTENAY		NS/ COVID
	4738 Cruickshank Pl Courtenay		NS/ Covid
	4738 Cruickshank Pl Courtenay		NS/ Covid
	1540 Robert Long Dr Courtenay		NS/ Covid
	1541 SITKA AVE. COURTENAY		NS/ COVID

**Petition to deny Zoning Change and Residential Building
 Development at 3040 Kilpatrick Ave.**

8

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Name	Address	Phone #	Signature
	1265 WILHELM AVENUE COURTENAY		NS - COVID
	#23-1180 Edgett Rd Courtenay		NS - Covid
	2625 B Mansfield Dr Courtenay		NS - Covid
	3831 ROYSTON RD. ROYSTON		NS - COVID
	#6 - 1248 9 th ST COURTENAY		NS - COVID
	2486 WILLOW BROOK COURT COURTENAY		NS - COVID
	2998 CUMBERLAND RD - COURTENAY		NS - COVID
	202-31 st ST. HOUSE #164 COURTENAY		NS - COVID
	4780 BLUE HERON DRIVE BOWEN		NS - COVID
	2418 SILVER STAR PL COMOX		NS - Covid
	4679-A ASHWOOD PLACE COURTENAY		NS - COVID
	6742 REAR RD. COURTENAY		NS - COVID
	4678 VALE COURT COURTENAY		NS - COVID
	6026 Headquarters Rd Courtenay		NS - Covid
	2030 20 th St Courtenay		NS Covid
	3796 Laurel Dr Royston		NS Covid

Petition to deny Zoning Change and Residential Building Development at 3040 Kilpatrick Ave.

9

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Name	Address	Phone #	Signature
	9 Adams Rd Upper 206 Campbell River		NS Covid
	85 Rodd Gun Rd		NS-COVID
	85 Rodd Gun Rd		NS-COVID
	854 PINWOOD DRIVE COMOX		NS-COVID
	244 2nd St Courtenay		NS-Covid
	244 2nd St Courtenay		NS-COVID
	966 Arden Rd Courtenay		NS-Covid
	2767 Fife Pl Courtenay		NS-COVID
	575 ASPEN RD COMOX		NS-COVID
	962 MALAHAT DR. COURTENAY		NS-COVID
	3237 MAJESTIC DRIVE COURTENAY		NS-COVID
	3432 Harbourview Rd Courtenay		NS-Covid
	712 Woodland Dr COMOX		NS-Covid
	1045 Kye Bay Rd Comox		NS-COVID
	826 A Gruman Pl COMOX		NS-Covid

Petition to deny Zoning Change and Residential Building Development at 3040 Kilpatrick Ave.

10

We, the undersigned, ask that the City of Courtenay city council reject the application to rezone 3040 Kilpatrick Ave. to allow residential use and deny the proposed development plan to place a residential building at this commercial address. We feel this will irreparably harm small and medium sized businesses and existing residences in the immediate neighbourhood. To allow this zoning amendment and development will burden nearby businesses and residents with overflow parking problems and expense of parking enforcement, obstruction of view of businesses and residences, traffic congestion on roads and lots as well as driveways adjacent to the proposed development.

Name	Address	Phone #	Signature
	1624 BIRCH AVE. COMOX		NS-COVID
	#3 1335 13th St COURTENAY		NS-COVID
	1656 Meadowood Way Qualicum Beach		NS-COVID
	143-4714 Muir COURTENAY		NS-COVID
	7635 Ships Pt Rd Fanny Bay		NS-COVID
	#8-1180 BRAWWOOD COURTENAY		NS-COVID
	2075 Lambert Dr Courtenay		NS-COVID
	4745 Forbidden Plateau Rd Courtenay		NS-COVID
	2015 Hemlock Pl Courtenay		NS-COVID
	1987 EVANS PL COURTENAY		NS-COVID
	1412 Valley View Courtenay		NS-COVID
	1412 Valley View Courtenay		NS-COVID
	555 A Spittire Dr Comox		NS-COVID
	4421 DOVE CREEK RD. COURTENAY		NS-COVID
	6416 Skyview Pl Comox		NS-COVID
	301 Pritchard Comox		NS-COVID

Petition to deny Zoning Change and Residential Building Development at 3040 Kilpatrick Ave.

We, the undersigned, ask that the City of Courtenay city council reject the application to rezone 3040 Kilpatrick Ave. to allow residential use and deny the proposed development plan to place a residential building at this commercial address. We feel this will irreparably harm small and medium sized businesses and existing residences in the immediate neighbourhood. To allow this zoning amendment and development will burden nearby businesses and residents with overflow parking problems and expense of parking enforcement, obstruction of view of businesses and residences, traffic congestion on roads and lots as well as driveways adjacent to the proposed development.

Name	Address	Phone #	Signature
[REDACTED]	#3-521 WINSLOW RD KYE BAY BC	[REDACTED]	NS-COVID
[REDACTED]	32-4685 Headquarters COURTENAY BC	[REDACTED]	NS-COVID
[REDACTED]	1483 Seaview Cr Black Creek Bf	[REDACTED]	NS-COVID
[REDACTED]	5084 SPENCE COURTENAY	[REDACTED]	NS-COVID
[REDACTED]	#16-1957 GUTHRIE RD COMOX	[REDACTED]	NS-COVID
[REDACTED]	#221-3030 KILPATRICK COURTENAY	[REDACTED]	[REDACTED]
[REDACTED]	#221-3030 KILPATRICK COURTENAY	[REDACTED]	[REDACTED]
[REDACTED]			
[REDACTED]			
[REDACTED]			
[REDACTED]			
[REDACTED]			
[REDACTED]			
[REDACTED]			
[REDACTED]			

Petition to deny Zoning Change and Residential Building Development at 3040 Kilpatrick Ave.

12

We, the undersigned, ask that the City of Courtenay city council reject the application to rezone 3040 Kilpatrick Ave. to allow residential use and deny the proposed development plan to place a residential building at this commercial address. We feel this will irreparably harm small and medium sized businesses and existing residences in the immediate neighbourhood. To allow this zoning amendment and development will burden nearby businesses and residents with overflow parking problems and expense of parking enforcement, obstruction of view of businesses and residences, traffic congestion on roads and lots as well as driveways adjacent to the proposed development.

Name	Address	Phone #	Signature
	116 4714 M O/R RD.		
	3718 Taylor St E.		
	7784 +02w rd.		
	647-8337431		
	1254 Mayfair Rd		
	3311 BOOD RD		
	K576 BIRCH AVE		
	1450 +02w Ave		
	6907 Railway		
	4331 Brookdale		
	2625 Mansfield		
	1937 Richard road		
	41-1400 Park St Re mber ton		

Petition to deny Zoning Change and Residential Building Development at 3040 Kilpatrick Ave.

13

We, the undersigned, ask that the City of Courtenay city council reject the application to rezone 3040 Kilpatrick Ave. to allow residential use and deny the proposed development plan to place a residential building at this commercial address. We feel this will irreparably harm small and medium sized businesses and existing residences in the immediate neighbourhood. To allow this zoning amendment and development will burden nearby businesses and residents with overflow parking problems and expense of parking enforcement, obstruction of view of businesses and residences, traffic congestion on roads and lots as well as driveways adjacent to the proposed development.

Name	Address	Phone #	Signature
	AZ-1957 Guthrie Rd Cmx		
	1797 Knight Rd Com		
	160 Willow Way Con		
	2630 Merville Rd		
	4281C Forbidden Plateau Courtenay		
	16245 31st St City		
	1562B Marvica Cr.		
	4503 Maple Duval Drive		
	345 Alwood Crescent		
	1695 STEPHAN RD BLACK CREEK		
	1974 4th St		
	2605 Mansfield Dr		
	11 1r		
	9060 Clarkson - DK Cr		
	4710 Gail Cres		
	677 Murrelet Ct.		

Petition to deny Zoning Change and Residential Building Development at 3040 Kilpatrick Ave.

14

We, the undersigned, ask that the City of Courtenay city council reject the application to rezone 3040 Kilpatrick Ave. to allow residential use and deny the proposed development plan to place a residential building at this commercial address. We feel this will irreparably harm small and medium sized businesses and existing residences in the immediate neighbourhood. To allow this zoning amendment and development will burden nearby businesses and residents with overflow parking problems and expense of parking enforcement, obstruction of view of businesses and residences, traffic congestion on roads and lots as well as driveways adjacent to the proposed development.

Name	Address	Phone #	Signature
	1290 carron Road		
	1978cliffe ave		
	1290 carron Road		
	555 Linscott road		
	119-1970 Fitzgerald Ave		
	COURTENAY, B.C.		
	3971 FRASER RD		
	Room 301 Passage View Motel		
	1540 Piercy Ave		
	8670 Schjelderup		
	1429 Malahat		
	2828 Westworth Rd		
	2600 Kendal ave		
	250-702-1252		

**Petition to deny Zoning Change and Residential Building
Development at 3040 Kilpatrick Ave.**

16

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Name	Address	Phone #	Signature
	3642 Minto Rd. Courtenay		
	1406 Vallequivada		
	3642 Minto Rd Courtenay		
	86 LEASH		
	501 Arbuthnot Bay Rd		
	6341 Olympia Way		
	4709 Cumberland Rd		
	"		
	3389 Bolton St Cumberland		
	1966 COLEMAN RD		
	1945 Hollyden Cour		
	1401 Embleton		
	4326 Bricdale Rd		

**Petition to deny Zoning Change and Residential Building
 Development at 3040 Kilpatrick Ave.**

17

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Name	Address	Phone #	Signature
	37 Salisbury Rd. Courtenay BC V9N9		
	798 Stewart Ave Courtenay BC V9N		
	3511 Royston R.d. Courtenay BC V9N9P9		
	Comox V9M2G5		
	Comox V9M-2G5		
	Union Bay		
	Cumberland B.C. Comox		
	3048 BOLT AVE		
	Courtenay		
	Comox BC		
	Comox BC		
	Courtenay BC		
	COURTENAY		
	COURTEWAY		
	bonader		
	Comox		

Schedule No. 4: Site and Building Plans


OWNER:
A/E: NEWPORT VILLAGE COURTENAY
DEVELOPMENTS LTD.
20100 15th Street, Suite 100
P.O. Box 519-0005
Vancouver, BC V6P 6K6
FX 604-519-0005

NEWPORT VILLAGE - BUILDING 3
3040 KILPATRICK AVE
COURTENAY, B.C.
JUNE 28, 2021



NEWPORT VILLAGE COURTENAY DEVELOPMENTS LTD.
BUILD 3
OCP & RE-ZONING APPLICATION
2021.06.28
A - 0.01



 <p>dlbs DESIGN LANDSCAPE BUILDINGS & PLANNING 1000 West Beaver Creek Road, Suite 200 Richmond, BC V6X 3V9 Tel: 604.273.8888 Fax: 604.273.8889</p>	LANDSCAPE BUFFER SITE SETBACKS
	WILMONT BUILDING CONTRACTIVE DEVELOPMENT LTD BUILD 3
OCP & RE-ZONING APPLICATION	2021.06.28
A - 1.02	



USEABLE AREA = 726 SM

NEAREST MILAGE
 COURTESY DEVELOPMENTS LTD

BUILD 3

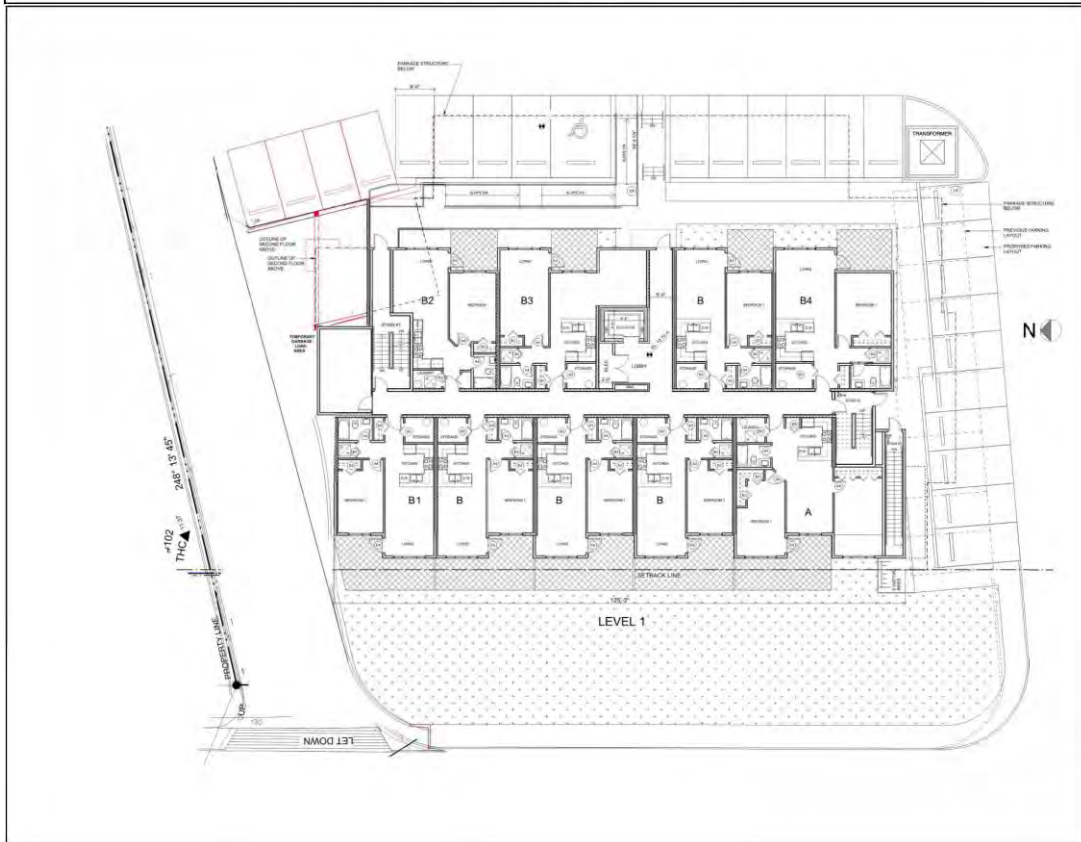
**CCP & RE-ZONING
 APPLICATION**

2021.06.28

A - 1.03



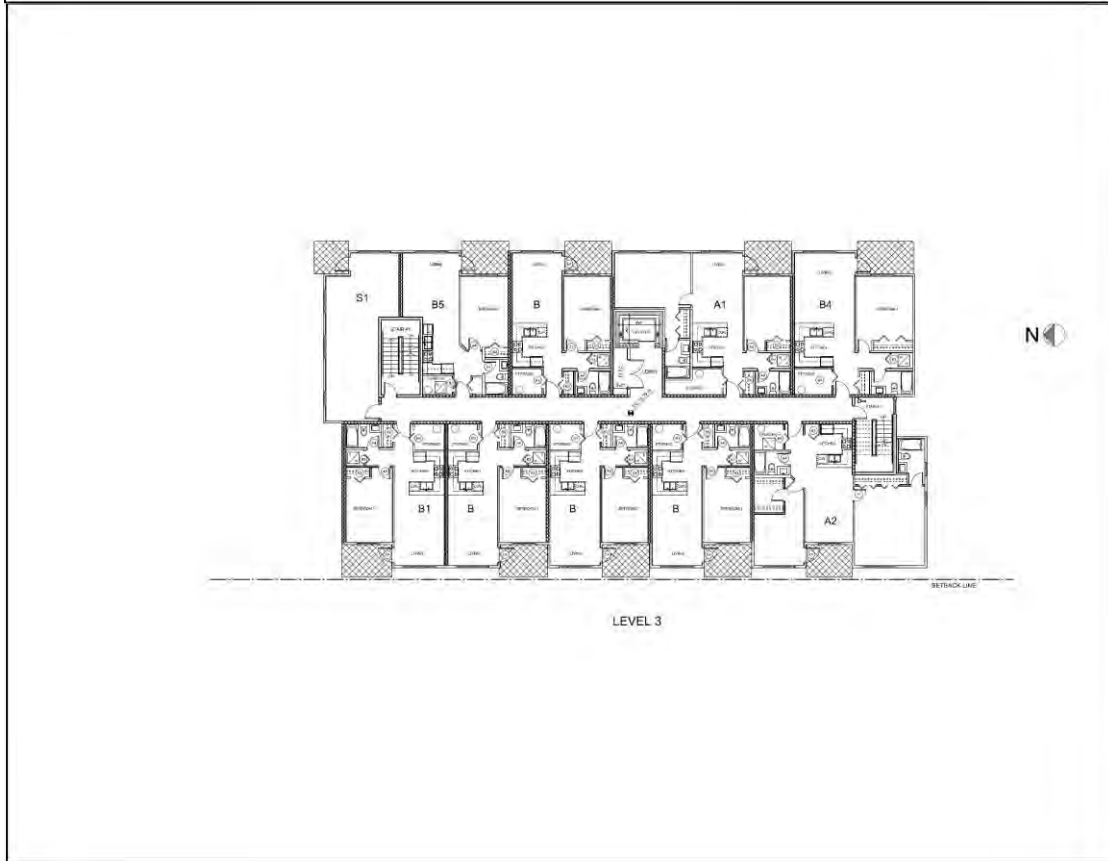
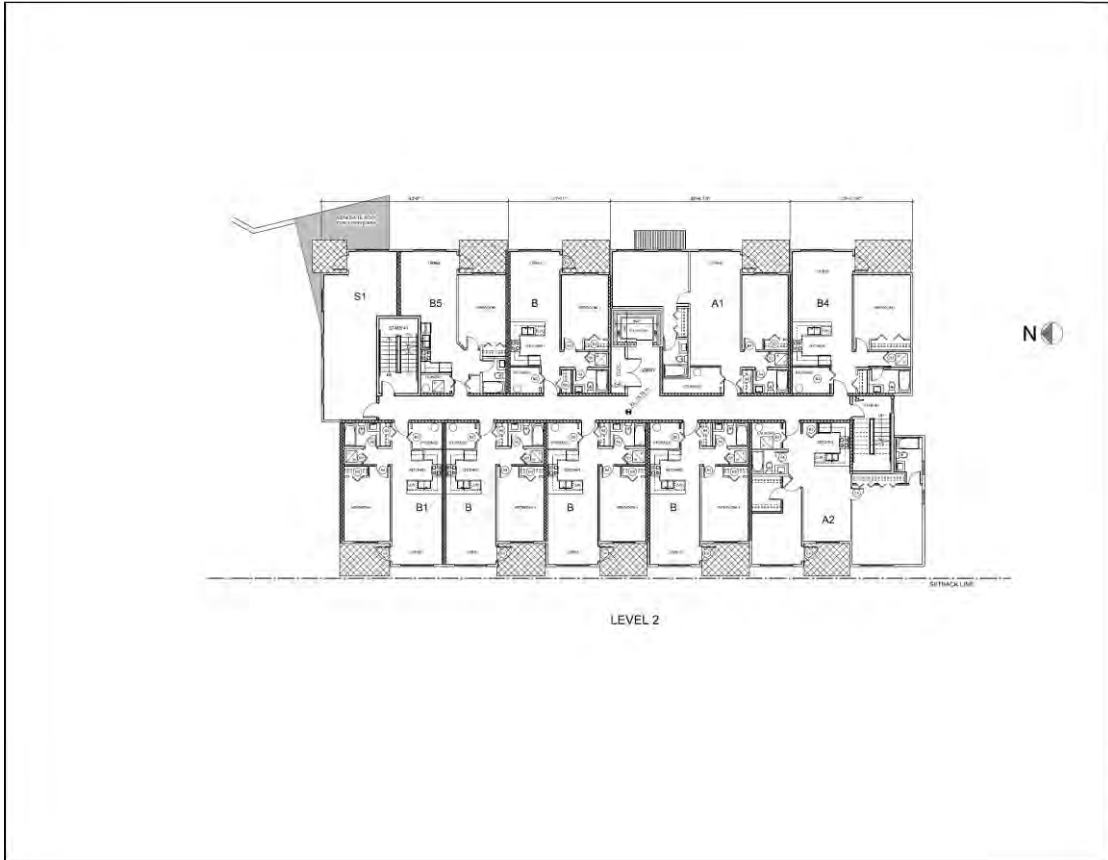
dlbs
 DESIGN, LANDSCAPE & CONSTRUCTION
 1000 W. 10th St. Suite 100
 Vancouver, BC V6H 2G6
 Phone: 604.681.1111
 Fax: 604.681.1112
 Website: www.dlbs.ca



NEWPORT VILLAGE
 COURTESY DEVELOPMENTS LTD
 BUILD 3
 OCP & RE-ZONING
 APPLICATION
 2021.06.28
 A - 1.20



NEWPORT VILLAGE
 COURTESY DEVELOPMENTS LTD
 BUILD 3
 OCP & RE-ZONING
 APPLICATION
 2021.06.28
 A - 1.21



HEMPHILL VILLAGE
COURTNEY DEVELOPMENTS LTD.
BUILD 3
OCP & RE-ZONING
APPLICATION
2021.06.28
A - 1.22

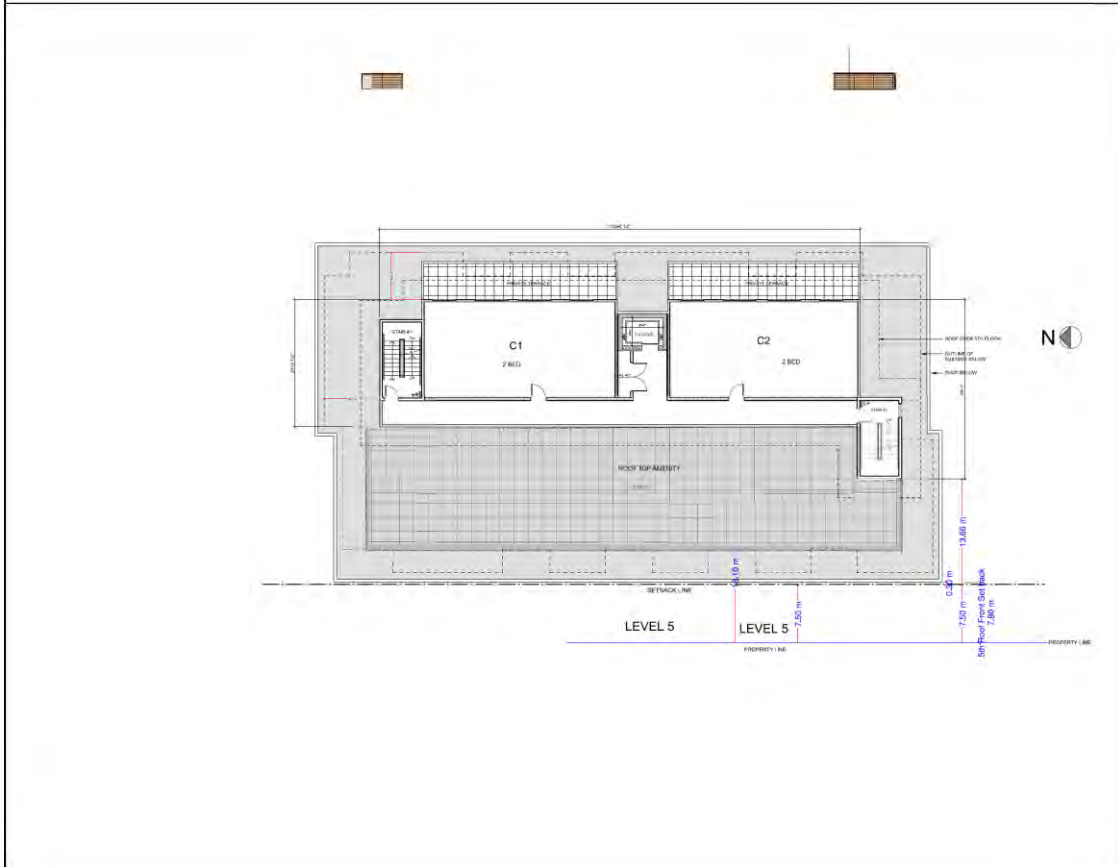


HEMPHILL VILLAGE
COURTNEY DEVELOPMENTS LTD.
BUILD 3
OCP & RE-ZONING
APPLICATION
2021.06.28
A - 1.23



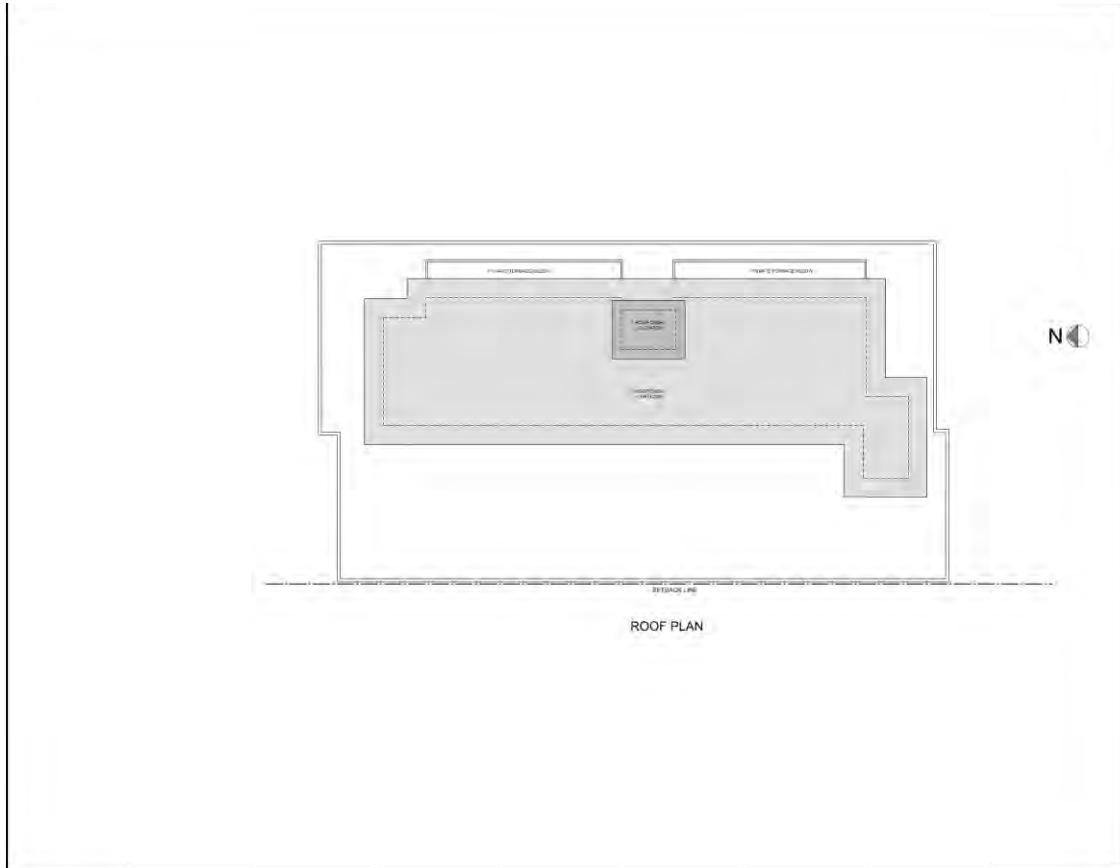
db's
 ARCHITECTURAL CONSULTANTS & ENGINEERS
 1000 West Beaver Creek Road, Suite 100
 Richmond Hill, Ontario L4B 1N2
 Tel: (905) 709-8888
 Fax: (905) 709-8889
 www.dbs.ca

HERNDON VILLAGE
 COURTESY DEVELOPMENTS LTD.
 BUILD 3
 OCP & RE-ZONING
 APPLICATION
 2021.06.28
 A - 1.74



db's
 ARCHITECTURAL CONSULTANTS & ENGINEERS
 1000 West Beaver Creek Road, Suite 100
 Richmond Hill, Ontario L4B 1N2
 Tel: (905) 709-8888
 Fax: (905) 709-8889
 www.dbs.ca

HERNDON VILLAGE
 COURTESY DEVELOPMENTS LTD.
 BUILD 3
 OCP & RE-ZONING
 APPLICATION
 2021.06.28
 A - 1.25



dbs
Development Services
City of Vancouver
2021.06.28

WINDY HILL
ZONING DEVELOPMENT LTD.
BUEB 3
OCP & RE-ZONING
APPLICATION
2021.06.28
A - 1.26



NEWPORT VILLAGE
COURTESY DEVELOPMENTS LTD.

BUILD 3
OCP & RE-ZONING
APPLICATION

2021.06.28

A - 1.27



NEWPORT VILLAGE
COURTESY DEVELOPMENTS LTD.

BUILD 3
OCP & RE-ZONING
APPLICATION

2021.06.28

A - 1.28

Schedule No. 5: Sustainable Evaluation Checklist



CITY OF COURTENAY
Development Services
 830 Cliffe Avenue
 Courtenay, BC, V9N 2J7
 Tel: 250-703-4839 Fax: 250-334-4241
 Email: planning@courtenay.ca

SUSTAINABILITY
EVALUATION
COMPLIANCE CHECKLIST

The following checklist provides a quick reference list of required sustainability criteria that, where applicable, shall be satisfied for all development applications including Official Community Plan (OCP) and Zoning Bylaw amendments, Development Permits, Development Variance Permits, Tree Cutting and Soil Removal Permits, Agricultural Land Reserve and Subdivision applications. These criteria are established to ensure that the goals and objectives of the OCP are satisfied. **Please briefly state in the "Description" column how the application achieves the stated criterion.** Where an element of the development proposal does not comply with a sustainability criterion, a justification stating the divergence and the reason shall be made. A separate sheet may be used to provide comment. **Incomplete forms will result in application delays.**

- The Sustainability Evaluation Checklist Policy states: *Proposed developments will be considered where a development:*
- a. provides substantial benefits to the City;
 - b. will not negatively impact on the City's infrastructure, neighborhood or environment;
 - c. new development that supports destination uses such as the downtown, Riverway Corridor or a Comprehensive Planned Community;
 - d. Meets applicable criteria set out in the OCP.

The complete Sustainability Evaluation Checklist policy is contained within the City of Courtenay Official Community Plan No. 2387, 2005.

Project Address: 3040 Kilpatrick Ave, Courtenay, BC	Date: 2021.05.26
Applicant: Newport Village Courtenay Developments Ltd	Signature:

APPLICATION REQUIREMENTS To be filled out by applicant

Land Use. The application:	Description of how the criteria are met
a) Provides a mix of housing types and sizes;	There are 3 studios, 28 one bedroom and 10 two bedroom apartments.
b) Balances the scale and massing of buildings in relation to adjoining properties;	Fifth floor with recessed balconies ends and same height and finishes as building 1 and 2.
c) Complements neighboring uses and site topography;	Increases people and pet count for local commercial business while following slope designs.
d) Provides or supports mixed used developments or neighborhoods;	Supports many mixed use businesses in neighborhoods from hair cutting to food to pets.
e) Promotes walking to daily activities and recreational opportunities;	Many locals walk their pets onto site as well as there is constant flow of people coming and going by walking.
f) Supports a range of incomes;	Incomes range from poverty government support to double income earners making over \$200,000 per year with many people in between. Credit scores are from 500 to 800. People are employed for many years, retired or just starting.
g) Is a positive impact on views and scenery;	Building looks great and at Christmas it had many lights that positively increased scenery and views.
h) Preserves and provides greenspace, trails and landscaping;	Provides trail and landscaping with a huge common roof deck for the best view in Courtenay of Courtenay

Building Design. <i>The application:</i>	Description of how the criteria are met
a) Exhibits high standard of design, landscaping and environmental sensitivity;	Expensive Siding, Roofing, Windows, Glass Railings, Lush Landscaping, energy star appliances, etc.
b) Maintains a high standard of quality and appearance;	Cement Fibre Board Siding, Plank Siding, Culture Stone, Patio pavers and concrete sidewalks.
c) Includes articulation of building faces and roof lines with features such as balconies, entrances, bay windows, dormers and vertical and horizontal setbacks with enhanced colors;	Building articulates in and out of building face with balcony decks and jogs and roof line with balcony, elevator, staircases and roof decks.
d) Avoids creating a strip development appearance;	Several color changes with lap and flat siding with stone and glass and entry canopy avoids creating a strip development appearance.
e) Satisfies Leadership in Energy and Environmental Design (LEED) certification (or accepted green building best practices);	Domestic Hot Water Tanks, Low VOC paints, LED lights, engineered floors, rigid insulation on roof, sloped roof to gutters, etc
f) Uses environmentally sensitive materials which are energy sensitive or have accepted low pollution standards;	Gype-crete topping, luxury vinyl floors, cement siding, plywood, douglas fir lumber, etc
g) Builds and improves pedestrian amenities;	Play area, walking path, exterior bike racks, roof top amenities
h) Provides underground parking;	Underground parking and underground lockers.
i) Applies CPTED (Crime Prevention Through Environmental Design) principles;	Clear line of sites around building, parkade entrance, long screw in entry door, wood backing at entry door frame and studs, 45 degree door viewer, camera system, fob system, optional security systems, shear walls, etc
Transportation. <i>The application:</i>	Description of how the criteria are met
a) Integrates into public transit and closeness to major destinations;	Near public transit and close to major retail and commercial destinations.
b) Provides multi-functional street(s);	Has two ways into and out of site
c) Prioritizes pedestrian and cycling opportunities on the public street system and through the site location that can provide an alternative to public road;	Disable access, pedestrian and cycling opportunities are on-site.
d) Provides or contributes towards trail system, sidewalks, transit facilities, recreation area or environmentally sensitive area;	Increase trail, sidewalks for transit and recreation area.
Infrastructure. <i>The application:</i>	Description of how the criteria are met
a) Includes stormwater techniques that are designed to reduce run-off, improve groundwater exchange and increase on-site retention;	Change small number of roof drains to larger amount of gutter drains so that the roof water load is dispersed into storm water more slowly and evenly. Water flows off roof into perimeter soffit that can hold water then flows down gutter pipes in storm system around the parkade. Roof desk pavers are on pedestals so water can flow under pavers to soffit.
b) Utilizes renewable energy sources (i.e. solar, geothermal) within servable area to City standards;	Having hot water tanks in each unit reduce consumption of gas and increases renewable electrical energy. Residents also do not waste hot water that they pay for so this reduces the consumption of water that is heated. Not running hot water pipes from a central boiler reduces industry energy to produce pipes, etc.

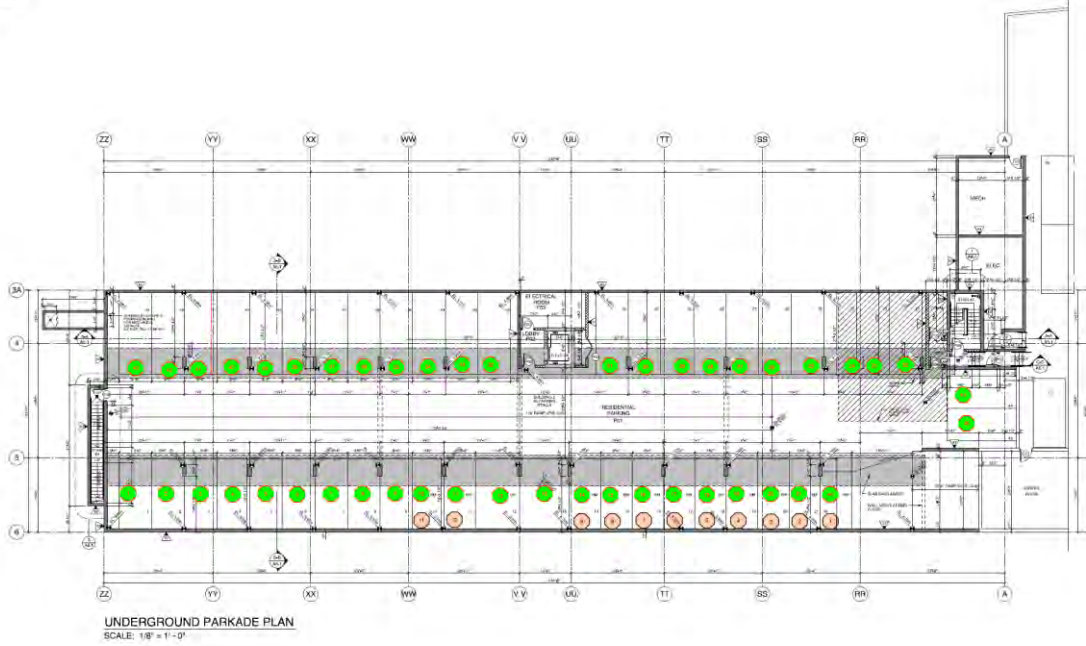
Character & Identity. <i>The application:</i>	Description of how the criteria are met
a) Provides a positive image along waterfront areas and fronting road;	Fronting roads will have a positive image opposed to commercial or dirt.
b) Is designed with quality and variety of features within the project (i.e. street furniture, street lights, signs, curb treatments);	Will have great street lights, signs and curbs.
c) Provides public and private amenity space;	Public park and private roof deck amenity provided.
d) Preserves heritage fixtures;	Preserves original entrance to 3030 Kilpatrick Ave
e) Orients to views, open space and street;	Views are oriented to open space and street.
Environmental Protection & Enhancement. <i>The application:</i>	Description of how the criteria are met
a) Protects riparian areas and other designated environmentally sensitive areas;	None on original exiting site bought land
b) Provides for native species, habitat restoration/improvement;	Good idea
c) Includes tree lined streetscapes.	As required

Schedule No. 6: Additional Materials – Total Development Parking, Parking Study, Traffic Study, Play Area

11 UPDATED PROPOSED PARKING STALL COUNT FOR TOTAL SITE						
PERCENT						
SMALL	BUILD 1	PARKADE	SURFACE	TOTAL	UNITS	STALL/UNIT
	LARGE	69	9	78		
18%	SMALL	15	2	17		
	DISABLE	0	1	1		
	TOTAL	84	12	96	74	1.3
PERCENT						
SMALL	BUILD 2	PARKADE	SURFACE	TOTAL	UNITS	STALL/UNIT
	LARGE	34	25	59		
20%	SMALL	11	4	15		
	DISABLE	1	0	1		
	TOTAL	46	29	75	58	1.3
PERCENT	COMMERCIAL					
SMALL	BUILD 2	PARKADE	SURFACE	TOTAL	UNITS	STALL/UNIT
	LARGE	0	24	24		
17%	SMALL	0	5	5		
	DISABLE	0	1	1		
	TOTAL	0	30	30	58	0.5
PERCENT						
SMALL	BUILD 3	PARKADE	SURFACE	TOTAL	UNITS	STALL/UNIT
	LARGE	27	11	38		
25%	SMALL	13	0	13		
	DISABLE	0	1	1		
	TOTAL	40	12	52	41	1.3
PERCENT						
SMALL	BUILD 1,2,3	PARKADE	SURFACE	TOTAL	UNITS	STALL/UNIT
	LARGE	130	69	199		
20%	SMALL	39	11	50		
	DISABLE	1	3	4		
	TOTAL	170	83	253	173	1.5

11

11d Total Site Stall Count



11

BUILDING 1
PARKING LEVEL
11e Total Site Stall Count



BUILDING 1
UNDERGROUND
PARKING FLOOR PLAN



3040 KILPATRICK AVENUE

Parking Study

A handwritten signature in black ink, appearing to read 'Tim Shah'.

Author: Tim Shah, RPP, MCIP

A handwritten signature in black ink, appearing to read 'Filippas Gekas'.

Reviewer: Filippas Gekas, MCRP

Date: February 23, 2021

File No.: 2984.B01



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1.0 INTRODUCTION

Watt Consulting Group was retained by Dulex to conduct a parking study for the proposed development at 3040 Kilpatrick Avenue in the City of Courtenay. The purpose of this study is to assess the adequacy of the proposed parking supply by considering parking demand at representative sites.

1.1 SUBJECT SITE

The proposed development is located at 3040 Kilpatrick Avenue in the City of Courtenay (see [Figure 1](#)). It is currently zoned as CD-26 (Comprehensive Development, 3040 & 3070 Kilpatrick Ave). The applicant has already constructed two multi-family residential buildings at this site as part of the larger Newport Village development.



Figure 1. Subject Site



1.2 SITE CHARACTERISTICS AND POLICY CONTEXT

The following provides information regarding services and transportation options in proximity to the development. In addition, the City of Courtenay's planning policies pertaining to sustainable transportation and parking management are summarized.



POLICY & PLANNING CONTEXT

The City of Courtenay is in the process of updating its Official Community Plan (OCP), which will contain policy direction on several topics pertaining to parking including transportation and mobility, land use, and design of the built environment, among others. The City's existing OCP includes several goals and policies pertaining to transportation including goal #2, which is stated as follows:

"Development of a transportation system that provides choices for different modes of travel including vehicle, transit, pedestrian, cycling and people with mobility impairments".

The City's OCP also contains policies relating to sustainable transportation and transportation demand management as outlined in multiple sections including: 4.4.3, 4.6.5, 5.2, and 10.3.

4.4.3. Land Use Designations (Residential Policies):

- Increasing densities can reduce urban sprawl and benefit the environment and transportation system, while promoting healthy community and fiscal responsibility through the provision of services. This may be achieved by creating neighbourhoods that offer a variety of transportation choices.

4.6.5. Parks and Open Space (Greenway Strategy):

- The city requires safe, continuous, and convenient pedestrian routes from residences to public walkways, transit, and facilities.



5.2 Transportation (Goals):

- Integrating land use changes with transportation planning to coordinate changes and increases in traffic patterns.
- Developing transportation systems that provide choices for different modes of travel including vehicle, transit, pedestrian, cycling, and people with mobility impairments.
- Supporting integration of transportation systems that reduce travel distances and congestion.

10.3. Planning for Climate Change (Objectives and Policies):

Aligning developments within the following transportation mode hierarchy:

1. Walking
2. Cycling
3. Transit
4. Commercial delivery of goods and services
5. SOV



SERVICES

Anfield Centre is immediately south of the subject site, offering a variety of large-scale commercial-retail services within a 5-minute walk (300m). The site is also a 7-minute walk (500-600m) from Driftwood Mall where several other amenities / personal services are available including a grocery store, financial services, pharmacy, and restaurants.



TRANSIT

The subject site has access to excellent transit service. It is within a 5-minute walk of the Anfield Exchange where four different bus routes are available including:

- Route 1 | Comox Mall / Anfield Centre via N.I.C
- Route 2 | Cumberland / Anfield Centre
- Route 8 | Downtown / Anfield Centre



- Route 20 | Cumberland via Royston

These routes provide access to various destinations within the region including downtown Courtenay, east Courtenay, and Cumberland. While most of the routes offer limited service during the weekday, the Route 1 operates as the Frequent Transit Network (FTN) route offering 20-minute service at peak hours between the municipalities of Courtenay and Comox. It provides service to several employment destinations including downtown Courtenay, North Island College, North Island Hospital Comox Valley, and downtown Comox, among other destinations.



WALKING

The subject site can be described as somewhat walkable with a walk score of 50, suggesting that some errands can be accomplished on foot. Sidewalks are located on one side of Kilpatrick Avenue and serve to connect residents to the Anfield Exchange, the Anfield Centre, and other destinations along Kilpatrick Avenue.

The recommended pedestrian network plan identified in the City's Transportation Master Plan (TMP)¹ shows sidewalk improvements on Kilpatrick Avenue from 26th Street to 29th Street. The specific sidewalk improvements identified in the TMP are part of the City's medium-term (10 year) pedestrian network, which is intended to improve the walkability of areas around schools, commercial areas, and connections to transit.

¹ City of Courtenay & Urban Systems Ltd. (2019). Connecting Courtenay: Transportation Master Plan. Figure 5-3 Recommended Pedestrian Network Plan, pg. 43, available online at: <https://tinyurl.com/y2xwcf9g>



CYCLING

Kilpatrick Avenue does not currently have any bike facilities. According to the City's TMP and Cycling Network Plan, there are no plans for a bike facility on Kilpatrick Avenue over the next 10 years. However, the medium-term cycling network does identify a buffered / painted bike facility on 26th Street, which is about a 3-minute bike ride from the site (measured using Google Maps). This bike facility would make it easier for residents of the subject site to travel more directly to destinations such as downtown Courtenay and to further destinations such as North Island College using other proposed bike facilities along Fitzgerald Avenue and Old Island Highway.

2.0 PROPOSED DEVELOPMENT

2.1 LAND USE

The proposal for the development is for 41 strata-owned condominium units including a mix of unit types (studio, one-bedroom, and two-bedroom). See [Table 1](#).

TABLE 1. SUMMARY OF PROPOSED DEVELOPMENT

Land Use	Unit Type	Units
Multi-family Residential (Strata)	Studio Unit	3
	One Bedroom Unit	28
	Two Bedroom	10
	Total	41

2.2 PROPOSED PARKING SUPPLY

2.2.1 VEHICLE PARKING

A total of 51 parking spaces are proposed for this development, which results in a rate of 1.24 spaces per unit (inclusive of visitor parking). All of the residential parking spaces



will be electric vehicle-ready, which means that they will feature an energized outlet capable of providing Level 2 charging or higher to the parking space.

2.2.2 BICYCLE PARKING

The applicant is proposing a total of 41 Class I (indoor, secured) bicycle parking spaces (1 space per unit) and 6 Class II (short-term, visitor) bicycle spaces.

3.0 PARKING REQUIREMENT

The City of Courtenay Zoning Bylaw No. 2500, 2007 determines the minimum parking supply requirement. The site has a parking requirement of 1.5 spaces per dwelling unit with 10% of required spaces to be provided and retained as visitor parking. This results in a total site parking requirement of 62 parking spaces, six (6) of which would be retained for visitors. This is 11 parking spaces more than proposed. See [Table 2](#).

TABLE 2. PARKING REQUIREMENT

Land Use	Requirement	Required Spaces
Multi residential dwellings	1.5 per dwelling unit with 10% of the required spaces being provided and retained for visitor parking.	56 resident 6 visitor
	Total	62

4.0 EXPECTED PARKING DEMAND

Expected parking demand for the site is estimated in the following sections to determine if the proposed supply will adequately accommodate demand. Expected parking demand is based on [a] parking observations of representative sites in the City of Courtenay and [b] parking demand data from the subject site.



4.1 RESIDENTIAL PARKING

4.1.1 SITE SELECTION

Observations of parked vehicles were completed at 9 condominium buildings in the City of Courtenay representing a total of 344 units. All of the representative sites were selected based on having comparable characteristics to the subject site including access to transportation options, proximity to amenities / services, and whether there was surface parking to allow the data collector to count parked vehicles.

4.1.2 OBSERVATIONS

Observations of parking utilization were conducted over two nights at representative sites during the typical weekday peak hour period for residential land uses. Observations were conducted from 9:00-10:30pm on February 2 and February 3, 2021. The greater number of observed vehicles between the two data collection periods were used for the representative peak demand at each location. The demand ranged from 0.8 to 1.1 vehicles per unit, with an average parking demand of 0.95 vehicles per unit.

TABLE 3. PARKING DEMAND AT REPRESENTATIVE SITES

Address	Number of Units	Peak Observed Vehicles	Parking Demand (Vehicles/Unit)
1440 13th Street	16	15	0.94
1720 13th Street	24	24	1.00
1111 Edgett Road	24	21	0.88
1095 Edgett Road	21	23	1.10
205 1st Street	54	57	1.06
1050 Braidwood Road	61	51	0.84
200 Back Road	60	53	0.88
1045 Cumberland Road	45	36	0.80
1355 Cumberland Road	39	41	1.05
		Average	0.95



4.1.3 ADJUSTMENT FACTORS

Observations are a useful method of assessing parking demand rates; however, there are limitations. One such limitation is the fact that an observation may not “catch” all residents while they are home with their parked car on-site. On a typical weeknight in times prior to public health measures put in place due to COVID-19, it would be expected that some residents return home very late at night or in the next morning or have driven out of town for business or vacation.

For instance, a large scale apartment parking study commissioned by Metro Vancouver reported that observations of parking occupancy (percent of stalls occupied by a car or truck) increased later in the night. The study also suggested that occupancy surveys that start between 9:00pm–10:30pm should have a 10% adjustment factor. Based on the available research, a conservative 10% adjustment factor is considered appropriate for the observations. Retaining the adjustment factor helps ensure that the parking demand estimates reflect a conservative (i.e., higher) estimation of demand.

Table 4 shows the difference between the observed parking demand and the adjusted parking demand rate, reflecting the 10% increase for “missed vehicles”. The average observed demand rate increased from 0.95 to 1.04 vehicles per unit.



TABLE 4. ADJUSTED PARKING DEMAND AT REPRESENTATIVE SITES

Address	Number of Units	Parking Demand (Vehicles/Unit)	Adjusted Parking Demand (Vehicles/Unit)
1440 13th Street	16	0.94	1.03
1720 13th Street	24	1.00	1.10
1111 Edgett Road	24	0.88	0.96
1095 Edgett Road	21	1.10	1.20
205 1st Street	54	1.06	1.16
1050 Braidwood Road	61	0.84	0.92
200 Back Road	60	0.88	0.97
1045 Cumberland Road	45	0.80	0.88
1355 Cumberland Road	39	1.05	1.16
		Average	1.04

4.1.4 PARKING DEMAND BY UNIT TYPE

Unit size type refers to the number of bedrooms provided within a residential unit. Research has shown that larger units will generally have more occupants or a family, therefore increasing the likelihood that additional vehicles will be owned by occupants and growing the parking demand.² Parking data collected for this study was assessed to reflect unit type using the following steps:

- Parking demand was calculated and adjusted by 10%;
- Parking Demand by unit type was calculated based on the demand ratios of bedrooms per unit at each site acquired from the Metro Vancouver Parking Study from 2018; and

² Potoglou, D., & Kanaroglou, P.S. (2008). Modelling car ownership in urban areas: a case study of Hamilton, Canada. *Journal of Transport Geography*, 16(1): 42-54.



- The assumed "ratio differences" (from 2018 Metro Vancouver Parking study) for parking demand between each site was applied to unit data and vehicle observations. These "ratio differences" are as follows.³
 - 1-Bedroom units' parking demand rates will be 19% higher than studio units rates;
 - 2-Bedroom units' parking demand rates will be 30% higher than 1-Bedroom rates; and
 - 3-Bedroom units' parking demand rates will be 23% higher than 2-Bedroom rates.

There was not a single studio unit in the 344-unit parking survey sample. As such, the studio ratio from the Metro Vancouver study was applied to the one-bedroom parking demand rate (0.83 vehicles per unit). With one-bedroom units having 19% higher demand than studio units, the studio rate is 0.7 vehicles per unit.

In summary, based on the analysis above, the following are the recommended demand rates for the units:

- Studio | 0.7 spaces per unit X 3 units = 2 spaces
- One-bedroom | 0.83 spaces per unit X 28 units = 23 spaces
- Two-bedroom | 1.08 space per unit X 10 units = 11 spaces
- **Total residential parking demand = 36 spaces**

4.1.5 PRECEDENT SITE

The proposed development is part of the larger Newport Village development, where two multi-family residential buildings have already been constructed. This provided an opportunity to collect local parking demand data from the subject site directly.

Observation counts were conducted at Building 1 (also a condominium building) from 9:00-10:30pm on Tuesday February 2, 2021. A total of 73 resident vehicles were

³ Metro Vancouver. (2018). Regional Parking Study – Technical Report, pg. 18. Available online at: <https://tinyurl.com/v2veidba>



observed. Building 1 has 70 units, which results in a parking demand of 1.04 spaces per unit, or 1.14 residential spaces per unit when adjusted by 10%. The parking demand rate from Building 1 is slightly higher than what was reported from the representative sites (1.04 spaces per unit). However, it does indicate that demand rate from the representative sites is generally in line with the data from Building 1.

4.2 VISITOR PARKING

Watt Consulting Group conducted a parking study for a proposed multi-family residential building in Courtenay in 2019.⁴ That study included data on visitor parking demand from 8 multi-family residential building sites in Courtenay. The average visitor parking demand was 0.08 spaces per unit. Other studies from Metro Vancouver and Greater Victoria have reported similar rates ranging from 0.05 to 0.1 spaces per unit. Based on the local data from Courtenay, the expected visitor parking demand is 0.1 spaces per unit (0.08, rounded), which results in 4 visitor spaces.

4.3 SUMMARY OF EXPECTED PARKING DEMAND

Based on the analysis, the total expected parking demand for the site is 40 spaces (see **Table 5**). Therefore, the expected parking demand is lower than the proposed supply (51) by 11 spaces.

⁴ WATT Consulting Group. (2019). 574 Cumberland Road Parking Study.



TABLE 5. SUMMARY OF PARKING DEMAND

Land Use	Units	Expected Parking Demand		
		Rate	Total	
Multi-Family Residential (Strata)	Studio	3	0.7	2
	One-bedroom	28	0.83	23
	Two-bedroom	10	1.08	11
Visitor	41	0.10	4	
Total Expected Parking Demand				40

5.0 CONCLUSIONS

The proposed development at 3040 Kilpatrick Avenue includes a 41-unit multi-family residential (strata) building. A total of 51 vehicle parking spaces are proposed. In addition, the applicant is proposing 41 long-term bicycle parking spaces and 6 short-term spaces.

Expected parking demand for this development was estimated based on observational data collected from representative sites in the City of Courtenay. Based on these observations, the peak parking demand is 40 spaces (36 resident, 4 visitor), which is lower than the proposed supply by 11 spaces. Based on these data, the proposed parking supply of 51 spaces is considered appropriate.



3040 KILPATRICK AVENUE

Traffic Impact Assessment

A handwritten signature in black ink, appearing to read "Myung-jom Oh".

Author: MJ Oh



Reviewer: Nadine King, P.Eng

Date: February 23, 2021

File No.: 2984.B01



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Appendix A: Synchro Information



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1.0 INTRODUCTION

Watt Consulting Group was retained by Newport Village Courtenay Developments Ltd. to conduct a traffic impact assessment for a proposed residential development at 3040 Kilpatrick Avenue in Courtenay. For the site, the original TIA was undertaken with a mixed-use development in 2016 and most of the proposed land uses have been constructed. This study assesses traffic impacts of the proposed multi-family residential building, reviews the site access, and assesses the need for any mitigation measures. The study reviews the existing traffic operations along with the post development and long-term conditions for all modes of transportation.

1.1 STUDY AREA

See **Figure 1** for the study area and location. The study area includes the following intersections:

- Kilpatrick Avenue / 29th Street / (Signalized)
- Kilpatrick Avenue / 30th Street
- Cliffe Avenue / Anfield Road (Signalized)



Figure 1: Study Area and Site Location

2.0 EXISTING CONDITIONS

2.1 LAND USE

The proposed development site (3040 Kilpatrick Avenue) is currently undeveloped and the existing zoning on the site is CD-26 (Comprehensive Development 26). To the south of the proposed site (3070 & 3080 Kilpatrick Avenue) two apartment buildings have



been constructed as a part of this overall project. The surrounding area of the development is mostly commercial and industrial along Kilpatrick Avenue. There is a shopping mall including Walmart and Best Buy to the south.

2.2 ROAD NETWORK

The proposed development is located on the east side of Kilpatrick Avenue near the SmartCentres Courtenay mall. 29th Street is under the jurisdiction of the Ministry of Transportation and Infrastructure. Cliffe Avenue, Kilpatrick Avenue, 30th Street, and Anfield Road are under the jurisdiction of the City of Courtenay. All roads within the study area have a maximum speed limit of 50km/h. A description of all relevant roads in the area is provided below.

29th Street (Comox Valley Parkway) is a four-lane highway which runs east / west and provides connectivity from Highway 19 to Cliffe Avenue (Highway 19A).

Cliffe Avenue is an arterial road (south of 29th Street) which leads to the downtown core of Courtenay.

Kilpatrick Avenue runs through the commercial area parallel to Cliffe Avenue and is an undivided two lane collector road with a two-way left turn lane.

30th Street is a local road with low traffic volumes and intersects Kilpatrick Avenue within close proximity of the development site. Kilpatrick Avenue becomes the access to the shopping mall after passing the proposed development site.

Anfield Road is another access road to the mall and connecting to Cliffe Avenue via a signal.

The intersection of Kilpatrick Avenue / 29th Street is signalized with a left turn lane for all four (4) approaches. The intersection of Cliffe Avenue / Anfield Road is also signalized. At the intersection, the southbound right turn is channelized with a free movement and



there is a raised centre median on the north leg of Cliffe Avenue. The intersection of Kilpatrick Avenue / 30th Street is stop controlled.

2.3 TRAFFIC VOLUMES

Traffic counts were undertaken during the PM peak hour on February 2, 2021 at three locations: 29th Street, 30th Street and the development driveway on Kilpatrick Avenue. It should be noted that 2021 counts were undertaken during the COVID-19 pandemic which has likely resulted in a reduction in traffic volumes. At the time of the count, the province of BC was under a provincial health order to have individuals limit contact with others outside of their immediate family. The count volumes have been adjusted to account for impacts by the COVID-19 pandemic as described below.

Based on the 2016 counts and MoTI's traffic data, 2021 background volumes for the opening day analysis were determined with a COVID-19 factor of 1.15 (15% increase from measured 2021 existing volumes). There was no volume increase on Comox Valley Parkway (29th Street) between the MoTI's 2015 and 2018 counts.

Traffic volumes for Cliffe Avenue / Anfield Road were collected from the original traffic study conducted in 2016. The Cliffe Avenue / Anfield Road intersection volumes were adjusted to 2021 by means of a 1.0% annual growth rate which is based on reviewing the MoTI's uniform traffic volume segment data (UTVS No: 637; growth factors: 1 year 1.1%, 3 year 2.0%, and 10 year 0.7%). See Figure 2 for 2021 background volumes anticipated on opening day.

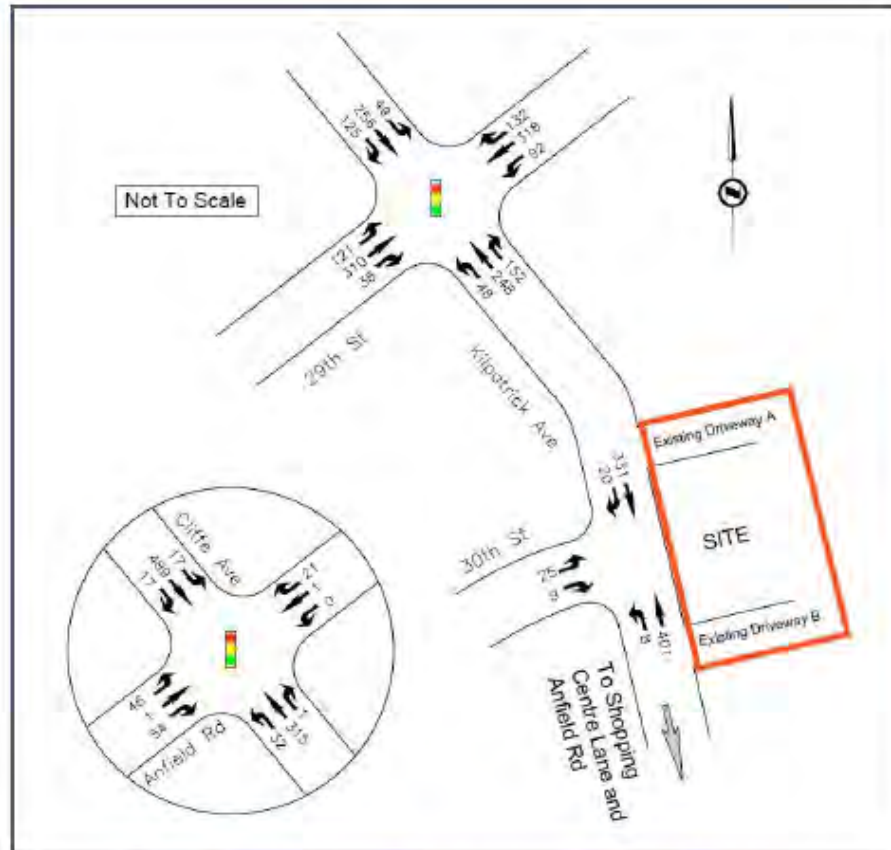


Figure 2: 2021 Opening Day Background Volumes (Adjusted)

2.4 TRAFFIC MODELLING – BACKGROUND INFORMATION

Analysis of the traffic conditions at the intersections within the study area were undertaken using Synchro software (for signalized and stop-controlled intersections).

Synchro / SimTraffic is a two-part traffic modelling software that provides analysis of traffic conditions based on traffic control, geometry, volumes and traffic operations.



Synchro software (Synchro 9/10) has been used since it has the ability to provide analysis using the Highway Capacity Manual (2010) methodology, while SimTraffic integrates established driver behaviours and characteristics to simulate actual conditions by randomly "seeding" or positioning vehicles travelling throughout the network. These measures of effectiveness include level of service (LOS), delay and 95th percentile queue length (in vehicles, for 7.5m vehicle).

The delays and type of traffic control are inputs to determine the level of service. The level of services are broken down into six letter grades with LOS A being excellent operations and LOS F being unstable / failure operations. Level of service C is generally considered to be an acceptable LOS by most municipalities. Level of service D is generally considered to be on the threshold between acceptable and unacceptable operations. A description of level of service and Synchro is provided in Appendix A.

2.5 2021 BACKGROUND TRAFFIC CONDITIONS

The background (existing) PM traffic conditions were analyzed at the three study intersections. At Kilpatrick Avenue / 29th Street, all movements operate at a LOS C or better. The estimated 95th queues for the eastbound and northbound left movements exceed the existing storage lengths. The intersection of Cliffe Avenue / Anfield Road operates at a LOS A/B for all movements. At Kilpatrick Avenue / 29th Street, the eastbound movement with stop control operates at a LOS C while all other movements at a LOS A.



3.0 POST DEVELOPMENT

3.1 PROPOSED LAND USE

The proposed development will add a 41-unit multi-family residential building (5-storey). See Figure 3 for the site plan and access.

3.2 SITE ACCESS

The site has two existing driveways on Kilpatrick Avenue. The north driveway is located 20m north of 30th Street and the south driveway is 25m south of 30th Street. As the proposed underground parking access is located at the north driveway, it is expected most of the site trips will use the north driveway.



Figure 3: Site Plan and Access



3.3 TRIP GENERATION

PM peak hour site trips were estimated from the Institute of Transportation Engineers' (ITE) *Trip Generation Manual (10th Edition)*. The *Trip Generation Manual* provides trip rates for a wide variety of land uses gathered from actual sites across North America over the past 40 years. **Table 1** summarizes the PM trip generations for the proposed land uses. The development will generate 18 trips (11 in; 7 out) during the PM peak hour.

TABLE 1: PM PEAK HOUR TRIP GENERATION

ITE Code	Land Use	Quantities	Trip Rate	Total Trips	Trips In	Trips Out
221	Multi-Family Housing (Mid-Rise)	41 units	0.44 trips / unit	18	11	7

3.4 TRIP ASSIGNMENT

The trip assignment was based on existing trip distributions for traffic in the area and key destinations / origins. A low percentage of the site trips would use the Cliffe Avenue / Anfield Road intersection. The following summarizes the distribution percentages of the site trips at the study intersections. The resulted trip assignment for the PM peak hour is shown in **Figure 4**.

Distribution Percentages of Site Trips:

- 50% of site trips from / to Kilpatrick Avenue North
- 30% of site trips from / to 29th Street East
- 10% of site trips from / to 29th Street West
- 10% of site trips from / to Cliffe Avenue South via Anfield Road

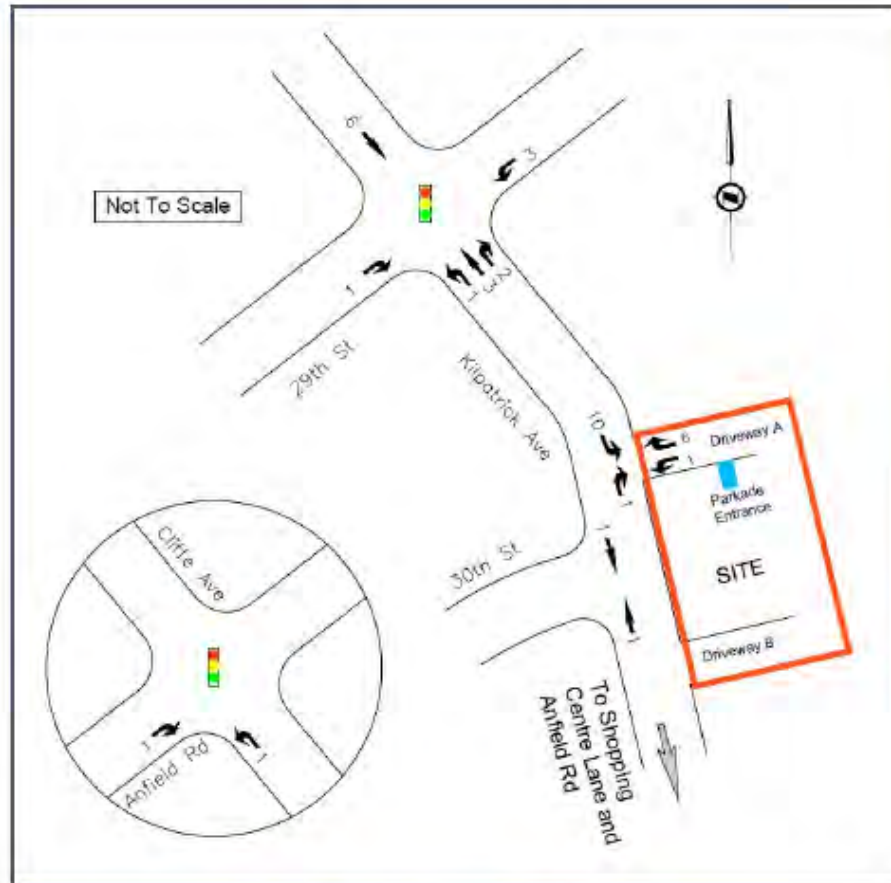


Figure 4: Trip Assignment - PM Peak Hour

3.5 OPENING DAY TRAFFIC CONDITIONS

The opening day post development conditions were analyzed by adding the development trips to background (existing) traffic volumes. The development does not impact traffic operations at the intersection of Kilpatrick Avenue / 29th Street. In the PM peak hour with the development, all movements will continue to operate at the same levels of service (LOS C or better) as background conditions. Additional delays by the



development will be a maximum of less than a half second for all movements. Additional queue lengths by the development will be just 0.2m extended on average at all four left turn lanes and no increase in queue length is anticipated for any of the through lanes in the PM peak hour.

The development does not impact traffic operations at the intersection of Cliffe Avenue / Anfiled Road. The intersection will continue to operate at a LOS A/B for all movements with the development. In the PM peak hour, there will be no additional delays and queues due to the development.

At Kilpatrick Avenue / 30th Street, the development will not impact traffic operations with almost no additional delays and queues for all movements. No capacity issues were found at the three study intersections.

At the site access on Kilpatrick Avenue, the stop controlled westbound (exiting) movement will operate at a LOS C with the development. There is a two-way left turn lane provided on Kilpatrick Avenue which allows for left turn access to the development frontage road.

See Table 2 for the results of the analysis. See Figure 5 for the Opening Day PM peak hour post development volumes.



TABLE 2: OPENING DAY PM PEAK HOUR CONDITIONS

INTERSECTION	MOVEMENT	Background			Post Development		
		LOS	Delay (s)	Queue (m)	LOS	Delay (s)	Queue (m)
KILPATRICK AVE / 29 TH ST (SIGNALIZED)	EBL	C	23.6	35.7 (30)	C	23.6	33.6 (30)
	EBTR	B	13.7	44.8	B	13.7	39.2
	WBL	B	18.9	27.1 (55)	B	19.2	28.1 (55)
	WBTR	B	11.4	40.0	B	11.4	39.8
	NBL	A	9.8	24.4 (20)	A	9.9	25.4 (20)
	NBTR	B	11.3	57.9	B	11.5	57.5
	SBL	B	10.5	20.4 (20)	B	10.6	21.0 (20)
	SBTR	B	11.1	50.4	B	11.2	46.9
CLIFFE AVE / ANFIELD RD (SIGNALIZED)	EBL	B	10.5	16.3	B	10.5	16.5
	EBTR	A	4.2	16.0	A	4.2	14.5
	WBLT	A	9.0	1.3	A	9.0	1.5
	WBR	A	4.4	11.2	A	4.4	10.5
	NBL	A	9.7	14.8 (40)	A	9.8	15.1 (40)
	NBTR	B	10.8	37.7	B	10.8	39.6
	SBL	A	7.8	11.0 (25)	A	7.8	13.4 (25)
	SBTR	B	15.7	54.4	B	15.7	51.8
KILPATRICK AVE / 30 TH ST	EBLR	C	15.5	13.8	C	15.5	14.3
	NBL	A	8.1	4.4	A	8.2	4.3
	NBT	A	0.0	0.0	A	0.0	0.0
	SBTR	A	0.0	0.0	A	0.0	0.0

*Note: 95th Queues based on SimTraffic results (averaged from five simulation runs); (##) – Existing Storage Length

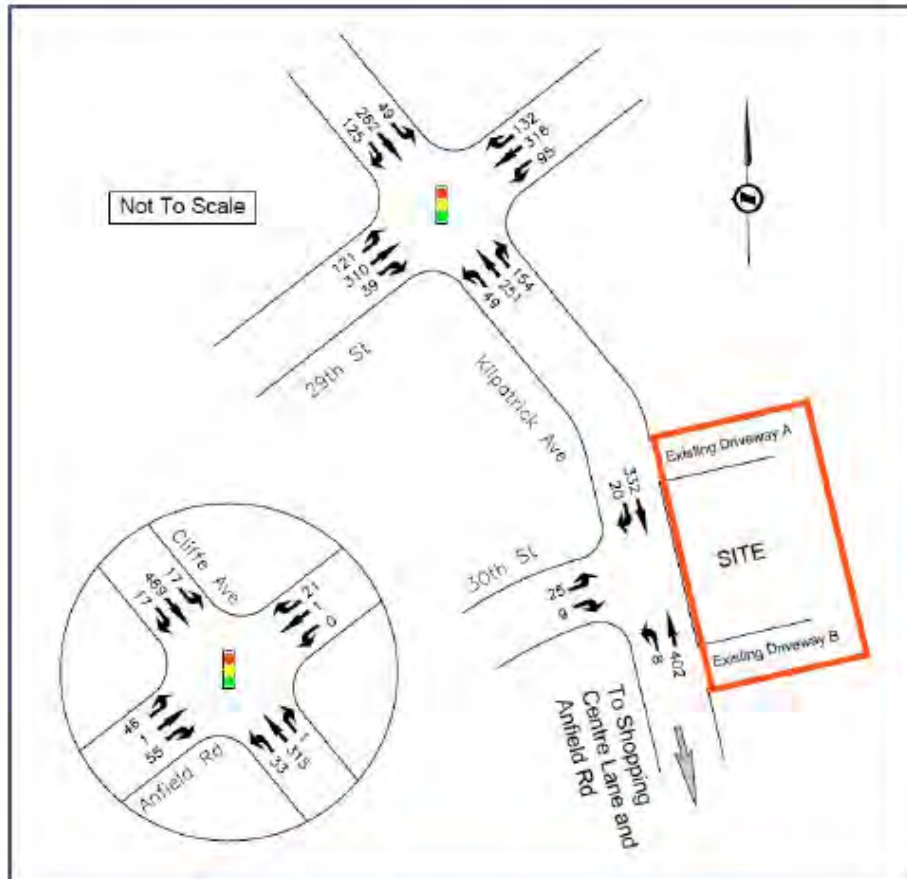


Figure 5: Opening Day Post Development Volumes

4.0 2031 10-YEAR HORIZON TRAFFIC CONDITIONS

For the ten-year horizon analysis, 2031 background volumes were obtained using an annual growth rate of 1.0%, which has been determined based on the MOTI's UTVS data in the area. See Figure 6 for 2031 PM peak hour background volumes.



4.1 2031 BACKGROUND CONDITIONS

2031 background conditions were analyzed for the three study intersections in the PM peak hour. At Kilpatrick Avenue / 29th Street, all movements will operate at a LOS C or better. The intersection of Cliffe Avenue / Anfield Road will operate at a LOS A/B for all movements. At Kilpatrick Avenue / 29th Street, the eastbound movement with stop control will operate at a LOS C while all other movements remain at a LOS A.

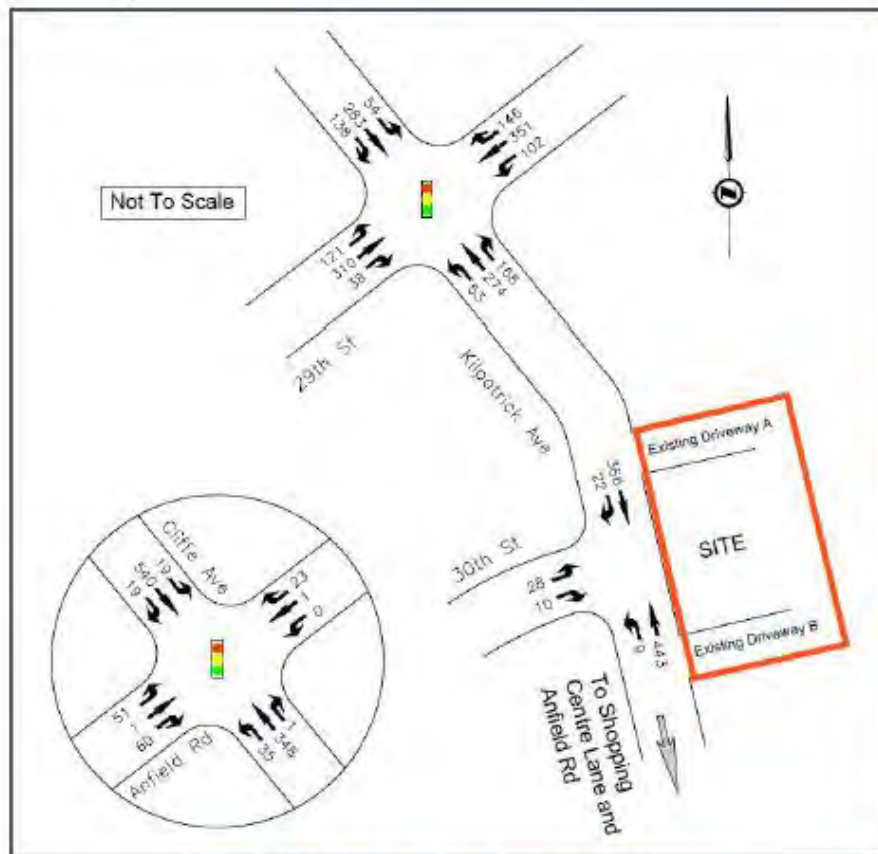


Figure 6: 2031 PM Peak Hour Background Volumes



4.2 2031 POST DEVELOPMENT ANALYSIS RESULTS

2031 post development conditions were analyzed by adding the development trips to 2031 background traffic volumes. The development will not impact traffic operations at the three study intersections. All movements will continue to operate at the same levels of service (LOS C or better) for all movements at the three study intersections in the 2031 PM peak hour with the development.

Additional delays (0.4 seconds or less) and queue lengths estimated by the development would be negligible for all movements at the three study intersections. The development does not trigger the need for any mitigate measures at any of the study intersections. See Table 3 for the results of the 2031 background and post development analysis. See Figure 7 for 2031 PM peak hour post development volumes.

TABLE 3: 2031 10-YEAR HORIZON PM PEAK HOUR CONDITIONS

INTERSECTION	MOVEMENT	Background			Post Development		
		LOS	Delay (s)	Queue (m)	LOS	Delay (s)	Queue (m)
KILPATRICK AVE / 29 TH ST (SIGNALIZED)	EBL	C	31.3	39.3 (30)	C	31.3	36.6 (30)
	EBTR	B	14.1	50.8	B	14.1	37.9
	WBL	C	21.3	30.2 (55)	C	21.7	32.1 (55)
	WBTR	B	12.2	41.5	B	12.2	43.3
	NBL	B	10.6	27.7 (20)	B	10.7	26.3 (20)
	NBTR	B	12.6	61.8	B	12.8	67.8
	SBL	B	11.6	23.9 (20)	B	11.7	27.0 (20)
	SBTR	B	12.1	53.4	B	12.3	52.2
CLIFFE AVE / ANFIELD RD (SIGNALIZED)	EBL	B	10.6	16.9	B	10.6	15.0
	EBTR	A	4.1	16.1	A	4.1	16.0
	WBLT	A	9.0	-	A	9.0	1.3
	WBR	A	4.3	10.7	A	4.3	10.4
	NBL	B	10.8	17.3 (40)	B	10.9	19.5 (40)
	NBTR	B	11.3	41.9	B	11.3	40.9
	SBL	A	7.9	14.5 (25)	A	7.9	18.1 (25)
	SBT	B	18.2	65.0	B	18.2	63.5
KILPATRICK AVE / 30 TH ST	SBR	A	2.5	0	A	2.5	0
	EBLR	C	16.9	14.3	C	16.9	14.6
	NBL	A	8.2	5.2	A	8.2	4.8
	NBT	A	0.0	0.0	A	0.0	0.0
	SBTR	A	0.0	0.0	A	0.0	0.0

*Note: 95th Queues based on SimTraffic results (averaged from five simulation runs); (##) = Existing Storage Length

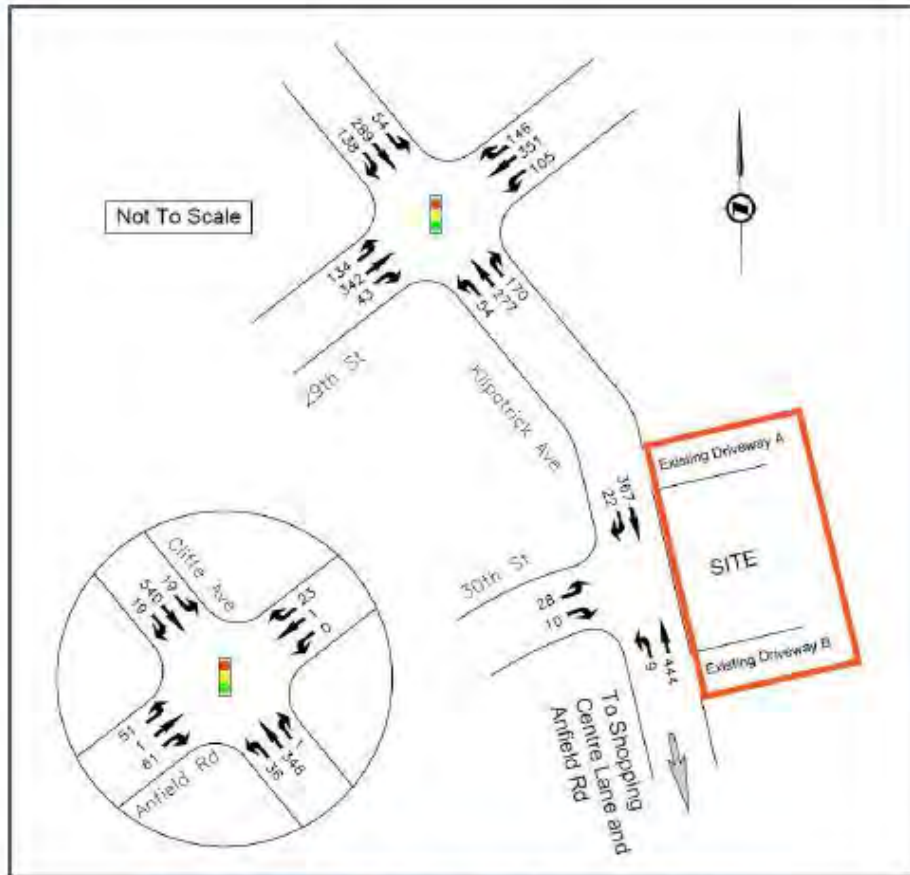


Figure 7: 2031 PM Peak Hour Post Development Volumes



5.0 ACTIVE TRANSPORTATION

5.1 PEDESTRIANS AND CYCLING FACILITIES

The City's OCP provides targets to double the percentages of trips by non-automobile travel modes in the long term. There is currently a sidewalk along the development frontage on Kilpatrick Avenue connecting to the shopping centre area in the southern direction. A pedestrian pathway connection is proposed from the building entrance to the existing sidewalk of Kilpatrick Avenue. Pedestrians are well accommodated for with a sidewalk from the site to the shopping centre and in other directions in the vicinity of the development. There are two marked crosswalks at the east and south of Kilpatrick Avenue / Wal Mart Access. There are currently no bike lanes on Kilpatrick Avenue, and is not designated as a cycling route in the City's Transportation Master Plan. Cyclists share the road with motorists. On-site, a bike storage room and electric vehicle ready parking will be provided.

5.2 TRANSIT

Three bus routes pass in front of the proposed site on Kilpatrick Avenue. Currently, there is a bus stop at Kilpatrick Avenue / 30th Street. Transit routes (#1 and #8) provide service to downtown Courtenay a 20-30min headway during the peak hours. The #2 route provides service to Cumberland via Comox Valley Parkway 10 times per weekday and #20 provides service to Royston (Island Highway and Hayward) 6 times per weekday.

6.0 CONCLUSION

Background volumes for the opening day analysis were collected and adjusted with a 15% increase from measured 2021 volumes to better reflect traffic conditions in a normal, non-pandemic year. The proposed development will generate 18 vehicle trips in the PM peak hour. The development will not affect traffic conditions within study area as there is a low amount of site trips generated during the peak period.



At all three study intersections, all movements will continue to operate at the same levels of service (LOS C or better) with the development in the long term. There will be no queuing issue at the study intersections due to the development. The proposed development will not trigger the need for any mitigation measures at the study intersections.

There is existing sidewalk along the development frontage of Kilpatrick Avenue. A pedestrian pathway connection is proposed from the building entrance to the existing sidewalk of Kilpatrick Avenue.

7.0 RECOMMENDATIONS

The development does not trigger the need for any mitigate measures at any of the study intersections or the site access. However, the City / MoTI should consider left turn lane storage improvements for Kilpatrick Avenue / 29th Street if existing queuing issues become significant in the long term due to background traffic.



APPENDIX A: SYNCHRO INFORMATION



SYNCHRO MODELLING SOFTWARE DESCRIPTION

The traffic analysis was completed using Synchro and SimTraffic traffic modeling software. Results were measured in delay, level of service (LOS) and 95th percentile queue length. Synchro is based on the Highway Capacity Manual (HCM) methodology. SimTraffic integrates established driver behaviours and characteristics to simulate actual conditions by randomly "seeding" or positioning vehicles travelling throughout the network. The simulation is run five times (five different random seedings of vehicle types, behaviours and arrivals) to obtain statistical significance of the results.

Levels of Service

Traffic operations are typically described in terms of levels of service, which rates the amount of delay per vehicle for each movement and the entire intersection. Levels of service range from LOS A (representing best operations) to LOS E/F (LOS E being poor operations and LOS F being unpredictable / disruptive operations). LOS E/F are generally unacceptable levels of service under normal everyday conditions.

The hierarchy of criteria for grading an intersection or movement not only includes delay times, but also takes into account traffic control type (stop signs or traffic signal). For example, if a vehicle is delayed for 19 seconds at an unsignalized intersection, it is considered to have an average operation, and would therefore be graded as an LOS C. However, at a signalized intersection, a 19 second delay would be considered a good operation and therefore it would be given an LOS B. The table below indicates the range of delay for LOS for signalized and unsignalized intersections.

Table A1: LOS Criteria, by Intersection Traffic Control

Level of Service	Unsignalized Intersection Average Vehicle Delay (sec/veh)	Signalized Intersection Average Vehicle Delay (sec/veh)
A	Less than 10	Less than 10
B	10 to 15	11 to 20
C	15 to 25	20 to 35
D	25 to 35	35 to 55
E	35 to 50	55 to 80
F	More than 50	More than 80

Sent: June 24, 2021 6:45 PM
To: Glen Smith <glen@dulux.ca>
Cc: Sophie Eckard <seckard@wattconsultinggroup.com>; Myongjoon Oh <MOh@wattconsultinggroup.com>
Subject: RE: Newport Build 3 Re Zone RZ2102-3040 Kilpatrick Ave Review June 23, 2021

Hi Glen,

As far as I'm aware we were never provided the newer site access drawing and the direction we received at the time of the TIA (Feb 2021) the parkade access was to the north driveway for the two houses. We did not receive any notice of change until last week.

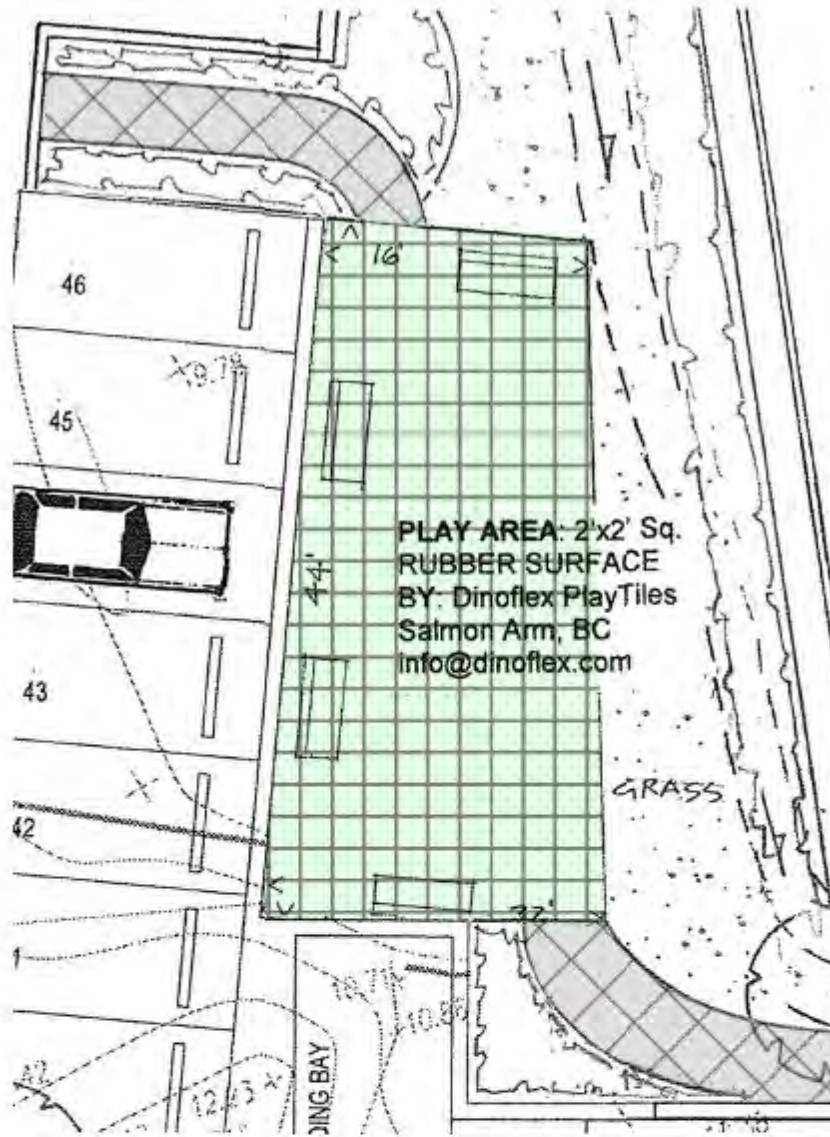
The TIA is based on the older drawing as shown in the TIA. However, this email is to confirm that the Feb 2021 TIA did not share traffic from the proposed development with or into the 2998 Kilpatrick lot. There are currently two driveways side by side – one for 2998 Kilpatrick and one 3030 Kilpatrick. Our analysis is based on the development just using the 3030 driveway and not the 2998 driveway. There is also no assumption of connection between the two lots. I can see how the drawing makes it seem like that with the 'bubble' area; however, all traffic from 3040 Kilpatrick was sent to the driveway on the north side of the development, which is not the 2998 Kilpatrick driveway.



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