

PlanningAlias

From: Angela Gilbert
Sent: Tuesday, September 14, 2021 8:10 PM
To: CouncilAlias
Cc: PlanningAlias
Subject: Re: 3040 Kilpatrick Ave proposal
Attachments: Newport photos letter.pdf

Please find attached a letter with photos to illustrate some of our concerns. Thank you.

Angela Gilbert

Sept 13, 2021

Dear Mayor & Council:

Please take a moment to review these images and descriptions of our concerns about the development proposal at 3040 Kilpatrick Ave, currently zoned for commercial use, with a proposal to rezone for a 5-story residential building containing 41 units.

Visibility Matters & Neighborhood Fit

While 3030 may not have a lot of exposure at the street, it can be seen so that people know that something is there. A commercial space, as was always intended for the site at 3040, would draw consumers closer to these 30 work / live spaces and the businesses in them, while a 5-story block of residential would make those units disappear from view. Residential traffic is different from commercial traffic. Commercial traffic is varied. Residential traffic is the same people every day. Commercial traffic is heaviest during business hours, while residential traffic is typically after hours. The development team contradicts itself in its traffic and business comments, commenting in several places in the staff report that more residential will increase business to businesses, and in other places commenting that residential will reduce traffic significantly compared to a small commercial space. The type of traffic matters.



1. A view of the site from 30th St. Imagine a 5-story building in the space at the front.

Some of the councillors mentioned at the Sept. 7 meeting that they were not aware that phase 2 of Newport Village had commercial units. Likely, this is because they can't be seen from the road. There is a large sign there for business names should they become occupied, and yet it is still difficult to notice the commercial units. These commercial spaces will be almost impossible to see with a 5-story residential block reducing street exposure further, whereas a small commercial building with an open parking lot would bring people into direct view of the commercial spaces and make it obvious that the community is a mixed use one, not residential-only.



2. View of the commercial spaces in building 2 of Newport Village from the sidewalk. Imagine a 5-story residential block the entire width of the undeveloped lot behind this construction fence. Then imagine a small commercial space on the northwest corner and the portion of the site visible here as parking spaces, bringing commercial traffic into direct view of the commercial spaces in building 2.



3. A view from the driveway of the commercial units in building 2 of Newport, and of the large sign.



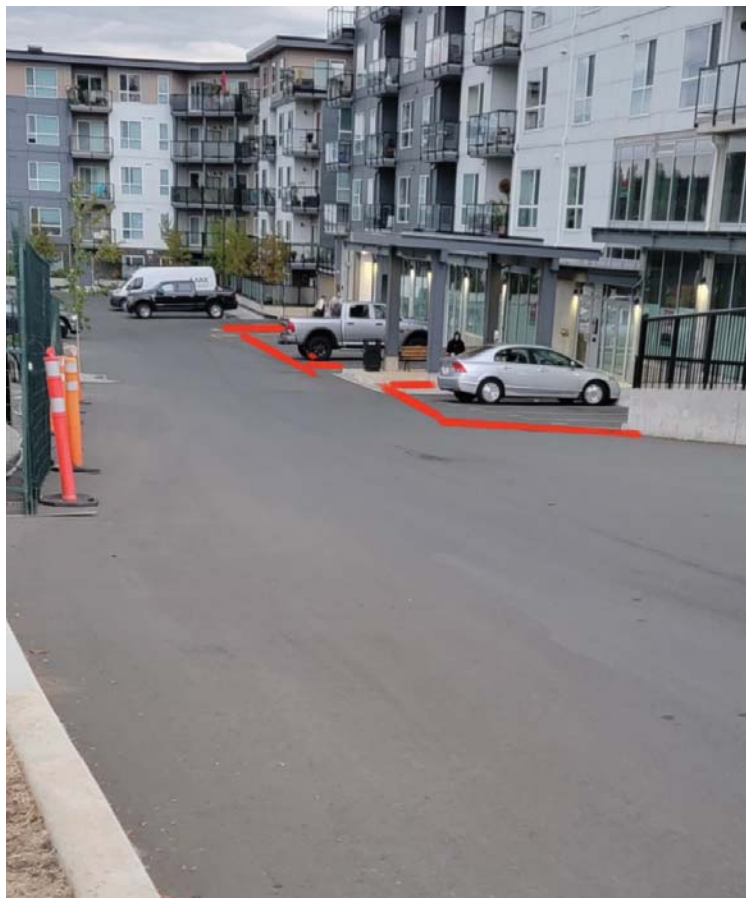
4. A view from the south, exiting the Walmart complex. The work / live units at 3030 are currently visible. With a small commercial building on the North West corner as originally proposed and parking lot, not only would these remain visible, traffic would be drawn closer to the businesses. A 5-story residential block would obstruct them completely and limit their exposure to people living in the residential block, the same people, each day.

Construction and Footprint Size

The commercial space already approved for this site would have a small footprint and a parking lot, and would not have a below-grade parkade. Construction would be less invasive, require less equipment and wouldn't require the construction of a parkade. There would be adequate room on the site itself for construction staging. The proposed 5-story residential block would take up almost the entire footprint of the site. Having witnessed the construction of the other two midrise buildings and parkades at 3070 & 3080, we are aware that the proposal would require a lot of space around the site itself for things like excavators, dump trucks, a large concrete pumping truck, and multiple cement trucks in a steady line to supply the concrete pumper. A crane would also be required on site for months, taking up a significant amount of space. Many, many different tradespeople and construction workers and their vehicles would also need a place to park. Significant building materials would be required to be stacked and stored. During the construction of building 2, the entire lot at 3040 was used as a staging area, and construction

vehicles were parked on neighbouring commercial properties from early morning until late evening, causing issues for other businesses.

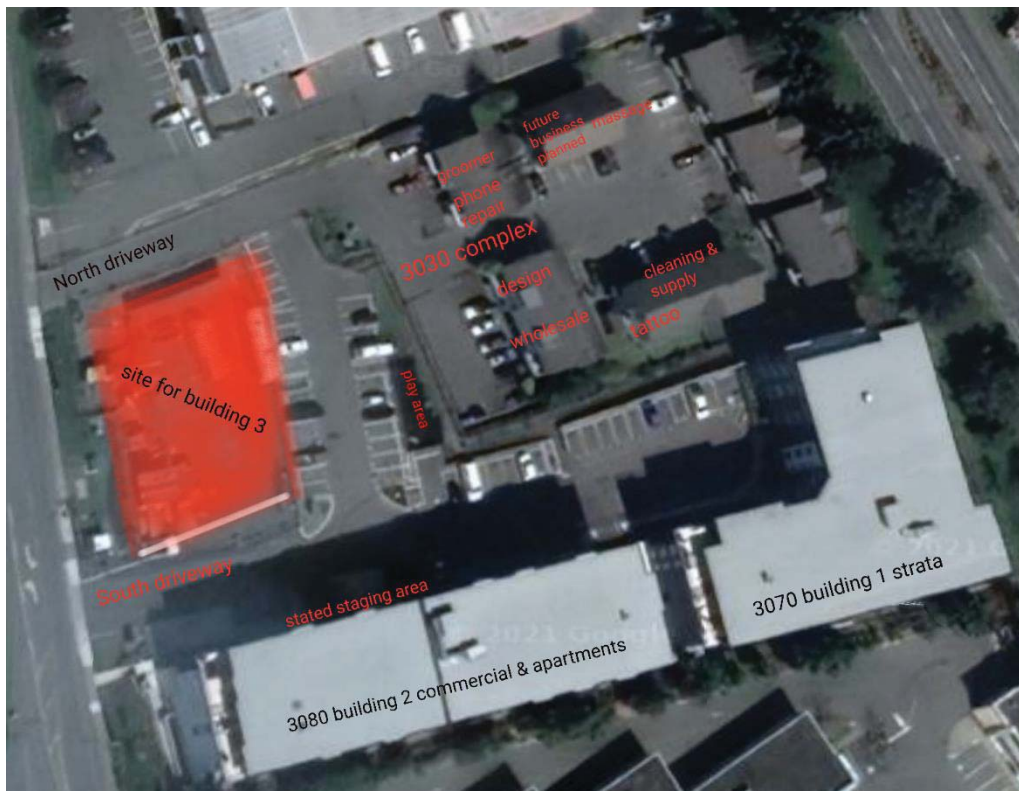
The development team's answer to our concerns about space for construction was that it will be staged in the commercial spaces at building 2 (17 spaces). This is physically impossible given the scale of the project. It is not enough space and is on the opposite side of a busy driveway from the site. There is nowhere in the neighbourhood for tradespeople and workers to park, and part of the parking lot that currently has some spaces allocated for phases 1 and / or 2 of Newport is going to have to be torn up for construction of the parkade, leaving a deficit in parking during a year and a half or longer of construction. Those of us who have residences and businesses at 3030 are very concerned about keeping not just access, but unobstructed access via the north driveway during construction. All surrounding residents need to have unfettered access to their residences as well. Construction vehicles and equipment should not be allowed to be parked or stored on either driveway.



5. A view of the parking spaces for commercial units at 3080, where the development team answered construction would be staged. This is unrealistic.



6. A view of the site of the proposal from the work / live units at 3030 and some of the construction equipment currently on site. The footprint of the proposed building would take the entirety of the empty space, and stalls visible here would have to be torn up to put the forms in for the underground parkade. Where is the huge concrete pumper going to go during work on the parkade? What about the crane that will be needed for months on the site? Where are construction workers going to park?



7. A view of the site from Google Earth. There is nowhere to stage construction without impeding access since the proposed residential block would take the entire footprint of the site. There is nowhere for tradespeople or workers to park without taking the parking of neighbourhood businesses meant for their customers. You can also note the lack of any open areas. The “Play area” is the very small, dark spot near the centre and is comprised of two benches and cigarette butt cans, some rubber matting and a small strip of grass. It is about three car lengths.



8. The fire lane on the right side of this garden had to be installed during the construction of phase 2, as construction workers were parking in the parking spaces of 2998 and along this curb, preventing delivery trucks from being able to access the businesses at 2998. They also had to install parking signage and arrange a towing contract, a financial consequence to them, to prevent Newport residents and visitors from parking in the spaces meant for their businesses.

Refuting Development Team Claims

In the photo above, two survey stakes are visible in the garden between 3030/40 and 2998. The developer claims to have erroneously submitted drawings with our access re-routed through 2998, between these two stakes. An existing covenant gives us access through 3040, but one does wonder how this could be accidentally drawn, surveyed, and submitted. This is the second time we've had to worry about our driveway access being removed by this development team, which is why we had concerns when we saw our access re-routed on the drawings and why we were skeptical about the answer.

Throughout the staff report in the agenda, there were complaints from residents in phase one and two about not enough parking provided, and complaints from businesses at 2998 and the work live units at 3030 about Newport residents parking in their spaces. Those complaints were dismissed out of hand by the development team.

The development team answered in the staff report (page 55 in the staff report) that they didn't have any internal stop signs when it was pointed out that they refused to add a stop line to add safety since people were running a stop sign. That internal stop sign is visible in the photo above, left side. Below are some photos of the parking issues.

The parking issues are improved at 2998 with only a few people parking there from Newport currently, since signs and a towing contract were put in place, and since it appears that Newport may have made a few more stalls available, at least until construction begins. However, there are still a dozen or more cars from Newport residents parking in the Northeast corner of the Walmart parking lot closest to the

development, which may not seem important in a large parking lot, but it is during busy times and during snow events when clearing is done after hours when the lot is normally empty. There are still visitors periodically parking at 3030 in the evenings, which you may not think matters overnight when small businesses are closed, but it does matter when you live above a business and racous visitors return noisily to their cars in the middle of the night, or if the cars are still there in the morning as businesses are opening.



9. Top left and centre, 2998 parking lot as seen in the staff report and dismissed as it was during business hours. Top right and middle row, corner of Walmart parking lot September and March, early morning. Bottom, early morning in front of 2998 before they had signs installed and towing contract. Many of the same cars are seen in several photos.



10. Another view of the internal stop sign as it exists at the intersection of the parking lot on the prosed site and the north driveway. Drivers run through it consistently. It could benefit significantly from the addition of a white stop line.

Ad for unit in 3080

Rental Location



 3080 Kilpatrick Ave
Courtenay, BC, V9N 7S7

[Get Directions](#)

Driving Time


Add an address to see how long it takes to get there from this property.

[Add Address](#)

Description

New Vinyl Plank Flooring, New Carpets in Bedrooms, New Tile Floors in Washrooms, New Stainless Steel Appliances (Fridge, Stove, Dishwasher and Overhead Microwave/Fan), New Cabinets, New Under Cabinet Lighting, New Everything and New Washer and Dryer. Units range from 1975-2100

1 year lease then month to month rental, non smoking, new building, pet friendly



Tenant pays for hot water, parking, electricity, cable, telephone, internet and parking at \$25/ stall per month

The building has an Elevator, Amenity Room, Large Common Patio, Children Play Area, Key Fobs Systems, Parking is Extra Cost and Common Area Cameras as well an Electric Car Re-Charge Stall.

Nicely located within a few minutes walking distance of the Shopping, Restaurants, Banks and plus a lot of retail outlets stores and easy access to transportation.

3080 Kilpatrick Ave, Courtenay, V9N 0G7,

Pet Friendly, No smoking, Available anytime

 This large two bedroom will fit three queen size beds...2 queens in 1 bedroom and 1 queen in the other bedroom. 

Thanks

Abigail
Agent Manager [Read Less](#)

11. This is an advertisement, screen captured from Facebook on Sept. 13, 2021. You can see that parking is extra, and that it is marketed as being able to fit 3 queen sized beds. The rent is high, so it's understandable multiple roommates might be necessary, but it is likely a factor in the parking issues that we've experienced in the neighbourhood. <https://www.facebook.com/marketplace/item/798815220934120/>

Summary

All of these issues should have been more appropriately addressed before the proposal was presented to council. The development team complains about not being able to lease their high lease rate, oversized commercial spaces that don't have exposure or enough parking for their size, and yet wants to reduce their exposure even further.

The development team argues that 41 more units of residential blocking the businesses at 3030 from view will support those businesses, but also argues that it will reduce traffic, and hasn't succeeded in filling its own commercial spaces right below and beside more than three times the residential units.

The development team says that construction will be staged in a very small space that will not be nearly enough and refuses to be informative about where the remainder would be staged, and where construction workers will park, only stating that we will still have access. This is unacceptable. With several businesses at 3030, that vague answer is not reassuring that our clients will have unfettered access, and we are worried about surviving the construction phase, let alone afterward when we will be blocked in by a 5-story building if this goes ahead as proposed. Construction vehicles and equipment should not be allowed to be parked or stored on either driveway.

This proposal has been allowed to go before council without any alterations to address our concerns about the massive scale of the building, and the impact it will have on the work / live spaces at 3030. This proposal simply does not fit in the neighborhood and would change the open, mixed use feel to a blocked off, private neighborhood feel. There is no open space or green space in the proposal. There will be nothing to welcome people in. Instead of a welcoming business, there will be an imposing tower.

The sign at building 2 has obviously not been enough to make people aware that there are commercial spaces in that building, as is evidenced by the fact that some councillors weren't aware that it was there. While a similar sign, if supplied at the developer's expense, would be appreciated by the businesses at 3030 should this development poorly planned proposal be approved, it would need to have a covenant to guarantee that it would remain in perpetuity once the building is stratified, and it would certainly not make up in value for the lost street exposure and being blocked in by a residential tower.

A small commercial building would draw business in, and would keep the vibrant, mixed use feel already established in the neighbourhood. A 5-story residential building that only supplies 41 units of housing, that is a concrete jungle, and that is not family-friendly, is not going to significantly impact the housing issues in this community. Such a development will severely and negatively impact the 30 work / live units adjacent to it, will negatively impact the commercial units in the developer's own building, will negatively impact the hundreds of residents of phases one and two of Newport, and will negatively impact the neighbourhood as a whole.

Thank you for taking the time to review our concerns.

Angela & Scott Gilbert