

## **Blamire, Susan**

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**From:** Matthews, Rayanne  
**Sent:** Wednesday, October 13, 2021 12:00 PM  
**To:** Blamire, Susan; PlanningAlias  
**Cc:** Fitzgerald, Matthew  
**Subject:** FW: Safety and development issues related to permit application RZ000056  
**Attachments:** Attention City of Courtenay Councilllors.docx

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**From:** Hillian, Doug  
**Sent:** Wednesday, October 13, 2021 11:18 AM  
**To:** Matthews, Rayanne <rmatthews@courtenay.ca>  
**Cc:** Garbutt, Geoff <ggarbutt@courtenay.ca>; Wells, Bob <mayor@courtenay.ca>  
**Subject:** Fw: Safety and development issues related to permit application RZ000056

Hello Rayanne. Not sure of this message was copied to staff but, if not, should be added to public record.

Thanks.

Doug

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**From:** Justin White  
**Sent:** October 12, 2021 10:16 AM  
**To:** Wells, Bob; Cole-Hamilton, Will; Frisch, David; Hillian, Doug; McCollum, Melanie; Morin, Wendy; Theos, Manno  
**Subject:** Safety and development issues related to permit application RZ000056

**Dear City of Courtenay Councillors and Mayor Wells,**

**I am reaching out to you as the elected city officials in regards to an application for a zoning amendment at 3040 Kilpatrick Ave, Courtenay. Folder RZ000056 dated Feb 25, 2021.**

**My name is Justin White and I am the owner of two properties located at 3030 Kilpatrick, unit 511 and unit 212 . I am also the business owner/operator of Your Repair Depot located in unit 211 which directly faces Kilpatrick Ave.**

**The proposed zoning change from CD-26 to CD-26A to allow a 41 unit multi residential development concerns me as an investor, a business owner and a concerned citizen for the well-being and safety of the people living in 3030 & 3070 Kilpatrick Ave and for residents in the city of Courtenay.**

**As you will see in the attached letter I have clearly detailed and outlined the apparent risks associated with this proposed development.**

**I look forward to hearing from you at your earliest convenience.**

**Sincerely,**

**Justin F. White**

Attention City of Courtenay Counselors/Councilor Hillian

This letter is in regards to an application for a zoning amendment at 3040 Kilpatrick Ave, Courtenay. Folder RZ000056 dated Feb 25, 2021.

My name is Justin White and I am the owner of two properties located at 3030 Kilpatrick, unit 511 PID 026-763-257 and unit 212 PID 023-987-201. I am also the business owner/operator of Your Repair Depot located in unit 211 which directly faces Kilpatrick Ave.

The proposed zoning change from CD-26 to CD-26A to allow a 41 unit multi residential development concerns me as an investor, a business owner and a concerned citizen for the well-being and safety of the people living in both 3030 & 3070 Kilpatrick Ave.

**As an investor:**

I purchased unit 511 in 2016 before phase 1 of Newport Village 3070 Kilpatrick Ave was constructed. This area of town was a quiet tucked away area with low crime & low traffic issues. The parking in our unit was not assigned and there was never an issue. During the construction of phase 1 & 2 of Newport Village, the construction staff began parking in front of our units & business leaving dirt and debris in the parking lot and in the entry to our complex.

Currently both of these investment properties have a view of the sun setting towards the west. They are bright and warm as the sun enters the living rooms/kitchen area and the long term renters enjoy the sub from their balconies during the warm summer months.

**If this development is permitted to go through it will create a 5 story wall which will shade all units and dwarf us behind its shadow.** Not only is the proposed unit 5 stories in height, it is also elevated an extra story due to the natural land elevation creating an even higher wall blocking out all possibilities of receiving light. This will directly affect the ability for rental and the property's future resale value.

These two properties are currently zoned C-2 with commercial on the bottom and residential above. We are being taxed at a commercial rate which is higher than a traditional residential rate. **If this development is permitted it will make it extremely difficult to find businesses located at 3030 Kilpatrick Ave.** Currently it is already challenging to rent commercial units located in the building backing onto Cliffe Ave as they are 'buried' in the back of the complex. If this new 41 unit complex is permitted it will make it even more difficult to find the commercial units and to rent them. The commercial units will be in the shade and impossible to be seen from Kilpatrick Ave. Why are we paying a commercial rate of taxes if the city decides to allow us to be 'boxed in'? As a business owner in Courtenay employing Courtenay residents and contributing to our local economy, I purchased these properties as part of my family's retirement plan. My wife and I do not work for the government and we do not have pension plans. These two rental properties ARE our retirement fund. It is not easy to be a business owner these days battling the issues of online sales, box stores and struggling through a pandemic...these two properties are our back up plan and now they are being threatened by the profiting developer of Newport Village. A development company that is located in Port Moody and hires the majority of its trade's people from the lower mainland based on the cheapest price and the lowest quality. Ask them for the percentage of trades that were hired

locally versus those from the lower mainland and you will see the disparity.



#### **As a business owner:**

My family opened Your Repair Depot in January 2019. It was a slow start for the first year as the location is set back from the busy Kilpatrick Ave. We struggled to make an online presence and to do local advertising like billboards at YQQ, bus shelter advertising and teaming up with local trades' people to service their employees' electronic repair needs. We slowly built up our customer base despite not having the frontage that we desperately needed to take advantage of the passing traffic going to the box stores such as Walmart, Bestbuy and Staples (All American Companies). Once Newport Village started construction we were threatened with closing our doors. Our driveway was constantly blocked with supply delivery trucks, concrete trucks, concrete pumper trucks, construction trades, etc. The direct line of sight was blocked by their construction trailer/office, piles of lumber/sewer pipe/building supplies and the supervisor's RV parked parallel to Kilpatrick Ave. We pleaded to Joe (their site manager) and to Sasha (the developer) about blocking our only entrance/exit, the dirt and dust from the site and how we felt boxed in. He permitted us to put up a banner on his construction fence at the cost of \$500, only to have one of his employees rip it down 2 weeks later and throw it in a dumpster. This is the type of character the developer (Sasha) is.

This is when parking became an issue and continues to be an issue still. The trade's people started to park out front of my business taking up the only 3 spaces we have for our business AND for the tenants. Most days all three spots were full of cars and trucks from his workers and they could not be located to move them. My staff, my tenants and I were forced to park in the Walmart parking lot, next door at the commercial units in front of Calais Spas and on the top of 30<sup>th</sup> street and Moray Ave. At our expense, multiple parking signs were constructed and posted, stanchions and ropes were used to block off parking areas and our staff were constantly going out to confront people who parked in front of our business and were walking away. AND THIS CONTINUES with Newport Village residents and tenants to this day!! The parking shortage is a real problem and creating 41 new units

will only escalate this issue. This is a REAL problem and will only be magnified when Newport village successfully rents out the commercial units located in phase 2. Even my own personal truck incurred damage due to the construction delivery trucks as it was backed into and no responsibility taken for the incident. It backed into the front fender well parked outside my business as trucks tried to navigate around the already tight parking area.

My concern is that **if this development is permitted it will put me out of business permanently. First, the proposed building will create a wall having NO VISIBLE line of sight to our location from Kilpatrick Ave. Second, by blocking the only entrance and exit to our business which is also shared by the residents of 3070 Kilpatrick Ave both phase 1&2 making it an extremely busy and dangerous egress already.**



**As a concerned citizen of Courtenay:**

Currently there is just a one vehicle wide driveway serving both as an entrance and exit for 3030 Kilpatrick Ave. It services 18 family residences, 18 commercial businesses AND Newport village Phase 1 & 2 at 3070 Kilpatrick Ave. Although Newport has another exit onto Kilpatrick Ave, it is a steep inclined driveway with limited vision and contends with the traffic flowing out of the Walmart/Box store area. The majority of Newport residents use our driveway located at 3030 Kilpatrick Ave and are promoted to do so by management of Newport. As you can see from the picture below they have hung a sign on the construction fence to guide their residents. If there was any type of emergency where an ambulance, fire truck or emergency vehicle required quick access to any of the units this could be a difficult and deadly situation. **If this new 41 unit development is permitted it will ONLY magnify the existing problem of traffic flow and access. This is a recipe for disaster and the possibility of loss of lives too! Who would be held responsible for this decision?** As mentioned above, there were problems with construction trucks during the previous construction of Phase 1 & 2 and they had a staging area which

will now become the construction site. Where do they intend to store their building supplies, equipment, excavators, security trailer, etc now that the lot is the actual building site? This problem has not been addressed by the developer.



On a side note, since Newport Village completed Phase 1 & 2 there has been a rise in crime in the area. On May 17<sup>th</sup>, 2021 a man entered our business and asked about purchasing a used phone. Our staff member allowed the customer to compare two phones and once he had them in his hands he darted out the door and ran into the Newport Village buildings. Police were called and attended but the location of which unit the tenant lived in could not be located. On September 2<sup>nd</sup>, 2021 a person was confronted by a young female staff member stealing from our garbage. Again the police were notified and the suspect gave his address of 3070 Kilpatrick Ave. The owner and management of Newport Village have total disregard over who they rent to and have no screening process. Currently I have two women who both work in the health field as nurses that are moving into one of my rentals at 3030 Kilpatrick Ave as they do not feel safe living at Newport Village. (See message below). These problems will only compound by creating 41 new units.

Sun 10:48 AM

Helk [redacted] thank you for reaching out. Are you still looking for a place?

Why are you moving out of Newport?

Sun 11:12 AM

So far yes, and I'm moving out of Newport because I don't feel safe where I'm at, there are some safety concerns that haven't been addressed properly by management, so that's my mainly reason why me and my roommate want to move out

Below are current statements posted publicly on social media stating the risk to our community and children directly caused by the ill regard to proper building management displayed by the developer/owner of Newport Village.

It is really sad , I bring her grandchildren to see her and there is constant drug addicts and dealers there making deals and whatever god knows and even seeing needles laying around the buildings.  
Thank you for people who reached out so quick and hopefully this will be a good cautionary tale for future potential renters or current ones , keep a eye on everything .

Like · Reply · 6h



I currently live in the building and I hate it! Thank you for sharing this I had no idea it was happening!

Like · Reply · 6h



I lived there for a year, worst place I've ever lived

Like · Reply · 2h

I live in 3080 the one directly beside it and there's ALWAYS sketchy shit happening. There's always druggies coming in and out. I have at least 10 horror story of my places over here and I'm sure the same stuff happens there as well. It was unfortunately more then likely a break in. 2 weeks ago a dude was buzzing everyone's doors at 4 AM saying he "Had something for them" trying to get in and when nobody let him in he smashed the front door to get in. I've heard people saying he was asking for a Narcan kit but idk how true it is. It could be the same dude? Idk.

Like · Reply · 1h



**RECAP of issues associated with the application for a zoning amendment at 3040 Kilpatrick Ave, Courtenay. Folder RZ000056:**

- 1. Boxing in and dwarfing of units located at 3030 Kilpatrick Ave. This will directly affect property values and rental potential.**
- 2. Blocking line of sight from Kilpatrick Ave, blocking sunlight and making it challenging for customers to locate existing business.**
- 3. Compounding the existing issue of limited parking in this area creating frustration and stress for both residents and businesses.**
- 4. Safety issue for emergency vehicles to have access during and after the construction is complete.**
- 5. Entrance/exit access during construction with the increased traffic of construction trucks and trade people.**
- 6. Storage and allocation for construction vehicles, staff and building supplies.**
- 7. The general public's safety as Newport Village has a track record of allowing problem residents and disregard for public safety.**

I look forward to hearing from you.

Sincerely,

Justin F. White