

THE CORPORATION OF THE CITY OF COURTENAY

MEMORANDUM

To:	Chris Marshall, Director of Development Services	File No.: 3060-20-2213
From:	Mike Grimsrud, Planner II	Date: August 8, 2022
Subject:	Application for Development Permit at 3040 Kilpatrick Avenue	

PURPOSE:

To consider the issuance of a multi-family residential development permit for a 41-unit multi residential building.

BACKGROUND:

The subject property is 3,750 m² (0.93 ac.) in area and zoned Comprehensive Development Twenty-Six A Zone (CD-26A), legally described as Lot 1, Section 67, Comox District, Plan EPP79267 Except Air Space Plan EPP81977. An amendment to the Zoning bylaw was completed on May 30th 2022 to facilitate the proposed development (RZ2102, Bylaw No. 3030).



Figure 1: Subject Property

The proposal is to construct a 41 unit multi residential building that complies with the new comprehensive development zone and is subject to Multi Residential and Multi Residential Above 3 Storeys Development Permit Guidelines from OCP Bylaw No. 2387, 2005.

DISCUSSION:

Zoning Compliance

The development permit submission closely resembles the plans and elevations submitted during the rezoning process, though it has reconfigured and expanded the underground parking, and complies with the CD-26A zone regulations as summarized below:

	CD Twenty-Six A Zone (CD-26A)	Proposal
Lot Coverage	20%	19%
Floor Area Ratio	0.82	0.82
Front Yard Setback	7.5 m below 11.5 m high;	7.5 m;
	17.0 m above 11.5 m high	17.0 m
Rear Yard Setback	18.0 m;	20+ m;
	14.0 m underground parking structure	14.0 m
Side Yard Setback (N)	9.5 m;	9.5 m;
	6.5 m underground parking structure	6.5+ m
Side Yard Setback (S)	13.0 m	13.0 m
Building Height	17.0 m;	16.68 m;
	15.0 m roof parapet	14.75 m
Usable Open Space	70 m² play area;	78 m² play area;
	250 m ² rooftop amenity area;	250 m ² rooftop amenity area;
	Min. 4.5 m ² avg. 9 m ² patios/balconies	Min. 4.7 m ² avg. 9.8 m ²
Parking Stalls	52 for 41 dwelling units;	53 for 41 dwelling units;
	33 for 3080 Kilpatrick	33 for 3080 Kilpatrick
Parking Min. W, L	2.6 m, 5.5 m	2.6 m, 5.5 m
Parking Aisle Min Width	6.7 m, accordance with CD schedule	6.7 m, improved level turns
Pkg. Min. Wall Buffer	accordance with CD schedule	Same minimums
Small Space Max.	25%	25%
Bike Parking	1/unit (41)	41

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

Multi Residential and Multi Residential Above 3 Storeys Development Permit Area Guidelines Compliance

Form and Character and Compatibility with Surrounding Uses

The proposal provides continuity with the existing buildings in the development and complies with siting restrictions specified for the CD-26A zone to minimize disruption to rear neighbours. The building contains 31 units, all with private decks or patios, and includes rooftop and rear amenity areas. Cladding is fibre cement and cultured stone, same as Buildings 1 and 2. Entrances are on three sides, including facing the public road, and the top floor of the building is stepped back significantly, with a forward-facing rooftop deck. Additional articulation is provided on other floors, with inset decks and variations in siding colour and texture. Underground and rear surface parking share an existing side access to the public street and there is a secondary vehicular access on the other side. The roughly north/south building orientation provides all units with direct sunlight and many upper units will have impressive views. Flat roofs are in keeping with the design of the other buildings in the development and minimize unnecessary height. Building design deck dividers provide privacy between units. Plans and elevations are included in *Attachment No. 1, Schedule No. 1*.

Siting, Landscaping and Screening

Most of the landscaping for this development has already been constructed under previous development permits for the other buildings. A detailed landscape plan has been provided by Mystic Woods Landscape Design and approved by Alison Mewett, BCSLA, detailing tree, shrub and groundcover planting species, size

and location for the remaining northwest corner of the site, and forms part of the attached draft development permit (*Attachment No. 1, Schedule No. 2*). Five cherry trees are provided in the small space, with an understory of rhododendrons, lithodora and euonymus to match existing landscaping. Patios, decks and the rooftop amenity area provide the main recreation areas, though there is also a ground level 78 m² play area with benches, slightly larger than required for the CD-26A zone. Landscape buffers as required by the zone are met. The building has a generous rear setback of about 20 m and 9.5 m and 13.0 m side setbacks, contributing to privacy, view amenities and noise attenuation. An updated stormwater management plan will be required for Building Permit. Underground irrigation will be provided.

Signage, Lighting and Parking

Any signage will be considered under a separate sign permit application. As a condition of the permit, and in alignment with the guideline and the City's Dark Skies Policy, all outdoor lighting must be Full-Cut Off/Flat Lens. 44 underground and 9 surface stalls are provided for the building, exceeding the zoning requirement by one. The proposal has converted 3 studio units to 2-bedroom units, which would likely increase parking demand, but it still meets parking demand based on calculations in the 3040 Kilpatrick Avenue Parking Study by Watt Consulting Group submitted for rezoning (which recommended 51 stalls at the original configuration). 33 surface stalls are also provided for neighbouring 3080 Kilpatrick. Surface parking does not comply with the guidelines for tree planting or being broken into small areas, but follows the configuration approved for the CD-26A zone. Landscaping and screening around the existing rear parking lot is as existing. The large lot is made more pedestrian-friendly and attractive through small breaks between sets of 2-9 stalls, and is largely screened from the public road by the building. Direct and functional pedestrian pathways connect building entrances to parking areas and the public street sidewalk.

Recommended Action:

That DP 2213 be approved.

Prepared by:

Approved by:

Mike Grimsrud Planner 2

Chris Marshall, MCIP, RPP Director of Development Services

Attachments:

1. Attachment No. 1: Draft Development Permit No. 2213

Attachment No. 1: Draft Development Permit No. 2213

THE CORPORATION OF THE CITY OF COURTENAY

Permit No. DP 2213

DEVELOPMENT PERMIT

August 8, 2022

To issue a Development Permit

To:

Name:	Newport Village Courtenay Developments Ltd., Inc. No. BC1080969
Address:	#251, 255 Newport Drive Port Moody, BC V3H 5H1

Property to which permit refers:

Legal:	Lot 1, Section 67, Comox District, Plan EPP79267 Except Air Space Plan EPP81977
Civic:	3040 Kilpatrick Avenue

Conditions of Permit:

Permit issued to permit the development of a multi-family residential development permit for a 41-unit building subject to the following conditions:

- 1. The applicant shall provide 125% of the estimated cost of construction for the Mansfield Lift Station upgrades as Security prior to the issuance of a building permit;
- 2. The development shall be substantially consistent with the architectural plans as shown in *Schedule No. 1*, by Brad Humphrey Architect, dated July 26, 2022;
- 3. The development shall be substantially consistent with the landscape architectural plans as shown in *Schedule No. 2*, by Mystic Woods Landscape Design and sealed by Alison Mewett, BCLSA May 27, 2022;
- 4. Submission of landscape security in the amount of \$12,456.25 (\$9,965 x 125%) is required, as contained in *Schedule No. 3*, by Mystic Woods Landscape Design and sealed by Alison Mewett, BCLSA, dated May 26, 2022;
- 5. The following conditions which would normally need to be addressed prior to Development Permit issuance must be addressed for Building Permit:
 - a. Provide verification and copies of reciprocal easement agreements for storm drainage, sanitary sewers and access agreements for 3040, 3070 & 3080 Kilpatrick Avenue;
 - b. All materials and construction methods within municipal rights-of-way and statutory rights-of-way shall conform to the City of Courtenay Subdivision and Development Servicing Bylaw No. 2919;
 - c. The owner's engineer is responsible for coordinating all design work by all Utility Companies and providing Utility Company design plans and a Third Party Coordination plan sealed by a Qualified Professional showing all existing and proposed 3rd Party Utilities with City infrastructure to confirm that there are no

utility conflicts;

- d. Resolve conflict within Kilpatrick Avenue road right-of-way with the proposed pedestrian access at south access and existing utility pole guy wire/anchors fronting the development;
- e. Provide copy of the restrictive easement/covenant providing water/fire service to 3040 Kilpatrick Avenue;
- f. Provide an updated Site Servicing report and design to verify compliance with all aspects of Stormwater Management. Verify that Bylaw 2919 stormwater requirements are addressed;
- g. Provide measures to prevent overland flows from the development site from entering 2998 & 3030 Kilpatrick Avenue;
- h. Provide a Site Grading Plan to verify final surface grading complies with Bylaw 2919 Stormwater Management requirements and BC Building Code;
- i. Provide project specific Erosion & Sediment Control plans prepared by a Qualified Professional;
- j. Clarify the existing/proposed signs and markings within municipal rights-of-way that are to be removed and/or reinstated/(re)placed;
- k. a. Restore municipal boulevard with 300mm of topsoil and Hydro Seed Grass Mix per MMCD 32 92 19;

b. Verify proposed landscape features for this development site do not encroach within municipal road rights-of-way;

- 1. Kilpatrick Avenue boulevard and the (two) proposed pedestrian accesses from back of sidewalk to property line within road right-of-way to drain overland to the municipal roadway and storm system;
- Provide cross-section and/or notes and/or details to clarify thickness of proposed pedestrian access and material/depths of subgrade(s) from back of sidewalk to property line;
- n. Existing curbs/walls within the road rights-of-ways are to be removed i.e. adjacent to north side of proposed pedestrian access, north of the south driveway access;
- 6. Landscaping must be completed within one year of the date of issuance of the occupancy permit by the City;
- 7. The minimum depth of topsoil or amended organic soil on all landscaped areas is to be 450 mm for shrubs, 300 mm for groundcover and grass, and 300 mm around and below the root ball for trees;
- 8. All new street lighting in the proposed development must use Full Cut Off/Flat Lens (FCO/FL) luminaries to light roads, parking, loading and pedestrian areas, as well as the dedicated public walkway. Exterior building lighting must have FCO lighting fixtures;
- 9. A sign permit shall be obtained prior to any signage being installed on the property;
- 10. The development shall meet all other applicable requirements, standards and guidelines; and
- 11. No alterations or amendments shall be made without the City's permission. A formal amendment application is required if the plans change or additional variances are identified after the permit is issued.
- 12. The applicant pay the City's legal fees for the rezoning application prior to building permit

Time Schedule of Development and Lapse of Permit

That if the permit holder has not substantially commenced the construction authorized by this permit within (12) months after the date it was issued, the permit lapses.

Date

Corporate Officer

Schedule No. 1 – Architectural Plans

ARCHITECTURAL DRAWING LIST

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3040 KILPATRICK AVE NVCD - B3

COURTENAY, B.C.

June 13, 2022 July 29, 2022

NEWPORT VILLAGE COURTENAY DEVELOPMENTS LTD.

OWNER: Att. NEWPORT VILLAGE COURTENAY DEVELOPMENTS LTD. 251 - 255 Newport Dr. Port Moody V3H5H1 PH 604-519-0005 FX 604-519-0005

Brad Humphrey Architect

Att: Brad Humphrey 1325 Thomas Avenue, Coquitlam, B.C. V3K 2L4 780-817-1578 parkplan@telusplanet.net ARCHITECT

CODE CONSULTANT Jensen Hughes

Att. Wesley Lim 500 - 1901 Rosser Ave, Burnaby, BC V5C 6R4 778-792-8918 wesley.lim@iensenhughes.com

Wedler Engineering Ltd

CIVIL ENGINEER Att. Greg Merchant #211-2459 Cousins Ave, Courtenay, BC V9N 3N6 250-334-3263 gmerchant@wedler.com

RDH Building Science Inc.

ENVELOPE CONSULTANT Att. Harvey Goodman #280 - 730 Grant Avenue, Courtenay B.C. V9N 2T3 250-703-6006 HGoodman@rdh.com

Read Jones Christoffersen Ltd (RJC)

STRUCTURAL ENGINEER Att. Leon Piett #220 - 645 Tyee Road, Victoria V9A6X5 250-386-7794 Iplett@ric.ca

SRC Engineering Consultants Ltd MECHANICAL ENNIFERY ENERGY MODELLING Att. George Charlas 2005. 4 481 Lougheet Hwy, Burnaby, B.C. VSC 4B3 694-256-9081 Ed. Ltn 1942-9081 Ed. Lt

SRC Engineering Consultants Ltd ELECTRICAL ENGNEER Att.Asalio Canacity 2005 4 480 Longhood Hwy, Burnaby, B.C. V5C 4B3 604-256-4001 Ext. 123 abelingBare-ma.ext.

EXP Engineering Ltd. GEOTECHNICAL ENGINEER Att. Devic Chan. Subie 275, 2001 Wayburne Drive, Burnaby, B.C. V5G 4W3 604-87-1245 sterek-changeac.com

Bruce Lewis Land Surveying Inc.

SURVEYOR Att. Bruce Lewis 811 Highridge Court, Comox B.C. V9M3R4 250-890-0334

bcls705@telus.net

D.P. PRIOR TO CONDITIONS B.P. COORDINATION D.P. SUBMISSION NEWPORT VILLAGE COURTENAY DEVELOPMENTS LTD. 29 JULY 2022 13 JUNE 2022 20 APRIL 2022

Brad Humphrey Architect

1325 Thomas Avenue, Coquitlam, B.C. V3K 2L4

Tel 780.817.1578

And Descours references Treat Conversion and Andreas Treat Press and Andreas Press and Andreas Press and Andreas Press Andreas Andreas

BGJH/BKH N/A

FILE / DATE 20413 cover 07-29 A0-00

COVER SHEET CONSULTANT LIST

NVCD 3040 KILPATRICK AVENUE

pavey@cardinalfire.ca

Watt Consulting Group Itd PARKING & TRAFFIC ENGINEER ALT TIN Shah Stol 1- 700 Hillste Avenue, Victoria, B.C. V8T124 250 369:6977 Ed. 4300 Shahi@wattconsultinggroup.com

ASPRINKLER ENGINEER Att. Ryan Pavey #709 - 610 Granville Street, Vancouver, B.C. V6C 3T3 604-605-0606 Cardinal Engineering Ltd

	H/C 2.8m x 5.5m		REGULAR 2.60m x 5.5m	PARKING SUMMARY	VEHICLE STALLS								BATH/UNIT 1 TOTAL BATH 1	BED/UNIT 2 TOTAL BEDS 2	SF/UNIT 909.37 TOTAL SF 909.37	5TH TOTAL UNITS 1	2ND 3RD 4TH	IST 1
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FINISHES SCHEDULE:

ALUMINUM ENTRY DOORS / COLOR - SLVER / CLEAR GLAZING CONCRETE FINISHED

12 12

A3 02 SCALE 1/8" = 1'-0"





Schedule No. 2 – Landscape Plans





Schedule No. 3 – Landscape Cost Estimate

LANDSCAPE INSTALLATION ESTIMATE

May 26, 2022

LANDSCAPE ARCHITECT

Alison Mewett, BCSLA 766 Lazo Road Comox, BC V9M 3V6 (250)339-3955 amewett@gmail.com

PROJECT

Newport Village Courtenay Developments Ltd Building 3 3040 Kilpatrick Ave Courtenay, BC

Planting beds: 69.6 m² (749 ft²), Lawn sod: 98.0 m² (1,055 ft²)

Plant material	\$ 2,200.00
Topsoil delivered (shrubs) @ 18" - 42 cuyds @ \$40	1,680.00
Sandy topsoil delivered (lawn) @ 12" - 39 cuyds @ \$35	1,365.00
Fine mulch delivered @ 4" - 9 cuyds @ \$55	495.00
Sod lawn area @ 0.40 /sqft	425.00
Fertilizers, landscape fabric and miscellaneous	200.00
Machine work to grade and move materials	900.00
Labour to install plant materials and other work to complete	1,800.00
Irrigation system installed	900.00
Planting Sub-total (not including taxes)	\$ 9,965.00

Materials estimated at cost. This estimate is approximate and may not reflect actual cost to install.

Corinne Matheson, CLD, QP Mystic Woods Landscape Design

Alison Mewett, BCSLA Landscape Architect

