

**CORPORATION OF THE CITY OF COURTENAY
COUNCIL MEETING AGENDA**

Date: September 7, 2021
Time: 4:00 p.m.
Location: City Hall Council Chambers

*We respectfully acknowledge that the land on which we gather is the
unceded traditional territory of the K'ómoks First Nation*

AMENDED AGENDA

Due to the COVID-19 pandemic, and in accordance with Ministerial Order No. M192/2020 and the Class Order (mass gatherings), Council meetings will be conducted virtually and live-streamed on the City of Courtenay's YouTube channel.

K'OMOKS FIRST NATION ACKNOWLEDGEMENT

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Presentation by:	
• Rachel Ricard, Development Manager	
• Kris Mailman, CEO	
• Yulia Liem, Traffic Engineer, Bunt & Associates	

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Presentation by:

- Sasha Rasovic, Director
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7.5. Councillor Morin

7.6. Councillor Theos

7.7. Mayor Wells

8. RESOLUTIONS OF COUNCIL

9. UNFINISHED BUSINESS

10. NOTICE OF MOTION

11. NEW BUSINESS

11.1. Changes to September-November 2021 Council Meeting Schedule

Suggested motion:

"WHEREAS a Canadian federal election will take place on September 20th, 2021; and,

WHEREAS the City of Courtenay seeks to encourage residents to exercise their democratic right and to "Get Out and Vote".

THEREFORE BE IT resolved that the September 20th, 2021 Council meeting be cancelled; and,

BE IT FURTHER RESOLVED that the September 27th, 2021, October 25th, 2021, and November 29th, 2021 Committee of the Whole Meetings be amended to Regular Council Meetings."

12. BYLAWS

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12.3.1. Zoning Amendment Bylaw No. 3031, 2021 (815 Williams Road)

See Page 349

13. ADJOURNMENT

Minutes of a Regular Council Meeting

Meeting #: R15/2021
Date: July 26, 2021
Time: 4:02 pm
Location: City Hall Council Chambers and via video/audio conference

Attending:

Mayor: B. Wells
Councillors: W. Cole-Hamilton
D. Frisch
M. McCollum
W. Morin
M. Theos

Staff: G. Garbutt, CAO
D. Bardonnex, Fire Chief, via video/audio conference
I. Buck, Director of Development Services, via video/audio conference
C. Davidson, Director of Engineering Services, via video/audio conference
K. O'Connell, Director of Corporate Support Services, via video/audio conference
S. Saunders, Director of Recreation, Culture, & Community Services, via video/audio conference
R. Matthews, Executive Assistant/Deputy Corporate Officer, via video/audio conference
N. Borecky, Manager of Information Systems, via video/audio conference

Due to the COVID-19 pandemic, and in accordance with Ministerial Order No. M192/2020 and the Class Order (mass gatherings), Council meetings are conducted virtually and live-streamed on the City of Courtenay's YouTube channel.

The Mayor respectfully acknowledged the lands on which the meeting was conducted is the unceded traditional territory of the K'ómoks First Nation.

1. ADOPTION OF MINUTES

1.1 Adopt July 19th, 2021 Regular Council meeting minutes (0570-03)

Moved By Morin

Seconded By Cole-Hamilton

THAT the July 19th, 2021 Regular Council meeting minutes be adopted.

Carried

2. INTRODUCTION OF LATE ITEMS

3. DELEGATIONS

3.1 Multicultural and Immigrant Services Association (MISA) of North Vancouver Island RE: Immigrant Welcome Centre's Needs Assessment Research

The presentation by Toyin Karee and Jim Brennan, members of the Multicultural and Immigrant Services Association (MISA) of North Vancouver Island, regarding the Immigrant Welcome Centre's services and needs assessment research was received for information.

3.2 Comox Valley Youth Climate Council RE: Green New Deal

The presentation by Lister de Vitre and Ben Mason, members of the Comox Valley Youth Climate Council, regarding the Green New Deal and proposals for climate change mitigation and societal improvement, was received for information.

4. STAFF REPORTS/PRESENTATIONS

4.1 Development Services

4.1.1 Development Variance Permit No. 2102 - 2840 Cliffe Avenue (3090-20-2102)

Moved By Frisch

Seconded By Cole-Hamilton

THAT based on the July 26th, 2021 staff report "Development Variance Permit No. 2102 - 2840 Cliffe Ave", Council approve OPTION 1 and proceed with issuing Development Variance Permit No. 2102.

Carried

5. EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

5.1 Letter from LUSH Valley Food Action Society RE: Comox Valley Food Policy Council Requesting the City of Courtenay's Endorsement of a Universal School Food Program (0400-01/1850-01)

The letter dated July 19th, 2021 from LUSH Valley Food Action Society regarding Comox Valley Food Policy Council's request for the City of Courtenay to endorse a Universal School Food Program was received for information.

Moved By Cole-Hamilton

Seconded By Frisch

THAT Council authorize staff to:

1. Endorse the efforts of the BC Chapter of the Coalition for Healthy School Food (BC-CHSF) to advocate for a universal, cost-shared healthy school food program, by means of the endorsement form on the BC-CHSF website (<https://www.healthyschoolfood.ca>);
2. Write to the Prime Minister requesting that the Government of Canada implement a universal, cost-shared, healthy school food program for all K-12 students in the country;
3. Write to the Premier and Minister of Education requesting that the Province of BC commit to increasing investment in a universal, cost-shared, healthy school food program for all K-12 students in the province; and
4. Request a report from staff outlining options to support healthy school pilot projects within the City.

Carried

6. INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

6.1 Briefing Note - 5th Street Bridge Rehabilitation Project Update (5335-20)

Moved By Frisch

Seconded By Morin

THAT the July 26th, 2021 Briefing Note "5th Street Bridge Rehabilitation Project Update" be received for information.

Carried

7. REPORTS/UPDATES FROM COUNCIL MEMBERS INCLUDING REPORTS FROM COMMITTEES

7.1 Councillor Cole-Hamilton

Councillor Cole-Hamilton participated in the following events:

- Climate Caucus Coordinating Team meeting
- Climate Caucus Elected Officials call
- Help Cities Lead Steering Committee meeting
- Meeting with Chris Gilmore, Executive Director, Climate Action Secretariat
- Meeting with the Honourable Josie Osborne, Minister of Municipal Affairs; Honourable George Heyman, Minister of Environment and Climate Change Strategy; and Honourable Bruce Ralston, Minister of Energy Mines and Low Carbon Innovation
- CVRD Board meeting
- Comox Valley Sewage Commission meeting
- Comox Valley Water Committee meeting
- Comox Valley Recreation Commission meeting
- Pride Society of the Comox Valley flag raising event for Pride Week (July 19-26, 2021)

7.2 Councillor Morin

Councillor Morin participated in the following events:

- K'ómoks First Nation (KFN) Chief & Council meeting with CVRD
- City of Courtenay Public Hearing
- City of Courtenay Strategic Planning session
- Comox Valley Substance Use Strategy Committee meeting
- CVRD Coastal Flood Mapping Presentation
- CVRD Board meeting (2 total)
- Comox Valley Water Committee Agenda Review meeting
- Comox Valley Sewage Commission meeting
- Comox Valley Water Committee meeting
- Comox Valley Recreation Commission meeting
- Official Community Plan (OCP) Update - Lunch and Learn with staff

Councillor Morin mentioned that she attended the Comox Valley Chamber of Commerce Golf Classic at the Crown Isle Resort & Golf Community in her role as Acting Mayor for the month of July.

8. RESOLUTIONS OF COUNCIL

8.1 Rise and Report - Settlement on a Four-Year (2021-2024) Collective Agreement - CUPE Local 556 (2710-20)

Moved By Frisch

Seconded By Morin

THAT per the July 19th, 2021 Closed (In Camera) meeting, Council Rises and Reports as follows:

THAT based on the July 19th, 2021 staff report “Settlement on a Four-Year Collective Agreement”, Council ratifies the attached Memorandum of Agreement resulting in a new 2021-2024 Collective Agreement between the City and CUPE Local 556.

Carried

8.2 In Camera Meeting

Moved By Cole-Hamilton

Seconded By McCollum

That a Special In-Camera meeting closed to the public will be held July 26th, 2021 at the conclusion of the Regular Council Meeting pursuant to the following subsections of the *Community Charter*:

- 90 (1) (c) labour relations or other employee relations

Carried

9. UNFINISHED BUSINESS

9.1 AccessBC Campaign - Advocating for Universal No-Cost Prescription Contraception in BC

Moved By Frisch

Seconded By McCollum

WHEREAS cost is a significant barrier to people accessing contraception, particularly to people with low incomes, youth, and people from marginalized communities;

WHEREAS providing no-cost prescription contraception has been shown to improve health outcomes for parents and infants by reducing the risks associated with unintended pregnancy, and is likely to reduce direct medical costs on the provincial health system;

WHEREAS contraceptive methods targeted at men (such as condoms or vasectomies) are available at low cost or are covered by BC's Medical Services Plan, whereas contraceptive methods for people with uteruses (such as birth control pills, intra-uterine devices, or hormone injections) have high up-front costs, making access to contraception unequal and gendered;

THEREFORE BE IT RESOLVED THAT Council directs the Mayor to write to the Provincial Government to urge them to make all prescription contraception in BC available at no cost under the Medical Services Plan.

Carried

10. NOTICE OF MOTION

11. NEW BUSINESS

12. BYLAWS

13. ADJOURNMENT

Moved By Morin

Seconded By Cole-Hamilton

That the meeting now adjourn at 5:49 p.m.

Carried

CERTIFIED CORRECT

Deputy Corporate Officer

Adopted this 7th day of September, 2021

Mayor



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council

File No.: 0430-01/2380-20/
/7900-02

From: Chief Administrative Officer

Date: Sept. 7, 2021

Subject: Elections Canada Request to use Bill Moore Park Lawn Bowling building for Election Polling

PURPOSE:

The purpose of this report is for Council to consider the Elections Canada request for the City of Courtenay to enter into a Polling Place Standard Lease for the operation of a polling place for the upcoming Federal Election.

POLICY ANALYSIS

Council approval is required for the City to enter into a Polling Place Standard Lease with Elections Canada for the use of the Bill Moore Park Lawn Bowling building for both advanced polls and election day polls.

CAO RECOMMENDATIONS:

That based on the September 7, 2021 staff report, "Elections Canada Request to use Bill Moore Park Lawn Bowling building as a polling place", Council approve OPTION 1 and approve the Polling Place Standard Lease between Elections Canada and the City of Courtenay for the use of the Bill Moore Park Lawn Bowling building for the purpose of operating a polling place for the upcoming Federal Election.

That the Mayor and an Officer of the City be authorized to execute all documentation relating to the Polling Place Standard lease.

Geoff Garbutt, M.P.I., MCIP, RPP
Chief Administrative Officer

BACKGROUND:

Elections Canada contacted City staff on August 16, 2021 to discuss booking the Bill Moore Park Lawn Bowling building for the upcoming Federal Election in September. Elections Canada has requested to use the Bill Moore Park Lawn Bowling building September 10-13 and September 20, 2021 to operate both advanced polls and election day polls.

DISCUSSION:

The polling place will operate under a Polling Place Standard Lease between the City of Courtenay and Elections Canada which will govern the use of the Bill Moore Park Lawn Bowling building (Attachment 1). Staff have reviewed the terms of the Standard Lease and recommend Council's approval to enter into the agreement with Elections Canada in order to facilitate the implementation of a polling place for both advanced polls and election day polls for the upcoming Federal Election.

Elections Canada will pay the City of Courtenay rent for use of space as per the Polling Place Standard Lease.

The City of Courtenay has a user agreement with the Courtenay Lawn Bowling Club whereby the Courtenay Lawn Bowling Club occupies the Lawn Bowling building from April to October annually. Through this agreement, the City reserves the right to notify the Bowlers of any changes to the availability of the facility, endeavouring to provide as much notice as possible. On August 16, 2021, notice was provided to the Courtenay Lawn Bowling Club Executive of the request for use of the Lawn Bowling building for the upcoming federal election. The Courtenay Lawn Bowling Club graciously agreed to temporarily suspend their Club activities for the days requested, in order to support Elections Canada.

FINANCIAL IMPLICATIONS:

Operating expenses for the recreation facilities, including the Lawn Bowling Building have been approved by Council in the 2021 Operating Budget.

ADMINISTRATIVE IMPLICATIONS:

Approximately 10 hours of staff time have been dedicated to reviewing the lease, communicating with Elections Canada, conducting a site visit and drafting a staff report. Additional custodial support will be required to conduct onsite cleaning tasks during the polling place operating hours.

ASSET MANAGEMENT IMPLICATIONS:

There are no asset management implications at this time.

STRATEGIC PRIORITIES REFERENCE:**We focus on organizational and governance excellence**

- Responsibly provide services at levels which the people we serve are willing to pay

We continually invest in our key relationships

- ■ Consider effective ways to engage with and partner for the health and safety of the community

OFFICIAL COMMUNITY PLAN REFERENCE:

Not referenced.

REGIONAL GROWTH STRATEGY REFERENCE:

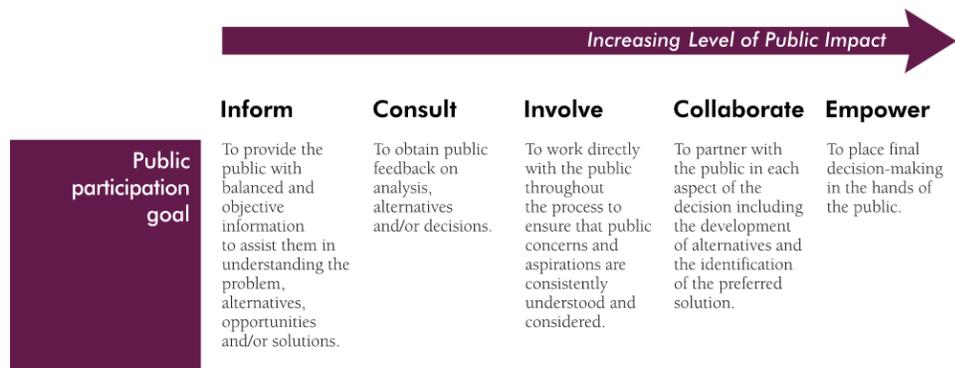
No specific reference.

CITIZEN/PUBLIC ENGAGEMENT:

Elections Canada will lead all public communications in regards to the schedule and location of the polling place.

Section 26 [notice of proposed property disposition] of the *Community Charter* requires that notice be given prior to property disposition. Notice of property disposition must be given in accordance with section 24, 26 and 94 of the Community Charter.

Staff would inform the public based on the IAP2 Spectrum of Public Participation:



© International Association for Public Participation www.iap2.org

CONCLUSION:

It is staff’s recommendation that Council authorize staff to enter into a Polling Place Standard Lease with Elections Canada in order to support Elections Canada in its efforts to provide an adequate number of polling places within the City of Courtenay.

OPTIONS:

OPTION 1: That based on the September 7, 2021 staff report “Election Canada’s Request to use Bill Moore Park Lawn Bowling building as a polling place Council authorize staff to enter into a Polling Place Standard Lease between Elections Canada and the City for the use of the Bill Moore Park Lawn Bowling Building for the purpose of operating a polling place for the upcoming federal election.

That the Mayor and an Officer of the City be authorized to execute all documentation relating to the Polling Place Standard Lease. **(Recommended)**

OPTION 2: That Council refer the issue back to staff for further consideration.

OPTION 3: That Council deny Election Canada’s request to the Bill Moore Park Lawn Bowling Building as a polling place.

Prepared by:

Susie Saunders
 Director of Recreation, Culture and Community Services

Concurrence by:

Geoff Garbutt, M.P.I., MCIP, RPP
 Chief Administrative Officer

Attachments:

1. *Polling Place Standard Lease*

POLLING PLACE STANDARD LEASE

- POLLING PLACE
 ADVANCE POLLING PLACE

ELECTORAL DISTRICT

Courtenay--Alberni

BETWEEN

<p>1. The Chief Electoral Officer of Canada, acting through his or her authorized representative the Returning Officer (Tenant)</p> <p>Returning Officer Alberni Mall 108-3550 Johnston Road Port Alberni, British Columbia V9Y 7W8</p>	<p>2. Landlord (or authorized representative)</p> <p>City of Courtenay, Attn Carol Millar</p>
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Payment Information

<p>3. Name of the Landlord or its representative (recipient of rent payment)</p> <p>City of Courtenay, Attn Carol Millar</p>		
<p>4. Address of the Landlord or its representative (to send rent payment)</p> <p>830 Cliffe Avenue Courtenay, British Columbia V9N 2J7</p>	Landlord Initials	Tenant Initials
<p>5. GST/HST No.</p> <p>106983992</p>	<p>6. QST No. (for a Quebec Electoral District)</p>	

Landlord Initials	Tenant Initials

Additional Information

1. The Landlord hereby leases to the Tenant the premises described in box 9 ("Premises") for the dates and hours set out in boxes 13 and 14 ("Term").
2. The Tenant must pay the rent described in box 15 ("Total Rent"), plus applicable taxes as indicated in boxes 5 and 6 to the Landlord or its representative as identified in box 3 in respect of this lease, in Canadian funds, without abatement or set-off and be sent to the address of the Landlord or its representative indicated in Box 4 within 30 days of the date of rental set out in box 13.
3. The Landlord must not restrict access to the Premises to the Tenant, his or her employees, agent or contractors during the Term and must provide quiet enjoyment of the Premises to the Tenant.
4. The Landlord acknowledges and agrees that the Premises will be used as a polling place during a federal electoral event and, as such, the general public must be given free and unrestricted access to the Premises during the Term.
5. The Landlord must provide the Premises in a neat, clean and broom-swept condition to the Tenant.
6. The Landlord must provide lighted and, as required, heated Premises to the Tenant's satisfaction during the Term. The Landlord must assume the cost associated with providing such lighting and heating.
7. At the end of the lease, the Tenant must return the Premises to the Landlord in the condition in which they were on the first day of the Term, ordinary wear and tear excepted.
8. The Landlord has the obligation to ensure that the entrance/exit to the Premises and access to and from the building, within which the Premises are located in, to the nearest street, must be unrestricted, unhindered and unobstructed at all times during the Term.
9. The Landlord acknowledges that access to the Premises may be required by persons with disabilities. As such, the Landlord has the obligation to ensure that any entrances/exits designed for use by persons with disabilities to access the building within which the Premises are located, and features that can be used by persons with disabilities to access the Premises must always be, during the Term:
 - a. available for the general public; and
 - b. unrestricted, unhindered and unobstructed.
10. The Landlord must provide the number of tables and chairs indicated in boxes 11 and 12. The Landlord must assume the cost associated with providing such tables and chairs.
11. The landlord acknowledges and agrees that the Tenant has the authority, at his or her own expense, to use its own security services at the Premises at any time during the Term.
12. The Landlord must not rent to any person, corporation, association or any other type of organization other premises owned, controlled or managed by the Landlord, that are within 500 metres of the Premises, if such other premises are to be used for partisan political purposes.

Landlord Initials	Tenant Initials

13. The Landlord acknowledges and agrees that the Tenant, acting reasonably, may remove from the Premises or the building in which the Premises are located any material of a partisan political nature. The Tenant will not be liable for any damage, however caused, resulting from such removal.
14. In the event that the federal electoral event, scheduled for the Term is either cancelled or postponed, this lease is hereby immediately terminated. The parties mutually agree to release each other from all claims and demands arising out of the early termination of the lease as a result of such postponement or cancellation.
15. The Landlord must maintain during the Term, the necessary property and liability insurance in such reasonable amounts and with such reasonable deductibles as would be carried by a prudent owner of reasonably similar premises. The Landlord must provide the Tenant with a certificate of insurance detailing insurance coverage, exclusions, deductibles and conditions within 10 days of a written request.
16. The Tenant must maintain during the Term, "All Risks" tenant's legal liability insurance with a limit of liability of \$5,000,000 for property damage of premises leased by the Tenant, as well as a comprehensive commercial general liability insurance policy for bodily injury, death, medical payments or damage to property of others. The Tenant must provide the Landlord with a certificate of insurance detailing insurance coverage, exclusions, deductions, and conditions within 10 days of written request.
17. This Tenant and the Landlord may execute separate counterparts of this lease. Both counterparts taken together constitute one valid and binding agreement. A counterpart may be delivered by facsimile or portable document format (PDF). A copy of an executed counterpart will be as valid as an originally executed counterpart.
18. Upon signature of the lease, the Landlord must provide to the Tenant the contact information of an individual, indicated in box 16, available at all times during the Term and able to assist the Tenant in person if there is any problem with the Premises, its installations and its accessibility, including with any access provided for under this lease.
19. This lease constitutes the entire and only agreement between the parties and supersedes all previous negotiations, communications and other agreements, whether written or oral, unless they are incorporated by reference in this lease. There are no terms, covenants, representations, statements or conditions binding on the parties other than those contained in this lease.

Landlord Initials	Tenant Initials

_____	_____
The Chief Electoral Officer of Canada, acting through his or her authorized representative the Returning Officer (Tenant)	Date
_____	_____
Landlord (or authorized representative)	Date
_____	_____
Date that the signed lease is received by the tenant	Date

Landlord Initials	Tenant Initials



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council

File No.: 0570-00 & 0590-00

From: Chief Administrative Officer

Date: September 7, 2021

Subject: Council Meetings, Committee Meetings, and Public Hearings – Meeting Models

PURPOSE:

To seek Council approval to permit in-person attendance at Council and Committee meetings and to maintain virtual Public Hearings.

CAO RECOMMENDATIONS:

That based on the September 7th, 2021 report entitled “*Council Meetings, Committee Meetings, and Public Hearings – Meeting Models*” Council approve Option 1 and support the following meeting models until such time as Council Procedure Bylaw No. 2730 is amended to address in more detail electronic participation in public meetings under the newly granted authorities of Bill 10-2021:

- Council and Committee Meetings to be conducted using a “hybrid” model with spectators, delegates, and members of Council having the option of virtual or in-person participation/attendance.
- Public Hearings to be conducted “electronically” with participants having the option to participate via telephone, web conferencing or written submission, and members of Council having the option to participate electronically or in-person.

Geoff Garbutt, M.P.I., MCIP, RPP
Chief Administrative Officer

BACKGROUND:

At the March 30th, 2020 Council meeting members of the public were prohibited from attending City Council and Committee meetings under the authority of Ministerial Order No.M83/2020 and more recently under the authority of Ministerial Order No. M192/2020. With public attendance prohibited, Council and Committee meetings transitioned from in-person to electronic with meetings taking place via a video conferencing platform publically streamed on YouTube. At the November 16th, 2020 Council meeting, Council approved new procedures for electronic public hearings that facilitated public engagement via webinar, correspondence submissions, and teleconference participation options.

The Provincial State of Emergency officially ended on July 1, 2021, and the *Covid-19 Related Measures Act* [SBC 2020] Chapter 8 provided a 90-day transition period from the lifting of the state of emergency before local governments need to return to the pre-pandemic legislative rules. At the end of the 90-day transition period (September 28th, 2021), Council, Committee and Public Hearing meeting models formerly permitted under Ministerial Order No. M192/2020 will be authorized under Bill 10-2021.

Bill 10-2021

On June 17th, 2021 Bill 10-2021 (*Municipal Affairs Statutes Amendment Act, 2021*) received Royal Assent. Bill 10-2021 amends the *Community Charter* and the *Local Government Act* to allow municipal Councils to:

- Allow for electronic quorum at Regular and Special Council meetings;
- Allow for electronic quorum at Committee meetings and the Board of Variance; and
- Allow for fully electronic Public Hearings.

Virtual Meeting and Public Participation

Since March 2020 the City has successfully hosted electronic Council meetings, and Public Hearings were facilitated electronically as of November 2020. Aside from some learnings regarding the logistics of hosting, streaming, and accessing electronic Council meetings and Public Hearings, delegates and many Public Hearing participants provided positive feedback on their virtual participation experience (e.g. easy to access, decreased scheduling conflicts, eliminated need for child care). To ensure that Courtenay residents were able to participate in electronic meetings, advertising and communication processes were enhanced to include detailed participation instructions and held in accordance with the best practice standards outlined in the “*Guidance for Public Hearings under the Current PHO Orders and Ministerial Order 192*” most recently updated by the province on June 29, 2021.

DISCUSSION:

Council holds three types of meetings: Open and Closed Council meetings, Committee meeting and Public Hearings. These meetings can be held in person, electronically or a combination of the two (called “hybrid”). There are pros and cons for each meeting format for example, electronic meetings decrease vehicle trips, and promote participation by decreasing barriers to access however they may not facilitate relationship building. In-person meetings foster relationship and collaboration and demonstrate a desire for transparency for some members of the public, but promote more trips to City Hall, are less accessible to the public overall and may pose a risk to health and safety in terms of disease transmission (even with communicable disease protocols in place). The pros and cons of all three meeting types are still being discussed provincially and amongst local governments across the Country. It is likely that there will be meeting model inconsistencies between local governments as we navigate new meeting formats, seek to better understand political and public perspectives/experiences as we consider permanent changes to how meetings are conducted with the shared goal of increasing public access and engagement in democratic processes.

Public Participation

Public participation opportunities are distinctly different between Council/Committee meetings and Public Hearings. Public participation at Council/Committee meetings are planned for in advance in the form of delegations, presentation and correspondence allowing staff to more accurately predict meeting turnout as only a few individuals have an expectation of active participation. Additionally, in the event that the Council Chamber has reached capacity, members of the public wishing to watch the Council/Committee meeting do not lose their ability to participate if they are unable to enter the Council Chamber as under a hybrid model spectators are able to watch the meeting via live stream or the archived video at another time.

Unlike a Council/Committee meeting, anyone who is effected or has an opinion on a Public Hearing item has the right to be heard by Council and it is this general right of the public that result in unpredictable attendance. In the event that an individual’s right to be heard is eliminated or there is a significant barrier to participation, the bylaw amendment being considering may be challenged through provincial court

processes necessitating a new Public Hearing or other outcome. Lastly, public participation in Public Hearings has historically been substantially greater than attendance at Council meetings and therefore in-person or hybrid meetings may be more likely to result in disease transmission or present logistical barriers to participation (e.g. capacity limits, or unforeseeable changes to meeting protocols such as Covid-19 Orders).

Recommendations

Staff recommend Council and Committee meetings use a “hybrid” meeting format while Public Hearings continue to be provided “electronically” for the time being. Staff will continue to monitor the Covid-19 pandemic and local government trends as we collectively investigate engagement and participation options now available under the authority of Bill 10-2021. Additionally, staff are currently exploring meeting hosting options that would provide a larger space decreasing the aforementioned risks of in-person Public Hearings providing an opportunity to Council to revisit the meeting format of Public Hearings in the near future.

Next Steps

Although Council has the authority to pass a resolution to temporarily amend the Council Procedure Bylaw, a more fulsome review of the Council Procedure Bylaw is currently underway. Council can expect a report in the near future that will better define and describe electronic meeting participation along with other procedural changes and housekeeping amendments.

FINANCIAL IMPLICATIONS:

Financial implications will be outlined in greater detail in the anticipated Council Procedure Bylaw amendment report.

ADMINISTRATIVE IMPLICATIONS:

Staff have dedicated approximately 20 hours to review Bill 10-2021, liaise with other local governments, and draft this report. It is estimated that a further 70 hours will be required to review the Council Procedure Bylaw, research current procedure bylaw models and guidelines, host a Council information session, draft a report and resulting bylaw amendment, update communication materials, and create legislative ads.

ASSET MANAGEMENT IMPLICATIONS:

Not applicable.

STRATEGIC PRIORITIES REFERENCE:

We focus on organizational & governance excellence.

- Recognize staff capacity is a finite resource and support staff training and development
- Communicate appropriately with our community in all decisions we make
- Responsibly provide services at levels which the people we serve are willing to pay

We actively pursue vibrant economic development

- ▲ Work with the business and development sectors to mutually improve efficiencies

- **AREA OF CONTROL:** The policy, works and programming matters that fall within Council's jurisdictional authority to act
- ▲ **AREA OF INFLUENCE:** Matters that fall within shared or agreed jurisdiction between Council and another government or party
- **AREA OF CONCERN:** Matters of interest that are outside Council's jurisdictional authority to act

OFFICIAL COMMUNITY PLAN REFERENCE:

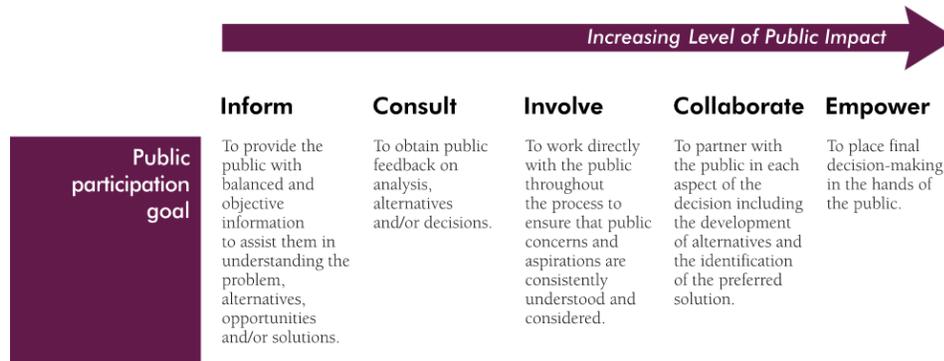
Not applicable.

REGIONAL GROWTH STRATEGY REFERENCE:

Not applicable.

CITIZEN/PUBLIC ENGAGEMENT:

Staff would inform the public based on the IAP2 Spectrum of Public Participation:



© International Association for Public Participation www.iap2.org

OPTIONS:

OPTION 1: That based on the September 7th, 2021 report entitled “*Council Meetings, Committee Meetings, and Public Hearings – Meeting Models*” Council approve Option 1 and support the following meeting models until such time as Council Procedure Bylaw No. 2730 is amended to address in more detail electronic participation in public meetings under the newly granted authorities of Bill 10-2021:

- Council and Committee Meetings to be conducted using a “hybrid” model with spectators, delegates, and members of Council having the option of virtual or in-person participation/attendance.
- Public Hearings to be conducted “electronically” with participants having the option to participate via telephone, web conferencing or written submission, and members of Council having the option to participate electronically or in-person.

OPTION 2: That Council approve Option1 **and** provide further direction to staff to explore other meeting model options.

OPTION 3: That Council direct staff to implement alternative meeting models.

Prepared by,

Kate O’Connell, BA, MPP, CLGA, PCAMP
Director of Corporate Support Services

Concurrence by,

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



STAFF REPORT

To: Council

File No.: 2380-30 Lot 3

From: Chief Administrative Officer

Date: September 7, 2021

Subject: Lease Assignment for Lot 3, 100-20th Street – Courtenay Airpark

PURPOSE:

The purpose of this report is for Council to approve the assignment of existing lot 3 Courtenay Airpark lease from North Bend Ventures Ltd. to The Property Centre Inc. (TPC).

CAO RECOMMENDATIONS:

That based on the September 7th, 2021 staff report “**Lease Agreement for Lot 3, 100-20th Street – Courtenay Airpark**”, subsequent to the publication of notice, Council approve OPTION 1 and authorize the lease assignment from North Bend Ventures Ltd to The Property Centre Inc. (TPC) for the property having a legal description of PID: 000-892-149, Lot 1, Section 66, Comox Land District Plan 14942 except any portion of the bed of the Courtenay River and further identified as Lot 3 on Plan VIP64872; and,

That the Mayor and an Officer of the City be authorized to execute all documentation relating to the lease assignment. (Recommended)

Geoff Garbutt, M.P.I., MCIP, RPP
Chief Administrative Officer

BACKGROUND:

North Bend Ventures Ltd. signed a lease with the City for a term of five years commencing on January 1, 2021 and terminating on December 31st, 2025. On July 16, 2021, the City received a letter from North Bend Ventures Inc. requesting that the assignment be transferred to TPC The Property Centre Inc. effective September 15, 2021. The purpose of the lease is the same as the use by North Bend Ventures Ltd., the “storage of personal aircraft”.

Section 10, of the January 1, 2021 Lease Agreement, permits assignment and subleases under the following conditions:

The Tenant shall not make any assignment of this Agreement, nor any transfer or sublease of the whole or any part of the Premises demised or leased hereunder, without obtaining the prior written consent in writing of the City to such assignment, transfer or sublease. In requesting the City’s consent or an assignment, sublease or licence, the Tenant must provide the City with all information requested by the City. The Tenant must, if required by the City, enter into sub-leases, assignment agreement or licence on terms required by the City, including requirements for insurance and indemnities.

DISCUSSION:

An addendum to the existing agreement is required to transfer all existing contract terms, requirements and obligations from North Bend Ventures Ltd. TPC The Property Centre Inc. TPC The Property Centre Inc. has committed to leasing Lot 3 for the remainder of the five years in the existing lease with a renewal clause of three additional five year terms subject to City approvals. The lease term is for a period commencing on September 15, 2021 and terminating on December 31, 2025.

FINANCIAL IMPLICATIONS:

Legal fees of approximately \$500 are anticipated to prepare the Agreement transfer documents.

ADMINISTRATIVE IMPLICATIONS:

Approximately 20 hours of staff time (cumulative for the 2021 Agreements) has been dedicated to the review of the lease, compliance and inspection activities, report drafting and the creation of the Agreement documentation.

ASSET MANAGEMENT IMPLICATIONS:

There are no asset management implications as the lease will not change any service levels within the Courtenay Airpark. The use conforms to existing airpark activities.

STRATEGIC PRIORITIES REFERENCE:

We focus on organizational and governance excellence

- Responsibly provide services at levels which the people we serve are willing to pay

We actively pursue vibrant economic development

- ▲ Work with the business and development sectors to mutually improve efficiencies
- ▲ Continue to explore innovative and effective economic development opportunities

- **AREA OF CONTROL:** The policy, works and programming matters that fall within Council's jurisdictional authority to act
- ▲ **AREA OF INFLUENCE:** Matters that fall within shared or agreed jurisdiction between Council and another government or party
- **AREA OF CONCERN:** Matters of interest that are outside Council's jurisdictional authority to act

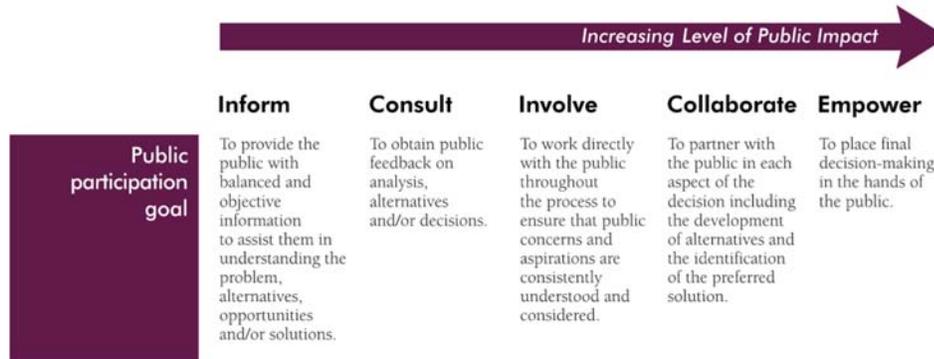
OFFICIAL COMMUNITY PLAN REFERENCE: No specific reference as the use of Lot 3 is limited to the storage of personal aircraft and will not be used for commercial or emergency response purposes.

REGIONAL GROWTH STRATEGY REFERENCE:

No specific reference.

CITIZEN/PUBLIC ENGAGEMENT:

Section 26 of the *Community Charter* for municipalities requires that notice be given prior to the disposition. The notice must also be published in a newspaper that is published at least weekly in the area affected by the subject matter of the notice. The public will be “informed” based on the IAP2 graphic below.



OPTIONS:

OPTION 1: That based on the September 7th, 2021 staff report “**Lease Agreement for Lot 3, 100-20th Street – Courtenay Airpark**”, subsequent to the publication of notice, Council approve OPTION 1 and authorize the lease assignment from North Bend Ventures Ltd to The Property Centre Inc. (TPC) for the property having a legal description of PID: 000-892-149, Lot 1, Section 66, Comox Land District Plan 14942 except any portion of the bed of the Courtenay River and further identified as Lot 3 on Plan VIP64872; and,

That the Mayor and an Officer of the City be authorized to execute all documentation relating to the lease assignment. (Recommended)

OPTION 2: That Council deny the lease assignment request.

OPTION 3: That Council refer this item back to staff for further consideration.

Prepared by,

Cammy Dallamore
Engineering & Corporate Support Services Clerk

Reviewed by:

Kate O'Connell, BA, MPP, CLGA, PCAMP
Director of Corporate Support Services

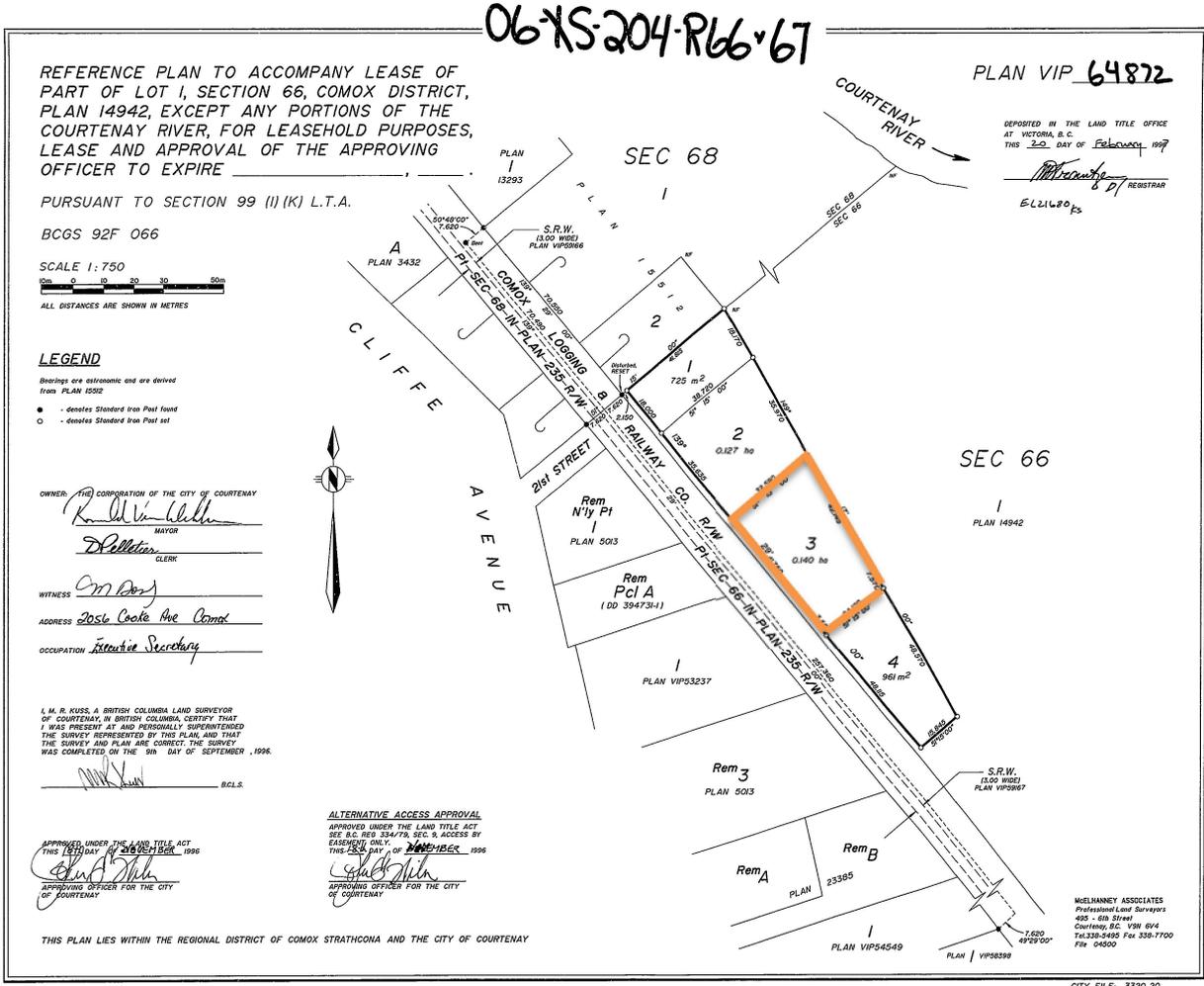
Concurrence by,

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

Attachments:

1. *Schedule A - Reference Plan VIP64872*
2. *Schedule B - Reference Plan Courtenay Airpark*
3. *Schedule C - Lot 3 Hangar Photo*
4. *Letter from owner representative*
5. *Lease Assignment Document*
6. *Form C Assignment of Lease*

SCHEDULE A
REFERENCE PLAN VIP64872



CITY FILE: 3320-20-

SCHEDULE C
LOT 3 HANGAR



Dallamore, Cammy

From: Richard Swift <rswift@swiftdatao.com>
Sent: Friday, July 16, 2021 3:50 PM
To: Dallamore, Cammy
Cc: O'Connell, Kate; Sarah McKenzie; Mike Hamilton; Rick Waldhaus
Subject: Assignment of Lease at the Courtenay Airpark (Lot 3) currently leased by North Bend Ventures Ltd.
Attachments: 2021_07_16_15_42_57.pdf; Register of Directors (00442674xC481D).PDF; Certificate of Restoration, Certificate of Change of Name and Certificate of Incorporation (00442679xC481D).PDF

Dear Cammy,

We act for North Bend Ventures Ltd. (North Bend), and for TPC The Property Centre Inc. (TPC) We are advised by North Bend that you are the person to whom we should direct a request for the assignment of the captioned interest from North Bend to TPC, effective September 1, 2021.

We understand that you will instigate the preparation of the Assignment document with the City's lawyers.

TPC's particulars are as follows:

Legal name "TPC The Property Centre Inc. Incorporation Number 366114. Registered Office #201-467 Cumberland Road, Courtenay, B.C. V9N 2C5. The sole Director is Mr. Ron Coulson., and the purpose of the lease is the same as the use by North Bend, the "storage of personal aircraft".

The subject lease was recently renewed, and has a term that expires on December 31 2025, with rights of renewal as set out in the Lease. While you will have a copy, we are also attaching one for your convenience.

Please let me know what additional information and fees you require in order to get this process under way.

Many thanks,

Rjs.

ASSIGNMENT AND ASSUMPTION OF LEASE

THIS AGREEMENT, dated for reference the 15th day of September, 2021

BETWEEN:

NORTH BEND VENTURES LTD. (INC. NO. 248164), a corporation incorporated under the laws of British Columbia and having its registered office at 1085 Comox Road, Courtenay, BC, V9N 3P7

(the “**Assignor**”)

AND:

TPC THE PROPERTY CENTRE INC. (INC. NO. 366114), a corporation incorporated under the laws of British Columbia and having its registered office at #201-467 Cumberland Road, Courtenay, BC, V9N 2C5

(the “**Assignee**”)

AND:

THE CORPORATION OF THE CITY OF COURTENAY, a municipal corporation incorporated pursuant to the *Community Charter* and having its offices at 830 Cliffe Avenue, Courtenay, B.C., V9N 2J7

(the “**City**”)

(each a “**party**” and together the “**parties**”)

BACKGROUND

- A. By lease dated for reference January 1, 2021, an excerpt of which is attached as Schedule A to this Agreement (the “**Lease**”), between the City as landlord and the Assignor as tenant, the City leased to the Assignor certain premises consisting of part of the lands legally described as PID: 000-892-149, LOT 1, SECTION 66, COMOX DISTRICT, PLAN 14942 EXCEPT ANY PORTION OF THE BED OF THE COURTENAY RIVER, shown as LOT 3, PLAN VIP 64872 as more particularly described in the Lease;
- B. The Lease does not allow the Assignor to assign their obligations as tenant under the Lease without the mutual agreement of the City;
- C. The Assignor wishes to assign, and the Assignee wish to assume, all rights of the tenant under the Lease, such assignment and assumption to be effective on September 15th, 2021 (the “**Effective Date**”);

D. The City consents to the assignment described in Recital C and as more fully set out in this Agreement.

NOW THEREFORE, in consideration of the mutual covenants below, the parties agree that:

1. Defined Terms: Except as otherwise defined in this Agreement, capitalized terms used in this Agreement have the meanings ascribed to those terms in the Lease.

2. Assignment & Assumption: The parties agree that:

- (a) Effective on the Effective Date, the Assignor assigns to the Assignee all the Assignor's rights, obligations, and interest in and to the Lease and the Assignee assumes all obligations of the Assignor under the Lease;
- (b) In exchange for the Assignee's agreement to assume all obligations of the Assignor under the Lease, the City consents to the assignment and assumption set out in subsection (a); and
- (c) For greater certainty, as of the Effective Date, the City will comply with all of the landlord's obligations under the Lease and the Assignee will comply with all of the Tenant's obligations under the Lease.

3. Assignor's Representations and Warranties: The Assignor represents and warrants to the Assignee that:

- (a) the Lease is good, valid, and subsisting; and
- (b) the Lease has not previously been amended or assigned other than set out in this Agreement.

4. Assignor's Indemnity: The Assignor indemnifies and will save harmless the Assignee from all actions, suits, costs, losses, damages, charges, and expenses for or in respect of any breach by the Assignor of the Lease arising for the period up to the Effective Date.

5. Assignee's Indemnity: The Assignee indemnifies and will save harmless the Assignor from all actions, suits, costs, losses, damages, charges, and expenses for or in respect of any breach by the Assignee of the Lease arising on and after the Effective Date.

6. Notices: Any notice given in connection with this Agreement will be delivered to the respective addresses set out above or to such other address as any of the parties may designate in writing.

7. Survival of Provisions: The provisions of the Lease will survive the execution and delivery of this Agreement and will not merge in this Agreement.

8. Further Assurances: Each party will, at all times hereafter at the request and cost of any other party), execute such further and other documents as such other party may reasonably require in order to evidence or give effect to the terms of this Agreement.

9. Amendment of Lease: The Lease will be deemed to be amended with all necessary changes being made to incorporate and give effect to the provisions of this Agreement. The parties acknowledge that the Lease, as assigned and modified by this Agreement is in full force and effect.

10. Enurement: This Agreement will enure to the benefit of and be binding upon the parties and their respective heirs, administrators, personal representatives, successors, and permitted assigns.

11. Governing Law: This Agreement will be governed in accordance with laws applicable in the province of British Columbia, and the parties irrevocably submit to the non-exclusive jurisdiction of the courts of British Columbia.

12. Independent Legal Advice: The parties acknowledge and agree that they have had reasonable opportunity to obtain independent legal advice regarding this Agreement.

13. Counterparts and Electronic Delivery: This Agreement may be executed in one or more counterparts, each of which will be an original, and all of which together will constitute a single instrument. Further, the parties agree that this Agreement may be signed and/or transmitted by fax or by electronic mail of a .PDF document or electronic signature (e.g., DocuSign or similar electronic signature technology) and thereafter maintained in electronic form, and that such electronic record will be valid, and effective to bind the party so signing, as a paper copy bearing such party's handwritten signature. The parties further consent and agree that the electronic signatures appearing on this Agreement will be treated, for the purposes of validity, enforceability, and admissibility, the same as handwritten signatures.

END OF PAGE

IN WITNESS WHEREOF the parties executed this Agreement as of the date first above written.

NORTH BEND VENTURES LTD. (INC. NO. 248164), by its authorized signatories:

Name:

Name:

THE CORPORATION OF THE CITY OF COURTENAY, by its authorized signatories:

Name:

Name:

TCP THE PROPERTY CENTRE, INC NO. 366114, by its authorized signatories:

Name:

Name:

SCHEDULE A

LEASE AGREEMENT EXCERPT

TERMS OF INSTRUMENT – PART 2

THIS AGREEMENT, dated for reference January 1, 2021

BETWEEN:

THE CORPORATION OF THE CITY OF COURTENAY, a municipal corporation incorporated pursuant to the *Community Charter* and having its offices at 830 Cliffe Avenue, Courtenay, B.C., V9N 2J7

(the "City")

AND:

NORTH BEND VENTURES LTD. (Inc. No. 248164), a corporation incorporated under the laws of British Columbia and having its registered office at 1085 Comox Road, Courtenay, BC V9N 3P7

(the "Tenant")

WHEREAS:

- A. The City is the registered owner of lands and premises in the City of Courtenay more particularly described as follows:

PID: 000-892-149, Lot 1 of Section 66, Comox District, Plan 14942 except any portion of the bed of the Courtenay River

(hereinafter collectively called the "Lands");
- B. The Lands comprise part of the Courtenay Airpark;
- C. The Tenant wishes to place, maintain and operate an aircraft hangar on the Lands for the purpose of storing personal aircraft;
- D. The City has agreed to lease a portion of the Lands to the Tenant for the purposes of storing personal aircraft, and the Tenant has agreed to accept the lease, all on the terms and conditions herein set forth; and
- E. In accordance with Section 26 of the *Community Charter*, the City has published notice in a newspaper of its intention to lease a portion of the Lands to the Tenant.

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the premises and of the mutual covenants and agreements herein set forth, the City and Tenant covenant and agree as follows:



1. Application

Lidstone & Company, Barristers & Solicitors
1300 - 128 Pender Street West
Vancouver BC V6B 1R8
604-899-2269

2. Description of Land

PID/Plan Number	Legal Description
000-892-149	LOT 1, SECTION 66, COMOX DISTRICT, PLAN 14942 EXCEPT ANY PORTION OF THE BED OF THE COURTENAY RIVER

3. Nature of Interest

Type	Number	Additional Information
ASSIGNMENT OF LEASE	EX3013	

4. Terms

Part 2 of this instrument consists of:
(b) Express Charge Terms Annexed as Part 2

5. Transferor(s)

NORTH BEND VENTURES LTD., NO.248164

6. Transferee(s)

TPC THE PROPERTY CENTRE INC.	366114
#201-467 CUMBERLAND ROAD	
COURTENAY BC V9N 2C5	

7. Additional or Modified Terms



8. Execution(s)

This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Witnessing Officer Signature

Execution Date

Transferor Signature(s)

YYYY-MM-DD

NORTH BEND VENTURES LTD.
By their Authorized Signatory

Officer Certification

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

Electronic Signature

Your electronic signature is a representation that you are a designate authorized to certify this document under section 168.4 of the *Land Title Act*, RSBC 1996 c.250, that you certify this document under section 168.41(4) of the act, and that an execution copy, or a true copy of that execution copy, is in your possession.



STAFF REPORT

To: Council

File No.: 2250-20 660476 BC Ltd

From: Chief Administrative Officer

Date: September 7th, 2021

Subject: Encroachment Agreement for 660476 BC Ltd dba Island Honda

PURPOSE:

The purpose of this report is to seek Council approval of an Encroachment Agreement with Island Honda (660476 BC Lt) to provide temporary parking for staff.

CAO RECOMMENDATIONS:

THAT based on the September 7th, 2021 staff report “**Encroachment Agreement for 660476 BC Ltd dba Island Honda**”, Council approve OPTION 1 and authorize:

- a) An encroachment agreement with Ltd Island Honda (660476 BC) for 486 square metres of City Property with the civic address 1109 Comox Road, Courtenay, BC V9N 3P7 legally described as PID: 000-364-291, Lot 1, Plan 35787, Section 13, Comox Land District; and,

THAT staff provide public notice to satisfy the statutory advertising requirements for the disposition of City Lands as per Section 24, 26, and 94 of the *Community Charter*; and,

THAT the Mayor and an Officer of the City be authorized to execute all documentation relating to the lease.

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

BACKGROUND:

1109 Comox Road was purchased by the City in 2009 to be used as a storage facility for the City. Island Honda entered into an agreement with the City in 2012 for the use of the City property for the purpose of vehicle access and employee parking. The City continues to use the building for storage.

In January, 2021 Island Honda provided written notice to terminate their agreement with the City per Section 3 of the encroachment agreement.

On February 1, 2021 Council approved a development permit with variance for 880 Comox Road for 660476 BC Ltd to construct a new sales office and reconfigure parking for merchandise.

4.3.2 Development Permit with Variance No. 2020 - 880 Comox Road (3060-20-2020)

THAT based on the February 1st, 2021 staff report “Development Permit with Variances No. 2020 - 880 Comox Road”, Council approve OPTION 1 and proceed with issuing Development Permit with Variances No. 2020.

DISCUSSION:

Following the approval of Development Permit with Variance No. 2020-880 Comox Road, Island Honda requested a new short-term lease for temporary employee parking during the construction of the 880 Comox Road development. Island Honda, with approval from the Director of Corporate Support Services has been accessing 1109 Comox Road since June 15th, 2021 having agreed to meet all of the requirements of the previous Agreement. The Encroachment Agreement will be backdated to June 15, 2021 and terminate on December 31st, 2021 – subject to City Council approval. The new Agreement will contain all of the original terms and conditions of the October 2012 Agreement with adjustments to the rate based on the term and the addition of a month to month hold over option.

FINANCIAL IMPLICATIONS:

There are no financial implications as the previous agreement will be adjusted to reflect the minor changes outlined in the report and legal review of the terms and conditions is not required.

ADMINISTRATIVE IMPLICATIONS:

Approximately six hours of staff time was dedicated to reviewing the terms and conditions of the Agreement and liaising with Island Honda on the term.

ASSET MANAGEMENT IMPLICATIONS:

There are no new asset management implications at this time.

STRATEGIC PRIORITIES REFERENCE:

We focus on organizational and governance excellence

- Responsibly provide services at levels which the people we serve are willing to pay
- Communicate appropriately with our community in all decisions we make

Proactively plan and invest in our natural and built environment

- Focus on asset management for sustainable service delivery
- ▲ Support social, economic, and environmental sustainability solutions

- **AREA OF CONTROL:** The policy, works and programming matters that fall within Council's jurisdictional authority to act
- ▲ **AREA OF INFLUENCE:** Matters that fall within shared or agreed jurisdiction between Council and another government or party
- **AREA OF CONCERN:** Matters of interest that are outside Council's jurisdictional authority to act

OFFICIAL COMMUNITY PLAN REFERENCE:

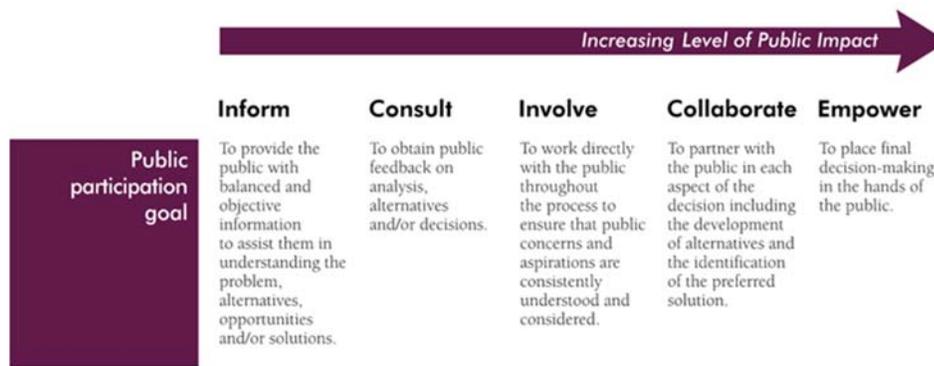
No specific reference.

REGIONAL GROWTH STRATEGY REFERENCE:

No specific reference.

CITIZEN/PUBLIC ENGAGEMENT:

Section 26 [notice of proposed property disposition] of the *Community Charter* requires that notice be given prior to property disposition and in accordance with notification requirements outlined in Section 94.



OPTIONS:

Option 1: THAT based on the September 7th, 2021 staff report “**Encroachment Agreement for 660476 BC Ltd dba Island Honda**”, Council approve OPTION 1 and authorize an encroachment agreement with Ltd Island Honda (660476 BC) for 486 square metres of City Property with the civic address 1109 Comox Road, Courtenay, BC V9N 3P7 legally described as PID: 000-364-291, Lot 1, Plan 35787, Section 13, Comox Land District; and,

THAT staff provide public notice to satisfy the statutory advertising requirements for the disposition of City Lands as per Section 24, 26, and 94 of the *Community Charter*; and,

THAT the Mayor and Corporate Officer be authorized to execute all documentation relating to the lease.

Option 2: That Council deny the encroachment agreement requested by Island Honda.

Option 3: That Council refer this item back to staff for further consideration.

Prepared by,

Cammy Dallamore
Engineering & Corporate Support Services Clerk

Reviewed by:

Kate O'Connell, BA, MPP, CLGA, PCAMP
Director of Corporate Support Services

Concurrence by,

Geoff Garbutt, M.P.I., MCIP, RPP
Chief Administrative Officer

Attachment:

1. *Encroachment Agreement – 660476 BC Ltd*

ENCROACHMENT AGREEMENT

Made this 15th day of June, 2021.

BETWEEN:

THE CORPORATION OF THE CITY OF COURTENAY, a municipal corporation incorporated under the *Community Charter* and having an address of 830 Cliffe Avenue, Courtenay B.C. V9N

(hereinafter called the "City")

AND:

660476 BC LTD. (Island Honda)

1025 Comox Road
Courtenay, B.C. V9N 3P7

(hereinafter called the "Owner")

WHEREAS the Owner is the owner in fee simple of land in the City legally described as PID: 028-053-770, Lot 1, Plan VIP87105, Section 13 &14, Comox Land District, which land is in proximity to property in the possession and control of the City legally described as PID: 000-364-291, Lot 1, Plan 35787, Section 13, Comox Land District;

AND WHEREAS the Owner has requested and the City has agreed to grant permission for temporary employee vehicle access and employee vehicle parking over a portion of the property (the "Encroachment Area");

NOW THEREFORE, in consideration of the premises and the covenants herein contained and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the parties, the parties covenant and agree each with the other as follows:

1. ENCROACHMENT

The City so far as it legally can, but not otherwise, and subject to this Agreement and to its bylaws, grants to the Owner a non-exclusive employee vehicle access and employee vehicle parking over and on the Encroachment Area. The location and extent of the Encroachment Area are described in Schedule "A" attached hereto and forming part of this agreement.

2. USE

The Owner shall not use the Encroachment Area for any purpose other than for employee vehicle access and employee vehicle parking on or over the Encroachment Area as shown in Schedule "A". The Owner shall not block and shall leave clear at all times the shared common laneway access of the Encroachment Area.

3. **TERM**

The term of this agreement shall be for SIX AND ONE HALF (6.5) MONTHS commencing on June 15, 2021 and terminating on December 31, 2021.

4. **HOLDING OVER**

If at the expiration of the Term the Owner may hold over tenancy under the current terms and conditions of this Agreement to a maximum of an additional FIVE AND ONE HALF (5.5) MONTHS for a total term of TWELVE (12) MONTHS subject to consent by the City.

It is understood, covenanted and agreed by and between the parties that no provision of this Agreement, no act or omission of the City and no finding of negligence, whether joint or several, as against the City in favour of any third party, shall operate to relieve the Owner in any manner whatsoever from any liability to the City under these presents, or under the provisions of the *Community Charter, Local Government Act* or any other statute, or any bylaw of the City.

5. The Owner covenants and agrees:

FEE

(a) to pay to the City the fee of Two Thousand Six Hundred Forty Three Dollars and Sixty Eight Cents \$2,643.68 plus applicable taxes per year for the permission hereby granted, the first such payment to be payable upon the execution of this Agreement and the ensuing payment to be paid in advance each year before the anniversary date during the continuance of this Agreement.

SAVE HARMLESS

(b) to release, indemnify and save harmless the City from any and all liability whatsoever arising out of:

- (i) the vehicles or equipment encroaching upon or over the property of the City, or
- (ii) the Owner's construction of anything upon or over the property, or
- (iii) the Owner's maintenance of anything upon or over the property, or
- (iv) the Owner's occupation or use of the property.

INSURANCE

(c) to purchase, maintain in full and deposit with the City a copy of a policy of third party liability insurance in a form acceptable to the City of Courtenay Director of Financial Services, insuring both the Owner and the City against any loss arising from the circumstances mentioned in subsection (b) above, in the amount of at least five million dollars (\$5,000,000.00). The Owner shall give the City 30 days notice prior to cancellation of the insurance. Cancellation of such insurance will serve to immediately terminate this Agreement and any right the Owner derives hereunder, and the City may

then demand the immediate removal of the vehicles and equipment according to Section 7(b) of this Agreement.

ENTRY

(d) that the City reserves the right for itself, its designates, its servants or agents, at any and all reasonable times, to enter into and upon the Encroachment Area and the Land for the purpose of access, constructing, maintaining, inspecting or removing any public structure, service or utility running on, over or under the property of the City in the vicinity of the encroachment area.

DEFAULT

(e) at all times to observe and perform the provisions of the bylaws of the City, and this Agreement shall be at all times be subject thereto, including, without limiting the generality of the foregoing, the sign bylaw of the City, and in case the Owner shall fail to comply with the provisions of the said bylaws, or any of them or of this Agreement, all rights of the Owner hereunder shall thereupon terminate and be at an end.

MAINTENANCE

(f) the Owner shall be responsible for all costs related to preparing and maintaining the Encroachment Area for use which includes but is not limited to snow removal and parking surface preparation.

6. ASSIGNMENT

This Agreement and the right to encroach that it grants may not be assigned by the Owner without the prior written consent of the City.

7. TERMINATION

It is understood and agreed that:

(a) this agreement may be terminated by either party upon giving 30 days written notice of termination to the other;

MISCELLANEOUS

8. Time shall be of the essence of this Agreement.

9. This Agreement shall enure to the benefit of and be binding upon the successors of the City and the permitted assigns of the Owners.

10. The Owner acknowledges that the Encroachment Area is City property and that this Agreement is a contractual licence only and grants no leasehold or other property right or interest in the area over which the Encroachment Area.

11. Where the context so requires, words importing the singular number shall include the plural and vice versa and words importing the masculine gender shall include the feminine and neuter genders and vice versa.
12. Any notice required or permitted to be given hereunder shall be in writing and shall be given by personal service or prepaid registered mail addressed to the parties at the addresses set forth on page 1 of this Agreement. Notice by mail shall be deemed to have been given and received five (5) business days (excluding Saturdays, Sundays and statutory holidays), following, but not including, the day on which it is mailed.
13. This Agreement terminates and supersedes all other Agreements and arrangements between the City and the Owner regarding its subject.

THE CORPORATION OF THE CITY OF COURTENAY, has executed this Agreement by its authorized signatories this _____ day of _____, 2021:

Mayor

Signature

Signing Authority

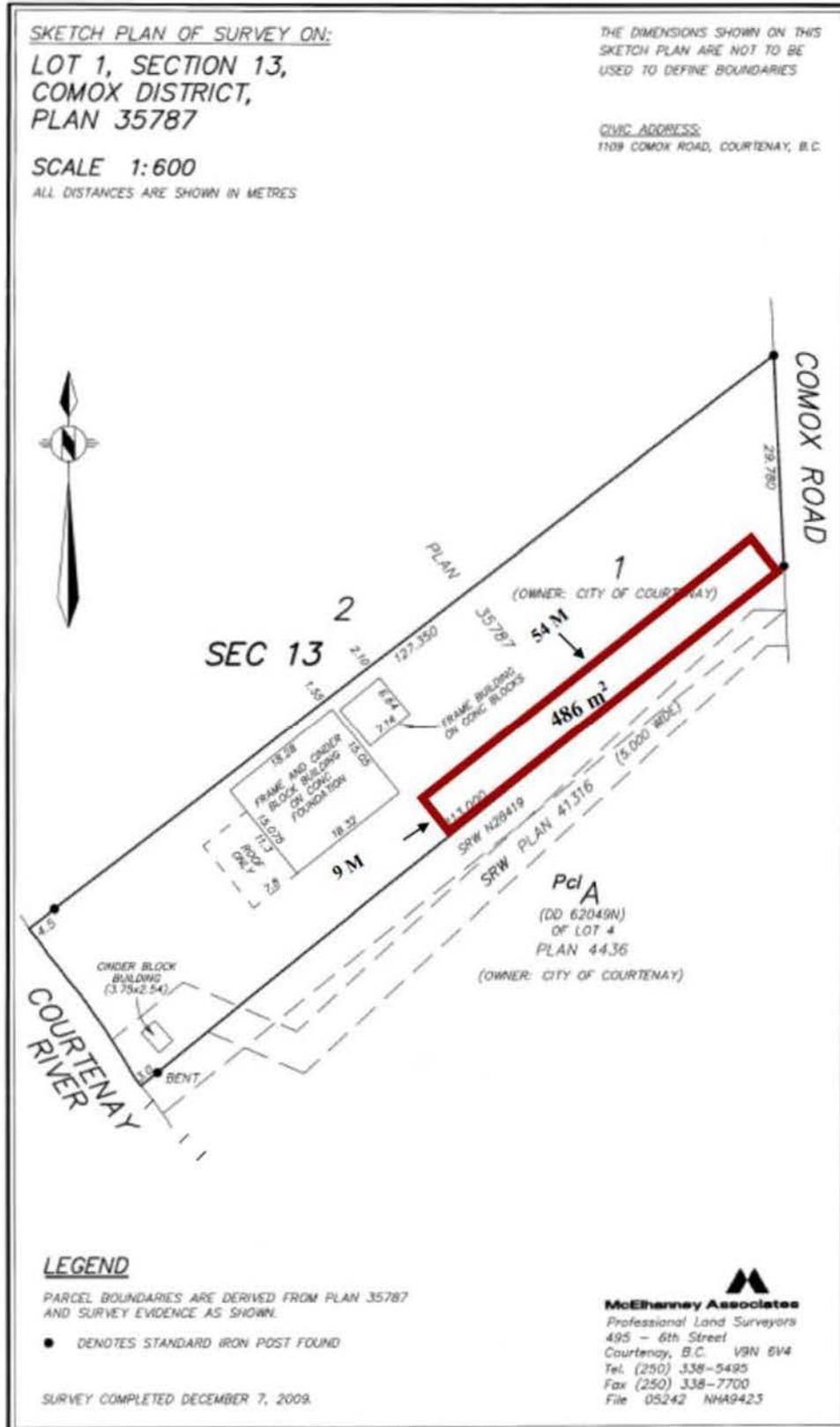
Signature

660476 BC LTD. (Island Honda) has executed this Agreement by its authorized signatories this _____ day of _____, 2021:

Signing Authority

Signature

SCHEDULE A
PLAN OF ENCROACHMENT OUTLINED IN RED (Area not to scale)





THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council
From: Chief Administrative Officer
Subject: Zoning Amendment Bylaw No. 3017 - 801 Ryan Road

File No.: 3360-20-2011
Date: September 7, 2021

PURPOSE:

The purpose of this report is for Council to consider a Zoning Bylaw amendment application to create a new CD-32 Zone, and rezone the property legally described as Lot 1, Section 14, Comox District, Plan 27905 Except Parts in Plans 38112 and VIP53727 from C-1A to CD-32 to facilitate the development of a 247 unit rental apartment development.

CAO RECOMMENDATIONS:

That based on the September 7, 2021 staff report entitled "Zoning Amendment Bylaw No. 3017 - 801 Ryan Road" Council approve OPTION 1 and complete the following steps:

1. That Council give First and Second Reading of "Zoning Amendment Bylaw No. 3017" to create a new CD-32 Zone and rezone the property legally described as Lot 1, Section 14, Comox District, Plan 27905 Except Parts in Plans 38112 and VIP53727 from C-1A to CD-32;
2. That Council direct staff to schedule and advertise a statutory Public Hearing with respect to the above referenced bylaw; and,
3. That Final Reading of the bylaw be withheld pending the registration of Section 219 covenant.

Respectfully submitted,

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

BACKGROUND:

The proposed development area involves two properties. The first, 801 Ryan Road, is the planned site of the development and about 2ha. (4.9ac.) in area. It is currently vacant with informal parking areas and two informal asphalt lanes traveling across the site. There are no trees with isolated clusters of grass and blackberries across the site. The second property is owned by the City of Courtenay and intended as a future extension of Tunner Drive. It is approximately a half a hectare, vacant with large patches of blackberries and some young trees present.

The surrounding neighbourhood is a mix of retail, offices and multi-unit residential. The Superstore mall is immediately west and provides a diversity of commercial and retail services. To the east is a BC Housing apartment complex, a 118 unit apartment building (currently under construction), as well as bank and credit union offices. To the south is a network of creeks/wetlands and agricultural land. To the north is Ryan Road.



Figure 1: Subject Properties

The CVRD Regional Growth Strategy (RGS) supports high density, infill development in Municipal Areas such as this. It encourages increased housing, and more specifically, rental housing options with a range of sizes and types. The strategy specifies a target of 30% of the new development in Municipal Areas being developed at minimum density of 74 units/ha and that new development should be directed to areas where municipal services and service capacity is available.

The Courtenay Official Community Plan (OCP) designated the subject property as “Shopping Centre”. This designation is primarily intended for commercial shopping centres and big-box format retail but also allows higher density housing. The OCP encourages the intensification of infill sites such as this which benefit from a central location, has access to all municipal services as well as existing and planned multi-modal transportation connections to the rest of the City. Further, the plan supports the diversification of housing with policy support to encourage rental tenures as well as a mix of unit types designed to appeal to a wide set of demographics such as families with children and seniors.

The Transportation Master Plan identifies Ryan Road as a “Highway” abutting the north edge of the subject property. The plan identifies a new road to be constructed on the south edge of the property referred to as the Tunner Drive extension with the intent that the road is extended from the intersection with Hunt Road eventually connecting with the Highway 19A Bypass. The plan identifies Ryan Road as a key transit corridor with connections throughout the City.

Cycling connections near the subject property are currently only available on-street through the use of shared vehicle traffic lanes. The plan identifies multi-use path facilities being implemented along an extension of Tunner Drive, detailed above, as well as from the Tunner Drive extension to Ryan Road. The

same multi-use path facilities will also improve pedestrian connectivity. Additional pedestrian options will be enhanced with the implementation of sidewalks along both sides of Ryan Road which the plan identifies as a key gap in the network. The plan to construct sidewalks on the north side of Ryan Road from the RCMP detachment to Back Road is planned for 2022 subject to budget approval.

The Parks and Recreation Master Plan also identifies the Tunner Road extension as a key improvement to the City's trail network with no further recommendations pertaining to the subject property.

PROPOSAL:

The applicant proposes rezoning the subject property to facilitate a 247 unit apartment development. The units will be divided into three, five storey buildings. Each building will contain a parkade with the remainder of the parking accommodated as surface parking. The site will be accessed by a new roadway extending from the intersection of Hunt Road and Tunner Drive to the site. This facility will provide the primary vehicular access as well as extend the multi-use path to the site. Additional connections will be from Ryan Road at the intersection of Sandwick Road and from a private road on the east side of the subject property.

The development is comprised of 47 - 1 bedroom, 174 - 2 bedroom and 26 - 3 bedroom units. There will be a roof top patio area on Buildings 2 and 3 as well as off leash dog park and community garden spaces (please see the applicant's letter of intent in Schedule A and development plans in Schedule B).

In support of the proposal, the applicant has provided a traffic impact assessment which examines vehicular transport as well as cycling, walking and transit modes (Schedule C). The study also examines the proposed parking allocation. In addition, an environmental impact assessment was prepared with much of the focus being on the Tunner Drive extension which runs parallel to a series of channelized streams and wetlands.

An Archaeological Overview Assessment was completed and the applicant is working with K'ómoks First Nation (KFN) to obtain the necessary permissions under their Cultural Heritage Permit process. Finally, as the southeast corner of the site is within the floodplain a geotechnical engineer's report was provided identifying the elevation of buildings located within this area of the site and other measures to minimize property damage in a flood event. The applicant is required to provide the City with a flood hazard assessment at the time of building permit submission in order to satisfy Section 56 of the Community Charter certifying that the site is safe for the use intended.

The applicant is offering amenity contributions as part of their proposal. Concerning the Parks, Recreation, Cultural and Seniors Facilities Amenity Reserve Fund the applicant is offering to fund the extension of the Tunner Drive multi-use pathway alongside their access road. This will be an approximately 300m by 3.0m wide multi-use path. Final design has not been completed but initial environmental and property restrictions are a limiting factor with the width of the path. Where possible it will be 4.0m wide and there may be options to reduce the space required for travel lanes in the road to increase the multi-use path width. In addition the applicant will be making a land dedication at the back of their property necessary to connect with the future extension behind the Superstore building.

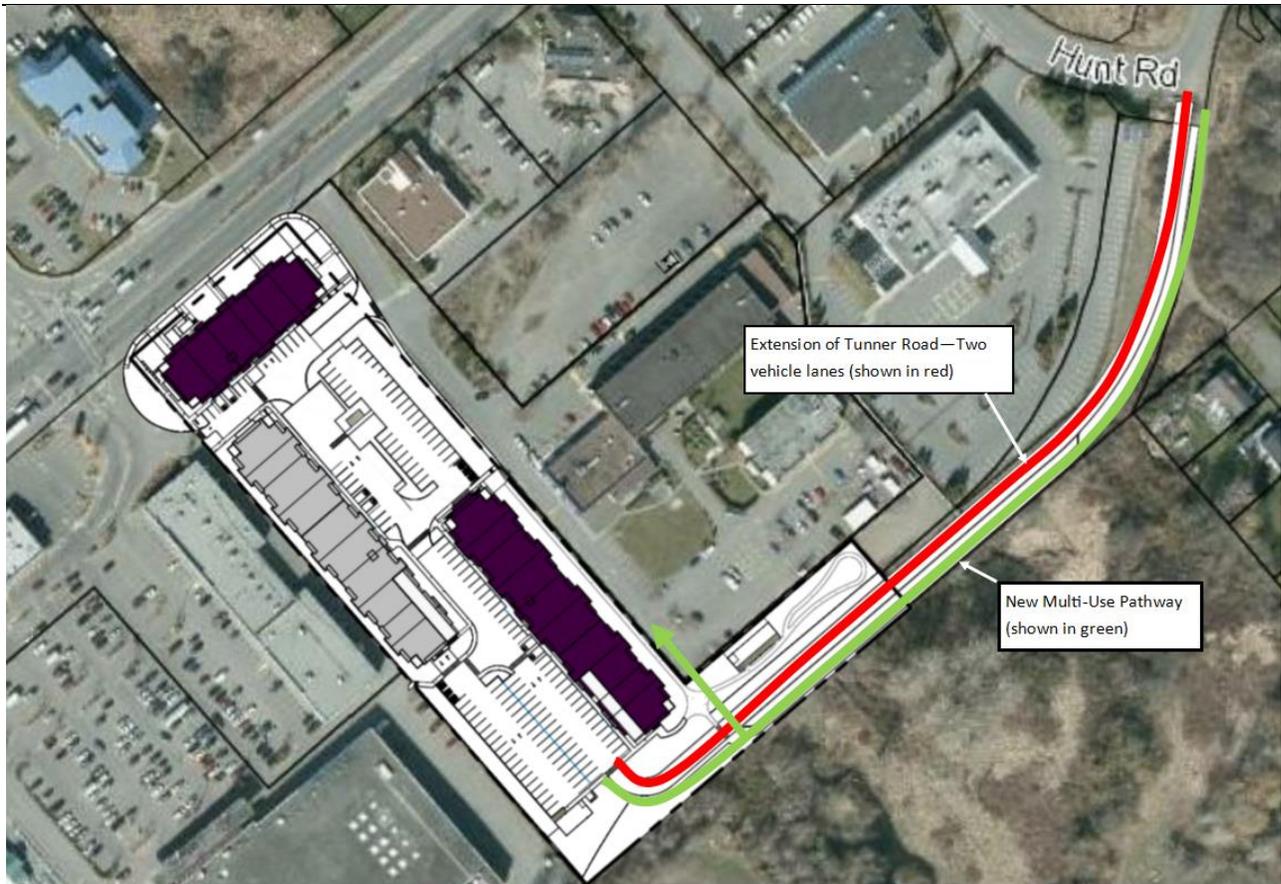


Figure 2: Tunner Road and Multi-Use Pathway Extension

Concerning Affordable Housing Amenity Fund the applicant will be making a contribution as outlined in the OCP based on the size of the units.

Zoning Review

The proposed development requires rezoning as the current Commercial One A (C-1A) zone does not permit apartments or the desired density. In addition, the applicant proposes reduced parking requirements and increasing building height. The table below summarizes the proposal relative to the existing C1-A zone as well as the Residential Four A (R4-A) zone, a zone typically used for high density multi-family proposals.

	Existing Zone (C1-A)	Comparable Zone (R4-A)	Proposal (CD Zone)
FAR	N/A	1.33	1.22
Lot Coverage	40%	No requirement	25%
Front yard setback	15.0m	6.0m	Northwest: 7.5m
Rear yard setback	15.0m	6.0m	Northeast 6.0m
Side yard setback	15.0m	3.0m 4.5m – for fourth storey flanking street	Southeast: 3.0m Southwest: 3.0m
Building Height	9.5m	14.0m	17.32m
Usable Open Space	Not required	20m ² /unit (2,360m ²)	20m ² /unit (4945m ²)

Parking Base Requirement	1.5 stalls per unit (371 stalls)	1.22 stalls per unit (313 stalls)
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Table 1: Zoning Analysis

The new zone also contains a provision to allow for 4.0m high sound attenuation fence on the south edge of the site adjacent to the Superstore loading bays.

The proposal seeks to allow “Rental Apartments” as a permitted use, as well as an increase in the permitted density and building height and a decrease in the parking requirement.

DISCUSSION:

The OCP’s Shopping Centre land use designation is intended to accommodate large format, shopping centres and big box stores. Since the last OCP was adopted in 2005, the Ryan Road/Island Highway commercial area has seen limited growth when compared with centres in East and South Courtenay. While the growth of commercial buildings has stagnated, the area has attracted new housing developments such as 911 Braidwood Road where a 79 unit apartment building was completed in 2020 and at 1025 Ryan Road where a 118 unit apartment development is currently under construction. Two further proposals, a 160 unit senior’s housing complex on Braidwood Road and a 93 unit hotel on Hunt Road are also expected to commence construction in this area over the next year further diversifying the area’s land uses. While the Shopping Centre land use policy enables the multi-unit development, in assessing this proposal five key themes emerged to guide the evaluation:

1. Housing needs
2. Land uses compatibility
3. Use of existing services
4. Connectivity, and
5. Form and character.

Housing Need

The City’s apartment vacancy rate remains critically low at 1.1% for October 2020, which is the last report from CMHC. Table 2 below shows the rate has shown little improvement even as significant numbers of units have been added to the market. Improvement to the vacancy rate is expected as several large projects are completed and occupied as shown in Table 3. Increased supply and an improved vacancy rate will result in more tenant options and reduces pressure to increase rental rates.

The two tables further delineate the strain on specific unit types. Bachelor style units for example have remained consistently, fully occupied which may change once 71 bachelor units currently under construction are occupied. The vacancy rate for three bedroom units seems unlikely to change with just 35 additional units being added. In contrast, one and two bedroom units will experience considerable growth with 605 units being added to the market. While the vacancy rate for these unit types is currently very low, it is expected to improve over the next year.

Table 2: Vacancy Rates 2018-2020 (CMHC 2020 Rental Market Survey)

	Total Vacancy Rate	Bachelor	1 Bedroom	2 Bedroom	3 Bedroom
October, 2018	0.7%	0%	0.3%	1.1%	0.0%
October, 2019	1.4%	0%	1.3%	1.5%	1.8%
October, 2020	1.1%	No Data	1.6%	0.9%	0.8%

Table 3: Recent Apartment Construction Status and Composition

Address	Total Units	Bachelor/ Micro	1 Bedroom	2 Bedroom	3 Bedroom	Status
2700 Mission	36	4	10	16	6	Development Permit in-process
1025 Ryan	118	48	40	30	0	Under Construction
397 – 5 th St.	39	0	30	9	0	Building permit Review
2048 – 13 th St.	12	4	0	8	0	Building permit Review
1849 Riverside	94	0	46	44	4	Under Construction
621 Crown Isle	56	0	32	24	0	Under Construction
2600 Mission	94	0	32	46	16	Under Construction
911 Braidwood	79	0	20	59	0	Occupied
2525 Mission	65	15	35	15	0	Occupied
3070 Kilpatrick	118	0	22	87	9	Occupied
Total	711	71	267	338	35	
801 Ryan Road	247	0	47	174	26	Proposed

The proposed development adds significantly to the two bedroom unit supply while also adding three bedroom units as shown at the end of Table 3. This unit mix should appeal to multiple demographics including families with children.

As with the development at 1025 Ryan Road, a key element of this proposal is that the units will be restricted to rental tenure only. The “Rental Apartment” land use was recently added to the zoning bylaw and consequently strata conversion and owner occupation of any unit is not permitted without a subsequent rezoning application meaning the units will remain within the rental market.

Land Use Compatibility

The compatibility of a development proposal with the existing surrounding neighbourhood is a key aspect in the assessment of a rezoning proposal. As introduced, the RGS and OCP support multi-family development in this locations. Mixing land uses has many benefits including creating more walkable communities and reducing the reliance on private vehicles. However, the scale of this particular proposal needs to be highlighted. The buildings are large – Building B and C are five storeys in height and over 100m long which for comparison is the height, and roughly the same length of the apartment building currently under construction at 1025 Ryan Road. Building A is also five storeys but 62m in length.

The number of units reflects the overall scale at 247. This is considerably larger than most other recent multi-family proposal which average about 70 units per development. In addition, all units will be rental units, which while clearly needed, results in this immediate neighbourhood being entirely rental tenure forms of housing.

The scale of the proposal also leads to questions as to whether the development will impact surrounding properties specifically in terms of traffic generation and off-site parking. This area experiences periodic traffic congestion. The proposal does a good job of mitigating traffic impacts particularly as a result of the extension of Tunner Drive which provides an alternative access point from Ryan Road where congestion is most pronounced. As with other recent traffic studies for 1025 Ryan Road and the hotel at 310 Hunt Road,

the analysis concluded that the development will have a minor impact on traffic volumes in the immediate area with regional background growth (development throughout the City and region which travels through this corridor) eventually leading to additional congestion issues and delay along the Ryan Road corridor.

A parking study was supplied as part of the Traffic Impact Assessment. The study concludes that 1.25 stalls per unit satisfies the demand for the development and visitor parking. This represents a reduction of 58 stalls with the study arguing is justifiable given the central location of the development, opportunities for walking, cycling and transit and citing examples from other communities such as the Town of Comox which requires 1.25 stall/apartment unit.

As introduced above, the development is adjacent to a series of streams and wetlands in the adjacent agricultural lands. The impact assessment concludes recommending setbacks for development activities as well as the treatment of stormwater from the development prior to being released onto the adjacent stream. The conceptual design for Tunner Drive shows a series of swales designed to help treat and attenuate runoff prior to entering the stream and the overall site design plans for stormwater storage tanks to attenuate runoff from the parking and buildings before release into the creek. As with any parking lot of this size, oil/grit separators will be required throughout.

Use of Existing Services

The proposal will utilize existing City services. In addition to existing road facilities, a capacity assessment will be conducted should Council give the bylaw First and Second Reading to confirm that the existing water and sanitary sewer capacity is adequate to service the development proposal. Infill development in serviced areas of the City is encouraged by the OCP and is a goal of the Regional Growth Strategy and results in a more efficient use of City services. This also includes recreational services such as the Aquatic Centre and Lewis Centre which are within 1.7km and 700m of the subject property respectively.

Connectivity

The subject property has a central location and will benefit from excellent connectivity in terms of walking, cycling transit and by vehicle once gaps in the planned network are filled to key destination points such as downtown and the Upper Ryan Road node.

In terms of pedestrian connections, Downtown is just over a kilometre away with existing sidewalks in place on at least one side of the roadways. About two kilometres away is North Island College, the hospital and additional commercial and employment areas. While not necessarily an enjoyable walking environment due to the high volumes of fast moving traffic, Ryan Road does provide a narrow sidewalk connection with the gaps between Back Road and Sandwick Road being identified as a future capital project. Additionally, the Tunner Drive extension will provide a multi-use path and connection to neighbourhoods along Back Road.

Concerning cycling, the existing network is fragmented forcing cyclists to compete with vehicle traffic along Ryan Road to access the downtown area. Given the Tunner Drive extension is part of this proposal, cycling connectivity will immediately improve especially for destinations in East Courtenay. Connections to the downtown area will also incrementally improve as pieces of the network are completed behind Superstore crossing the Highway 19 Bypass and eventually connecting with Comox Road and into Downtown.

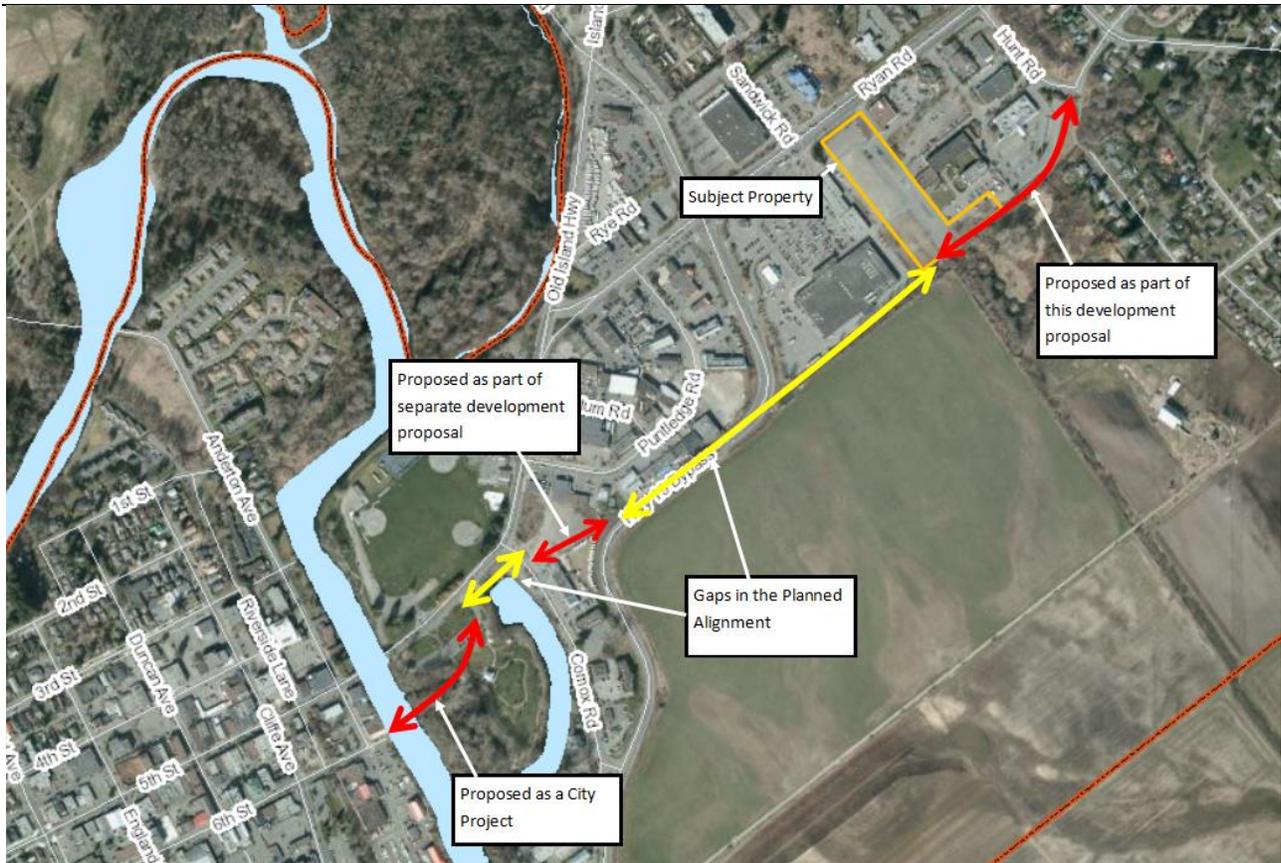


Figure 3: Cycling Network Corridor Spine Development

The proposal provides 254 secure bike parking stalls in the parkades of the buildings resulting in a ratio of just over 1 stall per unit. A further 32 short term stalls are provided.

There are well connected bus routes existing on Ryan Road with the nearest bus stop for east bound travel about 100m walk away and a bus stop about a 300m walk away headed west bound. During the review process staff identified a potential for a right turn lane/bus stop along Ryan Road. The applicant's Traffic Engineer has concluded that the facility is not necessary based on Transportation Association of Canada (TAC) standards. Council can still require this facility as a condition of rezoning as it will improve traffic flow along Ryan Road and allow buses to stop without obstructing traffic flow. Staff recommend Council require the dedication of land for this purpose which has been listed as one of the covenant conditions below.



Figure 4: Conceptual location of bus stop/right turn lane

This specific stretch of Ryan Road suffers from periodic traffic congestion. As detailed above a traffic impact assessment was prepared in support of this proposal. Besides the periodic congestion and delays which occur in this corridor, this site will have excellent vehicle access to all areas of the City enhanced by the primary access point through the Tunner Road extension.

Building Design and Massing

The building contains a mix of 247 apartment units and will be one of the highest density developments in the city at a density of 124 units per hectare (50 units per acre). For context, a typical suburban style residential area of the city is around 25 units per hectare (10 units per acre). As summarized above density is regulated through Floor Area Ratio (FAR) which is a ratio of building floor area to lot area. In this case the proposal seeks an FAR of 1.22 which is less than the 1.33 permitted in a comparable R4-A zone. In contrast, building height will increase substantially from the current 9.5m to about 17.3m.

A contemporary, modern design has been utilized for the proposal. The building contains a diversity of siding materials which are utilized to break the large building into smaller components. Both the facades and roofline are articulated to avoid a box-like appearance. Residents will enjoy private amenity space in the form of a balcony integrated into the building to take advantage of the variations in the façade to establish private outdoor areas. The two roof top patios are situated to take advantage of views of the estuary, ocean, and mountains and provides additional open/amenity space for residents. The buildings are dispersed across the site which helps break up the overall site massing. Building siting also helps to screen surface parking which is located behind buildings in the centre of the site.

Subsequent to rezoning, the development will require a development permit. As this development will contain no variances due to the use of the CD zone, this will be considered administratively. Based on the plans submitted in support of the rezoning proposal, this building and site design are generally consistent with the direction established in the Multi-family Development Permit Guidelines.

Covenant Condition

As introduced a covenant will be required to secure various elements of the development proposal as summarized below:

1. Construction of Tunner Drive: Tunner Drive must be constructed to City standards prior to building occupancy and include a two lane roadway and multi-use pathway.
2. Dedication of Land: Land must be dedicated to City to enable the future extension of Tunner Drive behind the Superstore mall.
3. City’s Parks, Recreation Culture and Senior’s Facilities Amenity Reserve Fund: the multi-use path adjacent to the Tunner Drive extension from the intersection with Hunt Road to the subject property as detailed on the site plan must be constructed.
4. Legal Access to the private road on the north east side of the subject property: Legal access must be secured for use of the private access driveway. The applicant provides that an agreement has been drafted but will not be finalized until the rezoning is complete.
5. Restrictions on the Sandwick Road access: The plan is that this access is an exit only. As a result, the developer is required to implement facilities designed to prevent vehicles from entering from this intersection.
6. *Affordable Housing Amenity Reserve Fund*: As introduced above, the applicant will be making a contribution to the reserve fund as outlined in the OCP.
7. Right Turn Lane/ Bus Stop: As discussed, there is the potential for a right turn lane/bus stop as part of the development. While the applicant’s traffic engineer contends it is not warranted based on TAC standards, this facility will have a positive impact on traffic flow. Council can require this facility as a condition of rezoning. As noted above staff recommend this be required as a condition of approval.

FINANCIAL IMPLICATIONS:

The development is subject to City and the Regional District Development Cost Charges.

ADMINISTRATIVE IMPLICATIONS:

Processing zoning bylaw amendments is a statutory component of the corporate work plan. Staff has spent 80 hours processing and reviewing this application. Should the proposed bylaws receive First and Second Readings, staff will spend an additional five hours in preparation for the public hearing, preparation of the housing agreement and covenant, final reading of the bylaw, and updating the bylaws and maps.

ASSET MANAGEMENT IMPLICATIONS:

The developer is responsible for the cost of extending Tunner Drive to the subject property as well as the parallel multi use path. The facilities will be constructed to current City standards. Once the detailed design is completed there may be the need for additional offsite improvement and service connections as assessed through the building permit process.

2019 – 2022 STRATEGIC PRIORITIES REFERENCE:

- Communicate appropriately with our community in all decisions we make
- ▲■ Support actions to address Climate Change mitigation and adaptation
- ▲ Explore opportunities for Electric Vehicle Charging Stations
- ▲■ Identify and support opportunities for lower cost housing and advocate for senior government support
- ▲ Encourage and support housing diversity

The November 2019 Strategic Priorities Check-in also identified the following references under the “Next Council Priorities” subsection:

- Housing Need Assessment

OFFICIAL COMMUNITY PLAN REFERENCE:

Official Community Plan

3.1 Growth Management:

3.1.2 Goals

1. provide for managed growth
2. ensure equitable taxation for services provided and received
3. support efficient infrastructure development
4. protect environmentally sensitive areas
5. support sustainable development practices

4.4 Residential

4.4.2 Goals

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.
2. To encourage multi residential development in the Downtown area of the City, and in areas identified through the Local Area Planning process.
3. Support the development of housing options for seniors.
4. Ensure the provision and integration of special needs and affordable housing.
5. Encourage housing opportunities and convenient community services for individuals having special housing requirements.
6. Ensure new housing projects introduce innovative and creative design and streetscapes.
7. Preserve the integrity and character of existing residential areas with any redevelopment proposal.

8. Ensure all new development includes the provision of amenities including buffer areas along major roads, neighbourhood parks, sidewalks and trails, and public facilities.

REGIONAL GROWTH STRATEGY REFERENCE:

The development proposal is consistent with the RGS Housing Goal to “ensure a diversity of affordable housing options to meet evolving regional demographics and needs” including:

Objective 1-A: Locate housing close to existing services;

1A-1 Based on RGS growth management strategy locate housing close to existing services and direct 90 percent of new, residential development to Core Settlement Areas.

1A-2 The focus of higher density and intensive developments shall be within the existing Municipal Areas. Within the Municipal Areas densification and intensification of development is required including infill and redevelopment.

1A-3 Identify specific Town Centres in Municipal Areas through the OCP review process. These Town Centres are to be developed as walkable and complete communities, providing for a range of housing types focusing on medium and high density housing, employment and commercial uses. There will be a minimum of one Town Centre in the City of Courtenay, one Town Centre in the Town of Comox and one Town Centre in the Village of Cumberland.

1A-6 Increase housing opportunities in existing residential areas in Core Settlement Areas by encouraging multi-family conversions, secondary suites, and small lot infill.

Objective 1-B: Increase affordable housing options

1B-2 Encourage residential multi-unit or multi-lot developments to contribute to affordable housing options including, but not limited to a range of unit sizes and types, lot sizes, multifamily or attached-unit buildings, rental units, and secondary suites. These contributions could take the form of land, cash, buildings or other such items as supported by the local governments.

Objective 1-C: Develop and maintain a diverse, flexible housing stock.

1C-1 Provide a diversity of housing types in the Municipal Areas using the following housing type targets for new development by 2030: These targets are for all Municipal Areas in aggregate.

- 40% Low Density Single unit residential, town homes, semi-detached, secondary suites, 4-24 units per hectare
- 30% Medium Density Low-rise multi-unit up to four storeys, 24-74 units per hectare
- 30% High Density Over four storey multi-units minimum, 74 units per hectare

1C-4 Encourage infill units and secondary suites in residential zones in the Core Settlement Areas.

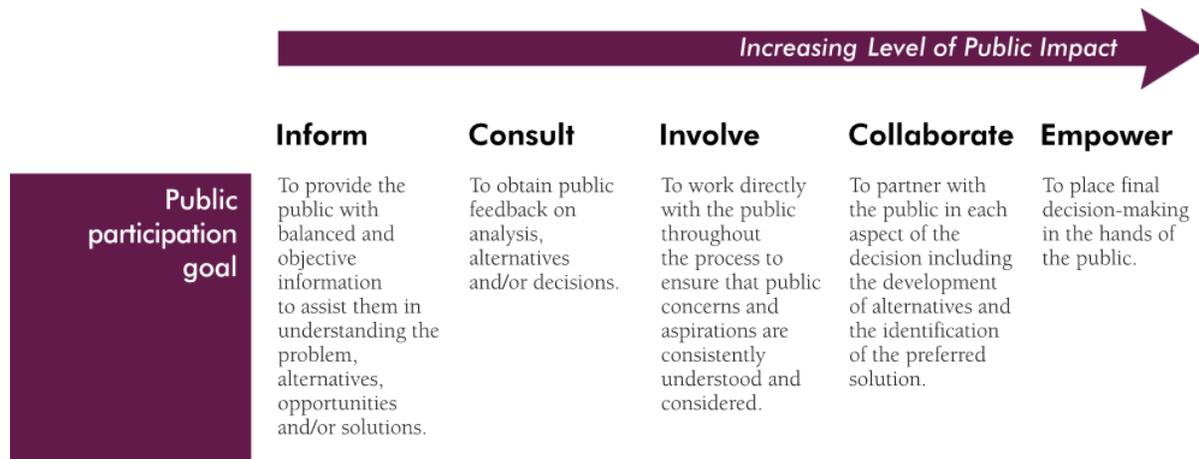
Objective 1-D: Minimize the public costs of housing

1D- 1 Direct the majority of new housing to areas that are or will be serviced through publicly owned water and sewer systems.

1D-4 Encourage green building design through green building standards for new residential development that include water and energy efficiency practices.

CITIZEN/PUBLIC ENGAGEMENT:

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



Should Zoning Amendment Bylaw No. 3017 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 held a public information meeting on July 27th, 2020. According to the information provided by the applicant there were no attendees. One written comment was received and provided within the meeting summary in Schedule No. 4.

OPTIONS:

OPTION 1: (Recommended)

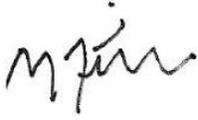
That based on the September 7, 2021 staff report entitled “Zoning Amendment Bylaw No. 3017 - 801 Ryan Road” Council approve OPTION 1 and complete the following steps:

1. That Council give First and Second Reading of “Zoning Amendment Bylaw No. 3017” to create a new CD-32 Zone and rezone the property legally described as Lot 1, Section 14, Comox District, Plan 27905 Except Parts in Plans 38112 and VIP53727 from C-1A to CD-32;
2. That Council direct staff to schedule and advertise a statutory Public Hearing with respect to the above referenced bylaw; and,
3. That Final Reading of the bylaw be withheld pending the registration of Section 219 covenant.

OPTION 2: That Council postpone consideration of Bylaw 3017 with a request for more information.

OPTION 3: That Council not proceed with Bylaw 3017.

Prepared by:



Matthew Fitzgerald, RPP, MCIP
Manager of Development Planning

Reviewed by:



Ian Buck, RPP, MCIP
Director of Development Services

Concurrence by:



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

Attachments:

- 1. Schedule No. 1 – Applicant’s Letter of Intent*
- 2. Schedule No. 2 – Development Plans*
- 3. Schedule No. 3 –Traffic Impact and Parking Assessment*
- 4. Schedule No. 4 – Public Information Meeting Summary*

Schedule No 1: Applicant's Letter of Intent



July 9, 2021

City of Courtenay
Development Services
830 Cliff Avenue
Courtenay, BC
V9N 2J7

RE: 801 RYAN ROAD; PROPOSED REZONE FROM C-1A TO CD ZONE

Broadstreet Properties submitted a rezoning application in July of 2020 which proposed to rezone 801 Ryan Road from C-1A to a CD zone in order to facilitate the construction of multi-family residential buildings.

After extensive communication with the City of Courtenay, the Ministry of Transportation and our traffic consultant, we have revised our plan to include the construction of Tunner Drive from the south of the subject parcel to Back Road. The proposed Tunner Drive would lie within a future road designation on 801 Ryan Road and the existing road dedication located adjacent to Chances Casino parking lot.

With the proposed construction of Tunner Drive, intersection improvements are no longer necessary at the Sandwich/Ryan Road intersection and this change is reflected in our updated TIA. Access to the site is provided Tunner Drive, a private lane on the east side of the parcel and a private access on the west side of the parcel. The western access will be designated as a right out only with a single drive aisle to discourage vehicles from making illegal left hand turns from the Sandwich/Ryan Road intersection.

Broadstreet Properties has engaged Current Environmental to perform an environmental assessment and they have provided the required SPEA setbacks from Bonner Creek. We have confirmed that we are able to construct Tunner Drive without encroaching into the SPEA or altering any of the existing parking from Chances Casino.



Proposed Rezoning to CD Zone

Broadstreet Properties is requesting a rezone to a CD zone in order capture height and parking variances into a new zone and streamline the approval process. The most appropriate residential zone that would suit our proposed project is R-4A, which falls under the Medium and High Density Multi Residential category. Below is a table comparing the R-4A requirements and our proposed apartment project.

	R-4A	CD Proposed
Min. lot size	1,250m ²	2.0 Ha
Min. lot frontage	30m	72.35m
FAR	1.33	1.22
Front setback	6.0m	7.5m
Rear setback	6.0m	6.0m
Side setback	3.0m 4.5m – 4 th storey or side yard flanks street 6.0m – back of building facing street	3.0m Back of building C facing road, 8.2m
Height	14.0m	17.32m
Useable open space	20.0m ² per DU	22.54m ² per DU
Indoor Amenity space	None required	Dog wash stations 18.0m ² Flex rooms 177m ²
Parking	1.5 stalls per DU with 10% retained as visitor parking	1.27 per DU with 10% retained as visitor parking
Landscaping & Screening	3.0m wide on all property lines adjoining other properties 7.5m wide for lots fronting Ryan Road	3.0m or greater on west, east, and south property lines 7.5m fronting Ryan Road
Bike parking	None required	Class I (secured) - 254 Class II – 32
EV charging stations	None required	8 provided

There have been a few design changes since our original submission, due in part to the Tunner Drive connection and in response to the review comments received from Mike Grimsrud. The overall unit count has been reduced by four units to 247 units. The reduction in the total number of units has allowed us to reduce some of the surface parking and provide for a larger rain garden area to the south of the site and a larger green space around the covered seating area.

The rooflines of all three buildings have been revised to a flat roof style with shed projections, and the front and side entrance roofs have been revised to match. The change in roof style has reduced the overall height and massing of the buildings. Preliminary grading information has informed us that a retaining wall along Ryan Road is not required which has further reduced the height of Building A.



Conformance to Amenity Reserve Fund

If approved, the Tunner Drive extension along with the 3.0m multi-use path, form a significant amenity contribution to the City. Broadstreet's amenity contribution will complete more than half of the Tunner Drive extension from Back Road to Hwy 19A as outlined as a key recommendation in the City's Transportation Master Plan:

"The extension of Tunner Drive to connect with Highway 19A is recommended to provide an alternative route for local area travel for residents between Back Road and Lerwick Road, south of Ryan Road. It will also form the spine of the pedestrian and cycling route between this area and downtown."

The portion of the Tunner Drive extension that we are offering to construct will assist local vehicle traffic and provide a safe cycling and pedestrian route to a key destination area as envisioned in the City's Transportation Master plan in the Recommended Pedestrian Network Plan. The multiuse path will connect to the wider pedestrian network through a sidewalk connection on the east side of the subject parcel, adjacent to building B and will provide users with a safe transition from Tunner Drive to Ryan Road.

Conformance to Affordable Housing Policy

The definition of affordable housing in Canada is housing that costs less than 30% of a household's before tax income. Affordable housing can include rental and purchase tenure and come in the form of single-family homes, townhomes, condos, and apartments. As a private developer we have a specific product that is introduced to the market, and private developers are an important tool in the toolbox that's needed to address a community's housing needs.

Strategies outlined in the City of Courtenay's affordable housing policy include:

"Density housing and/or comprehensive development zoning be used to increase densities...It can also encourage a variety of housing types and a more compact community."

"Continued support for mixed use developments and increase in densities near or adjacent to major destinations in the City."

"Evaluate current zoning designations throughout the City that are vacant or underutilized in order to reconsider zoning only when a project is brought forward to Council."

Residential growth in Courtenay is expected to continue and Glenhart Views will be able to provide a mix of unit types and price ranges in all three buildings to Courtenay's market rental housing stock. Broadstreet Properties' apartments are suitable for students, seniors, couples, families, and pet owners and the site is within walking distance to a number of retail and professional services.

As part of the federal government's National Housing Strategy, CMHC has implemented an Affordable Housing program with the goal of providing 42,500 rental units from 2017 through to 2027. Broadstreet Properties will be using this Affordable Housing program which will designate 247 units as Affordable Housing for the City of Courtenay. This is done through a covenant registered on title and obligates Broadstreet Properties to provide rental rates that are a minimum of 10% below market value; and a minimum of 20% of the units must be affordable with maximum rents dictated by CMHC. Through the



registered covenant, affordability must be maintained for a minimum of 10 years from the date of occupancy.

Thank you for the opportunity to submit this application and to provide detailed information on our proposed project. We feel Glenhart Views will be a positive addition to the area and provide much needed rental housing to a broad cross section of the community. Should you have any further questions, please do not hesitate to contact me at your earliest convenience.

A handwritten signature in cursive script that reads 'Rachel Ricard'.

Rachel Ricard
Development Manager

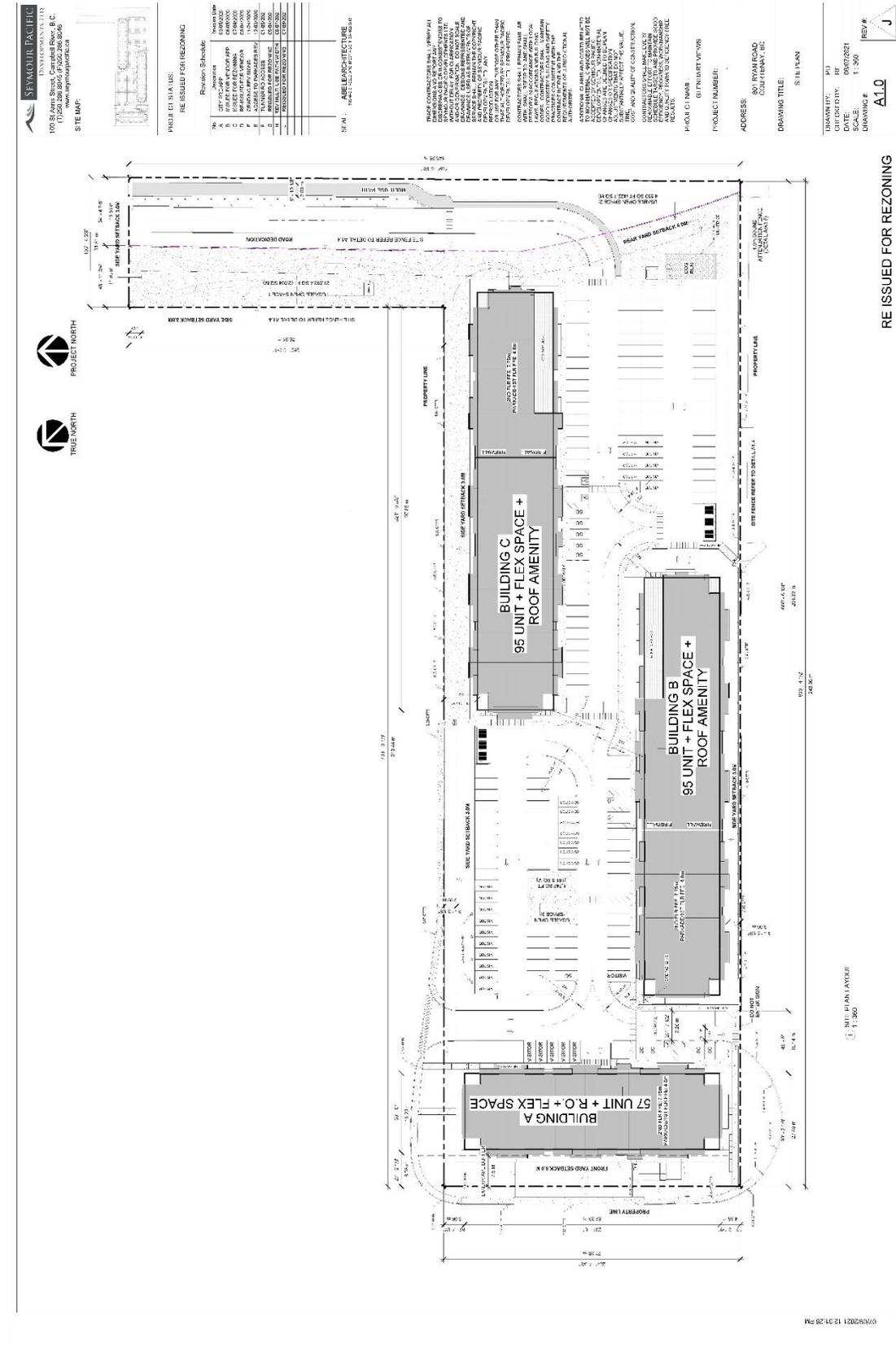
Schedule No. 2: Development Plans

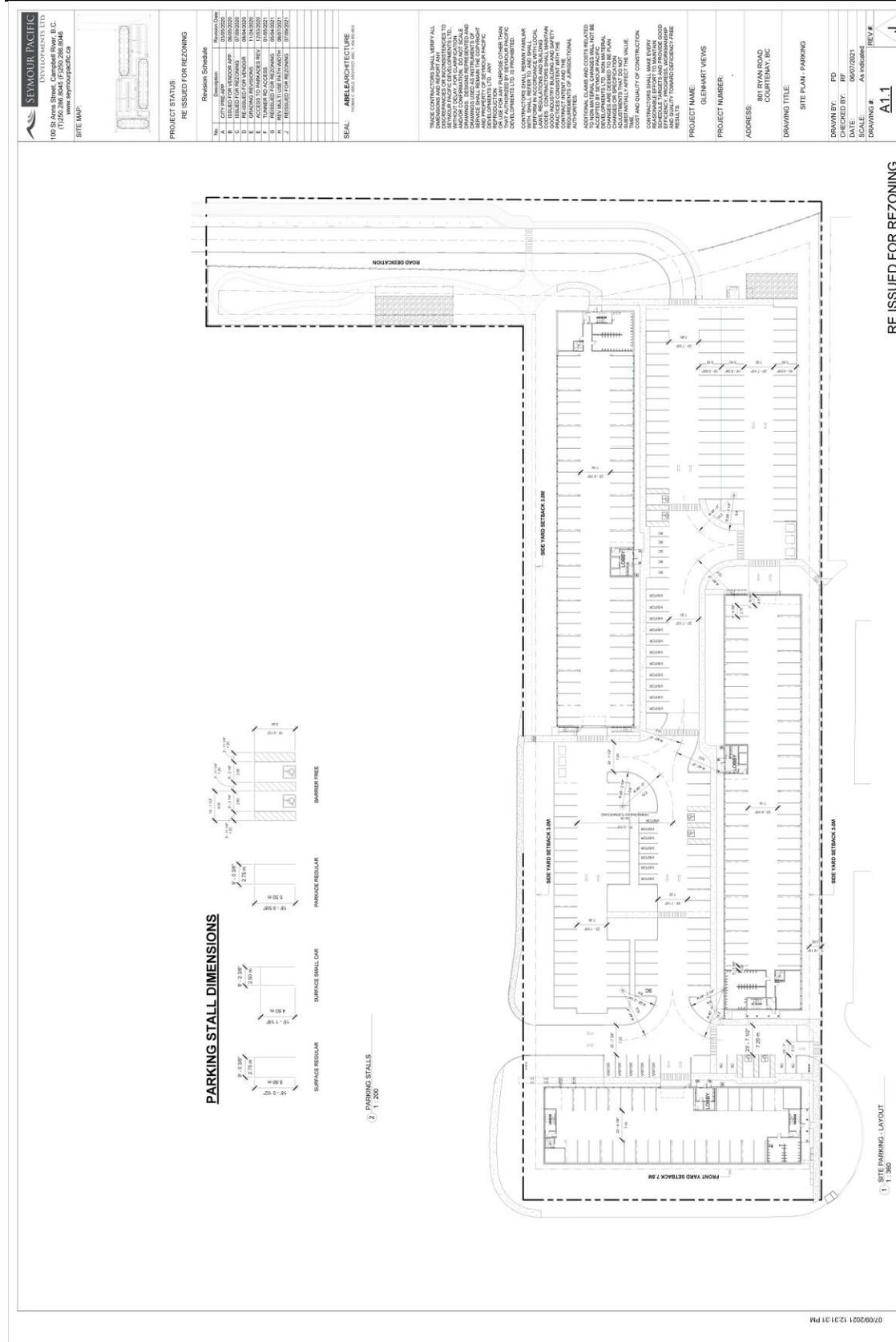
PROJECT DATA	
PROJECT DESCRIPTION	REVISION FOR REZONING
BUILDING CODE	REVISION FOR REZONING
PROJECT DATA	REVISION FOR REZONING
ADDRESS	REVISION FOR REZONING
LEGAL DESCRIPTION	REVISION FOR REZONING
COMPARABLE ZONING	REVISION FOR REZONING
ZONING C.L.A.	REVISION FOR REZONING
MUNICIPALITY	REVISION FOR REZONING
LOT AREA (SQ FT)	REVISION FOR REZONING
LOT COVERAGE (%)	REVISION FOR REZONING
BUILDING SETBACKS	REVISION FOR REZONING
BUILDING HEIGHT	REVISION FOR REZONING
UNUSABLE OPEN SPACE	REVISION FOR REZONING
INDOOR AMENITY SPACE	REVISION FOR REZONING
FLOOR AREA RATIO	REVISION FOR REZONING
UNIT MIX	REVISION FOR REZONING
PROPOSED PARKING	REVISION FOR REZONING
REQUIRED PARKING	REVISION FOR REZONING
BIKE STORAGE	REVISION FOR REZONING

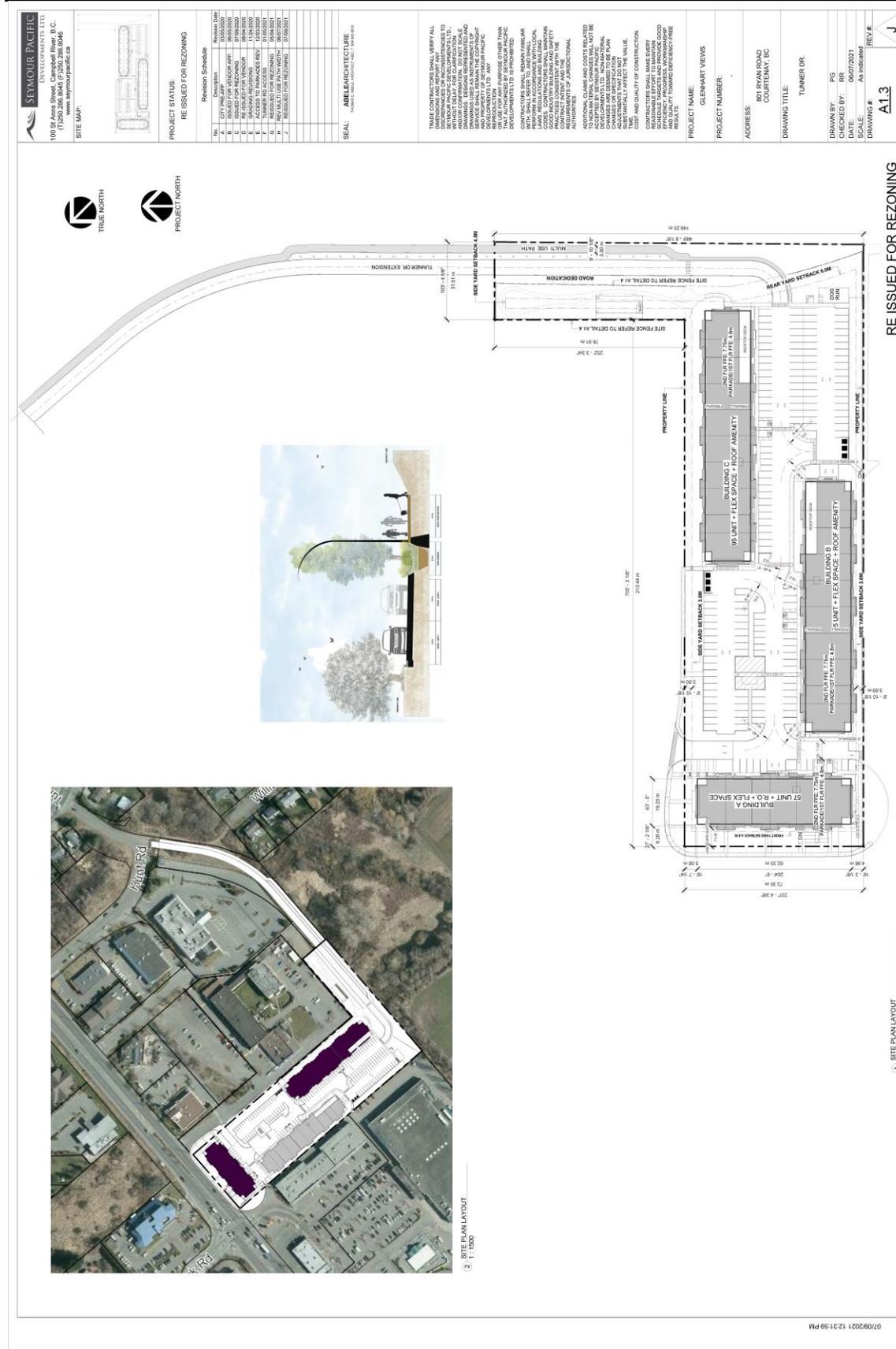
Sheet Number	Sheet Name
A1.0	COVERED BIKEET
A1.1	SITE PLAN - PARKING
A1.2	TUNNEL ROADS
A1.3	SITE ACCESSORIES
A1.4	SITE PERSPECTIVE
A1.5	SITE - OFFROAD
A1.6	ELEVATIONS 1 OF 2 - BUILDING A
A1.7	ELEVATIONS 2 OF 2 - BUILDING A
A1.8	ELEVATIONS 1 OF 2 - BUILDING B
A1.9	ELEVATIONS 2 OF 2 - BUILDING B
A1.10	ELEVATIONS 1 OF 2 - BUILDING C
A1.11	ELEVATIONS 2 OF 2 - BUILDING C
A1.12	COLOUR ELEVATIONS 1 OF 2 - BUILDING A
A1.13	COLOUR ELEVATIONS 2 OF 2 - BUILDING A
A1.14	COLOUR ELEVATIONS 1 OF 2 - BUILDING B
A1.15	COLOUR ELEVATIONS 2 OF 2 - BUILDING B
A1.16	COLOUR ELEVATIONS 1 OF 2 - BUILDING C
A1.17	COLOUR ELEVATIONS 2 OF 2 - BUILDING C

VICINITY MAP IS ONLY AN APPROXIMATION OF PROJECT LOCATION

TRADE CONTRACTORS SHALL VERIFY ALL DIMENSIONS AND LOCATIONS OF UTILITIES TO BE MAINTAINED OR RELOCATED TO THE PROPOSED DEVELOPMENT WITHOUT DELAY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND AGENCIES.







SEYMOUR PACIFIC
 DEVELOPMENTS LTD.
 100 St. Anne Street, Campbell River, B.C.
 (779) 534-1111
 www.seymourpacific.ca

SITE MAP

PROJECT STATUS
 RE ISSUED FOR REZONING

Revision Schedule

No.	Description	Revision Date
A	ISSUED FOR REZONING	05/05/2021
B	REVISED FOR REZONING	05/05/2021
C	REVISED FOR REZONING	05/05/2021
D	REVISED FOR REZONING	05/05/2021
E	REVISED FOR REZONING	05/05/2021
F	REVISED FOR REZONING	05/05/2021
G	REVISED FOR REZONING	05/05/2021
H	REVISED FOR REZONING	05/05/2021
I	REVISED FOR REZONING	05/05/2021
J	REVISED FOR REZONING	05/05/2021

SEAL: ABLE ARCHITECTURE
Professional Seal No. 14621 - 2016 BC AIA

TRUCK CONTRACTORS SHALL VERIFY ALL DIMENSIONS OF INCARCERATIONS TO BE CONSTRUCTED TO MATCH THE TRUCK DIMENSIONS LISTED IN THE DRAWINGS. LADING OPERATIONS AND UNLOADING SHALL BE PERFORMED IN THE SERVICE BAYS OF THE TRUCK BAY. THE CONTRACTOR SHALL VERIFY THE TRUCK DIMENSIONS LISTED IN THE DRAWINGS WITH THE TRUCK OPERATOR. THE CONTRACTOR SHALL VERIFY THE TRUCK DIMENSIONS LISTED IN THE DRAWINGS WITH THE TRUCK OPERATOR. THE CONTRACTOR SHALL VERIFY THE TRUCK DIMENSIONS LISTED IN THE DRAWINGS WITH THE TRUCK OPERATOR.

4. BIKE STORAGE ELEVATION
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6. BIKE STORAGE ELEVATION 2
1:50

5. BIKE STORAGE PLAN VIEW
1:50

7. BIKE ROOM VIEW

**BIKE RACK SYSTEM:
 STEADYRACK-STAGGERED PLACEMENT**

3. COMMUNITY GARDEN PLANTER BOX
1:50

2. DOG RUN BORDER
1:12

1. GARDEN RUN BORDER
1:12

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100 St. Arns Street, Campbell River, B.C.
 (250) 286-8046 / (250) 286-8046
 info@sfamourpacific.ca

SITE MAP:



PROJECT STATUS:
 RE ISSUED FOR REZONING

No.	Description	Revision Date
A	CITY FILE AND APPROVAL	03/06/2020
B	ISSUED FOR REZONING	07/09/2020
C	REVISIONS TO REZONING	07/09/2020
D	REVISIONS TO REZONING	11/24/2020
E	REVISIONS TO REZONING	11/24/2020
F	PLANNED TO ACCESS	03/02/2021
G	NEEDED FOR REZONING	04/04/2021
H	REVISIONS TO REZONING	04/04/2021
J	NEEDED FOR REZONING	07/09/2021

SEAL: ABLE ARCHITECTURE
ARCHITECTS INC. 1210 10th Ave



SOUTH ELEVATION BUILDING A



USABLE OPEN SPACE 3 AND EAST ELEVATION BUILDING B



BUILDING A FROM RYAN RD.



LOOKING WEST INTO THE PROJECT FROM THE LANE

CONTRACTOR'S OBLIGATIONS: CONTRACTORS SHALL VERIFY ALL DIMENSIONS AND DIMENSIONS SHALL BE ACCORDANCE WITH THE CITY OF CAMPBELL RIVER AND THE BC BUILDING ACT. CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF CAMPBELL RIVER AND THE BC BUILDING ACT. CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF CAMPBELL RIVER AND THE BC BUILDING ACT. CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF CAMPBELL RIVER AND THE BC BUILDING ACT.

ADDITIONAL NOTES: CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF CAMPBELL RIVER AND THE BC BUILDING ACT. CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF CAMPBELL RIVER AND THE BC BUILDING ACT.

PROJECT NAME: GLENHART VIEWS
PROJECT NUMBER: -
ADDRESS: 801 RYAN ROAD, CAMPBELL RIVER, BC
DRAWING TITLE: SITE PERSPECTIVE
DRAWN BY: PD
CHECKED BY: RF
DATE: 06/07/2021
DRAWING #: A1.6
REV #: J

RE ISSUED FOR REZONING

SEAMOUR PACIFIC
 DEVELOPMENTS LTD.
 100 St Anna Street, Campbell River, B.C.
 (250) 266-8040 (250) 268-5046
 info@seamourpacific.ca

PROJECT STATUS:
 RE-ISSUED FOR REZONING

Revision Schedule

No.	Description	Revision Date
A	CITY FIRE DEPT. APPROVAL	03/09/2020
B	RE-ISSUED FOR REZONING	03/09/2020
C	RE-ISSUED FOR REZONING	05/04/2021
D	RE-ISSUED FOR REZONING	05/04/2021
E	RE-ISSUED FOR REZONING	07/02/2021
F	RE-ISSUED FOR REZONING	07/02/2021
G	RE-ISSUED FOR REZONING	07/02/2021
H	RE-ISSUED FOR REZONING	07/02/2021
I	RE-ISSUED FOR REZONING	07/02/2021
J	RE-ISSUED FOR REZONING	07/02/2021

SEAL: ABEL ARCHITECTURE
ARCHITECTS INC. 12101010

I HAVE DRAWN AND CHECKED THIS PLAN, SPECIFICATIONS AND NOTES TO BE IN ACCORDANCE WITH THE BC BUILDING ACT AND REGULATIONS AND THE BC BUILDING DEPARTMENT'S APPROVED CONTRACT DOCUMENTS. I HAVE ADVISED THE CLIENT OF ANY CONFLICTS WITH THE BC BUILDING ACT AND REGULATIONS AND THE BC BUILDING DEPARTMENT'S APPROVED CONTRACT DOCUMENTS. I HAVE ADVISED THE CLIENT OF ANY CONFLICTS WITH THE BC BUILDING ACT AND REGULATIONS AND THE BC BUILDING DEPARTMENT'S APPROVED CONTRACT DOCUMENTS. I HAVE ADVISED THE CLIENT OF ANY CONFLICTS WITH THE BC BUILDING ACT AND REGULATIONS AND THE BC BUILDING DEPARTMENT'S APPROVED CONTRACT DOCUMENTS.

RE-ISSUED FOR REZONING

PROJECT NAME: GLENHART VIEWS
PROJECT NUMBER: -
ADDRESS: 801 RYAN ROAD
 COURTENEY, BC
DRAWING TITLE: ELEVATIONS 2 OF 2 - BUILDING A
DRAWN BY: RD
CHECKED BY: RD
DATE: 08/04/2020
DRAWING #: AS 10000000
REVISION #: -

A3.2

EXTERIOR CLADDING PRODUCT	
DESCRIPTION	COLOR
4" CEMENT BOARD TRIM	ARTIC WHITE
12" CEMENT BOARD TRIM	ARTIC WHITE
12" CEMENT BOARD TRIM	ARTIC WHITE
PLANK - CEDARWELL	DEEP OCEAN
PLANK - CEDARWELL	BOOTHBY BLUE
PLANK - CEDARWELL	DEEP OCEAN
PLANK - CEDARWELL	BOOTHBY BLUE
SHAKE - STRAIGHT EDGE	TRADITIONAL RED
SHAKE - STRAIGHT EDGE	TRADITIONAL RED
CULTURED STONE	EUCALYPTUS COUNTRY
TIMBER COLUMN	CELESTINE
TIMBER BEAM	SPINNED
12" CEMENT BOARD TRIM	SPINNED

EXTERIOR METAL PRODUCT	
DESCRIPTION	COLOR
ALUMINUM DOWNPOUTS	BLACK
ALUMINUM GUTTER	BLACK
ALUMINUM RAINING	BLACK
PREFINISHED FLAT COIL	WHITE
4 PANEL CLASSIC COFFIT	EMEN
WALL FLASHING	BLACK
SHINGLE STEP FLASHING	BLACK
ROOF EDGE FLASHING	BLACK
DRIP CAP FLASHING	WHITE
REVERSE DRIP FLASHING	WHITE
PLASTIC VENT	BLACK
GUTTER COIL FLASHING	BLACK
FOUNDATION TRANSITION F.	-

EXTERIOR ROOFING PRODUCT	
DESCRIPTION	COLOR
ROOFING SHINGLES - 30 YEAR LAMINATE	BLACK
ATTIC STAIRS VENT	BLACK

NOTES

- 1) ALL RESIDENTIAL UNITS TO HAVE INDIVIDUAL A/C UNIT
- 2) ALL RESIDENTIAL UNITS TO HAVE WINDOWS WITH RATING OF ETC-3B

SEAMOUR PACIFIC
 DEVELOPMENTS LTD.
 100 St. Arna Street, Campbell River, B.C.
 (250) 286-8046 (250) 288-8046
 info@seamourpacific.ca

SITE MAP:

PROJECT STATUS:
 RE-ISSUED FOR REZONING

No.	Description	Revision Date
A	CITY PERM APPROVAL	03/04/2020
B	RE-ISSUED FOR REZONING	07/09/2020
C	RE-ISSUED FOR REZONING	07/09/2020
D	RE-ISSUED FOR REZONING	07/09/2020
E	RE-ISSUED FOR REZONING	07/09/2020
F	RE-ISSUED FOR REZONING	07/09/2020
G	RE-ISSUED FOR REZONING	07/09/2020
H	RE-ISSUED FOR REZONING	07/09/2020
I	RE-ISSUED FOR REZONING	07/09/2020
J	RE-ISSUED FOR REZONING	07/09/2020

SEAL: ABLE ARCHITECTURE
ARCHITECTS INC. 2021-09-07

1 LEFT ELEVATION
 Scale: 1:150

2 ROOF ELEVATION
 Scale: 1:150

3 FRONT ENTRY ELEVATION
 Scale: 1:48

4 SIDE ENTRY ELEVATION
 Scale: 1:48

EXTERIOR CLADDING PRODUCT

DESCRIPTION	COLOR	LOCATION
4" CEMENT BOARD TRIM	ARTIC WHITE	WOOD CLADDING TRIM
1" CEMENT BOARD TRIM	ARTIC WHITE	BELLY BAND
1" CEMENT BOARD TRIM	ARTIC WHITE	VERT. FINITION WALL
PLANK - CEDARWALL	DEEP OCEAN	LEVEL 1-3
PLANK - CEDARWALL	BOOTHBY BLUE	LEVEL 4-6
PLANK - CEDARWALL	BOOTHBY BLUE	LEVEL 1-3 BALCONY/PTAC
SHAKE - STRAIGHT EDGE	GRAY SLATE	LEVEL 4-6 BALCONY/PTAC
SHAKE - STRAIGHT EDGE	GRAY SLATE	RAMP OUT BUILDING ENDS
CULTURED STONE	TRADITIONAL RED	BUMP OUT
TIMBER COLUMN	EUCALYPTUS/COUNTRY LEGRESTONE	FRONT CANNED PORTS & BUILDING ENDS
TIMBER BEAM	-	-
1" CEMENT BOARD TRIM	SHAWN	-

EXTERIOR METAL PRODUCT

DESCRIPTION	COLOR	LOCATION
ALUMINUM DOWNPOUTS	BLACK	-
ALUMINUM GUTTER	BLACK	REFER TO DETAIL 04.2
ALUMINUM RAILS	BLACK	REFER TO DETAIL 04.3
REFRIGERATED FLAT COIL	WHITE	PACER ROADS
4 PANEL CLASSIC SOFFIT	UNFIN	REFER TO DETAIL 04.2
WALL FLASHING	BLACK	-
SHINGLE STEP FLASHING	BLACK	REFER TO DETAIL 04.2
CRP CAP FLASHING	WHITE	VARIOUS
REVERSE CRP FLASHING	WHITE	PARK WINDOW TRIM
PLASTIC VEIL	BLACK	-
GUTTER COIL FLASHING	-	-
FOUNDATION TRANSITION F.	-	-

EXTERIOR ROOFING PRODUCT

DESCRIPTION	COLOR
ROOFING SHINGLES - 30 YEAR LAMINATE	BLACK
ATTO STAIRS VENT	BLACK

NOTES

- 1) ALL RESIDENTIAL UNITS TO HAVE INDIVIDUAL AC UNIT
- 2) ALL RESIDENTIAL UNITS TO HAVE WINDOWS WITH RATING OF STC 30

PROJECT NAME: GLENHART VIEWS
PROJECT NUMBER: -
ADDRESS: 801 RYAN ROAD
 COURTESYWAY, BC
DRAWING TITLE:
ELEVATIONS 2 OF 2 - BUILDING B
CHECKED BY: RF
DATE: 08/04/2020
DRAWING #: AS 183848
REV #: J

RE ISSUED FOR REZONING

07/09/2021 12:48:19 PM



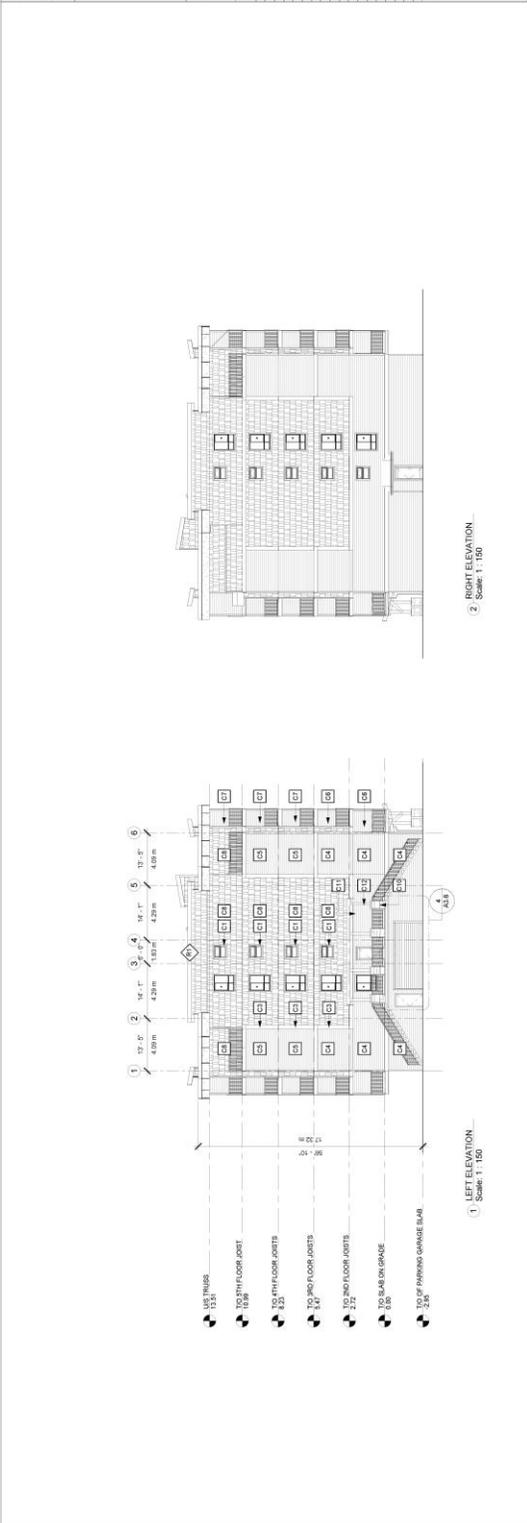
100 St. Ann's Street, Campbell River, B.C.
 (1)250.286.8645 (F)250.286.8646
 www.seamourpacific.ca

PROJECT STATUS:
 RE-ISSUED FOR REZONING

Revision Schedule

No.	Description	Date
A	CITY PRE APP	03/06/2020
B	ISSUED FOR VENDOR	06/02/2020
C	ISSUED FOR VENDOR	06/02/2020
D	ISSUED FOR VENDOR	06/02/2020
E	ISSUED FOR VENDOR	06/02/2020
F	ISSUED FOR VENDOR	06/02/2020
G	ISSUED FOR VENDOR	06/02/2020
H	ISSUED FOR VENDOR	06/02/2020
I	ISSUED FOR VENDOR	06/02/2020
J	ISSUED FOR VENDOR	06/02/2020
K	ISSUED FOR VENDOR	06/02/2020
L	ISSUED FOR VENDOR	06/02/2020
M	ISSUED FOR VENDOR	06/02/2020
N	ISSUED FOR VENDOR	06/02/2020
O	ISSUED FOR VENDOR	06/02/2020
P	ISSUED FOR VENDOR	06/02/2020
Q	ISSUED FOR VENDOR	06/02/2020
R	ISSUED FOR VENDOR	06/02/2020
S	ISSUED FOR VENDOR	06/02/2020
T	ISSUED FOR VENDOR	06/02/2020
U	ISSUED FOR VENDOR	06/02/2020
V	ISSUED FOR VENDOR	06/02/2020
W	ISSUED FOR VENDOR	06/02/2020
X	ISSUED FOR VENDOR	06/02/2020
Y	ISSUED FOR VENDOR	06/02/2020
Z	ISSUED FOR VENDOR	06/02/2020

SEAL: ABEL ARCHITECTURE
PROFESSIONAL SOCIETY OF ARCHITECTS, B.C. REG. NO. 1000



1 LEFT ELEVATION
Scale: 1:40

2 RIGHT ELEVATION
Scale: 1:40

3 FRONT ENTRY ELEVATION
Scale: 1:48

4 SIDE ENTRY ELEVATION
Scale: 1:48

DESCRIPTION	COLOR	LOCATION
4" CEMENT BOARD TRM	ARTIC WHITE	WINDOOR TRIM
4" CEMENT BOARD TRM	ARTIC WHITE	BALCONY WALLS
1/2" CEMENT BOARD TRM	ARTIC WHITE	BELLY BAND
1/2" CEMENT BOARD TRM	ARTIC WHITE	VERT. PARTITION WALL
PLANK - CEDARWALL	DEEP OCEAN	LEVEL 1 - 3
PLANK - CEDARWALL	BOOTHBY BLUE	LEVEL 4, 6
PLANK - CEDARWALL	DEEP OCEAN	LEVEL 1 - 3/BALCONY/PAC
PLANK - CEDARWALL	BOOTHBY BLUE	LEVEL 4 - 5/BALCONY/PAC
SHAKE - STRAIGHT EDGE	GRYB SLATE	BUMP OUT BALCONY ENDS
SHAKE - STRAIGHT EDGE	TRADITIONAL RED	BUMP OUT
COLORADO STONE	EUCALYPTUS COUNTRY	FRONT CANOPED PORCHES & BALCONY ENDS
TRIMMER COLUMN	LEGGESTONE	
TRIMMER BEAM		
1/2" CEMENT BOARD TRM	STAINED	

DESCRIPTION	COLOR	LOCATION
ALUMINUM DOWNPOUTS	BLACK	
ALUMINUM CUTLER	BLACK	REFER TO DETAIL BMA2
ALUMINUM RAILING	BLACK	REFER TO DETAIL BMA3
PREPARED FLAT COIL	WHITE	FASCIA BOARD
4" PANEL CLASSIC GUTTER	BLACK	REFER TO DETAIL BMA2
WALL FLASHING	BLACK	
SHINGLE STEP FLASHING	BLACK	
ROOF EDGE FLASHING	BLACK	REFER TO DETAIL BMA2
DAMP CAP FLASHING	WHITE	VARIOUS
REVERSE DRIP FLASHING	WHITE	PLANK WINDOW TRIM
PLASTIC LED	BLACK	
OUTLET COIL FLASHING		
FOUNDATION TRANSITION F.		

DESCRIPTION	COLOR	LOCATION
EXTERIOR ROOFING PRODUCT		
ROOFING SHINGLES - 30 YEAR LAMINATE	BLACK	
ATTIC STATIC VENT	BLACK	

RE ISSUED FOR REZONING

A3.6

J

100 St. Ann's Street, Campbell River, B.C.
 (779) 534-1111
 www.seymourpacific.ca

SITE MAP

PROJECT STATUS:
RE ISSUED FOR REZONING

Revision Schedule

No.	Project Description	Revision Date
A	REISSUED FOR REZONING	05/05/2020
B	REISSUED FOR REZONING	05/05/2020
C	REISSUED FOR REZONING	05/05/2020
D	REISSUED FOR REZONING	05/05/2020
E	REISSUED FOR REZONING	05/05/2020
F	REISSUED FOR REZONING	05/05/2020
G	REISSUED FOR REZONING	05/05/2020
H	REISSUED FOR REZONING	05/05/2020
I	REISSUED FOR REZONING	05/05/2020
J	REISSUED FOR REZONING	05/05/2020

SEAL: **ABEL ARCHITECTURE**
PROFESSIONAL ARCHITECTS, P.A.C.T., 19816 148th Ave.

1 COLOUR - LEFT ELEVATION
 Scale: 1:128

2 COLOUR - RIGHT ELEVATION
 Scale: 1:128

3 COLOUR - RIGHT ELEVATION
 Scale: 1:128

EXTERIOR CLADDING PRODUCT

DESCRIPTION	COLOR	LOCATION
4" CEMENT BOARD TRIM	ARTIC WHITE	WALL/CORNER TRIM
12" CEMENT BOARD TRIM	ARTIC WHITE	BELLY BAND
12" CEMENT BOARD TRIM	ARTIC WHITE	VERT. PARTITION WALL
PLANK - CEDARBALL	DEEP OCEAN	LEVEL 1-3
PLANK - CEDARBALL	BOOTHBAY BLUE	LEVEL 4-5
PLANK - CEDARBALL	DEEP OCEAN	LEVEL 1 - 3 BALCONY/PATIO
PLANK - CEDARBALL	BOOTHBAY BLUE	LEVEL 4 - 5 BALCONY/PATIO
SHAKE - STRAIGHT EDGE	GRAY FLUTE	BUMP OUT / BUILDING ENDS
CULTURED STONE	TRADITIONAL RED	BUMP OUT / BUILDING ENDS
TRIMMER COLUMN	ELMWOOD	FRONT PORCH COLUMNS & BALCONY RAILS
TRIMMER BEAM	-	-
12" CEMENT BOARD TRIM	STAINED	-

EXTERIOR METAL PRODUCT

DESCRIPTION	COLOR	LOCATION
ALUMINUM DOWNSPOUTS	BLACK	-
ALUMINUM DOWNSPUTS	BLACK	REFER TO DETAIL BMA.2
ALUMINUM RAILING	BLACK	REFER TO DETAIL BMA.2
PREFINISHED FLAT COIL	WHITE	FASCIA BOARD
4 PANEL CLASSIC SOFFIT	WHEN	REFER TO DETAIL BMA.2
WALL CLADDING	BLACK	-
SHINGLE STEP FLASHING	BLACK	REFER TO DETAIL BMA.2
ROOF EDGE FLASHING	WHITE	VARIOUS
DWP CAP FLASHING	WHITE	PLANK WINDOW TRIM
REVERSE CRIP FLASHING	BLACK	-
PLASTIC VENT	-	-
GUTTER COIL FLASHING	-	-
FOUNDATION TRANSITION	-	-

EXTERIOR ROOFING PRODUCT

DESCRIPTION	COLOR
ROOFING SHINGLES - 30 YEAR LAMINATE	BLACK
ATTIC EXHAUST VENT	BLACK

NOTES

- 1/ ALL RESIDENTIAL UNITS TO HAVE INDIVIDUAL AC UNIT
- 2/ ALL RESIDENTIAL UNITS TO HAVE INDIVIDUAL BATHROOM OF 810-90

PROJECT NAME: GLENHART VIEWS

PROJECT NUMBER:

ADDRESS: 801 RYAN ROAD COURTNEY, BC

DRAWING TITLE: COLOUR ELEVATIONS 2 OF 2 - BUILDING A

DRAWN BY: AUBER

CHECKED BY: CHENBER

DATE: 05/04/2020

DRAWING #: A3.8

REVISION #: J

100 St Ann's Street, Campbell River, B.C.
 (71250.286.8046) (71250.286.8046)
 www.seymourpacific.ca

SITE MAP

PROJECT STATUS
 REISSUED FOR REZONING

No.	Description	Revision Date
A	ISSUED FOR PERMIT	01/09/2020
B	ISSUED FOR WINDOW SOPS	01/09/2020
C	ISSUED FOR REZONING	01/09/2020
D	RE ISSUED FOR REZONING	01/09/2021
E	RE ISSUED FOR REZONING	01/09/2021
F	RE ISSUED FOR REZONING	01/09/2021
G	RE ISSUED FOR REZONING	01/09/2021
H	RE ISSUED FOR REZONING	01/09/2021
I	RE ISSUED FOR REZONING	01/09/2021
J	RE ISSUED FOR REZONING	01/09/2021

SEAL: ABELBARO-TECHTURE
FORMER: NIELS ABELBARO ARCHT. INC. 19430-889

1 COLOUR - LEFT ELEVATION
 Scale: 1 : 150

2 COLOUR - RIGHT ELEVATION
 Scale: 1 : 150

EXTERIOR CLADDING PRODUCT

DESCRIPTION	COLOR	LOCATION
C1 4' CEMENT BOARD TRIM	ARTIC WHITE	WINDOW & DOOR TRIM
C2 12' CEMENT BOARD TRIM	ARTIC WHITE	BALCONY WALLS
C3 PLANK - CEDARBILL	ARTIC WHITE	BELLY BAND
C4 PLANK - CEDARBILL	ARTIC WHITE	VERT PARTITION WALL
C5 PLANK - CEDARBILL	DEEP OCEAN	LEVEL 1 - 3
C6 PLANK - CEDARBILL	BOOTHBY BLUE	LEVEL 4 - 5
C7 PLANK - CEDARBILL	DEEP OCEAN	LEVEL 1 - 3 BALCONY/PYAC
C8 PLANK - CEDARBILL	BOOTHBY BLUE	LEVEL 4 - 5 BALCONY/PYAC
C9 SHAKE - STRAIGHT EDGE	GRAY SLATE	LEVEL 4 - 5 BALCONY/PYAC
C10 SHAKE - STRAIGHT EDGE	GRAY SLATE	EMPP OUT BUILDING EDGES
C11 CULTURED STONE	TRADITIONAL RED	BAMP OUT
C12 CULTURED STONE	EUCALYPTUS COUNTRY	FRONT GARDENS DOITERS & BELUCYD ONE
C13 TIMBER COLUMN	-	-
C14 TIMBER BEAM	-	-
C15 12' CEMENT BOARD TRIM	STAINED	-

EXTERIOR METAL PRODUCT

DESCRIPTION	COLOR	LOCATION
M1 ALUMINUM DOWNPOUTS	BLACK	-
M2 ALUMINUM GUTTER	BLACK	-
M3 ALUMINUM PAILING	WHITE	REFER TO DETAIL S&I.2
M4 4 PANEL CLASSIC SOFFIT	BLACK	REFER TO DETAIL S&I.2
M5 WALL FLASHING	BLACK	REFER TO DETAIL S&I.2
M6 SINGLE STEP FLASHING	BLACK	REFER TO DETAIL S&I.2
M7 ROOF EDGE FLASHING	WHITE	WINDOWS
M8 DWP CAP FLASHING	WHITE	PLANK WINDOW TRIM
M9 REVERSE DRIP FLASHING	BLACK	-
M10 PLASTIC VENT	-	-
M11 GUTTER COIL FLASHING	-	-
M12 FOUNDATION TRANSITION F.	-	-

EXTERIOR ROOFING PRODUCT

DESCRIPTION	COLOR
R1 ROOFING SHINGLES - 33 YEAR LAMINATE	BLACK
R2 ATIC STAIR VENT	BLACK

NOTES

- 1) ALL RESIDENTIAL UNITS TO HAVE INDIVIDUAL AC UNIT
- 2) ALL RESIDENTIAL UNITS TO HAVE WINDOWS WITH RATIO OF 80:20

RE ISSUED FOR REZONING

A3.10

J

SEYMOUR PACIFIC DEVELOPMENTS LTD.
 100 St Anne Street, Campbell River, B.C.
 (779) 534-1111
 www.seymourpacific.ca

SITE MAP

PROJECT STATUS:
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SEAL: **ABEL ARCHITECTURE**
REGISTERED ARCHITECT, B.C. REG. NO. 1248

PROJECT STATUS:
 REISSUED FOR REZONING

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1 COLOUR - LEFT (NORTH) ELEVATION
 Scale: 1:150

2 COLOUR - RIGHT (SOUTH) ELEVATION
 Scale: 1:150

EXTERIOR CLADDING PRODUCT

DESCRIPTION	COLOR	LOCATION
4" CEDAR BOARD TRM	ARTIC WHITE	WINDY WALL
12" CEDAR BOARD TRM	ARTIC WHITE	BELLY BAND
12" CEDAR BOARD TRM	ARTIC WHITE	VERT. PARTITION WALL
PLANK - CEDARWELL	DEEP OCEAN	LEVEL 1 - 3
PLANK - CEDARWELL	BOOTHBY BLUE	LEVEL 4 - 6
PLANK - CEDARWELL	DEEP OCEAN	LEVEL 1 - BALCONY / PISC
SHAKE - STRAIGHT EDGE	GRAY SLATE	BUMP OUT / BALCONY ENDS
CULTURED STONE	TRADITIONAL RED	BUMP OUT
TIMBER COLUMN	BURNED COUNTRY	FRONT CORNER POSTS & FLUSHING DECK
TIMBER BEAM	STRAINED	
12" CEDAR BOARD TRM	STRAINED	

EXTERIOR METAL PRODUCT

DESCRIPTION	COLOR	LOCATION
ALUMINUM DOWNSPOUTS	BLACK	
ALUMINUM GUTTER	BLACK	REFER TO DETAIL 04.2
ALUMINUM RAINING	BLACK	REFER TO DETAIL 04.3
PREPARED LIT COIL	WHITE	PLANK BAND
PANEL CLASP-BUFF	UNFIN	REFER TO DETAIL 04.2
WALL FLASHING	BLACK	
SHROUSE STEP FLASHING	BLACK	
ROOF EDGE FLASHING	BLACK	REFER TO DETAIL 04.2
DWIP-CAP FLASHING	WHITE	VARIOUS
REVERSE DEEP FLASHING	WHITE	PLANK WINDOW TRM
PLASTIC VENT	BLACK	
GUTTER COL. FLASHING	BLACK	
FOUNDATION TRANSITION		

EXTERIOR ROOFING PRODUCT

DESCRIPTION	COLOR
ROOFING SHINGLES - 30 YEAR LAMINATE	BLACK
ATTIC STATIC VENT	BLACK

NOTES

- 1/ ALL RESIDENTIAL UNITS TO HAVE INDIVIDUAL AC UNIT
- 2/ ALL RESIDENTIAL UNITS TO HAVE WINDOWS WITH FINING OF ETC-30

PROJECT STATUS:
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Schedule No. 3: Traffic and Parking Study

TRANSPORTATION PLANNERS AND ENGINEERS



801 Ryan Road: Residential Development Transportation Impact Assessment

Draft

Prepared for
Seymour Pacific Developments

Date
May 13, 2021

Project No.
04-20-0120



May 13, 2021
04-20-0120
Rachel Ricard
Development Manager
Seymour Pacific Developments Ltd.
100 St Ann's Road
Campbell River, BC
V9W 4C4

Dear Rachel:

**Re: 801 Ryan Road Residential Development
Transportation Impact Assessment - Draft**

Please find attached our Transportation Impact Assessment draft report, for circulation to the City of Courtenay and the Ministry of Transportation and Infrastructure. We found that the development's modest vehicle trip generation is not anticipated to significantly affect the operations of nearby intersections. In addition, the development is extending Tunner Drive as envisioned in the City's Transportation Master Plan.

Please let us know if we can be of any further assistance.

Yours truly,
Bunt & Associates

Simon Button, P.Eng., M.Eng., PMP
Transportation Engineer



CORPORATE AUTHORIZATION

Prepared By: Simon Button, P.Eng.

Bunt & Associates Engineering Ltd.

530 – 645 Fort Street

Victoria, BC V8W 1G2

Canada

Reviewed By: Yulia Liem, P.Eng., PTOE
Senior Transportation Engineer

Telephone: +1 250 592 6122

Date: May 13, 2021

Project No. 04-20-0120

Status: Draft

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EXECUTIVE SUMMARY

Seymour Pacific Developments is proposing a 247-unit residential development on Ryan Road in Courtenay, BC. A Transportation Impact Assessment (TIA) is required for the development application and given the site location, both the City of Courtenay and the Ministry of Transportation & Infrastructure (MoTI) need to approve the study.

The development includes pedestrian connections to three sides of the property (Ryan Road and two private properties), as well as to the Tunner Drive extension which the development will construct. Vehicle connections are provided to the two adjacent private properties (through shared access agreements) and the Tunner Drive extension constructed by the development. The City's Transportation Master Plan envisions Tunner Drive extending from Hunt Road to Highway 19A including a multi-use pathway which is anticipated to have a positive impact on local circulation.

The development will provide 1 secure bicycle parking space per unit and short-term bicycle spaces will be provided outside each of the three buildings. The development will provide 1.26 vehicle parking spaces per unit (1.13 spaces/unit for residents and 0.13 spaces/unit for visitors). This is an appropriate vehicle parking supply for the site location given the demand for parking at similar rental buildings and the City's desire to reduce the vehicle mode share.

The development is anticipated to generate approximately 100 vehicle trips per peak hour which is forecasted to increase the volume of vehicles using nearby intersections by 2% or less. The development's vehicle trip generation is not anticipated to cause any noticeable impacts to the intersection operations or safety.

There are only a few isolated vehicle movements that do not meet the City's performance thresholds, mostly at the Ryan Road & Highway 19A intersection. All vehicle movements which do not meet the City's performance thresholds occur in the future background conditions without the proposed development. No additional off-site transportation infrastructure is required to accommodate the proposed development.



1. INTRODUCTION

1.1 Study Purpose & Objectives

Seymour Pacific Developments is proposing a rental residential development on Ryan Road in Courtenay, BC, which will include three buildings with a total of 247 rental units. The site is currently vacant. A Transportation Impact Assessment (TIA) is required as part of the Rezoning application and both the City and Ministry of Transportation & Infrastructure (MoTI) need to approve the study. The purpose of this study is to review the transportation implications of the proposed residential development and identify potential improvements.

1.2 Study Scope & Area

The study's Terms of Reference is provided in **Appendix A** which was approved by both road authorities. Since the original Terms of Reference was agreed upon, the development has agreed to extend Tunner Drive to the site and a hotel development was proposed nearby. Therefore, the study area was expanded to include the Back Road & Tunner Drive intersection and the vehicle trips generated by the hotel development were include in the background vehicle forecasts. **Exhibit 1.1** illustrates the study area.

1.3 Organization of Report

- Section 1.4 provides an overview of the proposed residential development;
- Section 2 reviews the existing conditions;
- Section 3 examines the proposed development site design;
- Section 4 assesses the future traffic conditions; and,
- Section 5 provides the study's conclusions and recommendations.

1.4 Proposed Development

Exhibit 1.2 illustrates the proposed site plan which includes three vehicle access points:

- Shared access agreement with the shopping centre to the west (757 Ryan Road) such that vehicles can use the full-movement Ryan Road & Sandwick Road signalized intersection. Vehicle movements between the shopping centre and 801 Ryan Road will be limited to right turns only;
- Shared access agreement to use the existing right-in, right-out access on Ryan Road, immediately east of 801 Ryan Road; and,
- Access to the Tunner Drive extension at the south end of the site.

The multi-modal access arrangement, as well as the Tunner Drive extension, are discussed further in Sections 3.1 and 2.2.

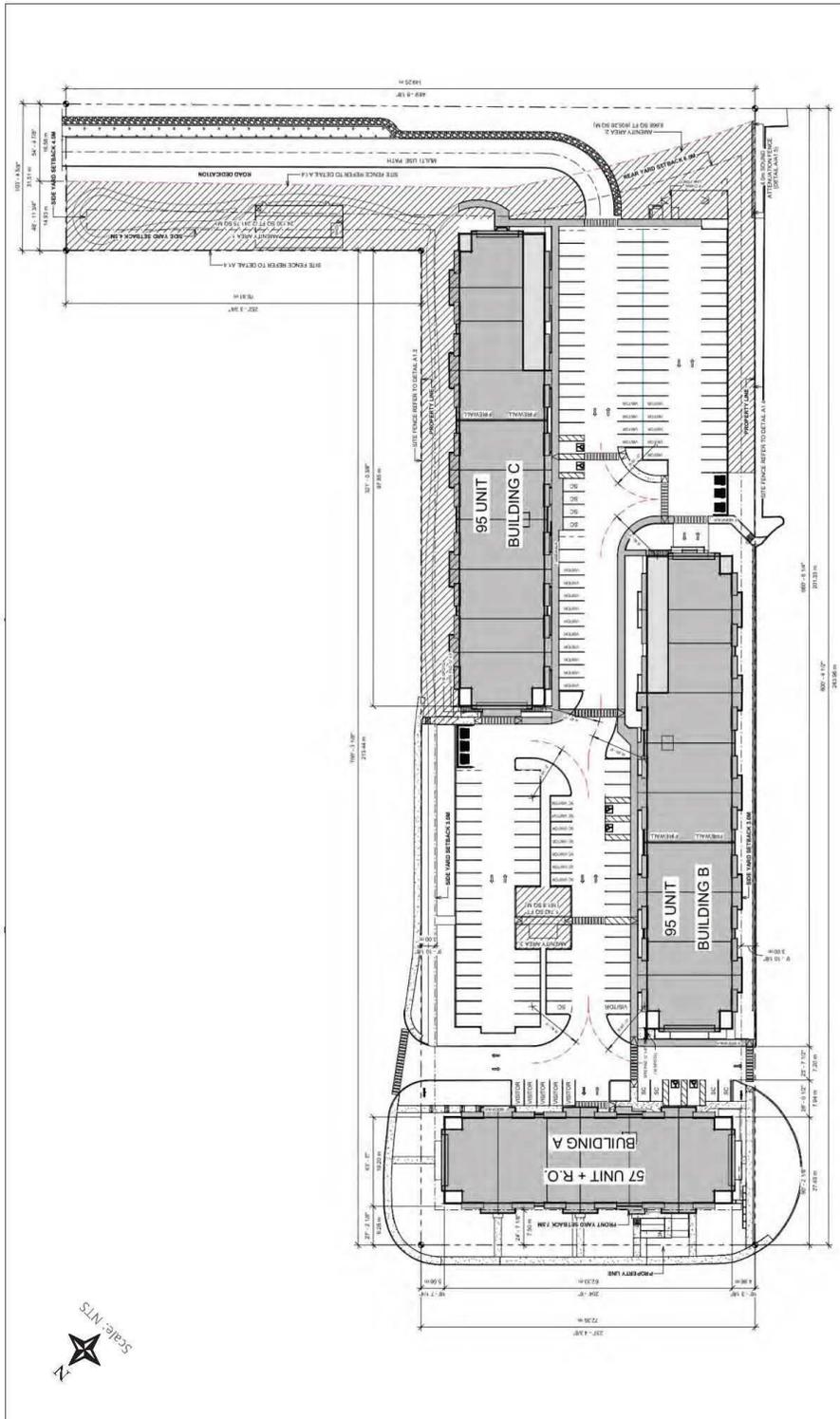


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Exhibit 1.1
Study Area

801 Ryan Road TIA
April 2021

04-20-0120



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Exhibit 1.2 Site Plan

801 Ryan Road TIA
April 2021

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2. EXISTING CONDITIONS

2.1 Existing Transportation Network

Exhibit 2.1 illustrates the surrounding transportation network. Ryan Road and Highway 19A each have four travel lanes whereas the remainder of the streets typically have two travel lanes. Speed limit signs are generally not provided so the speed limit throughout the study area is assumed to be 50 km/h.

Ryan Road has sidewalks on both sides between Hwy 19A and Sandwick Road and the south side of Ryan Road between Sandwick Road and Back Road. A sidewalk is also provided on limited sections of Hwy 19A.

Exhibit 2.2 presents the bus stops and pedestrian crossings on Ryan Road. Six bus routes provide service on Ryan Road (#4, 6, 11, 12, 34 and 99) with typical headways between 30 and 60 minutes.

Ryan Road east of Back Road, as well as Back Road south of Ryan Road, have shoulder bicycle lanes.

Back Road has sidewalks on both sides between Tunner Drive and Ryan Road, and sidewalks on one side beyond Tunner Drive and Ryan Road. Tunner Drive has a sidewalk on the south side of the road.

2.2 Municipal Plans

Courtenay's 2019 Transportation Master Plan sets the target of increasing the percentage of trips made by foot, bicycle, and transit from 15% to 30% over the next twenty years. The plan includes several infrastructure improvements in the study area including:

- Widening Back Road between Ryan Road and 10th Street East and improving cycling facilities;
- Limiting accesses on Ryan Road in the study area to right-turns only; and,
- Extending Tunner Drive from Back Road to Highway 19A (including a multi-use trail).

2.3 Crash History

Crash history was obtained from ICBC's crash map¹ from 2014 to 2018. The number of crashes at each study intersection during the five-year period is shown in **Table 2.1**. The intersections which have higher vehicle volumes generally have a higher number of crashes. Detailed crash histories were not provided by the road authorities.

¹ ICBC Vancouver Island Crash Map <http://www.icbc.com/about-icbc/newsroom/Pages/Vancouver-Island.aspx>



Table 2.1: Crash History 2014 to 2018

INTERSECTION	PDO	CASUALTY	TOTAL
Ryan Road & Highway 19A	101	100	201
Ryan Road & Sandwick Road	29	19	48
Ryan Road & Shared Access	0	0	0
Ryan Road & Back Road	49	68	117

PDO = Crash causing property damage only, Casualty = Crash causing injury or death

2.4 Data Collection

2.4.1 Traffic Data Collection Program

Bunt previously conducted turning movement counts at all study intersections during the weekday PM peak period on Thursday, September 7, 2017, from 15:30 to 17:30, with 16:15 to 17:15 identified as the peak hour. No ferries were arriving or departing Comox during the weekday PM traffic count.

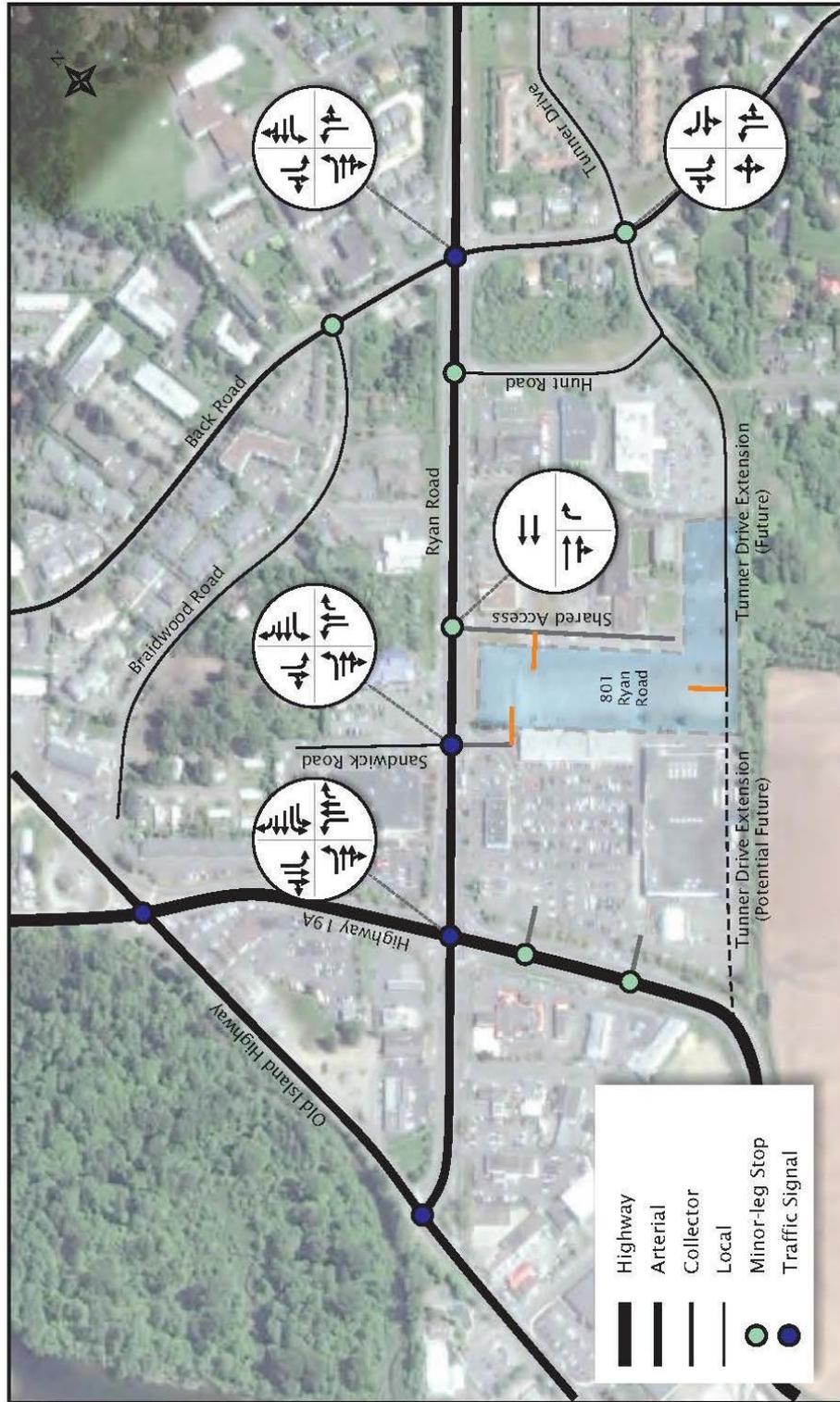
Bunt collected the weekday AM peak period vehicle volumes on Thursday, May 28, 2020. This survey was conducted during the COVID-19 pandemic which impacted travel behaviours. The data was adjusted towards more typical values by comparing the vehicle volume during the AM peak hour before the pandemic. The 1025 Ryan Road Traffic Impact Assessment by Watt Consulting Group indicates that the two-way vehicle flow on Ryan Road, immediately east of the development site was approximately 2,000 vehicles per hour on November 13, 2019. The data collected by Bunt during the pandemic was 67% of the data collected in November 2019. Therefore, all AM peak hour data collected by Bunt was increased by 49% (1 divided by 0.67) to match the November 2019 data which was assumed to reflect normal conditions.

Existing 2020 peak hour volumes for the intersection of Back Road and Tunner Drive were obtained from the 310/320/336 Hunt Road, Courtenay, BC Traffic Impact Study submitted by McElhanney in January 2021.

2.4.2 Peak Hour Vehicle Volumes

Exhibit 2.3 illustrates the peak hour vehicle volumes for the two study periods (weekday AM and PM). The AM volumes reflect the adjusted volumes previously discussed to estimate the 'normal' vehicle volumes. The PM volumes were adjusted by 2% annually to estimate the 2020 volumes from the 2017 data.

The PM peak hour is modestly busier than the AM peak hour. There are currently approximately 2,400 vehicles on Ryan Road during the PM peak hour versus 2,000 during the AM peak hour. This equates to approximately 24,000 vehicles per day on Ryan Road.



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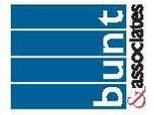


Exhibit 2.1
Transportation Network

801 Ryan Road TIA
 April 2021

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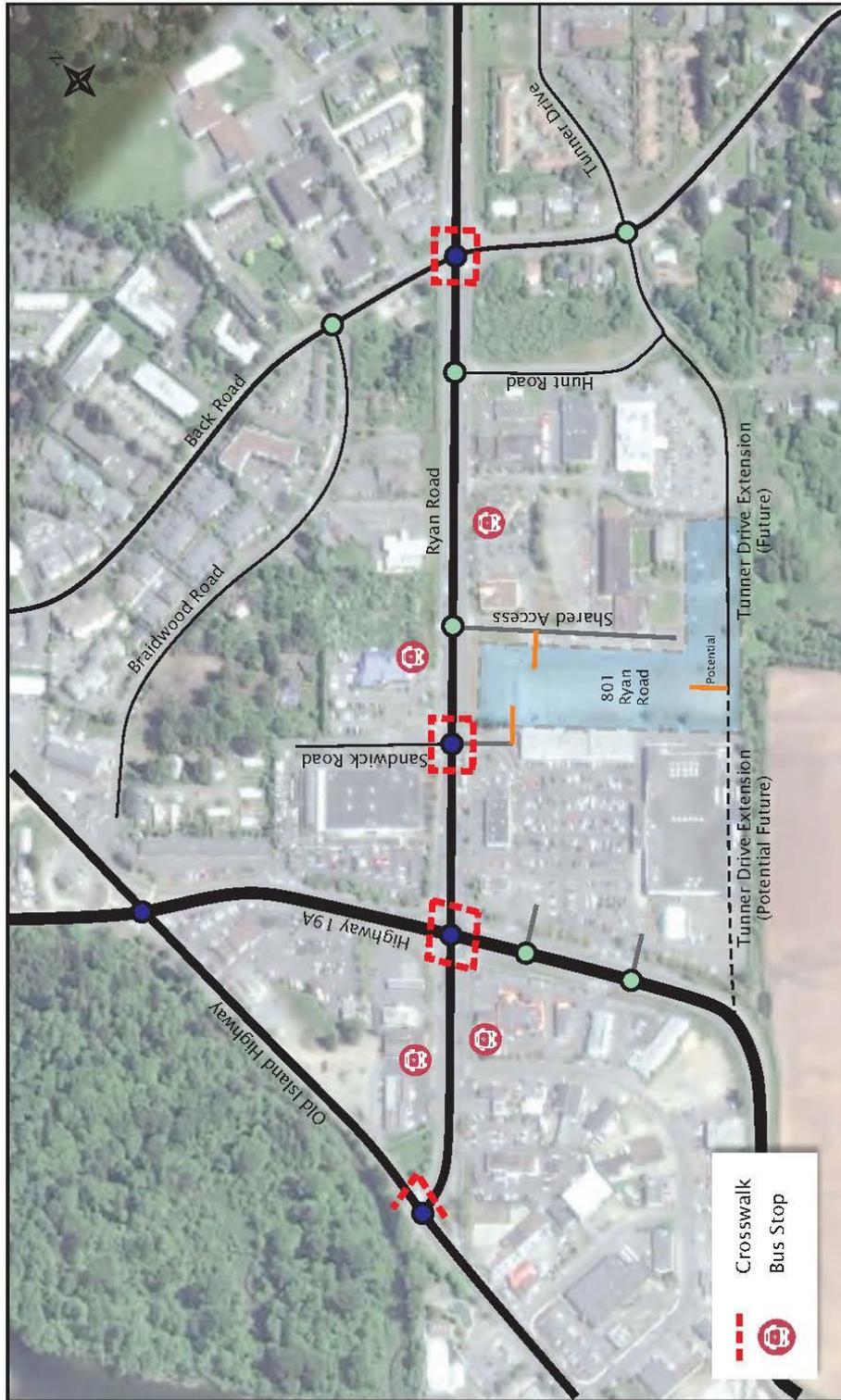
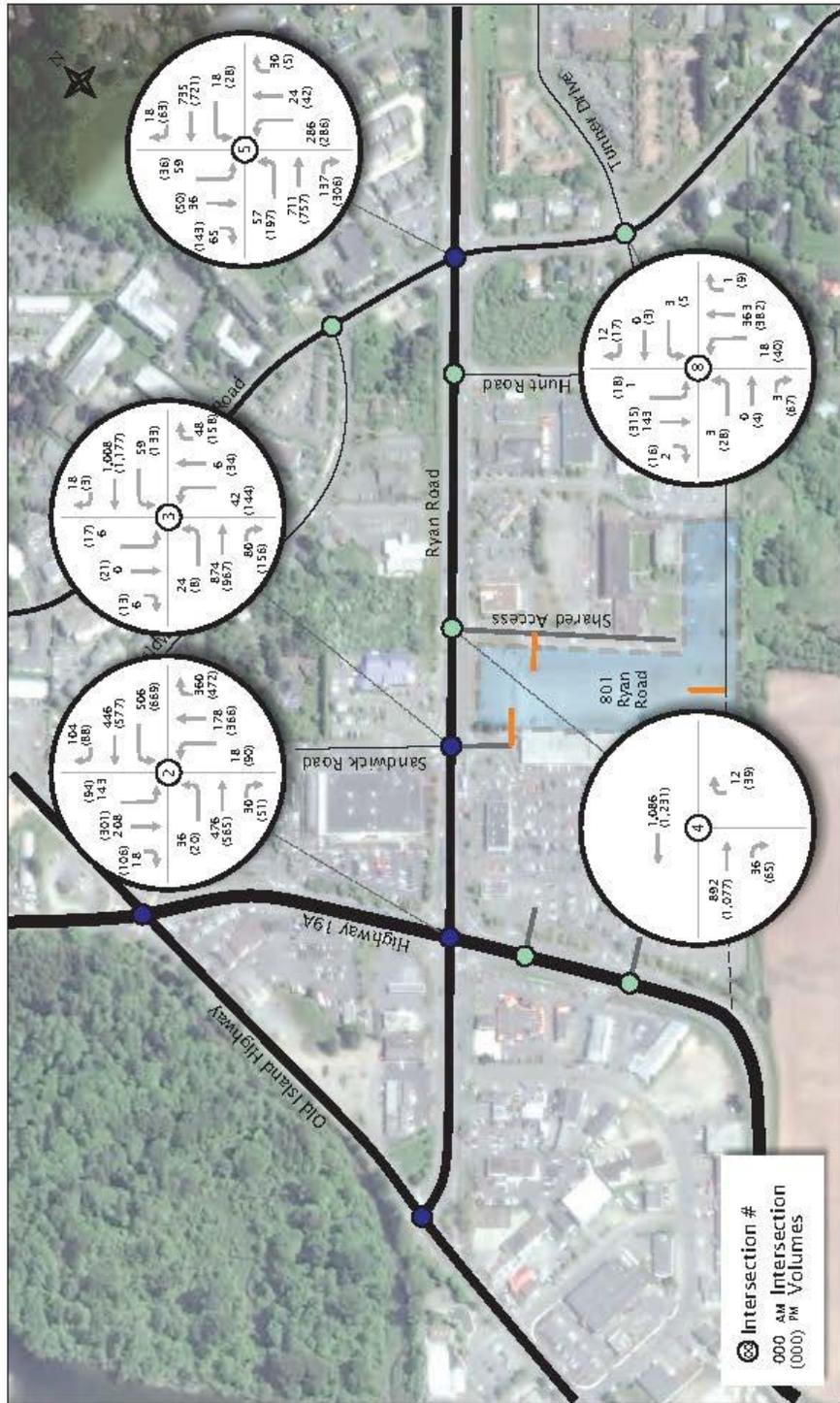


Exhibit 2.2 Bus Stops and Crosswalks on Ryan Road

801 Ryan Road TIA
April 2021

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Exhibit 2.3
 Existing Peak Hour Vehicle Volumes

801 Ryan Road TIA
 March 2021

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2.5 Existing Vehicle Operations

2.5.1 Performance Thresholds

The existing operations of study area intersections and access points were assessed using the methods outlined in the 2000 Highway Capacity Manual (HCM), using the Synchro 9 analysis software. The traffic operations were assessed using the performance measures of Level of Service (LOS) and volume-to-capacity (V/C) ratio.

The LOS rating is based on average vehicle delay and ranges from “A” to “F” based on the quality of operation at the intersection. LOS “A” represents optimal, minimal delay conditions while a LOS “F” represents an over-capacity condition with considerable congestion and/or delay. Delay is calculated in seconds and is based on the average intersection delay per vehicle.

Table 2.2 below summarizes the LOS thresholds for the five Levels of Service, for both signalized and unsignalized intersections.

Table 2.2: Intersection Level of Service Thresholds

LEVEL OF SERVICE	AVERAGE CONTROL DELAY PER VEHICLE (SECONDS)	
	SIGNALIZED	UNSIGNALIZED
A	≤10	≤10
B	>10 and ≤20	>10 and ≤15
C	>20 and ≤35	>15 and ≤25
D	>35 and ≤55	>25 and ≤35
E	>55 and ≤80	>35 and ≤50
F	>80	>50

Source: Highway Capacity Manual

The volume to capacity (V/C) ratio of an intersection represents the ratio between the demand volume and the available capacity. A V/C ratio of less than 0.85 indicates that there is sufficient capacity to accommodate demands and generally represents reasonable traffic conditions in suburban settings. A V/C value between 0.85 and 0.95 indicates an intersection is approaching practical capacity; a V/C ratio over 0.95 indicates that traffic demands are close to exceeding the available capacity, resulting in saturated conditions. A V/C ratio over 1.0 indicates a very congested intersection where drivers may have to wait through several signal cycles. In downtown and Town Centre contexts, during peak demand periods, V/C ratios over 0.90 and even 1.0 are common.

The City noted a desire to maintain V/C ratios for through and shared through/turning movements to 0.85 or less and 0.90 for exclusive turning movements as well as for queues to remain within their turn lane capacity. As noted in the Terms of Reference, the objective of the analysis is to ensure that no new “problem” movements are created by the development and that “problem” movements that exist are not worsened with the additional vehicle trips generated by the development.

In interpreting the analysis results, note that the HCM methodology reports performance differently for various types of intersection traffic control. In this report, the performance reporting convention is as follows:

- For signalized intersections: HCM 2000 output for overall LOS and V/C, as well as individual movement LOS and V/C, are reported. 95th Percentile Queues are reported as estimated by Synchro;
- For unsignalized two-way stop-controlled intersections: HCM 2000 LOS and V/C output is reported just for individual lanes as the HCM methodology does not report overall operations.

The performance reporting conventions noted above have been consistently applied throughout this document and the detailed outputs are provided in **Appendix C**.

2.5.2 Existing Conditions Analysis Assumptions

The existing signal timing plans for the signalized intersections were included in the analysis. The existing coordination between the Highway 19A and Sandwick Road intersections was also incorporated into the Synchro models.

During traffic data collection the number of heavy vehicles was recorded at select intersections, with on average 2% of all vehicles were considered heavy vehicles. As such a heavy vehicle percentage of 2% was assumed for all vehicle movements. The peak hour factor for each intersection was determined from the traffic data and was applied to all movements at the intersection.

2.5.3 Existing Operational Analysis Results

Table 2.3 summarizes the vehicle operational analysis results for the existing conditions. The movements which do not meet performance thresholds established by the City are highlighted in orange. Only two movements at the Ryan Road & Highway 19A intersection exceed the City's V/C ratio threshold during the PM peak hour only. All turning movements have a 95th percentile queue below their storage capacity except for the westbound left from Ryan Road to Highway 19A which just exceeds its storage length. The movement's 50th percentile queue is less than the available storage length.

The Ryan Road and Highway 19A intersection currently experiences moderate levels of delay, particularly in the eastbound and westbound directions. The remaining intersections operate within their capacity.

Table 2.3: Existing Vehicle Operations

INTERSECTION/ TRAFFIC CONTROL	MOVEMENT	AM PEAK HOUR			PM PEAK HOUR		
		LOS	V/C	95TH Q (M)	LOS	V/C	95TH Q (M)
Ryan Road & Highway 19A <i>Signalized</i>	OVERALL	F	0.54	-	E	0.65	-
	EBL	E	0.25	20	E	0.15	15
	EBT	D	0.65	85	E	0.86	115
	WBL	E	0.83	90	E	1.00	135
	WBT	D	0.57	80	D	0.80	100
	WBR	F	0.06	15	D	0.05	10
	NBL	D	0.08	10	D	0.42	40
	NBT	D	0.24	35	D	0.45	65
	NBR	D	0.22	30	D	0.29	30
	SBL	C	0.33	45	C	0.30	30
Ryan Road & Sandwich Road <i>Signalized</i>	OVERALL	B	0.39	-	C	0.57	-
	EBL	A	0.07	5	B	0.04	0
	EBT/R	A	0.39	95	C	0.55	135
	WBL	A	0.15	10	B	0.42	20
	WBT	A	0.40	85	B	0.51	120
	WBR	A	0.01	0	A	0.00	0
	NBL	D	0.27	20	D	0.60	55
	NBT	D	0.03	5	D	0.10	15
	NBR	D	0.03	0	D	0.10	20
	SBL	E	0.17	5	E	0.26	15
Ryan Road & Shared Access <i>Minor-leg Stop</i>	OVERALL	A	-	-	A	-	-
	EBT/R	A	0.38	0	A	0.46	0
	WBT	A	0.35	0	A	0.39	0
	NBR	B	0.02	0	A	0.06	0
Ryan Road & Back Road <i>Signalized</i>	OVERALL	C	0.64	-	C	0.72	-
	EBL	B	0.18	15	C	0.61	40
	EBT/R	B	0.48	75	B	0.60	110
	WBL	C	0.09	10	C	0.18	10
	WBT/R	C	0.62	90	C	0.66	100
	NBL	C	0.59	70	C	0.69	70
	NBT/R	B	0.06	10	B	0.06	15
	SBL	D	0.35	25	D	0.20	15
Back Road & Tunner Drive <i>Minor-leg Stop</i>	OVERALL	A	-	-	A	-	-
	EBL/T/R	B	0.02	0	C	0.24	5
	WBL/T	B	0.02	0	B	0.03	0
	WBR	A	0.00	0	A	0.00	0
	NBL	A	0.02	0	A	0.04	0
	NBT/R	A	0.27	0	A	0.24	0
	SBL	A	0.00	0	A	0.02	0
	SBT/R	A	0.11	0	A	0.21	0

3. DEVELOPMENT PLAN REVIEW

3.1 Site Design

Exhibit 3.1 illustrates the proposed site plan with the access routes highlighted. The site plan includes two sidewalk connections from the site to the Ryan Road sidewalk. Internal sidewalks are proposed connected to all three buildings, the surface parking area and Ryan Road. From Ryan Road, residents can access bus stops eastbound and westbound (by crossing Ryan Road at Sandwich Road). The development has approval from the neighbouring property owner to install a crosswalk connecting the site with the adjacent shopping centre.

The site includes three vehicle access points:

- Shared access agreement with the shopping centre to the west (757 Ryan Road) such that vehicles can use the full-movement Ryan Road & Sandwich Road signalized intersection or one of the two accesses on Highway 19A;
- Shared access agreement to use the existing right-in, right-out access on Ryan Road, immediately east of 801 Ryan Road; and,
- Access to the Tunner Drive extension.

3.2 Bicycle Parking

The development will provide one bicycle parking space for each residential unit. Short-term outdoor bicycle racks will also be conveniently located at the main entrance to each building.

3.3 Vehicle Parking

The development is right-sizing its vehicle parking supply by providing 1.26 vehicle parking spaces/unit which is less than the typical City requirement of 1.5 spaces/unit (1.35 spaces/unit for residents and 0.15 spaces/unit for visitors) for multi-family dwellings. Bunt supports the proposed parking supply for the following reasons:

1. The City has a target of reducing the vehicle mode share by 15% over the next 20 years. Right-sizing vehicle parking supply is a cost-efficient strategy to support a shift towards more walking, cycling, and transit.
2. There are several amenities nearby including shops, services, and employment opportunities. There is also direct access to bus service on Ryan Road which will allow residents to travel more often without a vehicle.
3. All homes will be rental units which typically always have a lower parking demand than strata units. The Metro Vancouver Apartment Parking Study found that the parking demand from rental units is



20% lower than strata units. The current Courtenay bylaw does not differentiate between strata and rental tenure.

4. Many municipalities have or intend to update their off-street parking requirements such that they align with municipal objectives to reduce vehicle use and/or such that they reflect actual current parking patterns. This generally results in municipalities lowering their parking requirements. Vehicle parking requirements for other Vancouver Island municipalities include:
 - a) The City of Victoria recently updated its off-street parking requirements to reflect the difference in vehicle ownership between strata and rental units as well as proximity to amenities. Rental units have a resident parking requirement of 0.5 to 1.3 spaces/unit based on location and unit size. The minimum visitor parking requirement is 0.1 spaces/unit for all scenarios.
 - b) The City of Nanaimo recently updated its off-street parking requirements based on the proximity to amenities but did not stratify between strata and rental units. In a similar land use context to 801 Ryan Road, residential buildings have a parking requirement of 0.90 to 1.68 spaces/unit (inclusive of visitor parking) depending on the number of bedrooms.
 - c) The Town of Comox requires 1.0 residential space/unit and 0.25 visitor spaces/unit outside of downtown. This total parking requirement of 1.25 spaces/unit equals the proposed supply, however, the mix of resident versus visitor spaces is different.
5. The developer provided Bunt with the number of parking spaces rented by tenants in its existing rental buildings. The four buildings on Vancouver Island (Comox, Campbell River, Nanaimo, and North Cowichan) have an average parking space rental rate of 1.0 spaces/unit. Bunt validated this data by reviewing the parking demand late one evening. In addition, five buildings in Interior BC owned by the developer have an average rate of 1.1 spaces/unit. Therefore, the proposed building with a similar tenant mix is anticipated to have a similar parking demand from residents of approximately 1.0 spaces/unit.
6. The supply of 0.13 visitor spaces/unit is higher than the anticipated demand. Bunt typically recommends between 0.05 and 0.10 visitor spaces/unit for locations across BC depending on the local context. This recommendation stems from the Metro Vancouver Residential Apartment Parking Study² which found that visitor parking demand never exceeded 0.06 vehicles per dwelling unit during the study period. These rates have been further substantiated by previous Bunt studies on Vancouver Island and in Greater Vancouver.

² The visitor parking demand results from the Metro Vancouver Residential Parking Study was obtained from suburban sites in Burnaby, Port Coquitlam and Richmond which had varying levels of transit service. The visitor parking demand was not correlated with proximity to the Frequent Transit Network; in fact the site with the worst transit service had the lowest peak visitor parking demand of 0.02 visitor vehicles per dwelling. Therefore the results from the Metro Vancouver Residential Parking Study are seen as applicable to the proposed development.

TRANSPORTATION PLANNERS AND ENGINEERS

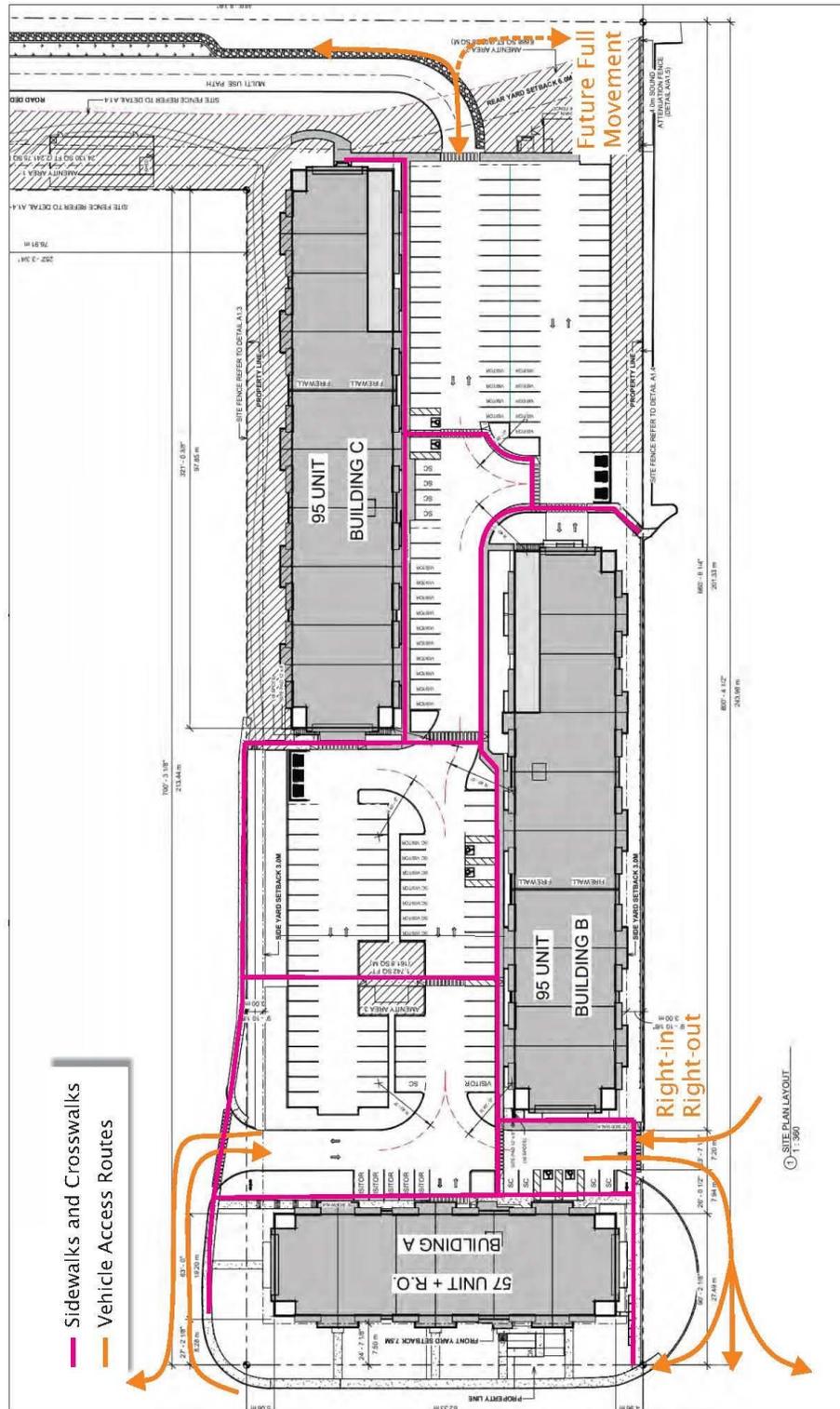
There are multiple reasons to support a parking supply of 1.26 spaces/unit from which 1.13 spaces/unit should be reserved for residents and 0.13 spaces/unit should be reserved for visitors. Many municipalities have or intend to update their vehicle parking requirements to either align them with their strategic plans to reduce the vehicle mode share and/or to reflect current parking patterns.

The supply of 1.13 residential spaces/unit is not anticipated to cause any negative impacts since it is 13% above the developer's average parking space usage rate from similar buildings. The development is seeking a minor reduction in visitor parking of six spaces from 0.15 spaces/unit to 0.13. This supply is still anticipated to accommodate peak visitor parking demands which rarely ever exceed 0.10 vehicles/unit.

3.4 Safety Impacts

The safety impacts that the development could cause would be the result of modest increases in vehicle traffic (discussed further in Section 4). Research has found that increasing vehicle traffic on arterials (such as Ryan Road and Highway 19A)³ decreases the crash rate (the number of crashes per vehicle). Therefore, the proposed development is not anticipated to have substantial safety impacts on the adjacent roadways.

³ The Relationship between Congestion Levels and Accidents, *Maryland State Highway Administration*, 2003



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Exhibit 3.1 Site Access

801 Ryan Road TIA
 April 2021

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4. FUTURE VEHICLE CONDITIONS

4.1 Vehicle Forecasts

4.1.1 Background Vehicle Forecasts

Background traffic is traffic that would be present on the road network if the Residential Development did not get built. Background traffic was estimated for the 2022 and 2032 horizon years which represent the target 'opening day' and 'opening day + 10 years'. Exhibits 4.1 and 4.2 illustrate the background vehicle forecasts.

Background traffic was estimated by increasing existing vehicle volumes by 2% annually. This is a conservative (high) assumption since the critical intersection (Ryan Road & Highway 19A) is nearing capacity during peak hours and that the City's Transportation Master Plan sets a target of reducing the vehicle mode share from 85% to 70% over the next 20 years. The background vehicle forecasts also account for the nearby planned 118-unit residential development at 1025 Ryan Road and the planned 93-room hotel at 310/320/336 Hunt Road. The vehicle trip assumptions for 1025 Ryan Road are similar to the assumptions for 801 Ryan Road which are described in Section 4.1.2. The vehicle trip assumptions for 310/320/336 Hunt Road were obtained from the Traffic Impact Study submitted by McElhanney and extrapolated through the road network.

4.1.2 Site Vehicle Trips

Trip Generation

The vehicle trip generation for the Residential Development was forecasted using the average vehicle trip rate for mid-rise residential buildings from the Institute of Transportation Engineers (ITE), 10th Edition. Table 4.1 demonstrates the ITE trip rate and resulting vehicle trip generation for 247 residential units. The assumed trip rate results in 90 vehicle trips during the AM peak hour (1.5 vehicles per minute) and 110 vehicle trips during the PM peak hour (less than 2 vehicles per minute).

Table 4.1: Peak Hour Vehicle Trip Generation

LAND USE	UNITS	WEEKDAY AM PEAK HOUR			WEEKDAY PM PEAK HOUR		
		TOTAL	IN	OUT	TOTAL	IN	OUT
Trip Rate	Vehicles / Dwelling Units	0.36	26%	74%	0.44	61%	39%
Trip Generation	Vehicles	99	23	66	109	66	43

1: ITE Trip Generation Manual 10th Edition; Multifamily Housing, Mid-rise (221), General Urban/Suburban Location



Trip Distribution & Assignment

Table 4.2 summarizes the assumed trip distribution which was estimated by analyzing existing vehicle travel patterns through the study area.

Table 4.2: Assumed Trip Distribution

ORIGIN/DESTINATION	AM PEAK HOUR	PM PEAK HOUR
Ryan Road East	30%	25%
Old Island Highway (North and South)	20%	25%
Highway 19A North	15%	15%
Highway 19A South	30%	30%
Back Road North	5%	5%
TOTAL	100%	100%

Exhibit 4.3 illustrates the assumed vehicle trip generation assigned to the street network. It was assumed that a minority of drivers destined for 801 Ryan Road and more so for 1025 Ryan Road may choose to travel through the private lands west of Hunt Road through the casino as a more direct route if they are coming from the east.

Table 4.3 summarizes the increase in vehicle volume caused by the proposed development. As shown, the increases range from 1% to 2% which is within the daily fluctuations of daily traffic patterns.

Table 4.3: 2032 Net Change in Future Intersection Vehicle Volumes with New Site Trips

INTERSECTION	AM PEAK HOUR VOLUMES			PM PEAK HOUR VOLUMES		
	BACK-GROUND	SITE	% CHANGE	BACK-GROUND	SITE	% CHANGE
Ryan Road & Highway 19A	3,175	59	1%	4,215	77	2%
Ryan Road & Sandwick Road	2,739	58	2%	3,518	77	2%
Ryan Road & Back Road	2,738	32	1%	3,273	41	1%
Back Road & Tunner Drive	709	8	1%	1,149	28	2%

4.1.3 Total Vehicle Forecasts

Exhibits 4.4 and 4.5 illustrate the total vehicle forecasts which are the sum of the background and site vehicle trip forecasts.

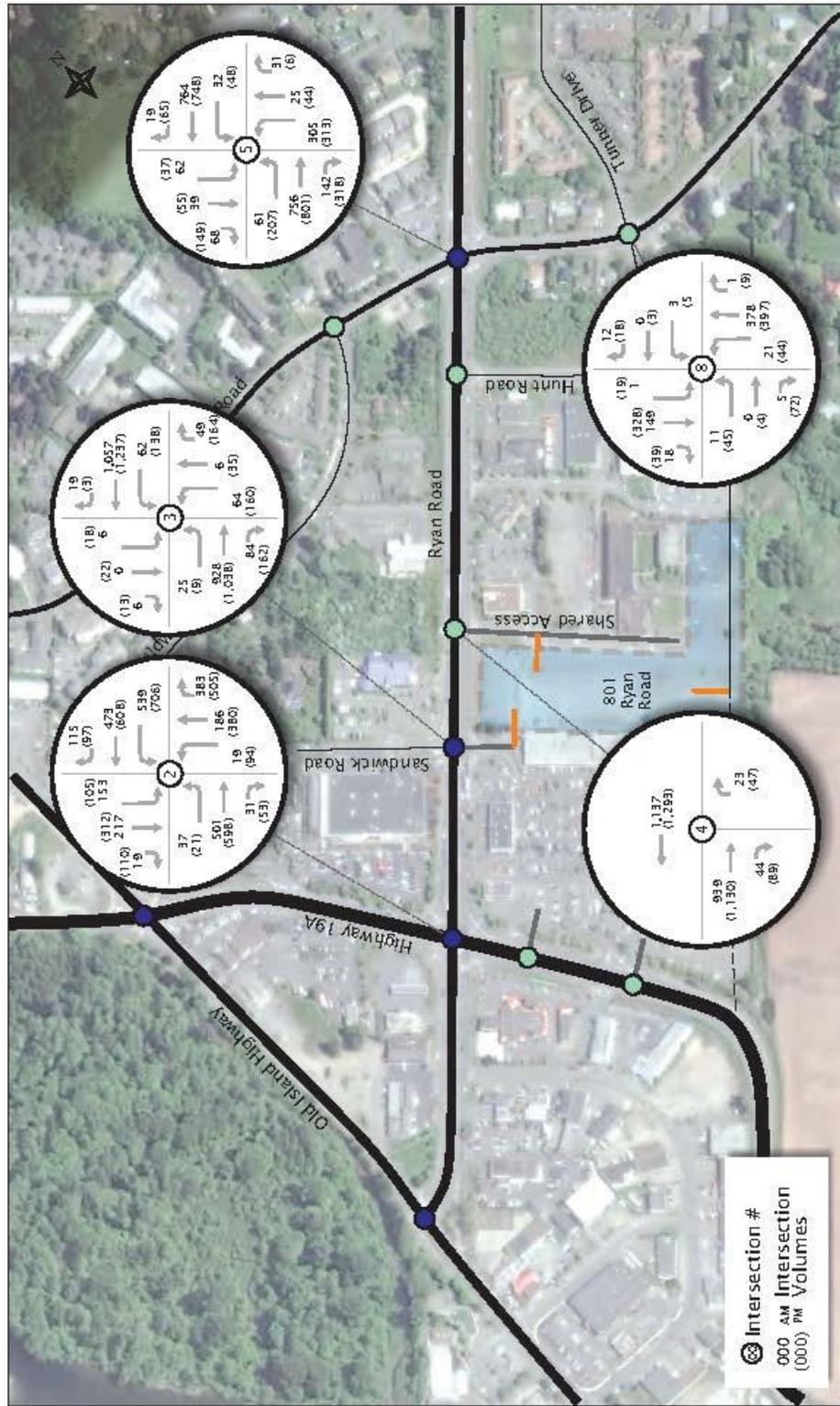
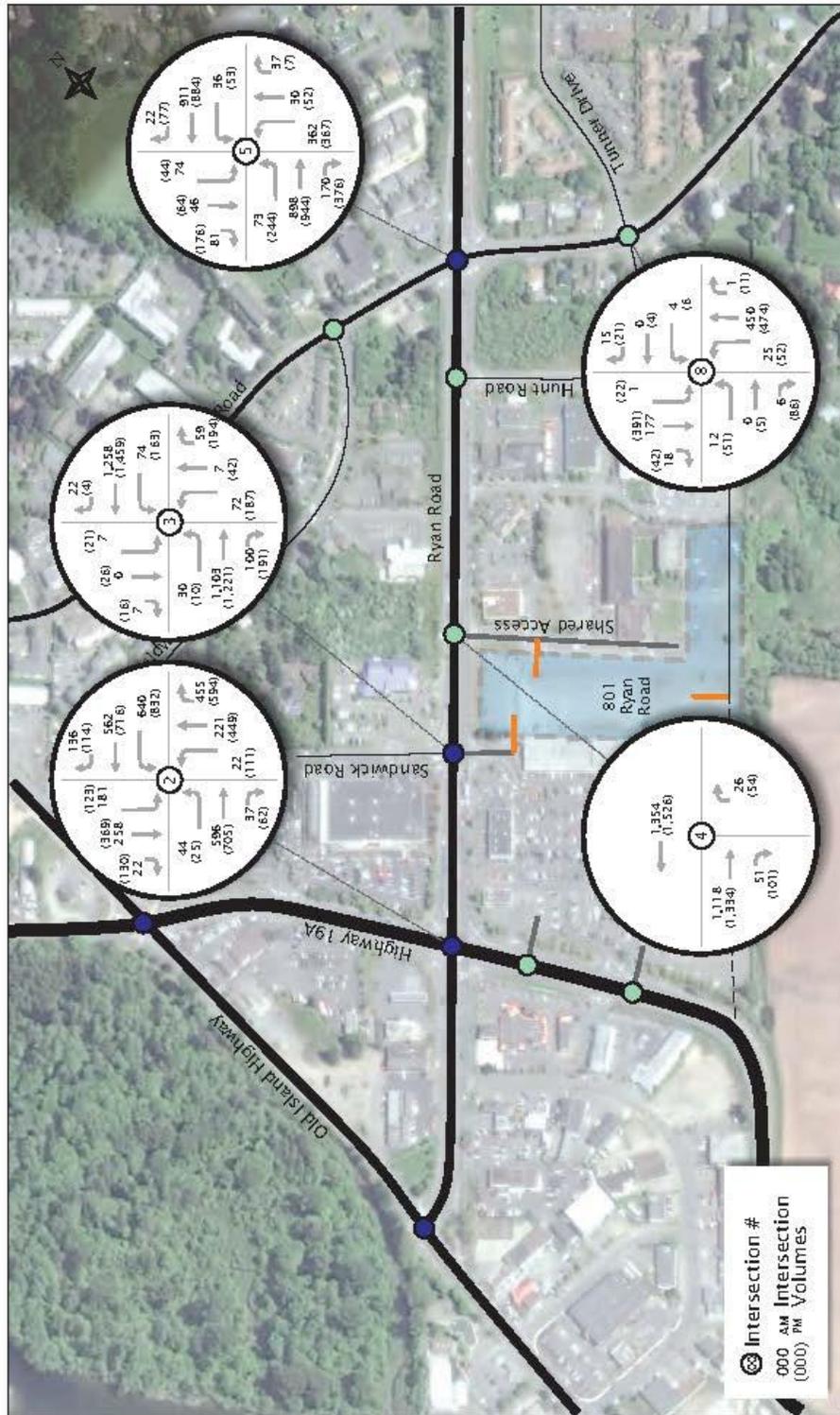


Exhibit 4.1
2022 Background Vehicle Forecasts

801 Ryan Road TIA
 March 2021

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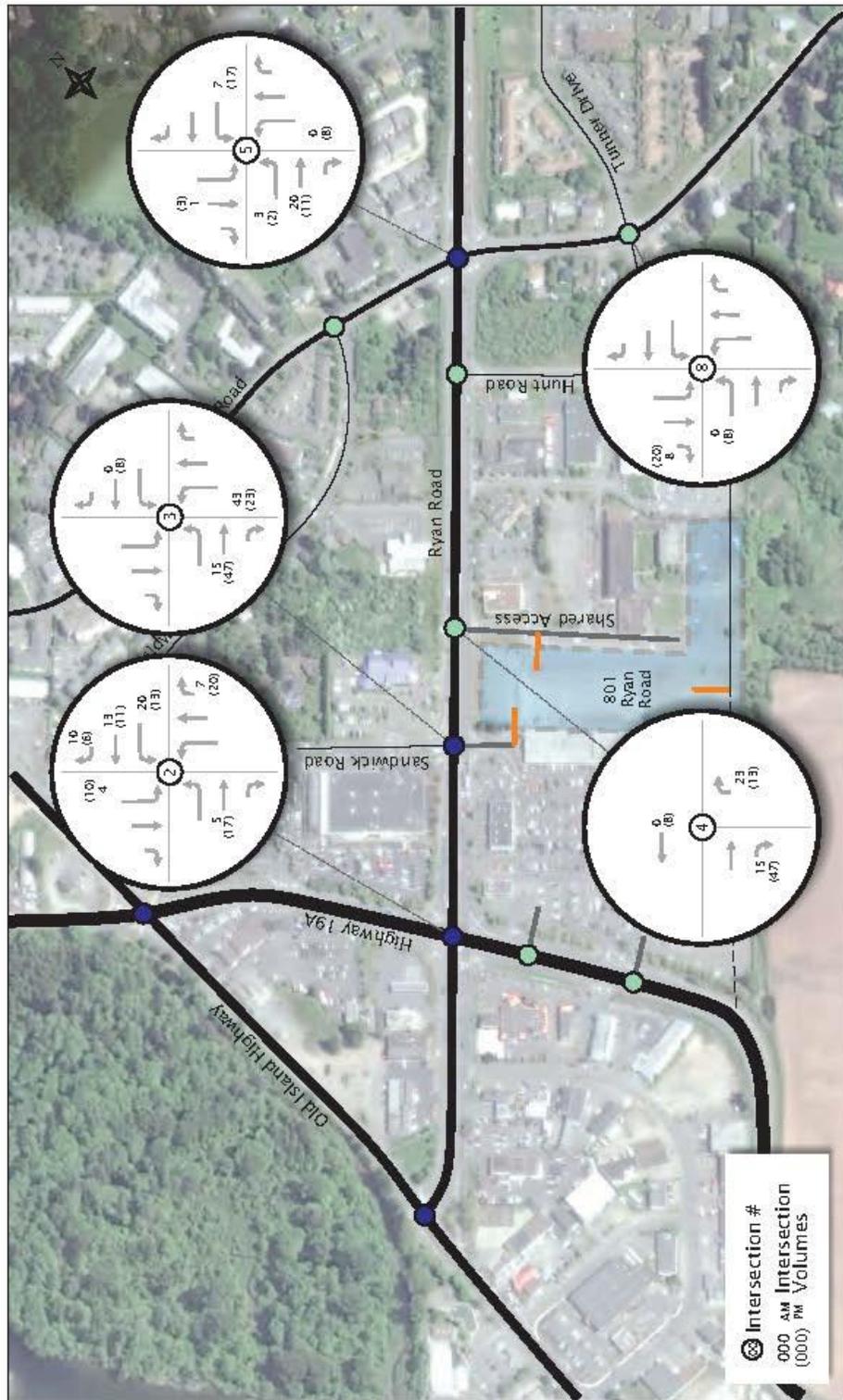
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Exhibit 4.2
2032 Background Vehicle Forecasts

801 Ryan Road TIA
 March 2021

04-20-0120



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Exhibit 4.3
Site Vehicle Forecasts

801 Ryan Road TIA
 March 2021

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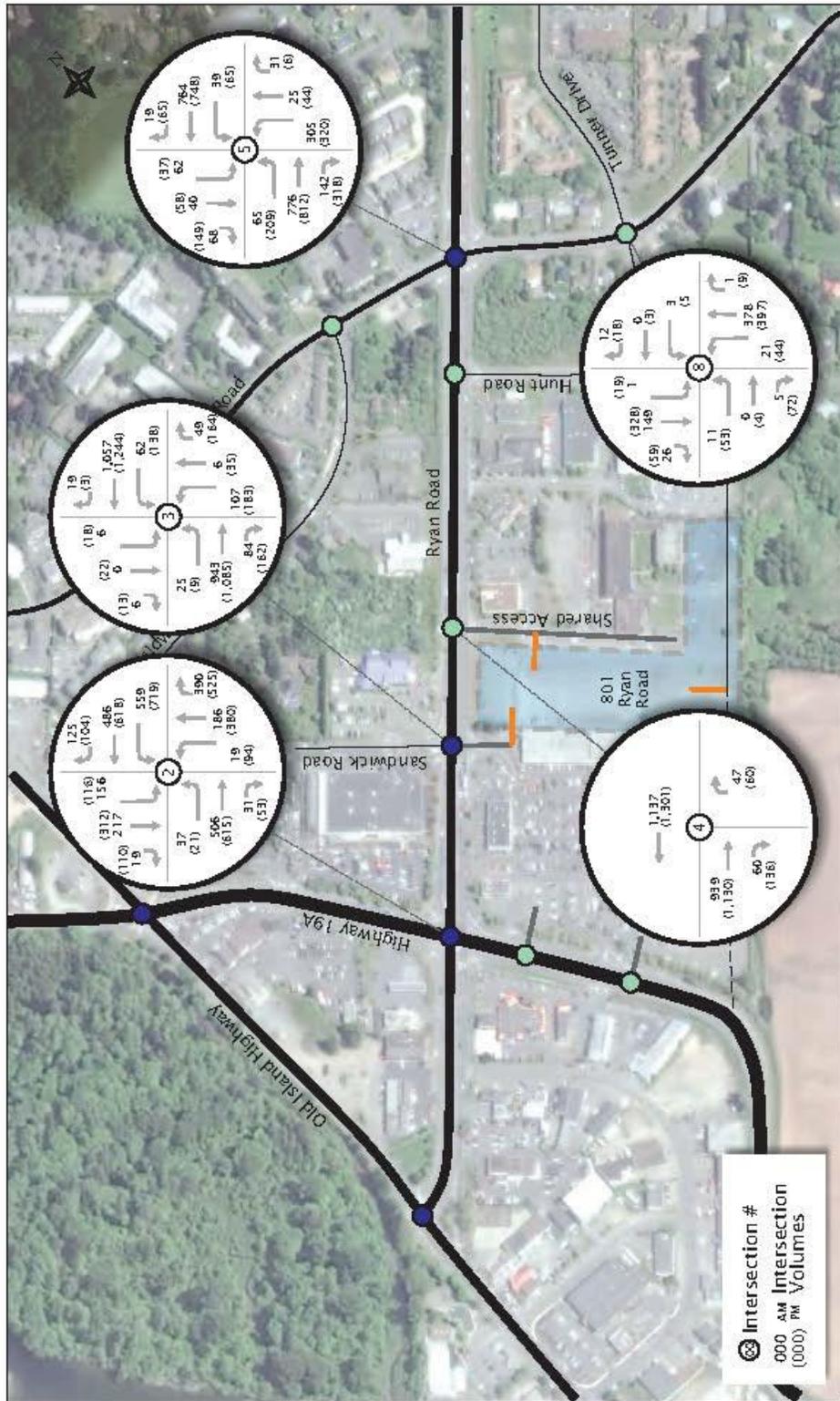
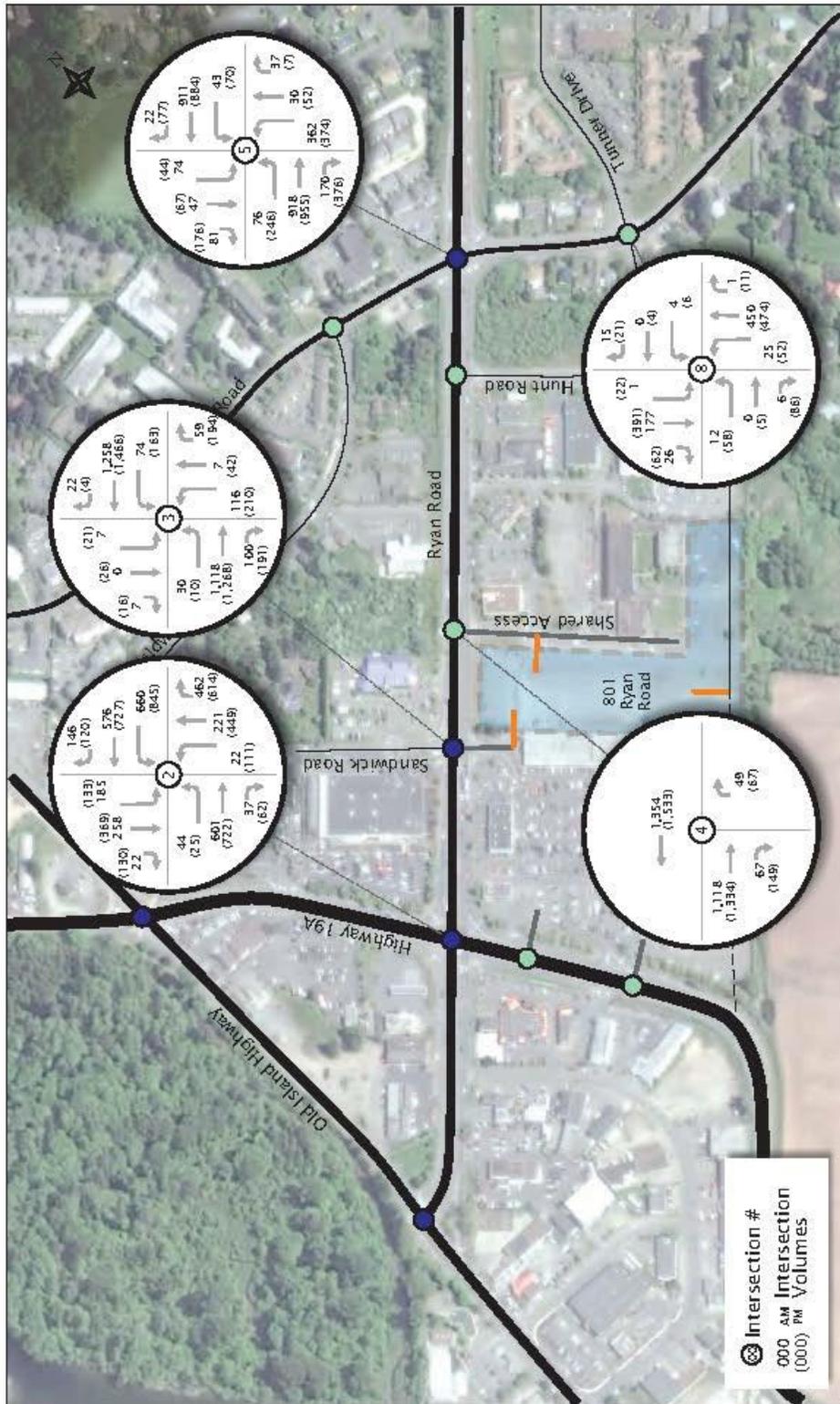


Exhibit 4.4
2022 Total Vehicle Forecasts
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 March 2021
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Exhibit 4.5
2032 Total Vehicle Forecasts

801 Ryan Road TIA
 March 2021

04-20-0120



4.2 Future Vehicle Operations

4.2.1 Future Conditions Analysis Assumptions

For the future conditions analysis, the cycle length, split length and intersection offset was optimized for each signalized intersection to adapt to the traffic growth over time. As with the existing conditions analysis, a heavy vehicle percentage of 2% was assumed. Peak hour factors were increased to match the increased congestion over time. For the 2022 horizon year, it was assumed that the peak hour factors would increase by 0.01 from the existing conditions. For the 2032 horizon year, it was assumed that the peak hour factors would increase by 0.03 from the existing conditions.

4.2.2 Future Background Vehicle Operations

Tables 4.4 and 4.5 summarize the background vehicle operational analysis results for horizon years 2022 and 2032, respectively. The results are largely similar to the existing conditions. Key findings include:

- The optimized signal timings at the Ryan Road & Highway 19A intersection improve the intersection's operations compared to the existing signal timings;
- The 95th percentile northbound left-turn queue from the shopping centre at 757 Ryan Road onto Ryan Road (at the Sandwich Road intersection) reaches its storage capacity during the PM peak hour. This queue is on private property which can be accommodated within the on-site parking lot; and,
- The northbound left turn from Back Road onto Ryan Road exceeds the storage capacity. The operations of this movement should be reviewed regularly as a growing number of drivers will rely on this movement to exit the neighbourhood and travel towards Downtown Courtenay. Alternatively, extending Tunner Drive to Highway 19A (including an eastbound left turn onto the highway) would relieve some of the pressure on this movement.

4.2.3 Future Total Vehicle Operations

Tables 4.6 and 4.7 summarize the total vehicle operations which are not noticeably different from the background conditions. The same congested movements exist within both sets of scenarios and the development does not significantly worsen any movements.

The critical vehicle movements for the background and total scenarios mostly include:

- Westbound left-turn movements on Ryan Road at Highway 19A with v/c ratio near or above 1.0;
- The eastbound and westbound through movements on Ryan Road at Highway 19A with v/c ratio near or above 0.90;
- The 95th percentile northbound left-turn queue from the shopping centre at 757 Ryan Road onto Ryan Road (at the Sandwich Road intersection) reaching its storage capacity during the PM peak hour; and,
- The northbound left turn from Back Road onto Ryan Road with v/c ratio near or above 1.0 and the 95th percentile queue reaching its storage capacity.

TRANSPORTATION PLANNERS AND ENGINEERS

Table 4.4: 2022 Background Vehicle Operations

INTERSECTION/ TRAFFIC CONTROL	MOVEMENT	AM PEAK HOUR			PM PEAK HOUR		
		LOS	V/C	95TH Q (M)	LOS	V/C	95TH Q (M)
Ryan Road & Highway 19A <i>Signalized</i>	<i>OVERALL</i>	<i>F</i>	<i>0.66</i>	-	<i>F</i>	<i>0.74</i>	-
	EBL	D	0.32	15	D	0.20	10
	EBT	D	0.63	60	D	0.85	95
	WBL	F	1.05	110	F	1.14	125
	WBT	C	0.56	55	D	0.79	80
	WBR	C	0.07	0	C	0.06	0
	NBL	C	0.07	10	D	0.47	35
	NBT	C	0.22	25	D	0.50	50
	NBR	C	0.23	20	D	0.31	30
	SBL	C	0.38	45	C	0.41	30
SBT	C	0.19	30	C	0.36	45	
Ryan Road & Sandwick Road <i>Signalized</i>	<i>OVERALL</i>	<i>D</i>	<i>0.42</i>	-	<i>B</i>	<i>0.60</i>	-
	EBL	A	0.07	5	B	0.04	0
	EBT/R	A	0.41	95	B	0.57	145
	WBL	A	0.17	10	B	0.46	20
	WBT	A	0.42	95	B	0.51	125
	WBR	A	0.01	0	A	0.00	0
	NBL	E	0.37	30	E	0.67	65
	NBT	D	0.02	5	D	0.10	20
	NBR	D	0.03	0	D	0.11	20
	SBL	E	0.15	5	E	0.28	15
SBT/R	E	0.0	0	E	0.28	20	
Ryan Road & Shared Access <i>Minor-leg Stop</i>	<i>OVERALL</i>	<i>A</i>	-	-	<i>A</i>	-	-
	EBT/R	A	0.39	0	A	0.47	0
	WBT	A	0.36	0	A	0.40	0
	NBR	B	0.03	0	A	0.06	0
Ryan Road & Back Road <i>Signalized</i>	<i>OVERALL</i>	<i>B</i>	<i>0.79</i>	-	<i>C</i>	<i>0.93</i>	-
	EBL	B	0.23	10	B	0.68	40
	EBT/R	B	0.52	60	B	0.61	75
	WBL	B	0.12	10	B	0.24	10
	WBT/R	C	0.70	70	C	0.72	4575
	NBL	D	0.86	65	F	1.03	80
	NBT/R	B	0.06	10	B	0.08	10
	SBL	C	0.30	15	C	0.18	10
SBT/R	C	0.19	15	C	0.30	25	
Back Road & Tunner Drive <i>Minor-leg Stop</i>	<i>OVERALL</i>	<i>A</i>	-	-	<i>A</i>	-	-
	EB/L/T/R	B	0.05	0	C	0.33	10
	WBL/T	B	0.03	0	B	0.04	0
	WBR	A	0.00	0	A	0.00	0
	NBL	A	0.02	0	A	0.04	0
	NBT/R	A	0.28	0	A	0.25	0
	SBL	A	0.00	0	A	0.02	0
SBT/R	A	0.12	0	A	0.23	0	

Table 4.5: 2032 Background Vehicle Operations

INTERSECTION/ TRAFFIC CONTROL	MOVEMENT	AM PEAK HOUR			PM PEAK HOUR		
		LOS	V/C	95TH Q (M)	LOS	V/C	95TH Q (M)
Ryan Road & Highway 19A <i>Signalized</i>	OVERALL	D	0.77	-	E	0.83	-
	EBL	E	0.42	20	E	0.26	15
	EBT	D	0.81	85	F	1.01	130
	WBL	F	1.02	105	E	0.99	135
	WBT	D	0.72	75	E	0.94	115
	WBR	C	0.08	0	D	0.07	0
	NBL	C	0.09	10	D	0.63	45
	NBT	D	0.28	30	D	0.63	65
	NBR	D	0.27	25	D	0.36	35
	SBL	C	0.50	45	C	0.56	35
Ryan Road & Sandwich Road <i>Signalized</i>	OVERALL	B	0.49	-	C	0.71	-
	EBL	A	0.11	5	B	0.06	5
	EBT/R	B	0.50	120	C	0.68	195
	WBL	A	0.24	10	C	0.59	35
	WBT	A	0.50	120	B	0.61	160
	WBR	A	0.01	0	A	0.00	0
	NBL	E	0.36	30	E	0.74	70
	NBT	D	0.03	5	D	0.12	20
	NBR	D	0.04	5	D	0.13	20
	SBL	E	0.17	5	E	0.32	15
Ryan Road & Shared Access <i>Minor-leg Stop</i>	OVERALL	A	-	-	A	-	-
	EBT/R	A	0.46	0	A	0.55	0
	WBT	A	0.42	0	A	0.47	0
	NBR	B	0.04	0	A	0.07	0
Ryan Road & Back Road <i>Signalized</i>	OVERALL	C	0.95	-	C	1.06	-
	EBL	B	0.27	10	C	0.80	65
	EBT/R	B	0.59	75	B	0.71	115
	WBL	B	0.22	10	C	0.51	25
	WBT/R	C	0.76	85	C	0.80	115
	NBL	E	0.99	85	F	1.15	110
	NBT/R	B	0.07	10	B	0.08	15
	SBL	C	0.34	20	C	0.20	15
Back Road & Tunner Drive <i>Minor-leg Stop</i>	OVERALL	A	-	-	A	-	-
	EBL/T/R	C	0.06	0	D	0.47	20
	WBL/T	B	0.03	0	C	0.06	0
	WBR	A	0.00	0	A	0.00	0
	NBL	A	0.02	0	A	0.05	0
	NBT/R	A	0.32	0	A	0.29	0
	SBL	A	0.00	0	A	0.02	0
	SBT/R	A	0.14	0	A	0.26	0

TRANSPORTATION PLANNERS AND ENGINEERS

Table 4.6: 2022 Total Vehicle Operations

INTERSECTION/ TRAFFIC CONTROL	MOVEMENT	AM PEAK HOUR			PM PEAK HOUR		
		LOS	V/C	95TH Q (M)	LOS	V/C	95TH Q (M)
Ryan Road & Highway 19A <i>Signalized</i>	<i>OVERALL</i>	<i>F</i>	<i>0.68</i>	-	<i>E</i>	<i>0.75</i>	-
	EBL	D	0.32	15	ED	0.20	10
	EBT	D	0.64	65	D	0.88	100
	WBL	F	1.81	110	F	1.17	125
	WBT	D	0.58	60	D	0.81	85
	WBR	C	0.08	0	C	0.06	0
	NBL	C	0.07	10	D	0.47	35
	NBT	C	0.22	25	D	0.50	50
	NBR	C	0.24	3020	D	0.32	30
	SBL	C	0.39	35	C	0.42	30
Ryan Road & Sandwich Road <i>Signalized</i>	SBT	C	0.18	25	C	0.34	45
	<i>OVERALL</i>	<i>B</i>	<i>0.45</i>	-	<i>C</i>	<i>0.64</i>	-
	EBL	A	0.08	5	B	0.04	0
	EBT/R	B	0.44	95	B	0.60	160
	WBL	A	0.18	10	B	0.47	20
	WBT	A	0.44	95	B	0.53	125
	WBR	A	0.01	0	A	0.00	0
	NBL	E	0.49	45	E	0.74	70
	NBT	D	0.02	5	D	0.10	20
	NBR	D	0.03	0	D	0.11	20
Ryan Road & Shared Access <i>Minor-leg Stop</i>	SBL	E	0.15	5	E	0.28	15
	SBT/R	E	0.00	0	E	0.28	20
	<i>OVERALL</i>	<i>A</i>	-	-	<i>A</i>	-	-
	EBT/R	A	0.40	0	A	0.48	0
Ryan Road & Back Road <i>Signalized</i>	WBT	A	0.36	0	A	0.41	0
	NBR	B	0.07	0	A	0.08	0
	<i>OVERALL</i>	<i>C</i>	<i>0.82</i>	-	<i>C</i>	<i>1.00</i>	-
	EBL	B	0.22	10	C	0.72	45
	EBT/R	B	0.51	60	B	0.63	80
	WBL	B	0.21	10	C	0.44	20
	WBT/R	C	0.65	65	C	0.69	75
	NBL	D	0.86	70	F	1.06	85
	NBT/R	B	0.06	10	B	0.08	10
	SBL	C	0.30	15	C	0.18	10
Back Road & Tunner Drive <i>Minor-leg Stop</i>	SBT/R	C	0.19	15	C	0.31	25
	<i>OVERALL</i>	<i>A</i>	-	-	<i>A</i>	-	-
	EBL/T/R	B	0.05	0	C	0.38	15
	WBL/T	B	0.03	0	B	0.04	0
	WBR	A	0.00	0	A	0.00	0
	NBL	A	0.02	0	A	0.04	0
	NBT/R	A	0.28	0	A	0.25	0
	SBL	A	0.00	0	A	0.02	0
SBT/R	A	0.13	0	A	0.24	0	



Table 4.7: 2032 Total Vehicle Operations

INTERSECTION/ TRAFFIC CONTROL	MOVEMENT	AM PEAK HOUR			PM PEAK HOUR		
		LOS	V/C	95TH Q (M)	LOS	V/C	95TH Q (M)
Ryan Road & Highway 19A <i>Signalized</i>	OVERALL	D	0.76	-	E	0.86	-
	EBL	E	0.42	20	E	0.26	15
	EBT	D	0.82	90	F	1.07	140
	WBL	F	1.05	110	E	0.98	135
	WBT	D	0.74	75	E	0.99	125
	WBR	C	0.09	0	D	0.07	0
	NBL	C	0.09	10	D	0.63	45
	NBT	D	0.28	30	D	0.63	65
	NBR	D	0.28	25	D	0.37	35
	SBL	C	0.51	45	D	0.61	40
Ryan Road & Sandwich Road <i>Signalized</i>	OVERALL	B	0.52	-	C	0.75	-
	EBL	A	0.12	5	B	0.06	5
	EBT/R	B	0.52	125	C	0.71	205
	WBL	A	0.25	10	C	0.62	40
	WBT	B	0.51	120	B	0.62	160
	WBR	A	0.01	0	A	0.00	0
	NBL	E	0.51	45	E	0.82	85
	NBT	D	0.02	5	D	0.11	20
	NBR	D	0.04	5	D	0.13	20
	SBL	E	0.17	5	E	0.32	15
Ryan Road & Shared Access <i>Minor-leg Stop</i>	OVERALL	A	-	-	A	-	-
	EBT/R	A	0.46	0	A	0.55	0
	WBT	A	0.42	0	A	0.47	0
	NBR	B	0.07	0	B	0.09	0
Ryan Road & Back Road <i>Signalized</i>	OVERALL	C	0.95	-	C	1.06	-
	EBL	B	0.28	10	D	0.83	70
	EBT/R	B	0.60	75	B	0.74	125
	WBL	B	0.26	15	D	0.74	35
	WBT/R	C	0.76	85	C	0.82	120
	NBL	E	0.99	85	F	1.09	110
	NBT/R	B	0.07	10	B	0.08	10
	SBL	C	0.34	20	C	0.19	15
Back Road & Tunner Drive <i>Minor-leg Stop</i>	OVERALL	A	-	-	A	-	-
	EBL/T/R	C	0.06	0	D	0.52	20
	WBL/T	B	0.03	0	C	0.06	0
	WBR	A	0.00	0	A	0.00	0
	NBL	A	0.02	0	A	0.05	0
	NBT/R	A	0.32	0	A	0.29	0
	SBL	A	0.00	0	A	0.02	0
	SBT/R	A	0.14	0	A	0.27	0

4.2.1 Right-Turn Lane Warrant

The City requested that Bunt conduct an auxiliary (also called continuous) right-turn lane warrant for the eastbound direction on Ryan Road. Ryan Road currently has three private accesses between Sandwick Road and Hunt Road which covers a 300-metre distance, equating to an average access spacing of 100 metres.

The Transportation Association of Canada Design Guide for Canadian Roads does not provide specific guidance regarding when auxiliary right-turn lanes should be provided, however, a variety of positive and negative impacts are noted. NCHRP notes a range of requirements for an intersection right-turn lane based on State Transportation Departments. The requirements range from 5 right-turning vehicles per hour to 120 vehicles per hour. The 2032 total vehicle forecast for the PM peak hour results in 95 vehicles turning right into the shared access.

Bunt does not recommend a right-turn auxiliary lane on Ryan Road as it does not appear to produce any significant benefits, i.e. considerable operation performance, in exchange for the space it would occupy. In addition, the City's Transportation Master Plan does not mention widening Ryan Road.

4.2.2 Tunner Drive Extension

The Tunner Drive Extension from 801 Ryan Road to Back Road provides the site with a full-movement access point such that vehicle movements in all directions can be accommodated without requiring access to private property. The Tunner Drive Extension access provides an alternate route for trips to the west to bypass traffic from the shopping centre which could be particularly valuable during busy shopping periods.

More generally, the full Tunner Drive Extension from Back Road to Highway 19A will likely have a positive transportation impact as it will alleviate traffic travelling on Ryan Road; however, its exact impact is out of the scope of this study as it is dependent on its future intersection configuration with Highway 19A (not known at this time) as well as the redevelopment plans for the private properties needed to make space for it (such as the neighbouring shopping centre at 757 Ryan Road).

The Tunner Drive Extension will provide additional east-west travel opportunities within the local network, which is much needed as multiple properties do not border a public street. Many properties (such as 801 Ryan Road) do not and will not have direct access to a public street. The City's Transportation Master Plan also notes a desire to limit private access points on Ryan Road to right-turns only. Thus, additional public streets south of Ryan Road will provide more travel opportunities and connections to make left-turns into and out of the neighbourhood without relying upon private shared access agreements. In addition, it will provide a new east-west active transportation connection important to the City's long-term bicycle network.



5. SUMMARY & RECOMMENDATIONS

5.1 Summary

1. The proposed development includes 247 rental residential units. The development will extend Tunner Drive through the site, creating a new public street with a multi-use path. The development will also have shared access agreements to the properties on either side.
2. The development plan includes a series of internal sidewalks to connect the three buildings to Ryan Road, adjacent properties, and to the future Tunner Drive extension, the development is constructing.
3. Bicycle parking will be provided at a rate of one secure bicycle parking space per unit. Short-term bicycle racks will also be provided outside each of the three buildings.
4. Vehicle parking will be provided at a rate of 1.26 vehicle parking spaces per unit (1.13 spaces/unit for residents and 0.13 spaces/unit for visitors) as opposed to the bylaw rate of 1.5 vehicles per unit. Bunt considers this rate to be appropriate for the proposed rental tenure and local context and is above the typical parking demand at the developer's existing rental buildings on Vancouver Island.
5. The development is anticipated to generate approximately 100 vehicle trips per peak hour which is forecasted to increase the volume of vehicles using nearby intersections by 2% or less. This quantity of change is within daily variations in vehicle traffic. The development's vehicle trip generation is not anticipated to cause any noticeable impacts to intersection operations or safety.
6. The eastbound through, westbound through, and left-turn movements at the Ryan Road & Highway 19A intersection will not meet the specified performance thresholds in the future background traffic conditions without the proposed development. The northbound left-turn from Back Road onto Ryan Road is also anticipated to become more critical over time, however, only a small number of development-generated vehicles are anticipated to use this movement.
7. The Tunner Drive extension constructed by the development is anticipated to have a positive impact on local circulation for all transport modes as it will provide a parallel route to Ryan Road and include a multi-use pathway. Additional benefits may be realized if it is extended to Highway 19A in the future, however, a detailed analysis is not included in the scope of this study.

5.2 Recommendations

8. Updates on the signal timing plans should be done regularly to improve vehicle operations (with or without the proposed development) to keep abreast of the traffic changes. This is anticipated to keep most operational concerns at a manageable level.
9. No additional off-site transportation infrastructure is required to accommodate the proposed development.

Schedule No. 4: Public Information Meeting Summary



**Glenhart Views, 801 Ryan Road, Courtenay BC
Multifamily Rental Development Proposal – OCP & Zoning Amendments Application
RZ000050**

Date: 8/17/2020

RE: Public Information Notification Summary Report

Date of mail out: July 27th, 2020

Method	Number of Comments Received
Mail	0
Phone	0
Email	1

One comment was received from Ricky's All Day Grill (795 Ryan Rd #1 Courtenay BC V9N 3R6) via email: "As a tenant of the adjoining property we wanted to pass on our comments about the proposed development at 801 Ryan Rd we believe that the rental property development will be a great asset for the area and the economy."

For information provided in mail out please see the attached letter.

Sincerely,
Rachel Ricard
Development Manager
Seymour Pacific Developments and Broadstreet Properties

100 St. Ann's Road, Campbell River, BC V9W 4C4
T. 250.286.8045 | F. 250.286.8046 | W. www.broadstreet.ca | W. www.seymourpacific.ca



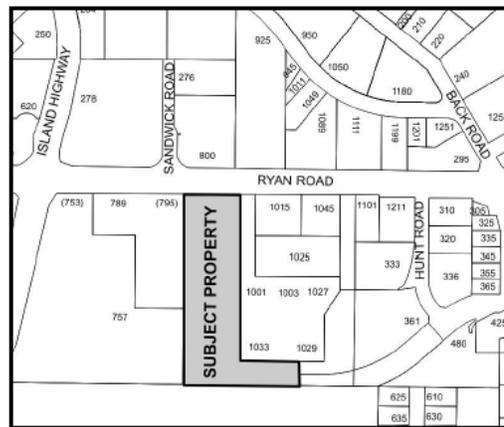
July 27th, 2020

To whom it may concern,

This letter is to inform you of a new development proposal located at 801 Ryan Road, Courtenay, BC V9N 3R6. The proposed project consists of 3 rental apartment buildings. One 59-unit building and two 96-unit buildings.

For the subject property at 801 Ryan Road, Courtenay BC, Broadstreet Properties has applied for:

- An application to rezone the subject property from a C-1A Zone to a site-specific Comprehensive Development (CD) Zone



SUBJECT PROPERTY – 801 Ryan Rd

You can view relevant documents on The City of Courtenay website:
www.courtenay.ca/devapptacker (search by file number RZ000050 or by address 801 Ryan Rd)

Comments can be submitted to Broadstreet Properties by one of the following methods:

- By mail: Attn: Rachel Ricard at 100 St. Ann's Rd, Campbell River, BC V9W 4C4
- By email: rachel.ricard@seymourpacific.ca
- By phone: 250-850-3212

Please return your comments by **August 14th, 2020**

100 St. Ann's Road, Campbell River, BC V9W 4C4
T. 250.286.8045 | F. 250.286.8046 | W. www.broadstreet.ca | W. www.seymourpacific.ca



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**).

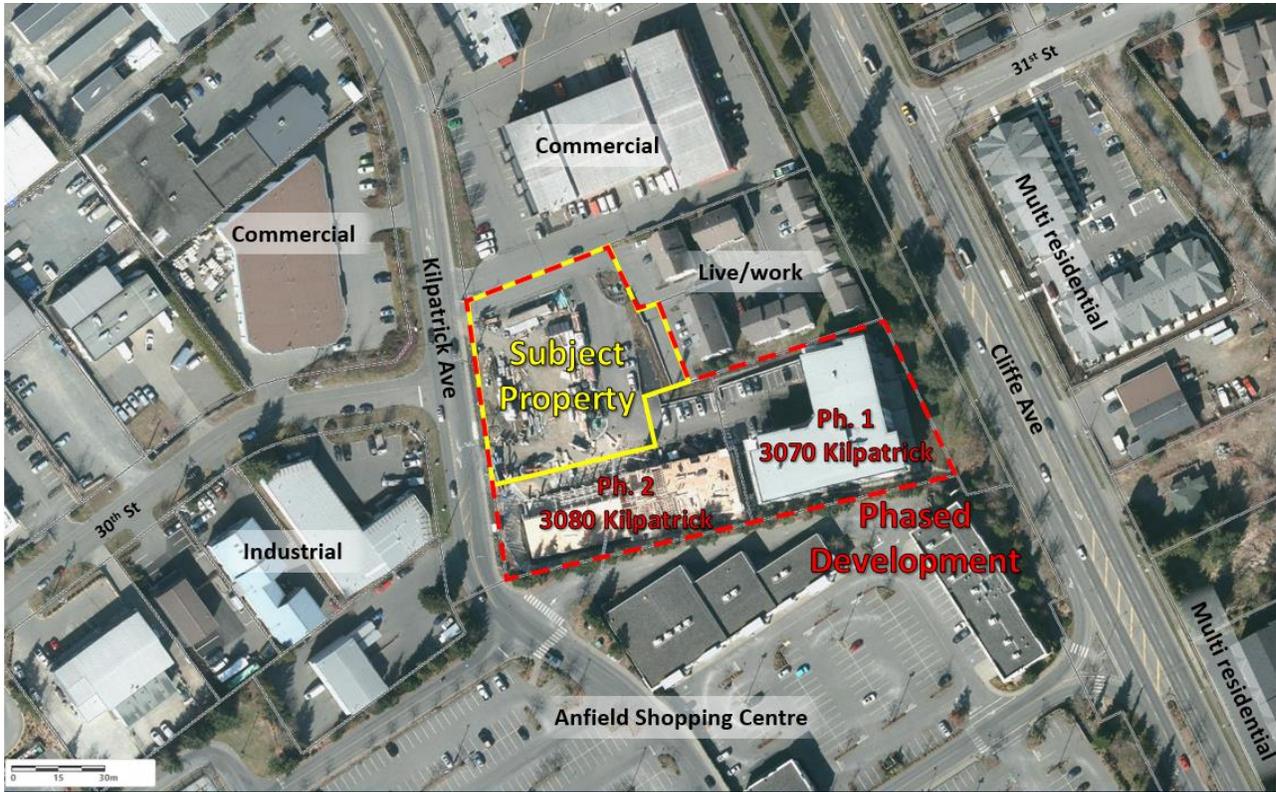


Figure 1: Subject Property and Context

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:

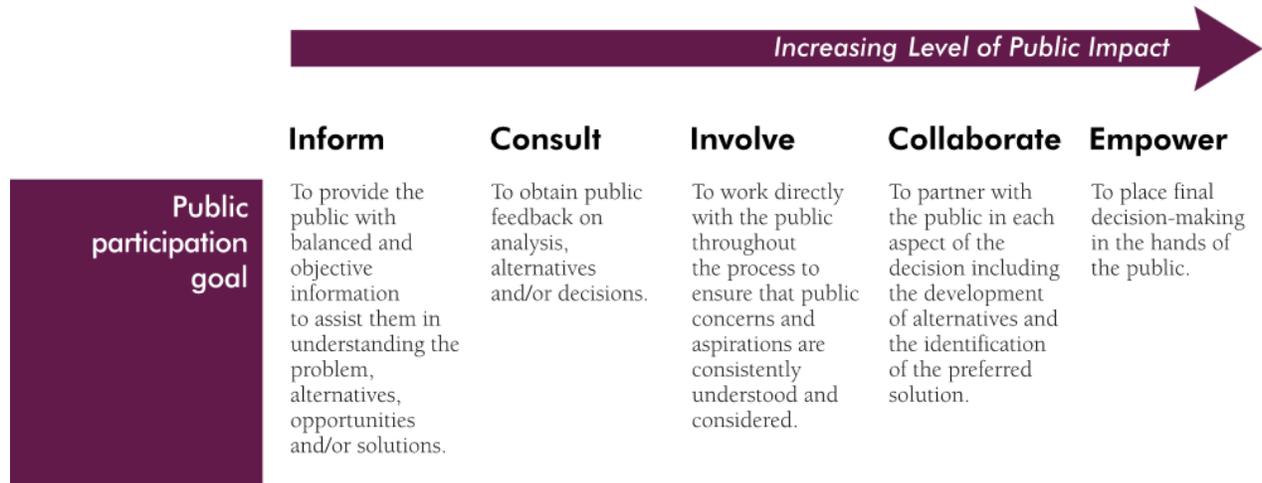
- Objective 1: (1) The City will encourage and support initiatives that reduce the number of passenger vehicle trips throughout the community
- Objective 1: (4) The City will reduce the ratio of parking for new developments within its jurisdiction
- Objective 2: (3) To encourage incremental infill development 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.

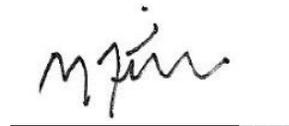
OPTION 3: Defeat Bylaw No. 3030.

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

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 B

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



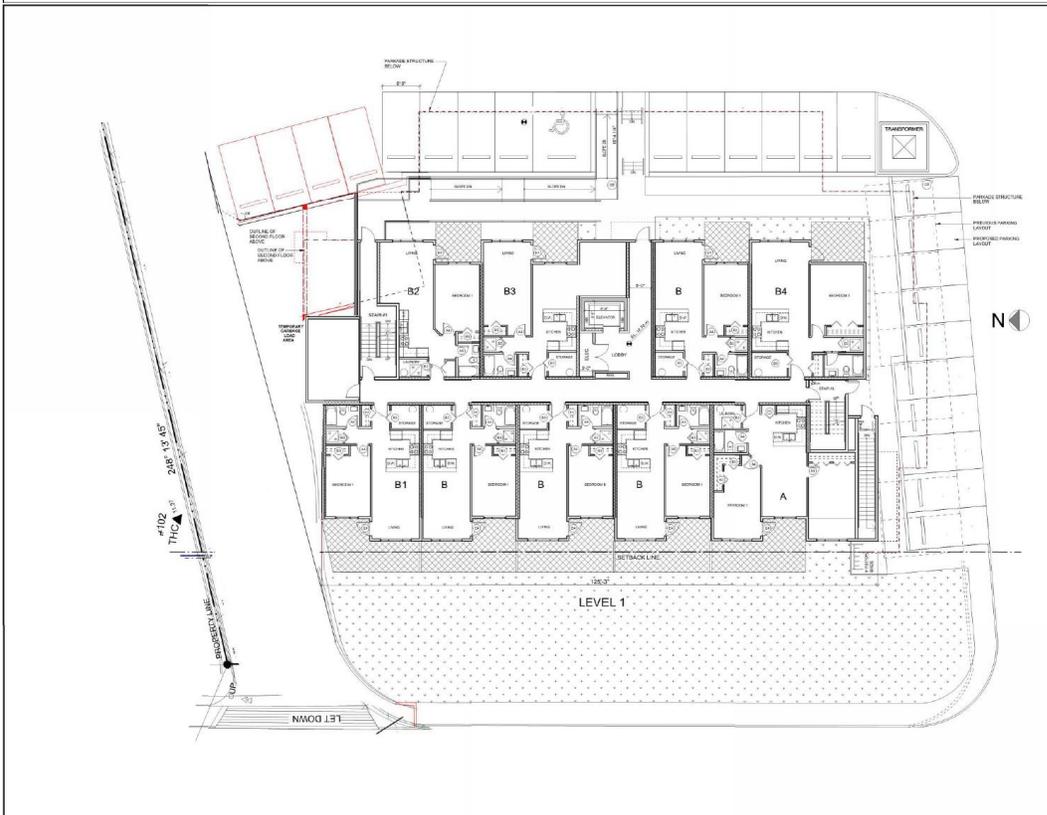
NEWMARK VILLAGE
COURTNEY DEVELOPMENTS LTD
BUILD 3
OCP & RE-ZONING
APPLICATION
2021.06.28
A - 1.27



NEWMARK VILLAGE
COURTNEY DEVELOPMENTS LTD
BUILD 3
OCP & RE-ZONING
APPLICATION
2021.06.28
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Schedule C

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

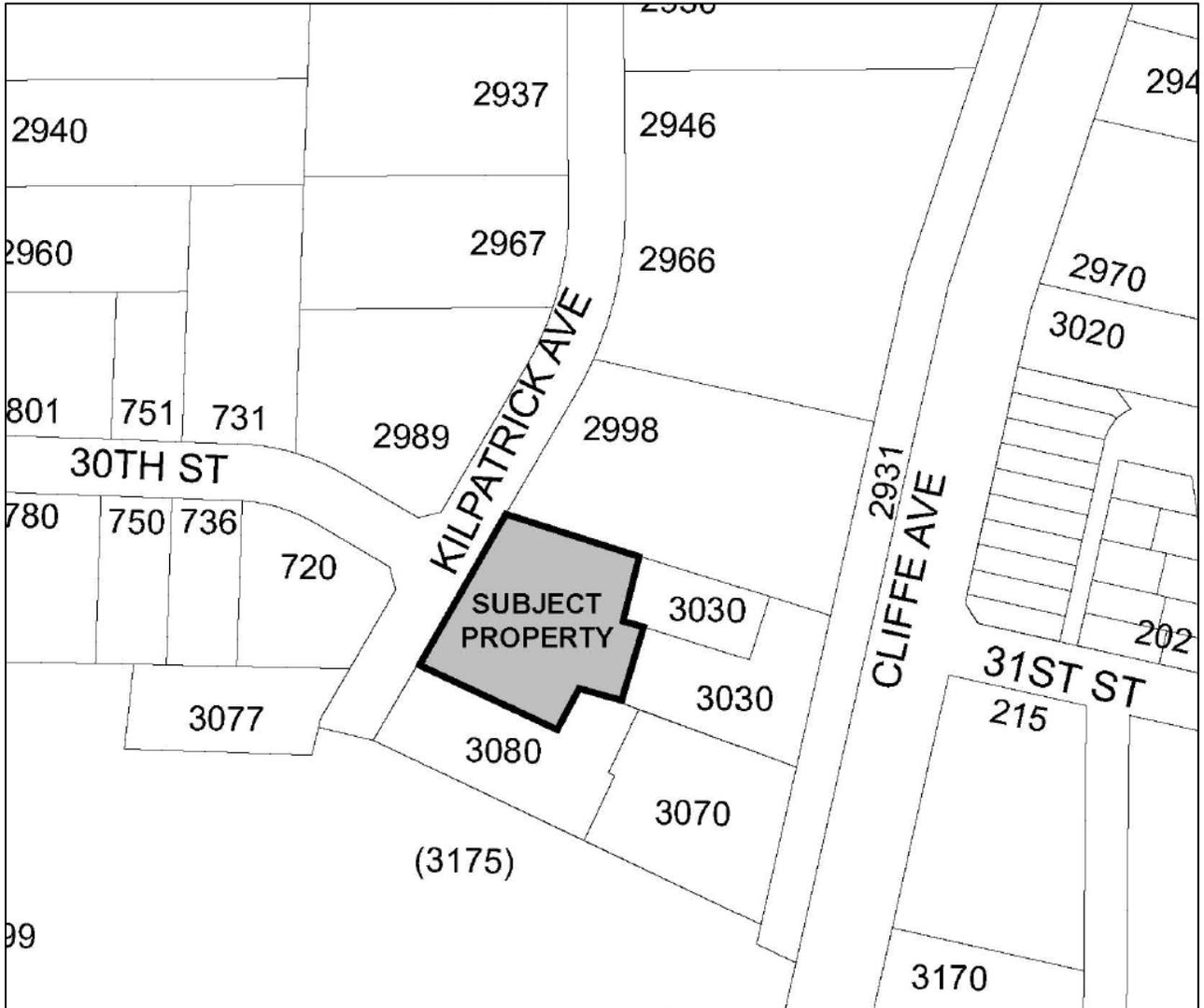


NEWPORT VILLAGE
 COURTHOUSE DEVELOPMENTS LTD
 BUILD 3
 OCP & RE-ZONING
 APPLICATION
 2021.06.28
 A - 1.20



NEWPORT VILLAGE
 COURTHOUSE DEVELOPMENTS LTD
 BUILD 3
 OCP & 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

#251-255 Newport Drive, Port Moody, BC, Canada, V3H 5H1 / P a g e | 1
P. 604.722.0430 / F. 604.519.0005

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

NEWPORT VILLAGE
COURTENAY

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
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?
	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



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]

NEWPORT VILLAGE COURTENAY

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 signature]

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

[Redacted contact information]

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

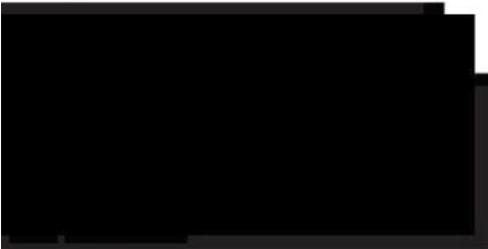
Continued from above

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 **No intention of doing** 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 in 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 all 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 turn 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, V5C 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 MCIP

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 1480
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
	3554 Rouston Rd Courtenay		NS Covid
	35521 Rouston 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 Lomond Pl Courtenay		NS-Covid
	2249 Clark 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
	2268 Walbran Dr Courtenay		NS Covid
	4695 B Ashwood Pl COMOX Comox		NS Covid
	654 OLYMPIC DR COMOX		NS Covid
	1912 Dogwood Dr Courtenay		NS Covid
	1830 WRAHART 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.**

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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 COCKER AVE. CONROY		NS - COVID
	1257 DON RD. CONROY		NS - COVID
	956-26 th St Courtenay		NS-Covid
	2197 6 th St East Courtenay		NS-Covid
	304 Bates Dr. Fanny Bryce		NS-Covid
	T#9-109 8 th St. Courtenay		NS-Covid
	1883 England Ave Courtenay		NS-Covid
	2185 Willemar Courtenay		Email-Covid
	5760 Sea Terrace Rd Courtenay		Email-Covid
	123-303 Arden Rd Courtenay		NS-Covid
	7000 Anderson Dr Hornby Island		NS-Covid
	4745 FORBIONEY PLAZA RD. COURTENAY		NS - COVID
	2288 Suffolk Cr Courtenay		NS-Covid
	4780 BLUE HERON DRIVE BOWSEN		NS - COVID
	3432 Harbourside Rd Courtenay		NS-Covid

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**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
	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

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

5

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 AVE. COURTENAY		NS - COVID
	2106 EVANS PLACE COURTENAY		NS - COVID
	2132 HARDY 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
	2576 Willard Ave Cumberland		NS COVID
	#202-4699 Alderwood Ave COURTENAY		NS COVID
	4000 PARNELL RD HORSBY ISLAND		NS COVID
	2172 Cooke 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 ALTON RD Courtenay		NS/COVID
	3208 5 th ST. CUMBERLAND		NS/COVID
	1237 Mason Ave COMOX		NS/COVID
	1237 Mason COMOX		NS/COVID
	1570 WEBBON RD COURTENAY		NS/COVID
	3266 7 th St Unit 12 Cumberland		NS/COVID
	3266 7 th St Unit 12 Cumberland		NS/COVID
	3208 5 th ST CUMBERLAND		NS/COVID
	1651 Robb Ave COMOX		NS/COVID
	8940 COMOX RD COURTENAY		NS/COVID
	1618 BALSAM COMOX		NS/COVID
	2550 HARBIDES CRES. 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 CRES. 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
	2440 WALBRAN COURTENAY		NS Covid
	AFT 404-1355 Cumberland Courtenay		NS Covid
	#204-4700 ALANWOOD PL COURTENAY		NS/COVID
	1064-B 17th ST Courtenay BC		NS/COVID
	#9-1270 Guthrie Comox		NS/COVID
	2135 Cardinal Pl Comox		NS/COVID
	#14-3266 7th CUMBERLAND		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

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
	1265 WILHELM AVE. 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 REMM 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 9 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
	9 Adams Rd Upper 206 Campbell River		NS Covid
	85 Rod+Gun Rd		NS-COVID
	85 Rod+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 Spitfire Dr Comox		NS-COVID
	4421 DOVE CREEK RD. COURTENAY		NS-COVID
	646 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
	#3-521 WINSLOW RD KYE BAY BC		NS-COVID
	32-4185 Headquarters COURTENAY BC		NS-COVID
	1463 Seaview Cr Black Creek Bf		NS-COVID
	5084 SPENCE COURTENAY		NS-COVID
	#10-1957 GUTHRIE RD COMOX		NS-COVID
	#221-3030 KILPATRICK COURTENAY		
	#221-3030 KILPATRICK COURTENAY		

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 +02v rd.		
	647-8337431		
	1254 Mayfair Rd		
	3311 BOOD RD		
	K 76 BIRCH AVE		
	1450 Taylor Ave		
	6907 Railway		
	4331 Brookdale		
	2625 Mansfield		
	1937 Richard. salt		
	41-1400 Park St Rememberton		

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
	A2-1957 Guthrie Rd Cmx		
	1797 Knight Rd Com		
	160 W. Howe Way Con		
	2630 Merville Rd		
	4281C Forbidden Plateau <small>Courtenay</small>		
	16245 31st St City		
	1582B Maronia Cr.		
	4503 Maple Dunes Drive		
	345 Alwood Crescent		
	1695 STEPHAN RD BLACK CREEK		
	4974 4th St		
	2605 Mansfield Dr		
	11 1r		
	9060 Clarkson - D/K Cr		
	4710 Gail Cres		
	677 Murrelet Ct.		

14

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
	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 Schjelderop		
	1429 Malahat Dr		
	2828 Wentworth Rd		
	2600 Kendal ave		
	250-702-1252		

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

15

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
	67 Richmond Park Dr.		
	27-1220 Futuristic Rd		
	202 846 Shawrock p		
	Tatasis BC		
	Totino Bc		
	QBc		
	Campbell R		
	L Courtenay		
	Adrianoff		
	951 17th St		
	604		
	Courtenay		
	Courtenay		

Petition to deny Zoning Change and Residential Building Development at 3040 Kilpatrick Ave. 16

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
	3642 Minto Rd. Courtenay		
	1406 Vallequiere Dr		
	3642 Minto Rd Courtenay		
	86 LEASH		
	501 Arbuthot Bay Rd		
	6241 Olympia Way		
	4709 Cumberland Rd		
	"		
	3389 Bolton St Cumberland		
	1966 COLEMAN RD		
	1945 Hollyden Cres		
	1401 Embleton		
	4326 Bridale Rd		

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

17

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Name	Address	Phone #	Signature
	37 Salsbury Rd. Courtenay BC V9N9		
	798 Stewart Ave Courtenay BC V9N		
	3511 Royston R.d. Courtenay BC V9N9P9		
	Comox V9M2G5		
	Comox V9M-265		
	Union Bay		
	Cumberland B.C. Comox		
	2048 BOLT AVE		
	Courtenay		
	Comox BC		
	Comox BC		
	Courtenay BC		
	COURTENAY		
	COURTEWAY		
	bonder		
	bonder		

Schedule No. 4: Site and Building Plans

**NEWPORT VILLAGE COURTENAY
 DEVELOPMENTS LTD.**
 OWNER:
 A/E: NEWPORT VILLAGE COURTENAY
 DEVELOPMENTS LTD.
 P: 604-519-0005
 F: 604-519-0005
 FX 604-519-0005

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

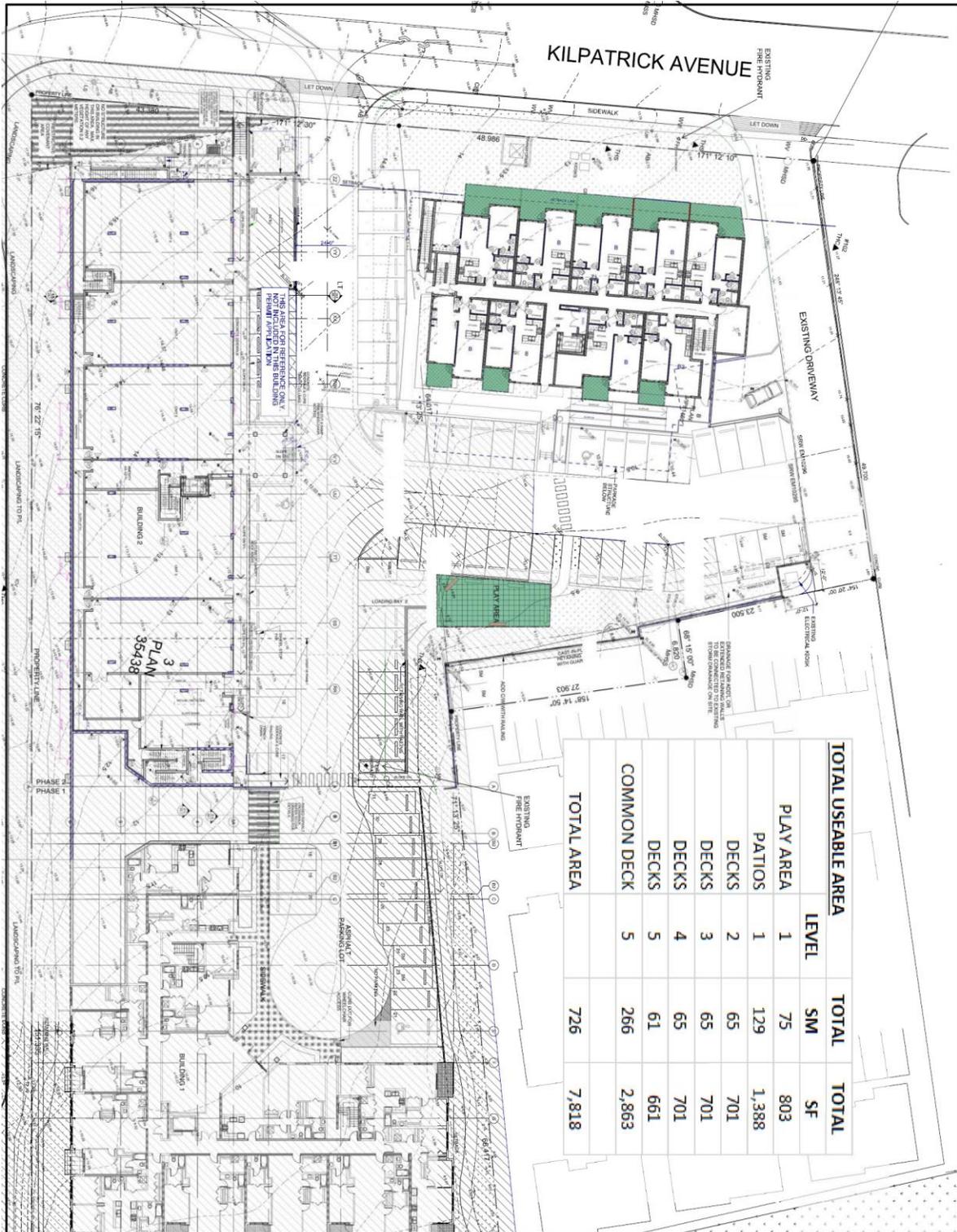


NEWPORT VILLAGE COURTENAY DEVELOPMENTS LTD
BUILD 3
OCIP & RE-ZONING APPLICATION
2021.06.28
A - 0.01

SITE ENTRANCE PROJECT OFFICE ADDRESS LEGAL DESCRIPTION ZONING SITE AREA SITE COVERAGE SITE PERMITS F.A.N.		3040 KILPATRICK AVE., COURTNEY R.C. LOT 1 SECTION 67 COMMON DISTRICT PLAN EP199791 EXCEPT AIR SPACE PLAN EP199797 CO 40,366 SQ. FT. 8,000% (28) 747 SQ. SO. M.																																																																																																																																																																																																																																																																																																																																																																																																																									
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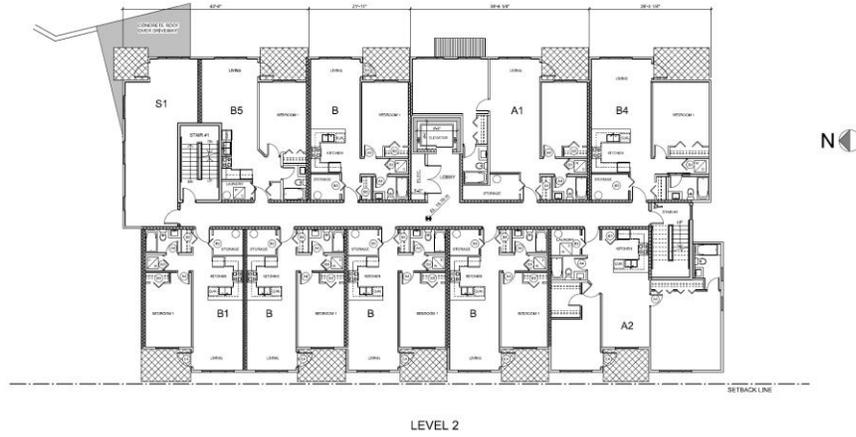


 <p>dlbs design, drafting, landscape & engineering 1000 West Beaver Creek Road, Suite 200 Richmond Hill, Ontario L4B 1N2 Tel: (905) 882-1111</p>	LANDSCAPE BUFFER SITE SETBACKS
	WINDMILL BUILDING COMMERCIAL DEVELOPMENTS LTD BUILD 3
OCP & RE-ZONING APPLICATION 2021.06.28	
A - 1.02	



dlbs
 Delta Building Solutions & Design
 1000 West 10th Street, Suite 100
 Vancouver, BC V6P 2C6
 Tel: 604.681.1111

USEABLE AREA = 726 SM
 NEAREST MILAGE
 CANTERLEY DEVELOPMENTS LTD
 BUILD 3
 OCP & RE-ZONING
 APPLICATION
 2021.06.28
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LEVEL 2

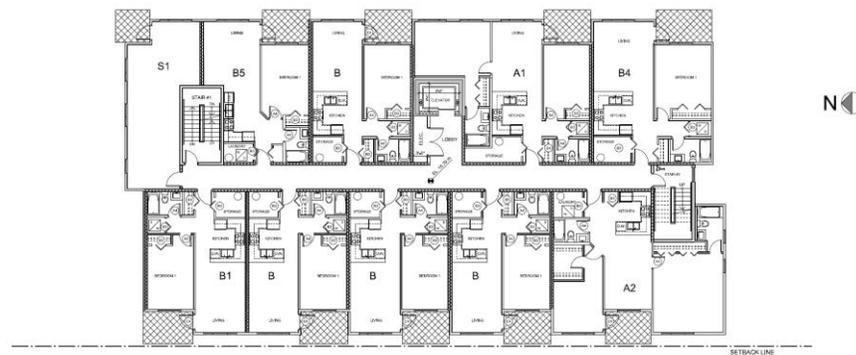
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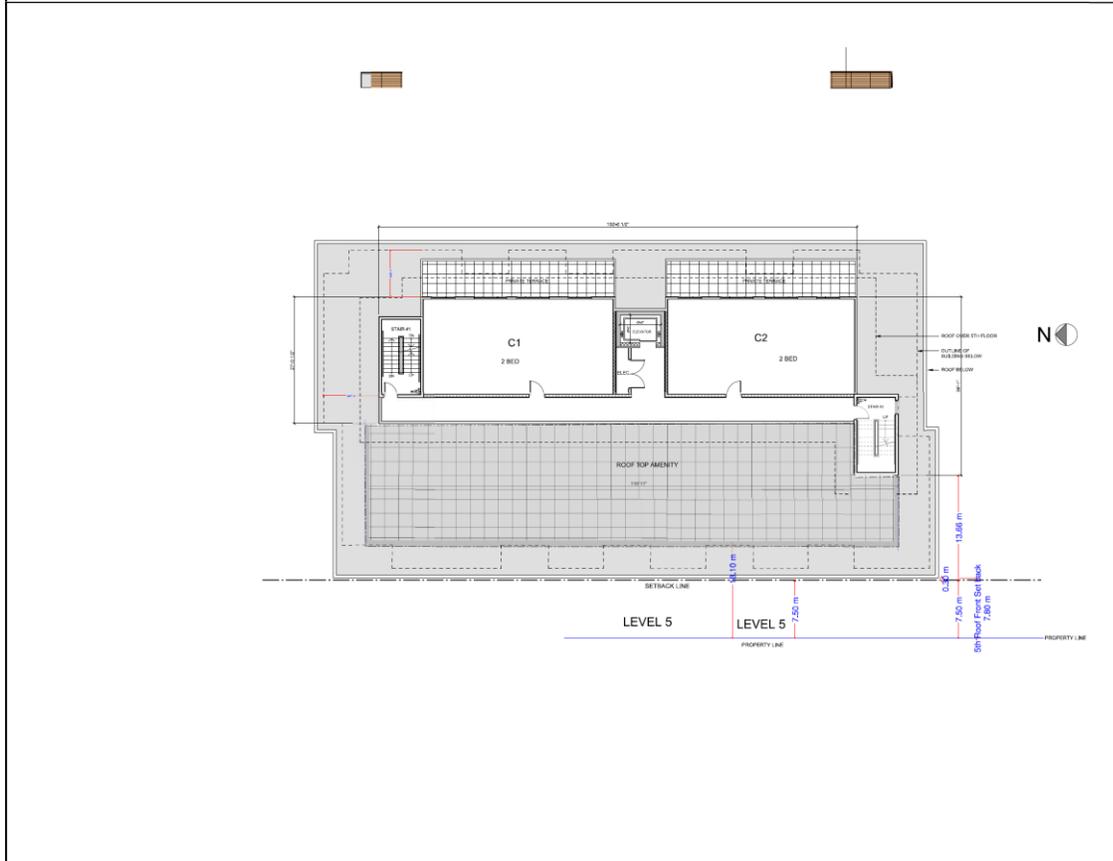
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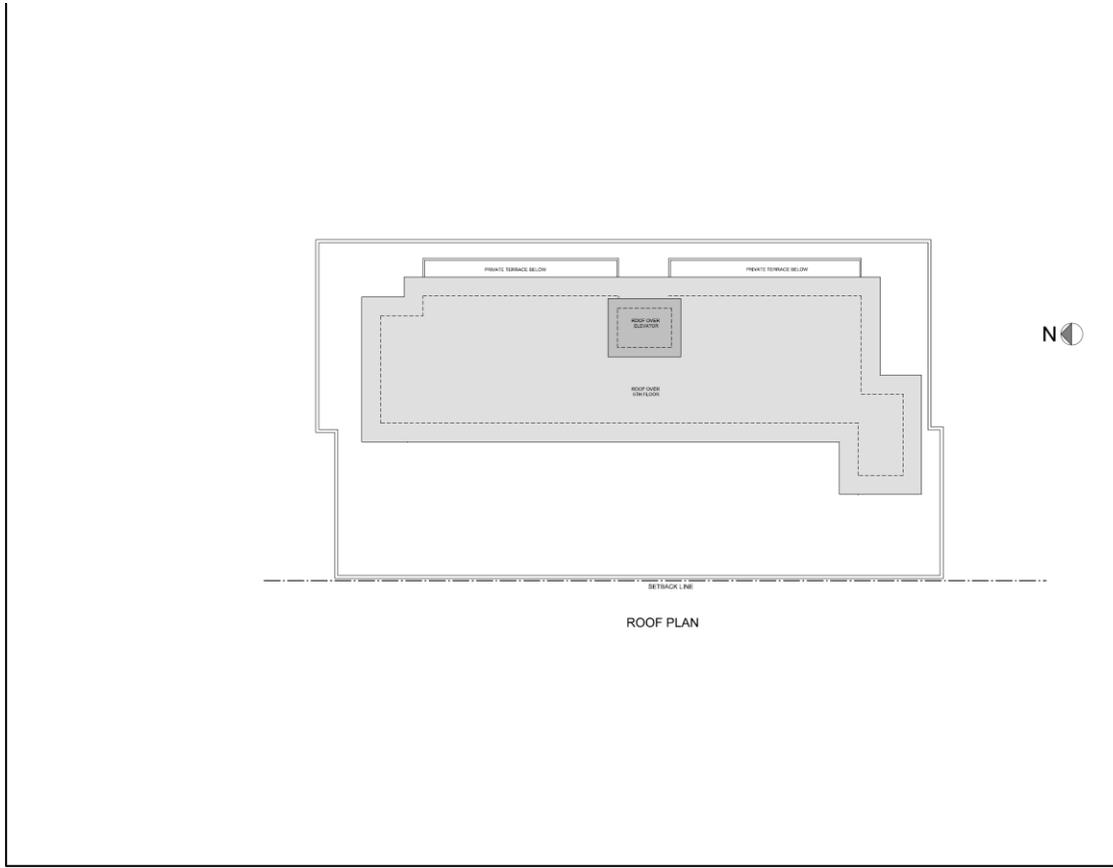
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WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION



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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. <i>The application:</i>	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.

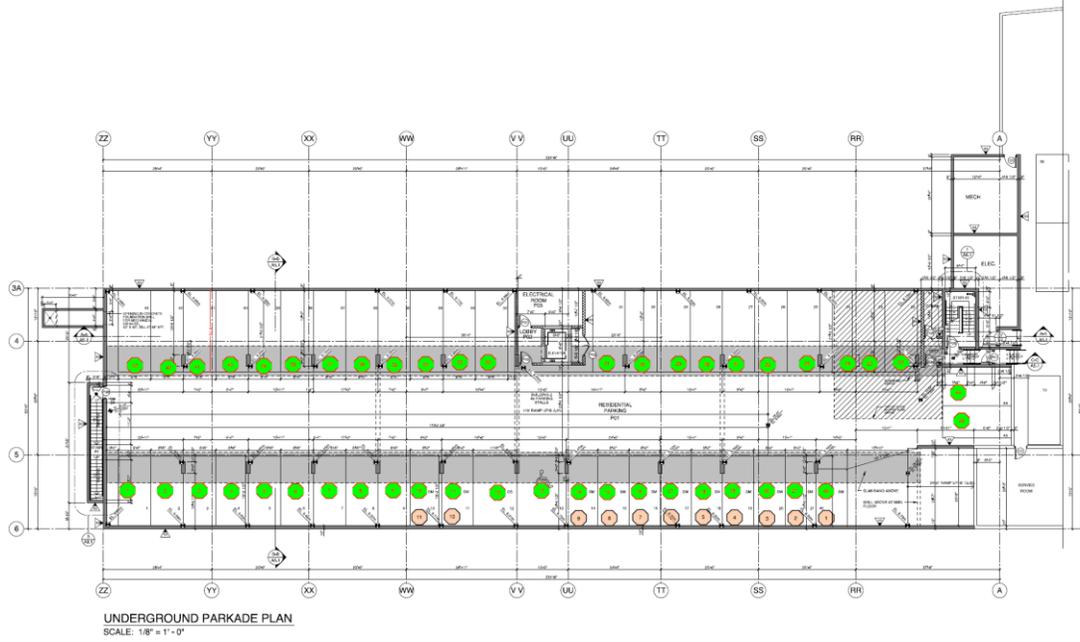
Character & Identity. <i>The application:</i>	Description of how the criteria are met
a) Provides a positive image along waterfront areas and fronting road;	Fronting roads will have a positive image opposed to commercial or dirt.
b) Is designed with quality and variety of features within the project (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





3040 KILPATRICK AVENUE

Parking Study

A handwritten signature in black ink that reads "Tim Shah".

Author: Tim Shah, RPP, MCIP

A handwritten signature in black ink that reads "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)

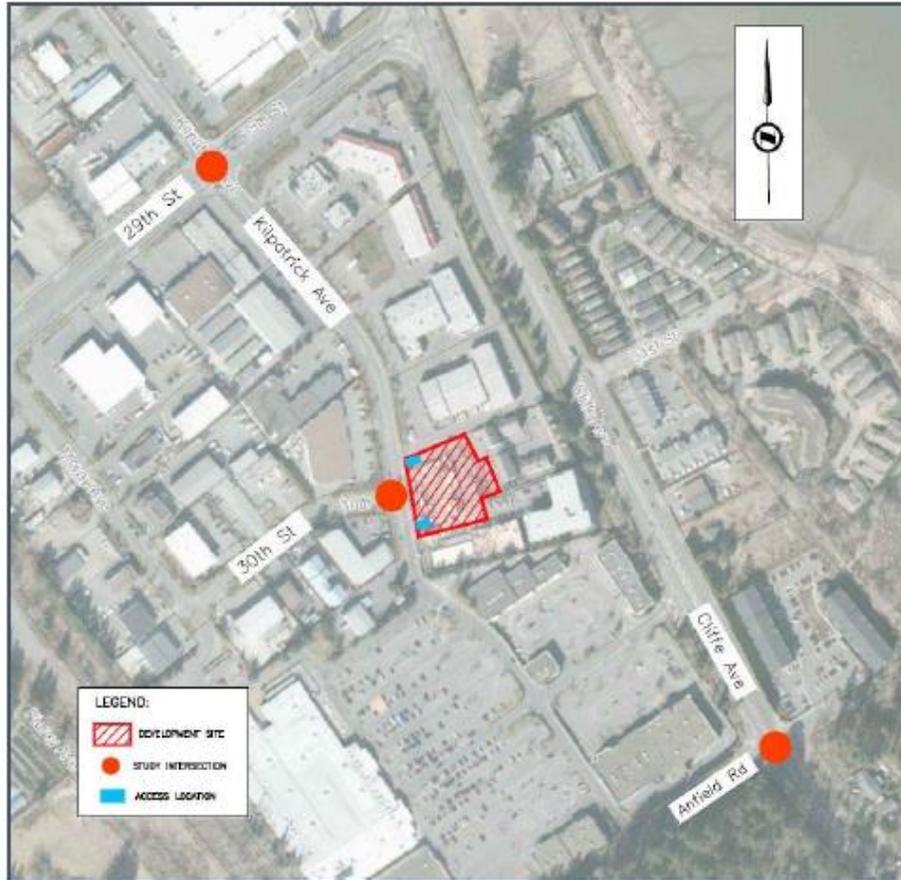


Figure 1: Study Area and Site Location

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.

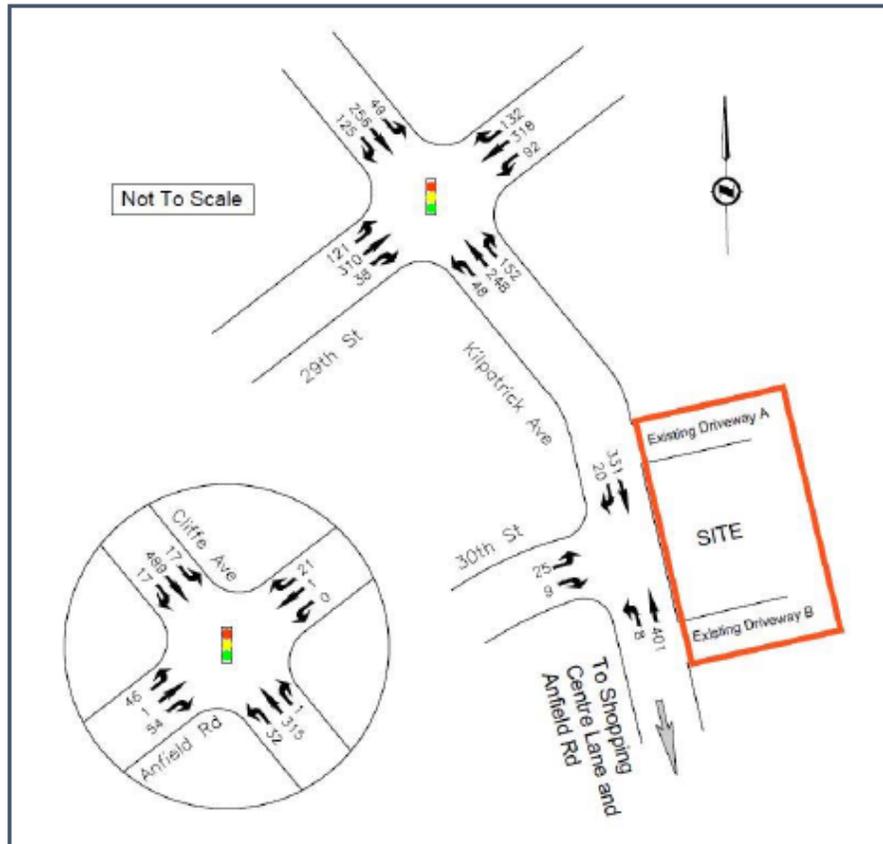


Figure 2: 2021 Opening Day Background Volumes (Adjusted)

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.

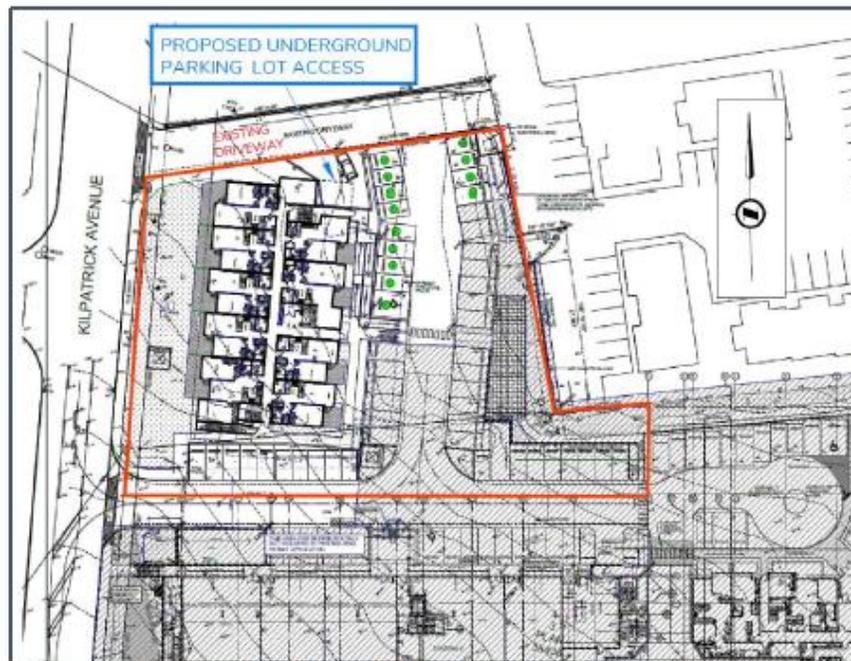


Figure 3: Site Plan and Access



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

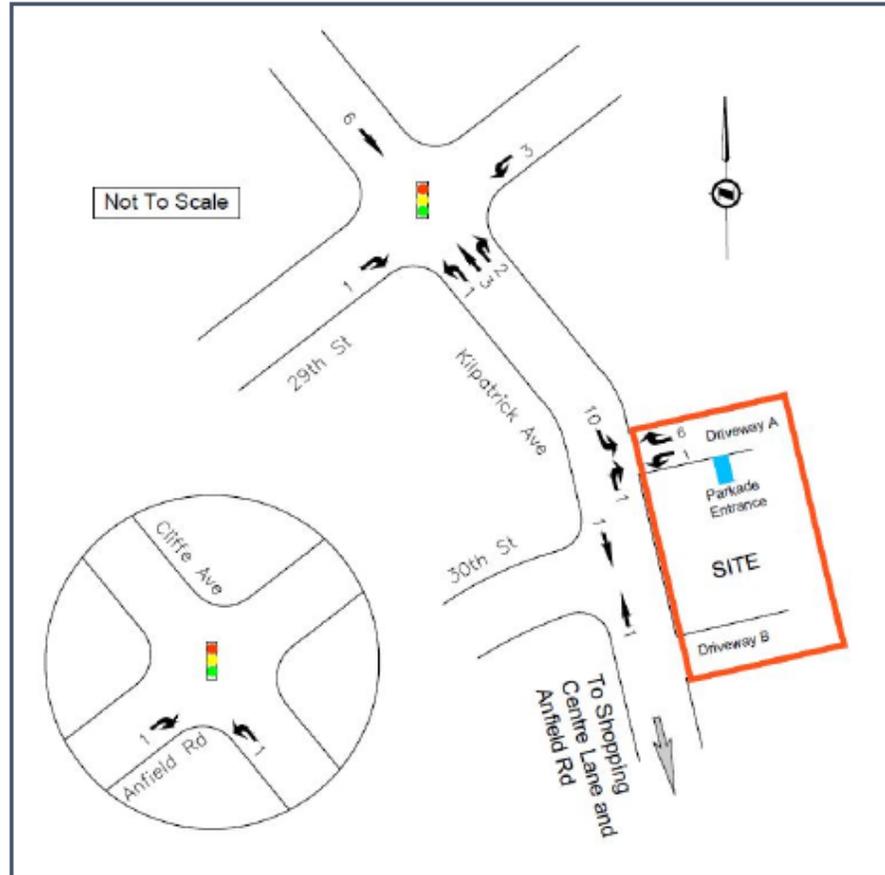


Figure 4: Trip Assignment – PM Peak Hour

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)
	SBT	B	15.7	54.4	B	15.7	51.8
KILPATRICK AVE / 30 TH ST	SBR	A	2.3	0	A	2.3	0
	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

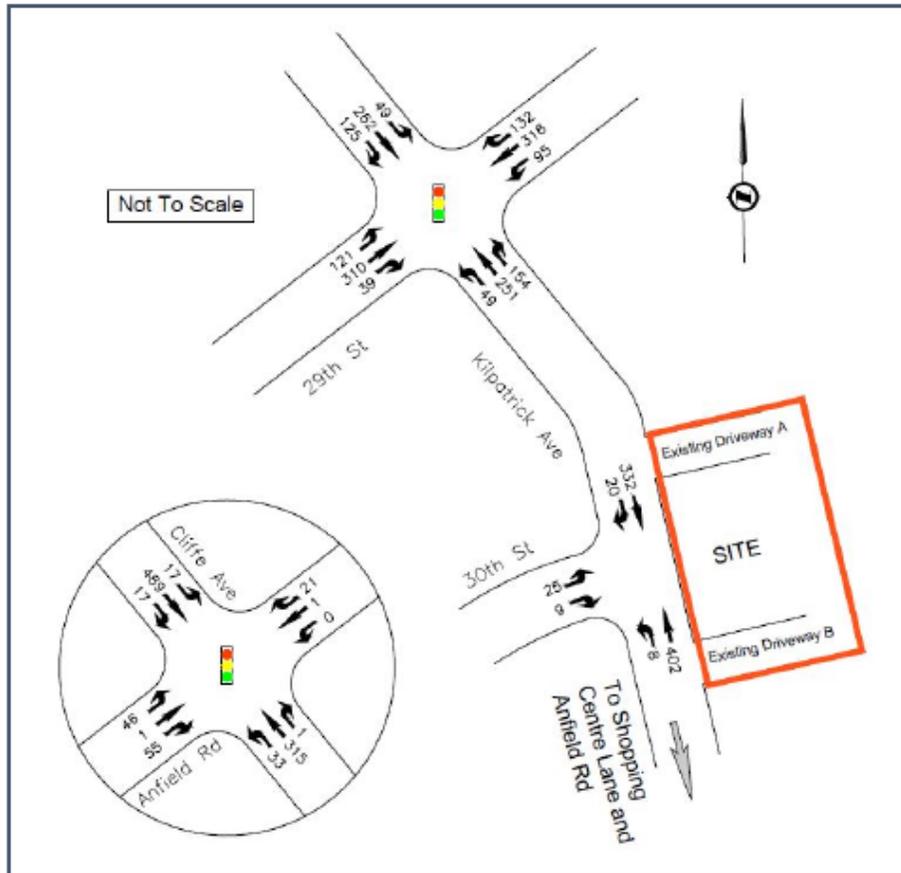


Figure 5: Opening Day Post Development Volumes

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.

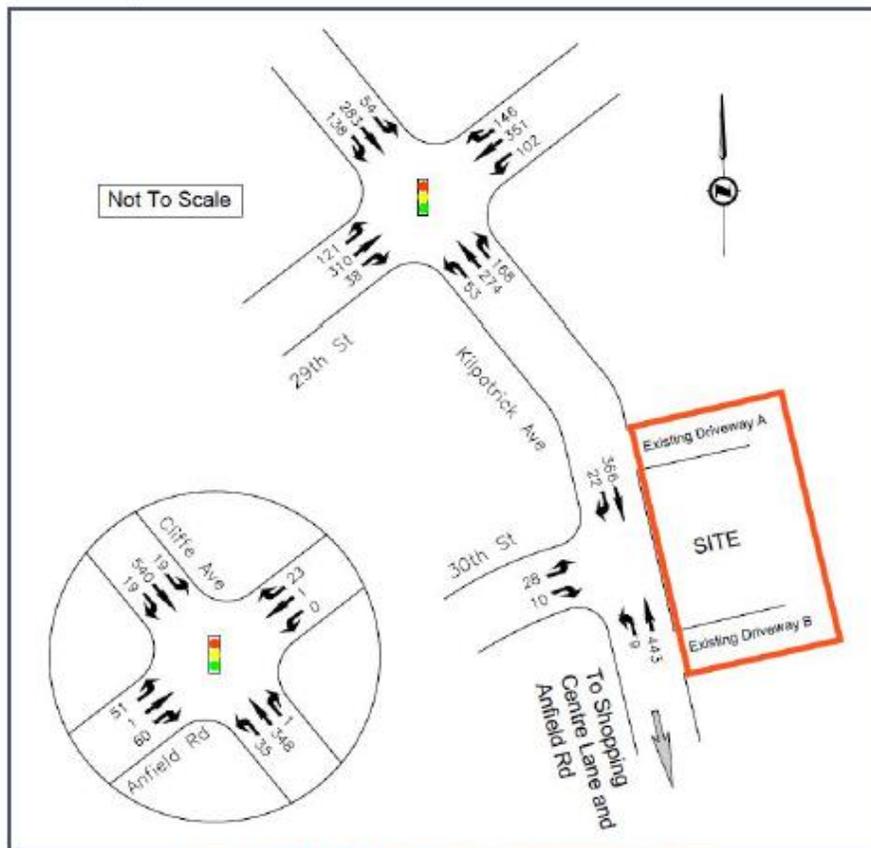


Figure 6: 2031 PM Peak Hour Background Volumes



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

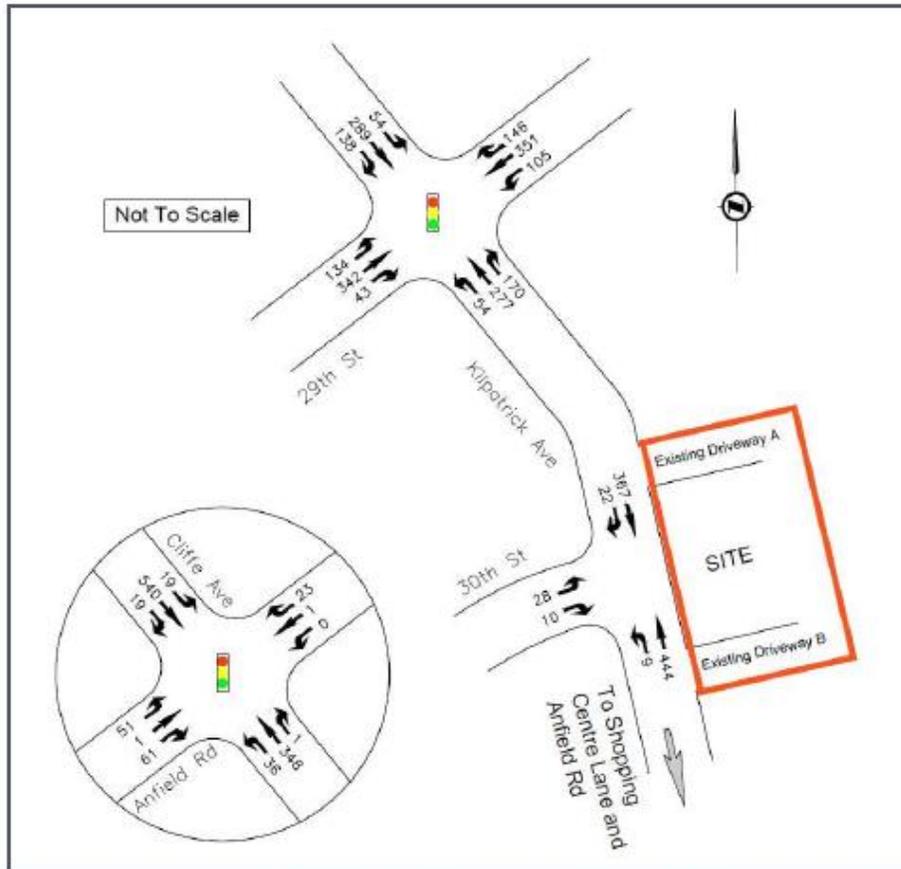


Figure 7: 2031 PM Peak Hour Post Development Volumes



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

3040 Kilpatrick Avenue
Traffic Impact Assessment



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@dulex.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.

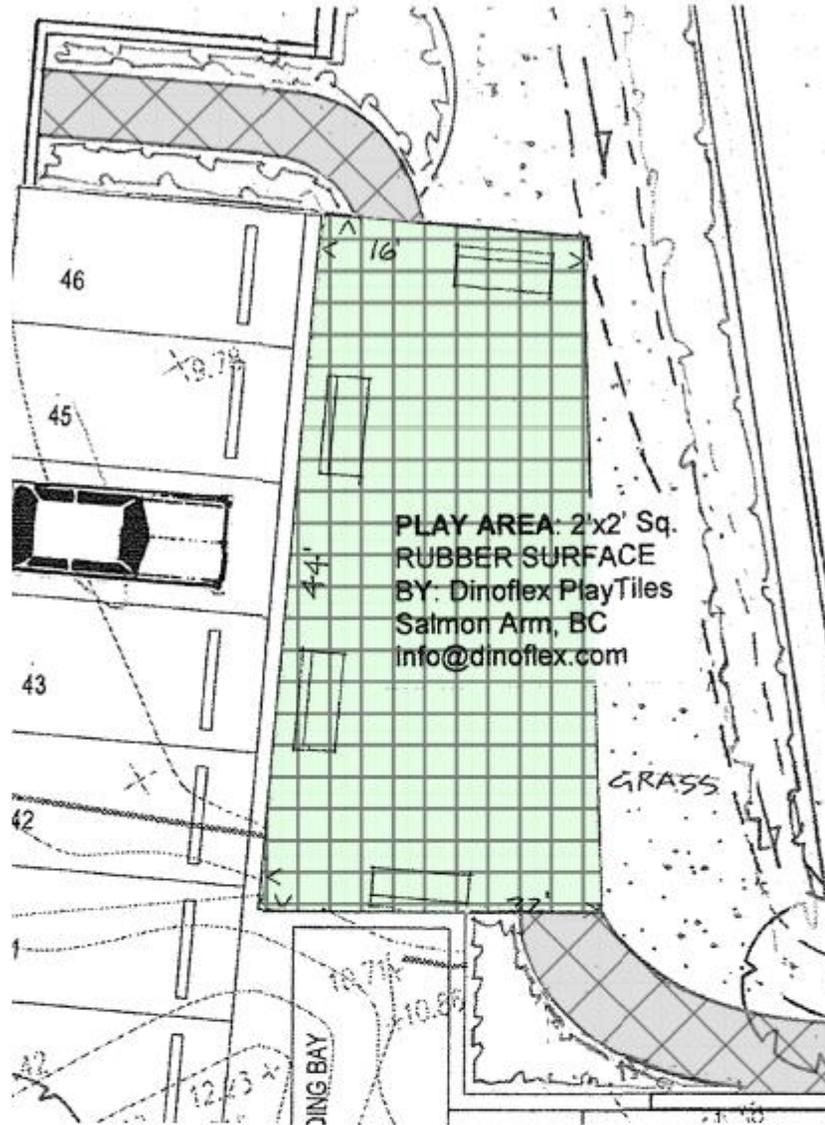


Nadine King, P. Eng., PTOE
Regional Lead, Transportation
T 250-388-9877 ext. 423
D 250-410-1058 C 250-634-4112
E nking@wattconsultinggroup.com

WATTCONSULTINGGROUP.COM



#WEAREWATT



4' PLASTIC PARK BENCH WITH BACKREST - TAN

Item#: T9F240125TN
globalindustries.ca



STAFF REPORT

To: Council
From: Chief Administrative Officer
Subject: Development Variance Permit No. 2101 – 356 14th St

File No.: 3090-20-2101
Date: September 7, 2021

PURPOSE:

The purpose of this report is for Council to consider a Development Variance Permit to permit the creation of a lot that does not meet the minimum lot frontage requirement of the lot legally described as Lot 1, Section 41, Comox District, Plan EPP87058.

CAO RECOMMENDATIONS:

That based on the September 7th, 2021 staff report “Development Variance Permit No. 2101 – 356 14th St”, Council approve OPTION 1 and proceed with issuing Development Variance Permit No. 2101.

Respectfully submitted,

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

BACKGROUND:

The subject property is an approximately 0.6 hectare (1.5 acre) lot zoned Multiple Use Two (MU-2) located at the intersection of 14th Street and England Avenue behind Thifty Foods (**Figure 1**). The applicant wishes to subdivide the lot. The MU-2 zone requires a minimum lot frontage of 20.0 m, and the proposed Lot B does not have any road frontage.

A 16-unit townhouse development is currently under construction with units along England and 14th Street. The proposed subdivision would allow Lot B to be separated from the townhome development on Lot A. The applicant is currently considering a three storey, 34 micro unit development on the proposed new Lot B.



Figure 1: Location Map.



Figure 2: Survey Detail Showing Proposed Lot B and Context.

DISCUSSION:

Zoning Bylaw No. 2500, 2007, Section 8.14.3, requires a minimum lot frontage of not less than 20.0 m. As seen in Figure 2 proposed Lot B will not have frontage on a public road but it is framed by the private access road for Lot A and the public lane. For the purpose of subdivision a private access does not qualify as frontage nor does a lane. Accordingly, a variance is required to permit a lot without frontage.

In addition to the lane, proposed Lot B will have access via an easement over the entire private access road which will be required as a condition of the subdivision. **Given adequate access will be secured through the reciprocal access agreement Staff support the variance.**

FINANCIAL IMPLICATIONS:

There are no direct financial implications related to the processing of this Development Variance Permit as the fees are designed to offset administrative costs. The application fees for the DVP was \$1,500.

ADMINISTRATIVE IMPLICATIONS:

Processing development variance permits is a statutory component of the work plan. Staff has spent approximately 20 hours processing this application to date. Should the proposed development variance permit be approved, an additional two hours of staff time will be required to register the permit and close the file. Additional staff time will be required to continue processing the subdivision application and to process subsequent development permit and building permit applications.

ASSET MANAGEMENT IMPLICATIONS:

There are no direct asset management implications related to this application.

2019 - 2022 STRATEGIC PRIORITIES REFERENCE:

- Communicate appropriately with our community in all decisions we make
- ▲■ Identify and support opportunities for lower cost housing and advocate for senior government support
- ▲ Encourage and support housing diversity

OFFICIAL COMMUNITY PLAN REFERENCE:

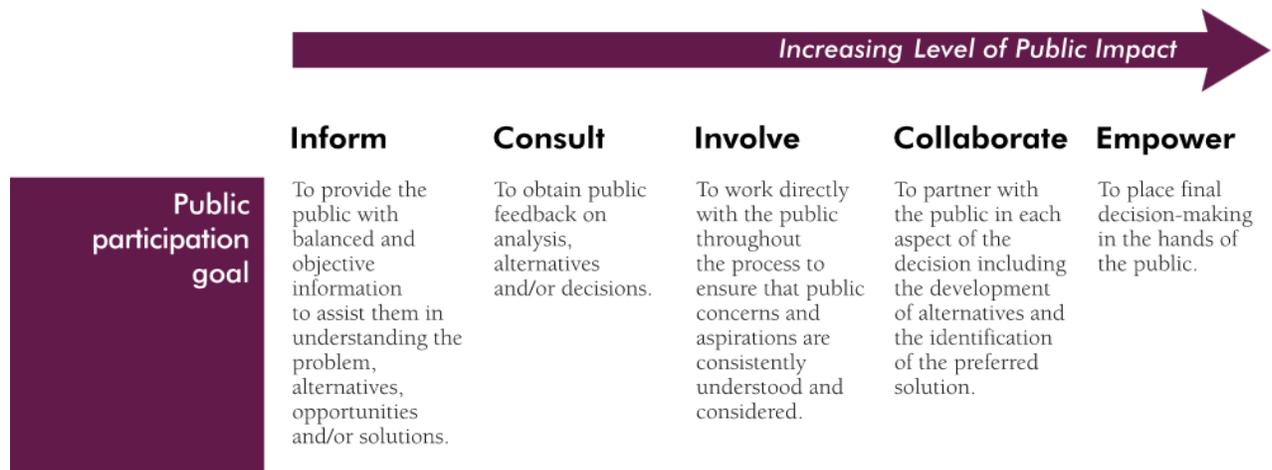
The subject property is designated as “Multi Residential” in the OCP. The proposed variance would facilitate multi residential development.

REGIONAL GROWTH STRATEGY REFERENCE:

The proposed development is located within the core settlement area outlined in the Comox Valley Regional Growth Strategy. The Regional Growth Strategy states that at least 90 percent of growth in the Comox Valley should be directed to Core Settlement Areas.

CITIZEN/PUBLIC ENGAGEMENT:

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



Property owners and occupants within 30 meters of the subject property were informed of the variance request by way of Alternative Public Information Mailout July 28th, 2021. A summary is provided by the applicant in **Attachment No. 3** along with the single public response sent to the City which has concern about future development parking.

In accordance with the *Local Government Act*, the City has also notified property owners and occupants within 30 metres of the subject property of the requested variance and provided opportunity to submit written feedback. To date, staff has not received any additional responses.

OPTIONS:

OPTION 1: (Recommended): Approve Development Variance Permit No. 2101.

OPTION 2: Defer issuance of Development Variance Permit No. 2101 pending receipt of further information.

OPTION 3: Not approve Development Variances Permit No. 2101.

Prepared by:



Mike Grimsrud
Planner II

Reviewed by:



Matthew Fitzgerald, RPP, MCIP
Manager of Development Planning

Concurrence by:



Ian Buck, MCIP, RPP
Director of Development Services

Concurrence by:



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

Attachments:

Attachment No. 1: Draft Development Variance Permit No. 2101

Attachment No. 2: Applicant's Rationale

Attachment No. 3: Public Information Mailout Summar

THE CORPORATION OF THE CITY OF COURTENAY

Permit No. 3090-20-2101

DEVELOPMENT VARIANCE PERMIT

September 7, 2021

To issue a Development Variance Permit

To:

Name: Lotusland Estates, Inc.
Address: 5167 Raven Road
Courtenay, B.C. V9J 1L9

Property to which permit refers:

Legal: Lot 1, Section 41, Comox District, Plan EPP87058
Civic: 356 14th Street

Conditions of Permit:

Permit issued for the property legally described as Lot 1, Section 41, Comox District, Plan EPP87058, allowing for future subdivision creating two multi residential lots with the following variance to the *City of Courtenay Zoning Bylaw No. 2500, 2007*:

Section 8.14.3 – Minimum lot frontage reduced for proposed Lot B from 20.0 m to 0 m.

Development Variance Permit No. 2101 is subject to the following conditions:

- a) The layout shall be consistent with the Plan of Subdivision by Bruce Lewis dated July 26, 2021 shown in *Schedule No. 1*;
- b) The development shall meet all other applicable requirements, standards and guidelines; and
- c) 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.

Time Schedule of Development and Lapse of Permit

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

_____ Date

_____ Corporate Officer

**Schedule No.1: Proposed
Subdivision Plan**

ONS Control Traverse File #E07005
Datum: MGRS(CSRS) 30.0 BC(L)NT
UTM Northing Zone: 5,505,679,003
UTM Easting: 356,258,025
Horizontal Accuracy: 0.02 M

#B07005
▲ TRC

PLAN 2292
(POSTING PLAN 3161PP)

**VARIANCE APPLICATION FOR:
PROPOSED LOT B, SECTION 41, COMOX DISTRICT,
PROPOSED PLAN EPP100318
B.C.G.S. 92F 066
(BEING A SUBDIVISION OF: LOT 1, SECTION 41, COMOX DISTRICT, PLAN EPP67056)**

NOTE: THIS PLAN SHOWS ONE OR MORE VARIANCES FROM THE ZONING BY-LAW AND IS NOT SET ON THE TRUE COURSES

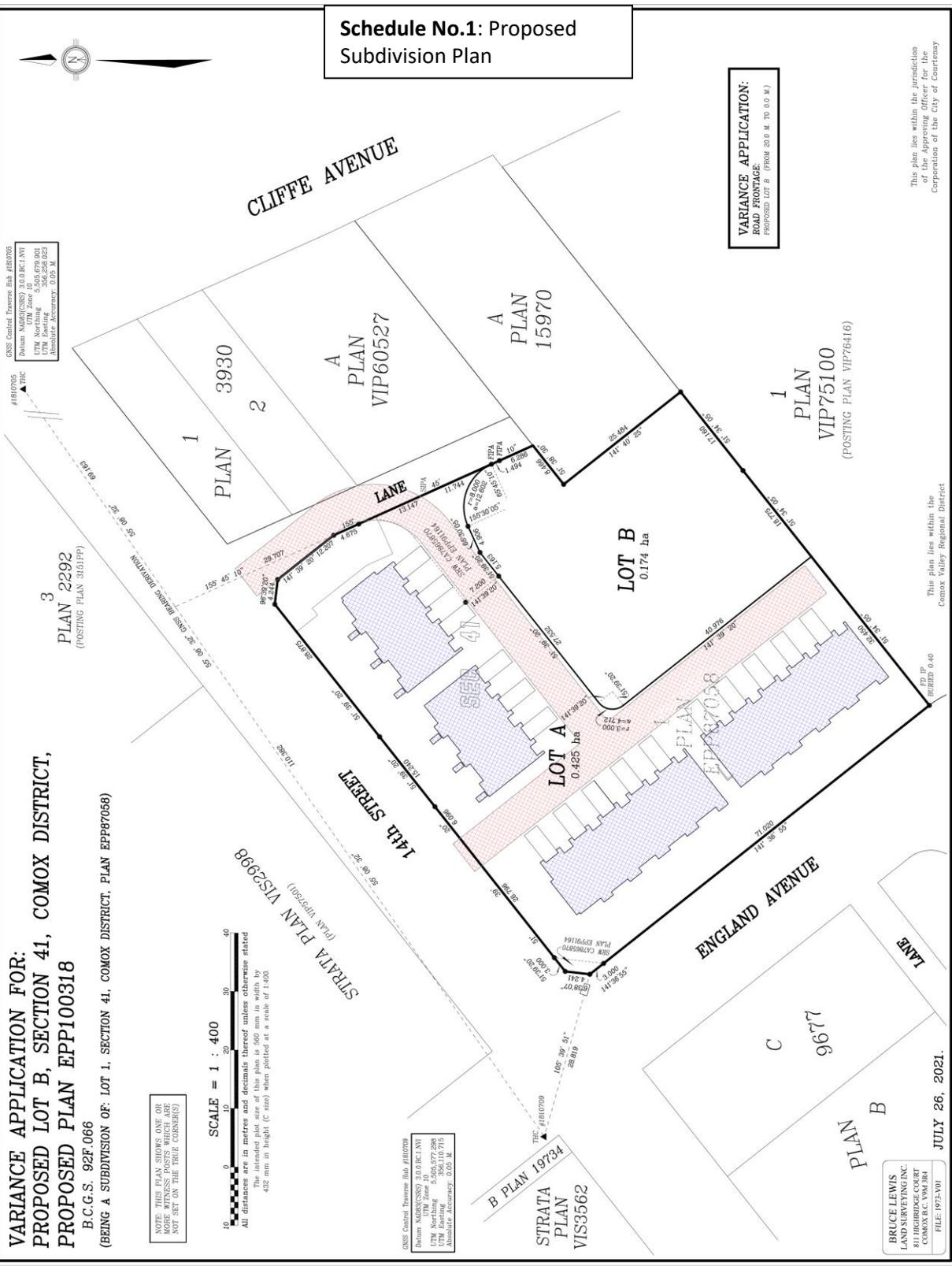


ONS Control Traverse File #B07005
Datum: MGRS(CSRS) 30.0 BC(L)NT
UTM Northing Zone: 5,505,677,898
UTM Easting: 356,258,025
Horizontal Accuracy: 0.02 M

B PLAN 19734
STRATA PLAN VIS3562

BRUCE LEWIS
LAND SURVEYING INC.
811 HIGHBRIDGE COURT
COMOX B.C. V9M 3K4
FILE: 1973-001

JULY 26, 2021.



**VARIANCE APPLICATION:
ROAD FRONTAGE
PROPOSED LOT B (FROM 20.0 M TO 0.0 M)**

This plan lies within the jurisdiction
of the Approving Officer for the
Corporation of the City of Courtenay

This plan lies within the
Comox Valley Regional District

Attachment No. 2: Rationale



Todd Hansen
Architectural Technologist, AIBC. Principal, TH Designs Inc.
604.379.2488 | todd@thdesigns.ca
www.thdesigns.ca
5857 17a Ave, Tsawwassen, B.C.

August 17, 2021

To: Mr. Matthew Fitzgerald
Manager of Development Planning
Development Services
City of Courtenay

Re: Development Variance Application
356 – 14th Street, Courtenay, BC – Phase 2

Attached please find our application for a development variance permit for this project.

This application is submitted in support of an application to sever the site into to parcels - Lot A and Lot B - in anticipation of creating a separate strata corporation for each parcel. Documentation submitted with this application relates to the proposed Lot B , not to the property as a whole.

Lot A contains the first phase of this development, consisting of 16 townhouse units. A development permit has been approved for Lot A and the townhouses are currently under construction.

Lot B is intended as the site for the second phase of the development - a 3 storey apartment building with 45 micro units over a partially buried parkade. A development permit application submitted by the previous architect for the original apartment building was submitted on March 19, 2021 and has since been cancelled.

Each phase will have its own strata corporation, and the purpose of the severance application is to clearly define the limits of the property which pertains to each strata corporation.

In reviewing the severance application the Planning Division has indicated:

The property is zoned Multiple Use 2 (MU-2). This zone requires a minimum lot

area of lot area 850m² and lot frontage 20m. Proposed Lot B does not meet the required frontage and therefore requires a variance. The specific variance request will be to reduce the required lot frontage for proposed Lot B from 20m to 0m.

The site for the development is bounded on the east by a lane, on the north by single family dwellings on the opposite side of 14th Street, on the west by England Avenue which also has

single family dwellings across the street and Cooper Park at the east end, and on the south by commercial uses, the most immediate of which is Thrifty's, which presents a blank wall to Lot B. Cooper Park has a well developed children's play area at the east corner of England Avenue and 14th Street. The townhouses of Lot A wrap around the proposed Lot B apartment building on the north and west, largely screening it from public view from 14th Street and England Avenue.

The principal access for both phases is from 14th Avenue, with a secondary access from the lane to the east. The internal streets are on Lot A and there will be joint access and maintenance agreements between the strata corporations. All of the development's lot frontage relates to Lot A. Lot B has no public frontage other than onto the lane, which is excluded by definition.

OCP designation is Multi Residential and the Zoning is Multiple Use Two Zone (MU-2), which permits multi residential dwellings, like townhouses and apartment buildings, and requires a minimum frontage of 20 metres.

Lot B has an internal location, surrounded by the existing townhouses; it does not abut a City street, and therefore conventional frontage requirements should not apply. It is bounded on the east by a City lane, which is being improved by the applicants in conjunction with this project.

The building will be designed in West Coast Contemporary style, with a material palette which includes timber, brick, panel siding, and corrugated metal siding. Some materials and elements are to be found on both the existing townhouses and the apartment building. The massing of the building will be broken down into a play of planes, with articulated facades and roof lines, especially on the most visible elevations on the north and west.

Enclosed bicycle storage will be provided for 45+ bicycles. Provision will be made for charging electrical bicycles. From the outset every second underground parking space will have an EV. All other parking spaces will have provision for future EV charging to be activated as demand develops.

Concerning the Affordable Housing Policy, in Phase 2, the subject of this DVP application, the apartment building addresses this as all of the units are micro units which will be highly affordable.

This application is limited to the requested frontage variance. All other planning and zoning considerations have been addressed in the previously submitted development permit application.

I would be pleased to answer any questions that might arise regarding this application.

Sincerely,



Todd Hansen

Attachment No. 3: Public Information Mailout Summary



Alternative Public Meeting Summary

356 14th Street – DVP 00026

On July 28, 2021 the attached letter and comment sheet was sent via Canada Post to all the surrounding property owner/residents as per the label sheet provided by the City (attached).

Date of Mailout: July 28, 2021

Number of comments received, and by which means:

1. the City received one faxed comment, that construction workers have been parking at 1350 England Ave and while currently there is space due to COVID-19, during normal times the lot would be full and a new development must provide enough parking.
2. Phone Call from [REDACTED] of CV Family Services. She is in full support of the proposed development. She expressed her happiness about the style of housing and feels more is needed in the community.

Information provided: Letter and Comment Sheet attached

Summary of points raised

Response from the community was positive, with expression that the style of housing will benefit our community. The only raised issue was with parking at a neighboring address.

NEIGHBOURHOOD PUBLIC MEETING NOTICE

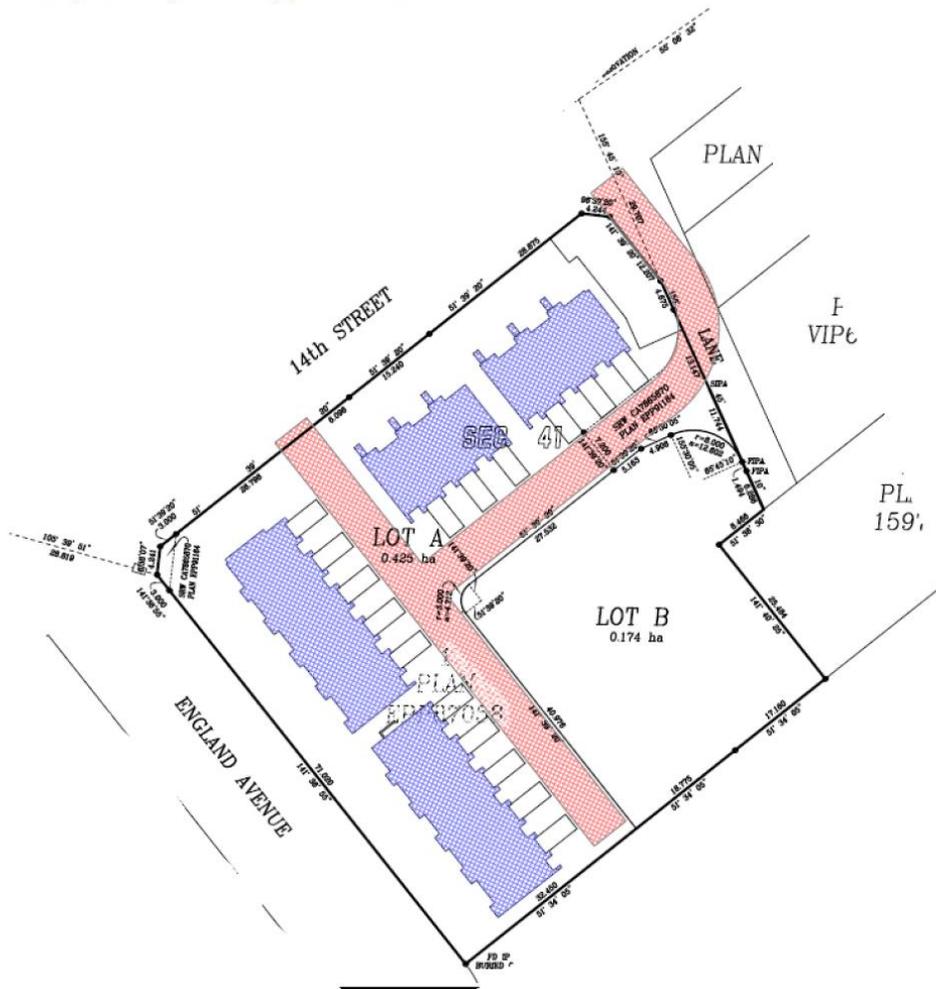
Date: July 28, 2021

City File: DVP00026

Address of
Proposed Project: 356 14th Street, Courtenay

We, Simba Investments, propose a variance to the zoning bylaw to allow us to develop Lot B. Zoning requires 20 metres of lot frontage for lot subdivision - we propose Lot B have 0 metres of frontage, with access off the Lot A strata road.

We intend to develop Lot B as multi-unit residential under a separate upcoming development permit application.



You can view relevant documents on The City of Courtenay website
www.courtenay.ca/devapptracker (Search by file number or address)

Please return your comments by August 11, 2021. 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

Applicant information: Shawn Vincent/Simba Investments, 3455 Cumberland Road, Courtenay, (250) 898-8824

Alternative Public Information Meeting

Simba Investments Ltd. 3455 Cumberland Road, Courtenay, B.C., V9N 9N6
Proposed site is:

356 14th Street, Courtenay, BC

Name: _____ Email: _____

Address: _____ Phone: _____

Simba Investments Ltd. is proposing a variance to the zoning bylaw. Zoning requires 20 metres of lot frontage for lot subdivision - we propose Lot B have 0 metres of frontage, with access off the Lot A strata road.

Given the information you have received regarding this project do you have any comments or questions? _____

Please return your comments by: Wednesday, August 11, 2021

Comments sheets can be submitted by one of the following methods:

1. 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
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Alternative Public Information Meeting

Simba Investments Ltd. 3455 Cumberland Road, Courtenay, B.C., V9N 9N6

Pr



Name: _____

Address: _____

Simba Investments Ltd. is proposing a variance to the zoning bylaw. Zoning requires 20 metres of lot frontage for lot subdivision - we propose Lot B have 0 metres of frontage, with access off the Lot A strata road.

Given the information you have received regarding this project do you have any

comments or questions?

There MUST Be

adequate parking. Presently we have 2-3 personal vehicles of the present construction crew using our office parking. Due to COVID our parking lot is rather empty but in normal times the lot would be full of clients attending businesses at 1350 England Ave.

MUST BE ENOUGH PARKING

Please return your comments by: Wednesday, August 11, 2021
Comments sheets can be submitted by one of the following methods:
1. 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
2. Email your comments to planning@courtenay.ca
3. Fax your comments to 250.334.4241

Fax back



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council

File No.: 1960-20 [2021]

From: Chief Administrative Officer

Date: September 7, 2021

Subject: Consideration of 2022 Permissive Property Tax Exemptions

PURPOSE:

To consider the 2022 permissive property tax exemptions.

POLICY ANALYSIS:

Section 224 of the *Community Charter* provides Council with the authority to exempt certain properties from property taxation. Policy 1960.01 (Rev #2) – Permissive Property Tax Exemption (Attachment #1) was prepared in accordance with Section 224 of the *Community Charter* and approved by Council in August 2017.

EXECUTIVE SUMMARY:

The permissive property tax exemption bylaws are considered by Council on an annual basis and must be adopted before October 31st each year in order to take effect for the following taxation year. Staff have compiled and reviewed all applications received for the 2022 taxation year and have prepared a summary report for Council's consideration.

CAO RECOMMENDATIONS:

That based on the September 7, 2021 staff report "Consideration of 2022 Permissive Property Tax Exemptions", Council approve OPTION 1 as follows:

1. That Council consider the list of new applications for permissive tax exemption for 2022 as detailed on Schedule A attached;
2. That Council approve exemptions for new applications as recommended in Schedule A;
3. That Council direct staff to prepare the applicable bylaws for permissive tax exemption in 2022 based on the attached Schedules A, B, C, D and E; and
4. That statutory notice of the proposed permissive exemption bylaws pursuant to Section 227 of the *Community Charter* be published for two consecutive weeks prior to final adoption of the bylaws.

Respectfully submitted,

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

BACKGROUND:

Section 224 of the *Community Charter* provides Council with the authority to grant permissive exemption to land and improvements owned, or held by, certain other organizations that meet legislatively prescribed conditions.

Permissive Property Tax Exemption Policy 1960.01 (Rev #2) (Attachment #1) contains three provisions to note when considering new applications going forward:

1. The total value of all permissive exemptions must not exceed 2% of the total municipal portion of the property tax levy.
2. When the activities of an organization are not confined to the City of Courtenay, a maximum exemption of 40% applies.
3. Prescribed grandfathered permissive exemption percentages will not change in the event an organization re-locates within the municipality. However, a reduction of the exemption shall apply if the nature of the services provided by the organization changes at its new location.

DISCUSSION:

A permissive property tax exemption is a means for Council to support not-for-profit organizations within the community which furthers Council's objectives of enhancing quality of life for the citizens of the City while being responsible with municipal funding. Approval of an exemption or partial exemption is entirely within Council's discretion.

Each year there are requests from local organizations for funding assistance, either by way of requests for grants, or by way of requests for exemption from property taxation. While it is noted that the applicants all provide worthy services, provision of an exemption from taxation results in an increase of the tax burden for the remaining taxable property owners in the City and can become cost prohibitive.

The following schedules and information are provided for Council consideration.

Permissive Exemptions – Schedule Summary:

In accordance with Policy 1960.01, the exemption value limit for 2022 has been calculated as 2% of the value of the 2021 municipal property tax levy. The cumulative exemption value limit for 2022 is \$526,000.

Schedule A: New Applications

The City received six new applications for exemption from taxation for 2022. These are as follows:

Tax Roll #1376.000 – Comox Valley Children's Day Care Society – 1000 Cumberland Road

The Comox Valley Children's Day Care Society has submitted an application for exemption again for 2022. This year, their application mentioned that during the pandemic, it has become clear that child care is an essential service, and had to face a very tight budget. Their application also refers to the City of Courtenay supporting another non-for-profit child care (Cozy Corner Preschool - run by the City of Courtenay out of the Lewis Centre) and also some private senior care facilities (Glacier View Lodge has been grandfathered a 100% exemption for over two decades).

Prior to 1999, the Comox Valley Children's Day Care Society, as well as J. Puddleduck Parent's Preschool Society received permissive tax exemptions. After an extensive review of the permissive exemption

recipients, Council chose to phase out these exemptions since it was determined that day care service was also provided by for-profit organizations.

Section 224 (2) (a) of the *Community Charter* states that:

“permissive tax exemptions may be provided to charitable, philanthropic or other not-for-profit corporations.”

It does not allow for an exemption to day cares operating for-profit. The City’s Permissive Property Tax Exemption Policy 1960.01 (Rev #2) requires confirmation that an organization’s activities does not compete with any other duly licensed business in the municipality. In order to avoid creating an unfair commercial advantage between for-profit and not-for-profit day cares, Council decided to eliminate any tax exemptions for the Children’s Day Care Society.

Again this year, Staff recommend no exemption for this specific day care on the basis that authorizing this exemption would contradict the existing policy as it competes with licensed for-profit day care businesses in Courtenay.

Tax Roll # 88.000 – AVI Health & Community Services (AIDS Vancouver Island) – 355 6th Street

AVI Health and Community Services, previously operating as AIDS Vancouver Island, provides free services to those living with HIV and/or Hepatitis C, as well as education for populations with greater exposure to HIV and HVC. They also provide support and education to social service and other community organizations in the community. They estimate 85% of services are used by City of Courtenay residents, although they do also offer educational programming to surrounding communities. They are requesting an exemption on the office space leased at 355 6th Street.

The organization has been approved a 40% exemption for this location for 2019 and did not apply for 2020 and 2021.

Staff recommend approval of a 40% exemption in keeping with the Permissive Property Tax Exemption policy.

Tax roll #461.050 - John Howard Society of North Island - 575 10th Street

The John Howard Society of North Island provides services to youth, children, and families with diverse needs and has been approved a 40% exemption in 2020 and 2021 for their office previously located at 1455 Cliffe Avenue. The Society no longer occupies this location and acquired a new property in 2020, set to become the Comox Valley Foundry. The new location is scheduled to open in the fall of 2021, once the existing tenants leave the property and renovations are completed. It will offer easy access to user services including primary care, mental health and substance abuse, youth and family navigation support, housing, supported employment, income assistance and education support aiming to improve health and social outcomes of young people. It is estimated that 66% of those utilizing the services at the new location will be City of Courtenay residents.

Staff recommend approval of a 40% exemption in keeping with the Permissive Property Tax Exemption policy.

Tax Roll # 580.000 - Boys and Girls Club of Central Vancouver Island - 877 5th Street

The Boys and Girls Club offers a wide range of child care, teen, and family assistance programs. They have been grandfathered a 100% exemption in the past for the space they previously leased and occupied at 243 4th Street. The Club relocated this year and is now leasing a portion of the property located at 877 5th Street.

Staff recommend maintaining the grandfathered 100% exemption for the space leased.

Tax Roll #1200.000 - Comox Valley Canoe Racing Club - 2040 Cliffe Avenue

On January 1, 2021, the City of Courtenay entered into a five year license to occupy agreement with the Comox Valley Canoe Racing Club for a portion of property located at 2040 Cliffe Avenue, adjacent to the Courtenay Marina. The space occupied is an outdoor fenced area used by the Club for the storage of various types of ocean racing canoes and equipment, accessible year-round. The Canoe Racing Club, a non-profit organization, counts about 60 members of various ages of which about 5-10% resides outside of the Comox Valley.

This City owned property is currently 100% tax exempt, per the *Tax Exemption 2020-2024 Bylaw No. 2976, 2019*. However, BC Assessment Authority confirmed the new agreement will result into a change in the assessable property value, unless the Club is approved for a 100% permissive tax exemption.

As the Club has been using the space since 2004 without having to pay property taxes before entering into an agreement with the City in 2021, Staff recommends a 100% permissive tax exemption and to include this property with the other City owned properties managed by Societies when the current five year bylaw comes to term in 2024.

Tax Roll #1288.004 – Dawn to Dawn Action on Homelessness Society – Affordable/Supportive Housing – #102-1015 Cumberland Rd

Dawn to Dawn Action on Homelessness Society is a local not-for-profit that houses Comox Valley residents who would otherwise be homeless. Their approach is to use a scattered housing model to house clients around the Comox Valley from Union Bay to Comox. Dawn to Dawn provides the accommodation, the clients contribute what they can and Dawn to Dawn covers the remaining costs for rent and utilities. The society was approved for the last few years for a 40% exemption for the three condos they own within the City of Courtenay. The society is now requesting an exemption for this new property purchased in 2020.

Staff recommend approval of a 40% exemption in keeping with the Permissive Property Tax Exemption policy.

Schedule B: Annual Bylaw – Not for Profit Organizations

Schedule B exemption recipients are those who have been previously approved in the annual permissive exemption bylaw. Updated applications, financial statements and other relevant documentation have been reviewed and verified by staff.

Schedule B provides a detailed list of the 2021 exemption recipients along with the estimated 2022 value of the approved exemptions.

Schedule C: Annual Bylaw – Churches

While church buildings and the footprint of the buildings receive a statutory exemption from taxation, all of the area surrounding the buildings would be taxable unless it is provided with a permissive exemption from taxation by Council. The portion of church property used in commercial activities or as a manse/residence is not eligible for exemption from taxes.

This year, Staff has contacted the various Churches to request confirmation of the property status. No changes impacting the tax exemption were communicated for the year 2022.

Schedule C details the church properties within the City, and the estimated value of the permissive exemption for 2022 on the lands surrounding the building.

Schedule D: Five Year Bylaw – City owned properties managed by Societies

This schedule details the value of taxation exemption for these properties and is authorized by a five-year exemption bylaw *Tax Exemption 2020-2024 Bylaw No. 2976, 2019*, which expires in 2024.

A review performed by BC Assessment Authority in 2020 resulted in a significant decrease of the assessed value for the property managed by the Courtenay Airpark Society. They considered the zoning, use restrictions, OCP designation as park, and proximity to the adjacent wetlands that serve as a bird sanctuary. Based on this review, it resulted in a significant reduction in assessed value and amount of permissive tax exemption for this property.

Schedule E: Ten Year Bylaw

Per Section 224 of the *Community Charter*, the term of an exemption may not be longer than ten years. The *Tax Exemption 2012-2021 Bylaw No. 2802, 2014* expires in 2021.

Properties owned by Island Corridor Foundation - Railway Corridor

In 2011, the properties owned by the Island Corridor Foundation have been granted a ten year exemption from taxation which expires in 2021. The foundation wishes to reapply for a long term exemption for the same nine properties.

Tax Roll #1493.003, 1493.005, 1493.007, 1493.009 Project Watershed Society (Kus-kus-sum properties)

As the Kus-kus-sum lands were not eligible for a permissive tax exemption until the recent change in ownership, Council passed a resolution for the last four years to have the 2018-2021 property taxes funded by gaming revenue. With the title now held by Project Watershed pending K'ómoks First Nation and the City of Courtenay assuming co-ownership, the following resolution was passed by Council at the June 21, 2021 Council Meeting regarding current and future year taxation:

8.1 Councillor Hillian - Kus-kus-sum Tax Exemption

Moved By Hillian

Seconded By Morin

WHEREAS on June 12th, 2017, Courtenay City Council unanimously approved support in principle for a land partnership with K'ómoks First Nation and Project Watershed to facilitate the restoration of the Kus-kus-sum lands, based on indigenous reconciliation and the significant aesthetic, recreational, environmental and economic benefit to the City in the form of flood mitigation, green space and restored fish habitat; and

WHEREAS Courtenay City Council also agreed to support the fundraising campaign towards purchase of the lands by approving grant funding to cover municipal taxation during the period of the Project Watershed lease, starting in fiscal year 2018; and

WHEREAS the fundraising campaign has been successful, with title to the Kus-kus-sum lands now held by Project Watershed pending K'ómoks First Nation and the City of Courtenay assuming co-ownership;

THEREFORE BE IT RESOLVED THAT Council approve payment of a grant to Project Watershed from current gaming funds in the amount of \$68,761.26., said amount to be applied to the current property taxes on the Kus-kus-sum lands, located at 1901 Comox Road; and

BE IT FURTHER RESOLVED THAT the Kus-kus-sum property be added to the list of permissive tax exemptions for the application of a 100% exemption effective in all future years.

Carried

Following this resolution, the Kus-kus-sum properties listed above are included in the ten year permissive property tax exemption bylaw.

Tax Roll #1566.000 – M'akola Housing Society – Affordable/Supportive Housing – 810 Braidwood Road

M'akola Housing Society has been approved for a 100% exemption annually since 2019 for their property located on Braidwood Road. They provide safe, subsidized housing, affordable rentals, and assisted living for those at risk of homelessness, including those who are Indigenous. This facility was completed in 2019 and was identified as a top strategic priority of Council during the previous term. The City worked with M'akola Housing Society and BC Housing to bring this project to fruition. The Society applied for 2022 and requested to be considered for a longer term exemption, which was recommended to Council in 2018 to proceed with once the existing 10 year bylaw was up for renewal in 2022.

Tax Roll #1960.300 - Sandpiper Drive and #2023.014 - Morrison Nature Park - Nature Trust of British Columbia - Parkland

In the past, the Nature Trust of British Columbia has been granted a 100% exemption annually for those two properties which are both dedicated as parkland. They mentioned their interest to be considered for a multi-year exemption in their application, which staff support. The property of McPhee Meadows, also dedicated as parkland, has been included in the five year bylaw as it is a joint ownership between the City of Courtenay and Nature Trust.

Staff recommends approving the properties listed above for a ten year exemption. Schedule E provides a detailed list of the properties along with the estimated value of the exemptions for 2022.

FINANCIAL IMPLICATIONS:

The estimated cumulative value of the municipal portion of the new and grandfathered exemptions for the 2022 taxation year totals \$371,090. This is within the calculated 2022 limit of \$526,000 as prescribed in Policy 1960.01 – Permissive Exemption from Property Taxation.

Estimated value of exemptions for consideration for 2022					
Grandfathered and Recommended					
			Recommended		
Schedule		<u>Bylaw Expires</u>	<u>City only</u>	<u>Other Authorities</u>	<u>Total</u>
(A)	New applications - as per recommendation		\$ 8,003	\$ 5,940	\$ 13,942
(B)	Annual bylaw - Not for profit organizations	2021	\$ 151,611	\$ 129,439	\$ 281,050
(C)	Annual bylaw - Churches, land surrounding the building	2021	\$ 16,769	\$ 19,457	\$ 36,226
(D)	Five year bylaw - City owned properties managed by societies (expires in 2024)	2024	\$ 108,385	\$ 80,836	\$ 189,221
(E)	Ten year bylaw (incl. Kus-kus-sum Lands)	2021	\$ 86,322	\$ 74,662	\$ 160,984
	Total estimated value of exemptions in 2022		\$ 371,090	\$ 310,334	\$ 681,424

It is important to note that any organizations added to the list or any additional percentage provided to applicants results in a reduction of revenue available for City operations.

ADMINISTRATIVE IMPLICATIONS:

Preparation of the annual tax exemption bylaws for consideration by Council is an annual task undertaken by staff in the Financial Services Department.

Subsequent to Council approval of the above recommended property tax exemptions, the next steps to complete include:

- a) Preparation of the required bylaws and providing them to Council for three readings
- b) Arranging for the statutory advertising of the proposed bylaws
- c) Returning the bylaws to Council for final adoption
- d) Preparation of letters of notification to the applicants
- e) Forwarding the bylaws to the BC Assessment Authority no later than October 29, 2021

In an effort to balance the annual workload, Staff wishes to advance the application review process for 2023 and will be adjusting the application due date from June 15 to May 15 in 2022. Staff will ensure advertising and notifications are made well in advance to advise applicants and provide enough time for application preparation. Considering more organizations, such as the grandfathered permissive exemptions, for multi-year exemption could also help reduce the administrative work required to review and compile applications annually.

ASSET MANAGEMENT IMPLICATIONS:

Any increase to the value of permissive property tax exemptions decreases the amount of funding available for asset management initiatives.

STRATEGIC PLAN REFERENCE:

In preparing the 2022 Permissive Tax Exemption, staff considered Council's 2019-2022 Strategic Priorities:

We focus on organizational and governance excellence

- Communicate appropriately with our community in all decisions we make

We proactively plan and invest in our natural and built environment

- ▲ Support social, economic & environmental sustainability solutions

We actively pursue vibrant economic development

- ▲ Continue to support Arts & Culture

We support diversity in housing and reasoned land use planning

- ▲■ Identify and support opportunities for lower cost housing and advocate for senior government support

- ▲ Encourage and support housing diversity

We continually invest in our key relationships

- Build on our good relations with K'omoks First Nation and practice Reconciliation
- Consider effective ways to engage with and partner for the health and safety of the community
- ▲■ Advocate and cooperate with local and senior governments on regional issues affecting our community

- **AREA OF CONTROL:** The policy, works and programming matters that fall within Council's jurisdictional authority to act
- ▲ **AREA OF INFLUENCE:** Matters that fall within shared or agreed jurisdiction between Council and another government or party
- **AREA OF CONCERN:** Matters of interest that are outside Council's jurisdictional authority to act

OFFICIAL COMMUNITY PLAN REFERENCE:

Not applicable

REGIONAL GROWTH STRATEGY REFERENCE:

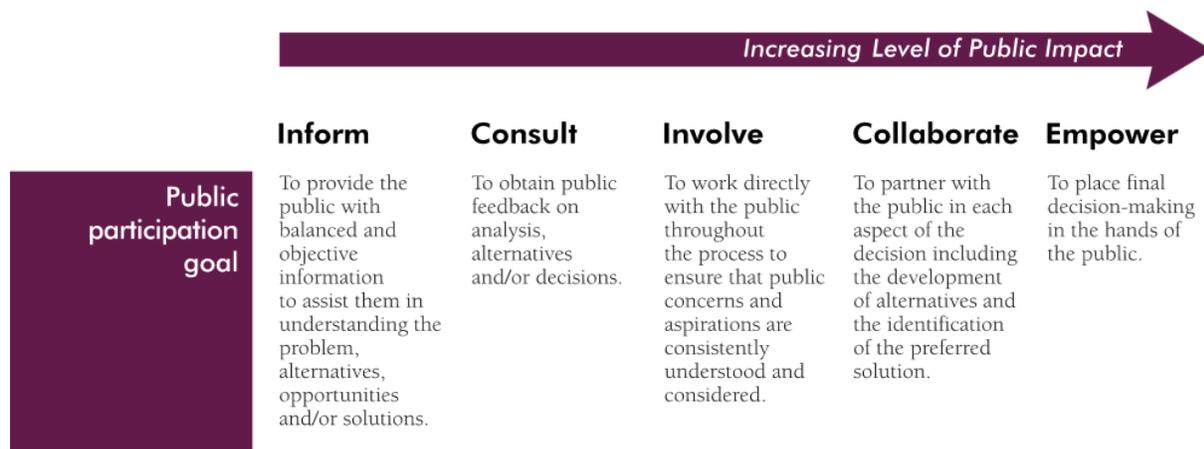
Not applicable

CITIZEN/PUBLIC ENGAGEMENT:

Pursuant to Section 227 of the *Community Charter*, statutory notice of the proposed permissive exemption bylaws must be published for two consecutive weeks prior to final adoption.

This is based on the “inform” level of the IAP2 Spectrum of Public Participation adopted as an element of Sound Project Design for the Corporate Workplan.

http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/imported/IAP2%20Spectrum_vertical.pdf



OPTIONS:

OPTION 1: That Council approve exemptions for new applicants as recommended in Schedule A; That Council direct staff to prepare the applicable bylaws for permissive tax exemption in 2022 based on the attached schedules A, B, C, D and E; and That statutory notice of the proposed permissive exemption bylaws pursuant to Section 227 of the *Community Charter* be published for two consecutive weeks prior to final adoption of the bylaws (recommended).

OPTION 2: That Council defer endorsing the proposed 2022 permissive tax exemptions for further discussion at a later Council meeting.

(While Option 2 provides time for further discussion, it also impacts the schedule required for the 2022 permissive tax exemption process. There is a statutory requirement to have the bylaws adopted by October 31st each year in order to take effect for the following taxation year.)

Prepared by:



Annie Bérard, CPA, CMA, MBA
Manager of Financial Planning,
Payroll and Business Performance

Reviewed by:



Jennifer Nelson, CPA, CGA
Director of Financial Services

Concurrence:



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

Attachments:

1. Policy #1960.00.01
2. Schedule A - New Applicants
3. Schedule B - Annual Bylaw – Not for Profit Organizations
4. Schedule C - Churches Properties
5. Schedule D - Five Year Bylaw – City owned properties managed by Societies
6. Schedule E - Ten Year Bylaw

City of Courtenay	Policy	Page 1 of 4
Section 5 - Finance	Policy #	1960.00.01
Subject: Permissive Property Tax Exemption	Revision #	2

SCOPE:

A permissive tax exemption is a means for Council to support not-for-profit organizations within the community which further Council's objectives of enhancing quality of life (economic, social, cultural) and delivering services economically. A permissive tax exemption is strictly at the discretion of the City of Courtenay Council. After careful consideration of all applications Council may approve a full, a partial, or no tax exemption. The tax exemption may vary for the different applicants. This policy guides identification of organizations meeting Council's objectives.

POLICY**1. Overall Amount**

A projected amount of revenue to be foregone by Permissive Tax Exemptions will be set by Council annually during the development of the Financial Plan. This amount will be used to calculate the following year's tax exemption for approved organizations based on the current year's assessment and tax rates. The actual amount of the exemption may vary according to the following year's assessment and tax rates.

The cumulative estimated value of the exemptions may not exceed 2% of the total tax levy in the previous year. The bylaw for exemptions for any given year must be adopted and submitted before any assessment or tax rate information is available for that year. The 2% amount will therefore be calculated based on the previous year's assessment and tax rate information.

2. Process

Council will consider applications for permissive tax exemptions annually. Reminder letters to re-apply will be mailed annually or as the term of the exemption expires to current tax exemption recipients. In addition, application packages will be available at any time from the Municipal Office or on our website at www.courtenay.ca.

Applications must be submitted to the Director of Financial Services, using the prescribed application form. The Director will review the applications for completeness, and arrange contact with applicants for additional information as necessary.

Application submissions must include:

- Copies of audited financial statements for last three (3) years for first time applicants, and for the last year for current tax exemption recipients.

AUTHORIZATION: Council R16.06/2017	DATE: August 21, 2017
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Section 5 - Finance	Policy #	1960.00.01
Subject: Permissive Property Tax Exemption	Revision #	2

- Copy of state of title certificate or lease agreement, as applicable.
- In the case of a lease agreement for premises rather than ownership, documents are required which indicate that the applicant will benefit by the exemption. Documents should demonstrate that the lease is currently, or will, on approval of the exemption, be reduced by the amount of the exemption, or that other considerations will be provided by the landlord equivalent to the value of the exemption.
- Description of programs/services/benefits delivered from the subject lands/improvements including participant numbers, volunteer hours, benefiting groups/individuals/special needs populations, fees charged for participation
- Description of any 3rd party use of the subject land/improvements including user group names, fees charged conditions of use.
- Information as to the extent to which the activities of the applicant are regional or local (within the City of Courtenay) in nature.
- Financial information on how the tax exemption amount is put back into the community through charitable means or reduced fees paid by the general population of the City of Courtenay.
- Confirmation that the organization’s activities do not compete with any other duly licensed business in the Municipality.

The Director of Financial Services will present a summary report of the applications, relative to the eligibility criteria, to Council and arrange for delegations to Council by applicants as necessary.

3. Criteria

- a) Subject Property must be one of:
 - Land and/or improvements owned by the applicant
 - Land and/or improvements leased under an agreement
 - Land and/or improvements ancillary to a statutory exemption under section 220 of the *Community Charter (Statutory Exemptions)*

- b) Nature of Organization must meet the requirements of *Division 7* of the *Community Charter (Permissive Exemptions)* which includes:
 - Non-profit organization
 - Charitable/philanthropic organization
 - Athletic or Service Club/Association
 - Care facility/licensed private hospital

AUTHORIZATION: Council R16.06/2017	DATE: August 21,2017
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Section 5 - Finance	Policy #	1960.00.01
Subject: Permissive Property Tax Exemption	Revision #	2

- Partner of the municipality by agreement under s. 225 (Partnering, heritage, riparian and other special exemption authority) of the *Community Charter*
- Other local authority
- Organization eligible under *Section 220 of the Community Charter* statutory exemption (e.g. place of public worship, cemetery, library, Indian land, senior’s homes, hospital, etc.)

c) The applicant organization’s use of the land/improvements must benefit the community in one or more of the following ways:

- provides recreational facilities for public use
- provides recreation programs to the public
- provides programs to and/or facilities used by youth, seniors or other special needs groups
- preserves heritage important to the community character
- preserves an environmentally, ecologically significant area of the community
- offers cultural or educational programs to the public which promote community spirit, cohesiveness and/or tolerance
- offers services to the public in formal partnership with the municipality
- [other]

d) All accounts for fees and charges levied by the City of Courtenay to the applicant must be current.

4. Duration of Exemption

Eligible organizations may be considered for tax exemptions exceeding one year (to a maximum of 10 years) where it is demonstrated that the services/benefits they offer to the community are of a duration exceeding one year (i.e. for the period of the tax exemption).

5. Extent, Conditions, and Penalties

a) The following activities and circumstances will be not be considered as eligible for exemption by Council. Exemptions will exclude the portion of land/improvements where the following circumstances exist:

- land/improvements used by the private sector and/or organizations not meeting Council’s exemption criteria
- land/improvements used for commercial or for-profit activities by the not-for-profit organization

AUTHORIZATION: Council R16.06/2017	DATE: August 21,2017
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Section 5 - Finance	Policy #	1960.00.01
Subject: Permissive Property Tax Exemption	Revision #	2

- the activities of the organization are not confined to the City of Courtenay. Council has designated a maximum exemption of 40% for regional service organizations. This policy will not be applied retroactively, and regional service organizations that have previously been approved by bylaw will be grandfathered into the exemption bylaw at those prescribed percentages.
 - **prescribed grandfathered permissive exemption percentages will not change in the event an organization re-locates within the municipality. However, a reduction of the exemption shall apply if the nature of the services provided by the organization changes at its new location.**
 - The applicant already receives grant-in-aid from the municipality and/or other sources

- b) Council may impose conditions on the exempted land/improvements with the applicant organization, including but not limited to:
 - registration of a covenant restricting use of the property
 - an agreement committing the organization to continue a specific service/program
 - an agreement committing the organization to have field/facilities open for public use for certain times or a total amount of time
 - an agreement committing the organization to offer use of the field/facility to certain groups free of charge or at reduced rates
 - an agreement committing the organization to immediately disclose any substantial increase in the organization’s revenue or anticipated revenue or any change in the status of the property
 - [other]

- c) Council may impose **penalties** on an exempted organization for knowing breach of conditions of exemption, including but not limited to:
 - revoking exemption with notice
 - disqualifying any future application for exemption for specific time period
 - requiring repayment of monies equal to the foregone tax revenue
 - [other]

AUTHORIZATION: Council R16.06/2017	DATE: August 21,2017
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City of Courtenay

New Applications for 2022 consideration

Calculation based on 2021 Assessments and 2021 Rates

2021 Tax Rates			
	City	Other Auth.	Total
1	2.9890	2.9251	5.9141
2	20.9228	19.6762	40.5990
6	10.4614	7.6857	18.1471
8	2.9890	3.6631	6.6521

Roll #	Registered Owner	Leasee/Society Applying for Exemption	Civic Address	Use of Property	Requested Exemption	% of services to Courtenay residents	Community Charter	Class	2021 Assessed Value	% Occupied Space	2022 Property Tax with 100 % Exemption (estimated)			Recommended 2022 Exemption (estimated)				
											City	Other Authorities	Total	%	City	Other Authorities	Total	
1376.000	Comox Valley Children's Day Care Society	Comox Valley Children's Day Care Society	1000 Cumberland Rd	Licensed group day care for children 2.5-5yrs Has been denied exemption in prior years as this is one of several for-profit and not-for-profit daycares within Courtenay	100%	95%	224(2)(a)	1	385,000	100%	1,151	1,126	2,277	0%	-	-	-	
88.000	Ernst and Delia Von Schilling	AVI Health & Community Services (formerly AIDS Vancouver Island) (leasee)	355 6th Street	Office space for AIDS Vancouver Island, a non-profit providing harm reduction services, services for people living with HIV and/or Hepatitis C, and education for populations with greater exposure to HIV and HVC, social service organizations and other community organizations	100%	85%	224(2)(a)	6	232,800	100%	2,435	1,789	4,225	40%	974	716	1,690	
461.050	John Howard Society of North Island	John Howard Society of North Island	575 10th Street	Services to youth, children, and families with diverse needs	100%	66%	224(2)(a)	6	1,297,000	100%	13,568	9,968	23,537	40%	5,427	3,987	9,415	
580.000	Goldfinch Small Home Design Ltd	Boys and Girls Club of Central Vancouver Island (leasee)	877 5th Street	Services to youth, children, and families with diverse needs. Leasing 27% of property	100%	75%	224(2)(a)	6	491,000	27%	1,387	1,019	2,406	100%	1,387	1,019	2,406	
1200.000	City of Courtenay	Comox Valley Canoe Racing Club (licensee)	2040 Cliffe Avenue	Canoe Racing Club storage area	100%	90%	224(2)(a)	8	11,000	100%	33	40	73	100%	33	40	73	
1288.004	Dawn to Dawn	Dawn to Dawn	102-1015 Cumberland Rd	Affordable/Supportive Housing	100%	100%	224(2)(a)	1	151,700	100%	453	444	897	40%	181	177	359	
											\$ 19,028	\$ 14,387	\$ 33,414					
														\$ 8,003	\$ 5,940	\$ 13,942		

City of Courtenay

2022 Annual Bylaw, based on 2021 exemptions approved

Calculation based on 2021 Assessments and 2021 Rates

	2021 Tax Rates		
	City	Other Auth.	Total
1	2.9890	2.9251	5.9141
6	10.4614	7.6857	18.1471
8	2.9890	3.6631	6.6521

2022 PROPERTY TAXES (estimated)

Roll #	Registered Owner / Leasee	Civic Address	Use of Property	% of services to Courtenay residents	Community Charter	Class	Net Assessment before Exemption	% exemption	Grandfathered	Exemption Assessment	City	Other Authorities	Tax Levy
100% Exemption													
49.000	Eureka Support Society	280-4th St	Community facility for adults with mental illness	95%	224(2)(a)	6	314,000	100%	Grandfathered	314,000	3,285	2,413	5,698
122.000	Royal Canadian Legion, Courtenay Branch (Pacific) No. 17	367 Cliffe Ave	Facility to support veterans, promote remembrance, act in service of the community	90%	224(2)(a)	6	550,000	100%	Grandfathered	550,000	5,754	4,227	9,981
122.000	Royal Canadian Legion, Courtenay Branch (Pacific) No. 17	367 Cliffe Ave	Facility to support veterans, promote remembrance, act in service of the community	90%	224(2)(a)	8	666,000	100%	Grandfathered	666,000	1,991	2,440	4,430
1650.000	Royal Canadian Legion, Courtenay Branch (Pacific) No. 17	101 Island Highway	Cenotaph		224(2)(a)	8	43,400	100%	Grandfathered	43,400	130	159	289
169.000	Comox Valley Child Development Association	237 - 3rd St	Office to serve children with special needs	62%	224(2)(a)	6	1,357,000	100%	Grandfathered	1,357,000	14,196	10,429	24,626
170.002	Comox Valley Transition Society (Four Paws Investments LTD)		Residential stabilization and supportive recovery program for women	75%	224(2)(a)	1	617,000	100%	Council Resolution Jun26.17	617,000	1,844	1,805	3,649
348.000	Alano Club of Courtenay	543 - 6th St	Community facility assisting those recovering from addictions	90%	224(2)(a)	6	349,000	100%	Grandfathered	349,000	3,651	2,682	6,333
400.000	West Island Capital Corp	A1-310 8th Street	Leased to City of Courtenay for IT Office Space	100%	224(2)(b)	6	266,000	100%		266,000	2,783	2,044	4,827
513.000	Old Church Theatre Society	755 Harmston Ave	Community theatre	majority	224(2)(a)	6	819,000	100%	Grandfathered	819,000	8,568	6,295	14,862
750.020	Comox Valley Recovery Centre Society (City of Courtenay)	641 Menzies Ave	Residential addiction recovery facility	75%	224(2)(a)	1	1,337,000	100%	Grandfathered	1,337,000	3,996	3,911	7,907
1037.000	Comox Valley Family Services Association	1415 Cliffe Ave	Child, youth & family community and victim services	90%	224(2)(a)	6	672,000	100%	Grandfathered	672,000	7,030	5,165	12,195
1494.000	Glacier View Lodge Society	2470 Back Road	Seniors long-term care	100%	224(2)(j)	1	1,575,000	100%	Grandfathered	1,575,000	4,708	4,607	9,315
1494.010	Glacier View Lodge Society	2470 Back Road	Seniors long-term care	100%	224(2)(j)	1	1,571,000	100%	Grandfathered	1,571,000	4,696	4,595	9,291
1494.050	Glacier View Lodge Society	2450 Back Road	Seniors long-term care	100%	224(2)(j)	1	9,556,000	100%	Grandfathered	9,556,000	28,563	27,952	56,515
1577.018	Comox Valley Pregnancy Care Centre	#4 - 204 Island Hwy N	Community resource and peer support centre	97%	224(2)(a)	6	172,300	100%	Grandfathered	172,300	1,802	1,324	3,127
2200.044	Courtenay & District Historical Society In Trust	2564 Cumberland Rd	Heritage Property	50%	224(2)(a)	1	750,000	100%	Grandfathered	750,000	2,242	2,194	4,436
3200.072	Comox Valley Curling Club (CVRD)	4835 Headquarters Rd	Curling Club Recreation facility	60%	224(2)(i)	6	1,195,000	100%	Grandfathered	1,195,000	12,501	9,184	21,686
75% Exemption													
757.000	Comox Valley Kiwanis Village Society	1061 8th Street	Housing for low-income seniors	70%	224(2)(a)	1	1,232,000	75%	Grandfathered	925,000	2,765	2,706	5,471
757.001	Comox Valley Kiwanis Village Society	1051 8th Street	Housing for low-income seniors	70%	224(2)(a)	1	3,365,000	75%	Grandfathered	2,524,000	7,544	7,383	14,927
758.000	Comox Valley Kiwanis Village Society	635 Pidcock Ave	Housing for low-income seniors	70%	224(2)(a)	1	2,260,000	75%	Grandfathered	1,690,000	5,051	4,943	9,995
1286.045	L'Arche Comox Valley	534 - 19th Street	Supported group home for adults with developmental disabilities	100%	224(2)(a)	1	472,500	75%	Grandfathered	354,000	1,058	1,035	2,094

City of Courtenay

2022 Annual Bylaw, based on 2021 exemptions approved

Calculation based on 2021 Assessments and 2021 Rates

	2021 Tax Rates		
	City	Other Auth.	Total
1	2.9890	2.9251	5.9141
6	10.4614	7.6857	18.1471
8	2.9890	3.6631	6.6521

2022 PROPERTY TAXES (estimated)

Roll #	Registered Owner / Leasee	Civic Address	Use of Property	% of services to Courtenay residents	Community Charter	Class	Net Assessment before Exemption	% exemption	Grandfathered	Exemption Assessment	City	Other Authorities	Tax Levy
40% Exemption													
34.000	Courtenay Elks' Lodge No. 60 of the Benevolent and Protective Order of Elks Canada Inc.	231 6th Street	Facility to promote and support community. Raises funds for several children and community charities	95%	224(2)(e)	6	446,800	40%		178,700	1,869	1,373	3,243
34.000	Courtenay Elks' Lodge No. 60 of the Benevolent and Protective Order of Elks Canada Inc.	231 6th Street	Facility to promote and support community. Raises funds for several children and community charities	95%	224(2)(e)	8	298,100	40%		119,400	357	437	794
131.002	Comox Valley Transition Society		Fourplex - rental housing at rental rates geared to income (property bought with assistance of BC Housing, Town of Comox and mortgage). Target client group is single women and women with children.	75%	224(2)(a)	1	986,000	40%		397,000	1,187	1,161	2,348
409.000	Comox Valley Transition Society	625 England Ave	Community Offices. Secret Venture Holdings Ltd owned by CVTS	75%	224(2)(a)	6	661,500	40%		264,500	2,767	2,033	4,800
166.000	Comox Valley Child Development Association	267 - 3rd Street	1/3 child play area, 2/3 accessible parking space for families	60%	224(2)(a)	1	257,000	40%		103,000	308	301	609
432.000	Community Justice Centre of the Comox Valley (leased from 1124430 BC LTD)	A & C 450 - 8th St	Resolution services & restorative justice. Referrals from RCMP, CFB Comox, SD 71, VIHA, MCFD, businesses, etc. Leasing 21.68% of the space	62%	224(2)(a)	6	286,610	40%		114,600	1,199	881	2,080
459.000	Upper Island Women of Native Ancestry	956 Grieve Ave	Office; support worker; early childhood development and cultural awareness programs	85%	224(2)(a)	1	666,000	40%		266,000	795	778	1,573
750.100	John Howard Society of North Island	994 - 8th Street	Property gifted to John Howard Society from St. John the Divine Abbeyfield House Society. Now supportive transitional youth housing. Property received 75% exemption up to 2018 for seniors supported living.	66%	224(2)(a)	1	1,373,000	40%		549,000	1,641	1,606	3,247
1113.000	L'Arche Comox Valley	1465 Grieve Avenue	'I Belong Centre' holding L'Arche Office, the Outreach Centre (day programs for adults with disabilities) and 6 semi-independent community living residential suites. Used 100% by the L'Arche community, however day programs are offered to the public.	95%	224(2)(a)	1	702,000	40%		284,400	850	832	1,682
1113.000	L'Arche Comox Valley	1465 Grieve Avenue	'I Belong Centre' holding L'Arche Office, the Outreach Centre (day programs for adults with disabilities) and 6 semi-independent community living residential suites. Used 100% by the L'Arche community, however day programs are offered to the public.	95%	224(2)(a)	6	815,000	40%		326,200	3,413	2,507	5,920

City of Courtenay

2022 Annual Bylaw, based on 2021 exemptions approved

Calculation based on 2021 Assessments and 2021 Rates

	2021 Tax Rates		
	City	Other Auth.	Total
1	2.9890	2.9251	5.9141
6	10.4614	7.6857	18.1471
8	2.9890	3.6631	6.6521

2022 PROPERTY TAXES (estimated)

Roll #	Registered Owner / Lessee	Civic Address	Use of Property	% of services to Courtenay residents	Community Charter	Class	Net Assessment before Exemption	% exemption	Grandfathered	Exemption Assessment	City	Other Authorities	Tax Levy
1171.005	Wachiay Friendship Centre Society	1625 McPhee Avenue	Provides over 40 free social programs to those living in poverty. Examples include legal aid, homeless outreach, literacy programs, food bank, senior and elder programs, children support. 10% of space is utilized for Wachiay Studio and MultiMedia program which run as a revenue generating business with the surplus funds invested into the Society. This is excluded from exemption as it could compete with local business Total space: 21,000 sf. Excluding Social enterprise: 2,000 sf. (9.5%) and Daycare: 3,450 sf. (16.4%). Total exempt 26%	70%	224(2)(a)	6	926,500	40%		370,600	3,877	2,848	6,725
1171.006	Wachiay Friendship Centre Society	1679 McPhee Avenue	Parking lot used by Wachiay Friendship Centre Society members and staff	70%	224(2)(a)	6	204,980	40%		82,000	858	630	1,488
1175.034	Dawn to Dawn Action on Homelessness Society	13-1520 Piercy	Affordable/Supportive Housing	100%	224(2)(a)	1	205,800	40%		82,300	246	241	487
1224.080	Dawn to Dawn Action on Homelessness Society	#17 375 21st Street	Affordable/Supportive Housing	100%	224(2)(a)	1	151,400	40%		60,500	181	177	358
1288.060	Dawn to Dawn Action on Homelessness Society	#311 1015 Cumberland Road	Affordable/Supportive Housing	100%	224(2)(a)	1	158,500	40%		63,400	190	185	375
1700.332	The Canadian Red Cross Society (leased from 670431 BC LTD)	2683 Moray Avenue, Units 10-12	Health Equipment Loan Program (HELP): short term loans of basic and advanced medical equipment. Office of the Red Cross Comox Valley Emergency Management Team. Leasing 25% of the space	75%	224(2)(a)	6	397,850	40%		157,400	1,647	1,210	2,856
1960.004	Salvation Army Cornerstone Community and Family Services (leased from Lenco/Norco and Fernco Development LTD)	Unit 8, 468 29th Street	Emergency services to community members - about 9% of space (excludes thrift store operations)	80%	224(2)(a)	6	479,750	40%		191,900	2,008	1,475	3,482
1960.006	Aaron House Ministries (leased from Fernco Development Ltd)	2966 Kilpatrick Ave	Christian Worship / Teaching Centre - occupy 12.7% of property	75%	224(2)(a)	6	600,000	40%		240,000	2,511	1,845	4,355
2016.006	Stepping Stones Recovery House for Women Society (leased from Joshua Hope)	1535 Burgess Rd	Women's residential recovery program	60%	224(2)(a)	1	410,800	40%		164,800	493	482	975
2024.009	Habitat for Humanity Vancouver Island North Society	1755 - 13th Street	Restore (5,000 sf) and Administration (2,000 sf) for both Restore (60%) and H4H (40%). 29% of space for Admin office used at 40% for H4H = 12% net exemption	100%	224(2)(a)	6	92,750	40%		37,100	388	285	673
3200.032	Youth for Christ Comox Valley	4729 Headquarters Rd	Youth recreation programs, summer camps, retreats, local ministerial meetings... Occupy 97.5% of property	95%	224(2)(a)	1	561,000	40%		224,400	671	656	1,327
Total							\$ 39,820,540			\$ 31,579,900	\$ 151,611	\$ 129,439	\$ 281,050

SCHEDULE C

City of Courtenay

Annual Bylaw - Church Properties

Calculation based on 2021 Assessments and 2021 Rates

2021 Tax Rates

	City	Other Auth.	Total
1	2.9890	2.9251	5.9141
6	10.4614	7.6857	18.1471
8	2.9890	3.6631	6.6521

Roll #	Registered Owner	Civic Address	Use of Property	Class	2021 Assessed Value	Sec 220 Statutory Exemption	Taxable Residence	Net Remain Assess	% Exemption	2022 PROPERTY TAXES (estimated)		
										City	Other Auth.	Tax Levy
143.000	GRACE BAPTIST CHURCH	467 - 4th Street		8	281,200	(214,400)		66,800	100%	200	245	444
313.100	ANGLICAN SYNOD DIOCESE OF B.C.	579 - 5th Street		8	1,102,000	(787,000)		315,000	100%	942	1,154	2,095
341.000	ELIM GOSPEL HALL	566 - 5th Street		8	447,000	(255,000)		192,000	100%	574	703	1,277
342.000	ELIM GOSPEL HALL	576 - 5th Street	used for parking (BCAA to change from class 6 to class 8 for 2021)	8	121,000			121,000	100%	362	443	805
342.000	ELIM GOSPEL HALL	576 - 5th Street	used for parking	8	126,000			126,000	100%	377	462	838
346.000	ST. GEORGE'S CHURCH	505 - 6th Street		8	2,021,000	(1,792,000)		229,000	100%	684	839	1,523
568.000	CENTRAL EVANGELICAL FREE CHURCH	765 McPhee Ave	Rezoned in 2018 from Industrial to church and assembly hall. Moved from 505 Fitzgerald	6	647,000	(434,000)		213,000	100%	2,228	1,637	3,865
618.220	RIVER HEIGHTS CHURCH SOCIETY	2201 Robert Lang Drive	residential/commercial portion not exempt	8	658,900	(252,600)	(113,300)	293,000	100%	876	1,073	1,949
1074.050	SALVATION ARMY CANADA WEST	1580,1590 Fitzgerald Ave		8	821,100	(498,100)		323,000	100%	965	1,183	2,149
1166.000	LUTHERAN CHURCH	771 - 17th Street		8	636,800	(406,800)		230,000	100%	687	843	1,530
1211.004	VALLEY UNITED PENTACOSTAL CHURCH OF BC	1814 Fitzgerald Avenue		8	489,700	(318,700)		171,000	100%	511	626	1,138
1524.102	BISHOP OF VICTORIA - CATHOLIC CHURCH	1599 Tunner Drive		8	3,931,200	(3,629,200)		302,000	100%	903	1,106	2,009
1594.000	KINGDOM HALL OF JEHOVAH WITNESSES	1581 Dingwall Road	church only/residence not exempt	8	944,100	(659,300)	(101,800)	183,000	100%	547	670	1,217
1691.030	SEVENTH DAY ADVENTIST CHURCH	4660 Headquarters		8	391,400	(207,400)		184,000	100%	550	674	1,224
1691.044	ANGLICAN SYNOD DIOCESE OF B.C.	4634 Island Hwy		8	214,700	(98,700)		116,000	100%	347	425	772
1691.046	ANGLICAN SYNOD DIOCESE OF B.C.	1514 Dingwall Road	Cemetery	8	170,000			170,000	100%	508	623	1,131
2005.000	LDS CHURCH	1901 - 20th Street		8	893,500	(379,500)		514,000	100%	1,536	1,883	3,419
2005.000	LDS CHURCH-PRIVATE SCHOOL	1901 - 20th Street	private school (statutory exemption)	6	973,000	(973,000)		0	100%	-	-	-
2017.034	FOURSQUARE GOSPEL CHURCH OF CANADA	1640 Burgess Road		8	2,373,000	(1,323,000)		1,050,000	100%	3,138	3,846	6,985
2200.088	COURTENAY FELLOWSHIP BAPTIST CHURCH	2963 Lake Trail Rd		8	1,510,800	(1,231,800)		279,000	100%	834	1,022	1,856
					\$ 18,753,400	\$ (13,460,500)	\$ (215,100)	\$ 5,077,800		\$ 16,769	\$ 19,457	\$ 36,226

SCHEDULE D

City of Courtenay

5 Year Bylaw - City Owned Properties

Calculation based on 2021 Assessments and 2021 Rates

Bylaw No. 2976, 2019 in effect 2020-2024

2021 Tax Rates

	City	Other Auth.	Total
1	2.9890	2.9251	5.9141
6	10.4614	7.6857	18.1471
8	2.9890	3.6631	6.6521

Roll #	Registered Owner	Civic Address	Use of Property	Community Charter	Class	Net 2021 Assessed Value	% Exemption	Permissive Exemption Assessed Value	2022 PROPERTY TAXES (estimated)		
									City	Other Authorities	Tax Levy
29.002	City of Courtenay	580 Duncan Ave	Arts Centre/Gallery	224(2)(b)	6	2,571,000	100%	2,571,000	26,896	19,760	46,656
63.000	City of Courtenay	442 Cliffe Avenue	Sid Williams Theatre	224(2)(b)	6	1,798,000	100%	1,798,000	18,810	13,819	32,628
113.000	City of Courtenay	207 - 4th St	Courtenay & District Museum	224(2)(b)	6	1,704,000	100%	1,704,000	17,826	13,096	30,923
113.000	City of Courtenay	207 - 4th St	Courtenay & District Museum	224(2)(b)	8	420,000	100%	420,000	1,255	1,539	2,794
261.006	City of Courtenay/ Nature Trust of BC	559 3rd Street	McPhee Meadows	224(2)(b)	1	543,000	100%	543,000	1,623	1,588	3,211
1200.000	City of Courtenay	2040 Cliffe Ave	Courtenay Marina Society	224(2)(b)	6	1,026,000	100%	1,026,000	10,733	7,886	18,619
1200.000	City of Courtenay	2040 Cliffe Ave	Courtenay Marina Society	224(2)(b)	8	134,000	100%	134,000	401	491	891
1941.000	City of Courtenay	100 - 20th St	Courtenay Airpark Society	224(2)(b)	6	2,948,000	100%	2,948,000	30,840	22,657	53,498
						\$ 11,144,000		\$ 11,144,000	\$ 108,385	\$ 80,836	\$ 189,221

City of Courtenay

10 Year Bylaw

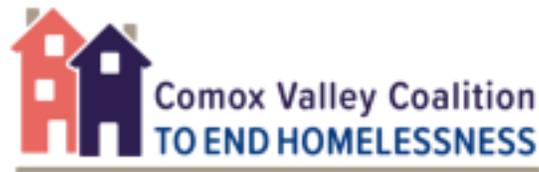
Calculation based on 2021 Assessments and 2021 Rates

Current Bylaw in effect 2012-2021. Bylaw No. 2802, 2014 (Island Corridor Foundation only)

New Bylaw in effect 2022-2031

2021 Tax Rates			
	City	Other Auth.	Total
1	2.9890	2.9251	5.9141
2	20.9228	19.6762	40.5990
6	10.4614	7.6857	18.1471
8	2.9890	3.6631	6.6521

Roll #	Registered Owner	Civic Address	Use of Property	Community Charter	Class	Net 2021 Assessment	% Exemption	Assessed Value of Exemption	2022 PROPERTY TAXES (estimated)		
									City	Other Authorities	Tax Levy
467.000	Island Corridor Foundation		Railway corridor	224(2)(a)	2	47,900	100%	47,900	1,002	942	1,945
467.100	Island Corridor Foundation		Railway corridor	224(2)(a)	2	10,200	100%	10,200	213	201	414
613.100	Island Corridor Foundation		Railway corridor	224(2)(a)	2	8,400	100%	8,400	176	165	341
1012.205	Island Corridor Foundation	South Courtenay Boundary Extension 2013	Railway corridor	224(2)(a)	2	339,300	100%	339,300	7,099	6,676	13,775
2154.000	Island Corridor Foundation	Cumberland Road	Railway corridor	224(2)(a)	2	401,400	100%	401,400	8,398	7,898	16,296
2154.001	Island Corridor Foundation	Cumberland Road	Railway corridor	224(2)(a)	6	8,400	100%	8,400	88	65	152
2154.003	Island Corridor Foundation	Menzies Avenue	Railway corridor	224(2)(a)	6	261,000	100%	261,000	2,730	2,006	4,736
2154.013	Island Corridor Foundation	Cumberland Road	Railway corridor / Train Station	224(2)(a)	2	3,900	100%	3,900	82	77	158
2154.013	Island Corridor Foundation	Cumberland Road	Railway corridor / Train Station	224(2)(a)	6	378,900	100%	378,900	3,964	2,912	6,876
1493.003	Project Watershed Society	1901 Comox Road	Kus-kus-sum Property	224(2)(a)	6	1,178,000	100%	1,178,000	12,324	9,054	21,377
1493.005	Project Watershed Society	1901 Comox Road	Kus-kus-sum Property	224(2)(a)	6	196,000	100%	196,000	2,050	1,506	3,557
1493.007	Project Watershed Society	1901 Comox Road	Kus-kus-sum Property	224(2)(a)	6	738,000	100%	738,000	7,721	5,672	13,393
1493.009	Project Watershed Society	1901 Comox Road	Kus-kus-sum Property	224(2)(a)	6	1,569,000	100%	1,569,000	16,414	12,059	28,473
1566.000	M'akola Housing Society	810 Braidwood Road	Affordable / Supportive Housing	224(2)(a)	1	5,500,000	100%	5,500,000	16,440	16,088	32,528
1960.300	The Nature Trust of British Columbia	Sandpiper Drive	Parkland - Was exempt in past years as ownership was incorrectly coded as Provincial lands by BCAA, corrected and re categorized by BCAA for 2013 and no longer receives "statutory exemption"	224(2)(a)	8	1,792,000	100%	1,792,000	5,356	6,564	11,921
2023.014	The Nature Trust of British Columbia	656 Arden Road	Morrison Nature Park	224(2)(a)	8	758,000	100%	758,000	2,266	2,777	5,042
						\$ 13,190,400		\$ 13,190,400	\$ 86,322	\$ 74,662	\$ 160,984



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

August 24, 2021

Re: Connect Extension

Dear City of Courtenay Mayor and Council,

We are writing on behalf of the Comox Valley Coalition to End Homelessness (Coalition) and the Comox Valley Transition Society who operates Connect on behalf of the Coalition to End Homelessness. We are writing to request an extension of the License to Occupy 685 Cliffe Ave for the operation of the Connect program. The current license to occupy expires on Oct. 5th, 2021. We are asking for an extension to Oct 31, 2022 with an opportunity for further extension beyond that date. In addition, we seek the support and approval for implementation and expansion of the overnight shelter bed/mat program.

The Comox Valley recently received the exciting news that our community was successful with our Strengthening Communities grant application. The Strengthening Communities' Services Program aims to support unsheltered homeless populations and to address related community impacts collaboratively between local government and non-profit organizations.

We are grateful to have been awarded the Strengthening Communities grant and to have the opportunity to the expand the hours at Connect, staff the shower program and reinstate the additional shelter mats for the 12 month period.

Connect provides support services and meets a variety of practical needs the unsheltered members of our community have. Connect has also been an important place for clients to access primary health care, addictions medicine, as well as the ACT and ICMT supports. Please see the attached data collection report that demonstrates the numbers of interactions and the types of supports that are being provided. The grant provides for the expansion of hours at Connect.; 7 days a week from 7am to 5:30pm. To move forward with the implementation of the grant and its deliverables we need the support and approval for the extension of the License to Occupy 685 Cliffe Ave.

The Strengthening Community grant also provides funding to operate and staff additional shelter beds/mats and we are seeking approval to resume operation of the shelter spaces at Connect. The need in our community for shelter as a step towards housing is great. Between April and June there were 1003 bed nights. This does not account for the numerous turn aways each night. The shelter beds at Connect will eliminate a number of encampments, reduces crime and will reduce the City's clean up costs, while increasing safety and connection to supports and housing opportunities for those who are unsheltered in our community.

In addition to the Strengthening Communities Grant, this week BC Housing reached out to CVTS with regards to our interest in initiating the EWR program for 2021-2022. Between Feb 12th and March 31st, 69 distinct individuals sheltered overnight from wet and cold weather at Connect. We are also requesting that the Connect space expand to the entire building so that more individuals can be accommodated through

the winter, CVTS will work collaboratively with the City of ensure risks are mitigated and we build capacity to meet the demands for shelter both in the temperate months and the cold wet days of winter.

Being able to provide day and night services has made a significant impact on the well-being of those using the services. Staff have been able to build positive relationships with clients, in a safe and secure place while providing food and other life necessities. At these programs', day program, showers and mat program, clients receive medical care, access to housing and other supportive services either directly at Connect or through other partnering agencies. Connect continues to have a positive impact in our community and we are excited to have the opportunity to expand these services while we work collaboratively with local and provincial governments and the community to develop more permanent solutions that will address the crisis we have in our community.

The Coalition and CVTS extend our sincere gratitude to the City of Courtenay council and staff for all your support of these essential services that keep our community's most vulnerable safe and connected.

Please feel free to contact us with any questions.

In gratitude,

Angela Fletcher
Coordinator- CV Coalition to End Homelessness

www.cvhousing.com
comoxvalleyhousing@gmail.com

Heather Ney
Executive Director – CV Transition Society

cvts.ca
director@cvts.ca

Attachment A

Part 58 – Comprehensive Development Thirty Two Zone (CD-32) (801 Ryan Road)

8.54.1 Intent

The CD-32 Zone is intended to accommodate a rental apartment development on the property legally described as Lot 1, Section 14, Comox District, Plan 27905 Except Parts in Plans 38112 and VIP 53727. The property shall be developed substantially in accordance with Schedules A and B which form part of this zone.

8.54.2 Permitted Uses

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

1. *Rental Apartment*

8.54.3 Lot Coverage

A lot shall not be covered by buildings to a greater extent than 30% of the total area of the lot.

8.54.4 Floor Area Ratio

The maximum *floor area ratio* shall not exceed 1.25.

8.54.5 Minimum Lot Size

A lot shall have an area of not less than 2.0 hectares.

8.54.6 Setbacks

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

- (1) Front Yard (interpreted as the yard adjacent to the northwest property line): 7.5m
- (2) Rear Yard (interpreted as the yard adjacent to the southeast property line): 6.0m
- (3) Side Yard (interpreted as all other yards): 3.0m

Notwithstanding the required front, rear, and side yard setbacks specified above, roof overhangs and decks may extend up to 0.6m into the required setback.

8.54.7 Height of Buildings

Maximum building height shall be 17.5m and in accordance with Schedule B.

Notwithstanding the maximum height specified above, roof projections, elevator shafts and mechanical equipment may project beyond 17.5m.

8.54.9 Usable Open Space

A minimum of 20m² of useable open space must be provided per unit as shown in Schedule B. For clarity this includes common outdoor areas and private balconies or patios.

8.54.10 Accessory Structures

Shall not be permitted except for bike storage structures and sheds

8.54.11 Off-Street Parking and Loading

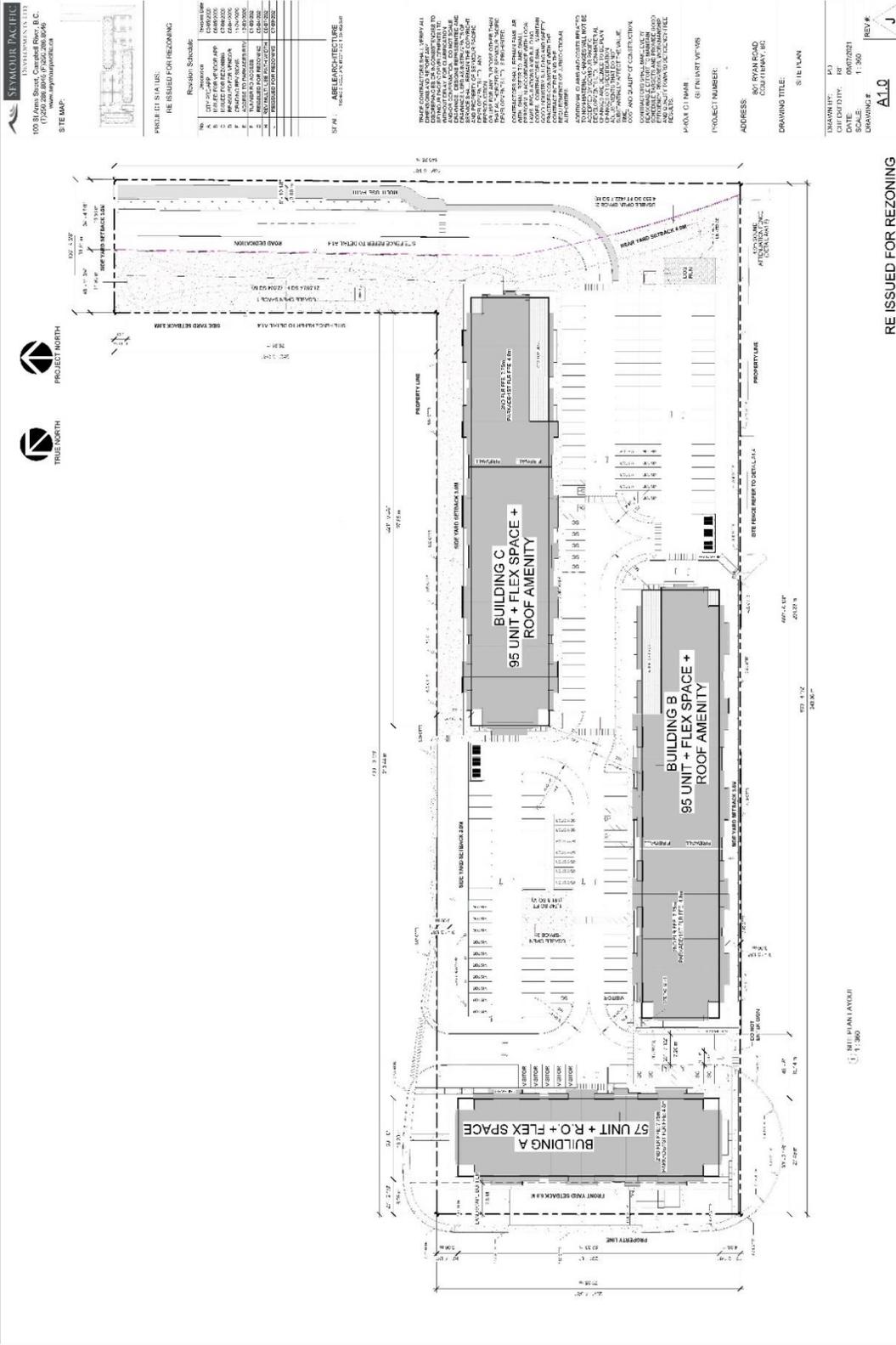
Off-street parking shall be provided and maintained in accordance with the requirements of Division 7 of this bylaw except:

- (1) For *Rental Apartment* uses parking shall be provided at a rate of 1.25 parking spaces per dwelling unit inclusive of visitor parking;
- (2) Bicycle parking facilities must be provided at a rate of one covered, secure stall per unit.

8.54.12 Fencing

The maximum height of fencing along the side property line (southwest property line) is 4.0m.

SCHEDULE A





PROJECT STATUS: RE-ISSUED FOR REZONING

Revision Schedule

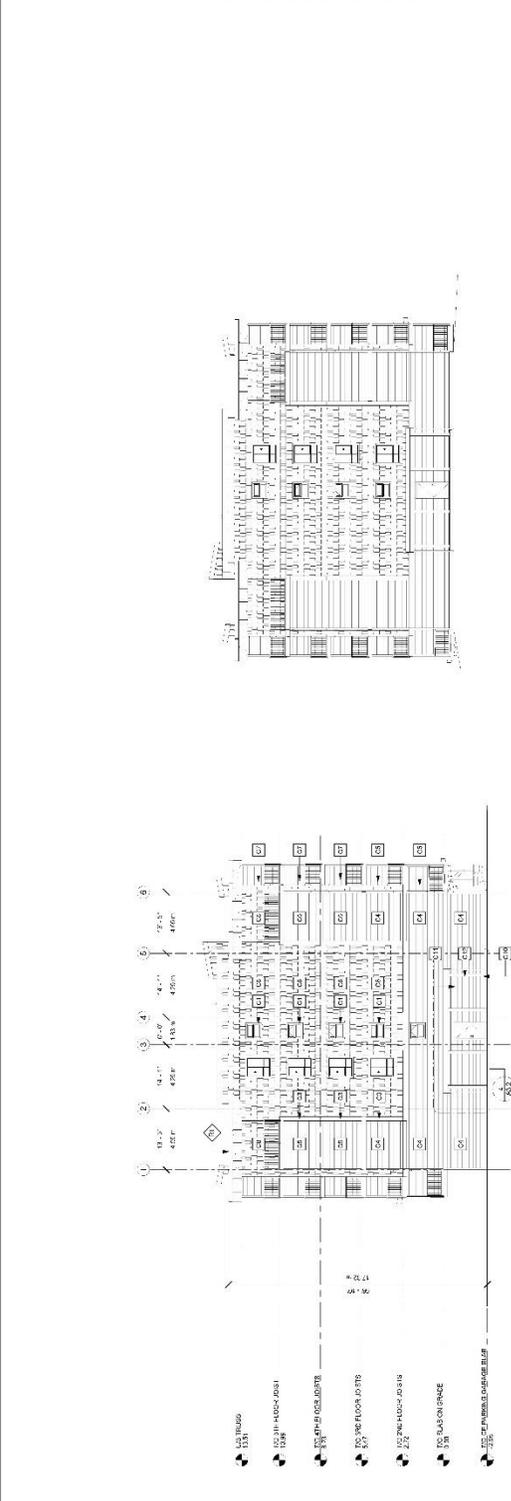
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A	CLIP FROM 2016	03/09/2016
B	REVISIONS TO 2016	03/09/2016
C	REVISIONS TO 2016	03/09/2016
D	REVISIONS TO 2016	03/09/2016
E	REVISIONS TO 2016	03/09/2016
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J	REVISIONS TO 2016	03/09/2016

SEAL: ABEL BARN ARCHITECTURE
 1000 W. 10th Street, Vancouver, BC

PROJECT NAME: GLENHART VIEWS
PROJECT NUMBER: -
ADDRESS: BOTTAYAN ROAD
 COURTNEY, BC
UPSPRING TILL: -
ELEVATIONS 2 OF 2 - BUILDING A

UNAPPROVED BY: R/P
 CHECKED BY: R/P
 DATE: 06/04/2020
 DRAWING # AS ISSUED
 DRAWING # REV #

RE-ISSUED FOR REZONING



1.2 RIGHT ELEVATION
 Scale: 1/128

1. LEFT ELEVATION
 Scale: 1/128

3. FRONT ENTRY ELEVATION
 Scale: 1/48

4. SIDE ENTRY ELEVATION
 Scale: 1/48

EXTERIOR ROOFING PRODUCT

DESCRIPTION	LOCATION
1. ROOFING PRODUCT	ROOF
2. ROOFING PRODUCT	ROOF

EXTERIOR METAL PRODUCT

DESCRIPTION	LOCATION
1. METAL PRODUCT	ROOF
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EXTERIOR CLADDING PRODUCT

DESCRIPTION	COLOR	LOCATION
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EXTERIOR METAL PRODUCT

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RE-ISSUED FOR REZONING

SITE MAP



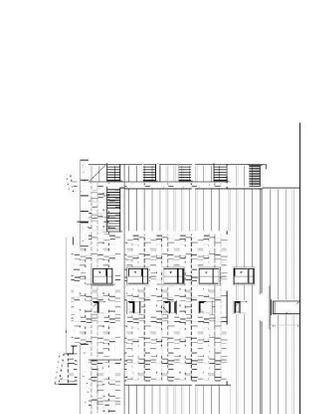
PROJECT STATUS
REISSUED FOR REZONING

Revision Schedule	Revised On
A. CITY PRELIMINARY PERMITS	REVISION 01
B. REVISION FOR NATIONAL MAP	REVISION 02
C. REVISION FOR REGIONAL PERMITS	REVISION 03
D. REVISION FOR REGIONAL PERMITS	REVISION 04
E. REVISION FOR REGIONAL PERMITS	REVISION 05
F. REVISION FOR REGIONAL PERMITS	REVISION 06
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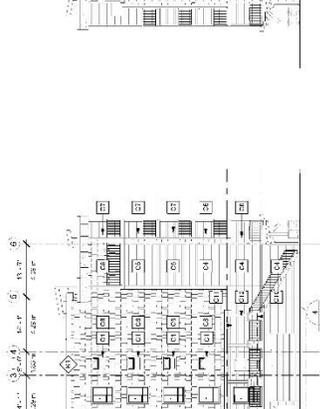
SEAL: **ABELLA NCI LIC 1101**
REGISTERED PROFESSIONAL ARCHITECT

THIS CONTRACT AND ALL VERTICALLY INCORPORATED DOCUMENTS TO BE PROVIDED TO THE ARCHITECT SHALL BE THE PROPERTY OF THE ARCHITECT AND SHALL REMAIN HIS/HERS. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL DRAWINGS, SPECIFICATIONS, CONTRACT DOCUMENTS, AND ALL INFORMATION CONTAINED THEREIN. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL INFORMATION CONTAINED THEREIN. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL INFORMATION CONTAINED THEREIN. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL INFORMATION CONTAINED THEREIN.

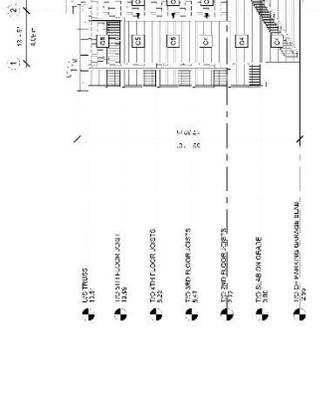
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CHECKED BY: RB
DATE: 08/06/2020
SCALE:
DRAWING #: A3.6
REV #: J



1. FRONT ELEVATION
 Scale: 1 : 40



2. LEFT ELEVATION
 Scale: 1 : 150



3. RIGHT ELEVATION
 Scale: 1 : 150



4. SIDE ELEVATION
 Scale: 1 : 40

EXTERIOR CLADDING PRODUCT

DESCRIPTION	COLOR	LOCATION
1. CLADDING BOARD TRIM	ANTIC WHITE	LEVEL 1-3
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10. CLADDING BOARD TRIM	ANTIC WHITE	LEVEL 1-3
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EXTERIOR METAL PRODUCT

DESCRIPTION	COLOR	LOCATION
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12. ALUMINUM CLADDING <td>BLACK <td>REFERS TO DETAIL DWG 13</td> </td>	BLACK <td>REFERS TO DETAIL DWG 13</td>	REFERS TO DETAIL DWG 13

EXTERIOR ROOFING PRODUCT

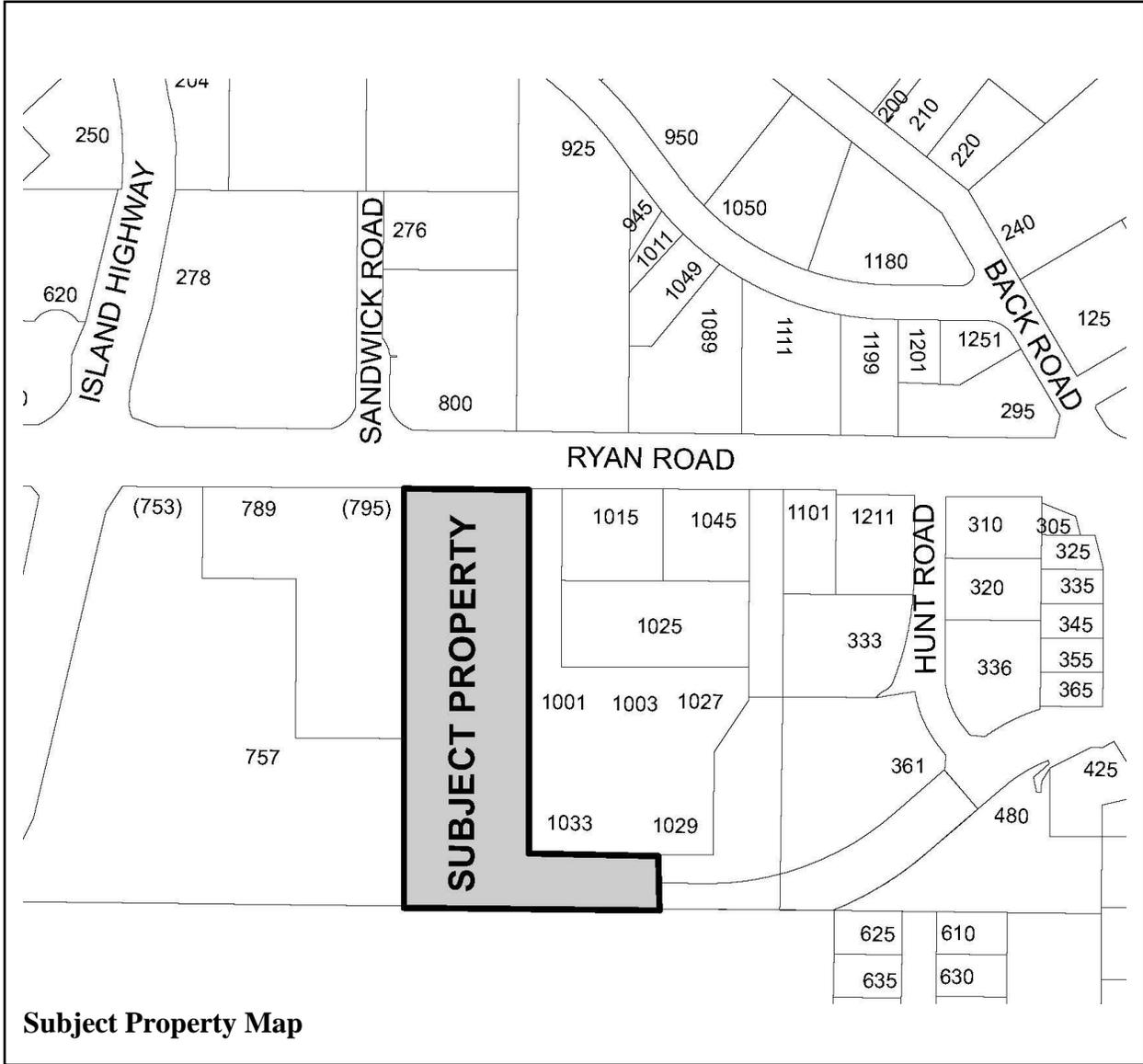
DESCRIPTION	COLOR	LOCATION
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2. ROOFING PRODUCT <td>BLACK <td>REFERS TO DETAIL DWG 15</td> </td>	BLACK <td>REFERS TO DETAIL DWG 15</td>	REFERS TO DETAIL DWG 15
3. ROOFING PRODUCT <td>BLACK <td>REFERS TO DETAIL DWG 16</td> </td>	BLACK <td>REFERS TO DETAIL DWG 16</td>	REFERS TO DETAIL DWG 16
4. ROOFING PRODUCT <td>BLACK <td>REFERS TO DETAIL DWG 17</td> </td>	BLACK <td>REFERS TO DETAIL DWG 17</td>	REFERS TO DETAIL DWG 17
5. ROOFING PRODUCT <td>BLACK <td>REFERS TO DETAIL DWG 18</td> </td>	BLACK <td>REFERS TO DETAIL DWG 18</td>	REFERS TO DETAIL DWG 18
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8. ROOFING PRODUCT <td>BLACK <td>REFERS TO DETAIL DWG 21</td> </td>	BLACK <td>REFERS TO DETAIL DWG 21</td>	REFERS TO DETAIL DWG 21
9. ROOFING PRODUCT <td>BLACK <td>REFERS TO DETAIL DWG 22</td> </td>	BLACK <td>REFERS TO DETAIL DWG 22</td>	REFERS TO DETAIL DWG 22
10. ROOFING PRODUCT <td>BLACK <td>REFERS TO DETAIL DWG 23</td> </td>	BLACK <td>REFERS TO DETAIL DWG 23</td>	REFERS TO DETAIL DWG 23
11. ROOFING PRODUCT <td>BLACK <td>REFERS TO DETAIL DWG 24</td> </td>	BLACK <td>REFERS TO DETAIL DWG 24</td>	REFERS TO DETAIL DWG 24
12. ROOFING PRODUCT <td>BLACK <td>REFERS TO DETAIL DWG 25</td> </td>	BLACK <td>REFERS TO DETAIL DWG 25</td>	REFERS TO DETAIL DWG 25

NOTES

1. ALL ROOFING SHALL BE 12 YEAR WARRANTY PRODUCT.
2. ALL ROOFING SHALL BE 12 YEAR WARRANTY PRODUCT.
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12. ALL ROOFING SHALL BE 12 YEAR WARRANTY PRODUCT.

RE ISSUED FOR REZONING

Attachment B



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 B

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



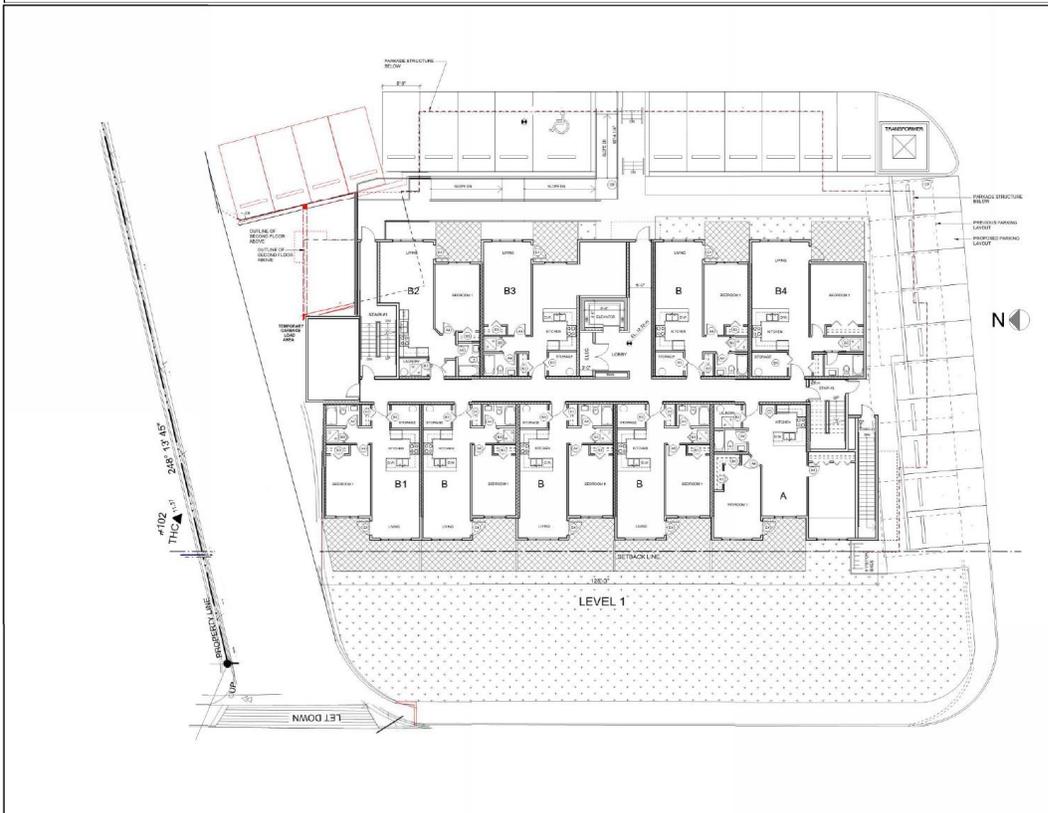
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COURTNEY DEVELOPMENTS LTD
BUILD 3
OCP & RE-ZONING
APPLICATION
2021.06.28
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NEWPORT VILLAGE
COURTNEY DEVELOPMENTS LTD
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APPLICATION
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Schedule C

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

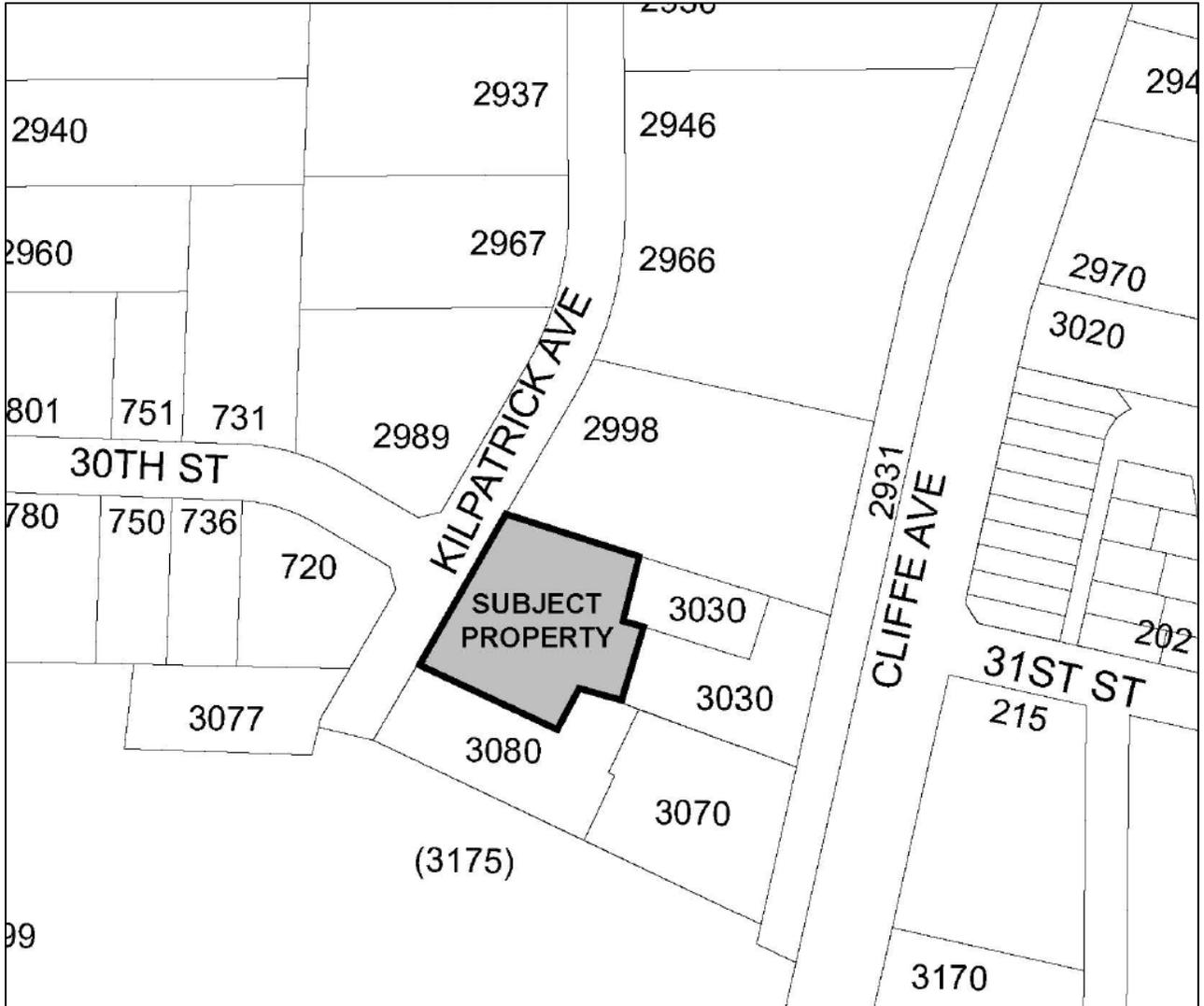


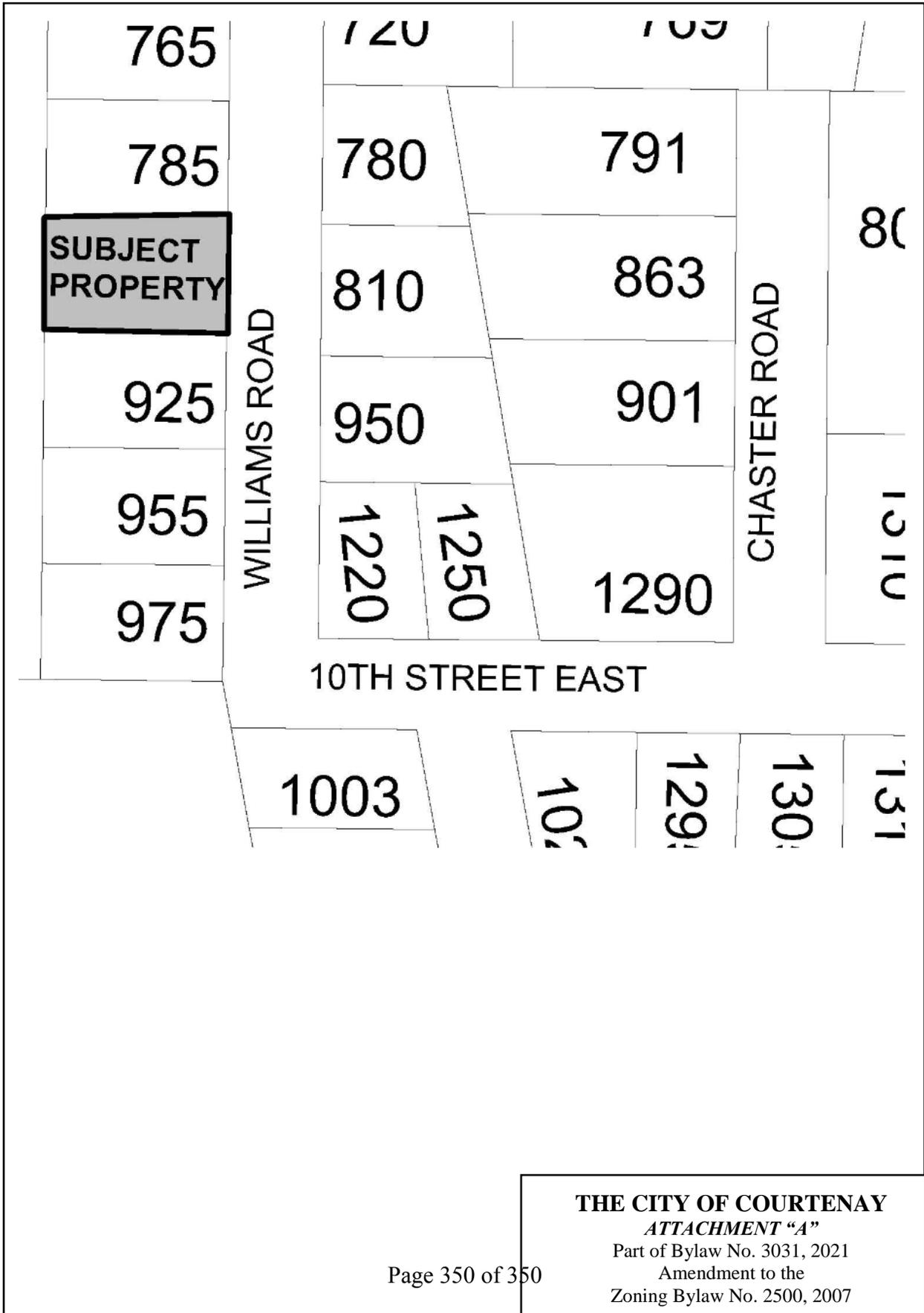
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COURTNEY DEVELOPMENTS LTD
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OCP & RE-ZONING
APPLICATION
2021.06.28
A - 1.21

Attachment B





THE CITY OF COURTENAY

ATTACHMENT "A"

Part of Bylaw No. 3031, 2021

Amendment to the

Zoning Bylaw No. 2500, 2007