

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 3037

A bylaw to amend Zoning Bylaw No. 3037, 2023

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

- 1. This bylaw may be cited for all purposes as “Zoning Amendment Bylaw No. 3037, 2023”.
- 2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:

(a) Amending Division 8 – Classification of Zones through the addition of:

Part 66 – Comprehensive Development 39 Zone (CD-39) 1590 Piercy Avenue as attached in **Attachment A**.

(b) By rezoning That part of Lot 3, Section 41, Comox District, Plan 4764, Shown Outlined in Red on Plan 1402-R (1590 Piercy Avenue) as shown in bold outlined on **Attachment B** which is attached hereto and forms part of this bylaw, from Residential 2 to Comprehensive Development Zone 39 (CD-39).

(c) That Schedule No. 8. Zoning Map be amended accordingly.

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

Read a first time this	day of	, 2023
Read a second time this	day of	, 2023
Considered at a Public Hearing this	day of	, 2023
Read a third time this	day of	, 2023
Finally passed and adopted this	day of	, 2023

Mayor

Director of Legislative Services

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

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

ATTACHMENT A

Part 66 – Comprehensive Development 39 Zone (CD-39) (1590 Piercy Avenue)

8.66.1 Intent

The CD-39 Zone is intended to accommodate a strata development of three buildings with 9 units on the property legally described as Lot 3, Section 41, Comox District, Plan 4764, Shown Outlined in Red on Plan 1402-R. The property shall be developed substantially in accordance with Schedules A and B which form part of this zone.

8.66.2 Permitted Uses

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

- (1) *Dwelling, duplex*
- (2) *Dwelling, townhouse*
- (3) *Accessory buildings and structures*
- (4) *Home occupation*

8.66.3 Minimum Lot Size

A lot shall have an area of not less than 2,030 m².

8.66.4 Floor Area Ratio

Providing all other applicable size, shape and siting conditions are met, the maximum *floor area ratio* shall not exceed 0.40.

8.66.5 Setbacks

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

- (1) *Front Yard* 7.5 m
- (2) *Rear Yard* 7.3 m
- (3) *Side Yard* - shall total 4.0 m, with a minimum *side yard setback* on one side of 1.5 m.

8.66.6 Height of Building

Maximum *building height* shall be 7.0 m.

8.66.7 Useable Open Space

Useable open space must be provided on a lot in the amount of 30.0 m² for each one-bedroom *dwelling unit* and 50.0 m² for each *dwelling unit* with two or more bedrooms.

8.66.8 Accessory Buildings and Structures

Shall not be permitted except for a waste and recycling enclosure and exterior bicycle storage areas:

- (1) The side yard setback for the waste and recycling enclosure shall be 0.0 m.

8.66.9 Off-Street Parking and Loading

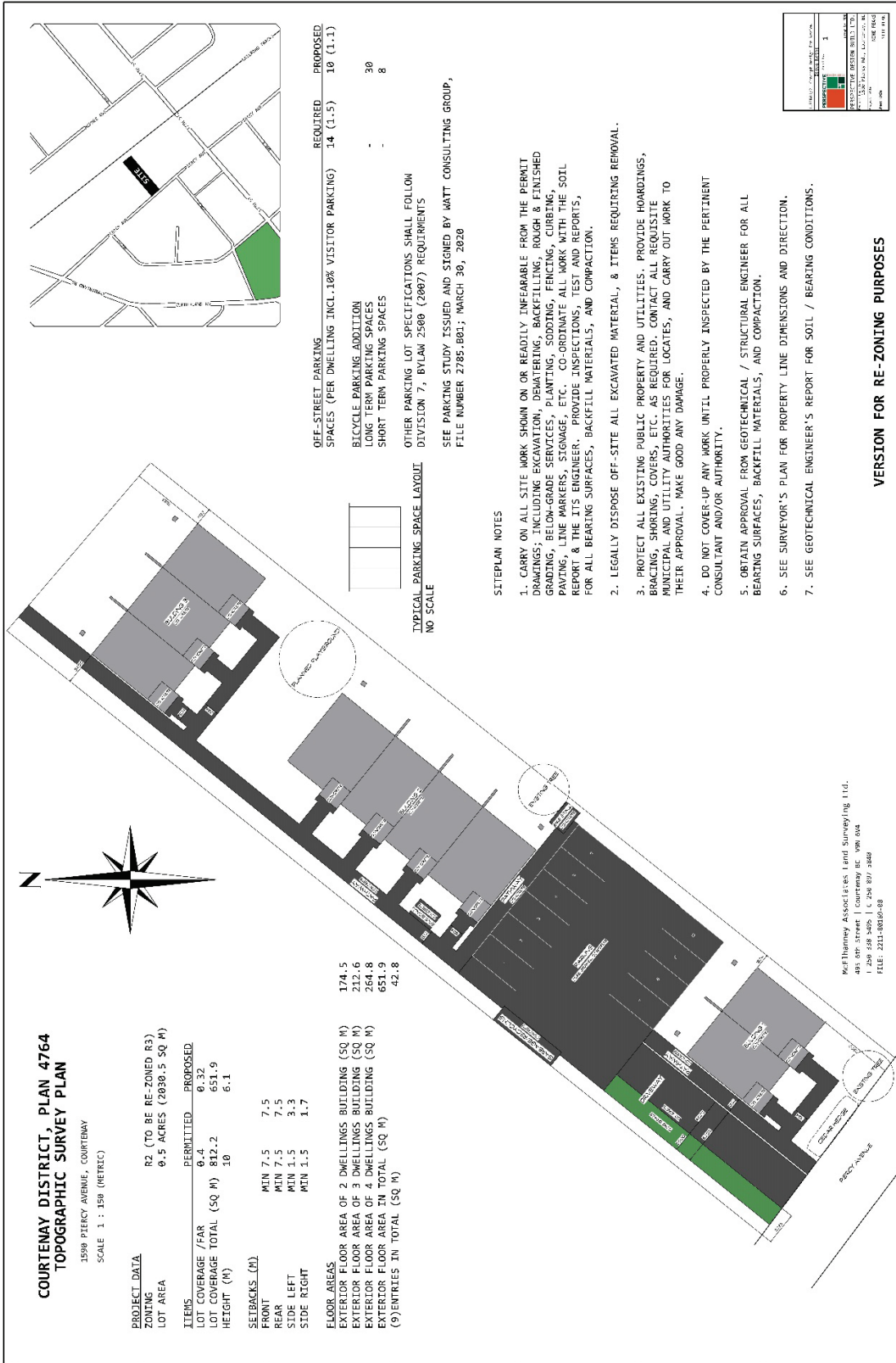
- (1) Off-street parking shall be provided and maintained in accordance with the requirements of Division 7 of this bylaw except in this zone, parking shall be provided at a rate of 1.11 parking spaces per dwelling unit inclusive of visitor parking;
- (2) Bicycle parking shall be provided and maintained in accordance with the requirements of Division 7, Part 3 of this bylaw.

8.66.10 Landscaping and Screening

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

- (1) Landscaping shall be used to ensure privacy and to complement the overall development.
- (2) A 4.5 m landscape buffer in the rear and front yard, except for the driveway.
- (3) A 1.5 m landscape buffer for both side yards, except for the driveway and garbage enclosure.

SCHEDULE A



SCHEDULE B



Front Elevation - Not to scale



Rear Elevation - Not to scale



Left Elevation - Not to scale



Right Elevation - Not to scale

VERSION FOR RE-ZONING PURPOSES

PROJECT INFORMATION	
PROJECT NAME: 6	DATE: 11/12/2024
PROJECT LOCATION: 17710	OWNER: 17710
PROJECT DESIGN FIRM: 17710	DESIGNER: 17710
PROJECT NO.: 17710	DATE: 11/12/2024
PROJECT NO.: 17710	PROJECT NO.: 17710
PROJECT NO.: 17710	PROJECT NO.: 17710
PROJECT NO.: 17710	PROJECT NO.: 17710
PROJECT NO.: 17710	PROJECT NO.: 17710

LEGEND

<ul style="list-style-type: none"> Roof Type: Asph/Flt Shingles Roofing Siding Windows Doors Paint: Other 	<ul style="list-style-type: none"> Other: Asph/Flt Shingles Other: Siding Other: Windows Other: Doors Other: Paint: Other
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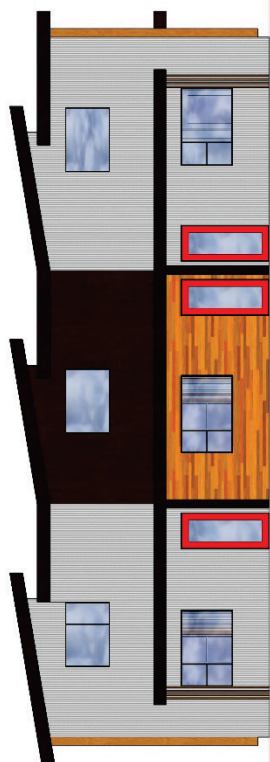
Front Elevation - not to scale



Right Elevation - not to scale



Left Elevation - not to scale



Rear Elevation - not to scale

Materials Legend

Dark Brown	Wood Trim (Pine, Chestnut Panel)	Light Grey	3" Timber Framing (and) OSB or 4" Wood Sills
Orange	Cedar Siding	White	Gauging
Light Grey	Metal Siding	Red	Acoustic Panel
Black	Paint (White Pine, Charcoal Grey)	Black	Roofs on Rising Membrane

PROJECT NO.	7
DATE	10/20/2014
PROJECT NAME	REAR PORCH ADDITION
OWNER	MR. & MRS. JAMES W. & JANE D. SMITH
ARCHITECT	JOHN W. SMITH ARCHITECTS, INC.
ADDRESS	1234 MAIN ST., SUITE 100, BOSTON, MA 02110
PHONE	(617) 555-1234

VERSION FOR RE-ZONING PURPOSES



Rear Elevation - Not to scale



Right Elevation - Not to scale



Left Elevation - Not to scale



Front Elevation - Not to scale

	Wood Tone Fiber Cement Panel		Fiber Timber Framing and Ornamental Wooden Slat
	Cedar Siding		Glazing
	Mineral Siding		Accent Panel
	Paint Grade Fiber Cement Panel		Touch on Roofing Membrane

	FOUNDATION
	UNDERSLAB

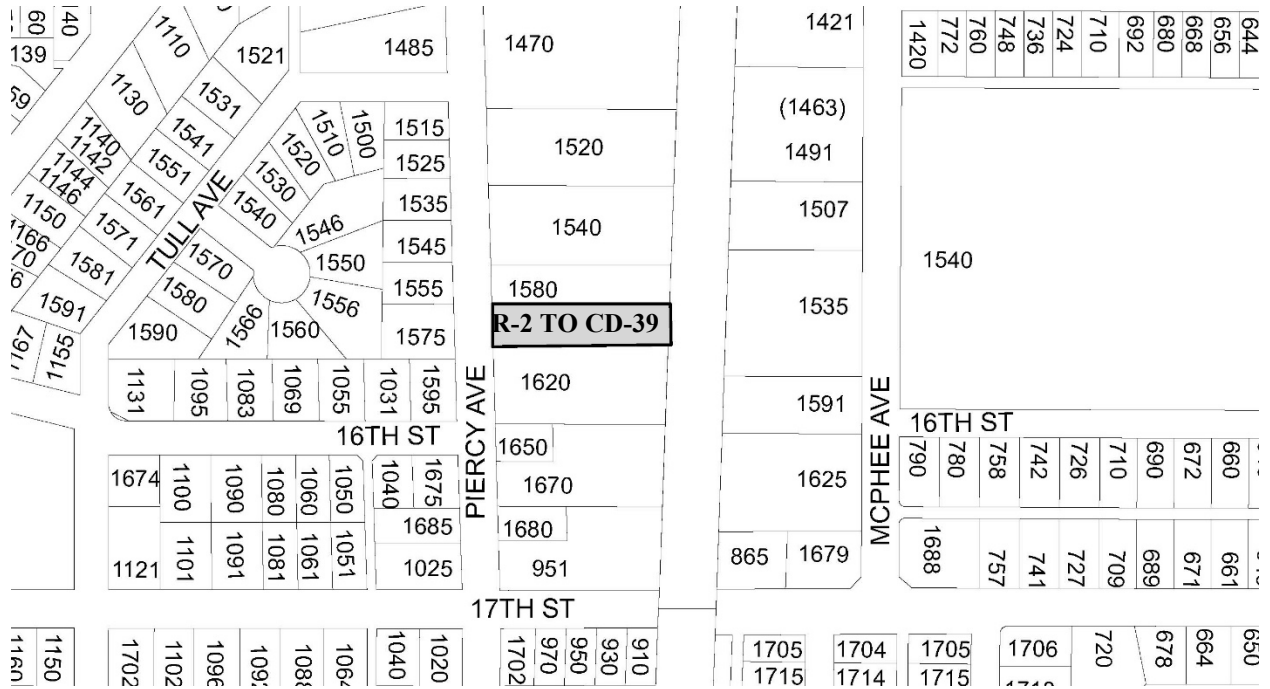
7

	REAR ELEVATION
	FRONT ELEVATION
	RIGHT ELEVATION
	LEFT ELEVATION

DATE: 03/15/2011
 DRAWN BY: P. MOORE
 PROJECT NO.: 081010101-01
 SHEET NO.: 7
 11:10 AM

VERSION FOR RE-ZONING PURPOSES

ATTACHMENT B



THE CITY OF COURTENAY
Attachment "B"
 Part of Bylaw No. 3037, 2023
 Amendment to the
 Zoning Bylaw No. 2500, 2007