

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 3037

A bylaw to amend Zoning Bylaw No. 2500, 2007

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 14th day of June , 2023

Read a second time this 14th day of June , 2023

Considered at a Public Hearing this 19th day of July , 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

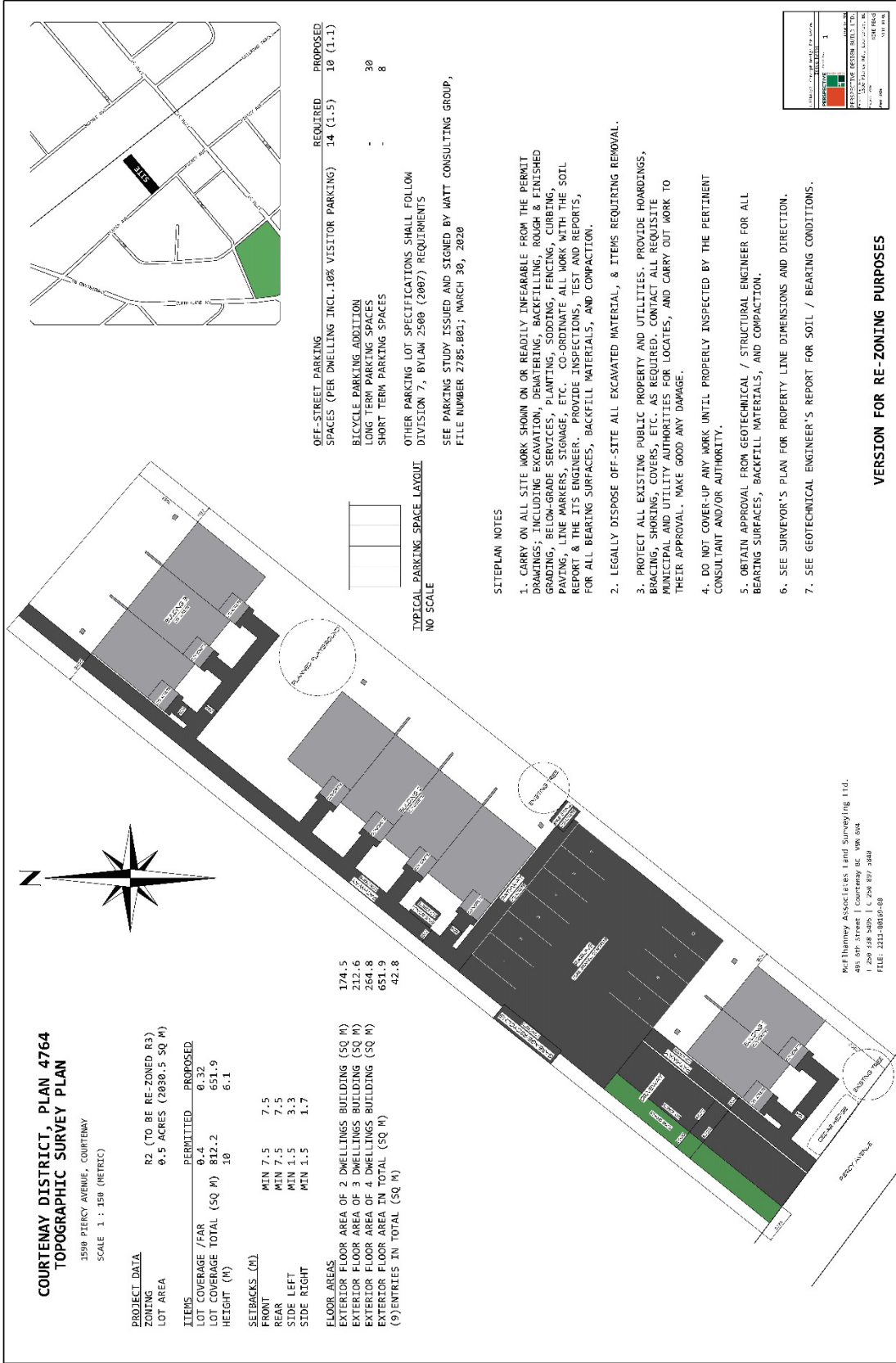
- (1) Off-street parking shall be provided and maintained in accordance with the requirements of Division 7 of this bylaw except in this zone, parking shall be provided at a rate of 1.11 parking spaces per dwelling unit inclusive of visitor parking;
- (2) Bicycle parking shall be provided and maintained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

Left Elevation - Not to scale

Front Elevation - Not to scale

Right Elevation - Not to scale

Rear Elevation - Not to scale

LEGEND
 ■ Wood Siding (Horizontal Grain) ■ Metal Siding (Vertical Grain) ■ Brick (Horizontal Grain) ■ Metal Roofing
 ■ Dark Siding ■ Dark Siding ■ Dark Siding ■ Dark Siding
 ■ Dark Siding ■ Dark Siding ■ Dark Siding ■ Dark Siding
 ■ Dark Siding ■ Dark Siding ■ Dark Siding ■ Dark Siding

TITLE BLOCK
 PROJECT NO.: 17-0000
 SHEET NO.: 6
 PROJECT NAME: PROJECT NO. 17-0000
 DATE: 11/15/17
 DRAWN BY: [Name]
 CHECKED BY: [Name]

VERSION FOR RE-ZONING PURPOSES

