

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 3094

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. 3094**”.

2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:

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

[Part 64] – Comprehensive Development Thirty-Eight Zone (CD-38) 1560 Grieve Avenue as attached in **Attachment A**.

(c) by rezoning Lot 14, Section 41, Comox District, Plan 9456 (1560 Grieve Avenue) as shown in bold outline on **Attachment B** which is attached hereto and forms part of this bylaw, from Residential Two Zone (R-2) to Comprehensive Development Thirty-Eight Zone (CD-38).

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

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

A decision not to hold a Public Hearing was made on November 8, 2023 pursuant to Section 464(2)(b) of the Local Government Act and notice of this decision was given in accordance with Section 467 of the Local Government Act in two editions of the Comox Valley Record on the 22<sup>nd</sup> day of November, 2023 and the 29<sup>th</sup> day of November, 2023.

Read a first time this 6<sup>th</sup> day of December, 2023

Read a second time this 6<sup>th</sup> day of December, 2023

Read a third time this 6<sup>th</sup> day of December, 2023

Finally passed and adopted this day of , 2024

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer

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 63 – Comprehensive Development Thirty-Eight Zone (CD-38) (1560 Grieve Ave)

### 8.64.1 Intent

The CD-38 Zone is intended to accommodate a supportive rental cluster housing development on the property legally described as Lot 14, Section 41, Comox District, Plan 9456. The property shall be developed substantially in accordance with Schedule A which form part of this zone, any contrary requirements of Zoning Bylaw No. 2500 notwithstanding.

### 8.64.2 Permitted Uses

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

1. Rental residential in *single, duplex and apartment dwelling units*
2. One amenity building for shared resident use that may have a second-floor dwelling unit for a support person
3. One *dwelling unit* for a support person located above a shared indoor resident amenity space
4. *Accessory buildings* and structures

### 8.64.3 Lot Coverage

A lot shall not be covered by buildings to a greater extent than 40% of the total area of the lot.

### 8.64.4 Floor Area Ratio

The maximum *floor area ratio* shall not exceed 0.55.

### 8.64.5 Minimum Lot Size

A lot shall have an area of not less than 1,600 m<sup>2</sup>.

### 8.64.6 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: 7.5 m
- (3) Side Yard (interpreted as the yard adjacent to the northwest property line): 3.0 m except 1.5 m for the seating wall of the amenity building
- (4) Side Yard (interpreted as the yard adjacent to the southeast property line): 3.0 m

For clarity, heat pumps are permitted to project into setbacks.

#### **8.64.7 Height of Buildings**

Maximum *building height* shall be 8.5 m.

#### **8.64.9 Usable Open Space**

A minimum of 450 m<sup>2</sup> of useable open space must be provided plus a minimum of 50 m<sup>2</sup> of indoor amenity space.

#### **8.64.10 Accessory Structures**

Shall not be permitted except for bike and scooter storage structures and entry gazebo.

- (1) The front and southeast side yard setbacks for accessory buildings shall be 2.5 m
- (2) The rear yard setback for accessory buildings shall be 4.0 m
- (3) The northwest side yard setback for accessory buildings shall be 1.0 m
- (4) The maximum height for accessory buildings shall be 3.5 m

#### **8.64.11 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) A total of six (6) vehicle parking spaces shall be provided, including a minimum of three (3) visitor spaces;
- (2) Bicycle parking facilities shall be provided at a minimum rate of 0.875 Class II covered, secure stall per unit plus 0.25 Class I stalls per unit; and
- (3) Bicycle parking specification Sections 7.3.2 2,3,7,8,12 and 14g and h do not apply

#### **8.64.12 Fencing**

- (1) The maximum height of side and rear fencing is 2.5 m.
- (2) The minimum height of landscaping or fencing on all property lines adjoining all other adjoining properties is 2.0 m.

SCHEDULE A



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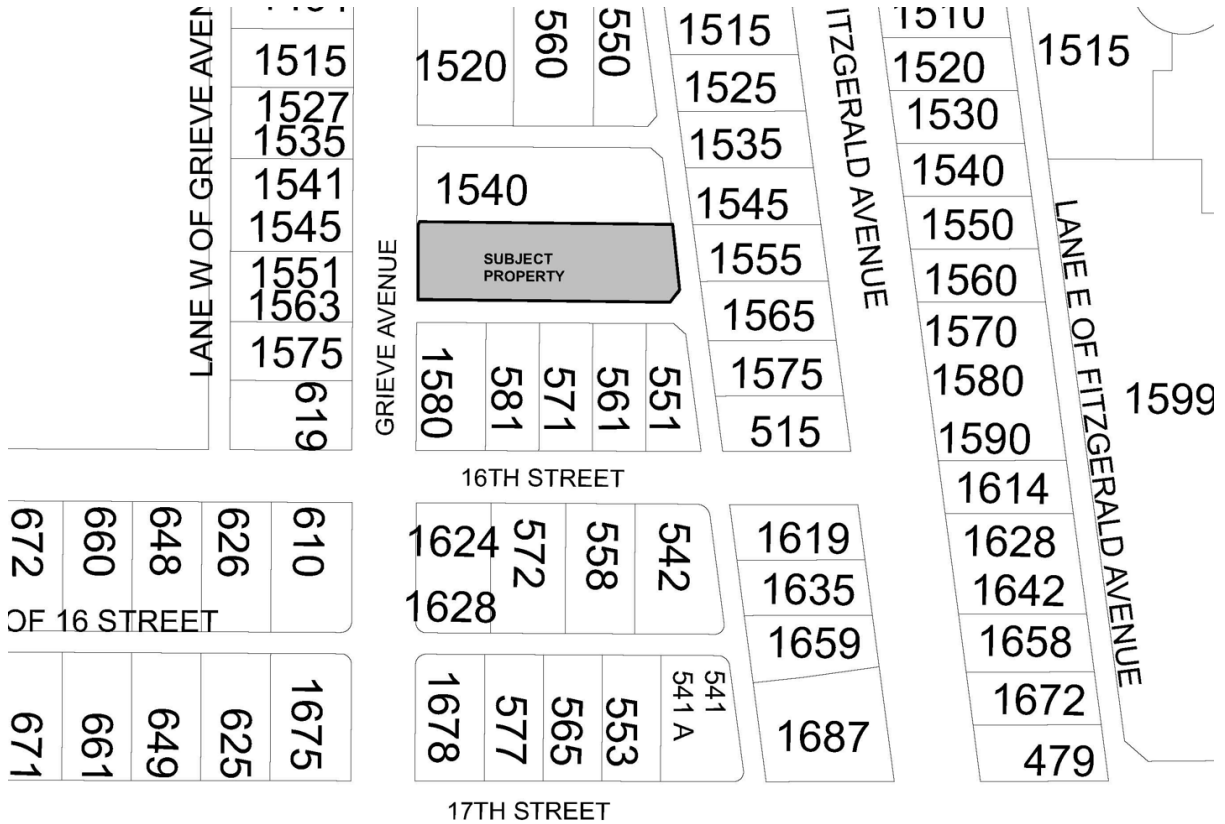
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**L'Arche Comox Valley "The Anchorage"**  
1560 Grieve Avenue, Courtenay BC

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CHECKED: JGS  
ISSUED: June 21, 2023  
REFERENCE: REDUCING & 0"

**John Gower Design**  
ARCHITECTS & DESIGNERS

**A-4**  
DRAWING NUMBER



# **THE CITY OF COURTENAY**

## **ATTACHMENT "B"**

Part of Bylaw No. 3094

Amendment to the

Zoning Bylaw No. 2500, 2007