

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 26th day of July, 2023

Finally passed and adopted this day of , 2023

Mayor Bob Wells

Adriana Proton, 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 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

Usable 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

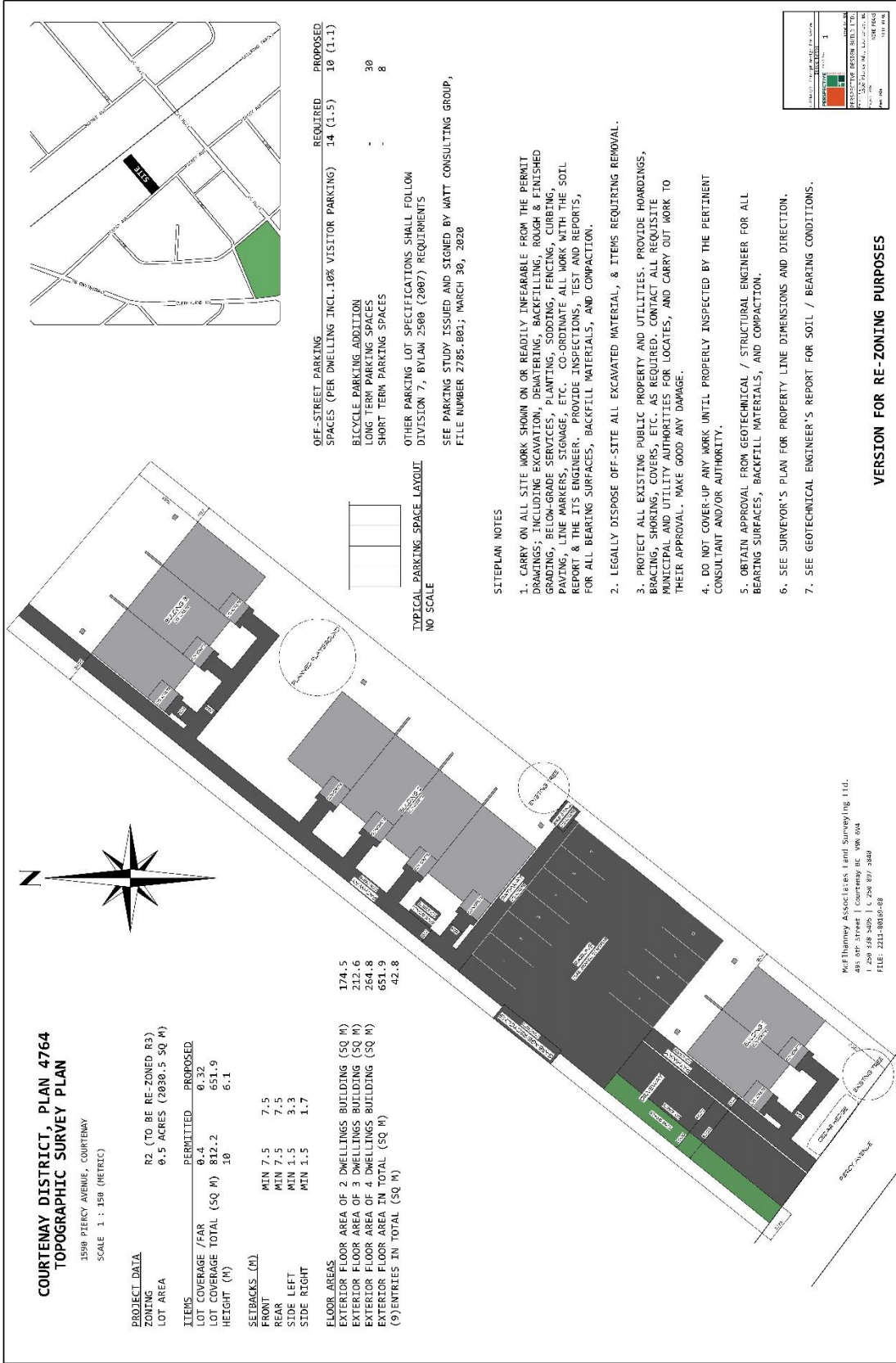
- (1) Off-street parking shall be provided and maintained in accordance with the requirements of Division 7 of this bylaw except in this zone, parking shall be provided at a rate of 1.11 parking spaces per dwelling unit inclusive of visitor parking;
- (2) Bicycle parking shall be provided and maintained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



COURTENAY DISTRICT, PLAN 4764 TOPOGRAPHIC SURVEY PLAN

1590 PTERCY AVENUE, COURTENAY
SCALE 1 : 150 (METRIC)

PROJECT DATA	
ZONING	R2 (TO BE RE-ZONED R3)
LOT AREA	0.5 ACRES (2030.5 SQ M)
ITEMS	
LOT COVERAGE / FAR	0.4
LOT COVERAGE TOTAL (SQ M)	812.2
HEIGHT (M)	10
SETBACKS (M)	
FRONT	7.5
REAR	7.5
SIDE LEFT	3.3
SIDE RIGHT	1.7
FLOOR AREAS	
EXTERIOR FLOOR AREA OF 2 DWELLINGS BUILDING (SQ M)	174.5
EXTERIOR FLOOR AREA OF 3 DWELLINGS BUILDING (SQ M)	212.6
EXTERIOR FLOOR AREA OF 4 DWELLINGS BUILDING (SQ M)	254.8
EXTERIOR FLOOR AREA IN TOTAL (SQ M)	651.9
(9) ENTRIES IN TOTAL (SQ M)	42.8

REQUIRED	PROPOSED
OFF-STREET PARKING SPACES (PER DWELLING INCL. 10% VISITOR PARKING)	14 (1-5) 10 (1-1)
BICYCLE PARKING ADDITION	30
LONG TERM PARKING SPACES	8
SHORT TERM PARKING SPACES	8

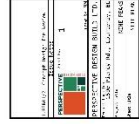
OTHER PARKING LOT SPECIFICATIONS SHALL FOLLOW DIVISION 7, BYLAW 2500 (2007) REQUIREMENTS
SEE PARKING STUDY ISSUED AND SIGNED BY WATT CONSULTING GROUP, FILE NUMBER 2785.802; MARCH 30, 2020

TYPICAL PARKING SPACE LAYOUT
NO SCALE

SITEPLAN NOTES

- CARRY ON ALL SITE WORK SHOWN ON OR READILY INFERRABLE FROM THE PERMIT DRAWINGS; INCLUDING EXCAVATION, DEMATERING, BACKFILLING, ROUGH & FINISHED GRADING, BELOW-GRADE SERVICES, PLANTING, SODDING, FENCING, CURBING, PAVING, LINE MARKERS, SIGNAGE, ETC. CO-ORDINATE ALL WORK WITH THE SOIL REPORT & THE ITS ENGINEER. PROVIDE INSPECTIONS, TEST AND REPORTS, FOR ALL BEARING SURFACES, BACKFILL MATERIALS, AND COMPACTION.
- LEGALLY DISPOSE OFF-SITE ALL EXCAVATED MATERIAL, & ITEMS REQUIRING REMOVAL.
- PROTECT ALL EXISTING PUBLIC PROPERTY AND UTILITIES. PROVIDE HOARDINGS, BRACING, SHORING, COVERS, ETC. AS REQUIRED. CONTACT ALL REQUISITE MUNICIPAL AND UTILITY AUTHORITIES FOR LOCATES, AND CARRY OUT WORK TO THEIR APPROVAL. MAKE GOOD ANY DAMAGE.
- DO NOT COVER-UP ANY WORK UNTIL PROPERLY INSPECTED BY THE PERTINENT CONSULTANT AND/OR AUTHORITY.
- OBTAIN APPROVAL FROM GEOTECHNICAL / STRUCTURAL ENGINEER FOR ALL BEARING SURFACES, BACKFILL MATERIALS, AND COMPACTION.
- SEE SURVEYOR'S PLAN FOR PROPERTY LINE DIMENSIONS AND DIRECTION.
- SEE GEOTECHNICAL ENGINEER'S REPORT FOR SOIL / BEARING CONDITIONS.

WattThermy Associates Land Surveying Ltd.
400-1000-1000-1000-1000
1-250-438-5005 | C-250-937-3668
FILE: 2211-10150-08



VERSION FOR RE-ZONING PURPOSES

SCHEDULE B

Left Elevation - Not to scale

Front Elevation - Not to scale

Right Elevation - Not to scale

Rear Elevation - Not to scale

LEGEND
 Wood - Vertical Grain
 Wood - Horizontal Grain
 Metal
 Brick
 Glass
 Concrete
 Stucco
 Paint (Color as Shown)

PROJECT INFORMATION
 PROJECT NO.: 2024-001
 SHEET NO.: 6
 DATE: 11/15/24
 DRAWN BY: [Name]
 CHECKED BY: [Name]

VERSION FOR RE-ZONING PURPOSES



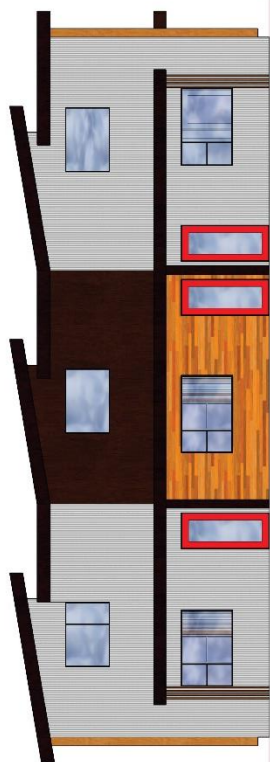
Front Elevation - not to scale



Right Elevation - not to scale



Left Elevation - not to scale



Rear Elevation - not to scale

Materials Legend

Wood-Tone Pine Cement Panel	3" Timber Framing and Ornamental Wood Sills
Cedar Siding	Gauging
Metall Siding	Acoustic Panel
Paint (White Pine Clearcoat Base)	Paint on Existing Membrane

PROJECT NO.	7
DATE	10/15/2014
PROJECT NAME	REAR PORCH ADDITION
OWNER	MR. & MRS. J. & K. SMITH
ARCHITECT	THE ARCHITECTURE CENTER
SCALE	1/8" = 1'-0"

VERSION FOR RE-ZONING PURPOSES

