

**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 14<sup>th</sup> day of June, 2023

Read a second time this 14<sup>th</sup> day of June, 2023

Considered at a Public Hearing this 19<sup>th</sup> day of July, 2023

Read a third time this 26<sup>th</sup> day of July, 2023

Finally passed and adopted this 12<sup>th</sup> day of June, 2024

\_\_\_\_\_  
Mayor Bob Wells

\_\_\_\_\_  
Lisa Bourgeois, Deputy 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

|   |
|---|
| <b>Part 66 – Comprehensive Development 39 Zone (CD-39)<br/>(1590 Piercy Avenue)</b> |
|---|

### 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 m<sup>2</sup>.

### 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 m<sup>2</sup> for each one-bedroom *dwelling unit* and 50.0 m<sup>2</sup> 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**

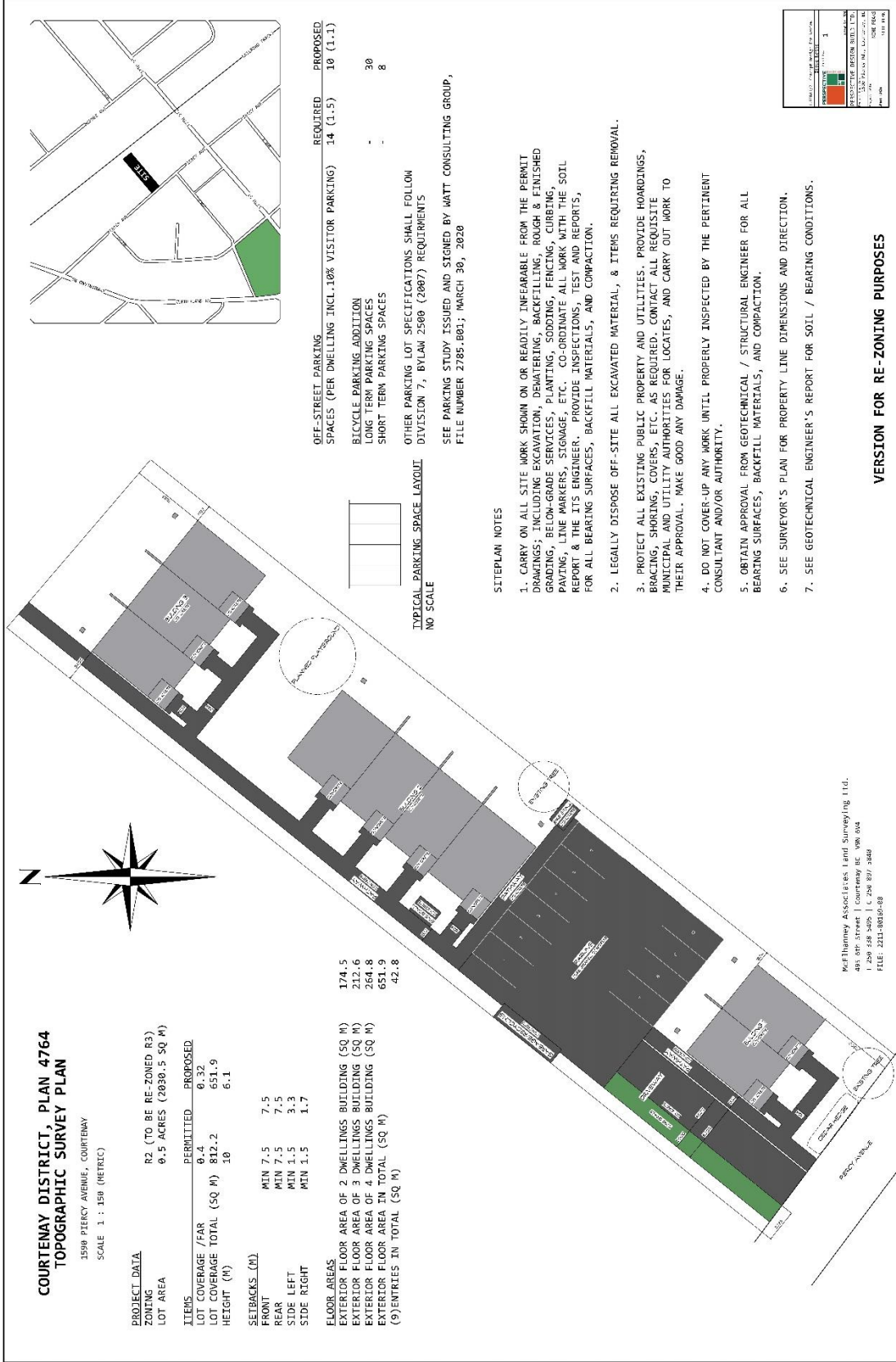
- (1) Off-street parking shall be provided and maintained in accordance with the requirements of Division 7 of this bylaw except in this zone, parking shall be provided at a rate of 1.11 parking spaces per dwelling unit inclusive of visitor parking;
- (2) Bicycle parking shall be provided and maintained 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 PIERCY AVENUE, COURTENAY  
SCALE 1 : 125 (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                     | MIN 7.5                 |
| REAR                      | MIN 7.5                 |
| SIDE LEFT                 | MIN 1.5                 |
| SIDE RIGHT                | MIN 1.5                 |

| 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) | 264.8 |
| EXTERIOR FLOOR AREA IN TOTAL (SQ M)                | 651.9 |
| (9) ENTRIES IN TOTAL (SQ M)                        | 42.8  |

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

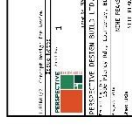
OTHER PARKING LOT SPECIFICATIONS SHALL FOLLOW DIVISION 7, BYLAW 2500 (2007) REQUIREMENTS

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.



Mr Thomson, Assoc. Engrs. Land Surveying, Ltd.  
400-1000 Burrard Street, Vancouver, BC V6Z 1G4  
1-250-438-3005 | C-250-937-3668  
FILE: 2211-10160-08

### VERSION FOR RE-ZONING PURPOSES

# SCHEDULE B

**Front Elevation - Not to scale**

**Right Elevation - Not to scale**

**Left Elevation - Not to scale**

**Rear Elevation - Not to scale**

**VERSION FOR RE-ZONING PURPOSES**

**LEGEND:**

- Dark Brown Wood Siding
- Light Grey Horizontal Siding
- Vertical Wood Slats
- Dark Grey Roof
- Blue Tinted Windows
- Red Boxed Windows

**PROJECT INFORMATION:**

PROJECT NO.: 17-000006  
 PROJECT NAME: 17-000006  
 PROJECT LOCATION: 17-000006  
 PROJECT DATE: 17-000006  
 PROJECT DESCRIPTION: 17-000006  
 PROJECT STATUS: 17-000006  
 PROJECT TYPE: 17-000006  
 PROJECT VALUE: 17-000006  
 PROJECT AREA: 17-000006  
 PROJECT PERMITS: 17-000006  
 PROJECT APPROVAL: 17-000006  
 PROJECT REVIEW: 17-000006  
 PROJECT COMMENTS: 17-000006



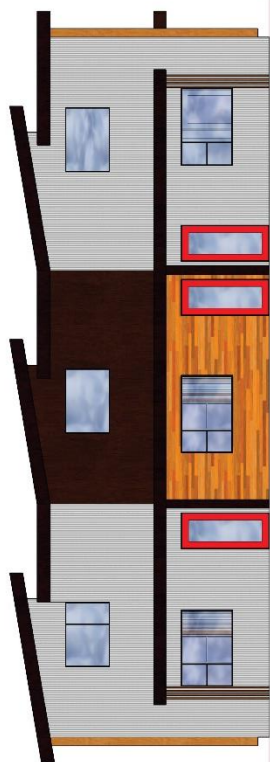
Front Elevation - not to scale



Right Elevation - not to scale



Left Elevation - not to scale



Rear Elevation - not to scale

**Materials Legend**

|                                    |  |
|------------------------------------|--|
| Wood Trim (Pine, Chestnut Panel)   | 3" Timber Framing (and) Chimney/Lit Wooded Sills |
| Cedar Siding                       | Shalure  |
| Panel Siding                       | Acoustic Panel                                   |
| Point (Cedar Pine, Chestnut Panel) | Roofs on Rising Membrane                         |

|              |              |
|--------------|--------------|
| Project Name | 7            |
| Client       | 7            |
| Architect    | 7            |
| Scale        | 1/8" = 1'-0" |
| Date         | 11/18/2024   |

**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

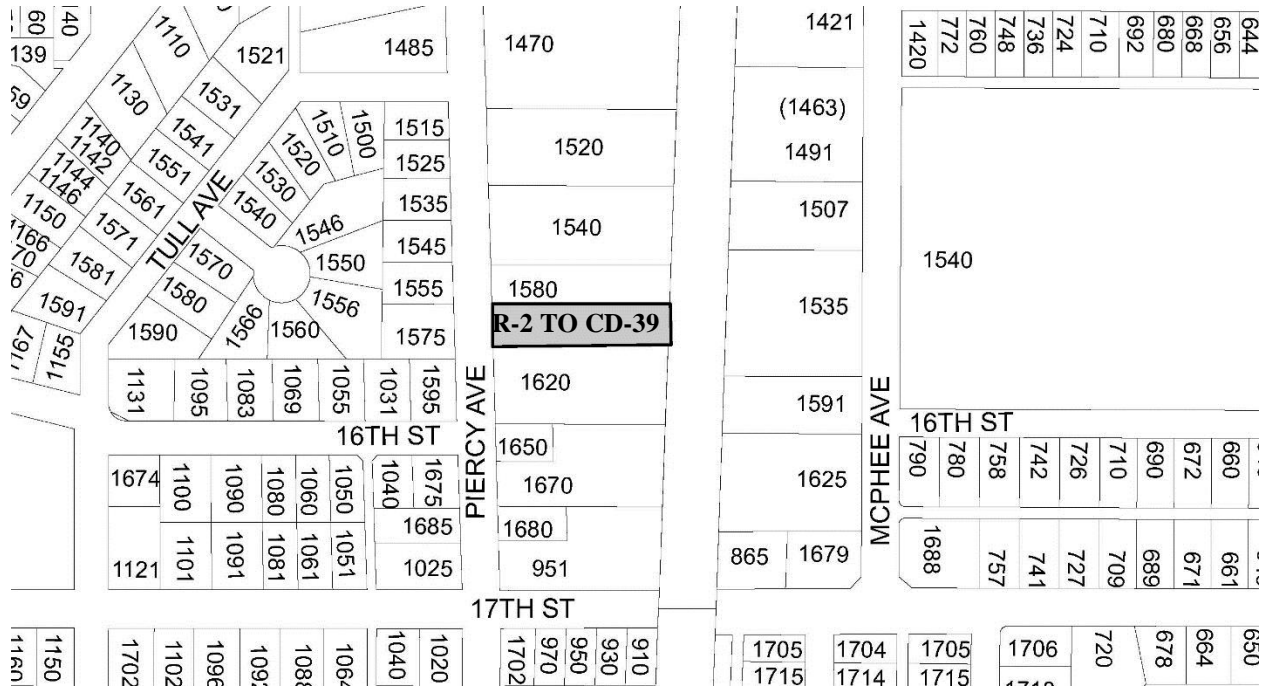
Materials Legend

|   |                                |   |  |
|---|--------------------------------|---|--|
|  | Wood Tone Fibre Cement Panel   |  | Pine Timber Framing and Ornamental Wooden Slat |
|  | Cedar Siding                   |  | Glazing  |
|  | Metal Siding                   |  | Accent Panel                                   |
|  | Paint Grade Fibre Cement Panel |  | Torch on Roofing Membrane                      |

|   |                            |
|---|----------------------------|
| M. J. KELLY ARCHITECTURE, INC. ARCHITECT                  |                            |
| 7   |                            |
| DATE: 10/12/2018  | PROJECT: 18-00000000000000 |
| TIME: 10:00 AM  | VIEW: 3/400                |
| C:\Users\mjkelly\OneDrive\Documents\18-00000000000000.dwg |                            |

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