



The Corporation of the City of Courtenay

Bylaw No. 3140, 2024

A bylaw to amend Zoning Bylaw No. 2500, 2007

WHEREAS Zoning Bylaw No. 2500, 2007 regulates the use of land, buildings and other structures in the City of Courtenay;

AND WHEREAS amendments to Zoning Bylaw No. 2005, 2007 and other bylaws are required for the City to comply with Bill 44 and subsequent changes to the *Local Government Act*;

AND WHEREAS Zoning Bylaw No. 2005, 2007 was amended through Bylaw No. 3135, 2024 (small-scale, multi-unit housing) on June 12, 2024 to create the Residential Small-Scale Multi-Unit Housing zone for all properties in 16 former restricted residential zones;

NOW THEREFORE the Council of the City of Courtenay, in open meeting assembled, enacts as follows:

Citation

1. This Bylaw shall be cited as “Zoning Amendment Bylaw No. 3140, 2024 (small-scale, multi-unit housing)”.

Amendment

2. “Zoning Bylaw No. 2500, 2007” is amended as follows:
 - a) AMENDING DIVISION 6 GENERAL REGULATIONS by:
 - i. ADDING the heading “**Part 19 Secondary Suites and Accessory Dwelling Units**” following Section 6.18.1. (d) vii. and before Section 6.19.1.;
 - ii. DELETING from Section 6.19.1. (iv) “**An Accessory Dwelling Unit shall not exceed the lesser of 6.5 m in height or the height of the principal residence**”

and

REPLACING with “**An Accessory Dwelling Unit shall not exceed 6.5 m in height**”;
 - b) AMENDING DIVISION 8 CLASSIFICATION OF ZONES Part 1- Residential Small-Scale Multi-Unit Housing (R-SSMUH) by:
 - i. DELETING from Section 8.1.4 Minimum Lot Dimensions (1) Lot Size i. following 300 m² “**for a single residential dwelling or duplex**”;
 - ii. DELETING from Section 8.1.4 Minimum Lot Dimensions (1) Lot Size ii. “**Where a fourplex is being created by party wall subdivision, no additional secondary dwelling units are permitted.**”;
 - iii. DELETING from Section 8.1.4 Minimum Lot Dimensions (2) Lot Frontage ii. following be “**9-m**”

and

REPLACING with “8 m”;

- iv. DELETING from Section 8.1.4 Minimum Lot Dimensions (3) Lot Depth i. following than “~~30 m~~”

and

REPLACING with “25 m”;

- v. ADDING to Section 8.1.6 Setbacks (1) ii. Rear Yard following 5.0 m “~~except that for Accessory Dwelling Units (a) The minimum rear yard setback shall be 1.5 m except that (b) Where a rear yard flanks a street, excluding a lane, the minimum rear yard setback shall be 3.0 m.~~”;
- vi. DELETING from Section 8.1.6 Setbacks (1) iii. Side Yard (b) following Where “~~a secondary residence or~~”

and

REPLACING with “an”;

- vii. DELETING from Section 8.1.7 Height of Buildings (2) following height of “~~a secondary residence or~~”

and

REPLACING with “an”;

- viii. ADDING in Section 8.1.8 Accessory Buildings and Accessory Structures following Structures “~~(Not including Accessory Dwelling Units)~~”;
- ix. ADDING in Section 8.1.9 Off-Street Parking following Section 8.1.9 (2) “~~(3) Where a parking aisle is a strata access road, the minimum parking aisle width shall be 6.5 m for 90-degree parking~~”;
- x. ADDING in Section 8.1.9 Off-Street Parking following the above noted section “~~(4) Division 7 Bicycle Parking Requirements do not apply. (5) Where a property has three (3) or four (4) dwelling units:~~
 - i. Two (2) secure covered bicycle parking spaces must be provided per dwelling unit with two (2) or more bedrooms on the property; and
 - ii. One (1) secure covered bicycle parking space must be provided per dwelling unit with fewer than two (2) bedrooms on the property.”;
- xi. DELETING from Section 8.1.10. Landscaping and screening (1) “~~In addition to the Landscape Requirements identified in Division 6, Part 14 of this bylaw, a vegetated buffer or screen fence not more than 1.5 m high shall be provided along rear or side property lines adjoining other properties~~”

and

REPLACING with: "Shall meet the Landscape Requirements identified in Division 6, Part 14 of this bylaw".

Severability

- 3. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the Bylaw is deemed valid.

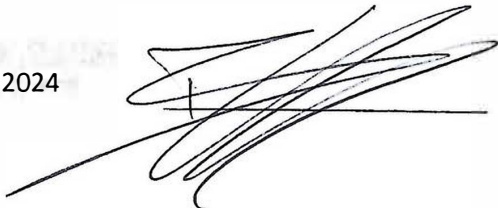
Read a first time this 9th day of October, 2024

Read a second time this 9th day of October, 2024

Read a third time this 9th day of October, 2024

Approved by the Minister of Transportation this 11th day of October, 2024

Adopted this 23rd day of October, 2024



Mayor Bob Wells

Corporate Officer

