



The Corporation of the City of Courtenay

Bylaw No. 3140

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 (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 new Section 8.1.9(3)
“(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 [day] day of [month], [year]

Read a second time this [day] day of [month], [year]

Read a third time this [day] day of [month], [year]

Adopted this [day] day of [month], [year]

Mayor Bob Wells

Corporate Officer

Proposed