

TOWN OF COMOX

BYLAW 1850.47

A BYLAW TO AMEND COMOX ZONING BYLAW 1850

WHEREAS Council has the authority under the provisions of the *Local Government Act* to amend the Zoning Bylaw;

NOW THEREFORE the Council of the Town of Comox, in open meeting assembled, enacts as follows:

1. Title

This bylaw may be cited for all purposes as the "Comox Zoning Amendment Bylaw No. 1850.47"

2. Amendments

Comox Zoning Bylaw 1850 is hereby amended as follows:

A. Administration, Section 2.7(2) Penalties is amended by adding the following to the table:

Unlawful projection into setback – all zones	512	\$250.00
Unlawful use – R1.0 zone	100.1	\$250.00
Failure to comply with conditions – R1.0 zone	100.2	\$250.00
Unlawful accessory buildings – R1.0 zone	100.9	\$250.00
Failure to comply with conditions – R1.2 zone	102.2	\$250.00
Failure to comply with conditions – R1.3 zone	103.2	\$250.00

B. Section 2.7(2) Penalties is amended by deleting the following from the table:

Unlawful projection into setback – R5.2 zone	5.12(12)	\$250.00
Unlawful use – R1.4 zone	104.1	\$250.00
Failure to comply with conditions – R1.4 zone	104.2	\$250.00
Unlawful accessory building – R1.4 zone	104.10	\$250.00
Unlawful use – R2.1 zone	105.1	\$250.00
Failure to comply with conditions – R2.1 zone	105.2	\$250.00
Unlawful accessory building – R2.1 zone	105.10	\$250.00

Unlawful use – R2.2 zone	106.1	\$250.00
Unlawful accessory building – R2.2 zone	106.10	\$250.00
Unlawful use – R2.3 zone	107.1	\$250.00
Failure to comply with conditions – R2.3 zone	107.2	\$250.00
Unlawful accessory building – R2.3 zone	107.10	\$250.00
Unlawful use – R3.2 zone	108.2	\$250.00
Failure to comply with conditions – R3.2 zone	108.2	\$250.00
Unlawful accessory building – R3.2 zone	108.10	\$250.00
Unlawful use – R3.8 zone	114.1	\$250.00
Failure to comply with conditions – R3.8 zone	114.2	\$250.00
Unlawful accessory building – R3.8 zone	114.10	\$250.00
Unlawful use – R4.1 zone	115.1	\$250.00
Failure to comply with conditions – R4.1 zone	115.2	\$250.00
Unlawful accessory building – R4.1 zone	115.10	\$250.00
Unlawful use – R5.1 zone	116.1	\$250.00
Failure to comply with conditions – R5.1 zone	116.2	\$250.00
Unlawful accessory buildings – R5.1 zone	116.10	\$250.00
Unlawful use – R5.2 zone	117.1	\$250.00
Failure to comply with conditions – R5.2 zone	117.2	\$250.00
Unlawful accessory buildings – R5.2 zone	117.10	\$250.00
Unlawful use – CD1.1 zone	801.0	\$250.00
Failure to comply with conditions – CD1.1 zone	801.2	\$250.00
Unlawful accessory building – CD1.1 zone	801.10	\$250.00
Unlawful use – CD13 zone	813.1	\$250.00
Failure to comply with conditions – CD13 zone	813.2	\$250.00
Unlawful accessory building – CD13 zone	813.10	\$250.00
Unlawful use – CD14 zone	814.1	\$250.00
Unlawful accessory building – CD14 zone	814.10	\$250.00
Unlawful use – CD17 zone	817.1	\$250.00
Failure to comply with conditions – CD17 zone	817.2	\$250.00
Unlawful accessory building – CD17 zone	817.10	\$250.00
Unlawful use – CD22 zone	822.1	\$250.00
Unlawful accessory building – CD22 zone	822.10	\$250.00
Failure to comply with conditions – CD22 zone	822.2	\$250.00
Unlawful use – CD23 zone	823.1	\$250.00

Failure to comply with conditions – CD23 zone	823.2	\$250.00
Unlawful accessory buildings – CD23 zone	823.10	\$250.00
Unlawful use – CD24 zone	824.1	\$250.00
Unlawful use – CD26 zone	826.1	\$250.00
Failure to comply with conditions – CD26 zone	826.2	\$250.00
Unlawful accessory building – CD26 zone	826.10	\$250.00

C. Interpretation, Section 3.2 Definitions is amended as follows:

- a. deleting and replacing the definition of “coach house” in its entirety with the following text:

Coach House

A building consisting of one dwelling unit or one modular unit.

Coach houses shall:

- (1) Only be permitted on a parcel on which a single-family dwelling exists;
- (2) Be located in a rear yard; and
- (3) Be limited to one per parcel.

- b. By adding as the definition of “SSMFH Coach House” the following text:

SSMFH Coach House

Means a dwelling unit or modular unit located within a building that is subordinate to a principal building on the parcel.

- c. by deleting and replacing the definition of ‘Secondary Suite’ in its entirety with the following text:

Secondary Suite

A dwelling unit that is secondary to another dwelling unit. Secondary suites shall:

- (1) be located in a single-family dwelling unit or a two-family dwelling unit;
- (2) be completely contained within a principal building; and
- (3) have its own entrance separate from that of the other dwelling unit.

- d. by adding the following text:

Soil-Based Landscaping

Any combination of trees, shrubs, flowers, grass, or other horticultural elements designed to enhance the visual amenity of a parcel that is supported by growing medium that meets the Canadian Landscape Standard, but does not include rock mulch or hard surface treatments.

- D. Section 4.1 Classification of Zones is amended as follows:

- a. by adding the following text under the 'Residential Zones' heading:

R1.0 Small-Scale Multi-Family Housing

- b. by deleting and replacing 'R1.2 Mobile Home' under the 'Residential Zones' heading with the following:

R1.2 Mobile Home Small-Scale Multi-Family Housing

- c. and by deleting the following text under the 'Residential Zones' heading:

R1.4 Single-Family - Two Storey Coach House;

R2.1 Single/Two-Family

R2.2 Two-Family

R2.3 Two-Family - Front to Back

R3.2 Single-Family - 450 m² Parcel

R3.8 Single-Family - 450 m² Parcel 2.5m Front Setback

R4.1 Single-Family - 350 m² Parcel

R5.1 Single-Family - 250 m² Parcel Zero Lot Line

R5.2 Single-Family - 300 m² Parcel

CD1.1 Comprehensive Development 1.1: Beckton Estates -Single/Two-Family

CD13 Comprehensive Development 13: Single-Family - 425 Stewart St

CD14 Comprehensive Development 14: Single-Family - Tracker Place

CD17 Comprehensive Development 17: Single-Family 1651 McDonald Rd

CD22 Comprehensive Development 22: 537 Anderton Two-Family

CD23 Comprehensive Development 23: Single-Family - Ellis Street

CD24 Comprehensive Development 24: 290 Anderton Rd

CD26 Comprehensive Development 26: Single-Family - 2260 Robb Avenue

E. General Regulations, Section 5.3 Fences is amended as follows:

- a. by deleting and replacing sub-section (2) in its entirety with the following:

In the CD25, CD27, CD29 and CD30 zones, no fence within a front yard or exterior side yard shall exceed 1.0 metres in height.

- b. by deleting and replacing sub-section (3) in its entirety with the following:

In the CD28 zone, no fence within a front yard shall exceed 1.25 metres in height.

- c. by deleting and replacing sub-section (4) with the following text:

in the R1.0 and R1.2 zones, fences shall not exceed 1.0 metres in height within a front yard or exterior yard, as shown in Figure 5-2.

F. Section 5.12 Projections into Required Setbacks is amended as follows:

- a. by deleting and replacing sub-section (3) in its entirety with the following:

In all zones other than the R1.0, R1.2, R3.4, R3.5, R3.6, R3.7, I2.1, CD16, CD27, CD28, CD29, and CD30; awnings, balconies, bay windows, canopies, chimneys, cornices, eaves, gutters, landings, leaders, ornamental features, pilasters, porches, sills, stairs, sunshades or steps may project up to 1.75 metres into a required front, rear or exterior side setback and up to 0.6 metres into a required interior side setback.

- b. by deleting and replacing sub-section (4) in its entirety with the following:

In the R3.4 and R3.6 zones, awnings, balconies, bay windows, canopies, chimneys, cornices, eaves, gutters, landings, leaders, ornamental features, pilasters, porches, sills, stairs, or sunshades may project up to 1.75 metres into a required front setback and up to 0.6 metres into a required rear and side setback.

- c. by deleting and replacing sub-section (5) in its entirety with the following:

In the R3.5, R3.7, and CD29 zones, awnings, balconies, bay windows, canopies, chimneys, cornices, eaves, gutters, landings, leaders, ornamental features, pilasters, porches, sills, stairs, or sunshades may project up to 0.6 metres into a required front, rear and side setback.

- d. by deleting sub-section (8) in its entirety.
- e. by deleting and replacing sub-section (11) in its entirety with the following:

In the CD30 zone, awnings, balconies, bay windows, canopies, chimneys, cornices, eaves, gutters, landings, leaders, ornamental features, pilasters, porches, sills, stairs, or sunshades, may project up to 0.6 metres into a required front, side, or rear setback.

- f. by deleting sub-section (12) in its entirety
- g. By adding as sub-section (12) the following text:

In the R1.0 and R1.2 zones:

- (a) awnings and canopies over a main entrance door to a dwelling unit may project up to 1.0 metres into a required front or exterior side setback;
and
- (b) eaves, gutters, and leaders may project up to 0.6 metres into a required front, side, or rear setback.

G. Off-street Parking and Loading, Section 6.14 Required Off-Street Parking Spaces is amended by deleting and replacing sub-section (3) Required Parking Spaces Downtown in its entirety with the following:

DOWNTOWN USE	MINIMUM REQUIRED PARKING SPACES
Abbeyfield housing	0.5 per bedroom
Amusement centre, excluding pool or billiard tables	0
Animal shelter	2
Assembly centre (excluding schools), cultural centre (excluding film theatre and museum), library	1 per 10 seats or 1 per 10 m ² intended for public use, whichever is greater
Bed and Breakfast accommodation	1
Billiard hall	1 per table
Bottle depot	1 per 90 m ²
Bowling alley	1 per bowling lane
Building supply and lumber outlet	1 per 80m ² of gross floor area up to 500m ² , and 1 per each additional 20 m ² of gross floor area over 500 m ²
Child Care facility	1 per 10 children licensed by the Province
Community garden	0
Congregate care housing	0.25 per unit
Dwelling unit above commercial use	1 per dwelling unit, plus 0.1 per dwelling unit for visitors
Dwelling, apartment	1 per dwelling unit, plus 0.1 per dwelling unit for visitors,
Dwelling, patio	1 per dwelling unit, plus 0.1 per dwelling unit for visitors,
Dwelling, single-family	1 per dwelling unit
Secondary Suite	1 per Secondary Suite
Coach House	1 per Coach House
Dwelling, townhouse	For townhouses with 4 units or less on a parcel, 1 per dwelling unit For townhouses with 4 units or more on a parcel, 1.5 per dwelling unit, plus 0.1 per dwelling unit for visitors
Dwelling, two-family	1 per dwelling unit
Equipment or tool rental	1 per 80m ²

DOWNTOWN USE	MINIMUM REQUIRED PARKING SPACES
Film theatre	1 per 10 seats
Financial institution	1 per 80m ²
Fire station, ambulance station	0
Fish processing or packaging	1 per 40 m ²
Funeral parlor	1 per 10 seats
Garden Centre	0
Gas bar	1
Golf course	0
Home occupation	0
Hospital	1 per 80 m ²
Hotel	1 per sleeping unit
Intermediate care facility	0.25 per bed
Manufacturing, processing or packaging, excluding fish processing or packaging	1 per 90m ²
Marina	1 per 2 berths
Marine fueling station	1
Marine grid for boat maintenance	1 per grid
Medical clinic, dental clinic	1 per 80 m ²
Motel	1 per sleeping unit
Museum	0
Office	1 per 80 m ²
Park, playground, sports field	0
Personal service establishment	1 per 80 m ²
Produce stalls	0
Pub, neighbourhood pub, brew pub, marine pub	0
Recreation facility	1 per 80 m ²
Recycling drop-off centre	1 per 90 m ²
Repair, servicing or testing of appliances, machinery, equipment, tools or boats	1 per 90 m ²
Research laboratory	1 per 90 m ²
Restaurant	0
Retail store	1 per 80m ² of gross floor area up to 500m ² , and 1 per each additional 20 m ² of gross floor area over 500 m ²
School, adult education	1 per 80 m ² of gross floor area up to 500m ² , and 1 per each additional 20 m ² of gross floor area over 500 m ²

DOWNTOWN USE	MINIMUM REQUIRED PARKING SPACES
School, primary, elementary, junior high	1 per classroom
School, senior high	4 per classroom
Unstaffed car wash, unstaffed industrial fueling installation	0
Unstaffed public utility building or facility, such as telephone exchanges or transformer stations	1
Vehicle repair	3 per bay
Vehicle sales or rental showroom	1 per 80 m ²
Veterinary clinic	1 per 80 m ²
Video rental store	1 per 80 m ²
Warehousing	1 per 180 m ²

H. Section 6.15 Required Off-Street Parking Spaces Outside Downtown is amended by deleting and replacing sub-section (3) Required Parking Spaces Outside Downtown in its entirety with the following:

OUTSIDE DOWNTOWN USE	MINIMUM REQUIRED PARKING SPACES
Abbeyfield housing	0.75 per bedroom plus 0.25 per bedroom for visitors
Agriculture	0
Air terminal	n/a
Aircraft repair or servicing, aircraft storage	1 per 90 m ²
Amusement centre, excluding pool or billiard tables	1 per 4 machines
Animal shelter	4
Aquaculture	0
Assembly centre (excluding schools), cultural centre, library, museum	1 per 10 seats or 1 per 10 m ² intended for public use, whichever is greater
Bed and Breakfast accommodation	1
Billiard hall	1 per table
Bottle depot	1 per 90 m ²
Bowling alley	2 per bowling lane
Building supply and lumber outlet	1 per 90m ²
Campgrounds	1 per camping site
Child Care facility	1 per 5 children licensed by the Province

OUTSIDE DOWNTOWN USE	MINIMUM REQUIRED PARKING SPACES
Community garden	0
Congregate care housing	0.5 per unit plus 0.25 per unit for visitors
Driving range	0.5 per stall
Dwelling unit above commercial use	1 per dwelling unit, plus 0.25 per dwelling unit for visitors
Dwelling, apartment	1 per dwelling unit, plus 0.25 per dwelling unit for visitors,
Dwelling, patio	1 per dwelling unit, plus 0.25 per dwelling unit for visitors,
Dwelling, single family	1 per dwelling unit
Secondary Suite	1 per Secondary Suite
Coach House	1 per Coach House
Dwelling, townhouse	For townhouses with 4 units or less on a parcel, 1 per dwelling unit For townhouses with 4 units or more on a parcel, 1.5 per dwelling unit, plus 0.1 per dwelling unit for visitors
Dwelling, two-family	1 per dwelling unit
Equipment or tool rental	1 per 40 m ²
Film theatre	1 per 10 seats
Financial institution	1 per 40 m ²
Fire station, ambulance station	4
Fish processing or packaging	1 per 40 m ²
Funeral parlor	1 per 10 seats
Gas bar	2
Golf course	2 per hole
Home occupation	0
Hospital	1 per 42m ²
Hotel	1 per sleeping unit
Intermediate care facility	0.25 per bed plus 0.25 per bed for visitors
Manufacturing, processing or packaging, excluding fish processing or packaging	1 per 90m ²
Marina	1 per 2 berths
Marine fueling station	1
Marine grid for boat maintenance	1 per grid
Medical clinic, dental clinic	1 per 40 m ²
Mobile home	1

OUTSIDE DOWNTOWN USE	MINIMUM REQUIRED PARKING SPACES
Motel	1 per sleeping unit
Office	1 per 40 m ²
Park, playground, sportsfield	0
Personal service establishment	1 per 40 m ²
Pub, neighbourhood pub, brew pub, marine pub	1 per 4 seats of maximum seating capacity, including outdoor seating
Recreation facility	1 per 10 seats or 1 per 10m ² intended for public use excluding playing surfaces, whichever is greater.
Recycling drop-off centre	1 per 90 m ² or 1 per bin for self-serve
Repair, servicing or testing of appliances, machinery, equipment, tools or boats	1 per 90 m ²
Research laboratory	1 per 90 m ²
Restaurant	<p>1 per 6 seats of maximum seating capacity, excluding outdoor seating</p> <p>Where the recommended minimum of Class I and Class II bicycle parking spaces are provided in accordance with Section 7 the vehicle parking space shall be reduced as follows:</p> <ul style="list-style-type: none"> – less than 500 m² gross floor area: 1 per 40m² minus 1; – equal to or greater than 500 m² gross floor area: 1 per 20 m² minus 1
Retail store	<ul style="list-style-type: none"> – less than 500 m² gross floor area: 1 per 40m² – equal to or greater than 500 m² gross floor area: 1 per 20m²
School, adult education	4 per classroom
School, primary, elementary, junior high	1 per classroom
School, senior high	4 per classroom
Unstaffed car wash, unstaffed industrial fueling installation	0

OUTSIDE DOWNTOWN USE	MINIMUM REQUIRED PARKING SPACES
Unstaffed public utility building or facility, such as telephone exchanges or transformer stations	1
Vehicle repair	3 per bay
Vehicle sales or rental showroom	3 plus 1 per 20 m ²
Veterinary clinic	1 per 40 m ²
Video rental store	1 per 40 m ²
Warehousing	1 per 180 m ²

I. Schedule "A" is amended as follows:

- a. by adding as Section 100 the R1.0 Small-Scale Multi-Family Housing, as shown in **Schedule "1"** which is attached and forms part of this bylaw.

- b. By deleting and replacing Section 102 in its entirety with the R1.2 Mobile Home Small-Scale Multi-Family Housing, as shown in **Schedule "2"** which is attached and forms part of this bylaw;

- c. By amending Section 103 R1.3 Single-Family – 1100 m² Parcel as follows:
 - (i) Adding to Section 103.1, Permitted Uses:
 - Two-family dwellings
 - Townhouses
 - (ii) Deleting sub-sections 103.2(1) (a) and (b) in their entirety;
 - (iii) Deleting and replacing Section 103.3 Density in its entirety with the following text:
 - Density for a parcel shall not exceed 4 dwelling units;
 - (iv) Deleting sub-section 103.13(1) in its entirety.

d. By amending Section 109 R3.3 Single-Family – Large Lot as follows:

(i) Adding below R3.3 zone title the following text:

For the purpose of Section 109.3, Parcels within the Kye Bay Extension Area are shown shaded in Appendix "C1"

(ii) Adding to Section 109.1, Permitted Uses:

Two-family dwellings
Townhouses

(iii) Deleting sub-sections 109.2(1) (a) and (b) in their entirety;

(iv) Adding to Section 109.2 Conditions of Use the following subsections:

(4) Notwithstanding section 109.2(2), on a parcel that is greater than 280 m² and equal to or less than 4,050 m² and that is serviced with both municipal water and sanitary sewer coach houses shall:

(a) Have a minimum 30 m² gross floor area per unit

(b) Not be limited to one per parcel;

(c) In combination with the gross floor area of all coach houses not exceed:

(i) 100 m², where the parcel area is equal to or less than 650 m²;

(ii) 120 m² in gross floor area, where the parcel area is greater than 650 m²

(d) Not exceed in height:

(i) 5.5 metres, where the coach house is 1 storey; and

(ii) 7.5 metres, where the coach house is 2 storeys.

(e) Be excluded from required rear setback, provided no coach house is located closer to a rear lot line than:

(i) 2.0 metres where the coach house is 1 storey; and

(v) Deleting and replacing Section 109.3 Density in its entirety with the following text:

(1) Density for a parcel that is greater than 4,050 m² and /or not serviced with both municipal water and sanitary sewer shall not exceed 2 dwelling units that may be comprised of 1 principal dwelling and a secondary suite or a coach house;

- (2) Density for a parcel shall not exceed 4 dwelling units;
 - (3) Notwithstanding section 109.3.(2) above, parcels identified on Appendix C1 shall not exceed 2 dwelling units that may be comprised of 1 principal dwelling unit and secondary suite or coach house.
- e. By amending Section 805 CD5 Comprehensive Development 5: Lazo Marsh – Single-Family as follows:
- (i) Adding to Section 805.1, Permitted Uses:
 - Two-family dwellings
 - Townhouses
 - (ii) Deleting sub-sections 805.2(2) (a) and (b) in their entirety;
 - (iii) Deleting and replacing Section 805.3 Density in its entirety with the following text:
 - Density for a parcel shall not exceed 4 dwelling units;
 - (iv) Deleting sub-section 805.13(1) in its entirety.
- f. By amending Section 818 CD18 Comprehensive Development 18: Single-Family 560 Colby Road as follows:
- (i) Adding to Section 818.1, Permitted Uses:
 - Two-family dwellings
 - Townhouses
 - (ii) Deleting sub-sections 818.2(2) (a) and (b) in their entirety;
 - (iii) Deleting and replacing Section 819.3 Density in its entirety with the following text:
 - Density for a parcel shall not exceed 4 dwelling units;
 - (iv) Deleting sub-section 819.13(1) in its entirety.
- g. by deleting the following Sections in their entirety:
- 104 R1.4 Single-Family – Two Storey Coach House
 - 105 R2.1 Single/Two-Family
 - 106 R2.2 Two Family
 - 107 R2.3 Two-Family – Front to Back
 - 108 R3.2 Single-Family – 450 m² Parcel
 - 114. R3.8 Single-Family – 450 M² Parcel 2.5 M Front Setback
 - 115. R4.1 Single-Family – 350 M² Parcel

- 116. R5.1 Single-Family – 250 M² Parcel Zero Lot Line
- 117. R5.2 Single-Family – 300 M² Parcel
- 801. CD1.1 Comprehensive Development 1.1: Beckton Estates – Single/Two-Family
- 813. CD 13 Comprehensive Development 13: Single-Family – 425 Stewart Street
- 814. CD 14 Comprehensive Development 14: Single-Family – Tracker Place
- 817. CD 17 Comprehensive Development 17: Single-Family 1651 McDonald Road
- 822. CD 22 Comprehensive Development 22: 537 Anderton Two-Family
- 823. CD 23 Comprehensive Development 23: Single-Family – Ellis Street
- 824. CD24 Comprehensive Development 24: 290 Anderton Road
- 826. CD 26 Comprehensive Development 26: Single Family – 2260 Robb Ave

J. Appendices are amended by adding Appendix “B2” R3.3 Parcels in Kye Bay Extension Area, as set out in **Schedule “3”** which is attached and forms part of this bylaw;

K. Schedule “B” (the Zoning Map) is amended by:

- a. By rezoning all parcels shown shaded on a map in **Schedule “4”** which is attached to and forms part of this bylaw,

from R1.1 Single-Family
to R1.0 Small-Scale Multi-Family Housing Zone

- b. By rezoning all parcels shown shaded on two maps in **Schedule “5”** which is attached to and forming part of this bylaw,

from CD1.1, CD13, CD14, CD17, CD22, CD23, CD24, CD26,
to R1.0 Small-Scale Multi-Family Housing Zone

- c. By rezoning all parcels shown shaded on two maps in **Schedule “6”** which is attached to and forming part of this bylaw,

from R1.4, R2.1, R2.2 R2.3, R3.2, R3.8, R4.1,R5.1,R5.2
to R1.0 Small-Scale Multi-Family Housing Zone


- d. By rezoning that property legally described as Lot B Section 53 Comox District Plan EPP50053 (2002 Beaufort Avenue) shown shaded on a map in **Schedule “7”** which is attached to and forming part of this bylaw

from R3.2 Single-Family – 450 m² Parcel
to R1.1 Single-Family


- L. Comox Zoning Bylaw 1850 is further amended by making such consequential changes as are required to reflect the foregoing amendments, including without limitation changes in the numbering and order of the sections of the bylaw.

3. Adoption

- | | |
|-----------------------------------|------------------------------------|
| (1) ADVERTISED A FIRST time this | 29 th day of May, 2024 |
| (2) ADVERTISED A SECOND time this | 5 th day of June, 2024 |
| (3) READ A FIRST time this | 12 th day of June, 2024 |
| (4) READ A SECOND time this | 12 th day of June, 2024 |
| (5) READ A THIRD time this | 12 th day of June, 2024 |
| (6) ADOPTED this | 19 th day of June, 2024 |



Mayor



Corporate Officer

BYLAW 1850.47
SCHEDULE 1

100. R1.0 SMALL-SCALE MULTI-FAMILY HOUSING

100.1 Permitted Uses:

In the R1.0 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses
- (2) Bed and Breakfast accommodations
- (3) Home occupations
- (4) Secondary suites
- (5) Single-family dwellings
- (6) SSMFH coach houses
- (7) Two-family dwellings
- (8) Townhouses
- (9) Urban Hen Keeping
- (10) Urban Produce Production
- (11) Urban Produce Stand

100.2 Conditions of Use:

- (1) Bed and Breakfast accommodations shall only be permitted on a parcel where no more than one single-family dwelling unit exists.
- (2) SSMFH coach houses shall:
 - (a) Have a minimum 30 m² gross floor area per unit
 - (b) In combination with the gross floor area of all SSMFH coach houses not exceed:
 - i. 100 m², where the parcel area is equal to or less than 650 m²;
 - ii. 120 m² in gross floor area, where the parcel area is greater than 650 m²
 - (c) Not exceed in height:
 - i. 5.5 metres, where the SSMFH Coach House is 1 storey; and
 - ii. 7.5 metres, where the SSMFH Coach House is 2 storeys.
 - (d) Be excluded from required rear setback, provided no SSMFH coach house is located closer to a rear lot line than:
 - i. 1.5 metres where the SSMFH Coach House is 1 storey; and
 - ii. 4.0 metres where the SSMFH Coach House is 2-storeys.
as shown in Figures 100-1 and 100-2.

100.3 Density:

- (1) Density for a parcel that is greater than 4,050 m² and/or not serviced with both municipal water and sanitary sewer shall not exceed 2 dwelling units that may be comprised of 1 principal dwelling unit and a secondary suite or a SSMFH coach house;
- (2) Density for a parcel that is equal to or less than 280 m² shall not exceed 3 dwelling units;
- (3) Density for a parcel that is greater than 280 m² shall not exceed 4 dwelling units; and
- (4) The combined gross floor area of 4 dwelling units, where permitted on a parcel, shall not exceed 1,000 m².

100.4 Parcel Area:

Parcel area shall not be less than 650 m².

100.5 Parcel Frontage

Parcel frontage shall not be less than 20.0 metres.

100.6 Parcel Coverage:

- (1) Parcel coverage shall not exceed the following for parcels equal to or less than 1,300 m²:
 - (a) where 1 dwelling unit is provided: 35%
 - (b) where 2 dwelling units are provided: 40%
 - (c) where 3 dwelling units are provided: 45% and
 - (d) where 4 dwelling units are provided: 50%
- (2) Parcel coverage shall not exceed the following for parcels greater than 1,300 m².
 - (a) where 1 dwelling unit is provided: 25%
 - (b) where 2 dwelling units are provided: 30%
 - (c) where 3 dwelling units are provided: 35%; and
 - (d) where 4 dwelling units are provided: 40%.

100.7 Height and Storeys:

- (1) Height shall not exceed 11 metres.
- (2) The number of storeys shall not exceed 3.

100.8 Required Setbacks:

- (1) Front
 - (a) For any part of a building used as a garage or carport – Front setback shall not be less than 6.0 metres, and
 - (b) All other situations – Front setback shall not be less than 3.0 metres

as shown in Figure 100-1.
- (2) Rear

Rear setback shall not be less than 5.0 metres
- (3) Side - interior

Interior side setback shall not be less than 1.5 metres.
- (4) Side - exterior
 - (a) For any part of a building used as a garage or carport – Exterior side setback shall not be less than 6.0 metres, and
 - (b) All other situations – Exterior side setback shall not be less than 3.0 metres

as shown in Figure 100-1.
- (5) Notwithstanding sections 101.9(1) through (4), building setback from lot lines shared with the Agricultural Land Reserve shall be not less than 30.0 metres.

100.9 Accessory Buildings

Accessory buildings shall:

- (1) other than chicken coops, not exceed 4.5 metres in height;
- (2) have a parcel coverage not exceeding 10%;
- (3) not occupy more than 2/3 of the width of the rear yard, as measured at its widest point;
- (4) not exceed 60 m² in gross floor area. For the purpose of sub-section 100.9(3) only, gross floor area shall include accessory buildings and parts thereof used for garage or carport purposes and carport gross floor area shall be calculated as the roofed floor area;
- (5) not be located within a front or exterior side yard; and
- (6) other than chicken coops, be excluded from required rear and interior side setbacks provided that:
 - (a) no accessory building is located closer than 1.2 metres to a rear or interior side lot line, and

- (b) a 2.0 metre interior side setback is maintained from the front lot line to a point 3.0 metres into the rear yard,.
- (7) chicken coops shall:
 - (a) not exceed 2.5 metres in height;
 - (b) not exceed 5.0 m² in gross floor area;
 - (c) not be located closer than 1.0 metre to a principal building or a SSMFH coach house;
 - (d) be located in a rear yard; and,
 - (e) be excluded from required rear and side setbacks provided that no chicken coop is located closer than 3.5 metres to a rear or interior side lot line and 4.0 metres to an exterior side lot line.

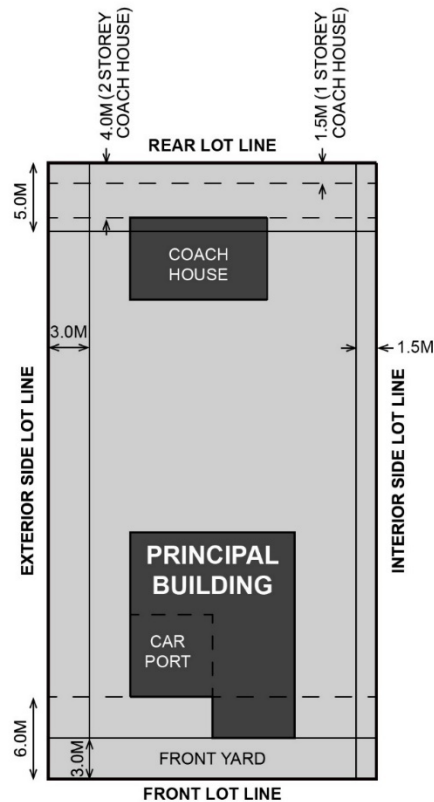


Figure 100-1. R1.0 Principal Building and SSMFH Coach House Setbacks.



Figure 100-2. R1.0 Principal Building and SSMFH Coach House Setbacks Cross Section

100.10 Screening

The following shall be screened in accordance with Section 8:

- (1) Above ground utility boxes and utility transformers.
- (2) R1.0 zoned parcels abutting land within the Agricultural Land Reserve shown in Appendix B1 map.

100.11 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6.

100.12 Other Requirements

- (1) All buildings shall conform to Section 5.19, Watercourse Regulations.
- (2) Despite Section 100.8(1), the distance between a building or principal use and the rear lot line on Lot A District Lot 93 Comox District Plan 48731 shall not exceed 30.0 metres.
- (3) Landscaping of the front yard shall be provided in accordance with the following:
 - (a) 50% of the front yard must comprise of soil-based landscaping.
 - (b) Minimum one 5 cm caliper tree at planting time with 30 m³ of soil volume must be provided for every 10 metres of parcel frontage.
 - (c) Tree plantings must comprise of a shade tree species listed in the Town of Comox Urban Forest Management Plan – Appendix 4: Preferred Tree Species to Plant.
 - (d) All trees must be planted and maintained in a manner that meets or exceeds the Canadian Landscape Standard.
- (4) Notwithstanding Section 100.12 (3)(c), when a required tree is located within 2.75 m lateral distance of overhead utilities, the required tree may comprise:

- (a) of a tree species listed in the Town of Comox Urban Forest Management Plan – Appendix 4: Preferred Tree Species to Plant – Part 2: Trees for Beside Hydro Lines; or
 - (b) a tree species with a mature height of less than 5 m.

- (5) Notwithstanding sections 100.2, 100.3, 100.4, 100.5, 100.6, 100.7, 100.8, 100.9, 100.10, and 100.11, any parcel that has a development permit or development variance permit that received approval prior to, and including, June 30th, 2024, and any building permits for such development that are issued within two calendar years following the date of adoption of this bylaw, shall be subject to the applicable regulations of this bylaw effective prior to adoption of Comox Zoning Amendment Bylaw No. 1850.47.

BYLAW 1850.47
SCHEDULE 2

102. R1.2 MOBILE HOME SMALL-SCALE MULTI-FAMILY HOUSING

102.1 Permitted Uses:

In the R1.2 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses
- (2) Home occupations
- (3) Mobile homes
- (4) Secondary suites
- (5) Single-family dwellings
- (6) SSMFH coach houses
- (7) Two-family dwellings
- (8) Townhouses
- (9) Urban Produce Production
- (10) Urban Produce Stand

102.2 Conditions of Use:

(1) SSMFH coach houses shall:

- (a) Have a minimum 30 m² gross floor area per unit
- (b) In combination with the gross floor area of all SSMFH coach houses not exceed:
 - iii. 100 m², where the parcel area is equal to or less than 650 m²; and
 - iv. 120 m² in gross floor area, where the parcel area is greater than 650 m²
- (c) Not exceed in height:
 - v. 5.5 metres, where the SSMFH Coach House is 1 storey; and
 - vi. 7.5 metres, where the SSMFH Coach House is 2 storeys.
- (d) Be excluded from required rear setback, provided no SSMFH coach house is located closer to a rear lot line than:
 - vii. 1.5 metres where the SSMFH Coach House is 1 storey; and
 - viii. 4.0 metres where the SSMFH Coach House is 2-storeys.
as shown in Figures 102-1 and 102-2.

102.3 Density:

- (1) Density for a parcel that is equal to or less than 280 m² shall not exceed 3 dwelling units;
- (2) Density for a parcel that is greater than 280 m² shall not exceed 4 dwelling units; and
- (3) The combined gross floor area of 4 dwelling units, where permitted on a parcel, shall not exceed 1,000 m².

102.4 Parcel Area:

Parcel area shall not be less than 465 m².

102.5 Parcel Frontage:

Parcel frontage shall not be less than 15.0 metres.

102.6 Parcel Depth:

Parcel depth shall not be less than 26.0 metres.

102.7 Parcel Coverage:

- (1) Parcel coverage shall not exceed the following:
 - (a) where 1 dwelling unit is provided: 35%
 - (b) where 2 dwelling units are provided: 40%
 - (c) where 3 dwelling units are provided: 45% and
 - (d) where 4 dwelling units are provided: 50%

102.8 Height and Storeys:

- (1) Height shall not exceed 11 metres.
- (2) The number of storeys shall not exceed 3.

102.9 Required setbacks:

- (1) Front
 - (a) For any part of a building used as a garage or carport – Front setback shall not be less than 6.0 metres, and
 - (b) All other situations – Front setback shall not be less than 3.0 metres

as shown in Figure 102-1.

- (2) Rear

Rear setback shall not be less than 5.0 metres

- (3) Side - interior
Interior side setback shall not be less than 1.5 metres.
- (4) Side - exterior
 - (a) For any part of a building used as a garage or carport – Exterior side setback shall not be less than 6.0 metres, and
 - (b) All other situations – Exterior side setback shall not be less than 3.0 metresas shown in Figure 102-1.
- (5) Notwithstanding sections 101.9(1) through (4), building setback from lot lines shared with the Agricultural Land Reserve shall be not less than 30.0 metres.

102.10 Accessory Buildings:

Accessory buildings shall:

- (1) not exceed 4.5 metres in height;
- (2) have a parcel coverage not exceeding 10%;
- (3) not occupy more than 2/3 of the width of the rear yard, as measured at its widest point;
- (4) not exceed 60 m² in gross floor area. For the purpose of sub-section 102.9(3) only, gross floor area shall include accessory buildings and parts thereof used for garage or carport purposes and carport gross floor area shall be calculated as the roofed floor area;
- (5) not be located within a front or exterior side yard; and
- (6) be excluded from required rear and interior side setbacks provided that:
 - (a) no accessory building is located closer than 1.2 metres to a rear or interior side lot line, and
 - (b) a 2.0 metre interior side setback is maintained from the front lot line to a point 3.0 metres into the rear yard.

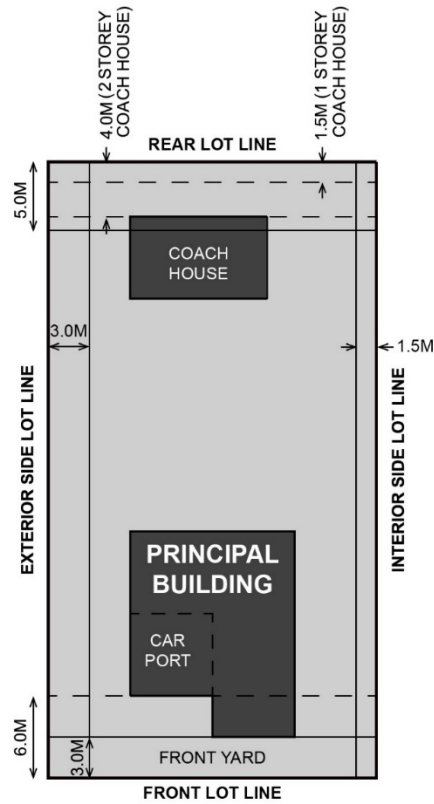


Figure 102-1. R1.2 Principal Building and SSMFH Coach House Setbacks.

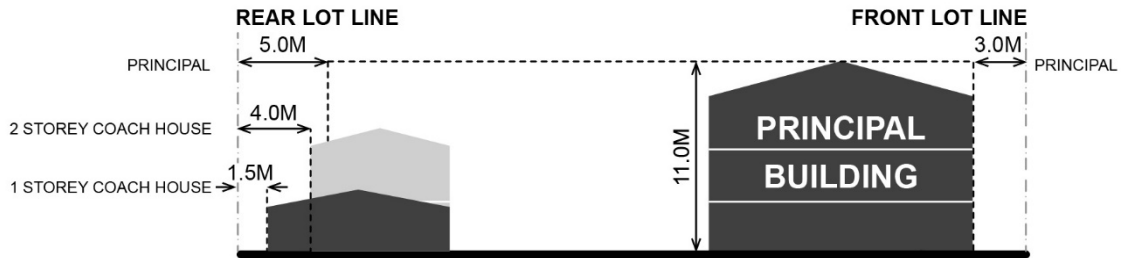


Figure 102-2. R1.2 Principal Building and SSMFH Coach House Setbacks Cross Section

102.11 Screening:

The following shall be screened in accordance with Section 8:

- (1) Above ground utility boxes and utility transformers.
- (2) R1.2 zoned parcels abutting land within the Agricultural Land Reserve shown in Appendix B1 map.

102.12 Off-Street Parking and Loading:

Off-street parking and loading shall be provided in accordance with Section 6.

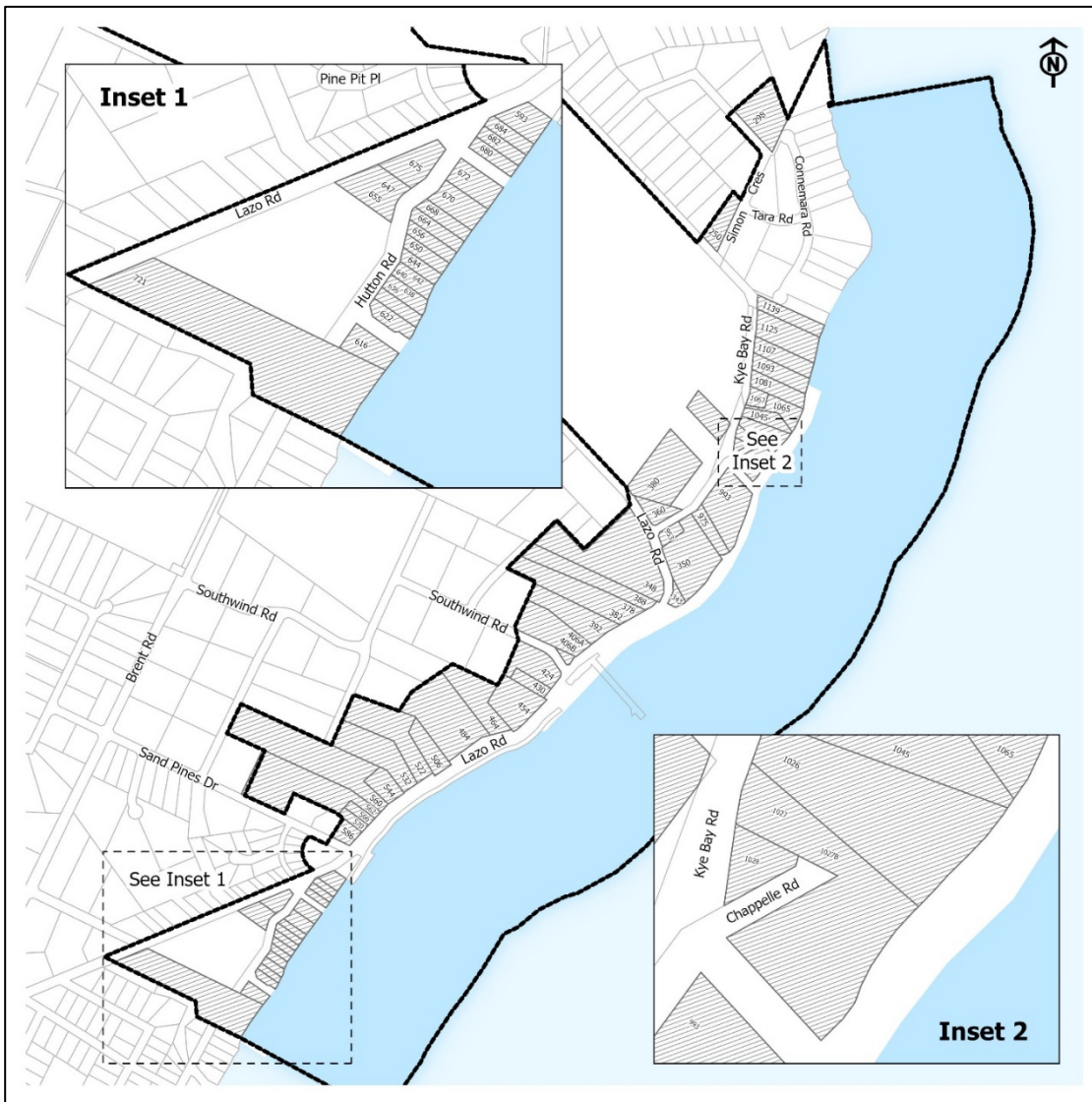
102.13 Other Requirements:

- (1) All buildings shall conform to Section 5.19, Watercourse Regulations.
- (2) Landscaping of the front yard shall be provided in accordance with the following:
 - (a) 50% of the front yard must comprise of soil-based landscaping.
 - (b) Minimum one 5 cm caliper tree at planting time with 30 m³ of soil volume must be provided for every 10 metres of parcel frontage.
 - (c) Tree plantings must comprise of a shade tree species listed in the Town of Comox Urban Forest Management Plan – Appendix 4: Preferred Tree Species to Plant.
 - (d) All trees must be planted and maintained in a manner that meets or exceeds the Canadian Landscape Standard.
- (3) Notwithstanding Section 102.13 (2)(c), when a required tree is located within 2.75 m lateral distance of overhead utilities, the required tree may comprise:
 - (a) of a tree species listed in the Town of Comox Urban Forest Management Plan – Appendix 4: Preferred Tree Species to Plant – Part 2: Trees for Beside Hydro Lines;
or
 - (b) a tree species with a mature height of less than 5 m.
- (4) Notwithstanding sections 102.2, 102.3, 102.4, 102.5, 102.6, 102.7, 102.8, 102.9, 102.10, 102.11 and 102.12, any parcel that has a development permit or development variance permit that received approval prior to, and including, June 30th, 2024, and any building permits for such development that are issued within two calendar years following the date of adoption of this bylaw, shall be subject to the applicable regulations of this bylaw effective prior to adoption of Comox Zoning Amendment Bylaw No. 1850.47.

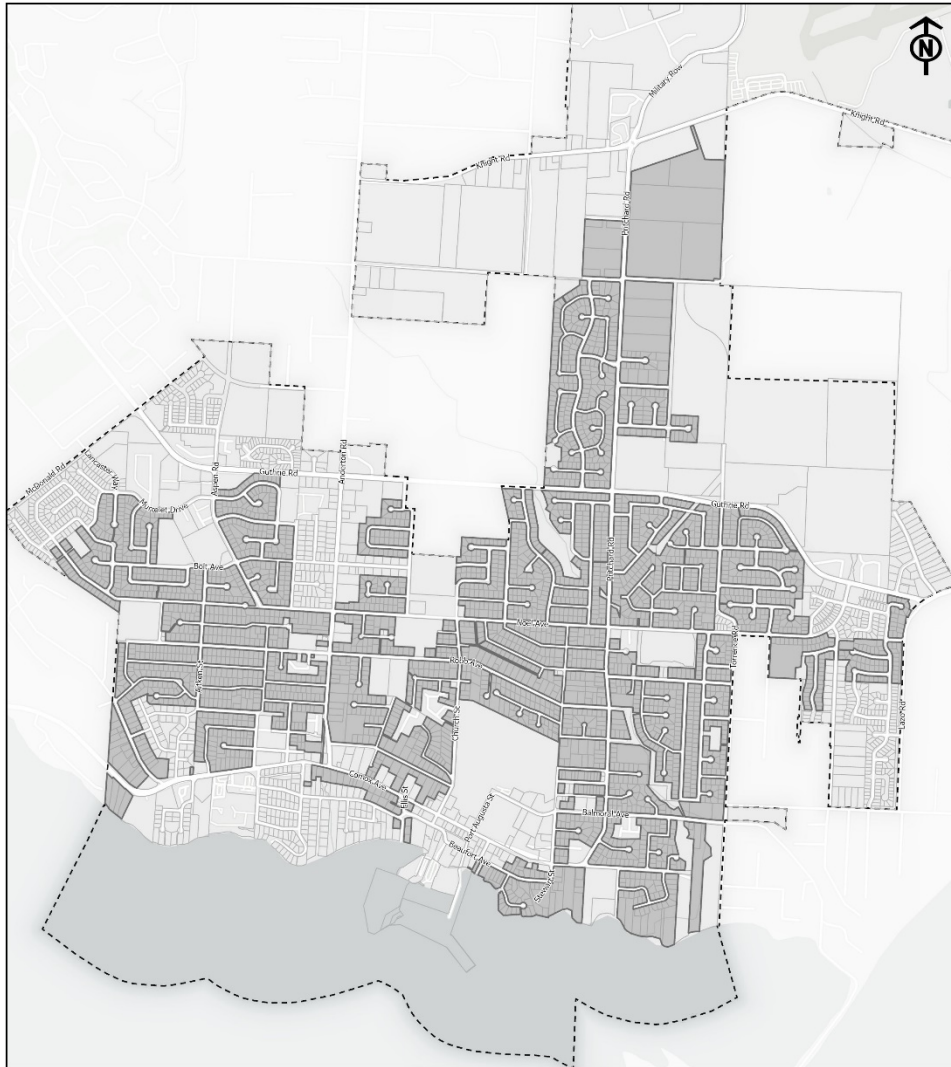
**BYLAW 1850.47
SCHEDULE 3**




APPENDIX "C1"

Map: R3.3 Parcels within the Kye Bay Extension Area

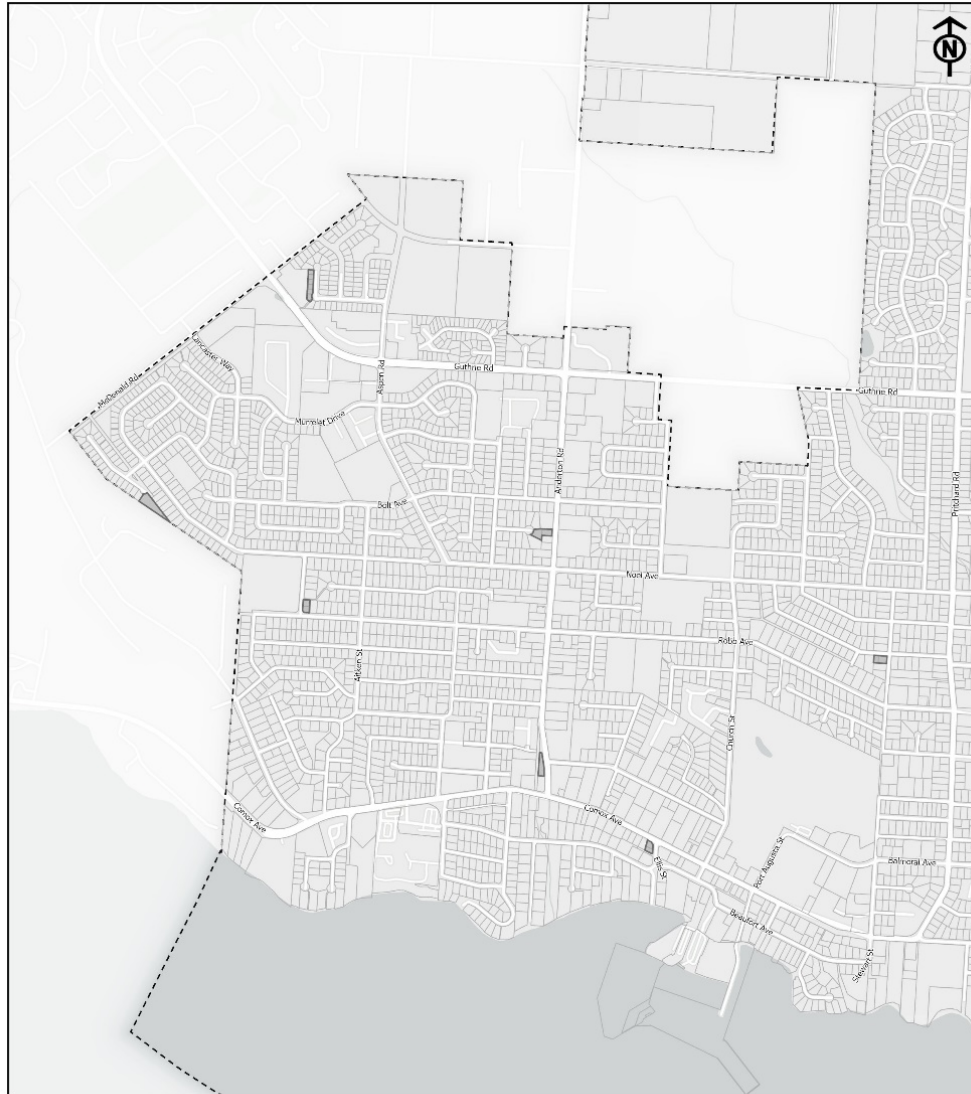




BYLAW 1850.47
SCHEDULE 4

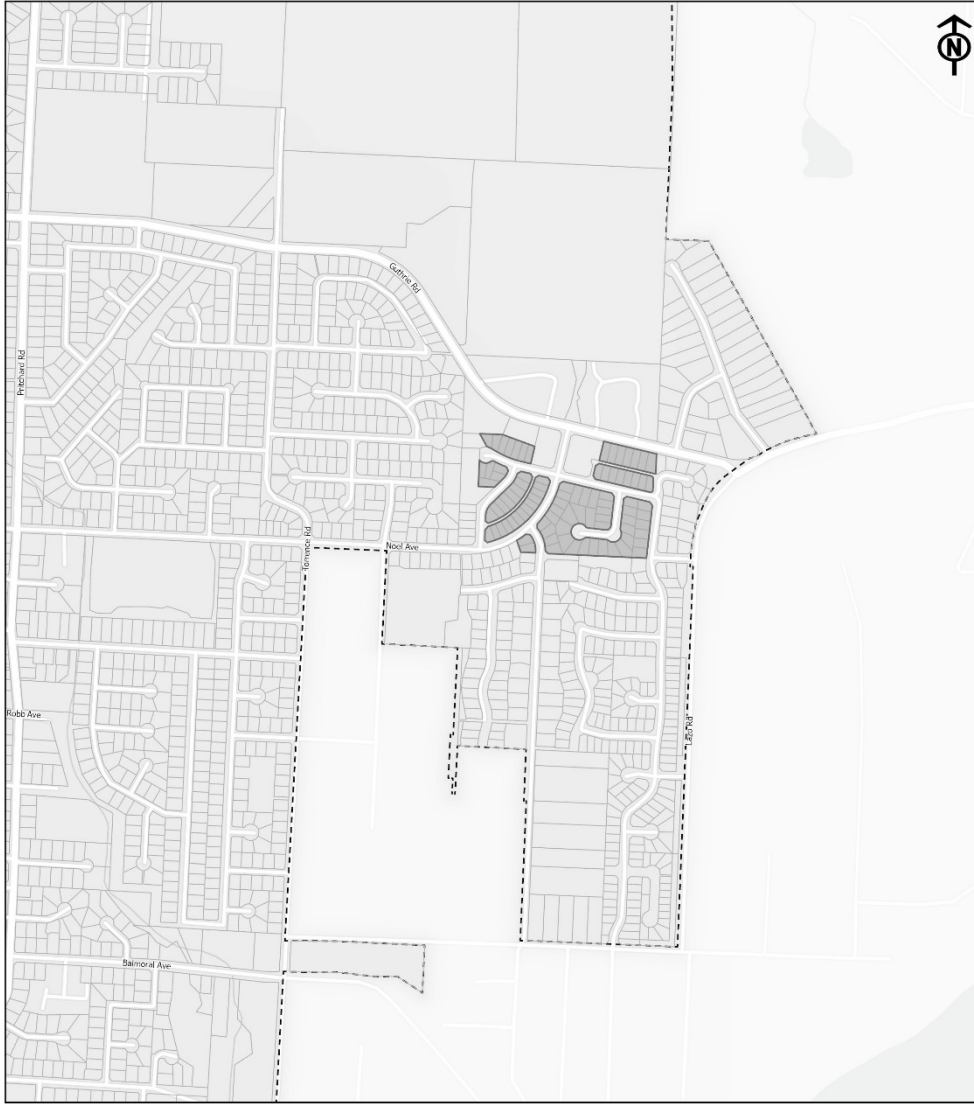





 TOWN OF COMOX	Proposed Rezoning To R1.0 SSMFH		 Proposed Rezoning To R1.0 SSMFH
R1.1 To R1.0 SSMFH			

BYLAW 1850.47
SCHEDULE 5

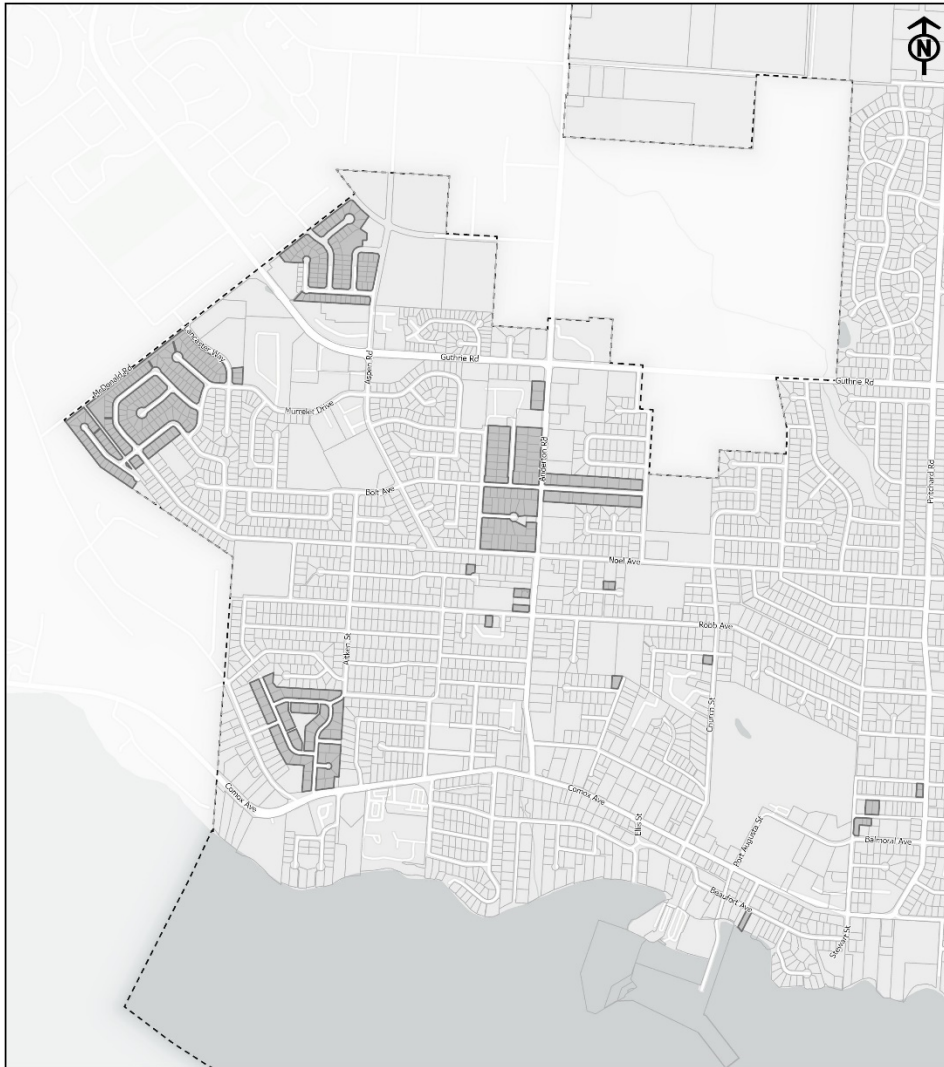





 <p>TOWN OF COMOX</p> <p>Proposed Rezoning To R1.0 SSMFH</p> <p>CD1.1, CD13, CD14, CD 17, CD22, CD23, CD24 & CD26 To R1.0 SSMFH</p>		<p>Proposed Rezoning To R1.0 SSMFH</p>
--	--	--






 TOWN OF COMOX	Proposed Rezoning To R1.0 SSMFH		 Proposed Rezoning To R1.0 SSMFH
CD1.1, CD13, CD14, CD 17, CD22, CD23, CD24 & CD26 To R1.0 SSMFH			

BYLAW 1850.47
SCHEDULE 6



 TOWN OF COMOX	Proposed Rezoning To R1.0 SSMFH		 Proposed Rezoning To R1.0 SSMFH
R1.4, R2.1, R2.2, R2.3, R3.2, R3.8, R4.1, R5.1 & R5.2 To R1.0 SSMFH			



 <p>TOWN OF COMOX</p> <p>Proposed Rezoning To R1.0 SSMFH</p> <p>R1.4, R2.1, R2.2, R2.3, R3.2, R3.8, R4.1, R5.1 & R5.2 To R1.0 SSMFH</p>		 Proposed Rezoning To R1.0 SSMFH
--	---	---

BYLAW 1850.47
SCHEDULE 7

