



The Corporation of the City of Courtenay

Bylaw No. 3221

A bylaw to amend Zoning Bylaw No. 3203, 2026

WHEREAS Zoning Bylaw No. 3203, 2026 regulates the use of land, buildings and other structures in the City of Courtenay;

AND WHEREAS amendments to Zoning Bylaw No. 3203, 2026 are required to address administrative and typographical errors that impact interpretation and to add a new Manufactured Home Residential Three Zone (MH-3) and to incorporate Bylaw No. 3186 (649 McPhee Avenue) which was approved July 30, 2025.

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. 3221, 2026”.

Amendment

2. “Zoning Bylaw No. 3203, 2026” is amended as follows:
 - a) AMENDING DIVISION 3 INTERPRETATION by:
 - i. DELETING the following text from the “floor area, gross” definition: “interior”

and

REPLACING with “exterior”;
 - ii. DELETING the following text from the “floor area, net” definition: “outside”

and

REPLACING with “interior”;
 - iii. DELETING the following text from the “home occupation” definition: “means a business operated within *dwelling unit* ancillary to the primary residential use and the person carrying out the *home occupation* is the resident.”

and

REPLACING with “means a business operated in a *dwelling unit* or in an *accessory building* on the same property where the business operator resides.”;

- iv. DELETING all instances in DIVISION 3 INTERPRETATIONS of the following text with reference to urban agriculture: “18”

and

REPLACING with “17”;

- b) AMENDING DIVISION 4 BASIC PROVISION by:
 - i. ADDING the following text following Section 4.1.2 Conformity, and before Section 4.2.1 Non-Conforming Uses: “4.1.3 Parks, playgrounds, and municipal (public) utilities are permitted in all zones.”;

- c) AMENDING DIVISION 7 OFF-STREET PARKING AND LOADING SPACE by:
 - i. DELETING the following text from Section 7.1.7 Spaces for People with Disabilities: “7.1.7”

and

REPLACING with “7.1.8”;

 - ii. DELETING Section 7.3.3 Parking Reductions within the Walkable Areas;

- d) AMENDING DIVISION 8 CLASSIFICATION OF ZONES by:
 - i. ADDING the label “Figure 8” following “equivalents” and before the introductory table;

 - ii. ADDING the following text to the introductory table following “Townhouse” in Residential Small-Scale Multi-Use Description: “secondary suite, ADU”;

 - iii. ADDING the following text to the introductory table following “CD-30C | 200 m²”;

 - iv. DELETING 300 m² in the lot size for R-SSMUH and replacing it with 280 m²;

 - v. DELETING in the extent footnotes of Figure 8 reference to “Schedule 8” replaced with “Schedule 9”;

 - vi. DELETING the following text from Section 8.4.5(2)(iii) Residential Four Zone (R-4) fourth storey rear yard setback: “3.5 m”;

and

REPLACING with “13.5 m”;

 - vii. DELETING the following text from Section 8.4.14(2) Residential Four A Zone (R-4A) All other residential Floor Area Ratio: “85”

and

REPLACING with "0.85";

- viii. DELETING the following text from Section 8.4.6 Residential Four Zone (R-4) Height of Building: "not exceed 9.0 m for *townhouses, single residential dwellings* and *duplexes*"

and

REPLACING with "not exceed 9.0 m for *townhouses, single residential dwellings, duplexes* and *accessory dwelling units*";

- ix. DELETING the following text from Section 8.4.16 Residential Four A Zone (R-4A) Height of Building: "not to exceed 9.0 m for *townhouse dwellings*"

and

REPLACING with "not exceed 9.0 m for *townhouses, single residential dwellings, duplexes* and *accessory dwelling units*";

- x. ADDING the following text to Section 8.4.26 Residential Four B Zone (R-4B) Height of Building following "(2) 10.0 m for apartments otherwise" and before "(3) 9.15 m for all other buildings" and renumbering accordingly: "(3) 9.0 m for Accessory Dwelling Units";

- xi. ADDING "PART 12A – Manufactured Home Residential Three Zone (MH-3)" attached as **Schedule A**, following "PART 12 - Manufactured Home Residential Two Zone (MH-2)" in Division 8 – Classification of Zones.

- xii. DELETING the following text from Section 8.14.1 Multiple Use Two Zone (MU-2) Permitted Uses: "Permitted Uses"

and

REPLACING with "Intent";

- xiii. DELETING the following text from Section 8.14.2 Multiple Use Two Zone (MU-2) Minimum Lot Sizes: "Minimum Lot Sizes"

and

REPLACING with "Permitted Uses";

- xiv. ADDING the following text to the end of Section 8.16.2 Multiple Use Four Zone (MU-4) Minimum Lot Sizes: "Notwithstanding the minimum lot size specified above, a minimum lot size of 700 m² is permitted on LOT 9, DISTRICT LOT 127, COMOX DISTRICT, PLAN 1464 (649 McPhee Avenue)";

- xv. ADDING the following text to the end of Section 8.16.3 Multiple Use Four Zone (MU-4) Minimum Lot Frontage: “Notwithstanding the minimum lot size specified above, a minimum lot frontage of 12.0 m is permitted on LOT 9, DISTRICT LOT 127, COMOX DISTRICT, PLAN 1464 (649 McPhee Avenue)”;
- xvi. ADDING the following text to the end of Section 8.16.6 Multiple Use Four Zone (MU-4) Setbacks: “Notwithstanding the minimum side yard *building setback* above, a minimum 0.5 m side yard *building setback* is permitted on the south side yard and 2.8 m side yard *building setback* is permitted on the north side yard on LOT 9, DISTRICT LOT 127, COMOX DISTRICT, PLAN 1464 (649 McPhee Avenue)”;
- xvii. ADDING the following text to the end of Section 8.16.11 Multiple Use Four Zone (MU-4) Landscaping and Screening: “Notwithstanding the Landscaping and Screening requirements specified above, the requirements in 8.16.11 (2) and 8.16.11 (3) are not required on LOT 9, DISTRICT LOT 127, COMOX DISTRICT, PLAN 1464 (649 McPhee Avenue).”
- xviii. DELETING the following text from Section 8.35.5 Comprehensive Development Zone Four Zone (CD-4) – 31st Street Minimum Lot Sizes and Frontages: “*Townhouse*”
- and
- REPLACING with “Duplex”;
- xix. ADDING the following text to Section 8.41.2 Comprehensive Development Eleven Zone (CD-11) – Glacier View Lodge Accessory Uses following “(5) Retail”: “(6) Restaurant”;
- xx. DELETING all instances in DIVISION 8 CLASSIFICATION OF ZONES of the following text with reference to landscaping: “*Division 6, Part 14*”
- and
- REPLACING with “*Division 6, Part 13*”;
- xxi. DELETING all instances in DIVISION 8 CLASSIFICATION OF ZONES of the following text with reference to landscaping: “*Part 14*”
- and
- REPLACING with “*Division 6, Part 13*”;
- e) AMENDING TABLE OF CONTENTS by:
- i. UPDATING DIVISION and Part descriptions and page numbers;

Severability

2. 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.

Due to the administrative nature of the amendments, not changing use or density, the decision was not to hold a Public Hearing pursuant to Section 464(2)(b) of the Local Government Act. Notice of this decision was given in accordance with Section 467 of the Local Government Act and Development Procedures Bylaw. No. 3202, 2026.

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, Adriana Proton

PART 12A - Manufactured Home Residential Three Zone (MH-3)

8.12.25 Purpose

The purpose of this zone is to accommodate manufactured home parks as a residential use, to recognize existing development and allow gentle densification, to meet city direction for diversity of housing and affordability.

8.12.26 Permitted Uses

In the MH-3 Zone, the following uses are permitted and shall conform to this bylaw and amendments thereto and all other uses are prohibited:

- (1) *Manufactured homes*
- (2) *Accessory structures and uses*

8.12.27 General Provisions

- (1) *All manufactured homes in a manufactured home park* must:
 - (i) Meet the Canadian Standards Association Standards Z-240 or A-277 or British Columbia Building Code Standards;
 - (ii) Be connected to municipal water, sanitary sewer; and
 - (iii) Meet all requirements for construction, including a foundation in accordance with the British Columbia Building Code or the *Manufactured home*, C.S.A. foundation standards approved by the Building Inspector.
- (2) The plumbing, electrical and *building* in any *manufactured home park* including additions and *alterations* shall comply with all *City of Courtenay* bylaws and regulations and the British Columbia Building Code, Plumbing Code and Electrical Code.
- (3) Skirtings, ground cover and crawl space must be installed to conform to British Columbia Building Code.
- (4) The owner of a *manufactured home park* shall provide solid waste collection facilities and dispose of garbage or refuse in accordance with the *City of Courtenay Refuse Collection and Removal Bylaw No. 2244, 2002* and revisions thereto.

8.12.28 Site Area

The minimum *site area* for the *manufactured home park* shall be 1.0 ha

8.12.29 Density

The maximum *density* for a *manufactured home park* shall be 20 *manufactured home* units per hectare.

8.12.30 Frontage

A *manufactured home park* shall have a minimum frontage of 20.0 m on to the highway.

8.12.31 Manufactured Home Space

- (1) The minimum area for a *manufactured home space* shall be 250 m² for an internal *lot* and 275 m² for *lots* adjacent to the highway.
- (2) The minimum frontage of each *manufactured home space* abutting a roadway shall be 9.0 m and 12.0 m for a lot adjacent to the highway.
- (3) Each *manufactured home space* shall be clearly delineated on a plan registerable at the Land Title Office as prepared by a BC Land Surveyor.
- (4) All *manufactured home spaces* shall:
 - (i) be clearly numbered; and
 - (ii) have access only from an internal roadway.

8.12.32 Lot Coverage

A *manufactured home space* shall not be covered by *buildings* to a greater extent than 60% of the area of the *manufactured home space*

8.12.33 Setbacks

Except where otherwise specified in this bylaw, the following minimum *building setbacks* shall apply. *Manufactured homes* and additions shall be located on each *manufactured home space* in a *manufactured home park* so that there will be not less than the following *setbacks*:

- (1) *Front yard*: 4.5m
3.0 m if the parking is provided in the side yard
6.0 m for a *garage* or carport
- (2) *Rear yard*: 3.0 m
- (3) *Side yard*: 1.5 m, except where the *lot* is adjacent to the highway where the setback will be 3.0m

8.12.34 Height of Building or Structure

- (1) *Manufactured Home* shall not exceed 6 m in height
- (2) except for a service, storage or recreation *building* which shall not be greater than 6.0 m.

8.12.35 Manufactured homes per Space/Lot

No more than one *manufactured home* shall be located on a *manufactured home space*.

8.12.36 Permissible Additions

- (1) All additions or *accessory structures* to a *manufactured home* located in a *manufactured home park* including carports, *garages*, shelters, porches, vestibules shall require a *building* permit and be constructed in compliance with the current British Columbia Building Code.

8.12.37 Edge Treatment

Manufactured home parks shall:

- (1) Install perimeter fencing of 3.0 m; and
- (2) Perimeter fencing may be supplemented with vegetative planting.

8.12.38 Parking

Mobile home park is exempt from Division 7 Off Street and Loading Parking Requirements of the Zoning Bylaw and shall provide a minimum of 2.0 *parking spaces* for each *manufactured home pad*.

8.12.39 Accessory Buildings and Accessory Structures

- (1) Shall have a floor area not exceeding 20 m²; and
- (2) Shall have a setback of 1.0 m from side and rear lots lines.

8.12.40 Tenant Storage

- (1) The owner/operator of the *manufactured home park* may provide shared storage for tenants.
- (2) If the storage is outdoor and open for the storage of boats, trailers, recreation vehicles for example, the storage compound shall be securely fenced, gated and lighted for security reasons and shall be screened from public view by fencing or *landscaping* approved by the *City*.
- (3) If the storage is a communal *building* owned by the owner of the *manufactured home park*, it is required to apply for a building permit, shall be for the use of tenants only and shall be appropriately secured.

8.12.41 Recreation and Landscaped Areas

- (1) A manufactured home park with over 50 lots shall provide communal recreation area. The recreation areas shall not include buffer areas, *accessory buildings*, *manufactured home spaces*, roadways and storage areas.
- (2) All recreation areas and other areas in the *manufactured home park*, other than *manufactured home pads*, roadways and parking areas shall be suitably landscaped and maintained subject to the approval of the *City*.
- (3) Recreational areas and open spaces shall be connected to the internal *street* and walkway system of the *development* and such areas and spaces shall be provided in one or more convenient and accessible locations.

8.12.42 Access, Roadways and Walkways

- (1) Access
 - (i) No *manufactured home park* shall be established or extended unless the highway access to the *manufactured home park* is approved by the *City*.
 - (ii) A second access from a public highway separated by at least 60.0 m from the first access shall be provided to each *manufactured home park* containing 50 or more *manufactured home spaces*.
- (2) Roadways
 - (i) All roads internal to the *manufactured home park*, are the responsibility of the *manufactured home park* owner.
 - (ii) Internal road maximum speed shall be designated at 10 km per hour.
 - (iii) Minimum roadway width requirements shall be as follows:
 - i. Minimum paved width is 6.5 m.
 - ii. Cul de sac roads shall not exceed 100.0 m in length and shall have a minimum turning circle right-of-way radius of 12.5 m.
 - iii. All *streets* and roadways in the *manufactured home park* shall be designed and constructed in accordance the recommendations of a Professional Engineer registered in BC.

8.12.43 Occupancy

No person shall cause or permit a *manufactured home park* to be occupied by *manufactured homes* until advised in writing by the Building Inspector that authorization to do so is given.