

**Part 53 - Comprehensive Development Twenty-Six Zone (CD-26)
(3040 & 3070 Kilpatrick Ave)****8.53.1 Intent**

The CD-26 Zone is intended to accommodate a use mixed commercial and residential development on the properties legally described as Lot B, Section 67, Comox District, Plan VIP81460 and Lot 3, Section 67, Comox District, Plan VIP35438. These properties shall be developed substantially in accordance with Schedules A, B, C, and D which form part of this zone.

8.53.2 Permitted Uses

The following uses are permitted and all other uses are prohibited except as otherwise noted in this bylaw:

1. *General Service*
2. *Medical Clinic*
3. *Financial Institution*
4. *Office*
5. *Restaurant*
6. *Personal Service*
7. *Retail*
8. *Fitness Facility*
9. *Studio*
10. *Community Service*
11. *Liquor Store*
12. *Multi Residential*
13. *Home Occupation*

8.53.3 Lot Coverage

A *lot* shall not be covered by buildings to a greater extent than 40% of the total area of the *lot*.

8.53.4 Floor Area Ratio

The maximum *floor area ratio* shall not exceed 1.2.

8.53.5 Minimum Lot Size

A *lot* shall have an area of not less than 1.0 hectare.

8.53.6 Minimum Lot Frontage

A *lot* shall have a *frontage* of not less than 30.0 m

8.53.7 Setbacks

Except where otherwise specified in this bylaw the following minimum *building setbacks* shall apply:

- (1) *Front Yard* 7.5 m for that portion of a building with a height less than 9.0 m
 11.5 m for that portion of a building with a height greater than 9.0 m
- (2) *Rear Yard* 7.5 m except for underground parking structures which shall be a minimum of 0.6 m.

Notwithstanding the required *rear yard setback* specified above, the minimum *rear yard setback* can be reduced to 4.5 m for a building including balconies or to 3.2 m for a staircase for that portion of Building 1 shown in Schedule A.

- (3) *Side Yard* 4.5 m except where a building greater than 4 *storeys* abuts a residential use, in which case the minimum distance shall be 6.5 m for the 5th storey

Notwithstanding the required *side yard setback* specified above, balconies may extend up to 1.2 m into the *side yard setback* along the north property line and up to 0.8 m along the southern property line.

Notwithstanding the required front, rear, and side yard setbacks specified above, roof overhangs may extend up to 0.76 m into the required setback.

8.53.8 Height of Building

Maximum *building height* shall be in accordance with Schedule B and includes the elevator and roof top mechanical systems. For clarity, the curb height is determined as the average curb height along the lot frontage. For Buildings 1 and 2, Lot 3 of Plan VIP35438 and for Building 3, Lot B of Plan VIP81460.

- (1) Building 1 – 10.5 m to roof parapet, 12.5 m to top of elevator
- (2) Building 2 – 12.5 m to roof parapet, 14.5 m to top of elevator
- (3) Building 3 – 8.5 m

8.53.9 Useable Open Space

- (1) A minimum of 1,930 m² of *useable open space* must be provided as shown in Schedule B. For clarity this includes common outdoor areas and private balconies or patios.
- (2) A walkway connection must be provided on the site between Cliffe Avenue Greenway and Kilpatrick Avenue as shown in Schedule A.

8.53.10 Accessory Structures

- (1) Shall not be permitted except for waste and recycling facilities
- (2) Shall not be permitted in the *front* or *rear yard*
- (3) Shall not be located within 1.5 m of the *side lot line* abutting a commercial use or within 4.5 m of a *side lot line* abutting a residential use or *street*, except for underground garbage and recycling structures which shall be located a minimum of 0.6 m from the *side lot line*.

8.53.11 Off-Street Parking and Loading

Off-street parking shall be provided and maintained in accordance with the requirements of Division 7 of this bylaw except:

- (1) For multi residential uses parking shall be provided at a rate of 1.3 *parking spaces* per *dwelling unit* inclusive of visitor parking;
- (2) For general commercial uses parking shall be provided at a rate of 1.0 *parking spaces* for every 30 m² of *floor area*;
- (3) For restaurants with a drive-thru facility parking shall be provided at a rate of 1.0 *parking spaces* for every 10 m² of *floor area*.
- (4) Minimum parking stall dimensions are 2.6 m in width and 5.5 m in length for standard stalls
- (5) Minimum aisle width in the underground parking structure can be reduced to 6.7 m in accordance with Schedule C
- (6) No more than 25% of parking spaces can be designated as small car parking spaces

8.53.12 Landscaping and Screening

In addition to the Landscape Requirements identified in Part 14 of this bylaw, the following landscape requirements shall be met:

- (1) A landscaped area of not less than 4.0 m in width shall be provided inside all property lines adjoining residential use and public parkland except reduced widths shown in Schedule A.
- (2) A landscaped area of not less than 3.0 m in width shall be provided inside all side lot lines adjacent to commercial uses.
- (3) Where a *lot* in this zone adjoins a *street*, a landscaped area of at least 7.5 m in width extending along the entire frontage of the property shall be provided inside the property line.
- (4) Storage areas, garbage and recycling containers shall be screened and gated to a minimum *height* of 2 m by a *landscaping* screen or solid decorative *fence* or a combination thereof.



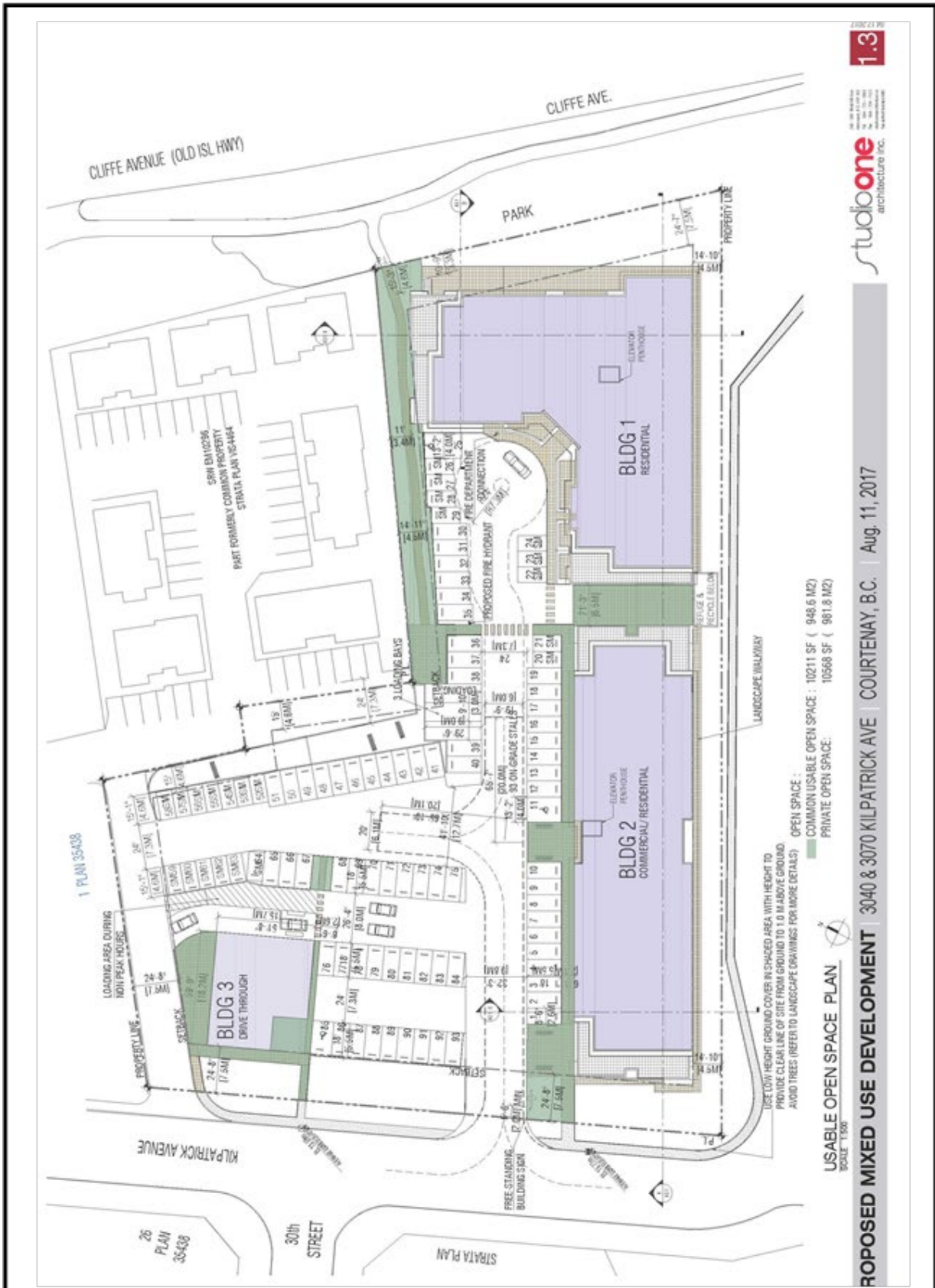
04.17.2017
1.2
 studioone
 architecture inc.

PROPOSED MIXED USE DEVELOPMENT 3040 & 3070 KILPATRICK AVE COURTENAY, B.C. Aug. 11, 2017

SITE PLAN
 SCALE: 1"=50'

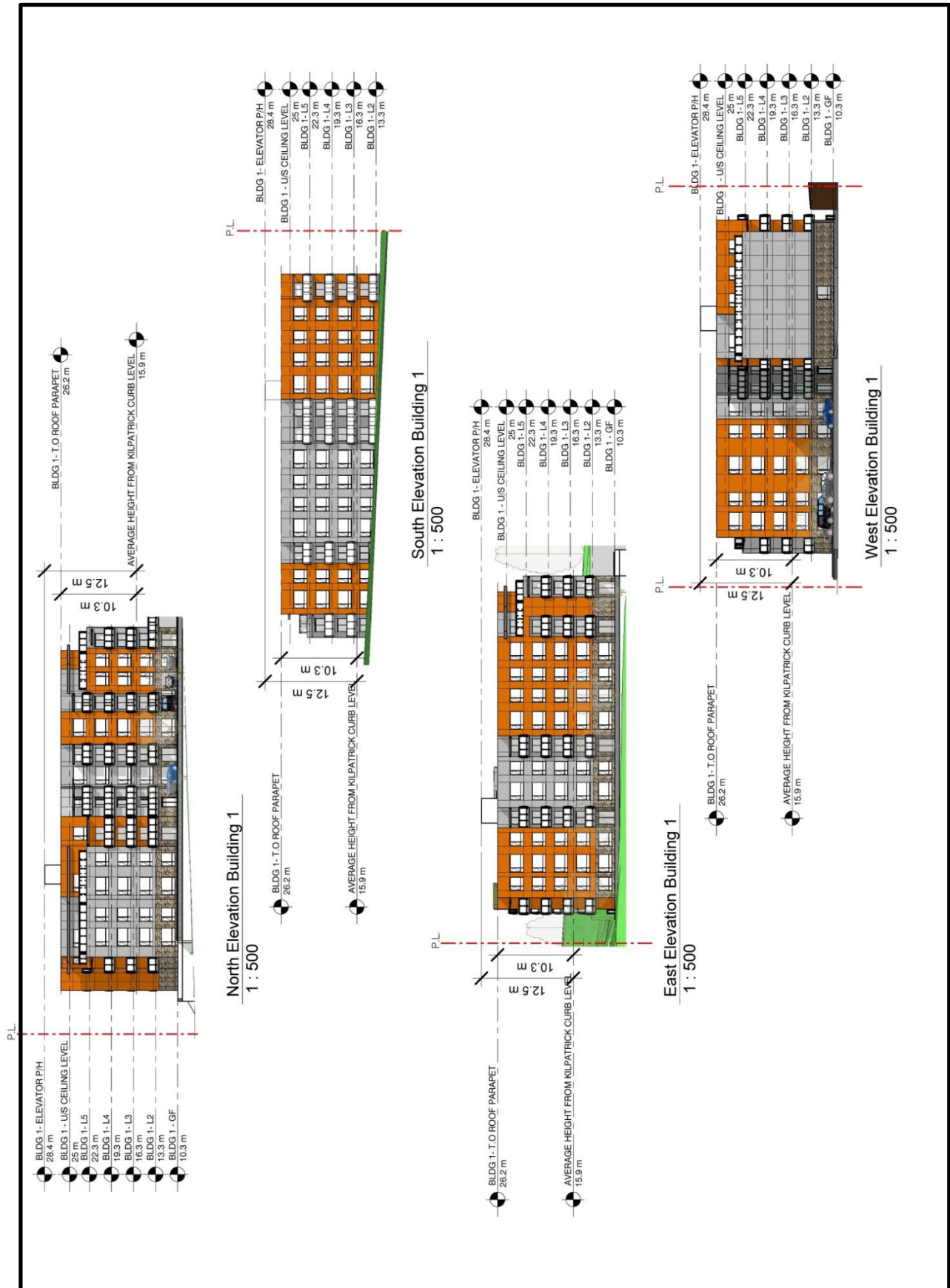
SCHEDULE A

Note: Please refer to full size drawings in file 3360-20-1611



SCHEDULE B

Note: Please refer to full size drawings in file 3360-20-1611



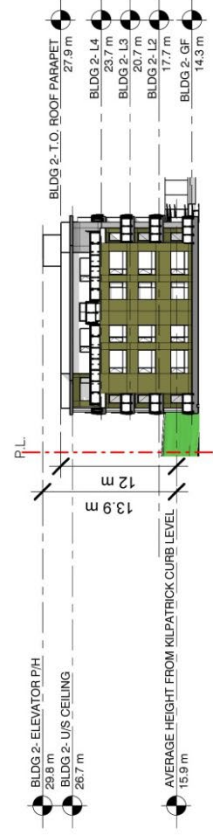
SCHEDULE C

Note: Please refer to full size drawings in file 3360-20-1611

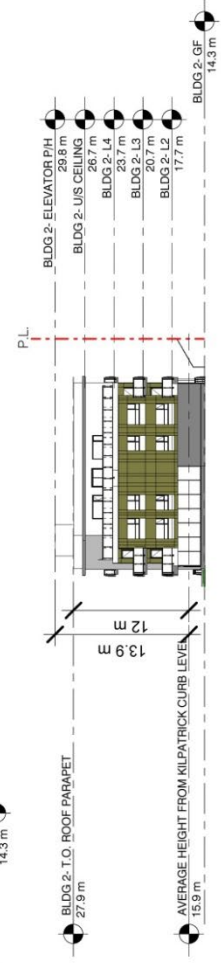


South Elevation Building 2
1 : 500

North Elevation Building 2
1 : 500



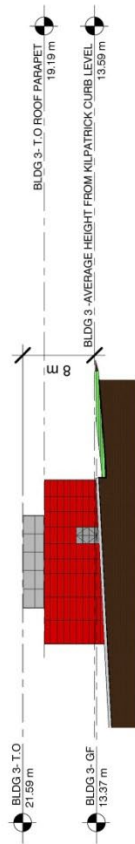
East Elevation Building 2
1 : 500



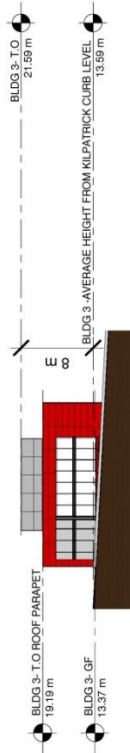
West Elevation Building 2
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SCHEDULE C

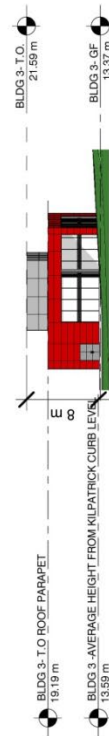
Note: Please refer to full size drawings in file 3360-20-1611



North Elevation Building 3
1 : 500

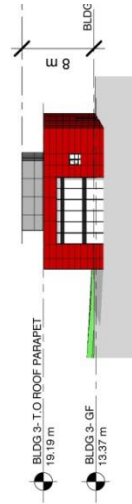


South Elevation Building 3
1 : 500



West Elevation Building 3
1 : 500

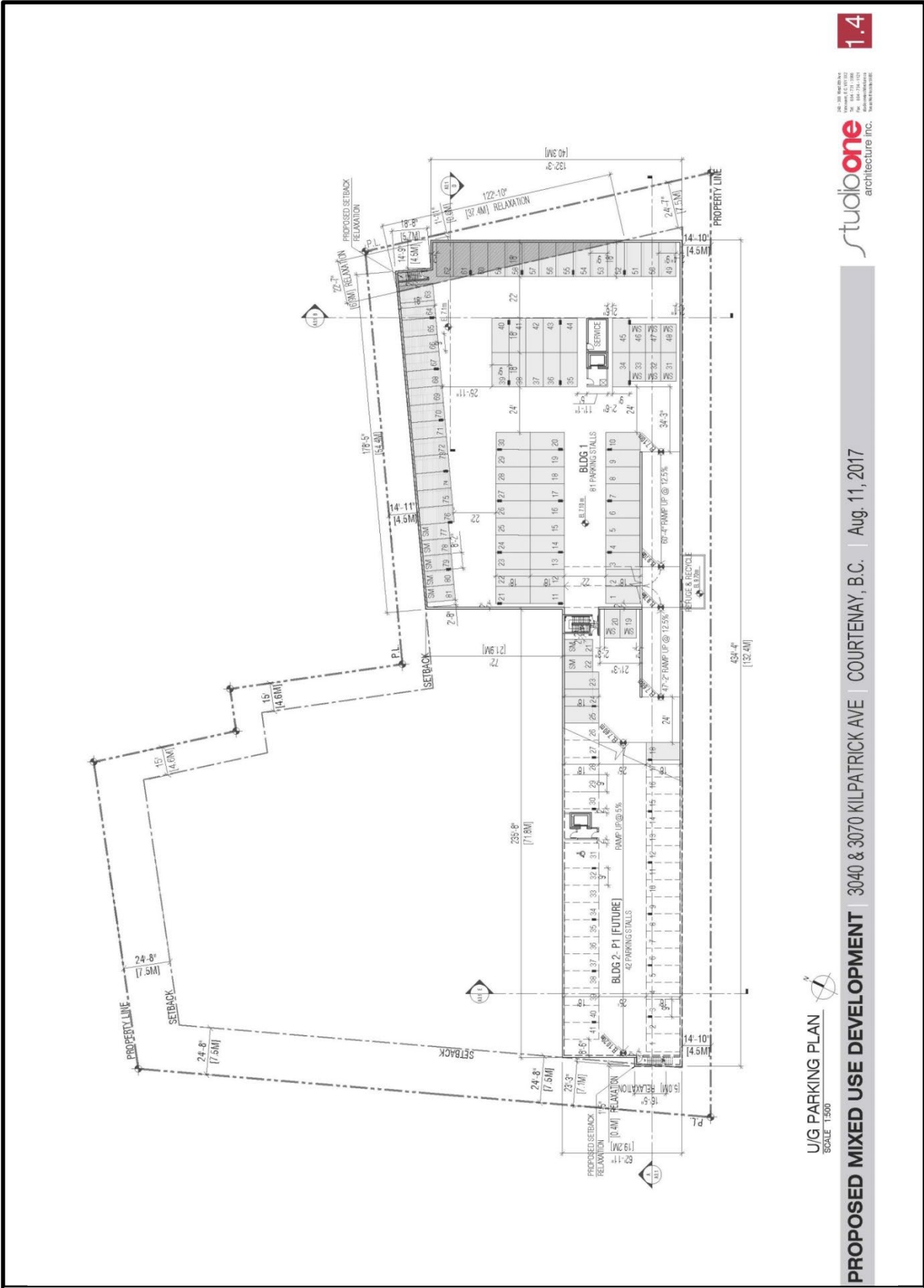
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COLOR: CLV 11411N OR SIMILAR
- 2- CEMENTITIOUS SIDING PANELS PAINTED
COLOR: CL 1656N OR SIMILAR
- 3- CEMENTITIOUS SIDING BOARDS OR PANELS PAINTED
COLOR: CL 2932W OR SIMILAR
- 4- CEMENTITIOUS SIDING PANELS PAINTED
COLOR: CLC 1288N OR SIMILAR
- 5- ARCHITECTURAL FINISH EXPOSED CONCRETE PAINT
COLOR: CL 3214M OR SIMILAR
- 6- CULTURED STONE CLADDING
ASPEN COUNTRY OR SIMILAR
- 7- VINYL DOUBLE GLAZED WINDOWS
COLOR: WHITE FRAME
- 8- ALUMINUM STOREFRONT WINDOWS AND DOORS
COLOR: BLACK



East Elevation Building 3
1 : 500

SCHEDULE C

Note: Please refer to full size drawings in file 3360-20-1611



U/G PARKING PLAN
SCALE 1:500

SCHEDULE D

Note: Please refer to full size drawings in file 3360-20-1611

Attachment A

Part 53 - Comprehensive Development Twenty-Six A Zone (CD- 26A) (3040 Kilpatrick Ave.)

8.53.13 Intent

The CD-26A Zone is intended to accommodate a multi residential development on the property legally described as Lot 1, Section 67, Comox District, Plan EPP79267 Except Air Space Plan EPP81977. This property shall be developed substantially in accordance with Schedules A, B, and C, which form part of this zone

8.53.14 Permitted Uses

The following uses are permitted and all other uses are prohibited except as otherwise noted in this bylaw:

- (1) *Multi Residential*
- (2) *Home Occupation*

8.53.15 Lot Coverage

A *lot* shall not be covered by buildings to a greater extent than 20% of the total area of the *lot*

8.53.16 Floor Area Ratio

The maximum *floor area ratio* shall not exceed 0.82

8.53.17 Minimum Lot Size

A *lot* shall have an area of not less than 0.40 hectares

8.53.18 Minimum Lot Frontage

A *lot* shall have a *frontage* of not less than 60.0 m

8.53.19 Setbacks

Except where otherwise specified in this bylaw the following minimum *building setbacks* shall apply:

- (1) *Front Yard*: 7.5 m for that portion of a building with a height less than 11.5 m and for railings above and affixed to said portion
17.0 m for that portion of a building with a height greater than 11.5 m
Despite the required *front yard setbacks* above, architectural fence details may project into the front yard setback up to 1.5 m with a height up to 2.0 m
- (2) *Rear Yard*: 18.0 m except for underground parking structures which shall be at least 14.0 m

- (3) *Side Yard*: 9.5 m north side except for underground parking structure which shall be at least 6.5 m
13.0 m south side

8.53.20 Height of Buildings

Maximum *building height* shall be in accordance with Schedule B and includes the elevator and roof top mechanical systems. Maximum *building height* is 15.0 m to roof parapet and 17.0 m to top of elevator measured from curb height. For clarity, the curb height is determined as the average curb height along the lot frontage

8.53.21 Useable Open Space

Useable open space must be provided and include at minimum:

- (1) 70 m² play area as shown in Schedule A
- (2) 250 m² rooftop amenity area
- (3) Patios or balconies for averaging 9 m² per unit, with a minimum size of 4.5 m²

8.53.22 Off-Street Parking and Loading

Off-street parking shall be provided and maintained in accordance with the requirements of Division 7 of this bylaw except:

- (1) 52 *parking spaces* shall be provided for 41 dwelling units on the property and corresponding visitor parking
- (2) 33 *parking spaces* shall be provided for 3080 Kilpatrick Avenue commercial and residential use
- (3) Minimum parking stall dimensions are 2.6 m in width and 5.5 m in length for standard stalls
- (4) Minimum aisle width in the underground parking structure can be reduced to 6.7 m in accordance with Schedule C
- (5) Minimum additional space for *parking spaces* and manoeuvring aisles where abutting a wall or building can be reduced in accordance with Schedule C
- (6) No more than 25% of *parking spaces* can be designated as small car *parking spaces*
- (7) Bicycle parking facilities must be provided at a rate of one secure stall per unit

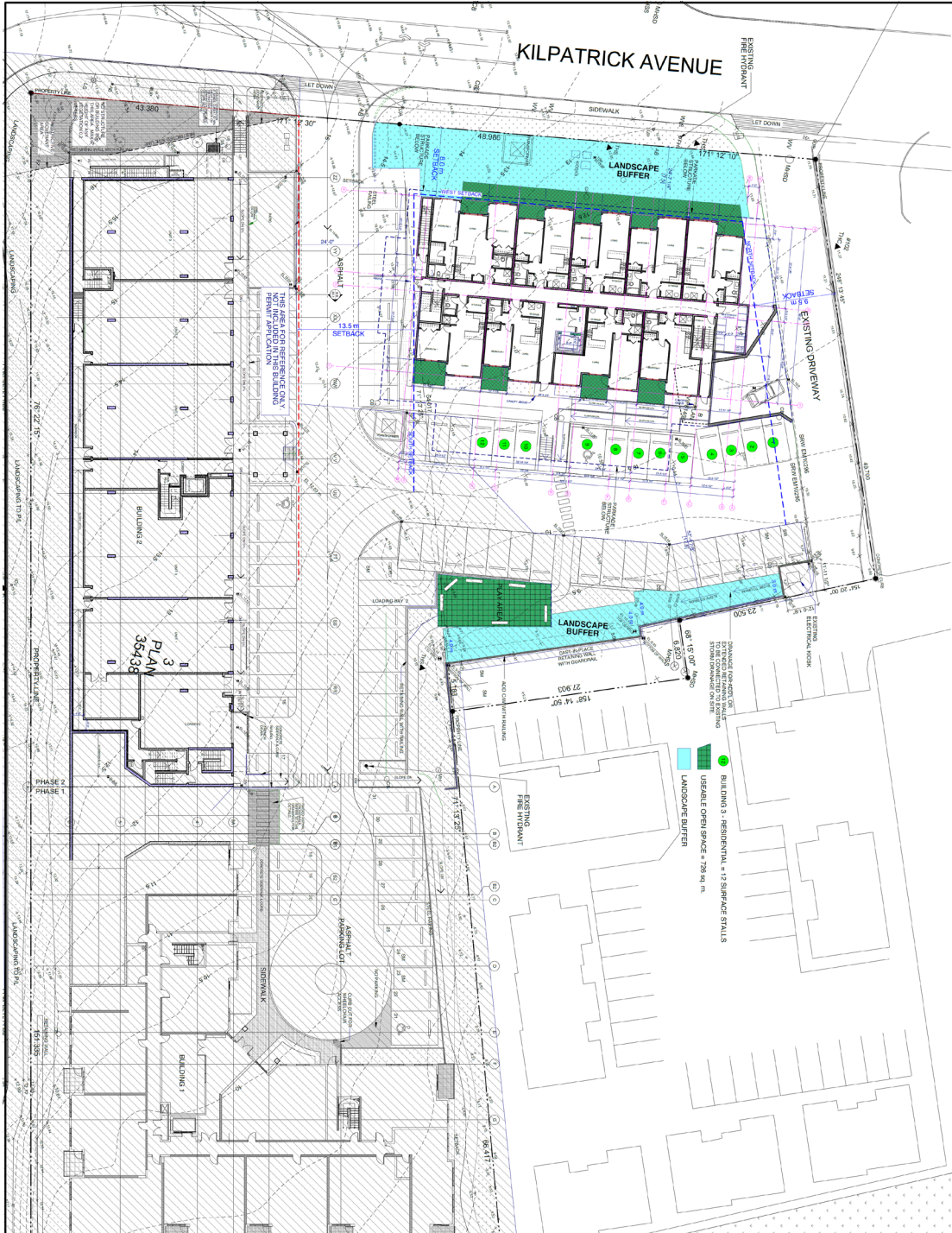
8.53.23 Landscaping and Screening

In addition to the Landscape Requirements identified in Part 14 of this bylaw, the following landscape requirements shall be met:

- (1) A landscaped area of not less than 4.0 m in width shall be provided inside all property lines adjoining residential use and public parkland except reduced widths shown in Schedule A
- (2) Where a *lot* in this zone adjoins a *street*, a landscaped area of at least 7.5 m in width extending along the entire frontage of the property shall be provided inside the property line except reduced widths shown in Schedule A
- (3) Storage areas, garbage and recycling containers shall be screened and gated to a minimum *height* of 2 m by a *landscaping* screen or solid decorative *fence* or a combination thereof.

Schedule A

Note: Please refer to full size drawings in file 3360-20-2102



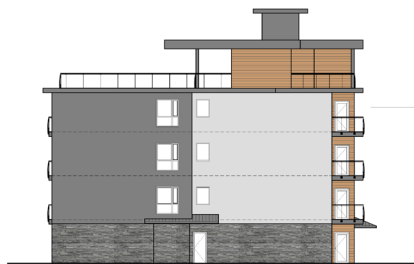
<p>Brad Humphrey Architects 1755 TORONTO AVENUE SUITE 100 SCARBOROUGH, ONTARIO M1S 4T8 TEL: 769 871576</p>	
<p>NEWPORT VILLAGE DEVELOPMENTS LTD.</p>	
<p>BUILDING 3 SITE PLAN</p>	
<p>DATE: 15/12/23</p>	<p>SCALE: 1:100</p>
<p>PROJECT NO: A1-01</p>	

Schedule B

Note: Please refer to full size drawings in file 3360-20-2102



WEST ELEVATION
SCALE: 1/8" = 1'-0"

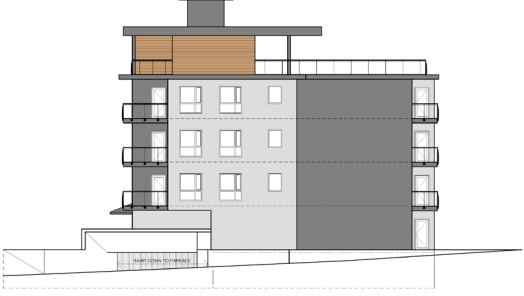


SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

DCP & REZONING APPLICATION: 21 OCT 2021	
DATE: 2021	
PROJECT:	
NEWPORT VILLAGE COURTESY DEVELOPMENTS LTD.	
Brad Humphrey Architect	
1125 Thomas Avenue, Calgary, Alberta T2K 2L4 Tel: 780.817.1578	
PROJECT TITLE: BUILDING 3 RESIDENTIAL	
DRAWING TITLE: ELEVATIONS: WEST & SOUTH	
DRAWN BY: BOH	CHECKED BY: BHA
SCALE: 1/8" = 1'-0"	PAGE NO. OF TOTAL PAGES: 20419 of 20673
DATE: 21 OCT 2021	DRAWING NO.:
PROJECT NO.:	A3-01



EAST ELEVATION
SCALE: 1/8" = 1'-0"

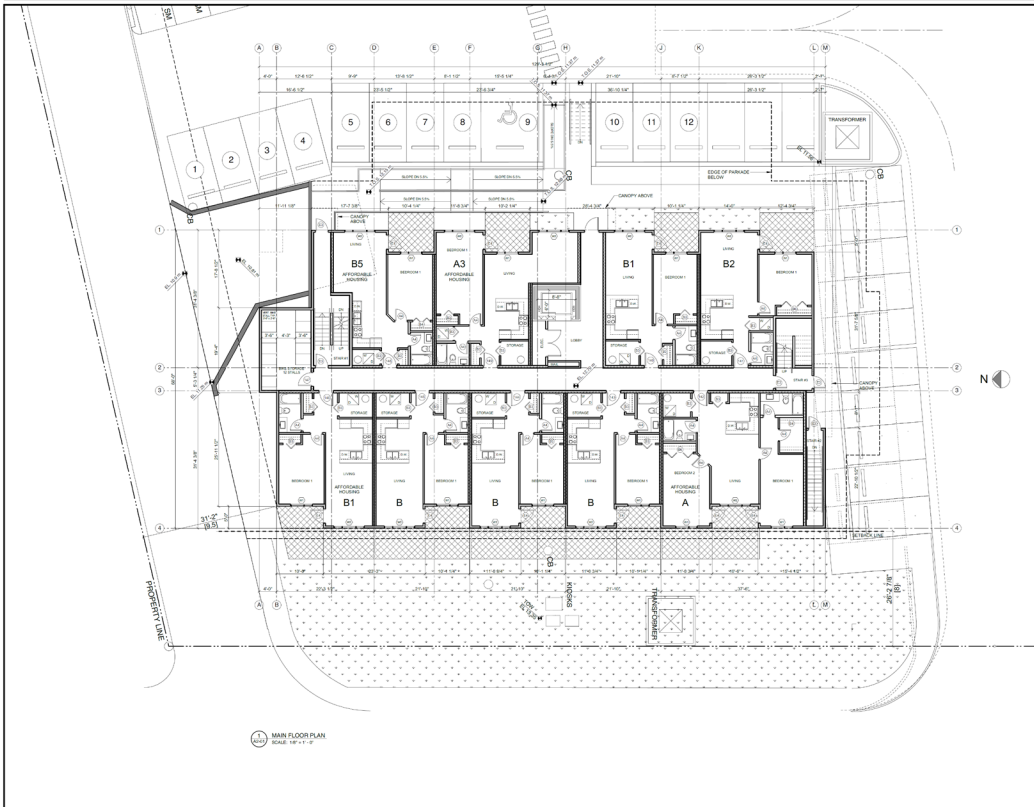
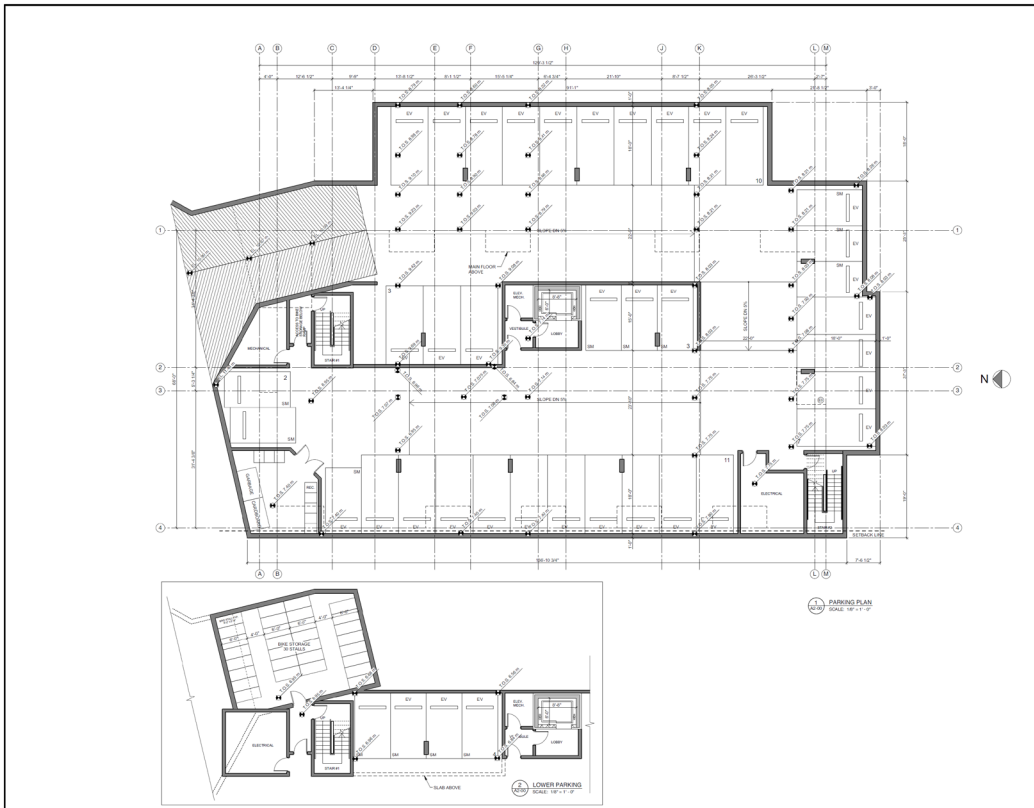


NORTH ELEVATION
SCALE: 1/8" = 1'-0"

DCP & REZONING APPLICATION: 21 OCT 2021	
DATE: 2021	
PROJECT:	
NEWPORT VILLAGE COURTESY DEVELOPMENTS LTD.	
Brad Humphrey Architect	
1125 Thomas Avenue, Calgary, Alberta T2K 2L4 Tel: 780.817.1578	
PROJECT TITLE: BUILDING 3 RESIDENTIAL	
DRAWING TITLE: ELEVATIONS: EAST & NORTH	
DRAWN BY: BOH	CHECKED BY: BHA
SCALE: 1/8" = 1'-0"	PAGE NO. OF TOTAL PAGES: 20419 of 20673
DATE: 21 OCT 2021	DRAWING NO.:
PROJECT NO.:	A3-02

Schedule C

Note: Please refer to full size drawings in file 3360-20-2102



OCP & REDNOG APPLICATION: 21 OCT 2023 DATE: _____ DRAW: _____		
NEWPORT VILLAGE COURTESY DEVELOPMENTS LTD.		
Brad Humphrey Architect 1325 Thomas Avenue, Coquitlam, Alberta V3K 2L4 Tel 780.817.1578		
PROJECT TITLE: BUILDING 3 RESIDENTIAL		
DRAWING TITLE: PARKING PLAN		
DRAWN: BSJLH	SCALE: 1/8" = 1'-0"	PLOT DATE: 2023 September 19 21
BY: _____ CHECKED BY: _____ DATE: _____		DRAWING NO: A2-00

OCP & REDNOG APPLICATION: 21 OCT 2023 DATE: _____ DRAW: _____		
NEWPORT VILLAGE COURTESY DEVELOPMENTS LTD.		
Brad Humphrey Architect 1325 Thomas Avenue, Coquitlam, Alberta V3K 2L4 Tel 780.817.1578		
PROJECT TITLE: BUILDING 3 RESIDENTIAL		
DRAWING TITLE: MAIN FLOOR PLAN		
DRAWN: BSJLH	SCALE: 1/8" = 1'-0"	PLOT DATE: 2023 09 19 10 21
BY: _____ CHECKED BY: _____ DATE: _____		DRAWING NO: A2-01

Attachment B

