

THE CORPORATION OF THE CITY OF FERNIE
BYLAW NO. 2377
A Bylaw to amend Zoning Bylaw No. 1750

WHEREAS the Council of the City of Fernie has adopted the City of Fernie Zoning Bylaw No. 1750;

AND WHEREAS Council has deemed it desirable to establish a comprehensive development zone by amending Zoning Bylaw No. 1750 by adding a adding a new zone to Part 4 – Zones;

NOW THEREFORE, the Municipal Council of the Corporation of the City of Fernie in open meeting assembled **ENACTS AS FOLLOWS**:

1. This Bylaw may be cited as the “*Zoning Bylaw No. 1750 Amendment Bylaw No. 211, 2019*”.
2. Zoning Bylaw No. 1750 be amended as follows:
 - i. That the following be added to Part 4 - Zones:

4.2.25 CD5 – COMPREHENSIVE DEVELOPMENT FIVE ZONE

.1 Purpose

The purpose of this zone is to provide ~~multi-family affordable rental~~ housing that will meet local housing needs in the City of Fernie consistent with the City of Fernie’s ~~OC~~Official Community Plan and Affordable Housing Strategy. ~~The zone will enable a density and mix of built forms including an apartment building and townhouses that will provide an affordable, financially viable and functional development.~~

.2 Permitted Uses

The following uses, and no other, are permitted in the ~~R-WF1~~CD5 zone.

.1 Multi-Family Dwellings

.3 Accessory Uses

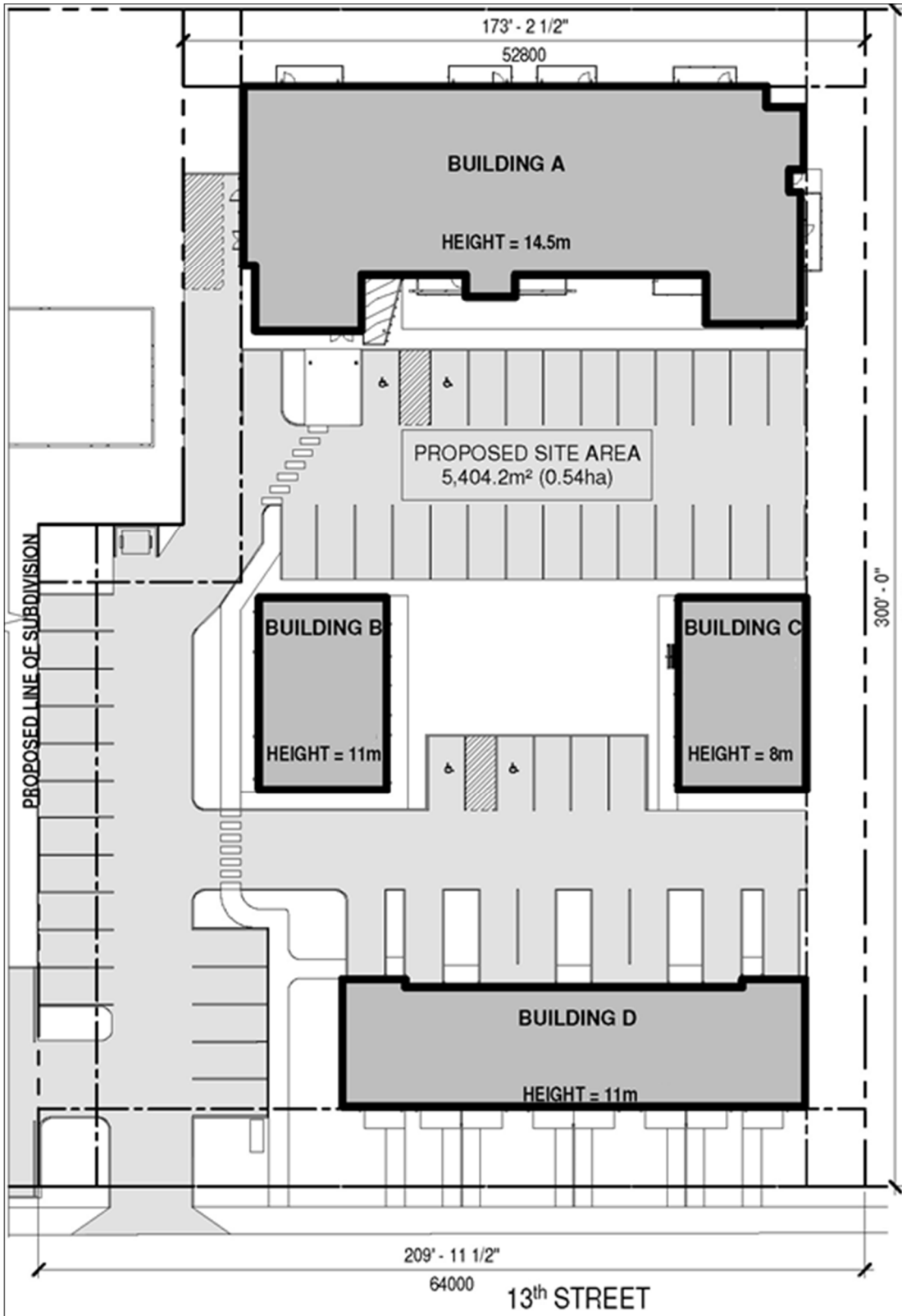
- .1 Home occupation;*
- .2 Buildings and structures accessory to a permitted use;*

.4 Regulations

1. On a parcel located in the CD5 zone, no building or structure shall be constructed, located or altered and no plan of subdivision approved which contravenes the regulations set out below in which column 1 sets out the matter to be regulated and Column 2 sets out the regulations:

COLUMN 1	COLUMN 2
.1 Minimum Parcel Area	5400m ²
.2 Minimum Parcel Frontage	64m
.3 Minimum Setbacks	
a) Principal Building	
• front yard	6m
• rear yard	6m
• side yard	4.5m
b) Accessory Building or Structure	
• front yard	6m
• rear yard	0.6m
• side yard	0.6m
.4 Maximum Parcel Coverage	30%
.5 Maximum Density	95 dwelling units per gross hectare
.6 Maximum Building Height (See CD5 – Comprehensive Development Five Zone – Schedule ‘A’)	
• Building A	14.5m
• Building B	11m
• Building C	8m
• Building D	11m
.7 Minimum amenity space	4.5m ² per dwelling unit in the form of either a balcony, terrace, or patio
.8 Parking (Notwithstanding section 5 of this bylaw)	
• Off-Street Parking	1.2 stalls per dwelling unit
• Handicap Parking	4 stalls (to be included in the off-street parking ratio)
• Off-Street Loading	1 stall
• Bicycle Parking	1.1 stalls per dwelling unit

CD5 – COMPREHENSIVE DEVELOPMENT FIVE ZONE – SCHEDULE ‘A’



- ii. By amending the zoning designation of a 5404.2 square metre portion of Lot 2, District Lot 4588, Kootenay District, Plan 5009, from P1 – Public Institutional Zone to CD5 – Comprehensive Development Five Zone as shown outlined in heavy black line and shaded grey on the map attached to and forming a part of this Bylaw as Appendix “A”.

Read a first time on the ____ day of _____, ____.

Read a second time on the ____ day of _____, ____.

~~Second reading rescinded this ____ day of _____, ____.~~

~~Read again a second time as amended this ____ day of _____, ____.~~

Notice given in accordance with the Local Government Act ~~and the Community Charter~~ by publication in the Free Press on the ____ day of _____, ____ and the ____ day of _____, ____.

A Public Hearing was held on the ____ day of _____, ____.

Read a third time on the ____ day of _____, ____.

Approved by the Ministry of Transportation and Infrastructure, pursuant to the *Transportation Act* on the ____ day of _____, ____.

Minister of Transportation and Infrastructure

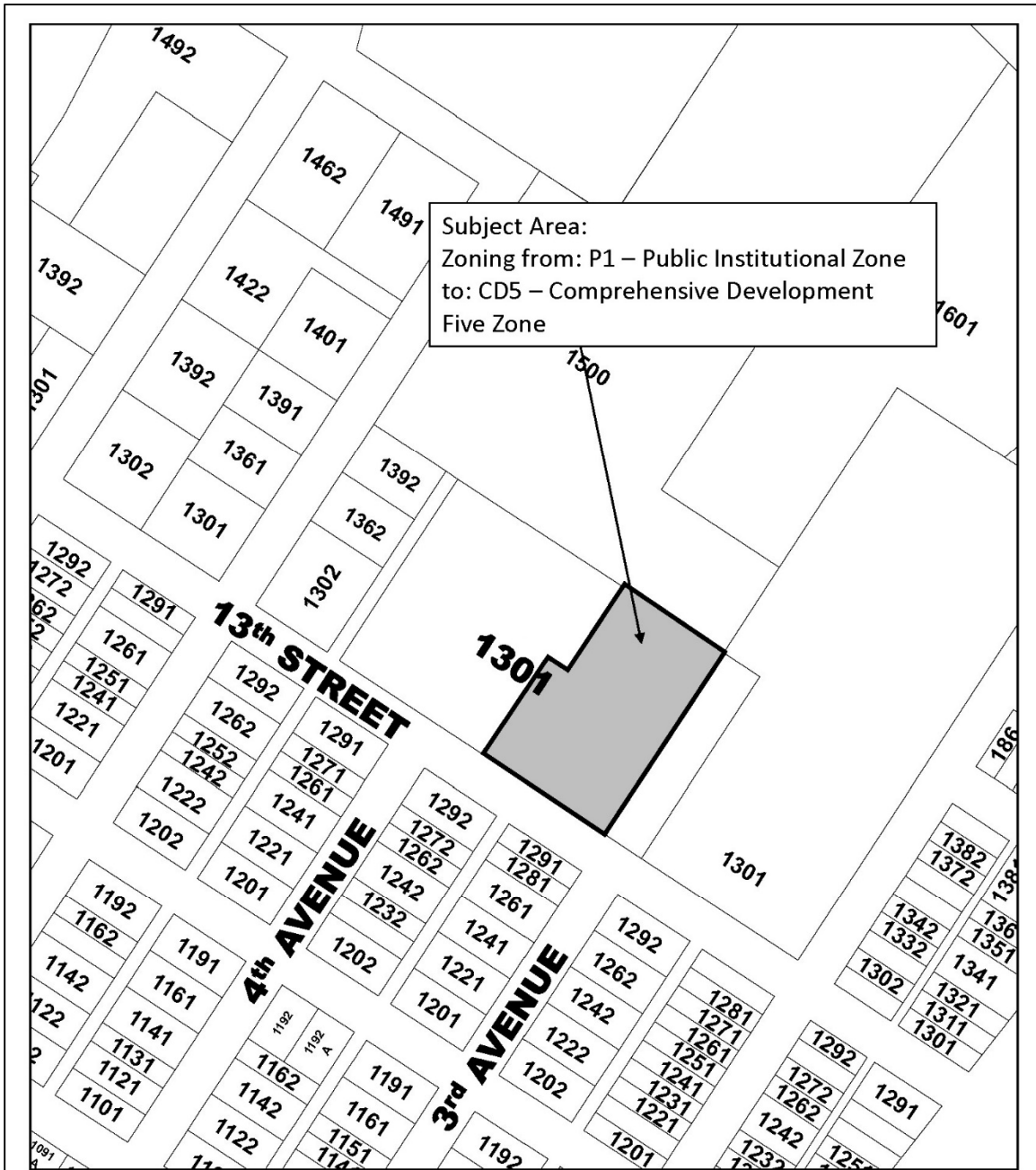
Adopted on the ____ day of _____, ____.

MAYOR

**DIRECTOR OF CORPORATE
ADMINISTRATION SERVICES**

**I hereby certify the foregoing to be
the original Bylaw No 2377.**

Appendix "A"



Area Subject to Bylaw 2377:

A 5404.2 square metre portion of Lot 2, District Lot 4588, Kootenay District, Plan 5009 (1301 - 4th Avenue)

