



## STAFF REPORT

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**DATE:** February 20, 2024  
**TO:** Chair and Directors,  
Regional Board  
**FROM:** David Leitch  
Chief Administrative Officer

**FILE:** 0550-04 Board

**RE: BYLAWS NO. 538 AND 539 - CONSULTATION PROCESS (CP 1D 24/RZ 1D 24 – LARMAND)**

### **PURPOSE/PROBLEM**

To consider the consultation process for an official community plan and zoning amendment application that would change the existing designation from Country Residential to Residential, and the existing zoning from Country Residential Four (CR-4) to a modified Residential Two (R-2) for the westerly 8000 square metres of the parcel and to Country Residential Three (CR-3) for the balance of the parcel, for property located at 2986 Paul Road in Electoral Area D, to allow for the development of a 5-lot residential/country residential subdivision.

### **EXECUTIVE SUMMARY**

The attached report concerning the proposed First Nations and agency consultation process for applications CP 1D 24/RZ 1D 24 (Larmand) was reviewed at the last meeting of the Electoral Areas Services Committee. At that time the Committee passed the following resolutions:

**Rice/Mawhinney: EASC 70/24**

**THAT the Committee recommend that the First Nations' consultation process as outlined in the staff report dated February 14, 2024 for application CP 1D 24/ RZ 1D 24 – Larmand, be approved.**

**Rice/Mawhinney: EASC 71/24**

**THAT the Committee recommend that the agency referral list as outlined in the staff report dated February 14, 2024 for application CP 1D 24/ RZ 1D 24 – Larmand, be approved.**

The actions outlined below are offered for the Board's consideration.

### **RECOMMENDATIONS**

1. THAT the report from the Chief Administrative Officer be received.
2. THAT the First Nations consultation process and the agency referral list as outlined in the staff report dated February 14, 2024 for application CP 1D 24/RZ 1D 24 (Larmand) be approved.

Respectfully:



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David Leitch  
Chief Administrative Officer

**Prepared by:** E. Watson, Manager, Corporate Operations

Attachments: February 14, 2024 report to the Electoral Areas Services Committee



## STAFF REPORT

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**DATE:** February 14, 2024

**FILE:** 0540-04 EASC

**TO:** Chair and Directors,  
Electoral Areas Services Committee

**FROM:** Dave Leitch  
Chief Administrative Officer

**RE: OCP/REZONING FIRST NATIONS CONSULTATION  
2986 PAUL ROAD, CAMPBELL RIVER CP 1D 24 / RZ 1D 24**

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### **PURPOSE**

To obtain support for an official community plan (OCP) amendment consultation process.

### **POLICY ANALYSIS**

During the amendment of an OCP and prior to a public hearing, Section 475 of the *Local Government Act* (LGA) requires the Regional District to provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected, and more specifically to consider whether to consult with the following:

- a) the board of any regional district that is adjacent to the area covered by the plan,
- b) the council of any municipality that is adjacent to the area covered by the plan,
- c) first nations,
- d) school district boards, greater boards and improvement district boards, and
- e) the provincial and federal governments and their agencies.

Part 14, Planning and Land Use Management, of the LGA describes local governments' roles regarding OCP and zoning bylaw amendments, namely Section 472 (Official Community Plans), Section 479 (Zoning Bylaws) and Sections 464 - 465 (Public Hearings on Bylaws).

### **EXECUTIVE SUMMARY**

An official community plan and rezoning application has been received to consider re-designating and rezoning a 1.9 ha. (4.7 ac.) parcel located at 2986 Paul Road in Electoral Area D. The proposal would change the existing designation from Country Residential to Residential for the westerly 8000 square metres of the parcel and would change the existing zoning from Country Residential Four (CR-4) to a modified Residential Two (R-2) zone for the westerly 8000 square metres and to Country Residential Three (CR-3) for the balance of the property, to allow the development of a 5-lot residential/country residential subdivision. The four westerly proposed lots would be 2000 square metres (0.49 ac.) each in size, leaving a residual lot of approximately 1.1 hectares (2.7 ac.), which is currently developed with two single family dwellings as permitted under the CR-4 zone. Site servicing would be by community water supply and individual septic field.

Based on the proposed re-designation of land and in accordance with the requirements of the LGA, the Regional District must provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected. A proposed First Nations' consultation process and agency referral list have been prepared for the Committee's consideration. Consultation will commence following Board approval of the agencies and First Nations to be consulted.

Following Board approval of the consultation process provided, a formal referral of the application will be provided to the identified agencies and First Nations for review and comment. Upon completion of the consultation process, a full staff report regarding specifics of the proposal and associated land use considerations, including consultation outcomes, will be prepared for the Committee's consideration.

The following recommendations are provided for the Committee's consideration.

#### RECOMMENDATIONS

1. THAT the report from the Chief Administrative Officer be received.
2. THAT the Committee recommend the First Nations' consultation process as outlined in the staff report dated February 14, 2024, for application CP 1D 24 / RZ 1D 24 – Larmand, be approved.
3. THAT the Committee recommend the agency referral list as outlined in the staff report dated February 14, 2024, for application CP 1D 24 / RZ 1D 24 – Larmand, be approved.

Respectfully:



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Dave Leitch  
Chief Administrative Officer

#### BACKGROUND/HISTORY

An application has been received to consider amending the Oyster Bay–Buttle Lake Official Community Plan and to rezone a 1.9 hectare (4.7 ac.) parcel of land located at 2986 Paul Road in Electoral Area D. The proposal would change the existing designation from Country Residential to Residential for the westerly 8000 square metres of the parcel and would change the existing zoning from Country Residential Four (CR-4) to a modified Residential Two (R-2) zone for the westerly 8000 square metres and to Country Residential Three (CR-3) for the balance of the property to allow the development of a 5-lot residential/country residential subdivision.

The four westerly proposed lots would be 2000 square metres (0.49 ac.) each in size, leaving a residual lot of approximately 1.1 hectares (2.7 ac.), which is currently developed with two single family dwellings as permitted under the CR-4 zone. The subject property as indicated on the location plan is bounded by Country Residential properties on all sides except the southeast, where an Upland Resource property is found. All the proposed lots front onto Paul Road; three of these will be impacted by the Riparian Areas Protection Regulation and will require an Environmentally Sensitive Areas Development permit prior to subdivision approval. Site servicing would be provided by community water supply and individual septic field.

Based on the proposed re-designation of land, and in accordance with the requirements of the LGA, the Regional District must provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected. A proposed First Nations' consultation process and agency referral list have been prepared for the Committee's consideration.

**PROPOSED FIRST NATIONS CONSULTATION AND AGENCY REFERRAL**

The SRD is committed to early and on-going First Nations consultation, as required under Section 475 of the *LGA* and guided by the Ministry of Municipal Affairs and Housing's *Guide to First Nations Engagement on Local Government Statutory Approvals*. As part of the consultation process, the SRD will initiate contact with First Nations to provide application details and to seek First Nations input related to the proposed bylaw amendment considerations. Should comments or concerns be received from any First Nation regarding the proposed bylaw amendments, such comments will be forwarded to the Board for further consideration and direction. The following First Nations consultation list as sourced from the Province of BC's Consultative Areas Database is provided for Committee's consideration:

**Proposed First Nation Referral List**

√	Xwémalhkwa (Homalco) First Nation	√	Nanwakolas Council
	Hul'qumi'num Treaty Group		Cowichan Tribes
	Klahoose First Nation		Stz'uminus First Nation
√	K'ómoks First Nation		Halalt First Nation
	Lake Cowichan First Nation	√	We Wai Kai (Cape Mudge Band)
	Laich-Kwil-Tach Treaty Society	√	We Wai Kum (Campbell River Band)
	Lyackson First Nation		Penelakut Tribe
√	Tlowitsis First Nation		

**Proposed Agency Referral List**

√	Agricultural Land Commission	√	Ministry of Agriculture
√	Advisory Planning Commission (APC)		Ministry of Municipal Affairs and Housing
√	BC Assessment Authority		Ministry of Energy & Mines
	BC Ferries Corporation	√	Ministry of Environment
	BC Parks	√	Ministry of Forests, Lands & Natural Resource Operations (Archaeology)
	Comox Valley Regional District		Ministry of Forests, Lands & Natural Resource Operations (Land Tenures/Natural Resources)
	Powell River Regional District (PRRD)	√	Ministry of Transportation and Infrastructure
	Environment Canada	√	School District No. 72 (Campbell River)
√	Oyster River Fire Dept.		Transport Canada Navigable Waters
	Ministry of Aboriginal Relations & Reconciliation	√	Island Health

**OPTIONS FOR THE COMMITTEE TO CONSIDER**

- a) To provide support for the proposed First Nations consultation and agency referral list as identified above.
- b) To provide support for an amended First Nations consultation and agency referral list.
- c) To not proceed with consultation at this time.

Staff is recommending support for the above-mentioned Option (a). Should support be provided, staff will forward details of the application to identified parties for review and comment. Following the consultation process, a staff report which summarizes the specifics of the application and consultation outcomes will then be prepared for Committee’s consideration.

**FINANCIAL IMPLICATIONS**

Fees for the official community plan and rezoning application process have been received in accordance with the Regional District’s Planning Procedures and Fee Bylaw (Bylaw No. 5).

**LEGAL IMPLICATIONS**

The report content outlining agency referral and First Nations consultation considerations is in accordance with *LGA* requirements.

**INTERGOVERNMENTAL/REGIONAL IMPLICATIONS**

The consultation process will provide opportunity to explore intergovernmental/regional implications.

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS**

Citizen/public relations implications will be considered through the bylaw process as legislated by Sections 464-465 of the *Local Government Act*.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS**

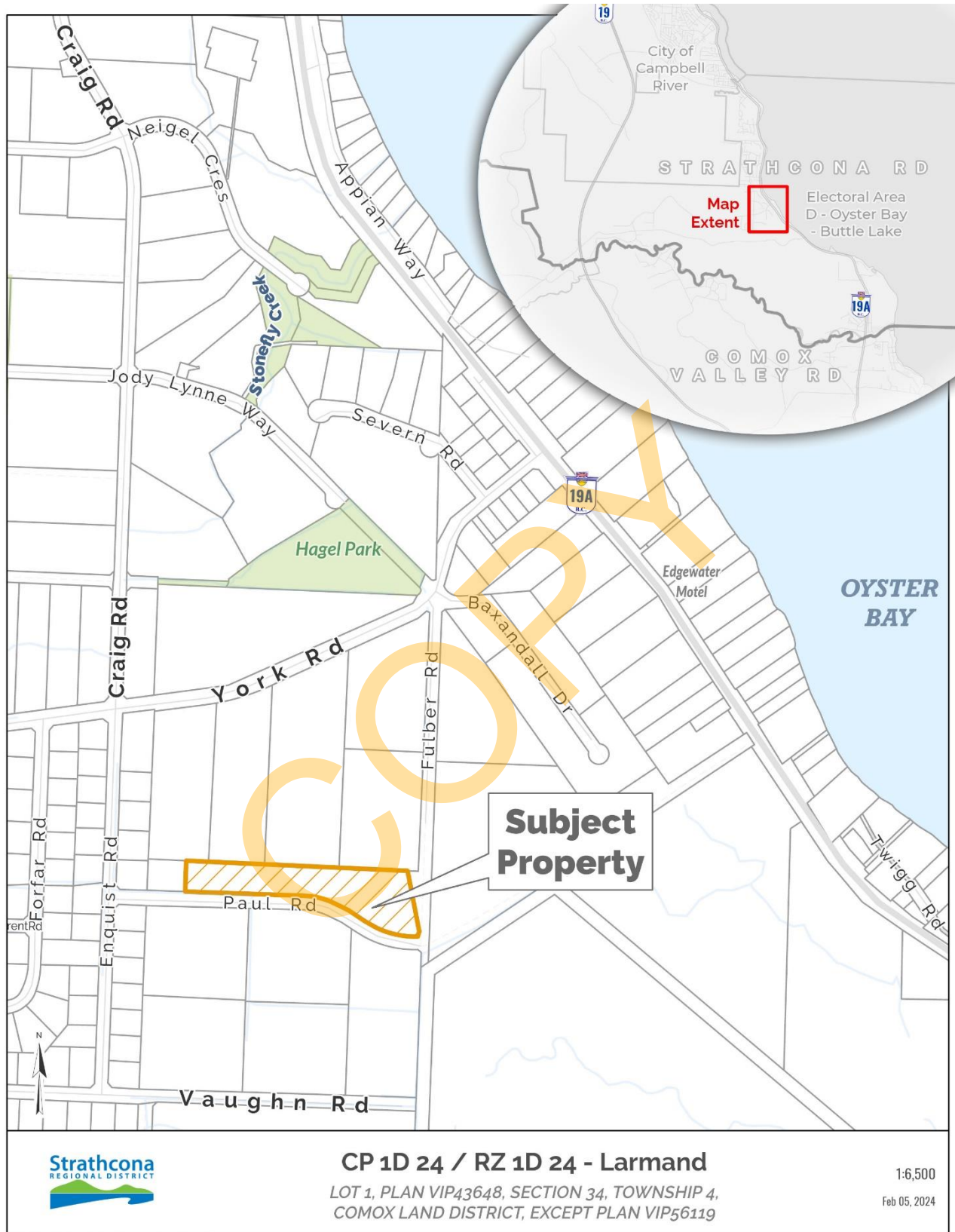
Community Services staff resources will be required in the preparation of consultation and referral.

Submitted by:

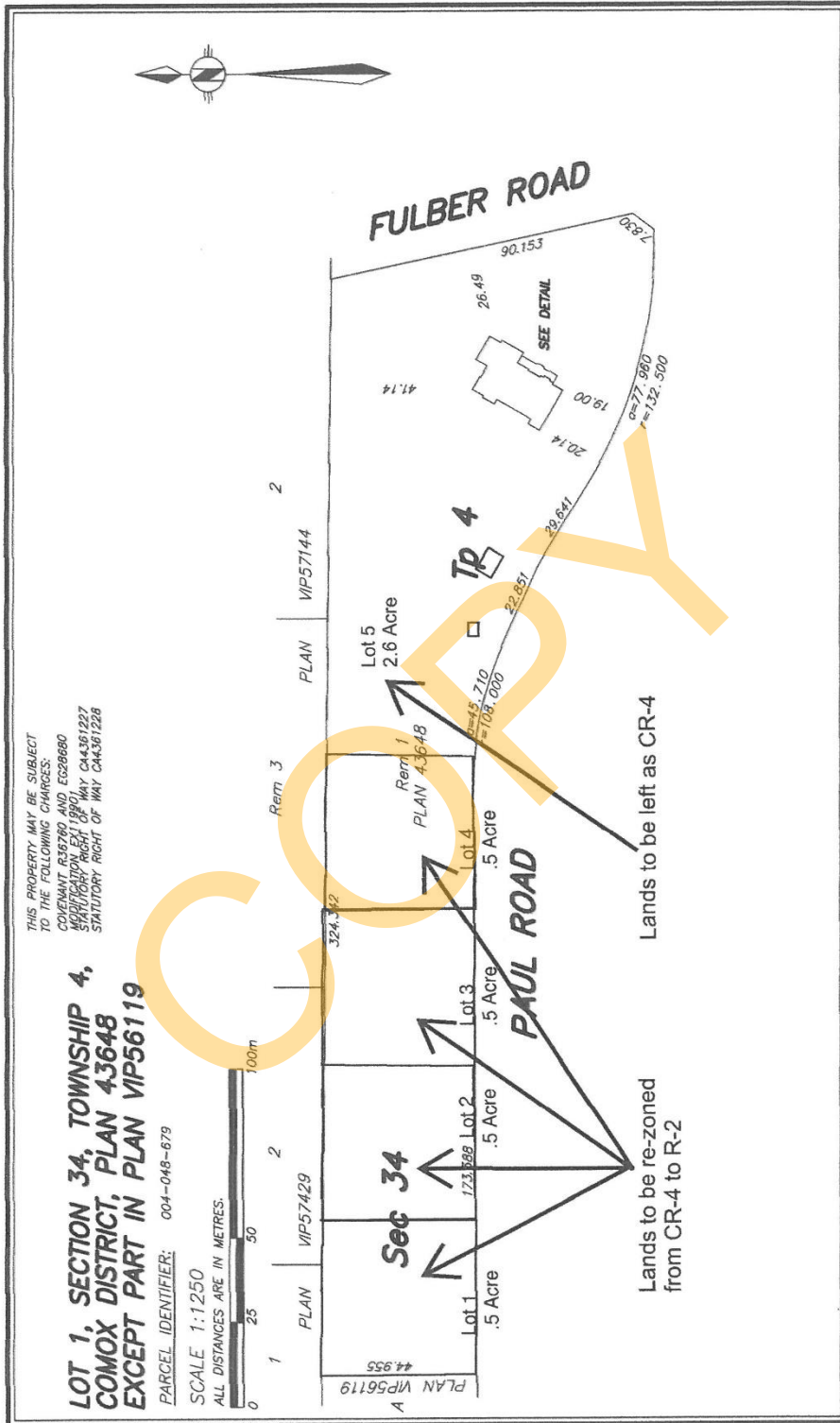


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Aniko Nelson  
Senior Manager, Community Services

**Prepared by:** J. Neill, Planner



Location Plan



Proposed lot layout

### Proposed Rezoning and OCP Amendment

2986 Paul Road, Campbell River, BC, V9H 1A4

The legal description of the subject lands (the Lands) is 4 LOT 1, PLAN VIP43648, SECTION 34, TOWNSHIP 4 COMOX LAND DISTRICT, EXCEPT PLAN VIP56119, PID 004-048-679 as shown on the attached survey plot. A copy of the title on the Lands with the associated charges is attached. The lot is approximately 4.625 Acres in size and rectangular in shape with an approximate width of 150 feet for and length of 1062 feet. There is currently one residential home on the east end. The property was purchased in 2016 and the homes were constructed in 2016. The topography is best described as flat open lands with glacial sands and loams. The lot is very suitable for residential use. Pictures of the area are attached.

There are no mapped wetlands or eagle/heron nests on the lot. The 2 acres on the west end that is being requested for rezoning is currently treed with primary tree being alder with a few coniferous. The Lands are currently serviced with regional district water, hydro, telephone and Shaw cable. The current residences is connected to engineered Type 2 septic system with underground cement septic tanks and a pressure fed mounded field.

Offsetting lots in the area on Forfar Road and Enquist Road are zoned CR4 but most lots are non-conforming ranging in size from 0.28 acres to about 0.5 acres in size. These small lots are serviced with individual septic systems. It is believed that they were created around 1980's prior to the OCP for Area D being revised which changed the zoning to CR4. Other offsetting existing lots further west on Vaughn Road and Brent Road are also nonconforming as they are zoned CR-3 and CR-3A but are approximately 0.4 acres in size. These small lots are serviced with individual septic systems. It is believed that they were also created around 1980's as well.

Preliminary assessments for the required depth of soil to support onsite septic systems in all four proposed lots has been completed. Filings will be submitted to VIHA once rezoning has occurred. Letters of support from the offsetting land owners bordering and around the property are attached for reference.

#### Summary Proposal on the Lands:

1. To create 4 - 0.5 acre lots (Lot #1-4) being approximately 150 feet wide and 145 feet deep. This will require rezoning of the subject lands from CR-4 to R-2.
2. To create an additional 2.6-acre lot (Lot 5) being approximately ~145 feet to ~300 feet deep and ~485 feet wide. This land will remain CR-4
3. All the above will require an amendment to the current OCP for Area D.
4. Lots #1 - #4 would each be required to install separate septic systems approved by Island Health.

The owner is hoping to rezone and ultimately subdivide the lot to provide separate titles. This would provide the applicant the ability to sell Lots 1-4 to children if they decide to buy and build homes on the property.

### **Applicant's statement**

### 20.3 Settlement Areas

Areas for development should be designated as described below and illustrated on Map 2 and 3.

#### 1. Residential

1. Areas of suburban lots serviced by septic systems and community water.
2. Upgrading of water system and the development of alternative sewage treatment and disposal systems to be pursued to permit limited growth.
3. Lot size requirements will be regulated through the zoning bylaw; as a general guideline, new lots should maintain a scale of lot size consistent with suburban neighbourhoods [encouraging averages of 2000m<sup>2</sup> (0.49 acre) to 4000m<sup>2</sup> (0.99 acres)], lot size may be further regulated by servicing requirements.

#### Policies

1. The provision of a community water service will continue to be a priority for areas designated 'Residential'.
2. The provision of a community sewer service will continue to be pursued for areas designated 'Residential' to meet the needs of existing residents and protect public health and the natural environment where private onsite systems are insufficient.
3. Areas designated 'Residential' will be considered priority for the expansion and establishment of community facilities.
4. Extensions of the areas designated 'Residential' may be considered if the following conditions are met:
  - a. opportunities for development in the existing "Residential" areas have been exhausted or denied.
  - b. the new areas are logical extensions of the existing settlement areas, and will be served by community water service, community sewage treatment and any needed stormwater management systems.
  - c. a strategy for the development, staging, and finance of infrastructure or community facilities for the extension is adopted.
  - d. the cumulative impacts of development on rural and recreational characteristics and natural features and functions are assessed, defined and protected.
  - e. within developments of 10 lots or more, opportunities to use renewable energy supplies or energy conservation devices have been included.
  - f. the proposed development has a compact or clustered form with densities that utilizes efficient use of land, infrastructure, and community facilities.
5. Designation of new areas as 'Residential' may be considered dependent upon demand and proximity to established areas.
6. To encourage residential intensification in this designation, a parcel should be permitted additional density, provided there is appropriate servicing, as follows:

*"Oyster Bay – Buttle Lake Official Community Plan Bylaw, 2023"**Schedule "A" Page 46*

- a. one single detached dwelling and either one secondary suite, one carriage house or one accessory dwelling unit.

**2. Country Residential**

1. Estate properties of various sizes serviced by septic systems and either community or well water.
2. Intended to provide estate sized residential use with the potential for small scale food production.
3. Upgrading of water system to be pursued to expand the local service area and to permit limited growth.
4. Lot size requirements will be regulated through the zoning bylaw; as a general guideline, new lots serviced by onsite septic disposal should maintain an appropriately sized lot consistent with estate property neighbourhoods [encouraging averages of 4000m<sup>2</sup> (0.99 ac) to 2.0 ha (4.9 ac)].

**Policies**

1. The provision of a community water service will continue to be a priority for areas designated 'Country Residential'.
2. The provision of a community sewer service will continue to be pursued for areas designated 'Country Residential' to meet the needs of existing residents and protect public health and natural environment where private onsite systems are insufficient.
3. Extensions of the areas designated 'Country Residential' may be considered if the following conditions are met:
  - a. opportunities for development in the existing 'Country Residential' areas have been exhausted or denied.
  - b. new development areas are logical extensions of the existing settlement areas, and the long-term adequacy of on-site or community water supply and sewage treatment and stormwater management systems is demonstrated.
  - c. a strategy for the development, staging, and financing of any needed infrastructure and community facilities for the extension is adopted.
  - d. rural and recreational characteristics are defined and protected.
  - e. the cumulative impacts of development on rural and recreational characteristics and on natural features and functions are assessed and are found to be minimal and acceptable.
  - f. within developments of 10 lots or more, opportunities to use renewable energy supplies or energy conservation devices have been included.
  - g. the proposed development will have a compact or clustered form with densities and uses appropriate to the services available or proposed.
4. Designation of new areas as 'Country Residential' may be considered and dependent upon demand and proximity to established areas.

SCHEDULE 'A' of BYLAW NO. 1404  
"CAMPBELL RIVER AREA ZONING BYLAW, 1991"

**4.6.7 COUNTRY RESIDENTIAL FOUR (CR-4)**

i) **PERMITTED PRINCIPAL USES**

a) **On any lot:**

- 1) Residential use; #2483
- 2) Utility use;
- 3) Park use.

b) **On any lot over 4000 m<sup>2</sup> (0.99 acres):**

- 1) Agricultural use.

ii) **PERMITTED ACCESSORY USES**

a) **On any lot:**

- 1) Home occupations;
- 2) Accessory buildings;
- 3) Bed and Breakfast. #2163

iii) **CONDITIONS OF USE** #1458

- a) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.

b) **Residential use is limited to:**

- |   |                              |
|---|------------------------------|
| On any lot size:                          | One single family dwelling.  |
| On any lot over one hectare (2.47 acres): | Two single family dwellings. |

iv) **FLOOR AREA REQUIREMENTS** #2423

The maximum combined gross floor area of all accessory buildings shall not exceed 5% of the lot area or 200 square metres (2152.85 square feet), whichever is greater.

v) **SITING OF BUILDINGS AND STRUCTURES**

a) **Except where otherwise specified in this by-law no building or structure shall be located within:**

- 1) 7.5 metres (24.6 feet) of that portion of a front lot line, or rear lot line;
- 2) 3.5 metres (11.48 feet) of a side lot line or that portion of a front lot line that does not abut a public road right-of-way except where the width of a lot is 31 metres (101.7 feet) or less at the required front yard setback, and where there is no street flanking the side yard in which case this requirement may be reduced to 1.75 metres (5.74 feet);

**SCHEDULE 'A' of BYLAW NO. 1404  
"CAMPBELL RIVER AREA ZONING BYLAW, 1991"**

- 3) 3.5 metres (11.48 feet) of an accessory building.
- 4) Minimum separation between dwellings - 15 metres (49.21 feet) on the same lot.

**b) Minimum setback requirements for accessory buildings shall be as follows:**

REQUIRED SETBACK	Accessory Building Height	
	4.5 m (14.8 ft) or less	4.5 - 6.0 m (14.8-19.7 ft)
Front Lot Line	7.5 m (24.6 feet)	7.5 m (24.6 feet)
Side Lot Line	1.0 m (3.3 feet)	1.0 m (3.3 feet)
Rear Lot Line	1.0 m (3.3 feet)	2.0 m (6.6 feet)

#2171

**c) Other specifications include:**

- 1) If a side lot line abuts a public road right-of-way, refer to Section 4.5.4(e).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.4(d) and (e).
- 3) If the lot abuts a river, lake, sea or any other watercourse refer to Bylaw No. 2782 being the "Floodplain Management Bylaw, 2005".
- 4) For any exceptions to siting, refer to Section 4.5.5(a).

#2423

**vi) LOT COVERAGE**

- a) On any lot less than or equal to 2500 square metres (0.62 acre), the maximum lot coverage of all buildings and structures shall not exceed 20% of the lot area.
- b) On any lot greater than 2500 square metres (0.62 acre), the maximum lot coverage of all buildings and structures shall not exceed 15% of the lot area."

**vii) SUBDIVISION REQUIREMENTS**

- a) **Minimum lot area:** 2 hectares (4.94 acres).  
Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.
- b) **Minimum lot frontage:** 10% of the perimeter of the lot.  
Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.
- c) Notwithstanding the provisions of 4.6.7(vii)(a) one parcel can be created from the Remainder of Lot A, Section 34, Township 4, Comox District, Plan VIP61244 in the size of 0.540 hectares (1.3 acres) in return for the dedication of an additional 0.34 hectares (0.8 acres) of land to "Hagel Park".

#1458

*End • CR-4*

**4.6.2****RESIDENTIAL TWO  
(R-2)****i) PERMITTED PRINCIPAL USES****a) On any lot:**

- 1) Residential use;
- 2) Public utility use;
- 3) Park use.

**ii) PERMITTED ACCESSORY USES****a) On any lot:**

- 1) Home occupation use;
- 2) Agricultural use excluding the keeping of livestock;
- 3) Accessory buildings; and
- 4) Bed and Breakfast.

RDCS  
2163**b) On any lot over 4000 m<sup>2</sup> (0.99 acres):**

- 1) Agricultural use.

**iii) CONDITIONS OF USE**

- a) Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.

RDCS  
1458**b) Residential use is limited to:**

- 1) On any lot size: One single family dwelling plus one secondary suite, **or** one duplex.
- 2) Duplexes on the ocean side or eastern side of the Island Highway in Electoral Area "D" in the area north of Section 34, Township 4, Comox District are limited to a total combined floor area of 225.0 square metres (2422 square feet) excluding any garages, unenclosed decks or balconies and a maximum height limitation of 5 metres (16.4 feet) measured from the average natural grade of the building area.

iv) **FLOOR AREA REQUIREMENTS**

The maximum combined gross floor area of all accessory buildings shall not exceed 5% of the lot area or 200 square metres (2152.85 square feet), whichever is greater.

v) **SITING OF BUILDINGS AND STRUCTURES**

a) **Except where otherwise specified in this bylaw, no building or structure shall be located within:**

- 1) 7.5 metres (24.6 feet) of that portion of a **front lot line** that abuts a public road right-of-way;
- 2) 3.5 metres (11.48 feet) of a side lot line or that portion of a front lot line that does not abut a public road right-of-way except where the width of a lot is 31 metres (101.7 feet) or less at the required front yard setback, and where there is no street flanking the side yard in which case this requirement may be reduced to 1.75 metres (5.74 feet).
- 3) 7.5 metres (24.6 feet) of a **rear lot line**.
- 4) 3.5 metres (11.48 feet) of an **accessory building**.

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b) **Minimum setback requirements for accessory buildings shall be as follows:**

REQUIRED SETBACK	ACCESSORY BUILDING HEIGHT	
	4.5M (14.8 ft) or less	4.5 – 6.0m (14.8919.7 ft)
Front Lot Line	7.5m (24.6 feet)	7.5m (24.6 feet)
Side Lot Line	1.0m (3.3 feet)	1.0m (3.3 feet)
Rear Lot Line	1.0m (3.3 feet)	2.0m (6.6 feet)

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c) **Other specifications include:**

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

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BYLAW NO. 1404  
CAMPBELL RIVER AREA ZONING BYLAW, 1991

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vi) **LOT COVERAGE**

The maximum lot coverage of all buildings and structures shall not exceed 25% of the total lot area.

vii) **SUBDIVISION REQUIREMENTS**

- a) **Minimum lot area:** 2000 square metres (0.49 acres)

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

- b) **Minimum lot frontage:** 10% of the perimeter of the lot.

Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • R-2

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**4.6.6**

**COUNTRY RESIDENTIAL THREE  
 (CR—3)**

**i) PERMITTED PRINCIPAL USES****a) On any lot:**

- 1) Residential use;
- 2) Public utility use;
- 3) Park use.

**b) On any lot over 4000 m<sup>2</sup> (0.99 acres):**

- 1) Agricultural use.

**ii) PERMITTED ACCESSORY USES****a) On any lot:**

RDCS  
2163

- 1) Home occupations;
- 2) Accessory buildings; and
- 3) Bed and Breakfast.

**iii) CONDITIONS OF USE**

- a)** Nothing shall be permitted which is or can become an annoyance or nuisance to any person who believes their interest in property is affected, including the surrounding residents and general public, by reason of unsightliness, odour emission, dust, noise, smoke, or electrical interference, excluding agricultural uses.

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**b) Residential use is limited to:**

- i) On any lot size: One single family dwelling.
- ii) A second dwelling not exceeding 50 square metres in floor area is permitted on any lot 1 ha (2.47 ac) or larger

BYLAW NO. 1404  
 CAMPBELL RIVER AREA ZONING BYLAW, 1991

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iv) **FLOOR AREA REQUIREMENTS**

The maximum combined gross floor area of all accessory buildings shall not exceed 200 square metres (2152.8 square feet).

v) **SITING OF STRUCTURES**

a) **Except where otherwise specified in this bylaw, no building or structure shall be located within:**

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- 1) 7.5 metres (24.6 feet) of that portion of a **front lot line** or **rear lot line**;
- 2) 3.5 metres (11.48 feet) of a **side lot line** or that portion of a front lot line that does not abut a public road right-of-way except where the width of a lot is 31 metres (101.7 feet) or less at the required front yard setback, and where there is no street flanking the side yard in which case this requirement may be reduced to 1.75 metres (5.74 feet); and
- 3) 3.5 metres (11.48 feet) of an accessory building.

b) **Minimum setback requirements for accessory buildings shall be as follows:**

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REQUIRED SETBACK	ACCESSORY BUILDING HEIGHT	
	4.5M (14.8 ft) or less	4.5 – 6.0m (14.8919.7 ft)
Front Lot Line	7.5m (24.6 feet)	7.5m (24.6 feet)
Side Lot Line	1.0m (3.3 feet)	1.0m (3.3 feet)
Rear Lot Line	1.0m (3.3 feet)	2.0m (6.6 feet)

c) **Other specifications include:**

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- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 2) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 4) For any exceptions to siting, refer to Section 4.5.6(a).
- 5) Where siting is proposed adjacent to a stream refer to Section 4.5.5(a) "Stream Setbacks".

BYLAW NO. 1404  
CAMPBELL RIVER AREA ZONING BYLAW, 1991

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vi) **LOT COVERAGE**

The maximum lot coverage of all buildings and structures shall not exceed 15% of the lot area.

vii) **SUBDIVISION REQUIREMENTS**

- a) **Minimum lot area:** 1 hectare (2.47 acres).

Existing lots below the minimum lot area within this zone may be used for the permitted uses within this zone, subject to compliance with site area requirements for each use.

- b) **Minimum lot frontage:** 10% of the perimeter of the lot.

Existing lots below the minimum frontage for this zone may be used for the permitted uses within this zone.

End • CR-3



## BYLAW NO. 538

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### A BYLAW TO AMEND THE OYSTER BAY – BUTTLE LAKE OFFICIAL COMMUNITY PLAN

---

**WHEREAS** the Regional District has, by Bylaw No. 276, adopted an official community plan for Electoral Area 'D' (Oyster Bay – Buttle Lake) pursuant to Part 14 of the *Local Government Act*;

**AND WHEREAS** a bylaw of the Regional District that regulates the use or development of land remains in force until amended or repealed;

**AND WHEREAS** the Regional Board wishes to amend the aforesaid Bylaw No. 276 having due regard to the requirements of the *Local Government Act*;

**NOW THEREFORE** the Board of Directors of the Strathcona Regional District, in open meeting assembled, enacts as follows:

#### Amendments

1. Bylaw No. 276, being Oyster Bay – Buttle Lake Official Community Plan Bylaw 2023, is hereby amended as set out in Schedule 'A', attached to and forming part of this bylaw.

#### Citation

2. This bylaw may be cited for all purposes as Bylaw No. 538, being Oyster Bay–Buttle Lake Official Community Plan Bylaw 2023, Amendment No. 1.

READ A FIRST TIME ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2024

READ A SECOND TIME ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2024

PUBLIC HEARING HELD ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2024

READ A THIRD TIME ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2024

RECONSIDERED, FINALLY PASSED AND ADOPTED ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2024

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Corporate Officer

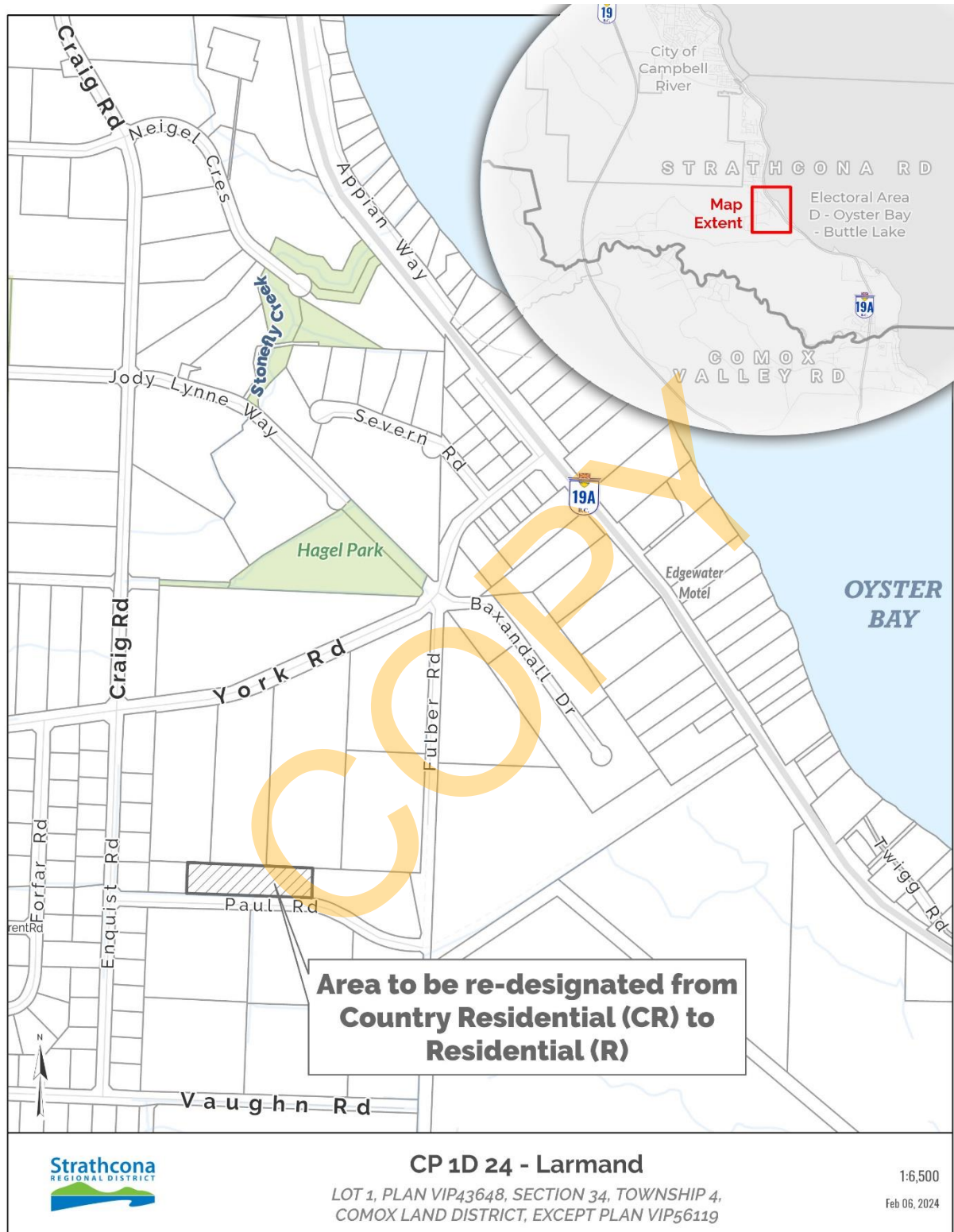
**SCHEDULE 'A'**

**SECTION ONE**

**MAP AMENDMENT**

The land use designation for the westerly 8000 square metres of land described as Lot 1, Section 34, Township 4, Comox District, Plan 43648 Exc. Part in Plan VIP 56119 on 'Map 2' of Bylaw No. 276, being Oyster Bay – Buttle Lake Official Community Plan Bylaw 2023, is hereby amended from Country Residential (CR) to Residential (R) as shown on the attached Appendix '1'.

COPY



**Appendix '1'**

Part of Schedule 'A' of Bylaw No.538, being Oyster Bay – Buttle Lake Official Community Plan Bylaw 2023, Amendment No. 1.

Amends 'Map 2' of Bylaw No. 276, being Oyster Bay – Buttle Lake Official Community Plan Bylaw 2023.



## BYLAW NO. 539

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### A BYLAW TO AMEND THE ZONING REGULATIONS APPLICABLE TO ELECTORAL AREA 'D'

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**WHEREAS** the former Comox-Strathcona Regional District has, by Bylaw No. 1404, adopted zoning regulations for Electoral Area 'D' pursuant to Part 14 of the *Local Government Act*;

**AND WHEREAS** a bylaw of the former Comox-Strathcona Regional District that regulates the use or development of land within the area comprising the Strathcona Regional District remains in force until amended or repealed;

**AND WHEREAS** the Regional Board wishes to amend the aforesaid Bylaw No. 1404 having due regard to the requirements of the *Local Government Act*;

**NOW THEREFORE** the Board of Directors of the Strathcona Regional District, in open meeting assembled, enacts as follows:

#### Amendments

1. Bylaw No. 1404, being Campbell River Area Zoning Bylaw 1991, is hereby amended as set out in Schedule 'A', attached to and forming part of this bylaw.

#### Citation

2. This bylaw may be cited for all purposes as Bylaw No. 539, being Campbell River Area Zoning Bylaw 1991, Amendment No. 70.

READ A FIRST TIME ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2024

READ A SECOND TIME ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2024

PUBLIC HEARING HELD ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2024

READ A THIRD TIME ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2024

RECONSIDERED, FINALLY PASSED AND ADOPTED ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2024

---

Chair

---

Corporate Officer

**SCHEDULE 'A'****SECTION ONE TEXT AMENDMENTS**

- 1) Part 2 'INTERPRETATION' is amended by inserting the following definition:

'Secondary Suite' means a complete living unit with its own kitchen, sleeping area, and washroom facilities contained within another dwelling. The two dwelling units (the primary residence and the secondary suite) and any common spaces make up a single real estate entity that cannot be stratified or otherwise legally separated from the other.

- 2) PART 2 'INTERPRETATION' is amended by replacing the 'Single Family Dwelling' definition with the following:

'Single Family Dwelling' means a self-contained building used for the exclusive residential accommodation of only one family or household where such room or rooms contain or provide for living, sleeping, sanitary and only one set of cooking facilities.

- 3) Part 4 'LAND USE REGULATIONS', Section 4.6.2(iii)(b)(1) is hereby repealed and replaced with the following:

1) On any lot size: One single family dwelling plus one secondary suite, **or** one duplex.

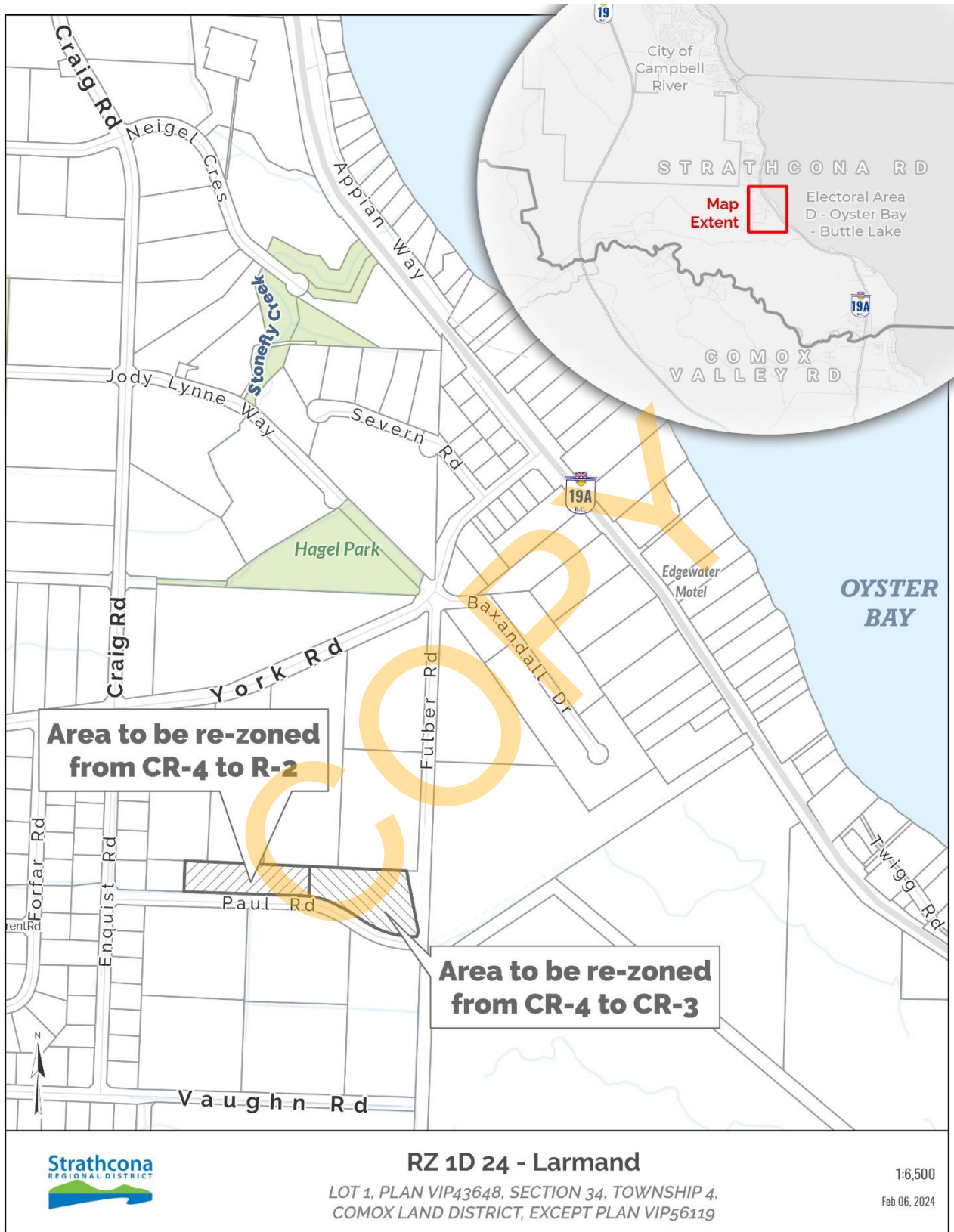
- 4) Part 4 'LAND USE REGULATIONS', Section 4.6.2(vii)(a) is hereby repealed and replaced with the following:

a) Minimum lot area: 2000 square metres (0.49 acres)

**SECTION TWO MAP AMENDMENTS**

Land legally described as the westerly 8000 square metres of Lot 1, Section 34, Township 4, Comox District, Plan 43648 Exc. Part in Plan VIP56119 as shown on 'Map 1' of Bylaw No. 1404, being Campbell River Area Zoning Bylaw 1991, is hereby amended from Country Residential Four (CR-4) to Residential Two A (R-2), as shown on the attached Appendix '1'.

Land legally described as Lot 1, Section 34, Township 4, Comox District, Plan 43648 Exc. Part in Plan VIP56119, excluding the westerly 8000 square metres, as shown on 'Map 1' of Bylaw No. 1404, being Campbell River Area Zoning Bylaw 1991, is hereby amended from Country Residential Four (CR-4) to Country Residential Three (CR-3), as shown on the attached Appendix '1'.



GIS: U:\proj\EA\_D\SubjectProperties\EA\_D\_SubjProp.aprx

**Appendix '1'**

Part of Schedule 'A' of Bylaw No. 539, being Campbell River Area Zoning Bylaw 1991, Amendment No. 70.

Amends 'Map 1' of Bylaw No. 1404, being Campbell River Area Zoning Bylaw 1991.