



## STAFF REPORT

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**DATE:** April 17, 2024 **FILE:** 0550-04 Board

**TO:** Chair and Directors,  
Regional Board

**FROM:** Dave Leitch  
Chief Administrative Officer

**RE:** **BYLAWS No. 538 & 539 – OCP AMENDMENT AND REZONING APPLICATION  
(LARMAND)**

### **PURPOSE/PROBLEM**

To consider first 2 readings for Bylaws No. 538 & 539 which propose to re-designate and rezone a 4.7 acre parcel of land located at 2986 Paul Road in Electoral Area D (Oyster Bay/Buttle Lake) to facilitate the subdivision of the parcel into four 2000 square metres (0.49 acres) residential lots, and a remainder 2.7 acre residual parcel.

### **EXECUTIVE SUMMARY**

The attached report was considered at the April 10, 2024 meeting of the Electoral Areas Services Committee at which time the following resolutions were passed:

Rice/Vonesch: EASC 128/24

THAT the Committee recommend that Bylaw No. 538 and Bylaw No. 539 (Larmand) be forwarded to the Board for first and second readings.

Mawhinney/Rice: EASC 129/24

THAT the Committee recommend the Board authorize a public hearing to consider Bylaw Nos. 538 and 539 (Larmand) and

THAT the public hearing be held at a date and time to be determined.

The actions below are offered in support of the Committee's recommendations.

### **RECOMMENDATIONS**

1. THAT the report from the Chief Administrative Officer be received.
2. THAT Bylaw No. 538, being a bylaw to amend the Oyster Bay – Buttle Lake official community plan, be now introduced and read a first time.
3. THAT Bylaw No. 538 be given second reading.
4. THAT Bylaw No. 539, being a bylaw to amend the zoning regulations applicable to Electoral Area D be now introduced and read a first time.
5. THAT Bylaw No. 539 be given second reading.

6. THAT an in-person public hearing to consider Bylaws No. 538 and 539 be scheduled immediately following the public hearing for Bylaw No. 546 on Wednesday, May, 22, 2024 at the Strathcona Regional District Boardroom located at 990 Cedar Street, Campbell River, BC and

Respectfully: THAT the holding of the public hearing be delegated to the Electoral Area D director.



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Dave Leitch  
Chief Administrative Officer

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

Attachments: Bylaw No. 538 and Bylaw No. 539  
Copy of April 10, 2024 report to the Electoral Areas Services Committee



## BYLAW NO. 538

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

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**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

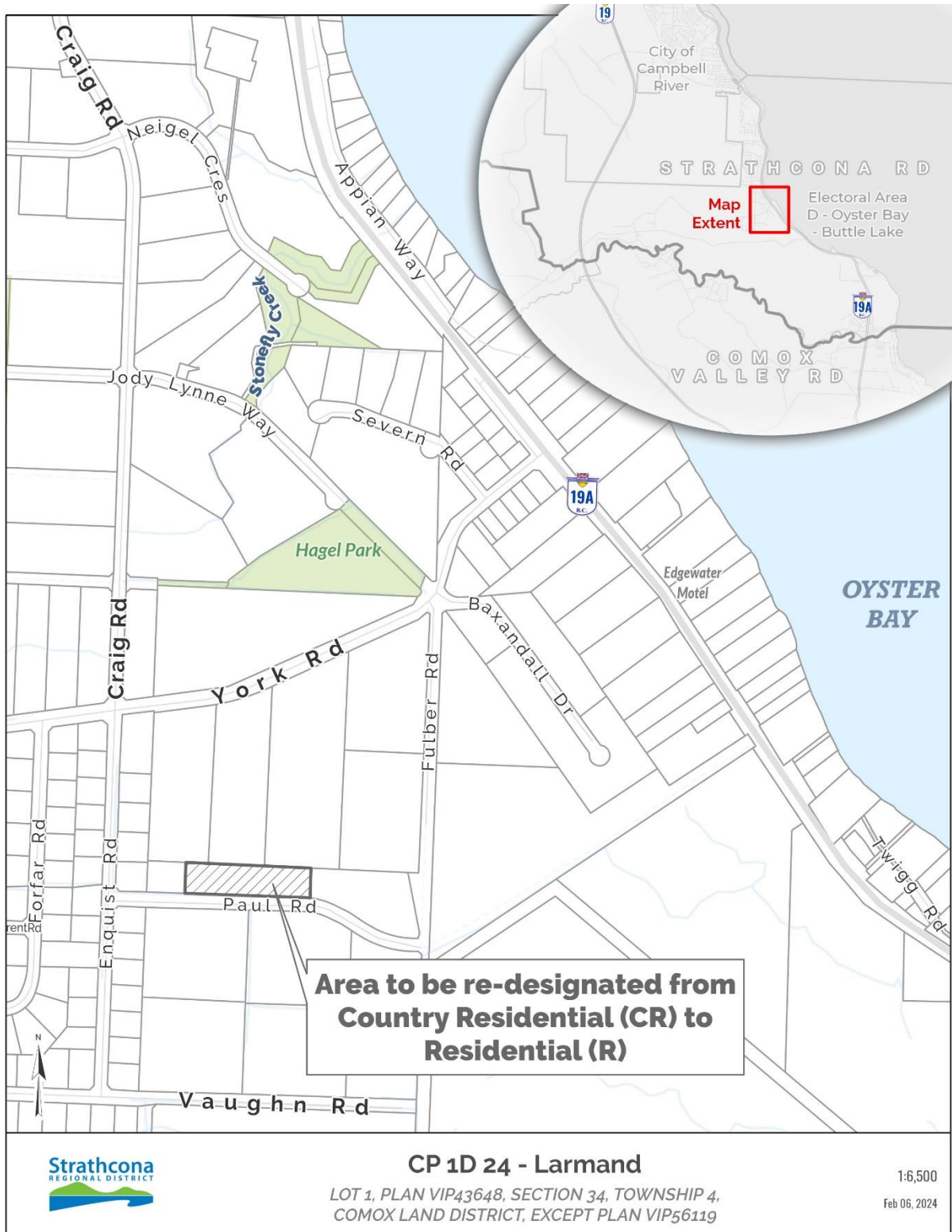
\_\_\_\_\_  
Corporate Officer

**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'.



**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 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.

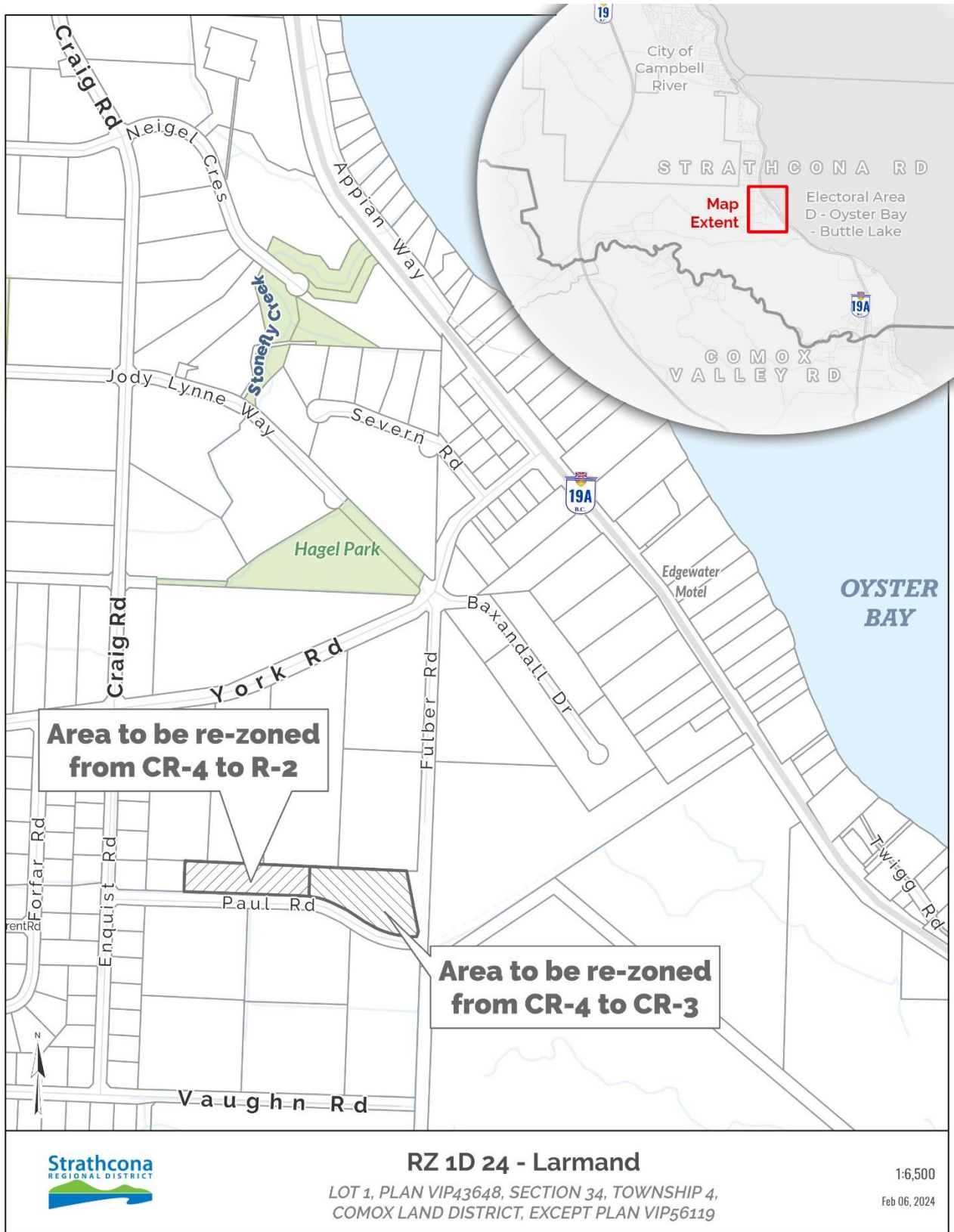
- 3) Part 4 'LAND USE REGULATIONS', Section 4.6.2(vii)(a) is hereby repealed and replaced with the following:

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.



## STAFF REPORT

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**DATE:** April 10, 2024

**FILE:** 0540-04 EASC

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

**FROM:** Dave Leitch  
Chief Administrative Officer

**RE: OCP AMENDMENT AND REZONING APPLICATION TO FACILITATE SUBDIVISION**

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**PLANNING FILE NOS.** 3350-20/CP 1D 24 and 3360-20/RZ 1D 24

**ROLL No.:** 772 05356.400 **PID No.:** 004-048-679

**APPLICANT:** Darryl Larmand

**LAND DESCRIPTION:** Lot 1, Section 34, Township 4, Comox District, Plan VIP43648, exc. Plan VIP56119

**OCP:** Bylaw No. 276 "Oyster Bay–Buttle Lake Official Community Plan Bylaw, 2023"

**EXISTING DESIGNATION:** Country Residential

**PROPOSED DESIGNATION:** Residential / Country Residential

**ZONING BYLAW:** Bylaw No. 1404 "Campbell River Area Zoning Bylaw, 1991"

**EXISTING ZONE** Country Residential Four (CR-4)

**PROPOSED ZONES:** Residential Two (R-2) / Country Residential Three (CR-3)

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### PURPOSE

To consider an Official Community Plan and zoning bylaw amendment to allow the subdivision of a 1.9 hectare (4.7 acre) parcel of land into four residential lots of 2000 square metres (0.49 acres) each and a remainder 1.1-hectare (2.7 acre) residual parcel.

### POLICY ANALYSIS

Part 14 "Planning and Land Use Management" of the *Local Government Act (LGA)* addresses local governments' roles regarding Official Community Plans and zoning bylaws, namely s.474 (Official Community Plans), s.479 (Zoning Bylaws) and ss. 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. (4.4ac.) parcel located at 2986 Paul Road in Electoral Area D, from 'Country Residential' / 'Country Residential Four (CR-4)' to part 'Residential' designation and a split modified Residential Two (R-2) / Country Residential Three (CR-3) Zoning, in order to facilitate a 5-lot subdivision of the property into lots more approximating the size of those immediately to the west. The proposed residential lots would be 2000 square metres (0.49 ac.) each in size, leaving a 1.1-hectare (2.7 acre) residual parcel on which is situated an existing residence and detached garage. The existing Norther Area D water system will support the subdivision and provide potable water to each of the proposed new residential lots. Sewage disposal will be provided through the installation of four new individual septic fields. Preliminary assessments have been completed and support the installation of the new systems and septic filings for the new systems will be submitted to Island Health following rezoning.

This proposal is consistent with existing density in the area as there are other country residential lots along Vaughn and Enquist Roads of similar size and density. The additional lots would be considered as infill, providing for additional density within an already developed country residential neighbourhood that is close to amenities and services within Electoral Area D and accessible via BC Transit. Further, this proposal supports the province's initiatives for local governments to responsibly increase density, promote missing middle housing and accessory dwelling units (ADUs), encourage infill development to realize a sustainable increase in housing units.

Given the aforementioned information, Bylaw No. 538 and Bylaw No. 539 are provided for the Committee's consideration with a recommendation of first and second readings and the holding of a public hearing in support of increasing density, promoting missing middle housing and ADUs, encouraging infill development.

### RECOMMENDATIONS

1. THAT the report from the Chief Administrative Officer be received.
2. THAT the Committee recommend that Bylaw No. 538 and Bylaw No. 539 (Larmand) be forwarded to the Board for first and second readings.
3. THAT the Committee recommend that the Board authorize a public hearing to consider Bylaw Nos. 538 and 539 (Larmand), and

THAT the public hearing be held at a date and time to be determined.

Respectfully:



\_\_\_\_\_  
Dave Leitch  
Chief Administrative Officer

### BACKGROUND

An application has been received to consider amending the Oyster Bay–Buttle Lake Official Community Plan and to rezone a 1.9-hectare (4.4 ac.) parcel of land located at 2986 Paul Road in Electoral Area D. The proposal would change the existing designation from Country Residential, to part Residential and the existing zoning from Country Residential Four (CR-4) to a modified Residential Two (R-2) and Country Residential Three (CR-3) allow the development of a five-lot residential/country residential subdivision.

The proposed residential lots would be 2000 square metres (0.49 ac.) each in size, leaving a 1.1-hectare (2.7 acre) residual parcel on which is situated an existing residence and detached garage. Each of the proposed new residential lots would be serviced by community water and individual septic field. Three of the proposed lots are impacted by the Riparian Areas Protection Regulation and will require an Environmentally Sensitive Areas Development permit prior to subdivision approval. As the current minimum parcel size in the Residential Two (R-2) zone is 2500 square metres, the zone will require amendment to permit lots of 2000 square metres.

**AGENCY REFERRALS**

The application was referred to a number of First Nations and agencies for their consideration. Comments received to date are summarized in the table below:

<b>Agency</b>	<b>Comments</b>
Advisory Planning Commission:	Recommends approval.
Agricultural Land Reserve:	No concerns.
BC Assessment Authority:	No response.
Oyster River Fire Department	No concerns.
Ministry of Environment:	No response.
FLNRO (Archaeology):	No concerns.
Ministry of Transportation (MoTI):	No response.
School District 72:	No response.
Island Health:	No concerns.
<b>FIRST NATION</b>	<b>COMMENTS</b>
Homalco First Nation:	No response.
K'omoks First Nation:	No response.
Tlowitsis First Nation:	No response.
Nanwakolas Council:	No response.
We Wai Kai Nation:	No response.
Wei Wai Kum Nation:	No response.

**PLANNING ANALYSIS**

The subject property is located within a mixed upland resource/rural/country residential area of the Oyster Bay-Buttle Lake Electoral Area (Area 'D') as indicated on the location plan and bounded by the Agricultural Land Reserve to the South and East, Country Residential land to the North and West, Rural land to the South and Upland Resource lands to the East. The property as indicated on the location plan has a long frontage along Vaughn Road, which will provide access for the proposed new lots. The 1.9-hectare property is currently designated Country Residential and zoned Country Residential Four (CR-4) which precludes any further subdivision. To allow for the subdivision of the property into lots more approximating the size of those immediately to the west, an amendment to the OCP and Zoning Bylaw to re-designate the westerly 8000 square metres to Residential and rezone to Residential Two (R-2) is required. The balance of the property will be rezoned Country Residential Three (CR-3) to allow the remainder to comply with minimum lot size requirements.

The consultation process with First Nations and government agencies has not identified concerns associated with the proposal. The Archaeology Branch has no concerns, provided that the Branch is contacted should archaeological remains be uncovered during development. Island Health has no concerns but recommends that the proposed lots be confirmed for septic system installation. The Oyster River Fire Department has no concerns but recommends that at time of subdivision a fire hydrant be located within 300m of each new lot and that future buildings adhere to FireSmartBC standards.

The proposal is consistent with the overall vision of the OCP and meets several of the objectives including retaining the country residential characteristic of the area, while providing additional country residential lots in an already established area. The proposed lots will create parcels that are consistent with lots in the immediate vicinity. The proposal is close to amenities and services within Electoral Area D and accessible via BC Transit. Further, this proposal supports the province's initiatives to responsibly increase density, promote missing middle housing and accessory dwelling units (ADUs), encourage infill development to realize a sustainable increase in housing units.

#### **FINANCIAL IMPLICATIONS**

Fees for the OCP and rezoning application process have been applied in accordance with the Regional District's Planning Procedures and Fee Bylaw (Bylaw No. 5).

#### **LEGAL IMPLICATIONS**

This report and the recommendations contained herein follow the *Local Government Act* (LGA) and Regional District bylaws. This includes the zoning of land, which includes the surface of the water, set out in s.479 of the LGA.

#### **CITIZEN/PUBLIC RELATIONS IMPLICATIONS**

Should a recommendation of support be made for the application and Bylaw Nos. 538 and 539 proceed forward, public consultation will occur in the form of a public hearing, conducted in compliance with the requirements of ss.464 - 465 'Public Hearings', of the LGA, as required prior to final adoption of any proposed bylaw amendments.

#### **INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS**

The planning department will be responsible for all aspects of the bylaw amendment process. Additionally, corporate services staff resources will be required during the public hearing process and the finalization of the adoption of the bylaws.

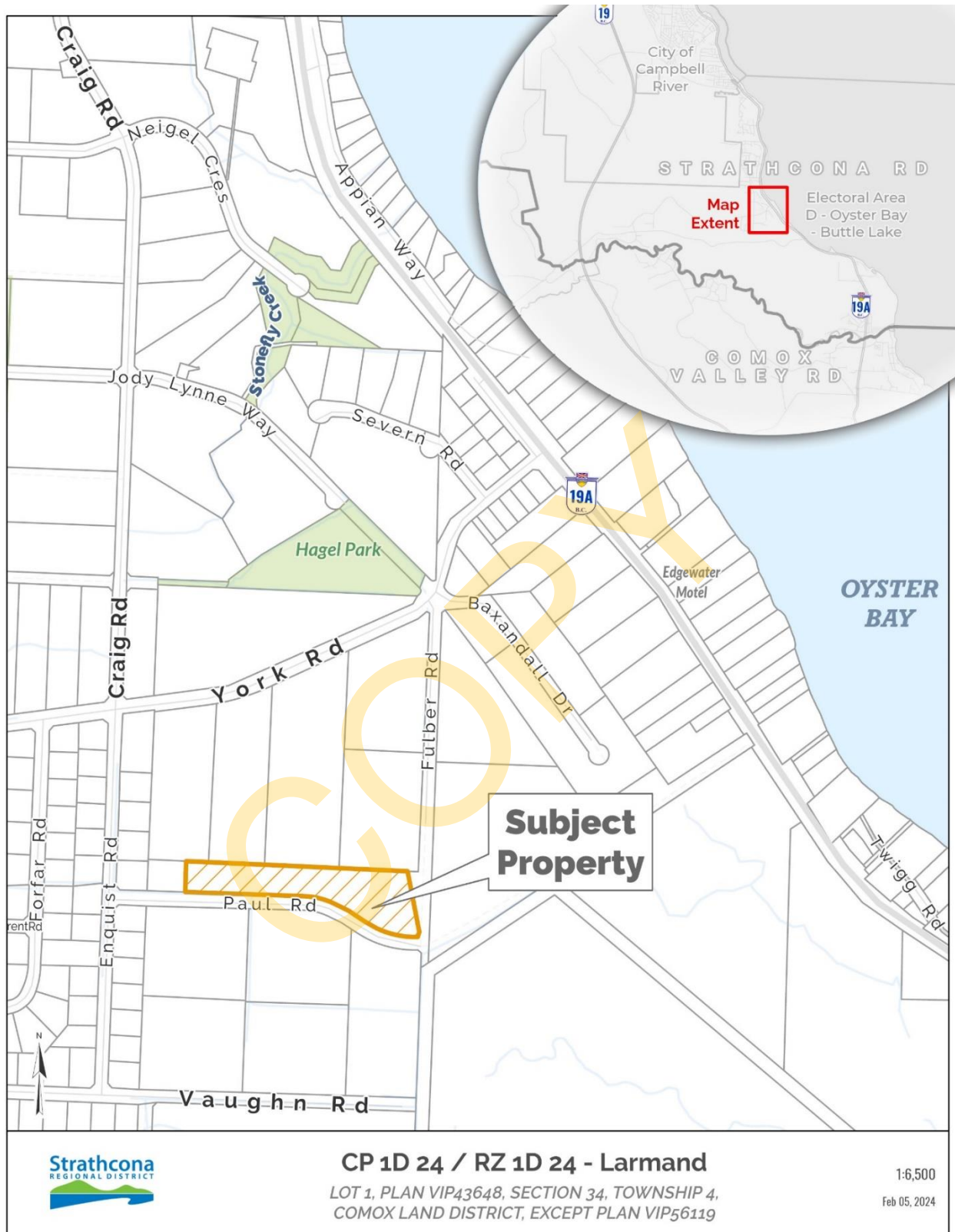
Submitted by:



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Aniko Nelson  
Senior Manager, Community Services

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



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

Location Map



### 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*

**PART 4 • LAND USE REGULATIONS**

**Existing Country Residential Four (CR-4) Zone**

**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.

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 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 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**.

RDCS  
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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)

RDCS  
1510,  
2171

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".

SRD  
84

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

COPY

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CAMPBELL RIVER AREA ZONING BYLAW, 1991

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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:**

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

RDCS  
2163

**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:**

- 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

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:**

RDCS  
1458

- 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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1510,  
2171

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:**

- 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".

SRD  
84

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

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**BYLAW NO. 538**

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

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**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

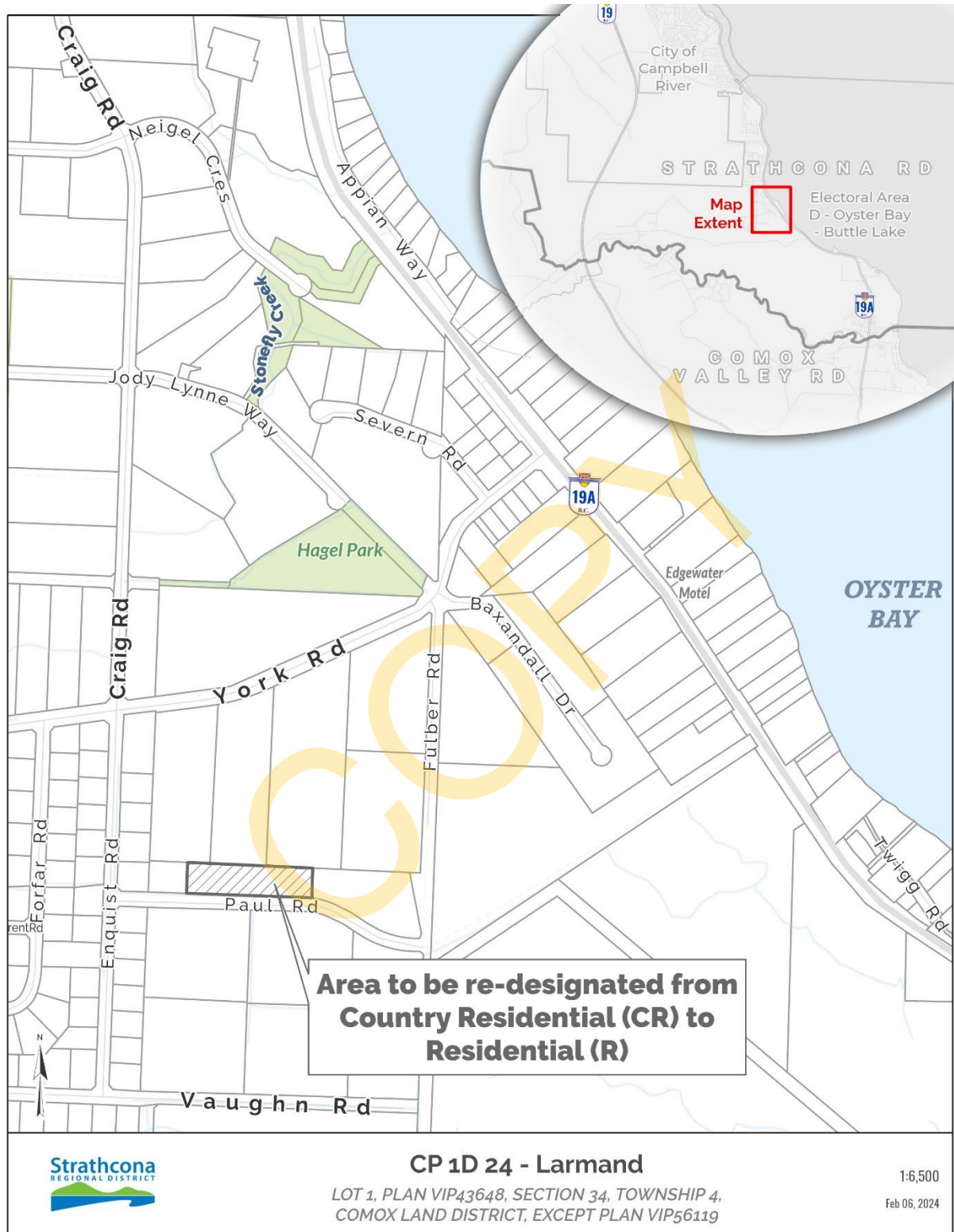
**SCHEDULE 'A'**

**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 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.

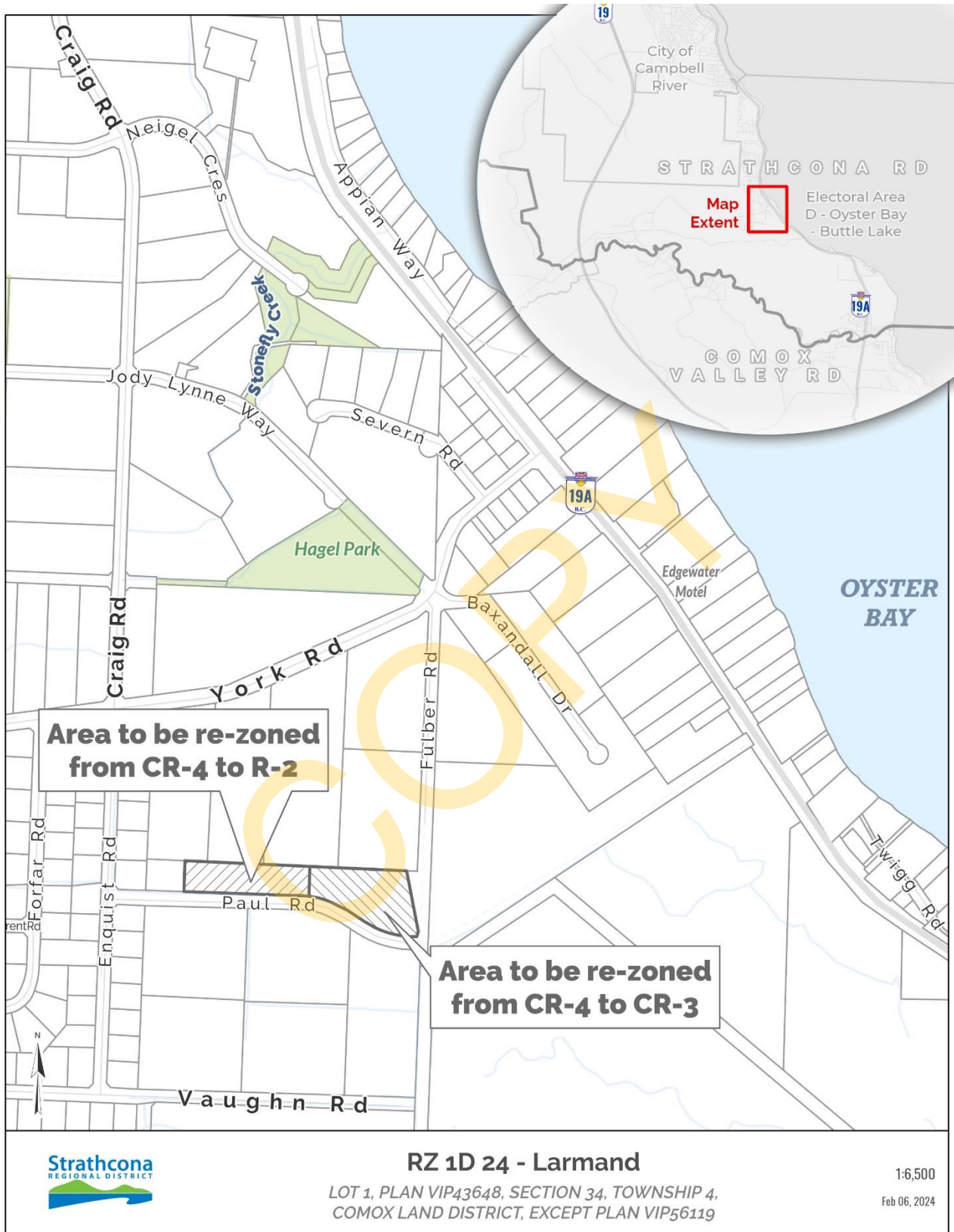
- 3) Part 4 'LAND USE REGULATIONS', Section 4.6.2(vii)(a) is hereby repealed and replaced with the following:

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'.



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**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.