



# MEMO

FILE: 3360-20/RZ 3D 24

**Date:** April 18, 2024  
**To:** Advisory Planning Commission  
Electoral Area 'D' (Oyster Bay-Buttle Lake)  
**From:** John Neill, Planner  
**Re:** Rezoning Application RZ 3D 24 – McKeown  
Lot 1, Block 29, Township 4, Comox District, Plan EPP78707

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The attached development proposal is for commission members' review and comment.

An application has been received to consider rezoning a 2.1-ha. (5.2 ac.) parcel of land situated at 4050 Deerfield Road, in Electoral Area D from Country Residential Four (CR-4) to Country Residential Three (CR-3). The subject property as indicated on the location plan is bounded by Country Residential properties on the east, and Rural properties on the other three sides.

The proposal would facilitate a subdivision of the parcel into two lots of 1.0 and 1.1 hectares, as indicated in the attached sketch. Should this draft subdivision design be adhered to, both proposed lots will require frontage relief at time of subdivision as they will have less than 10% frontage on Deerfield Road. They will be serviced by Island Health-approved septic fields and individually drilled wells.

The proposed lot size may be somewhat smaller than some of those in the immediate vicinity, but in line with or larger than others in the general York Road area. The proposal is consistent with the official community plan in that it retains the Country Residential designation and its country residential policies. The subdivision will also adhere to the requirements of other Provincial legislation.

The APC's advice pertaining to this application is restricted to consideration of the rezoning request. Comments regarding other aspects of the property cannot be considered.

Please see the attached referral package for more information.

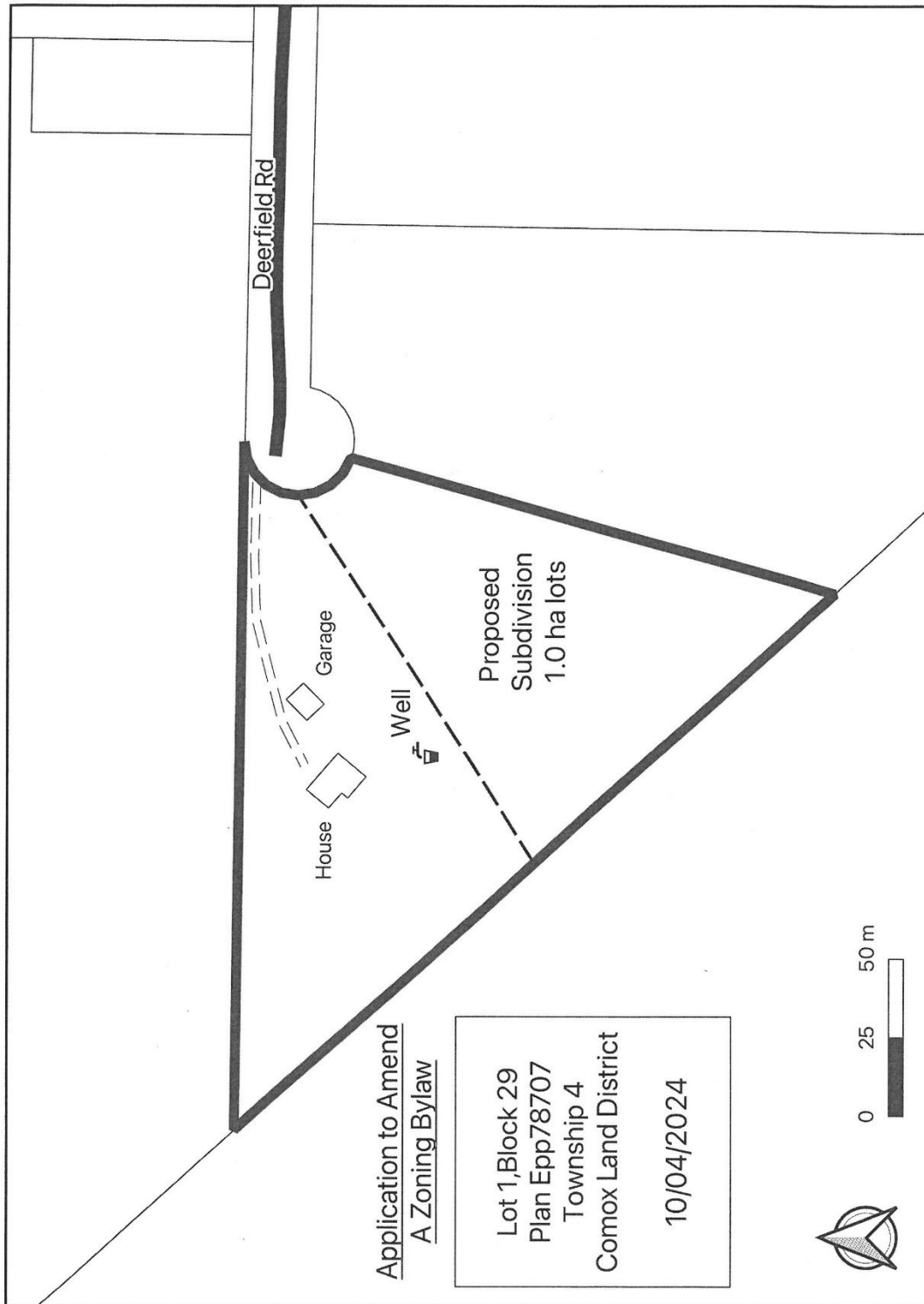
Sincerely,

A handwritten signature in black ink that reads "John Neill". The signature is written in a cursive, flowing style.

John W. Neill MCIP MRTPI  
Planner



Location Map



**Proposed Lot Layout**

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*"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.

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**PART 3 • OBJECTIVES AND POLICIES****Official Community Plan – Country Residential Policies**

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*

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**PART 4 • LAND USE REGULATIONS**

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

BYLAW NO. 1404  
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:**

- |              |  |
|--------------|--|
| RDCS<br>2163 | <ol style="list-style-type: none"> <li>1) Home occupations;</li> <li>2) Accessory buildings; and</li> <li>3) Bed and Breakfast.</li> </ol> |
|--------------|--|

**iii) CONDITIONS OF USE**

- |              |  |
|--------------|--|
| RDCS<br>1458 | <p>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.</p> |
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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:**

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:**

RDCS  
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).

SRD  
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- 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

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*PART 4 • LAND USE REGULATIONS*

**Proposed Country Residential Three (CR-3) Zone**

*STRATHCONA REGIONAL DISTRICT*