



MEMO

File: 3360-20 / RZ 4D 24

Date: September 4, 2024
To: Advisory Planning Commission
Electoral Area 'D' (Oyster Bay-Buttle Lake)
From: Keltie Chamberlain, Planner
Re: Rezoning Application RZ 4D 24 – May
Lot 1, Plan EPP13378, Section 32, Township 4, Comox Land District

The attached zoning bylaw amendment is for commission members' review and comment.

An application has been received to consider rezoning the 2.0 hectare (4.9 acre) parcel of land situated at 3809 Woodland Drive in Electoral Area D from Country Residential Four (CR-4) to Country Residential Two (CR-2). The subject property, shown on the location map, is currently developed with two single family dwellings and is bounded by CR-4 and Rural One (RU-1) properties. The proposal would allow the property owner to apply for subdivision of the parcel into two parcels, one being 1.58 hectares in area and the second 0.48 hectares. There two new parcels would be serviced by the existing wells and septic systems currently servicing the dwellings.

The proposed CR-2 zone allows a minimum lot size of 0.42 hectare (1 acre). The proposal is consistent with the official community plan and retains the Country Residential designation and its country residential policies.

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. The future subdivision will be required to adhere to the requirements of other Provincial legislation.

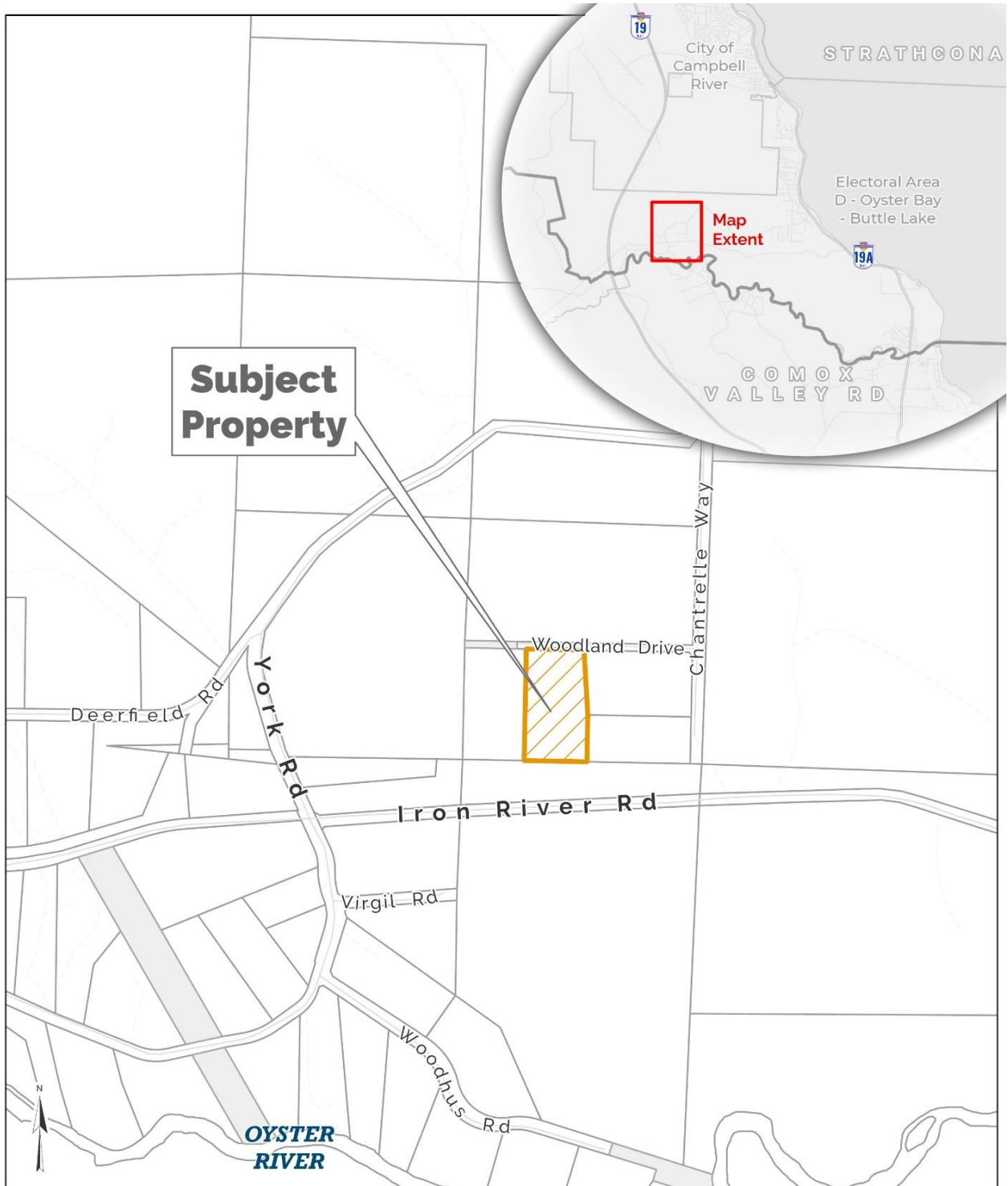
Please see the attached referral package for more information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Keltie Chamberlain", followed by a period.

Keltie Chamberlain, MCP, RPP, MCIP
Development Planner II

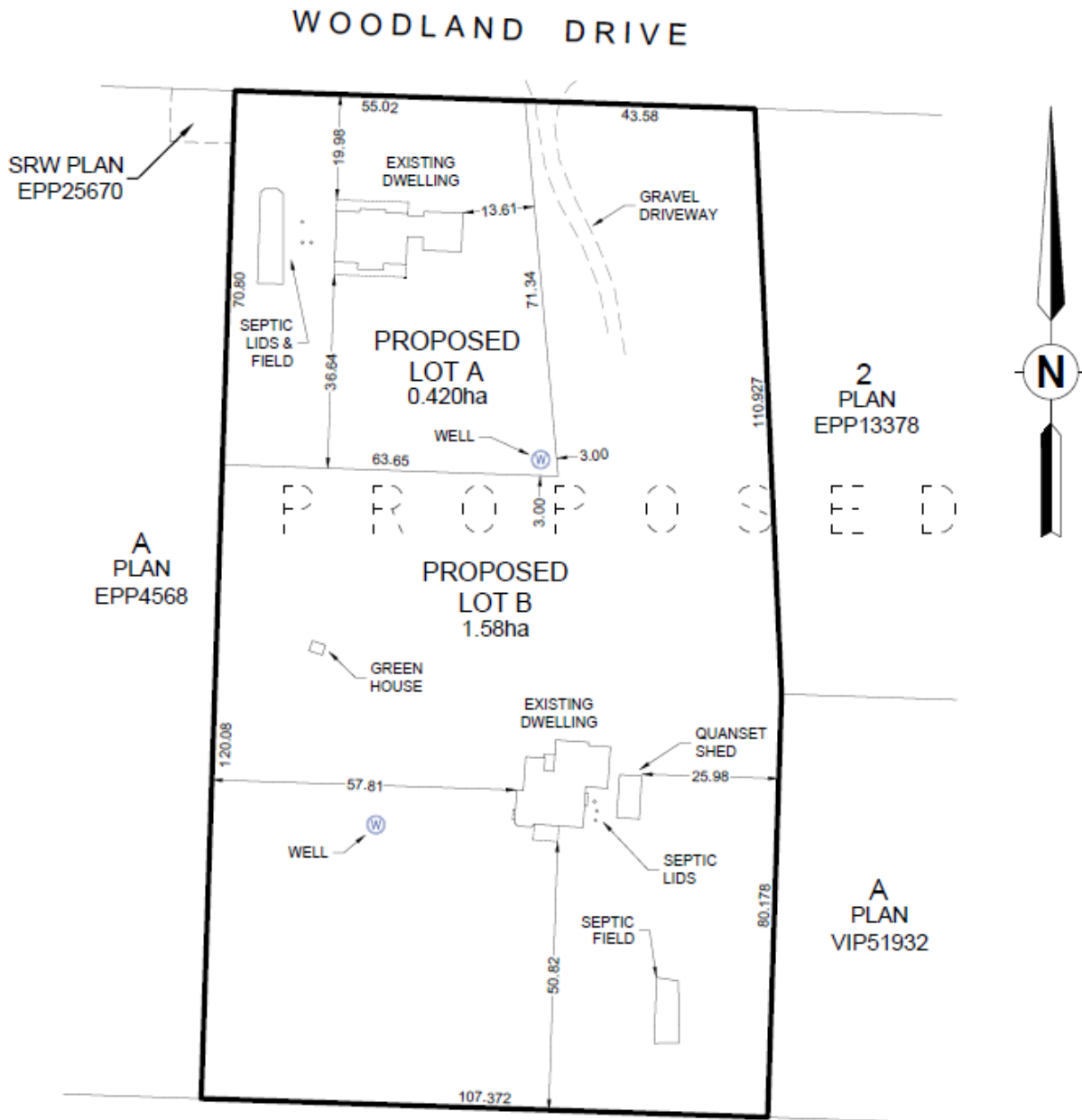
LOCATION MAP



RZ 4D 24 - May
LOT 1, PLAN EPP13378, SECTION 32,
TOWNSHIP 4, COMOX LAND DISTRICT

1:8,000
Jul 24, 2024

PROPOSED LOT LAYOUT



Rem. NW 1/4 SEC. 29
PLAN 552C



SCALE 1:1000

EXCERPT OF OFFICIAL COMMUNITY PLAN – COUNTRY RESIDENTIAL POLICIES

"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 4000m² (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.

EXISTING COUNTRY RESIDENTIAL FOUR (CR-4) ZONE

BYLAW NO. 1404
CAMPBELL RIVER AREA ZONING BYLAW, 1991

PAGE 63

4.6.7

COUNTRY RESIDENTIAL FOUR (CR—4)

i) PERMITTED PRINCIPAL USES

a) On any lot:

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

b) On any lot over 4000 m² (0.99 acres):

- 1) Agricultural use.

ii) PERMITTED ACCESSORY USES

a) On any lot:

- | | |
|--------------|--|
| RDCS
2183 | <ol style="list-style-type: none"> 1) Home occupations; 2) Accessory buildings; and 3) Bed and Breakfast. |
|--------------|--|

iii) CONDITIONS OF USE

- | | |
|--------------|---|
| RDCS
1458 | <ol style="list-style-type: none"> 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:

- | | |
|------------|---|
| SRD
558 | <ol style="list-style-type: none"> 1) On any lot size: One (1) Single Family Dwelling and one (1) Secondary Suite or one (1) Duplex; or 2) On any lot over 4000 m² (0.99 acres) and serviced by a community water system: <ol style="list-style-type: none"> a. One (1) Single Family Dwelling and one (1) Secondary Suite and one (1) Accessory Dwelling Unit; or 3) On any lot over 1 hectare (2.47 acres): |
|------------|---|

*BYLAW NO. 1404
CAMPBELL RIVER AREA ZONING BYLAW, 1991*

PAGE 64

- b. Two (2) Single Family Dwellings and one (1) Secondary Suite per Single Family Dwelling.

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 (2,152.85 square feet), whichever is greater.

RDCS
2423

v) **SITING OF BUILDINGS AND 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);
- 3) 3.5 metres (11.48 feet) of an accessory building; and
- 4) Minimum separation between dwellings - 15 metres (49.21 feet) on the same lot.

SRD
496

- b) [Repealed]

- 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
84

- 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

PAGE 65

vi) **LOT COVERAGE**

- a) On any lot less than or equal to 2,500 square metres (0.62 acre), the maximum lot coverage of all buildings and structures shall not exceed 20% of the lot area.
- RDCS
2423 b) On any lot greater than 2,500 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, Plan VIP61244, Section 34, Township 4, Comox District, 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".

RCS
1772

End • CR-4

PROPOSED COUNTRY RESIDENTIAL TWO (CR-2) ZONE

*BYLAW NO. 1404
CAMPBELL RIVER AREA ZONING BYLAW, 1991*

PAGE 53

4.6.5

COUNTRY RESIDENTIAL TWO (CR—2)

i) PERMITTED PRINCIPAL USES

a) On any lot:

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

b) On any lot over 4000 m² (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.

RD
CS
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.

RD
CS
1458

b) Residential use is limited to:

- 1) On any lot size: One (1) Single Family Dwelling and one (1) Secondary Suite or one (1) Duplex; or
- 2) On any lot over 4000 m² (0.99 acres) and serviced by a community water system:
 - a. One (1) Single Family Dwelling and one (1) Secondary Suite and one (1) Accessory Dwelling Unit; or
- 3) On any lot over 1 hectare (2.47 acres):

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556

*BYLAW NO. 1404
CAMPBELL RIVER AREA ZONING BYLAW, 1991*

PAGE 54

- b. One (1) Single Family dwelling, one (1) Secondary Suite, and one (1) Accessory Dwelling Unit.

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 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;
- 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.

SRD
496

- b) [Repealed]

- 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
84

- 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".

vi) **LOT COVERAGE**

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

*BYLAW NO. 1404
CAMPBELL RIVER AREA ZONING BYLAW, 1991*

PAGE 55

vii) **SUBDIVISION REQUIREMENTS**

- a) **Minimum lot area:** 4000 square metres (0.99 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-2

