



## STAFF REPORT

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**DATE:** October 2, 2025 **FILE:** 0550-04 EASC  
**TO:** Chair and Directors  
Electoral Areas Services Committee  
**FROM:** Dave Leitch  
Chief Administrative Officer  
**RE:** **APPLICATION (RZ 1D 25) TO AMEND THE AREA D CAMPBELL RIVER AREA ZONING BYLAW NO.1404 AT 3140 VAUGHN ROAD**

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<b>PLANNING FILE NO.</b>	3090-20/ RZ 1D 25		
<b>FOLIO NO.:</b>	772 05356.490	<b>PID No.:</b>	017-530-679
<b>APPLICANT:</b>	David and Grace Lindenbach		
<b>LEGAL DESCRIPTION:</b>	LOT A, SECTION 34, TOWNSHIP 4, COMOX DISTRICT, PLAN VIP53256		
<b>CIVIC ADDRESS:</b>	3140 Vaughn Road, Campbell River BC		
<b>ZONING BYLAW:</b>	Campbell River Area Zoning Bylaw, 1991, Bylaw 1404		
<b>EXISTING ZONE:</b>	Country Residential Three (CR-3)		
<b>PROPOSED ZONE:</b>	Country Residential Two (CR-2)		
<b>OCP BYLAW:</b>	Oyster Bay–Buttle Lake Official Community Plan Bylaw, 2023, Bylaw 276		
<b>OCP DESIGNATION:</b>	Country Residential		

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### PURPOSE

To consider zoning bylaw amendment Bylaw No. 611, which proposes to rezone a property located at 3140 Vaughn Road from Country Residential Three (CR-3) to Country Residential Two (CR-2) to facilitate a two-lot subdivision.

### POLICY ANALYSIS

The proposed zoning bylaw amendment is consistent with the Official Community Plan (OCP) Area D (Oyster Bay – Buttle Lake) Country Residential land use designation and policies.

Part 14 “Planning and Land Use Management” of the *Local Government Act (LGA)* addresses local governments’ roles regarding zoning bylaws, namely Section 479 (Zoning Bylaws) and Section 464 - 467 (Requirement for Public Hearings). With the passing of Bill 44, Section 464 has been updated to reflect Provincial changes, namely Section 464(3) A local government must not hold a public hearing on a proposed zoning bylaw if (a) an OCP is in effect for the area that is the subject of the zoning bylaw, (b) the bylaw is consistent with the official community plan, (c) the sole purpose of the bylaw is a development that is, in whole or in part, a residential development,

and (d) the residential component of the development accounts for at least half of the gross floor area of all buildings and other structures proposed as part of the development.

### EXECUTIVE SUMMARY

An application has been received to consider the rezoning of 3140 Vaughn Road from Country Residential Three (CR-3) to Country Residential Two (CR-2) to facilitate a two-lot subdivision resulting in one 1.0 acre lot and one 1.57 acre lot.

A review of the proposal has confirmed that it is consistent with the Area D OCP which encourages lot sizes of 0.4 (0.99) hectare to 2.0 hectares (4.9 acre) which are reflective of suburban neighbourhoods. The proposal is also compliant with the proposed CR-2 zoning requirements contained within the Campbell River Area Zoning Bylaw 1404. The potential lot sizes proposed to be created through this amendment will be consistent with existing densities present in the area and will maintain the character of the neighbourhood.

This application has been referred to government agencies and First Nations for comment with no concerns indicated through this process. The proposal was also provided to the Electoral Area D Advisory Planning Commission (APC) for its consideration and received support to proceed.

With the recent passing of Bill 44, Sections 464(3), 466, and 467 of the *LGA* have been updated to reflect legislative changes to public hearing procedures. A public hearing for this proposal is prohibited and notice will be given in accordance with the *LGA*. Bylaw No. 585 has been prepared for the Committee's consideration with a recommendation to proceed with first, second, and third readings and final adoption.

### RECOMMENDATIONS

1. THAT the report from the Chief Administrative Officer be received.
2. THAT as notice will be given in accordance with Section 467(1) of the *LGA*, the Committee recommend that Bylaw No. 611 be forwarded to the Board for first, second, and third readings and adoption.

Respectfully:




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Dave Leitch  
Chief Administrative Officer

### AGENCY REFERRALS

Comments received from government agencies and from First Nations have indicated no concerns with the rezoning proposal.

Agency	Comments
Agricultural Land Commission	No comment
BC Assessment Authority	No comment
Fire Department – Oyster River	No comment
Ministry of WL&RSF – Environment	No comment

FLNRORD - Archaeology	No comment.
MoTT	No concerns
Island Health	No objections to rezoning.
<b>First Nation</b>	<b>Comments</b>
Homalco First Nation	No response.
Danaxdaxw First Nation	No response.
K'ómoks First Nation	No response.
Tlowitsis First Nation	No response.
Nanwakolas Council	Only responds to Provincial/Federal referrals.
We Wai Kai Nation	Defers to Nanwakolas Council.
Wei Wai Kum Nation	No response.

### PLANNING ANALYSIS

A zoning amendment bylaw application has been received to consider rezoning a 2.57 acre lot at 3140 Vaughn Road to allow a two-lot subdivision to provide housing for immediate family. The applicant proposes to rezone the parcel from Country Residential Three (CR-3) to Country Residential Two (CR-2). The subdivision requirements of the existing CR-3 zone include a minimum lot area of 1.0 ha (2.47 ac) whereas the minimum lot area of the CR-2 zone is 0.4 ha (0.99 ac). The smaller lot area of the CR-2 zone would allow a two-lot subdivision as proposed.

The property is a corner lot in an area with residential lots of varying size and zoning. The Area D Official Community Plan (OCP) policy for the Country Residential land use designation states, *“To encourage residential intensification in this designation, a parcel should be permitted additional density, provided there is appropriate servicing”*.

Ministry of Transportation and Transit (MoTT) is the approving authority for subdivision; however, the SRD will receive an application for assessment of the proposal. The existing and proposed new lot would be serviced by septic systems which are required to adhere to Provincial legislation. The property owner is proposing subdivision of the lot that will meet the requirements of Island Health for onsite waste disposal.

There is an Environmentally Sensitive Area Development Permit Area (ESA DPA) mapped on the property. The landowner will have to successfully obtain a development permit prior to any land alteration / development of the property (including subdivision).

This application received support to proceed from the Electoral Area D Advisory Planning Commission (APC). The proposal is consistent with the OCP objectives and policies, retains the Country Residential designation and rural characteristics, and will result in additional opportunity for housing on the new lots, if approved.

### FINANCIAL IMPLICATIONS

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

**LEGAL IMPLICATIONS**

This report and the recommendations contained herein are in compliance with the LGA and Regional District bylaws.

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS**

The Advisory Planning Commission (APC) at its April 2, 2025, meeting recommended support as follows:

*THAT zoning bylaw amendment application (RZ 1D 25) for the property at 3140 Vaughn Road to rezone from Country Residential Three (CR-3) to Country Residential Two (CR-2) be supported.*

Should a recommendation of support be made for the application and Bylaw No. 611 proceed, public consultation will occur in the form of public notification in accordance with the LGA.

**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 finalization of the adoption of the bylaw.

Submitted by:



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Aniko Nelson  
Senior Manager, Community Services

***Prepared by:*** Keltie Chamberlain, Development Planner II

**Attachment:**

1. Bylaw No. 611

**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 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.

## EXISTING COUNTRY RESIDENTIAL FOUR (CR-3) 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:
- 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:

SRD  
556

- 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 m<sup>2</sup> (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):

- b. One (1) Single Family Dwelling and 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 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.

SRD  
498

- 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 15% of the lot area.

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

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**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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## 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 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:**

SRD  
556

- 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 m<sup>2</sup> (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):

- 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:**

RDOS  
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*

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*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

**WRITTEN BRIEF**

To the board of the SRD in regards to the subdivision of 3140 Vaughn Rd, I would like to change the zoning from CR3 to CR2 so I can subdivide off 1 acre from my 2.5 acre lot. This is for me to build a house for our daughter and son in law and their young family. It will enable them to own a house instead of renting. This will increase the revenue to the SRD by adding a residence and property tax while not costing anything to the SRD. I will be in control of building a home that will compliment the rural life style that we cherish here. I will also remove the 220 stove/oven from my shop.. at the time of subdivision. (on the remaining 1.5 acres)

Thanks

Dave Lindenbach



### PROPOSED LOT LAYOUT FOR SUBDIVISION

PLAN SHOWING THE LOCATION OF DWELLING ON LOT A  
SEC. 34, TP. 4, COMOX DISTRICT, PLAN VIP 53256.

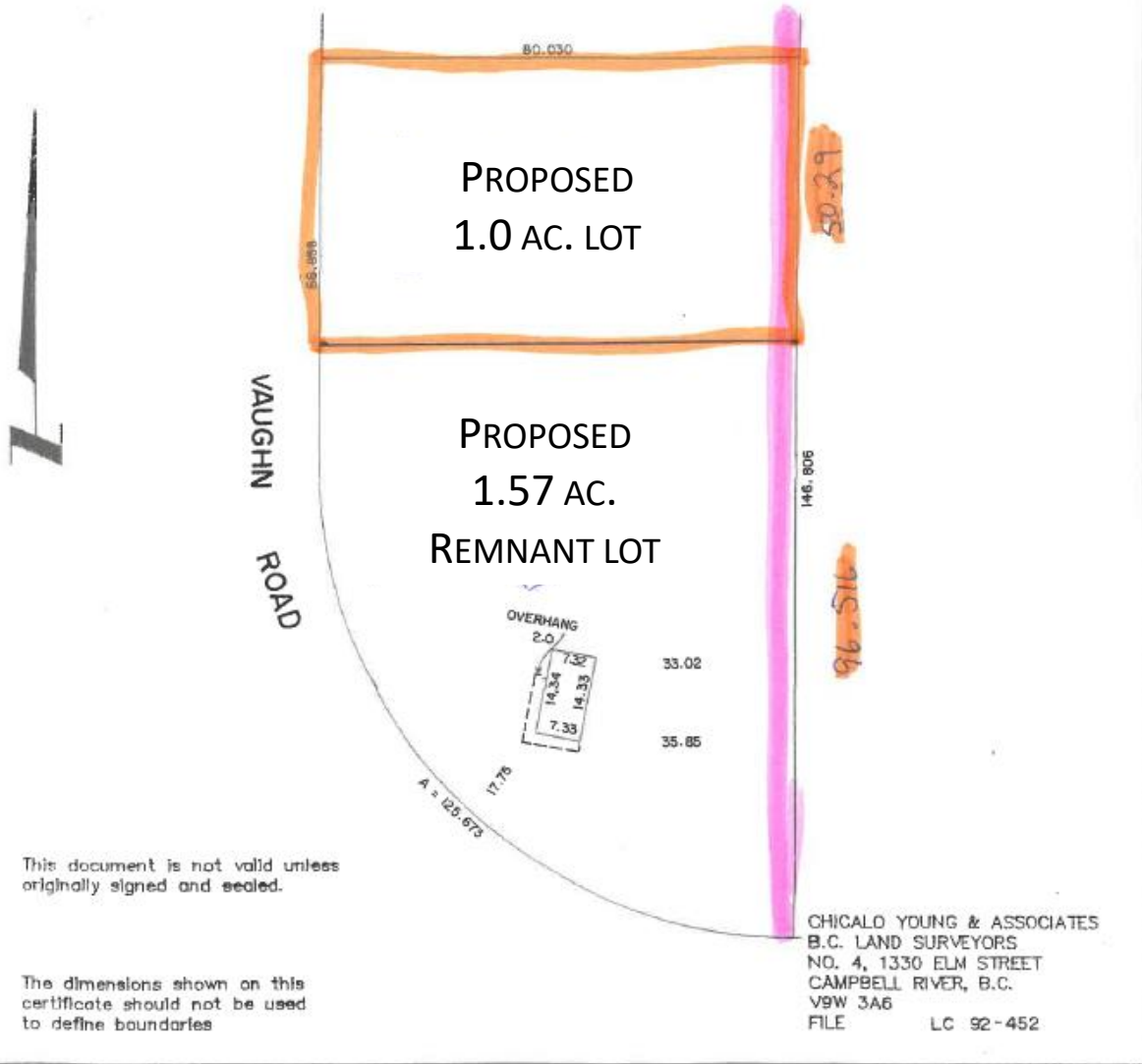
SCALE: 1:1000

Certified correct this 10th. day of DECEMBER, 1992.

Civic Address: 3140 Vaughn Road  
Campbell River, B.C.

*Jack E. Chicalo* B.C.L.S.  
CHICALO, YOUNG & ASSOCIATES  
B.C. LAND SURVEYORS.

*Report in  
see report*



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to define boundaries

CHICALO YOUNG & ASSOCIATES  
B.C. LAND SURVEYORS  
NO. 4, 1330 ELM STREET  
CAMPBELL RIVER, B.C.  
V9W 3A6  
FILE LC 92-452



## BYLAW NO. 611

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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. 611, being Campbell River Area Zoning Bylaw 1991, Amendment No. 82.

READ A FIRST TIME ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2025

READ A SECOND TIME ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2025

NOTICE THAT NO PUBLIC HEARING PERMITTED PUBLISHED ON THE \_\_\_\_ AND \_\_\_\_ DAYS OF \_\_\_\_\_, 2025

READ A THIRD TIME ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2025

RECONSIDERED, FINALLY PASSED AND ADOPTED ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2025

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Chair

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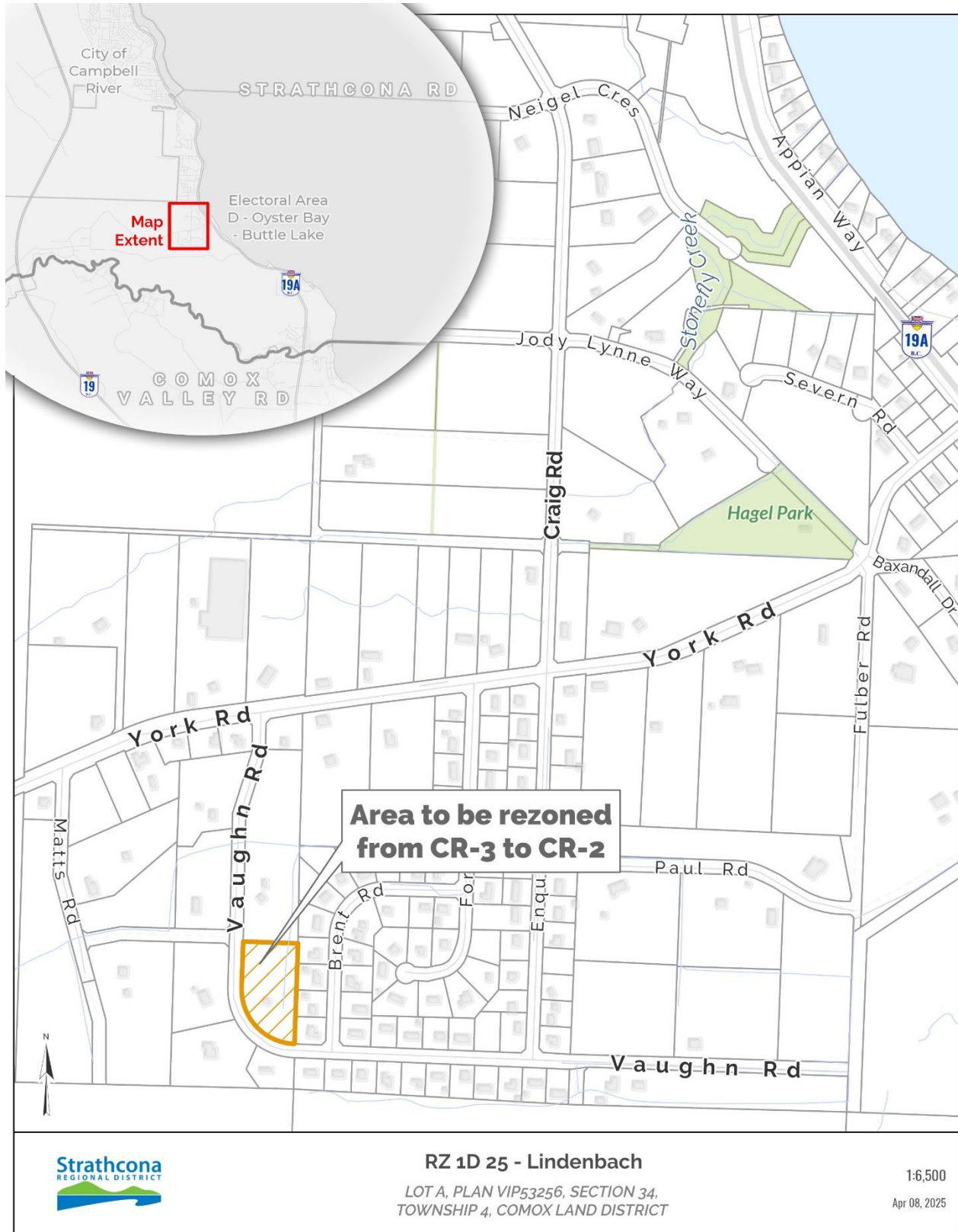
Corporate Officer

**SCHEDULE 'A'**

**SECTION ONE MAP AMENDMENT**

1. Land legally described as LOT A, SECTION 34, TOWNSHIP 4, COMOX DISTRICT, PLAN VIP53256, and located at 3140 Vaughn Road as shown on the attached Appendix '1', is rezoned from Country Residential Three (CR-3) to Country Residential Two (CR-2).

Appendix '1'



Part of Schedule 'A' to Bylaw No. 611, being Campbell River Area Zoning Bylaw 1991, Amendment No. 82. Amends 'Map 2' of Bylaw No. 1404, being Campbell River Area Zoning Bylaw 1991.