



STAFF REPORT

DATE: July 31, 2026 **FILE:** 0550-04 EASC
TO: Chair and Directors
Electoral Areas Services Committee
FROM: Dave Leitch
Chief Administrative Officer
RE: **ZONING AMENDMENT APPLICATION - ELECTORAL AREA D, CAMPBELL RIVER AREA ZONING BYLAW 1991, AT 4290 CHANTRELLE WAY**

PLANNING FILE NO. 3360-20/RZ 2D 26 & APPN 2026-0014

ROLL NO.: 772 29068.662 **PID No.:** 032-368-259

APPLICANTS: David and Tara Miller

LEGAL DESCRIPTION: LOT 7 SECTION 29 TOWNSHIP 4 COMOX DISTRICT PLAN EPP136933

CIVIC ADDRESS: 4290 Chantrelle Way, Campbell River BC

OCP BYLAW 276: Electoral Area D, Oyster Bay–Buttle Lake Official Community Plan Bylaw, 2023

EXISTING DESIGNATION: Country Residential

ZONING BYLAW 1404: Electoral Area D, Campbell River Area Zoning Bylaw, 1991

EXISTING ZONE: Rural One (RU-1)

PROPOSED ZONE: Country Residential Three (CR-3)

PURPOSE

A zoning bylaw amendment application (RZ 2D 26) has been received to consider rezoning the subject property from Rural One (RU-1) to Country Residential Three (CR-3) at 4290 Chantrelle Way to facilitate an eight-lot subdivision of the property.

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 rezoning a parcel located on Chantrelle Way in Electoral Area D, from Rural One (RU-1) to Country Residential Three (CR-3) to facilitate subdivision of the property into eight lots.

The parcel is hooked across Chantrelle Way and is approximately 8.88 hectares (21.94 acres) in total area. The proposed zoning amendment is in alignment with the existing OCP Country Residential land use designation.

The minimum lot size permitted under the existing zone (RU-1) is eight hectares; and under the proposed zone (CR-3) it is one hectare. Should the zoning amendment be adopted, the landowner would have the option to apply for an eight-lot subdivision in the future. All applicable bylaws and regulations must be met for final approval of subdivision applications.

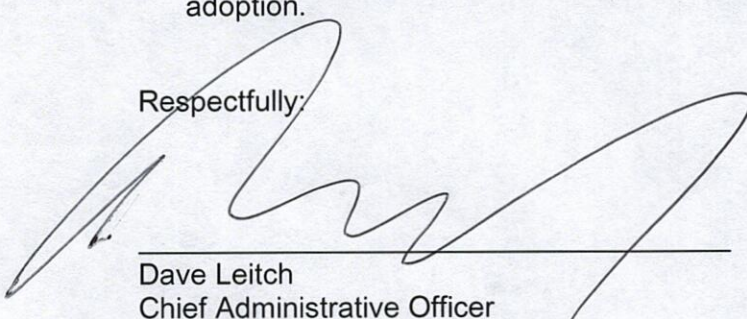
The subject property is compliant with existing RU-1 and proposed CR-3 zoning requirements. This application received support to proceed from the Electoral Area D Advisory Planning Commission (APC) and comments received from government agencies and First Nations have indicated no concerns with the proposal with the caveat that future development meets all applicable standards.

With the recent passing of Bill 44, Sections 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. 664 has been prepared for the Committee's consideration with a recommendation that the Regional District proceed with first 3 readings and final adoption.

RECOMMENDATIONS

1. THAT the report from the Chief Administrative Officer be received; and
2. THAT as notice will be given in accordance with Section 467(1) of the LGA, the Committee recommend that Bylaw No. 664 be forwarded to the Board for first 3 readings and adoption.

Respectfully:



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	BC FireSmart Standards apply, fire engines are to be accommodated, as there are no fire hydrants it is recommended that tanks holding 24,000 gallons (FUS requirement) of water be installed for fire protection.
Ministry of WL&RSF – Environment	No comment
MoTT	No concerns
Island Health	No concerns. Each lot should be serviced by its own private water source. Future lots will need to meet the minimum requirements outlined in Island Health Subdivision Standards for sewage disposal.

First Nation	Comments
Homalco First Nation	No response
Da'naxda'xw First Nation	No response
Mamalilikulla 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 Treaty Society	No response
We Wai Kai Nation	Defers to Nanwakolas Council.
Wei Wai Kum Nation	No response

PLANNING ANALYSIS

An application has been received to rezone the subject property for the purpose of future subdivision of the land. The property currently has one dwelling unit located as shown in the existing site plan with an existing well and septic system.

There are varied land use designations in the area, including Rural, Rural Residential, Agriculture, and Country Residential and zoning of surrounding lots includes Country Residential 2, 3, and 4 to the west and north, with CR-3 zoned properties adjacent on the west property line.

The property has a land use designation of Country Residential in the Electoral Area D OCP which envisions estate properties serviced by septic systems and community or well water. The lots are

intended to have additional residential intensification provided there is appropriate servicing. The Country Residential land use designation of the OCP encourages lot sizes of 0.4 hectare to 2.0 hectares and lots that are consistent with suburban neighbourhoods. The parcel is compliant with the existing zone and with the proposed CR-3 zone. The proposed zone is in alignment with the OCP land use designation, and therefore in accordance with the LGA a public hearing is prohibited.

The current zoning, RU-1 (as attached) has a minimum lot area of eight hectares (19.77 acres). The proposed zone, CR-3 (as attached) has a minimum lot area of one hectare (2.47 acres). Should the zoning amendment be adopted, the landowner would have an option to apply for an eight-lot subdivision in the future. All applicable bylaws and regulations would have to be met for final approval of subdivision.

This application received support to proceed from the Electoral Area D Advisory Planning Commission (APC) at its meeting June 3, 2026. Comments received from government agencies and from First Nations have indicated no concerns with the proposal.

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

Should a recommendation of support be made by the Committee for the application and Bylaw No. 664 to proceed, public consultation will occur in the form of a notification in accordance with the LGA.

The Advisory Planning Commission provided the following resolution in support of the applications:

The APC recommends support for the proposed zoning amendment application (RZ 2D 26) to rezone the property at 4290 Chantrelle Way from Rural One (RU-1) to Country Residential Three (CR-3).

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS

Planning staff 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:



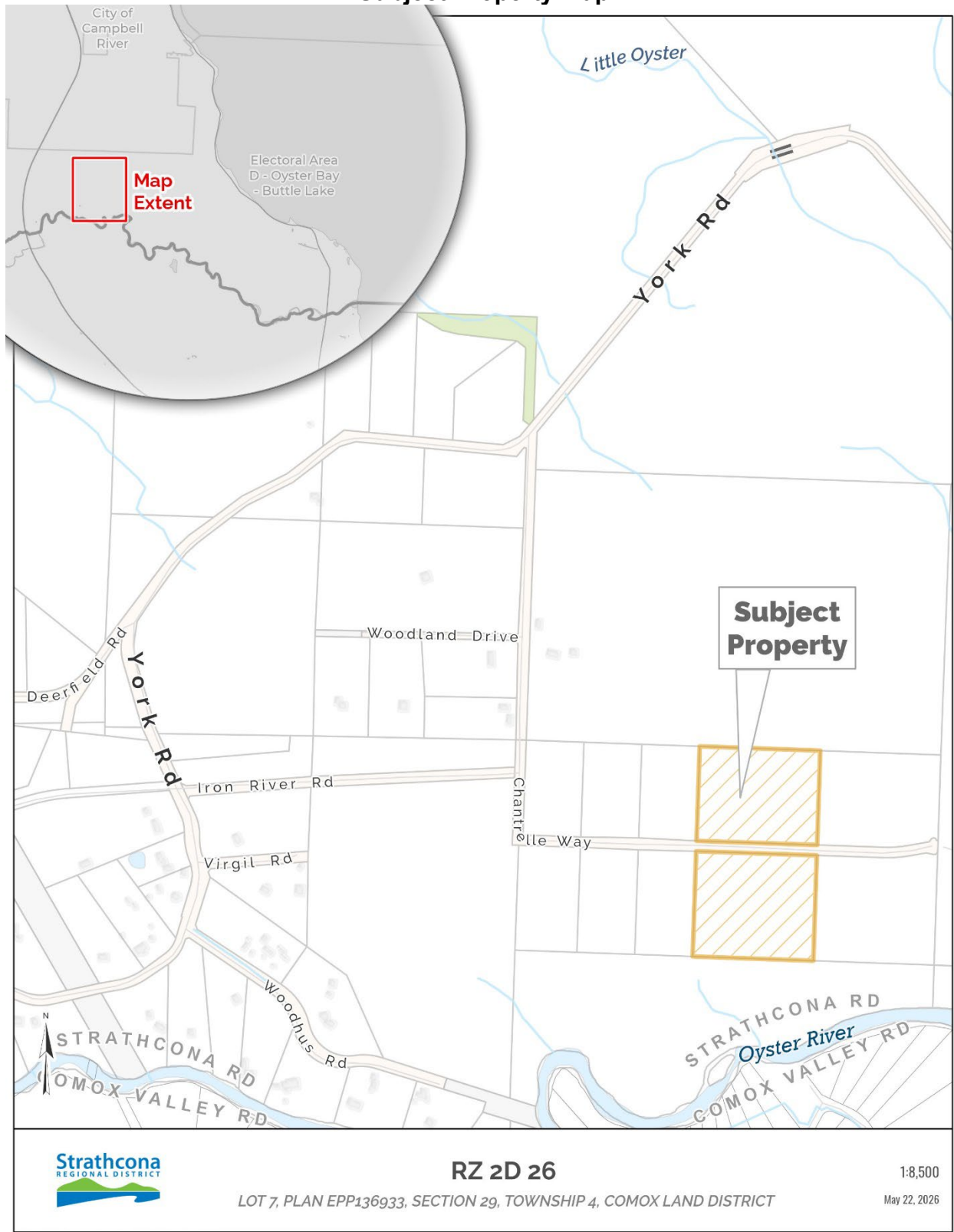
Keltie Chamberlain, RPP, MCIP
Land Use Planner II

Prepared by: K. Chamberlain, Land Use Planner II

Attachments:

Bylaw No. 664

Subject Property Map



Written Brief

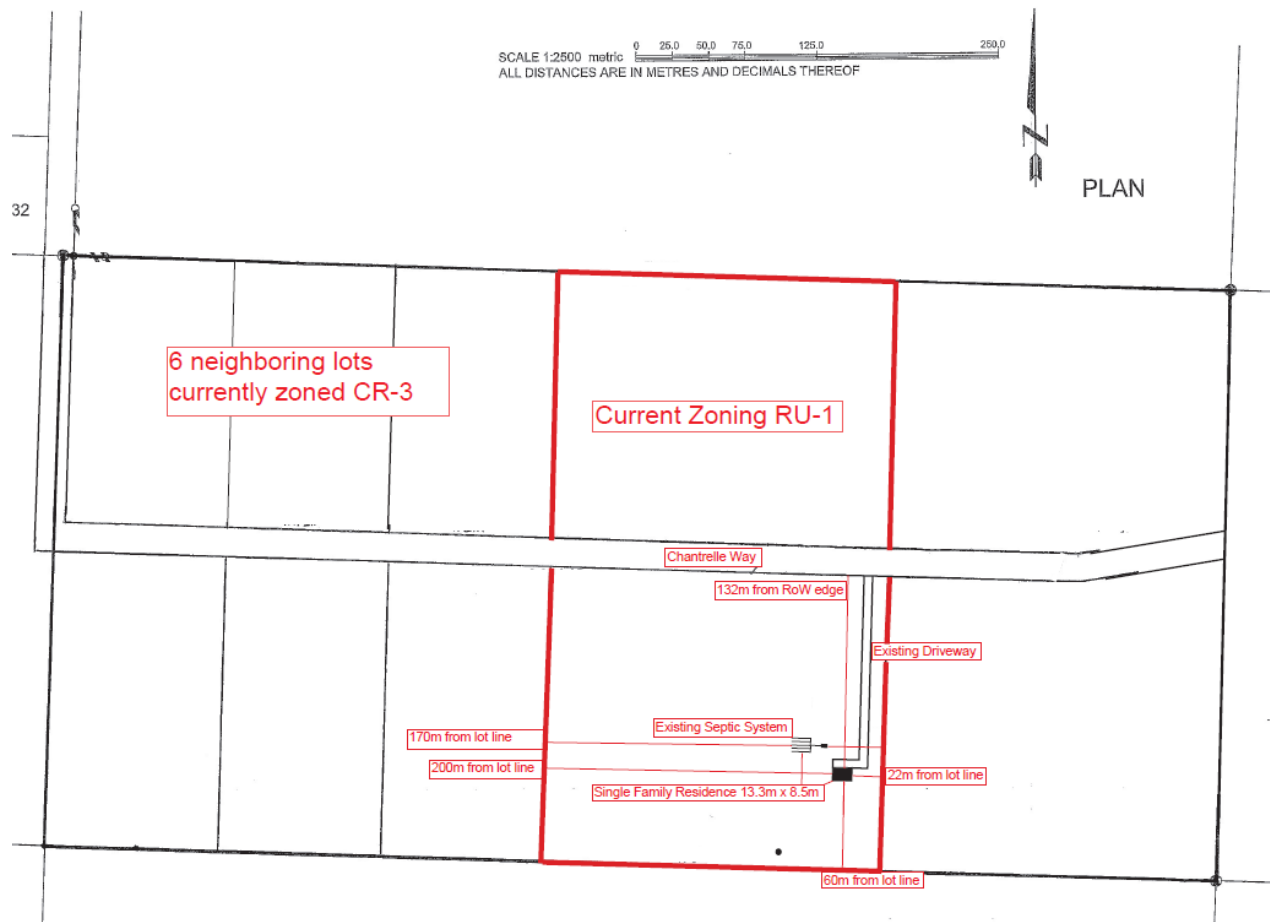
Written Brief:

Our rational for rezoning is to facilitate subdivision of additional lots for our family.

Thanks for your help with this.

Dave and Tara

Existing Site Plan



EXCERPT OF OFFICIAL COMMUNITY PLAN – COUNTRY RESIDENTIAL OBJECTIVES AND POLICIES

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)].
-
5. To encourage residential intensification in this designation, a parcel should be permitted additional density, provided there is appropriate servicing, as follows:
 - a. one single detached dwelling and either one secondary suite, one carriage house or one accessory dwelling unit (for a potential total of 2 dwelling unit types per lot).
 - b. additional dwellings may be permitted on lots more than 1.0 ha (2.47 acres) in area (for a potential total of 3 dwelling unit types per lot).
 6. Additional dwellings and accessory buildings and structures should be sited to retain the rural character of the area.

EXISTING RURAL ONE (RU-1) ZONE

BYLAW NO. 1404
CAMPBELL RIVER AREA ZONING BYLAW, 1991

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4.6.9**RURAL ONE
(RU—1)****i) PERMITTED PRINCIPAL USES****a) On any lot:**

- 1) Residential use;
- 2) Agricultural uses;
- 3) Veterinary clinics;
- 4) Riding academy;
- 5) Public utility use;
- 6) Silviculture;
- 8) Park; and
- 9) On any of the following parcels:

RDCS
1850

- i) Plan 378R, Section 19, Township 5, Comox Land District, Southwest ¼ Plan 552D, PID 008-986-711;
 - ii) Lots 1 and 2, Plan 7930, District Lot 223, Comox Land District, PID 005-624-037 & PID 005-624-053;
 - iii) Lot 3, Plan 7930, District Lot 223, Comox Land District, PID 005-624-061;
 - iv) Lot A, Plan 10923, District Lot 178, Comox Land District and District Lot 141, PID 005-161-304;
 - v) Re-amended Lot 2 (DD64235N), District Lot 141, Comox Land District, of Plan 5065, PID 006-032-788;
 - vi) District Lot 151, Comox Land District, PID 009-532-595;
 - vii) District Lot 141, Comox Land District, Except Plan 2334 & 5407, PID 009-529-721;
 - viii) Lot A, Plan 2334, District Lot 141, Comox Land District, Except Plan 5065, PID 006-448-691; and
 - ix) Amended Lot 1 (DD61547N), District Lot 141, Comox Land District, of Plan 5065, PID 006-032-745.
- 10) Research and teaching facility; and
 - 11) Rural resource centre to a maximum floor area of 240 square metres (2,583 square feet).

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

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b) **On any lot 4 hectares (9.88 acres) or larger:**

- 1) Animal kennels;
- 2) Garden nurseries.

c) **On any lot 10 hectares (24.7 acres) or larger:**

- 1) Gravel, mineral or peat extractions, gravel crushing and screening, but no manufacturing or sales of concrete products;
- 2) Sawmills and shakemills provided the use is limited to a site not exceeding 1000 square metres;

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.

b) **All permitted uses listed in Section i(c)** shall be subject to the following conditions:

- 1) Minimum yard clearance along all property lines of 30 metres (98.4 feet).
- 2) Minimum yard clearance of 60 metres (196.9 feet) from any lot line abutting a property zoned Residential or Country Residential.
- 3) No parking, loading or storage areas shall be located in any required yards.
- 4) Uses shall be screened and buffered from adjacent properties through maintenance of natural vegetation.

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

SRD
556

- 1) On any lot size: One (1) Single Family Dwelling and one (1) Secondary Suite; or
- 2) On lots over 4000 sq m (0.99 acres) and serviced by community water:

- a. One (1) Single Family Dwelling and one (1) Secondary Suite and one (1) Accessory Dwelling Unit; or
- 3) On any lot over 8 Hectares (19.77 acres):
 - a. Two (2) Single Family Dwellings and one (1) Secondary Suite per Single Family Dwelling.
- d) Rural resource centres shall be subject to the following conditions:
 - 1) A minimum setback of 15.0 metres (49.5 feet) along all lot lines;
 - 2) A minimum setback of 30.0 metres (98.4 feet) from any lot line abutting a parcel zoned Residential or Country Residential.
 - 3) No loading or storage areas shall be located in any required yard.
 - 4) Screening shall be provided of no less than 1.5 metres (4.9 feet) in height for a rural resource centre abutting a parcel zoned Residential or Country Residential.
 - 5) A Single sing not exceeding 1.0 square meter (11 square feet).

iv) FLOOR AREA REQUIREMENTS

The maximum combined gross floor area of all accessory buildings shall not exceed 300 square metres (3,229.28 square feet) or 5% of the lot area, whichever is less.

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** 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) Minimum separation between single family dwellings - 15 metres (49.21 feet) on the same lot.
- b) No accessory building shall be located in any required yard and be located a minimum of 3.5 metres (11.48 feet) from any other building or structure.

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".

vi) LOT COVERAGE

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

vii) SUBDIVISION REQUIREMENTS

- a) **Minimum lot area:** 8 hectares (19.77 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 • RU-1

PROPOSED COUNTRY RESIDENTIAL THREE (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 m² (0.99 acres):

- 1) Agricultural use.

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

RDOS
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 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):

- 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
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).
- 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.

*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



BYLAW NO. 664

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

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. 664, being Campbell River Area Zoning Bylaw 1991, Amendment No. 84.

READ A FIRST TIME ON THE ____ DAY OF _____, 2026

READ A SECOND TIME ON THE ____ DAY OF _____, 2026

READ A THIRD TIME ON THE ____ DAY OF _____, 2026

NOTICE OF PROHIBITED PUBLIC HEARING PUBLISHED ON THE ____ DAY OF _____, 2026

RECONSIDERED, FINALLY PASSED AND ADOPTED ON THE ____ DAY OF _____, 2026

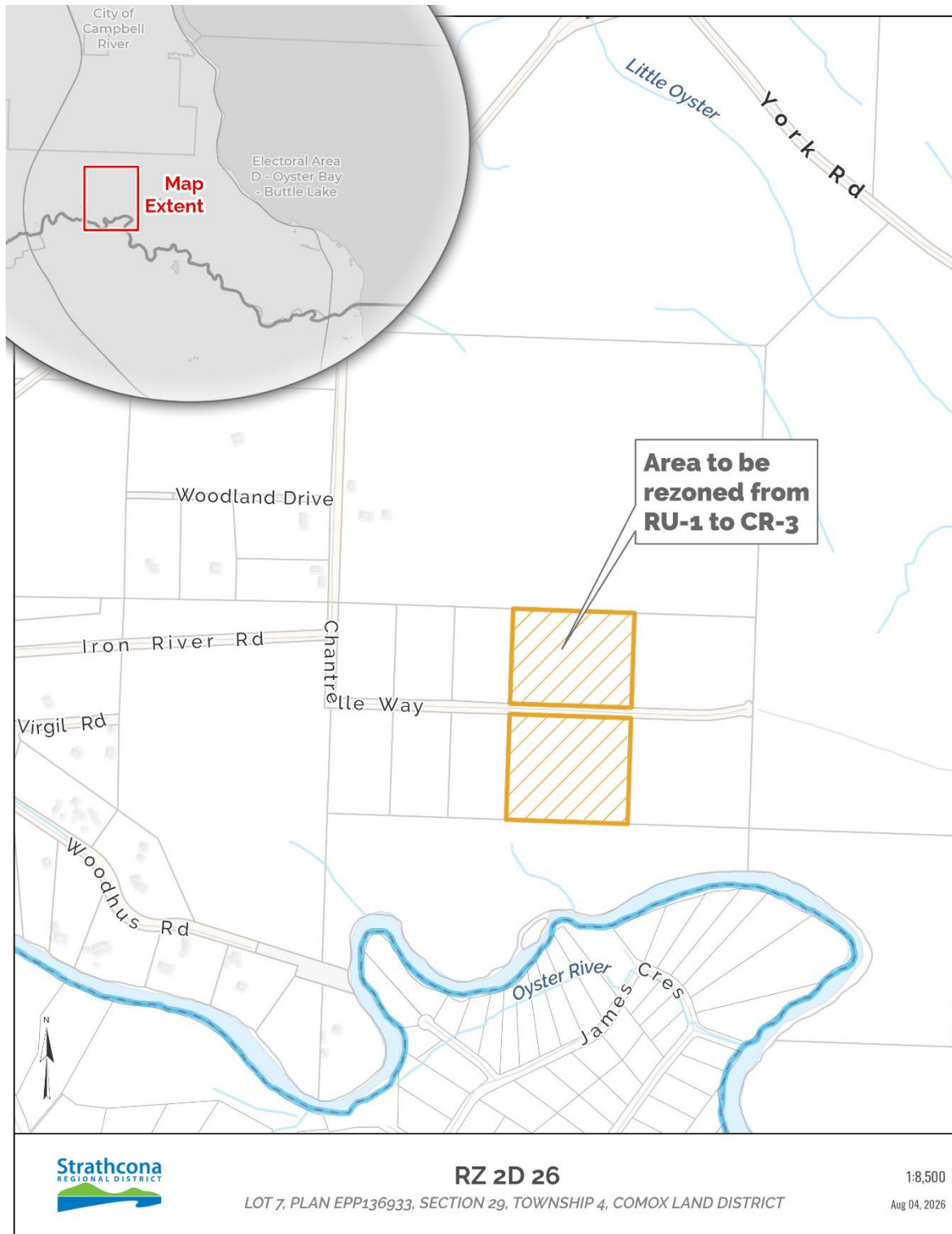
Chair

Corporate Officer

SCHEDULE 'A'

SECTION ONE MAP AMENDMENT

1. Portions of land legally described As LOT 7 SECTION 29 TOWNSHIP 4 COMOX DISTRICT PLAN EPP136933 and located at 4290 Chantrelle Way as shown on the attached Appendix '1', are rezoned from Rural One (RU-1) to Country Residential Three (CR-3).



Appendix '1'

Part of Schedule 'A' to Bylaw No. 664, being Campbell River Area Zoning Bylaw 1991, Amendment No. 84 amends 'Map 2' of Bylaw No. 1404, being Campbell River Area Zoning Bylaw 1991.



BYLAW NO. 664

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

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. 664, being Campbell River Area Zoning Bylaw 1991, Amendment No. 84.

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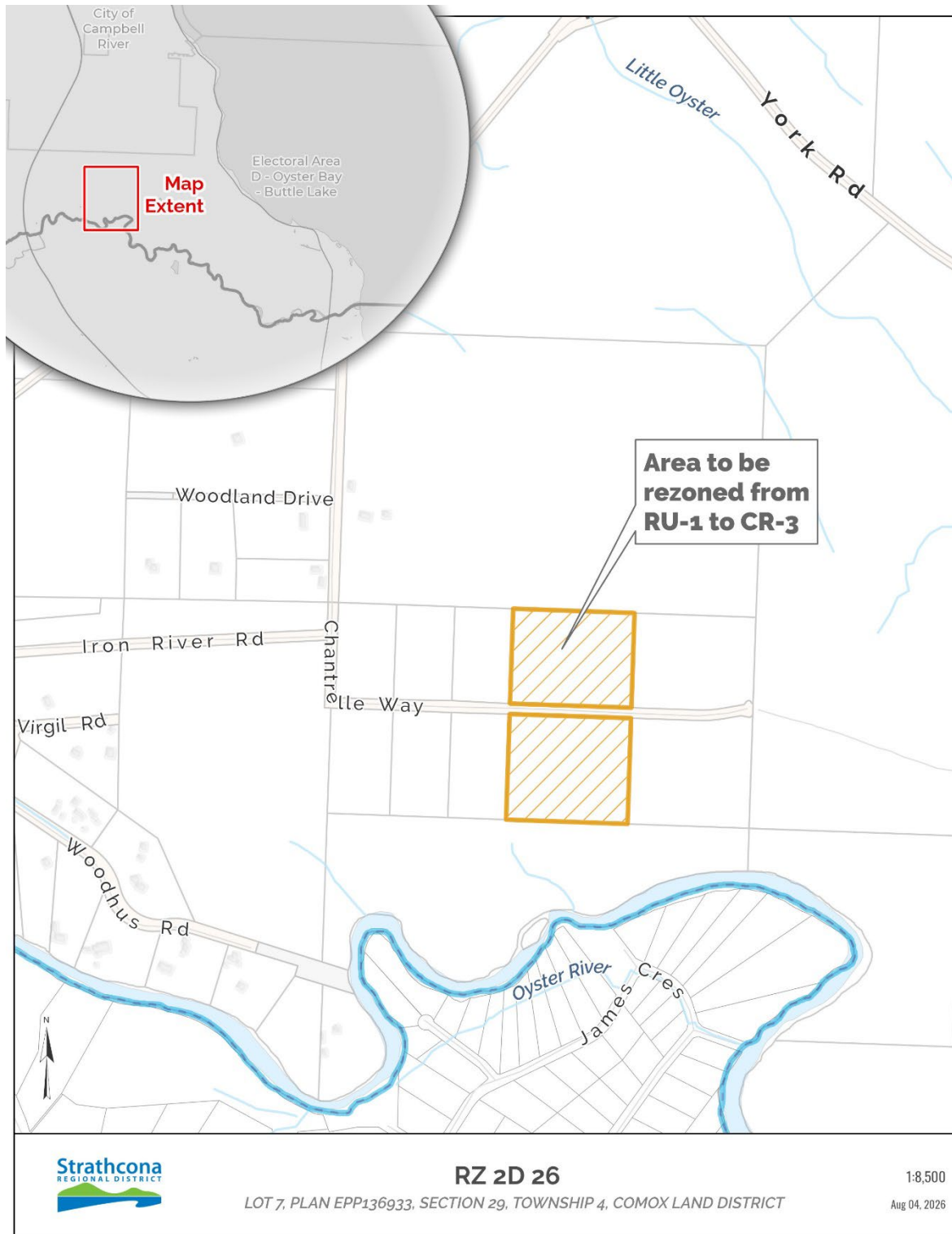
Chair

Corporate Officer

SCHEDULE 'A'

SECTION ONE MAP AMENDMENT

1. Portions of land legally described As LOT 7 SECTION 29 TOWNSHIP 4 COMOX DISTRICT PLAN EPP136933 and located at 4290 Chantrelle Way as shown on the attached Appendix '1', are rezoned from Rural One (RU-1) to Country Residential Three (CR-3).



Appendix '1'

Part of Schedule 'A' to Bylaw No. 664, being Campbell River Area Zoning Bylaw 1991, Amendment No. 84 amends 'Map 2' of Bylaw No. 1404, being Campbell River Area Zoning Bylaw 1991.