



## STAFF REPORT

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**DATE:** February 15, 2022 **FILE:** 0550-04 Board  
**TO:** Chair and Directors,  
Regional Board  
**FROM:** David Leitch  
Chief Administrative Officer  
**RE:** OCP AMENDMENT AND REZONING APPLICATION (CP 1D 21/RZ 1D 21 – OYSTER BAY LANDS)

### PURPOSE/PROBLEM

To consider an application for a Official Community Plan and zoning bylaw amendment which would permit the development of a 34-lot rural subdivision on a 165-hectare tract of land at Oyster Bay, in Electoral Area D

### EXECUTIVE SUMMARY

The attached report concerning an application for a Official Community Plan and zoning bylaw amendment was reviewed at the February 9, 2022 meeting of the Electoral Areas Services Committee at which time the following resolution was passed:

Leigh/Whalley: EASC 31/22

THAT the Committee recommend that the proposed Oyster Bay Lands development as outlined in OCP/rezoning application (CP 1D 21/RZ 1D 21) be denied.

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

### RECOMMENDATIONS

1. THAT the report from the Chief Administrative Officer be received.
2. THAT OCP/rezoning application CP 1D 21/RZ 1D 21 (Oyster Bay Lands), as attached in the February 3, 2022 report from the Chief Administrative Officer, be denied.

Respectfully:



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David Leitch  
Chief Administrative Officer

*Prepared by: E. Watson, Senior Executive Assistant*

Attachment: February 3, 2022 report to Electoral Areas Services Committee



## STAFF REPORT

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**DATE:** February 3, 2022 **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 21 and 3360-20/RZ 1D 21  
**ROLL NOS.:** Multiple **PID Nos.:** Multiple  
**APPLICANTS:** Daryl Hagen and John Chan (Oyster Bay Lands)  
**LAND DESCRIPTION:** Part Sections 25 and 26, Township 4, Comox District.  
**OCP:** Bylaw No. 1857 "Oyster Bay – Buttle Lake Official Community Plan Bylaw, 1996"  
**EXISTING DESIGNATION:** Rural and Upland Resource  
**PROPOSED DESIGNATION:** To Be Determined  
**ZONING BYLAW:** Bylaw No. 1404 "Campbell River Area Zoning Bylaw, 1991"  
**EXISTING ZONE** Rural One (RU-1) and Upland Resource 40 (UR-40)  
**PROPOSED ZONE:** To Be Determined

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### PURPOSE

To consider an Official Community Plan and zoning bylaw amendment application affecting a 165-hectare tract of land at Oyster Bay, Electoral Area D which would permit the development of a 34-lot rural subdivision.

### 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).

Although an OCP and zoning amendment is required, the proposed development is generally consistent with the objectives and policies of Bylaw No. 1857 "Oyster Bay – Buttle Lake Official Community Plan Bylaw, 1996" and is compatible with neighbouring land uses.

### EXECUTIVE SUMMARY

An application has been received to redesignate and rezone approximately 165 hectares of land consisting of 8 separate parcels situated near the Island Highway at Oyster Bay, Electoral Area D from Rural and Upland Resource to a new OCP designation and zone to allow the development of a 34-lot rural residential subdivision. The proposal focus is for the creation a rural community with lot sizes varying in area between 2.0 and 24.0 hectares with an emphasis on equestrianism, small-scale sustainable agriculture and viticulture, as well as associated farm-gate sales. The overall nature and density of the proposal is in line with surrounding land uses, which include forestry and rural residential developments to the east and west consisting of varied rural lot sizes,

similar to those being proposed. The equestrian development proposes to provide desired connectivity between these two established rural residential areas. This development would have the potential to not only support agriculture and equestrianism, but also an opportunity to diversify the existing economic base through sustainable activities proposed for the community.

The proposal, although requiring an OCP amendment, appears generally consistent with elements of the OCP and meets several of the objectives including maintaining the area as a rural and country residential community, promoting rural design guidelines, continuing to conserve and protect environmentally sensitive areas, providing for pedestrian links and linear parkways and the provision of pathways for equestrians. The proposal includes the provision of public amenities in the form of riding and biking trails supporting the OCP's objectives for connectivity.

Given the above considerations, it is recommended that amendment bylaws be drafted for the Committee's consideration at an upcoming meeting.

#### **RECOMMENDATIONS**

1. THAT the report from the Chief Administrative Officer be received.
2. THAT the Committee recommend that amendment bylaws be prepared to allow further consideration of the proposed Oyster Bay Lands development as outlined in OCP/rezoning application (CP 1D 21/RZ 1D 21).

Respectfully:



Dave Leitch  
Chief Administrative Officer

#### **BACKGROUND**

An application has been received to redesignate and rezone approximately 165 hectares of land consisting of 8 separate parcels situated near the Island Highway at Oyster Bay from Rural and Upland Resource to a new OCP designation and zone to allow the development of a 34-lot rural residential subdivision. The proposed lots would vary in size from 2 to 24 hectares, with an emphasis on equestrianism, small-scale sustainable agriculture and viticulture and associated farm-gate sales. The subject properties as indicated on the location plan are bounded by the Island Highway and Oyster Bay to the North, Country Residential properties to the East and the West and a large Rural property to the South.

The proposed development will include an indoor equestrian arena and veterinary facility, a full-service tac shop, a viticulture operation and small-scale agriculture with farm-gate sales. The development will include amenities in the form of riding and biking trails for connectivity.

#### **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:

Agency	Comments
Agricultural Land Commission:	Recommends a continuous buffer 6 metres in height and 8 metres in width, be placed along the non-agricultural side of the ALR edge to act as a screen. Proposed residences should be set back 30 metres from the ALR boundary.
Advisory Planning Commission:	No recommendation. Site visit September 28, 2021
BC Assessment Authority:	No response.
Comox Valley Regional District	Future residents will need to find private contractors to handle their domestic waste.
Water Comptroller for BC	No response.
Oyster River Enhancement Society	No response
Environment Canada:	No response.
Oyster River Fire Department	Recommends adherence to Fire Smart standards, access for fire trucks and standard house numbering.
Ministry of Agriculture:	Recommends adherence to the Ministry's <i>Guide to Edge Planning</i> respecting development of the proposed lots adjacent to the ALR boundary.
Ministry of Environment:	No response.
FLNRO (Archaeology):	Two archaeological sites exist on or near these lands – DISg-4, a shell midden and DISh-11, a culturally-modified tree. Due to the high potential for discovery of additional sites, an AIA or walk over by a qualified archaeologist is recommended. If archaeological material is encountered during development, work must immediately stop and the Archaeology Branch contacted.
Ministry of Transportation and Infrastructure (MoTI):	No objection.
School District 72:	No response.
VIHA:	No objection, provided the subdivision meets Island Health subdivision guidelines regarding wastewater disposal and the requirements of the <i>Sewerage System Regulation</i> and the <i>Drinking Water Protection Act</i> . Will comment further at subdivision stage.

FIRST NATION	COMMENTS
Homalco First Nation:	No objection.
K'omoks First Nation:	No response.
Laich-Kwil-Tach Treaty Society:	No response.
Nanwakolas Council:	No response.
We Wai Kai Nation:	No comment.
Wei Wai Kum Nation:	No concerns, provided a WWK trained archaeological monitor is present during development on the site.

### PLANNING ANALYSIS

The subject property is located within a mixed rural/upland resource 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 North and South, the Strait of Georgia to the East and Upland Resource parcels to the West. The eight properties forming this application are currently designated Rural along the highway and Upland Resource inland and are likewise zoned Rural One (RU-1) and Upland Resource 40 (UR-40) respectively. To allow for the proposed 34-lot Rural Residential Community subdivision and develop it as a mixed lot sustainable agriculture and equestrian community, the applicants wish to amend the Oyster Bay-Buttle Lake Official Community Plan and rezone the eight parcels to a new designation and new zone to allow the creation of 34 lots ranging in size from 2.0 to 24.0 hectares with an average lot size of 4.5 hectares.

Surrounding land uses are consistent with the development and include forestry and rural residential developments to the east and west, which include varied rural lot sizes ranging in area between 2.0 and 20.0 hectares. The current proposal provides connectivity between these two established rural residential areas and provides an opportunity to diversify the existing economic base through the development of sustainable agricultural activities on the proposed lots.

The subject lands are located between the water service areas of North Area D and the Black Creek/Oyster Bay water system and continue to remain rural in area and density. Servicing of the development will be by individual septic fields and wells, as sewerage and piped water services are not offered in this area. No professional sewerage or potable water reports have been provided at this stage, but the proponents have indicated the geology of the area is favourable to the installation of fields and the drilling of wells. Proof of this would be required at the subdivision stage. The provision of linear parkways in the form of non-motorized trails for cyclists and equestrians; and the proximity to existing services in the area such as electricity, telephone, cable TV and natural gas are noted.

The area does include several environmental considerations, including wetland, stream and eagle nest protection. These features are currently protected either through existing covenants or provincial legislation as enforced through the SRD's regulatory and policy documents. Future development and/or subdivision will trigger the requirement for compliance with the Riparian Areas Protection Regulation including the need for an Environmentally Sensitive Areas Development Permit and associated QEP report. Although the subject lands abut the Agricultural Land Reserve to the south and northwest, they fall outside the ALR boundary.

The proposal, which aims at creating a rural community based on small scale sustainable agriculture and non-motorized outdoor pursuits, appears generally consistent with the objectives and policies of the OCP as provided in the table below:

Policy	Proposal	Compliance
203(1) Maintain the planning area as a rural and country residential community offering an alternative to the city lifestyle.	The proposed development offers a low density, family oriented, rural lifestyle community	Yes
203(7) Promote the use of Rural Design Guidelines with respect to topography, building design and siting.	The lots will be developed based on the existing topography of the land, using existing trail network for access and low-impact building techniques.	Yes
203(9) Conserve and Protect Environmentally Sensitive Areas	Much of this land is already protected by Section 219 covenants which protect existing riparian areas, wetlands and eagle nest trees. Any additional covenants required will be registered at the subdivision stage.	Yes
301(6) Farm operators are encouraged to protect environmentally sensitive areas on their land and to use environmentally safe practices and techniques.	The proposed development is for a mixed lot sustainable agriculture and equestrian community, and much of the land is already protected by Section 2019 covenants, as noted above.	Yes
309(16)(d) Pedestrian links and linear parkways should be provided including public access to waterways.	The proposed development improves connectivity in this area by providing a network of linear parkways and trails for non-motorized travel.	Yes
313(6) The provision of linear parkways and pathways for the safe and convenient use by pedestrians, equestrians and cyclists shall be encouraged	The proposed development improves connectivity in this area by providing a network of linear parkways and trails for non-motorized travel, specifically including equestrian use.	Yes

Consultation with First Nations and government agencies did not identify any obvious issues or result in any objections to the proposal. The Agricultural Land Commission and the Ministry of Agriculture encourage building setbacks and buffering of land adjoining the ALR in accordance with the *MAF Guide to Edge Planning*. The Oyster River Fire Dept. recommends adherence to Fire Smart standards and Archaeology Branch notes that two scheduled sites exist on or near the proposal and recommends that an archaeologist walk the site prior to development. The Wei Wai Kum Nation has requested that a Wei Wai Kum trained archaeological monitor be present during development on the site. Island Health has no objection, provided the subdivision meets Island Health subdivision guidelines regarding wastewater disposal and the requirements of the *Sewerage System Regulation* and the *Drinking Water Protection Act*. Island Health further advised further comments will be offered at the subdivision stage.

**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. 446 and 447 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.

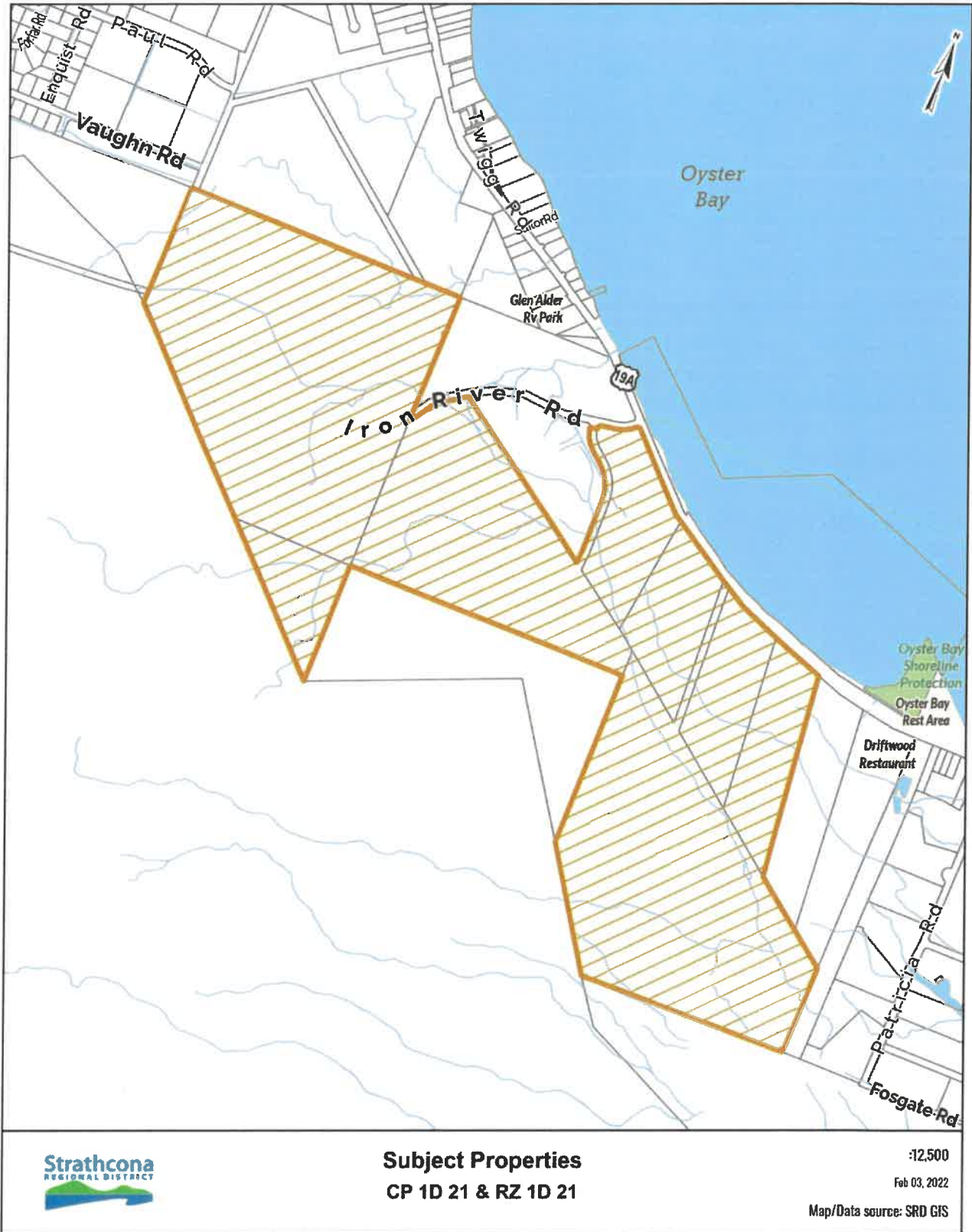
Submitted by:



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Aniko Nelson  
Senior Manager, Community Services

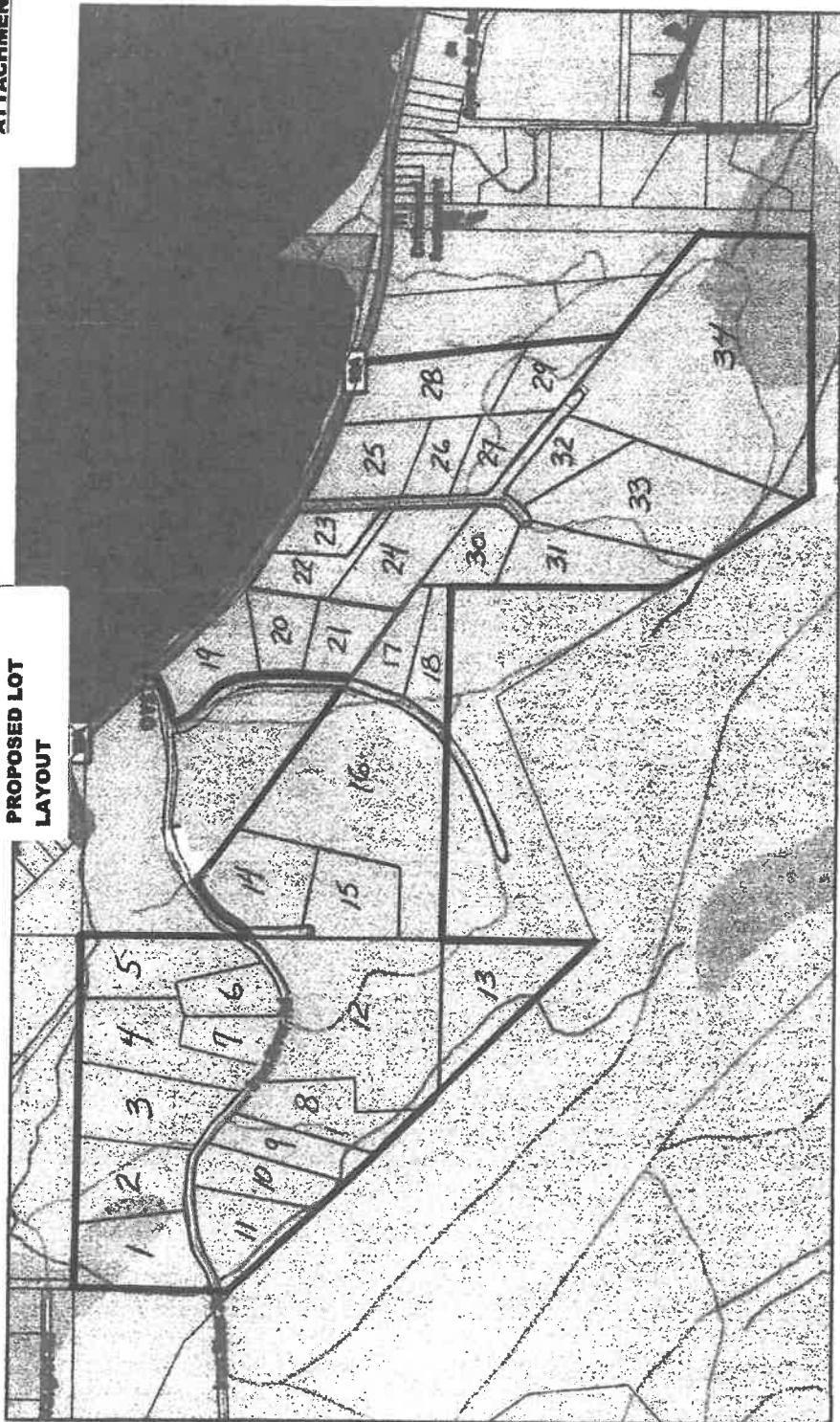
***Prepared by: J. Neill, Planner***



Location Map

**ATTACHMENT #6**

**RRC  
PROPOSED LOT  
LAYOUT**



12/10/2020, 7:38:11 AM  
Regional Parks  
Administrative Boundary  
Electoral Area  
Property

**Proposed lot layout**

## **ATTACHMENT #4**

### **Proposal for the Oyster Bay Community of Campbell River, Vancouver Island, British Columbia.**

#### **Summary:**

The Oyster Bay Community is proposing the establishment of a new rural residential community centered around equestrian and agricultural activities. With the assistance and guidance from local government, longstanding residents are joining together to build a new residential lifestyle neighbourhood based on recreation, sustainability and preservation of a rural residential environment and access to a shared equestrian community.

#### **Background:**

The two principals, both Oyster Bay residents, representing this proposal are John Chan, a prominent local Chartered Accountant and Daryl Hagen, Equestrian Centre co-owner and long-standing School Trustee.

The Oyster Bay Lands (OBL) are approximately 400 acres in size and lie to the north of the Oyster River between Campbell River and Courtenay on the east coast of Vancouver Island. Adjacent lands both to the north and south have been previously developed as small city sized lots in medium density subdivisions.

The OBL were originally a Weyerhaeuser Corp forestry logging operation and after logging was completed in the early 2000's, were sold off to private owners as individual parcels ranging in size from 13 to 133 acres. Starting in 2009 five private homes, a vineyard and an equestrian facility with a large 22 stall horse barn and riding ring have been constructed with future plans to include a 10,000 sq. ft. indoor equestrian arena which will house veterinary services, a full-service tac shop, youth, senior and handicapped educational programs. Riding and hiking trails have been planned throughout the community to allow access to the shared recreational resources. A vineyard for grape production to supply the local wineries is in development. The residents are growing eco-friendly gardens and are raising chickens and ducks. Horses are being boarded, trained, and exercised on the lands.

All properties are self serviced with productive and dependable water wells and effective septic sanitary systems both of which take advantage of the easily accessible and abundant groundwater resources and the abundant local gravel substrates. The people proposing this development are all Oyster Bay residents who live on the properties or are planning construction of a home in the near future. Protection of the local environment and eco-system is instrumental to their personal wellbeing. For these residents, the protection of the wildlife habitat including existing wetlands for waterfowl and eagle trees is not just a government regulation but also a personal priority. Maintaining the rural lifestyle that they currently enjoy is their top priority.

**Proposal:**

To accommodate this exciting opportunity for the Oyster Bay Lands, residents will require an amendment to the current Oyster Bay-Buttle Lake Official Community Plan (OCP) Bylaw, 1996 and a rezoning of the Campbell River Area Zoning Bylaw, 1991. The present zoning is a mixture of RURAL and UPLAND RESOURCE. What is proposed is the creation of a new zoning category, **Rural Residential Community (RRC)** focusing on the existing and proposed equestrian and agricultural facilities. Both present and future homeowners would be able to take advantage of these facilities. The North Island currently lacks an existing comprehensive equestrian lifestyle community such as can be found for instance at the Westbrook Equestrian Centre in Port Alberni and commonly in the lower mainland of BC. The demand for such a facility is well documented. Indeed, this type of development is a well-established concept throughout North America and Europe and provides valuable community enhancements, an attractive family environment and expanded base of property tax revenue and commercial activity wherever it is located. The proposed larger lots (averaging over 11 acres in size) would give the residents a wide range of potential options including small horse barns and room for pasture lands and gardens.

A list of activities and services that the Equestrian Centre would include:

- riding lessons for adults and youth
- boarding of owner's animals
- teaching of horsemanship and riding principles
- workshops and retreats

dressage and jumping  
horse breeding and sales  
leasing of horses  
sponsorship of a horse  
volunteer opportunities  
grooming fundamentals  
veterinary and farrier services  
therapeutic programs for special needs individuals  
birthday parties, weddings, festivals

The new residents will have the option of riding their horses on their own property, on the common trail and road network that services the greater development and at the Equestrian Centre. The demand for this type of lifestyle is well documented and provides an opportunity that would appeal to individuals and families seeking a healthy, safe, clean, and sustainable environment. Many studies have shown that children raised in environments centered around care of animals, especially horses, learn valuable life lessons and develop into well-adjusted and empathetic adults.

Finally, the current owners seek an opportunity to make land available to their children and grandchildren who wish share in the advantages of this attractive lifestyle.

Likewise, the vineyard presently under development will be a centre for viticulture and associated agricultural activities such as lavender farming, bee keeping, etc. Tours for the public, including the physically challenged and elderly, will provide an important educational component to the vineyard facility. Boutique consumer items using the locally produced products such as soaps, perfumes and honey will provide, along with seasonal work opportunities, additional employment potential. And finally, some space will be reserved for several B&B cabins and RV hookups, an attractive benefit common to vineyards worldwide.

**Official Community Plan and Zoning:**

Although the zoning which would allow a Rural Residential Community (RRC) development is not currently available in Area D of the Strathcona Regional District, the proposed concept is consistent with the overall vision of the current OCP. The RRC zoning meets all the OCP objectives of maintaining the rural characteristics of the area including larger rural lot sizes, farming activities, equestrian activities, and non-motorized trails.

**Community Enhancements:**

The equestrian facility will be the primary community enhancement constructed and operated in the area. The primary operators of the equestrian centre are Helga and Daryl Hagen. Helga is well known throughout the region in both the business and horse community and Daryl, in addition to equestrian activity is a long-standing School Board of Directors Trustee. Activities will be available to horse lovers across the entire Strathcona Regional District and beyond. In addition, the vineyard plans to be available for public open houses, tours, and community events for the residents to enjoy. Numerous old logging trails and roads that run throughout the OBL as well as the established Iron River Road and new proposed roads could be used for hiking and horse trails. Future trails could also possibly connect to the large block of private lands to the southwest.

Although the focus of this development is equestrian and agricultural, the arrival of newcomers will bring an interest in a wide variety of farming activities. Among the younger population there is an interest in smaller scale farming using organics and new technology to produce a wide variety of products that have a demand in the local marketplace. This would be another opportunity for community based organized activities such as farmers' markets and educational programs in local and sustainable agriculture.

Residents would be encouraged to participate in a dark skies program to limit the potential of light pollution at night and maintain the low light environment that the residents currently enjoy. Solar and geothermal energy alternatives would be explored.

**Services:**

The Rural Residential Community would require no additional services from the Strathcona Regional District or the Ministry of Transport and Infrastructure. Roads and trails within the community would be developed and maintained by the residents. The region has proven and abundant potable water sources in the thick and highly permeable sediments. Water wells used by the existing residents have for many years had a track record of excellent productivity, quality and dependability with the water reservoirs constantly being recharged by seasonal rains. Connection with the existing Area D community water system will not be required by the residents. Septic systems of the existing homes have functioned for many years without issue in the excellent sands and gravels. Existing and new ditches and culverts have maintained excellent drainage over the entire area with little or no surface runoff issues. Shallow soils, sands and gravels are found up to 30 feet thick and have good infiltration potential allowing the sediments to collect and hold the winter stormwater and slowly release it. The residents have practiced low impact building techniques during construction of homes, barns, and driveways to reduce stormwater runoff issues. Existing wetlands in the area act as water regulators and natural “sponges” which collect and slowly distribute stormwaters to ditches and culverts. This results in improved stormwater quality (less silts and fines), erosion control and wildlife support. Wetlands, eagle trees and other environmental considerations are currently protected by numerous environmental covenants on the lands. They have been protected in the past and will continue to be protected in the future. Geotechnical problems have not been encountered by the residents anywhere on the OBL. Several detailed technical reports conducted on the OBL in the past confirm that the area is ideal for this type of Rural Residential Community.

Fire protection for the development will continue to be provided by the nearby Oyster River Fire Department and will require no additional services. Other services such as electricity, natural gas, telephone, and cable are all available along the Highway 19A corridor and connection costs will be borne by the landowners as required. Police and ambulance and school services are presently provided by Regional District and City of Campbell River.

**LOTS AND AVERAGE SIZE**

**RRC LANDS**  
**OCP/REZONING APPLICATION**

**OYSTER BAY AREA**

31-Jan-21

REZONE21

**ATTACHMENT #5**

LOT NO.	LAND DESC	TITLE PID	CURRENT ZONING	ACRES	# ORIG LOTS	# NEW LOTS	% OF NEW LOTS	AVE		LOT #S
								LOT	SIZE	
1	2851 IRON RIVER RD	008-965-943	UR	133.0	1	11	42.308	11.1	1 TO 12	
2	IRON RIVER RD	008-966-079	UR	13.0	1	0	0.000	13.0	'13	
3	H-2713 IRON RIVER RD	008-966-371	UR	72.6	1	4	15.385	14.5	14 TO 18	
4	E-2713 IRON RIVER RD	028-078-179	RU	20.6	1	2	7.692	6.9	19 TO 21	
5	ISLAND HIGHWAY	026-325-047	RU	20.0	1	2	7.692	6.7	22 TO 24	
6	4271 ISLAND HIGHWAY	026-325-098	UR	108.5	1	4	15.385	21.7	30 TO 34	
7	4275 ISLAND HIGHWAY	026-325-055	RU	20.0	1	2	7.692	6.7	25 TO 27	
8	4281 ISLAND HWY S	026-325-063	RU	20.0	1	1	3.846	10.0	28 TO 29	

**TOTAL FOR RRC COMMUNITY**

**407.7      8      26      100.00      11.3**

**Policies:**

**Designations and Minimum Lot Sizes**

1. Areas for housing development shall be designated as described below and illustrated on Map 3:

**Residential**

- areas of large suburban lots with septic systems and Regional District water;
  - upgrading of water system and the development of alternative sewage treatment and disposal systems to be pursued to permit limited growth;
  - new lots shall have an average minimum lot size of 4000m<sup>2</sup> (1ac).
- d) notwithstanding the above, the average minimum lot size may be reduced to 2500 square metres (0.62 acre) where the proposed subdivision of the parent parcel creates not more than one additional lot and the subdivision is for the sole purpose of accommodating the siting of one existing, legally established dwelling on each lot.

CSRD  
2566

**Country Residential**

- rural properties of various sizes with septic systems and either Regional District or well water;
  - upgrading of water system to be pursued to expand the local service area and to permit limited growth;
  - new lots shall have an average minimum lot size of 2ha (4.9ac).
  - The property legally described as Lot 2, District Lot 193, Comox Land District, Plan 18649 is hereby exempted from the average lot requirement of 2 ha (4.9acres) as stated in the Country Residential designation.
- e) the property legally described as Lot 3, Section 34, Township 4, Comox District, Plan 42409 except part in Plan VIP54090 is hereby exempted from the average lot requirement of 2 hectares (4.9 acres) as stated in the 'Country Residential' designation.

CSRD  
2322

CSRD  
3049

**Rural**

- areas expected to remain as rural acreage properties catering to the demand for hobby farms, equestrian activities, rural estates and isolated homesteads with well water and septic systems;
- includes parcels inside the local service areas which have one or more development constraints;
- new lots shall have an average minimum lot size of 8ha (19.8ac).

2. The average minimum lot size may be reduced by 50% for any designation where density bonusing in exchange for community amenities occurs.
3. 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) 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 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; and
  - g) the proposed development has a compact or clustered form with densities that utilizes efficient use of land, infrastructure, and community facilities.
4. 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; and
  - d) rural and recreational characteristics are defined and protected; and
  - 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; and
  - g) the proposed development will have a compact or clustered form with densities and uses appropriate to the services available or proposed.
5. Extensions may form isolated housing developments where all other conditions in policies 3 and 4 have been satisfied for the designation requested.
6. Mobile home parks may be located in areas designated "Residential" or "Country Residential" where they conform to the general housing policies. Mobile home parks shall be limited to a density of 15 units/ha and a maximum site area of 2.0 ha (4.9 acres).
7. Housing development shall be discouraged and directed away from the following:
- a) parcels designated as Agricultural Land Reserve or Forest Land Reserve;
  - b) parcels designated for commercial or industrial use;
  - c) hazard lands;
  - d) environmentally sensitive areas;
  - e) sites contaminated by past land uses; and
  - f) parcels having significant underlying aggregate or mineral deposits; and
  - g) where development occurs on such lands, it shall be clustered to protect land resources, minimize land use conflicts and ensure public safety.

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:

RDOS  
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<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><b>a)</b> 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> |
|--------------|---|

**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:**

- |   |                              |
|---|------------------------------|
| On any lot:                               | One single family dwelling.  |
| On any lot over 8 hectares (19.77 acres): | Two single family dwellings. |

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d) Rural resource centres shall be subject to the following conditions:

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1850

- 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 sign 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:**

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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) 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).

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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".

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

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4.6.18

RDCS  
1755UPLAND RESOURCE  
(UR)

i) **PERMITTED PRINCIPAL USE**

- 1) One single family dwelling;
- 2) Forestry;
- 3) Agricultural Use;
- 4) Low Impact Recreation;
- 5) Fish hatcheries and enhancement facilities;
- 6) Public Utility Use;
- 7) Park Use;
- 8) Explosives sales, storage, manufacturing and distribution pursuant to the *Explosives Act*; and
- 9) Firearm ranges

ii) **PERMITTED ACCESSORY USES**

- 1) Accessory structures and buildings; and
- 2) Wood processing in conjunction with forestry and agricultural use.

iii) **PERMITTED DENSITY**

- 1) One (1) single family dwelling is permitted on a lot.
- 2) On any lot or portion of any lot included in the Agricultural Land Reserve residential use shall be as permitted by the BC Agricultural Land Commission.

iv) **SITING OF STRUCTURES**

- a) **Except where otherwise specified in this bylaw, no building or structure shall be located within:**
  - 1) 4.5 metres (14.76 feet) of a front lot line;
  - 2) 1.75 metres (5.74 feet) of a side lot line; and
  - 3) 7.5 metres (24.6 feet) of a rear lot line.
- b) Other specifications as required in Section 4.5 "GENERAL REGULATIONS":

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Where siting is proposed adjacent to a stream refer to Section 4.5.5 "Stream Setbacks".

**v) LOT COVERAGE**

The maximum lot coverage of all buildings and structures shall not exceed 35% of the total lot area to a maximum of 1,000 square metres (10,764.26 square feet).

**vi) SUBDIVISION REQUIREMENTS**

- a) The minimum lot size for subdivision shall be as follows:
- i) 40.0 hectares (98.8 acres) for the area east of the most westerly boundary of the BC Hydro transmission right-of-way Plans 508, 509, 914, 917 and 918;
  - ii) 40.0 hectares (98.8 acres) for the area within 1.0 kilometre (0.6 miles) west of the most westerly boundary of the said right-of-ways, with measurement made perpendicular to the said right-of-ways boundary, except as modified in Clause iv);
  - iii) 400 hectares (988.4 acres) for the area more than 1.0 kilometre (0.6 miles) west of the most westerly boundary of the said right-of-ways, with measurement made perpendicular to the said right-of-ways boundary, except as modified in Clause iv);
  - iv) Notwithstanding the above, where a parcel is subject to both the 40.0 and 400.0 hectare minimum lot size, the minimum lot size which applies to the greatest portion of the parcel shall be the minimum lot size for subdivision. Where a parcel is divided into portions of equal area by a line one kilometer west of the most westerly boundary of the said rights-of-way, with measurement made perpendicular to the said right-of-ways boundary, the minimum lot size in respect of the entire parcel shall be 40 hectares.
- b) The minimum road frontage of lots created by subdivision shall be 100 metres (328.1 feet).

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PART 4 • LAND USE REGULATIONS

**Existing Rural One (RU-1) and Upland Resource 40 (UR-40) Zoning**