



STAFF REPORT

DATE: March 6, 2026 **FILE:** 0550-04 EASC
TO: Chair and Directors
Electoral Areas Services Committee
FROM: Dave Leitch
Chief Administrative Officer
RE: **Zoning Application (RZ 3D 25) to Amend the Area D Campbell River Area Zoning Bylaw, 1991, Bylaw No. 1404, at 3899 Castle Drive**

PLANNING FILE NO. 3360-20/RZ 3D 25, APPN 2025-0038

ROLL NO.: 772 05341.020 **PID No.:** 029-060-222

APPLICANTS: Delton Henrich

LEGAL DESCRIPTION: DISTRICT LOT 125, COMOX DISTRICT EXCEPT THAT PART IN PLANS 4031, 12269, 12738, 14253, 14828, 16026, 16367, 17736, 17741, 18038, 18484, 24147, 24842, 25760, 26453, 28055, 28072, 28555, 28710, 29639, 31401, 33124, 33404, 33405, 36487, 36815, 36816, 38176, 38387, 38388, 46558, 50705, VIP55533, VIP84943 AND EPP103710

CIVIC ADDRESS: 3899 Castle Drive, Campbell River BC

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

EXISTING DESIGNATION: Residential

ZONING BYLAW: Campbell River Area Zoning Bylaw, 1991, Bylaw No. 1404

EXISTING ZONE: Residential Three (R-3)

PROPOSED ZONE: Split Zone Residential One A (R-1A) and Residential Three (R-3)

PURPOSE

To consider a zoning bylaw amendment application (RZ 3D 25) that proposes to rezone a portion of lands at 3899 Castle Drive. Which would create a split zoned Residential One A (R-1A) and Residential Three (R-3) lot, to facilitate a five-lot subdivision with lots of varying sizes.

POLICY ANALYSIS

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

Section 510 (1)(a) and (b) of the LGA provides for subdivision of land resulting in greater than three additional lots where an owner must provide park land of an amount and in a location acceptable to the local government, or pay an amount that equals the market value of the land that may be required for park land purposes prior to final subdivision approval.

EXECUTIVE SUMMARY

An application has been received to consider rezoning two distinct areas of a parcel located at 3899 Castle Drive in Electoral Area D from Residential Three (R-3) to Residential One A (R-1A) to accommodate a future five-lot subdivision. The property is currently developed with accessory buildings and a mobile home. The proposal is to rezone the lands to create a portion of the property to be zoned R-1A and the remaining area continuing to be zoned the existing R-3 zone. The R-1A zone permits a smaller lot area of 1,000 m² (0.25 acres) than the R-3 zone lot area of 2,500 m² (0.62 acres) to facilitate subdivision.

The property has a land use designation of Residential in the Area D Official Community Plan, and therefore the proposal is consistent with the Area D OCP. If successful, the proposal would be compliant with the existing R-3 zone and proposed R-1A zoning requirements. This application received support to proceed from the Electoral Area D Advisory Planning Commission (APC) and comments received from government agencies and from First Nations have indicated no concerns with the proposal, provided Island Health's requirements can be met.

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. 639 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; and
2. THAT as notice will be given in accordance with Section 467(1) of the LGA, the Committee recommend that Bylaw No. 639 be forwarded to the Board for first, second, and third 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
BC Assessment Authority	No comment
Fire Department – Campbell River	No comment
Ministry of WLRS – Environment	No comment
FLNRORD - Archaeology	No known archaeological sites recorded. If archaeological material is encountered during development, they must stop all activities immediately and contact the Archaeology Branch for direction.
MoTT	No comment
Island Health	Application to Island Health will be required for future development and “Subdivision Standards (2020)” and the Drinking Water Protection Act apply. It’s noted that due to the small lot size for proposed Lot #2 it’s possible that the subdivision would not be supported by Island Health as it would not meet the minimum lot size of 0.20 ha for lots connecting to the community water system.

First Nation	Comments
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.
Mamalilikulla Nation	No Response

PLANNING ANALYSIS

An application has been received to consider rezoning two discrete areas of the parcel located at 3899 Castle Drive in Electoral Area D from Residential Three (R-3) to Residential One A (R-1A) to accommodate a future five-lot subdivision with varying lot areas as shown in Table #1.

The property is currently developed with accessory buildings and a mobile home. The property has a land use designation of Residential in the Area D Official Community Plan, and therefore the proposal is supported by the OCP. The existing R-3 zone has a minimum lot area of 0.62 acres (2,500 m²) and the proposed R1-A minimum lot area is 0.25 acres (1,000 m²). Should the rezoning application be approved by the Regional District, the applicant intends to apply to the MoTT for subdivision of the lot into five lots (Attachment #2).

Table #1. Proposed Lot Areas

Lot Number	Approximate Lot Areas	Zoning
Proposed Lot 1	0.53 ac (0.218 ha)	R1-A
Proposed Lot 2	0.40 ac (0.163 ha)	R1-A
Proposed Lot 3	0.617 ac (0.25 ha)	R-3
Proposed Lot 4	0.617 ac (0.25 ha)	R-3
Proposed Lot 5	0.617 ac (0.25 ha)	R-3

The area proposed for rezoning are two smaller proposed lots (1 & 2) that front onto Castle Road and are a result of the development activities that have taken place over time. The zoning amendment would create a split zone on the overall lot providing an opportunity to subdivide the two small portions under the R-1A zone. The alternative to subdividing the small portions of land area on the south side of the road extension would be to hook the land to lots on the north side of the road. This would impact the viability of the future subdivision as the road and water service will be required to be constructed and installed as shown in Attachment #2.

Review of OCP policies and objectives, neighbourhood character, existing site conditions, and future development requirements is completed. The lot area of the proposed R-1A zone aligns with the size of existing lots in the neighbourhood, which vary. There are existing buildings on the lot which must comply with existing and proposed zoning. A Riparian Area Assessment (RAA) will be triggered by subdivision as there is an Environmentally Sensitive Area Development Permit Area (ESA DPA) and Development Permit issuance is required prior to subdivision approval. In addition, road dedication for the fee simple lots will be required as shown in Attachment #2, and park land dedication or cash-in lieu will be required at subdivision. The Residential land use designation of the Area D OCP encourages lot sizes of 2,000 m² (0.49 acre) to 4,000 m² (0.99 acres), and the smaller lot size may be further regulated by servicing requirements.

This application received support to proceed from the Electoral Area D Advisory Planning Commission (APC) at its meeting February 4, 2026. Comments received from government agencies and from First Nations have indicated no concerns with the proposal, provided Island Health's *Subdivision Standards (2020)* and the *Drinking Water Protection Act* are followed. As the proposal is in alignment with the Area D OCP land use designation, it is considered supportable.

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 for the application and Bylaw No. 639 proceed, public consultation will occur in the form of a notification in accordance with the *LGA*. The Area D APC provided the following recommendation of support:

THAT the Commission recommends support for the proposed zoning amendment application (RZ 3D 25) to rezone the specific outlined areas from Residential Three to Residential One A at 3899 Castle Drive for the following reasons:

- the application allows for the provision of 5 lots instead of 3 and*
- the proposed lot sizes are comparable to existing lots in the area.*

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:

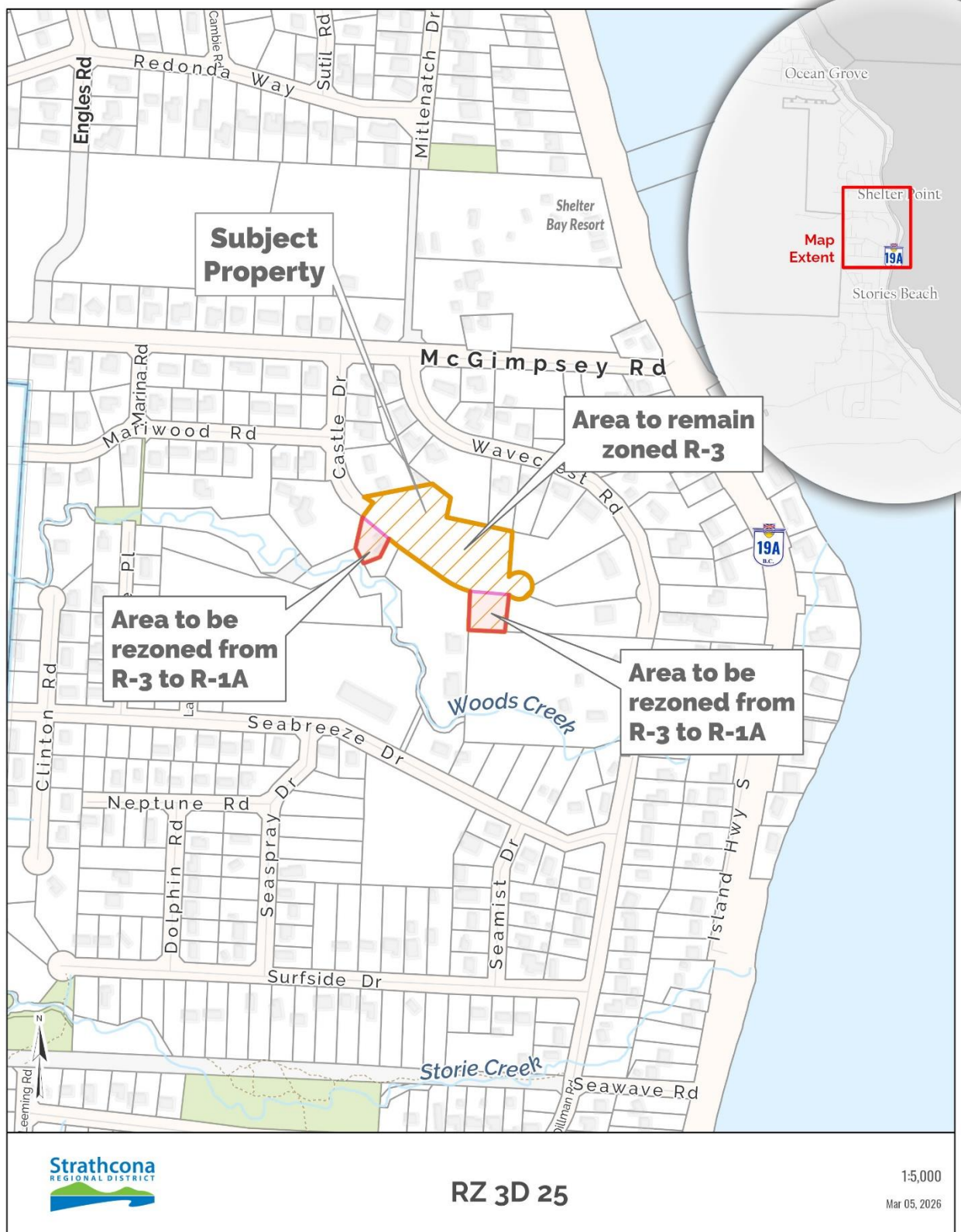


Aniko Nelson
Senior Manager, Community Services

Prepared by: K. Chamberlain, Development Planner II

Attachment: Bylaw No. 639

Subject Property Map – 3899 Castle Drive



GIS: U:\proj\EA_D\SubjectProperties\EA_D_SubjProp.aprx

Proposed Future Subdivision Plan



EXISTING RESIDENTIAL THREE (R-3) ZONE

BYLAW NO. 1404
CAMPBELL RIVER AREA ZONING BYLAW, 1991

PAGE 43

4.6.3

RESIDENTIAL THREE (R—3)

i) PERMITTED PRINCIPAL USES

a) On any lot:

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

ii) PERMITTED ACCESSORY USES

a) On any lot:

- 1) Home occupation use;
- 2) Agricultural use excluding the keeping of livestock;
- 3) Accessory buildings; and
- 4) Bed and Breakfast.

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

- 1) Agricultural use.

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) Residential use is limited to:

- 1) On any lot size: One (1) Single Family Dwelling and One (1) Secondary Suite; or
- 2) On any lot over 4000 sq m (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
 - b. One (1) Duplex 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 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** that abuts a public road right-of-way;
- 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).
RDCCS
1458
- 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).
- 3) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
SRD
84
- 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 total lot area.

vii) **SUBDIVISION REQUIREMENTS**

- a) **Minimum lot area:** 2500 square metres (0.62 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 • R-3

PROPOSED RESIDENTIAL ONE 1 (R-1A) ZONE

BYLAW NO. 1404
CAMPBELL RIVER AREA ZONING BYLAW, 1991

SRD
540

PAGE 36

4.6.1A**RESIDENTIAL ONE A
(R—1A)****i) PERMITTED PRINCIPAL USES**

- a) On any lot:
- 1) Residential use;
 - 2) Park use.

ii) PERMITTED ACCESSORY USES

- a) On any lot:
- 1) Home occupation use;
 - 2) Bed and Breakfast;
 - 3) Agricultural use excluding the keeping of livestock;
 - 4) Accessory buildings.

iii) CONDITIONS OF USE

- a) **Residential use is limited to:**
One single family dwelling plus one secondary suite.

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 (2150 square feet), whichever is greater.

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** that abuts a public road right-of-way;
 - 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**.

b) Other specifications include:

- 1) If a side lot line abuts a public right-of-way, refer to Section 4.5.5(f).
- 1) If the lot is located at the intersection of two public road rights-of-way, refer to Section 4.5.5(e)(f).
- 2) If the lot abuts a river, lake, sea or any other watercourse, refer to Section 4.5.5(a)(ii-iii).
- 3) For any exceptions to siting, refer to Section 4.5.6(a).
- 4) 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 40% of the lot area.

vii) SUBDIVISION REQUIREMENTS

- a) **Minimum lot area:** 1000 square metres (0.25 acres)
- b) **Minimum lot frontage:** 10% of the perimeter of the lot

END - R-1A



BYLAW NO. 639

**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;

. Electoral Area B Active Transportation Network Plan

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. 639, being Campbell River Area Zoning Bylaw 1991, Amendment No. 83.

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

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

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

READ A THIRD TIME 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 District Lot 125, Comox District Except That Part In Plans 4031, 12269, 12738, 14253, 14828, 16026, 16367, 17736, 17741, 18038, 18484, 24147, 24842, 25760, 26453, 28055, 28072, 28555, 28710, 29639, 31401, 33124, 33404, 33405, 36487, 36815, 36816, 38176, 38387, 38388, 46558, 50705, Vip55533, Vip84943 And Epp103710, and located at 3899 Castle Drive as shown on the attached Appendix '1', is rezoned from Residential Three (R-3) to Residential One A (R-1A).

