



# Request for Decision Development Variance Permit Application

File No: P 723 205  
Reference: DVP 5-23  
Date: April 4, 2023

**Subject:** DVP No. 5-23 (Baynes Lake / McGowan & Robinson)  
**Applicant:** Crenia McGowan & Stuart Robinson  
**Location:** 672 Stirling Rd, Baynes Lake  
**Legal:** Lot 6, Block 15, District Lot 132, Kootenay District, Plan 1181 (PID 013-334-344)

**Proposal:** Application to vary the South Country Zoning & Floodplain Management Bylaw to allow a panhandle access strip to be included as part of the required parcel area for one lot in a proposed two-lot subdivision.

- Options:**
1. THAT Development Variance Permit No. 5-23 (Baynes Lake / McGowan & Robinson) be granted.
  2. THAT Development Variance Permit No. 5-23 (Baynes Lake / McGowan & Robinson) be refused.

**Recommendation:** **Option #1**  
Subdivision to parcel sizes of 1 ha or larger is consistent with the policies for this area of Baynes Lake. Existing development of the property limits options for subdivision.

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**Property Information:**

**OCP Designation:** SH, Small Holdings

**OCP Policies:**

- Subdivision of parcels identified on Schedule C in the Baynes Lake OCP to create parcels sizes of less than 1 ha are generally not supported.

**Zone Designation:** RR-1, Rural Residential (Estate) Zone; minimum parcel area requirement is 1 ha.

**Parcel Area:** 2.0 ha (5.0 acres).

**Density:** One single family dwelling or duplex permitted per parcel, a secondary suite is a permitted accessory use.

**ALR Status:** Not within the ALR

**BC Assessment:** Residential (SFD)

**Water / Sewer Services:** Onsite

**Interface Fire Hazard Rating:** Moderate, located within the Baynes Lake Fire Protection Service Area.

**Additional Information:**

- To meet the requirements of the zoning bylaw, the inclusion of the panhandle in the parcel size (approx. 0.07 ha) is required in order to facilitate the creation of 2 parcels.
- The applicant will be required to ensure both proposed parcels meet the 1.0 ha minimum parcel size requirement at subdivision.

**Consultation:**

**APC Area B:** Supported

**Response(s) to Notice:** 10 notices were mailed on March 7, 2023 to all property owners within 100 m. No notices were returned as undeliverable and no responses have been received expressing opposition to the proposal.

**Documents Attached:**

- Draft Permit
- Location Map
- Land Use Map
- Aerial
- Subdivision Plan

**RDEK Contact:**

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