

# **Request for Decision Development Variance Permit Application**

File No: P 719 220  
Reference: DVP 42-19  
Date: January 28, 2020

**Subject:** DVP 42-19 (Baynes Lake / McArthur)  
**Applicant:** Matthew McArthur  
**Agent:** Terpsma Land Development Consulting  
**Location:** 765 Stirling Rd, Baynes Lake  
**Legal:** Lot 3, Block 20, District Lot 132, KD Plan 1181

**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. 42-19 (Baynes Lake / McArthur) be granted.
2. THAT Development Variance Permit No. 42-19 (Baynes Lake / McArthur) be refused.

**Recommendation:** **Option #1**  
Subdivision to parcel sizes of 1 ha or larger in this area of Baynes Lake is consistent with the policies for the area. The width of the Sundown Lane right-of-way is not wide enough to be considered for road frontage and therefore a panhandle access to Stirling Road is required by MOTI to provide the legal road frontage to proposed Lot A.

---

**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

**Water / Sewer Services:** Onsite

<b>Property Information - cont'd:</b>	<b>Interface Fire Hazard Rating:</b> Moderate to high, within the Baynes Lake fire protection area
<b>Additional Information:</b>	<ul style="list-style-type: none"><li>▪ The application states that physical access to proposed Lot A will be from Sundown Lane; however, to meet the Ministry of Transportation and Infrastructure requirements both parcels must have appropriate road frontage and Sundown Lane (10m wide right-of-way) is not wide enough to be considered for road frontage. Therefore legal access will be from Stirling Road (20m wide right-of-way).</li></ul>
<b>Consultation:</b>	<p><b>APC Area B:</b> Recommends refusal, the committee will discuss the proposal with Director Doehle.</p> <p><b>Response(s) to Notice:</b> 14 notices were mailed on January 8, 2020 to all property owners within 100 m of the subject property. No notices were returned as undeliverable and two responses have been received. One response is in support of the panhandle, but questions the reason for requiring a panhandle. The other response was not in favour of the panhandle for the reason that it is not necessary. See attached letters.</p>
<b>Documents Attached:</b>	<ul style="list-style-type: none"><li>▪ Permit</li><li>▪ Location Map</li><li>▪ Land Use Map</li><li>▪ Proposal</li></ul>
<b>RDEK Contact:</b>	Krista Gilbert, Planning Technician Phone: 250-489-0314 Email: <a href="mailto:kgilbert@rdek.bc.ca">kgilbert@rdek.bc.ca</a>