



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

Property Information - cont'd:	Interface Fire Hazard Rating: Moderate to high, within the Baynes Lake fire protection area
Additional Information:	<ul style="list-style-type: none">▪ 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).
Consultation:	<p>APC Area B: Recommends refusal, the committee will discuss the proposal with Director Doehle.</p> <p>Response(s) to Notice: 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>
Documents Attached:	<ul style="list-style-type: none">▪ Permit▪ Location Map▪ Land Use Map▪ Proposal
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