

Criteria for Evaluating Requests for a Waiver of Minimum Frontage Requirements Policy No. 98.02.30

District of Lake Country
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Regular Meeting of Council held on **February 12, 1998**

Moved by: Councillor Gerry Morton
Seconded by: Councillor Thomas Witty

Resolution 98.02.085

"That pursuant to Section 944, of the Municipal Act, Criteria for Evaluating Requests for a Waiver of Minimum Frontage Requirements, be adopted as District of Lake Country Policy #98.02.30.
Carried."

Whereas the Council of the District of Lake Country has delegated its authority under Section 944 of the Municipal Act to the Approving Officer by way of Resolution No. 98.02.085, dated February 12, 1998, the following policy shall be used by the Approving Officer when evaluating a request to waive the minimum frontage requirements prescribed by Section 944 of the Municipal Act.

When evaluating a request to waive the minimum frontage requirements prescribed by Section 944 of the Municipal Act, the Approving Officer shall consider the following:

1. A waiver under this Section shall not be granted to facilitate the subdivision of a parcel which was created in conjunction with a previous waiver under this Section, or which does not satisfy minimum frontage requirements specified by this Section.
2. A waiver granted under this Section shall not result in a boundary configuration which would preclude the orderly utility servicing and development of the resultant lot or lots in the future.
3. A waiver granted under this Section shall not result in a boundary configuration which would prevent the development of accesses and driveways to the resultant lot or lots that meet District standards. To this end, the approving Officer shall require the applicant to obtain an access permit prior to granting a waiver under this Section.
4. In accordance with Section 26.0, Policy 3 in Official Community Plan Bylaw 96-075, as amended, a waiver under this Section shall not be granted if the proposed subdivision will necessitate the creation of additional individual driveway accesses to a Major Road.
5. For lots having natural grades in excess of 20%, a waiver granted under this Section shall not preclude the development of a safe building site accessible by fire vehicles. Conformation as to the location and safety of any building site shall be provided by a Geotechnical Engineer prior to granting a waiver under this Section.
6. When a request for a waiver under this Section forms part of an application for subdivision under Section 946 of the Municipal Act, any approval of such a waiver shall be subject to the registration of a Restrictive Covenant prohibiting further subdivision of the lots requiring the frontage waiver.