



Planning Application Information Sheet

Application Type: Development Variance Permit

File Number: 3090-20/20240003

Electoral Area: L

Date of Referral: May 21, 2025

Date of Application: January 09, 2024

Property Owner's Name(s): Marion Peckenpaugh
Arden Peckenpaugh

Applicant's Name: Edward White

SECTION 1: Property Summary

Legal Description(s): Lot 22, District Lot 3721, Lillooet District, Plan 21667

Property Size(s): 0.17 ha (0.43 ac)

Area of Application: 0.17 ha (0.43 ac)

Location: 7645 Beazely Road

Current Designation:
Deka Lake Settlement Area

Min. Lot Size Permitted:
0.4 ha (0.99 ac)

Current Zoning:
Residential 1 (R 1)

Min. Lot Size Permitted:
4,000 square metres (43,057 square feet)

Variance Requested: The applicants have requested a variance to 5.12.2 (b) (i) and 5.12.2 (b) (iii) of the South Cariboo Area Zoning Bylaw No. 3501, 1999. as follows:

To reduce the front yard setback from 7.6 m. (24.93 ft.) to 0.2 m. (0.66 ft.) and reduce the interior side yard setback from 1.5 m. (4.92 ft.) to 0.6 m. (1.97 ft.) to legalize an existing 71.6 sq. m. (770.70 sq. ft.) ancillary building.

Proposal: To reduce the front yard setback from 7.6 m. (24.93 ft.) to 0.2 m. (0.66 ft.) and reduce the interior side yard setback from 1.5 m. (4.92 ft.) to 0.6 m. (1.97 ft.) to legalize an existing 71.6 sq. m. (770.70 sq. ft.) ancillary building.

A stop work notice was issued for the subject building in 2017. To date a building permit application has not been made.

The applicant has indicated they are willing to move the existing buildings and structures within setbacks and decommission the sheds being used as sleeping accommodations to come into compliance.

Existing Buildings: Shed - 9.12 sq m (98.17 sq ft)

Shed - 3.25 sq m (34.98 sq ft)

Lean-to - 4.94 sq m (53.17 sq ft)

Bedroom accommodation to be decommissioned - 15.19 sq m (163.50 sq ft)

Shed - 9.12 sq m (98.17 sq ft)

Outhouse - 2.08 sq m (22.39 sq ft)

Cabin and Deck - 63.3 sq (681.36 sq ft)

Shower shed to be decommissioned - 4.76 sq m (51.24 sq ft)

Bedroom accommodation to be decommissioned - 8.51 sq m (91.60 sq ft)

Deck attached to shower shed and bedroom accommodation - 22 sq m (236.81 sq ft)

Garage/carport with bedroom to be decommissioned - 71.6 sq m (770.7 sq ft)

Proposed Buildings: None

Services Available: Hydro

Within the confines of the Agricultural Land Reserve: No

Required to comply with the Shoreland Management Policy: N/A

Name of Lake/Contributing River: Deka Lake

Lake Classification: High

Within Development Permit Area: Yes

Development Permit Area Name: Aquatic Habitat Development Permit Area - 15 metres

Adjoining Properties: (Source: B.C.A.A.)

	Land Use:	Lot Sizes:
(a) North	N/A	N/A
(b) South	Seasonal Dwelling	0.23 ha (0.56 ac)

(c) East	Single Family Dwelling	0.17 ha (0.43 ac)
(d) West	Seasonal Dwelling	0.18 ha (0.44 ac)

PLANNING COMMENTS

Background:

The applicant has requested a development variance permit to reduce the front yard setback and interior side yard setback to legalize an existing 71.6 sq m (770.7 sq ft) ancillary building constructed without permits. The requested variance to reduce the front yard setback from 7.6 m. (24.93 ft.) to 0.2 m. (0.66 ft.) is a relaxation of section 5.12.2 (b) (i) of the South Cariboo Area Zoning Bylaw No. 3501, 1999 and the requested variance to reduce the interior side yard setback from 1.5 m. (4.92 ft.) to 0.6 m. (1.97 ft.) is a relaxation of section 5.12.2 (b) (iii) of the South Cariboo Area Zoning Bylaw No. 3501, 1999.

The subject property is 0.17 ha (0.43 ac) and is zoned Residential 1 (R 1) in the South Cariboo Area Zoning Bylaw No. 3501, 1999. It is designated Deka Lake Settlement Area in the Interlakes Area Official Community Plan Bylaw No. 3906, 2004. The subject building is a 71.6 sq m (770.7 sq ft) garage/carport with an unpermitted bedroom. The property also contains three sheds ranging in size from 3.25 sq m (34.98 sq ft) to 9.12 sq m (98.17 sq ft), a 4.94 sq m (53.17 sq ft) lean-to, a 15.19 sq m (163.50 sq ft) bedroom accommodation, a 63.3 sq (681.36 sq ft) cabin and attached deck, a 4.76 sq m (51.24 sq ft) shower shed and a 8.51 sq m (91.60 sq ft) bedroom accommodation with a 22 sq m (236.81 sq ft) attached deck.

Many of the buildings on the subject property are being used as dwelling units for seasonal occupancy in contravention of permitted uses in the Residential 1 (R 1) zone. Many of the buildings are also in contravention with the waterbody setback provisions as per section 4.2 (a) South Cariboo Area Zoning Bylaw No. 3501, 1999 and the required yards from the lot lines as per section 5.12.2 (b) of the South Cariboo Area Zoning Bylaw No. 3501, 1999. The property also contains dedicated parking spots for recreational vehicles which the applicant has indicated are used for seasonal accommodation of family members.

The subject property is within the Aquatic Habitat Development Permit Area extending 15 m from the natural boundary of Deka Lake. This will not affect the current proposal however staff note there are two sheds located within the Aquatic Habitat Development Permit Area, both constructed without an approved development permit.

The Cariboo Regional District does not have any permit records for any buildings on the property. A stop work notice was issued for the subject building in 2017. Work continued after the stop work notice was issued. A complete development variance permit application was received in May 2025. The development variance permit application has been made in an attempt to begin legalizing the unlawful uses and structures on the property. To date, a building permit application has not been made for the subject building.

Location & Surroundings:

The subject property is located at 7645 Beazely Rd on the south side of Deka Lake as seen in Appendix A. The property slopes towards Deka Lake. The applicant indicated there are a few Pine Trees located towards the lake. The subject property is surrounded by similarly sized residential properties with a few larger rural lots to the west and east.

CRD Regulations and Policies:

3501- South Cariboo Area Zoning Bylaw, 1999

5.12 Residential 1 (R 1) ZONE

5.12.2 ZONE PROVISIONS

(b) REQUIRED YARDS (minimum):

- i) Front Yard – Setback = 7.6 metres (24.9 feet)
- iii) Interior Side Yard - Setback = 1.5 metres (4.92 feet)

Rationale for Recommendations:

Staff are not supportive of the proposed variance to reduce the front yard setback and interior side yard setback. The subject building is part of substantial, ongoing non-compliance throughout the property. Numerous buildings on the property, including the subject building, were developed for unpermitted seasonal occupancy. Due to the size of the subject property, the density of the neighbourhood and subject building's proximity to the road, staff note potential visual impacts for neighbours. The Ministry of Transportation and Transit (MOTT) and the Interior Health Authority (IHA) have also expressed concerns.

The applicant has indicated they are willing to bring the remaining non-conforming structures into compliance by relocating them and decommissioning their use as unlawful dwelling units. Staff note that using these structures for residential occupancy is not permitted, regardless of building location.

The property owners state they believed their hired contractor had obtained the required permits and approvals for the subject building, however staff note the property owner is responsible for ensuring compliance with the applicable regulations. Staff caution that approval

of the proposed variance may set a precedence for approval of permits for work completed in contravention of the applicable regulations.

The Ministry of Transportation and Transit (MOTT) has responded stating the applicant must apply for an encroachment permit as the building is within their setback area.

The Interior Health Authority (IHA) has responded that they do not have any objections to the proposed setback changes however they recommend the applicant bring the sewage system into compliance. They do not have any records for a holding tank permit despite the applicant indicating the presence and use of one on the property. They recommend the applicant obtain the services of an Authorized Person to perform a compliance inspection and file necessary paperwork to obtain legislated permits.

The Area 'L' Advisory Planning Commission (APC) has responded with strong opposition. They state there is no compelling reason or extenuating circumstance to justify the building location. The APC members do not want to show support for or encourage applicants to obtain the required permits retroactively due to non-conformance. They also acknowledge that the stop work order was disregarded.

The Ministry of Water, Land, and Resource Stewardship (WLRS) terrestrial ecosystems responded stating they do not have any comments on this referral.

No public comments were received at the time of drafting.

In summary, staff are not supportive of the proposed setback reduction as approval would further noncompliance and may encourage the continuation of the ongoing non permitted use of the property for multiple dwelling units and recreational vehicle use. The building is in substantial non-compliance with the permitted uses and required siting requirements. There are potential visual impacts due to the siting of the building and lot size. Staff caution that approval of the proposed variance may set a precedence for approval of permits for work completed in contravention of the applicable regulations.

Should the Board wish to approve the proposed variance, it is recommended to refer back to staff to develop approval conditions to ensure use of the property is brought into compliance in conjunction with permit issuance. Should the Board reject the application as recommended, Bylaw Enforcement staff will continue enforcement action on the property.

Recommendation:

That the application for a Development Variance Permit pertaining to Lot 22, District Lot 3721, Lillooet District, Plan 21667 be rejected as approval would further noncompliance and may encourage the continuation of the non permitted use of the property.

REFERRAL COMMENTS

Health Authority: June 20, 2025

At this time, we do not have any objections to the proposed set back changes, however this may be a good opportunity to bring the sewage on the property into compliance. Our records show there is no holding tank permit for the property, despite the applicant indicating they are using a holding tank for sewage. All holding tanks are required to have a valid permit from Interior Health. We recommend that prior to the approval of this application, the applicant obtain the services of an Authorized Person to perform a Compliance Inspection to determine where sewage is moving on the property and file any necessary paperwork to obtain the legislated permits. You can find a link to the inspection guidelines here: <https://asttbc.org/wp-content/uploads/2021/09/ROWP-Practice-Guidelines-1.pdf>

Ministry of Transportation and Infrastructure: June 5, 2025

The Ministry wishes the applicants to apply for a setback /encroachment permit. The are in violation of the setback's f/encroachments for the Ministry right-of-ways.

Advisory Planning Commission: June 2, 2025

See attached

Ministry of Land, Water and Resource Stewardship: June 18, 2025

WLRS terrestrial ecosystems do not have any comments on this referral.

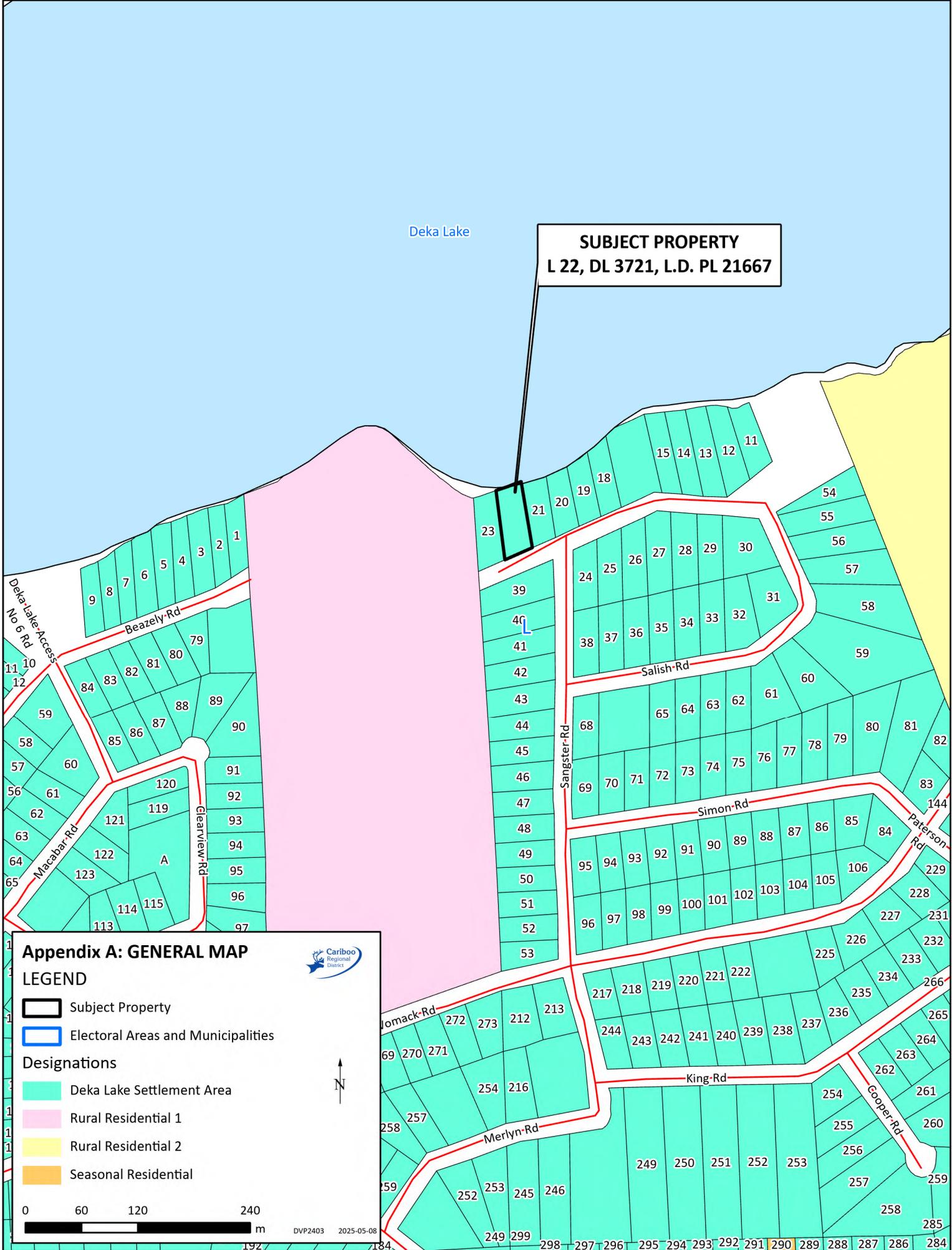
CRD Chief Building Official: No response

ATTACHMENTS

Appendix A: General Map
Appendix B: Specific Map
Appendix C: Orthographic Map
Other: Applicant's Supporting Documentation
Advisory Planning Commission Comments

Deka Lake

SUBJECT PROPERTY
L 22, DL 3721, L.D. PL 21667



Appendix A: GENERAL MAP

LEGEND

-  Subject Property
-  Electoral Areas and Municipalities

Designations

-  Deka Lake Settlement Area
-  Rural Residential 1
-  Rural Residential 2
-  Seasonal Residential



0 60 120 240
m

DVP2403 2025-05-08

SUBJECT PROPERTY
L 22, DL 3721, L.D. PL 21667

Deka Lake



Appendix C: GENERAL MAP ORTHO



LEGEND

 Subject Property

DVP2403 2025-05-20



0 15 30 60 m

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Describe the existing use of the subject property and all buildings: Cabin/Garage and Car port

Describe the proposed use of the subject property and all buildings: Cabin/Garage and Car port

Describe the reasons in support for the application: Owners are retired and invested their hard earned savings to build a cabin however contractors where hired to all permits and build, both leaders died , permits were never filed and contractor who took over built regardless in area where front of property line is very close to the road and setback, to save their retirement money, we discussed with former planner Jonathan Reitsma at Cariboo and Ministry of Transportation and we are required to get variance approved prior to file retroactive construction permit to make project compliant

Provide a general description of vegetation cover (i.e. treed, grassland, forage crop etc.): mini forest of pine trees

Provide general geographical information (i.e. existing lakes, streams, physical features etc.): in front and surrounded by Deka Lake

Services Currently Existing or Readily Available to the Property (check applicable area)

** Readily Available means existing services can be easily extended to the subject property.*

Services	Currently Existing?		Readily Available?*	
	Yes	No	Yes	No
Hydro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Telephone	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Community Water System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Community Sewer System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sewage Disposal System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Well	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other (please specify)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

B.C. LAND SURVEYOR'S BUILDING LOCATION CERTIFICATE ON LOT 22 DISTRICT LOT 3721 LILLOOET DISTRICT PLAN 21667

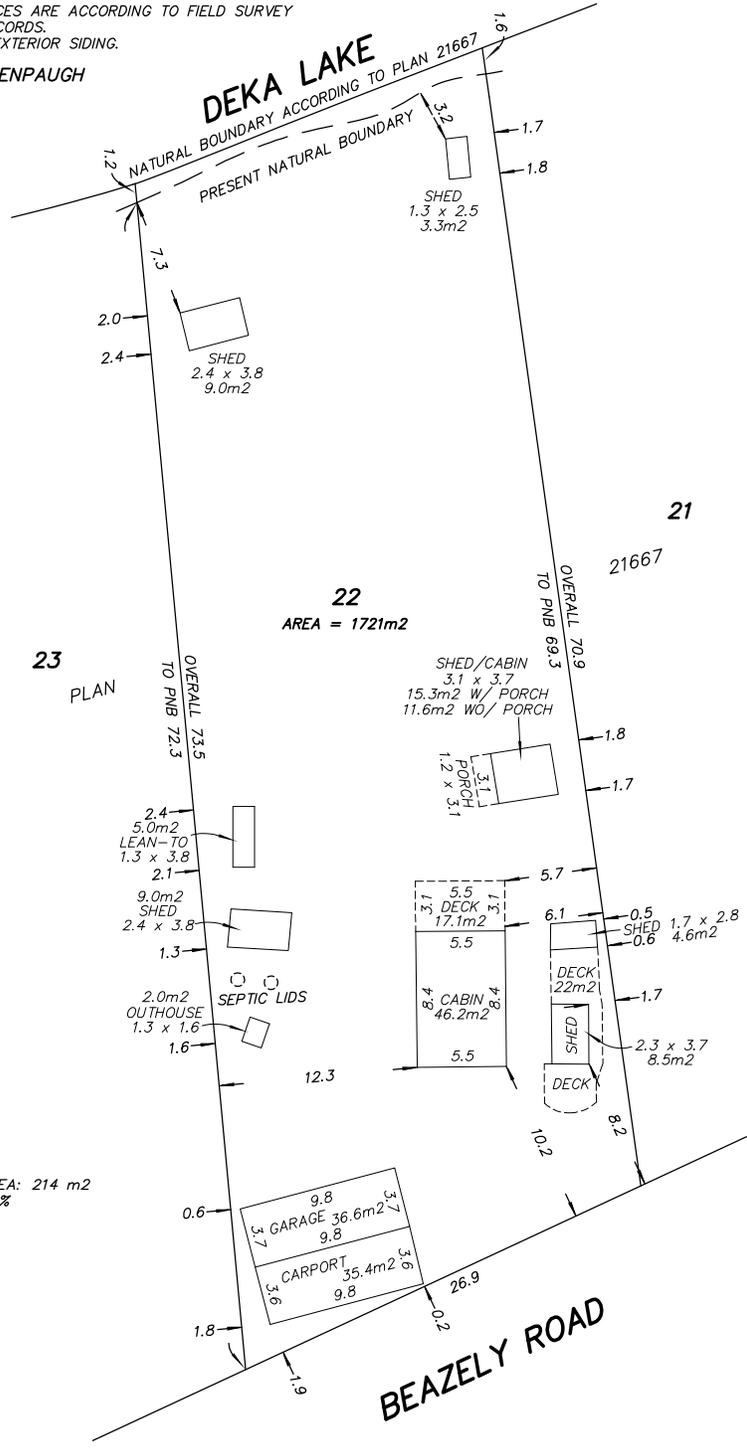
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SCALE 1 : 300 DISTANCES ARE IN METRES

LOT DIMENSIONS AND CLEARANCES ARE ACCORDING TO FIELD SURVEY AND BC LAND TITLE OFFICE RECORDS.
BUILDING DIMENSIONS ARE TO EXTERIOR SIDING.

PREPARED FOR: A. PACKENPAUGH



CURRENT ZONING R 1
 LOT AREA: 1721 m²
 CURRENT TOTAL BUILDINGS AREA: 214 m²
 CURRENT LOT COVERAGE: 12.4%

CIVIC ADDRESS:
 7645 BEAZELY ROAD
 DEKA LAKE, B.C.

NOTE:
 THIS PLAN SHOWS THE TITLED NATURAL BOUNDARY ACCORDING TO PLAN 21667 AND AN OPINION OF THE LOCATION OF THE PRESENT NATURAL BOUNDARY BASED ON FIELD OBSERVATIONS. DIMENSIONS OF THE LOT UNDER SURVEY SHOWN ON PLAN 21667 MAY NOT REFLECT THE CURRENT EXTENT OF TITLE.

CERTIFIED CORRECT THIS 5th DAY OF MAY, 2025.

B.C.L.S.
 J. F. SQUIRES

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 FOR MUNICIPAL AND OR MORTGAGE PURPOSES

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 108 MILE RANCH, B.C. V0K 2Z0
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 FILE : 7382
 DWG : 7382-BLC

**GARAGE AND
BOAT PORT**

NOTES:

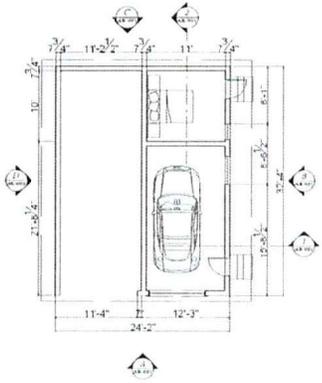
PAGE TITLE

FLOOR PLANS, ELEVATIONS,
SECTIONS AND 3D VIEWS

SCALE: 1:100
DRAWN BY: ELIZABETH M.
CHECKED BY:
DATE: 6/6/2022

SHEET NO.

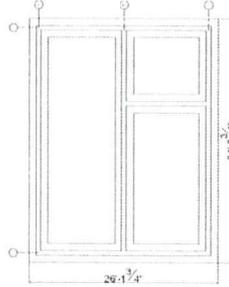
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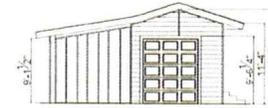
FLOOR PLAN



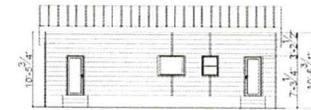
ROOF PLAN



FOUNDATION PLAN



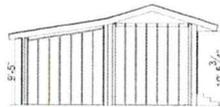
ELEVATION A



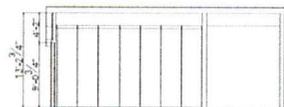
ELEVATION B



3D VIEWS



SECTION 1



SECTION 2



ELEVATION C



ELEVATION D



Planning Application Advisory Planning Commission Comment Form

Date of Meeting: Monday June 2 2025
Start Time: 2:05
Location of Meeting: Interlakes - Steve Brown's House.

File Number: 3090-20/20240003
Application Type: Development Variance Permit
Electoral Area: L
Legal Description: Lot 22, District Lot 3721, Lillooet District, Plan 21667
Property Location: 7645 Beazely Road

ATTENDANCE

Present:
Chair: Sharron Woloshyn
Members: Steve Brown
Greg Atherton
Glen Clark.
Gordon Ross

Recording Secretary: Sharron Woloshyn
Owners/Agent: Ted. White
 Contacted but declined to attend

Absent: Dori Denison, Manuela Betschart,
Ursula Hart, Barb Matfin

Also Present:
Electoral Area Director: not available
Staff Support: -

RESOLUTION

Motion by Steve + Glen

THAT application with File Number 3090-20/20240003 be ~~SUPPORTED~~ **REJECTED** for the following reasons:

- 1) There is no compelling reason or extenuating circumstances to justify the building to be located so close to the property lines.
- 2) The APC members don't want to show support for, or encourage, property owners to think they can build non-conforming structures and obtain required permits afterwards. (Our APC has several contractors who must follow permitting rules every day).
- 3) The "stop work" order was issued (to the owner) and was ignored. (owner's are liable for the actions of their contractor).

For: 5 Against: 0

CARRIED / DEFEATED

Termination:

That the meeting terminate.

Moved: Greg Atherton

Seconded: Gordon Ross

CARRIED

Time: 7:30

Recording Secretary

Chair