

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: January 5, 2023
RE: Development Variance Permit Application — Electoral Area “C” (C2022.054-DVP)

Administrative Recommendation:

THAT Development Variance Permit No. C2022.054-DVP, to allow for the construction of two accessory buildings at 933 Golf Course Road, be approved.

Legal: Lot 1, Plan KAP62023, District Lot 2450, SDYD Folio: C-06476.020

OCP: Commercial Tourist (CT) Zone: Golf Course Commercial (CT3)

Variance Request: to reduce the minimum front parcel line setback from 7.5 metres to 2.29 metres.

Proposed Development:

This application is to vary the front parcel line setback from 7.5 metres to 2.29 metres in order to construct two accessory buildings. The pumphouse is required to allow replacement of a failing irrigation system and the teaching building is required to meet current changes to business practice at the golf course with space for equipment. It would be located where a current smaller structure exists.

Site Context:

The property is approximately 69 ha in area and is situated on the west side of Old Golf Course Road, approximately 2 km west from the boundary with Town of Oliver. The property contains a golf course and multiple accessory buildings. The surrounding pattern of development is generally characterised by agriculture and vacant resource area.

Background:

The property was created on June 9, 1998, while Regional District records indicate that building permits for a golf clubhouse (2000), a maintenance building (2005), and a washroom (2016) have been issued for this property.

The property is currently designated Commercial Tourist (CT), and is the subject of Watercourse Development Permit (WDP) and Environmentally Sensitive Development Permit (ESDP) Area designations. It is zoned Golf Course Commercial (CT3) which requires a minimum front parcel line setback of 7.5 metres.

The property is within the Agricultural Land Reserve. The applicant has provided written confirmation from the ALC confirming that the proposed development is considered consistent with the longstanding golf course uses on the property and would not require additional ALC applications. BC

Assessment has classified the property as part “Business And Other” (Class 06) and part “Rec/ Non Profit” (Class 08).

Under Section 3.49 of the Regional District’s *Chief Administrative Officer Delegation Bylaw No. 2793, 2018*, “the CAO or his designate shall ... be delegated authority to issue a development variance permit under Section 498.1 of the *Local Government Act ...*”

Public Process:

Adjacent residents and property owners were notified of this DVP application on November 21, 2022, and provided 15 working days to submit comments electronically or in-person. As of December 12, 2022, being 15 working days from the date of notification, no representations have been received.

Analysis:

The Zoning Bylaw’s use of setback regulations is generally to provide physical separation between neighbouring properties in order to protect privacy and prevent the appearance of overcrowding. In the agricultural zones, setbacks are further used to mitigate the potential for conflict between land uses with the Ministry of Agriculture recommending that “appropriate setbacks in agricultural zones can help prevent nuisance conflicts, protect natural resources, and safeguard human health”.

When a parcel is also adjacent a roadway, setbacks are further employed to maintain adequate sightlines for vehicle traffic movements.

In this instance, the nearest parcel line is approximately 20 metres from the location of the proposed accessory buildings and is separated by Old Golf Course Road. The nearest residential building is approximately 250 metres away from the location of the proposed accessory buildings. The requested variance is not seen to significantly impact adjacent uses.

An existing accessory building, a paved parking area and a driving range are currently in the general location of the proposed accessory buildings. For this reason, the requested variance is not seen to significantly increase the potential for land use or nuisance conflicts.

The proposed location of the accessory buildings is situated on a bend in Old Golf Course Road and is surrounded by farm fields and a driving range. For this reason, the requested variance will maintain adequate vehicle sightlines.

Alternatives:

1. That Development Variance Permit No. C2022.054-DVP be denied.

Respectfully submitted


Ben Kent, Planner I

Endorsed by:


C. Garrish, Planning Manager

Attachments: No. 1 – Site Photo - Location of Requested Variance (Google Streetview - 2012)
No. 2 – Site Photo - South Along Old Golf Course Road (Google Streetview - 2012)

Attachment No. 1 – Site Photo - Location of Requested Variance (Google Streetview - 2012)



Attachment No. 2 – Site Photo - South Along Old Golf Course Road (Google Streetview - 2012)



Approximate location of
nearest residential building.