

Supplementary Information Package

Application for Site-Specific Zoning Amendment to Allow 10 Agri-tourism Accommodation Units on the subject property.

14805 89th Street

PID: 023-827-505

Lot 1 District Lot 2450S Similkameen Division Yale District Plan KAP59513

BACKGROUND AND INTRODUCTION

The subject property is located at 14805 89th Street, in Area 'A' of the RDOS. The property has legal road frontage on two roads; 89th Street on the west side of the property and 148th Avenue on the south side as noted in Figure 1.

Figure 1 - Site Context Map



The subject property is approximately 5 ha. (12.3 ac.) in size and contains a vineyard. The property is part of the agricultural land holdings that supplies grapes to the company's two wineries: La Stella Winery in Area 'A' and Le Vieux Pin Winery in Area 'C'. The parent company that owns the Le Vieux Pin and La Stella wineries also owns 8 farm parcels comprising of approximately 32 ha. of land in the South Okanagan that are all planted with vines to supply grapes to their two wineries. The subject parcel of land is located adjacent to the La Stella winery, and the grapes that are harvested from the property are used in the La Stella Winery.

With two wineries and multiple vineyard operations, the owners offer winery tours and farm operation tours to guests attending the wineries and the owners would like to offer an enhanced agri-tourism experience by providing agri-tourist accommodation. The owners would like to provide 10 agri-tourist accommodation units in accordance with ALR Use Regulation 30/2019 on the subject property, however that is not possible due to the restricted number of 5 allowable agri-tourist accommodation units outlined in section 7.16 – Agri-tourism Accommodation in the Area 'A' Zoning Bylaw. If 10 units cannot be provided on the subject property, the owners will proceed with the construction of two 5-unit agri-tourism accommodation buildings, one on the subject property and one on the La Stella property. However, constructing one building would be much more cost effective and as outlined below will be better for agriculture and the neighbourhood.

PROPOSED ZONING CHANGE

From 'AG1 – Agriculture 1' to 'AG1s - Agriculture 1, Site Specific'

In order to allow the owner to have 10 agri-tourist accommodation units on the subject property, the owners are applying to amend the zoning of the property to AG1-site specific with the site-specific provision allowing the property to contain 10 agri-tourist accommodation units, rather than 5 presently allowed under section 7.16 Tourist Accommodation in the Area 'A' Zoning bylaw. This request does not change the intent or the agricultural spirit of the zoning on the property but rather simply allows an increased number of agri-tourism accommodation units to be allowed on the subject parcel of land and in accordance with the ALR Use Regulations.

RATIONALE FOR PROPOSED SITE-SPECIFIC ZONING

In speaking with the RDOS Area Director, he was not certain why the RDOS has more restrictive requirements than the ALC in terms of the number of agri-tourist accommodation units allowed on a property. It would be safe to assume that at the time the legislation was adopted the Board wanted to either minimize the over-all number of agri-tourism accommodation units provided in the area, or they wanted to reduce the amount of land used for non-farm uses, or possibly a combination of the two.

As the owner of subject property also owns the adjacent La Stella property, the owner could construct a 5-unit agri-tourism accommodation building on each of the properties to provide the desired 10 units. To ensure that the provision of one 10-unit agri-tourism accommodation on the subject property would not result in an increase in the number of the agri-tourism accommodation units in the neighbourhood, the owner is prepared to have a restrictive covenant placed on the title of the La Stella property that would prohibit the construction any agri-tourist accommodation units on the La Stella property. This would ensure that the maximum number of agri-tourism accommodation units in the area would not exceed the current zoning bylaw allowance. This could simply be viewed as a geographic adjustment in the allowable number of agri-tourism accommodation units.

The transfer of agri-tourism accommodation development rights from one parcel to an adjacent parcel does not appear to conflict with the Area 'A' Official Community Plan. The proposed site-specific amendment to the zoning bylaw would not add tourist traffic to the area above that which is presently allowed in the zoning Bylaw. In fact, with a proposed 10-unit tourist accommodation building on the subject property, access to the agri-tourism would be from 89th Street, so residents on 81st Street, would not experience any increase in traffic in their neighbourhood. If an agri-tourist accommodation facility constructed on the La Stella property that operation would generate increased tourist traffic on 148th Ave., which is the entrance to the residential neighbourhood.

The proposed 10-unit agri-tourism accommodation on the subject property would be located on the high portion of the property which is on the north side of the property approximately mid-way along the north boundary. This location would make it not visible from the residential neighbourhood on 81st Street and would allow the agri-tourism operation to be separated from the residential neighbourhood by a minimum of approximately 200 meters of planted vineyard and a heavily vegetated park area.

SUMMARY

The proposed zoning amendment to AG1(site specific) to allow for 10 agri-tourist accommodation units on the subject property will:

- Not conflict with Official Community Plan.
- Not increase the number of agri-tourist accommodation units in the area beyond what is presently allowed in the Zoning Bylaw.
- Not increase traffic at the entrance to the residential neighbourhood on 81st Street.
- Result in a restrictive covenant to be registered on the La Stella property precluding it from having an agri-tourism accommodation building, thus not exceeding the maximum number of agri-tourist accommodation units in the area.
- Create an economy of scale and generate significant cost savings by having one 10-unit building constructed rather than two 5-unit buildings constructed.
- Prevent a 5-unit agri-tourism accommodation from being constructed on the La Stella property, close to the existing 81st Street residential neighbourhood.
- Reduce the loss of agricultural land as there are site efficiencies that will be realized when constructing one building rather than two.