



DEVELOPMENT SERVICES COUNCIL REPORT

To: Mayor and Council

Date: September 24, 2024

From: Ron Bowles, CAO

File No: DVP 24-06

Subject: **DVP 24-06; Development Variance Permit (3252 Glencoe Road)**

Report Prepared By: Cam Graham, Planner II

RECOMMENDATION to Consider and Resolve:

THAT Council authorize the issuance of a Development Variance Permit (DVP 24-06) for 3252 Glencoe Road to vary s.3.24.1 of the Zoning Bylaw No.0265 to permit agri-tourism accommodation outside the principal single detached dwelling.

STRATEGIC AREA(S) OF FOCUS

Pursue Economic Growth and Prosperity – We will work with stakeholders throughout the region to advocate for and support efforts aimed at helping West Kelowna businesses prosper. With a focus on the future, we will advance opportunities to expand our economy, increase employment, and develop the community in ways that contribute towards prosperity for all.

BACKGROUND

The property is situated at the intersection of Glencoe Road and Elliott Road, on the border between the Smith Creek and Westbank neighbourhoods. Spanning 2.1 hectares, the property is home to Ciao Bella Winery, a vineyard, a single-family residence, and a secondary cabin. It is zoned A1 Agricultural, is within the Agricultural Land Reserve (ALR), and has been designated as having farm status by BC Assessment. The property fronts both Glencoe and Elliott Roads and is surrounded by Agricultural and Rural Residential properties.

PROPERTY DETAILS

Address		3252 Glencoe Road	
PID		007-037-066	
Folio		3641322.000	
Lot Size		21691.2 m ²	
Owner	Pasquale Fiume	Agent	Shannon Tartaglia
Current Zoning	A1 – Agricultural Zone	Proposed Zoning	N/A
Current OCP	Agricultural	Proposed OCP	N/A
Current Use	409 – Winery	Proposed Use	N/A
Development Permit Areas			
Hazards	None		
Agricultural Land Reserve	Yes		

ADJACENT ZONING & LAND USES

North	^	A1 - Agricultural Zone
East	>	A1 - Agricultural Zone
West	<	A1 - Agricultural Zone
South	v	RU1 – Country Residential Zone

NEIGHBOURHOOD MAP



PROPERTY MAP



Legislative Requirements

Council has the authority under s.498 of the *Local Government Act* to issue Development Variance Permits.

DISCUSSION

Proposal:

The applicant is requesting a Development Variance Permit to vary S.3.24.1 of the Zoning Bylaw to allow Agri-tourism accommodation outside of a principal single detached dwelling. The owner is proposing to use the existing two-bedroom cabin on the property for Agri-tourism accommodation as part of the on-site Ciao Bella Winery operation.



Figure 1: Proposed Agrotourism Accommodation

Applicant Rationale:

As the principal single detached home on the property has the winery operating out of it, the owners are requesting that Council allow the agritourism accommodation to be operated in the existing cabin on the property. No additional structures or expansions are proposed for the agritourism accommodation use, and the cabin has access directly from Glencoe Road and sufficient parking for the proposed use. The proposed 2 bedroom agritourism accommodation meets all ALC Regulations and the Zoning Bylaw regulations, apart from the City's requirement to have the use located within the principal single detached dwelling. The proposed agritourism accommodation would strengthen the unique agritourism and culinary tourism experience that the winery has created with no impact to the existing vineyard or other farmland. Having agritourism accommodation on the property will provide opportunities for the owners to diversify their farm's revenue base and strengthen the farm's economic sustainability.

Official Community Plan No.0300:

The property has a land use designation of Agricultural this proposal meets Official Community Plan No.0300 guidelines and is supported by providing additional agritourism while supporting agricultural use.

S.2.17.2.3: Support cultivation, production, improvement, processing or marketing of plants and animals, agri-tourism, and other agricultural industries in support of the agricultural sector and a diverse use of agricultural lands.

Agricultural Plan:

The Agricultural Plan includes Recommendation 16: "Agritourism and Culinary Tourism". The plan includes a variety of policies to achieve this recommendation, including encouraging activities that contribute to farming income, such as agritourism and culinary tourism.

Agricultural Land Reserve Use Regulation:

As per s.33(2) of the Agricultural Land Commission Use Regulation, "the use of agricultural land for providing accommodation in relation to an agri-tourism activity is permitted if all of the following conditions are met:

- a) the accommodation is located on agricultural land that is classified as a farm under the *Assessment Act*;
- b) the total developed area for structures, landscaping and access for the accommodation is less than 5% of any parcel;
- c) the accommodation is limited to 10 sleeping units in total, including bedrooms under section 34 [*tourist accommodation*];
- d) accommodation is provided on a seasonal or short-term basis only."

The application has been shown to have met all listed regulations above. If any other Agricultural Land Use regulations are flagged at business licensing, they will be required to be met before a license is issued.

Zoning Bylaw No.0265

The subject property is currently A1 (Agricultural Zone). Agri-tourism is a permitted use in the A1 Zone and the proposed agritourism accommodation can meet all bylaw requirements other than the requested variance to:

- S.3.24.1: Agri-tourism accommodation shall only be conducted within a principal single detached dwelling.

Referral Comments:

The application was referred to various external agencies and internal departments including the Ministry of Agriculture and the Agricultural Land Commission. The referral comments received did not include any objections to the application.

CONCLUSION

The proposal aligns with the Land Use Designation outlined in the Official Community Plan, is aligned with the objectives of the Agricultural Plan and complies with the ALC's regulations for Agri-tourism. The proposed agritourism accommodation is an efficient use of an existing building located on the property and will remove any viable agricultural land from the existing winery operation.

Alternate Recommendation to Consider and Resolve:

1. **THAT** Council deny the issuance of a Development Variance Permit (DVP 24-06) for 3252 Glencoe Road to vary s.3.24.1 of the Zoning Bylaw No. 0265 to permit agri-tourism accommodation to be conducted outside of a principal single detached dwelling;

AND THAT Council direct staff to close the file.

Should Council deny the proposed Development Variance Permit, the application will be closed in accordance with the Development Applications Procedures Bylaw No. 0260. Council shall not reconsider an application of this nature for the property for a period of six months.

2. **THAT** Council postpone the issuance of a Development Variance Permit (DVP 24-06) for 3252 Glencoe Road to vary s.3.24.1 of the Zoning Bylaw No. 0265 to permit agri-tourism accommodation to be conducted outside of a principal single detached dwelling.

Should Council postpone consideration of the Development Variance Permit, it is requested that additional direction be provided to staff.

REVIEWED BY

Chris Oliver, Planning Manager

Brent Magnan, Director of Development Approvals

Trevor Seibel, Deputy CAO

APPROVED FOR THE AGENDA BY

Ron Bowles, CAO

Powerpoint: Yes No

Attachments:

1. DVP 24-06