



Provincial Agricultural Land Commission - Staff Report

Application: 52803

Applicant: Bluebear Holdings dba Birchdale Golf Course
Local Government: North Okanagan EA

Proposal: To alter the Birchdale Golf Course located at 7023 and 7025 Highway 97A by converting an existing dwelling into a clubhouse, relocating the main parking area, and creating 16 recreational vehicle campground spaces.

Specifically the proposal includes the following:

- The current residence at 7025 Hwy 97A would be converted into a new clubhouse facility. This would include a new parking lot and update water and septic systems.
- The old residence located at 7023 Hwy 97A (the golf course) would be removed to allow for RV sites.
- The current clubhouse located at 7023 Hwy 97A would be converted into shower and washroom facilities for the RV sites. The water and septic systems would be updated.

BACKGROUND INFORMATION

The subject land has been used as a golf course (Birchdale Par 3 Golf) since 1970 and therefore pre-dates the ALR.

There have been a total of three previous applications involving the subject property. The first application (#21-T-83-17196) requested permission to place a second dwelling on the subject property. The application was approved.

A second application was made in 1988 (21-T-85-19733) requesting permission to subdivide a 0.45 ha lot which is separated from the remainder of the property by a creek. That part of the property to the east of the creek is the Birchdale Par 3 Golf Course. The Commissioner who viewed the property recommended that, as there will not be a request for a homesite severance of this property, this subdivision be allowed. The Commission approved this application.

In 2001, the owners of the property located at 7025 Hwy 97A requested approval of the ALC to construct a building addition to an existing dwelling for the purpose of creating a restaurant. The ALC allowed the construction of the building addition for this purpose subject to compliance with all other legislation.

PROPERTY INFORMATION

PID:	011-916-168
Legal Description:	That Part of the North West 1/4 on Plan B601 Section 19 Township 19 Range 8 West of the 6th Meridian Kamloops Division Yale District Except Plans B5954 and 40144
Property Area:	7.6 ha
ALR Area:	7.6 ha
Purchase Date:	March 3, 2003
Location:	7023 and 7025 Highway 97A
Owner:	Bluebear Holdings dba Birchdale Golf Course
<hr/>	
PID:	011-916-834
Legal Description:	Lot 1 Section 19 Township 19 Range 8 West of the 6th Meridian Kamloops Division Yale District Plan 40144
Property Area:	0.2 ha
ALR Area:	0.2 ha
Purchase Date:	March 4, 2008
Location:	7023 and 7025 Highway 97A
Owner:	Randall & Kim Tubb
<hr/>	
Total Land Area:	7.8 ha
Total ALR Area:	7.8 ha

LAND USE

Current Land Use:

There are two subject properties involved with the application. The property located at 7023 Highway 97A is 7.35 ha contains the golf course, clubhouse, two parking areas for up to 34 vehicles and a single family dwelling.

The property located at 7025 Highway 97A is 0.32 ha, contains a single family dwelling and the #2 tee box of the golf course.

Surrounding Land Uses:

North: Large holding mixed farming
East: Small holding mixed farm and rural residential uses
South: Large holding mixed farming
West: Peat and mixed farming

PROPOSAL DETAILS

Non- Farm Use Area: 0.4 ha

Non- Farm Use Type: Commercial / Retail: Campground (Private) & RV Park

Agricultural Capability:

The majority of the area under application is rated as: Prime Dominant

Source: CLI

Mapsheet: 82L/11

PREVIOUS APPLICATIONS

Application ID: 16929

Legacy #: 33772

Applicant: Bonnie Smith

Proposal: A 1500 sq. ft. expansion of the existing residence for restaurant use on an existing golf course (pre-ALR, 1970). The existing 800 sq. ft. restaurant is proposed to be demolished.

Decision:

Resolution #	Decision Date	Decision Description
265/2001	May 24, 2001	Allow as requested.

Application ID: 12413

Legacy #: 17196

Applicant: Frank & Helen MELIN

Proposal: locate a second dwelling on the property for family member

Decision:

Resolution #	Decision Date	Decision Description
1472/1983	October 19, 1983	allowed

Application ID: 12410

Legacy #: 19733

Applicant: Frank & Helen MELIN

Proposal: subdivide a 0.5 ha lot which is separated from the main area of the 7.3 ha property by a creek

Decision:

Resolution #	Decision Date	Decision Description
74/1986	January 29, 1986	refused in view of the high agricultural capability and the fact that the creek does not constitute a barrier to agriculture

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: Electoral Area "F" OCP
Designation: Agricultural
OCP Compliance: No

Zoning:

Zoning Bylaw Name: Bylaw no. 1888, 2003
Zoning Designation: Large Holding
Minimum Lot Size: 30.5 ha
Zoning Compliance: No

Comments and Recommendations:

Advisory Planning Committee

The APC feels the following:

- The golf course has been there for 40 years with no complaints and it is a good steady business.
- Camping aspect has been on going on a small scale with no negative impacts.
- Well run and received by the local public.
- No physical loss to the land in the ALR and there is no change to the agricultural footprint.

Board/Council

That the application be authorized for submission to the ALC.

Electoral Area Director

That the application be authorized for submission to the ALC.

Planning Staff

That the application not be authorized for submission to the ALC. It is recommended that this proposal not be supported as it does not conform with the Agricultural designation of the properties or with the Agricultural Policies of the Electoral Area "F" OCP. The existing use is a non-conforming use as it relates to the Regional District Zoning Bylaw.

ALC STAFF COMMENTS

Staff has the following comments:

- The subject properties have been used for golf course purposes since 1970, which predates the ALR. Since the initial use of the property as a golf course and to this day, the zoning and OCP land use designation of the properties have not been changed to permit the golf course use. It is therefore recommended by the local planning department that this proposal not be supported as it does not conform with the Agricultural designation of the properties or with the Agricultural Policies of the Electoral Area "F" OCP.
- Both the Regional Board and the Electoral Area "F" Advisory Planning Commission recommend that the application be authorized for submission to the ALC for review.

ATTACHMENTS

52803_ContextMap10k.pdf
52803_AgCapabilityMap_HR.pdf
52616_AirphotoMap10k_HR.pdf
52803proposal.pdf

END OF REPORT

Prepared by: Ron Wallace, July 31, 2012