

Agricultural Advisory Committee

AGENDA



Thursday, March 11, 2021
6:00 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. Call to Order

THE CHAIR WILL CALL THE MEETING TO ORDER:

- (a) The purpose of this Meeting is to consider certain Development Applications as noted on this meeting Agenda.
- (b) The Reports to Committee concerning the subject development applications are available on the City's website at www.kelowna.ca.
- (c) All representations to the Agricultural Advisory Committee form part of the public record.
- (d) As an Advisory Committee of Council, the Agricultural Advisory Committee will make a recommendation of support or non-support for each application as part of the public process. City Council will consider the application at a future date and, depending on the nature of the file, will make a decision or a recommendation to the Agricultural Land Commission.
- (e) In accordance with the Order of the Provincial Health Officer on Gatherings and Events, applicants and the public are not permitted to attend in person. Participation by applicants, and viewing by the public will be by electronic means only using the Council / Committees web page on kelowna.ca.

We appreciate your cooperation in meeting this requirement.

2. Minutes

3 - 5

Approve minutes of the meeting of February 25, 2021

3. Applications for Consideration

3.1. Pooley Rd 3201, A20-0004 (FH20-0004) - 1035617 B.C. Ltd., Inc No. 1035617

6 - 25

To consider a non-adhering residential use permit to allow temporary farm help housing to accommodate 60 seasonal farm workers.

3.2. Teasdale Rd 1454, A21-0002 - Parminder & Kulwant Hans 26 - 41

To consider permission from the ALC for a 'Non-Adhering Residential Use Permit' to allow for temporary farm worker housing for five (5) workers.

3.3. Hwy. 97N 4690, A20-0008 - City of Kelowna 42 - 48

To consider mitigation options related to an application to the Agricultural Land Commission for an "Exclusion" under Section 29(1) of the Agricultural Land Commission Act.

4. ALC Decisions - Update

5. New Business

6. Next Meeting

April 8, 2021

7. Termination of Meeting

Agricultural Advisory Committee

Minutes

Date: Thursday, February 25, 2021
Time: 6:00 pm
Location: Microsoft Teams Meeting

Members Attending Virtually: John Janmaat (Chair), Yvonne Herbison (Vice Chair), Domenic Rampone, Aura Rose, Keith Duhaime, Jill Worboys, Derek Brown (Alternate)

Members Absent: Avi Gill, Peter Spencer (Alternate)

Staff Present: Alex Kondor, Planner Specialist; Tyler Caswell, Planner; Wesley Miles, Planner Specialist; Clint McKenzie, Legislative Coordinator (Confidential)

1. Call to Order

Staff provided an overview of the procedures of participating in a Microsoft Teams meeting.

The Chair called the meeting to order at 6:07 p.m.

Opening remarks by the Chair regarding conduct of the meeting and the Criteria of the ACC were read.

2. Minutes

Moved By Keith Duhaime/Seconded By Domenic Rampone

THAT the Minutes of the November 12, 2020 Agricultural Advisory Committee meeting be adopted.

Carried

3. Applications for Consideration

3.1 Longhill Rd 2825, A19-0014 - Carol Grassmick

Staff presented a PowerPoint presentation summarizing the application and responded to questions from the Committee.

Melanie Piorecky, Associated Engineering, Applicant's Agent

- Reviewed the history of the property and responded to questions from the Committee.
- Spoke to the process forwarding the application to the ALC.
- Spoke to soil composition of the subject property.

Carol Grassmick, Applicant

- Spoke to the number of vehicles showing on the aerial photo as being primarily personal use and not related to the business operations.
 - Advised that efforts will continue with regards to disposing vehicles that are not being used.
- Responded to questions from the Committee.
- Confirmed that there is no soil analysis being done on a load by load basis.
 - The Applicant's Agent provided an overview of where the soil offsite is coming from and the measures in place to ensure it is not contaminated.

Staff:

- Responded to questions from the Committee.
- Confirmed access requirements.

- Reviewed the tenure for non-farm use and temporary use permits.

Moved By Yvonne Herbison /Seconded By Keith Duhaime

THAT the Committee recommend Council support the permission of a non-farm use permit to allow for a soil fabrication business to operate on the subject property be allowed to operate.

Defeated

Opposed - Domenic Rampone, Aura Rose, Keith Duhaime, John Janmatt, Derek Brown

Anedotal Comments

- The Committee highlighted that if a limit on the length of time for the non-farm use should be established.
- Encourage the applicant to continue to work with the City to see if there are other avenues to pursue that would allow for the nonfarm use.
- In general fabricating soil does not support agricultural use. The Committee recognizes it is a non-farm use is not comfortable providing a permanent recommendation for this kind of use on the property. It sets a precedent for other small ALR properties in Kelowna.

3.2 Benvoulin Rd 2870 - A20-0005 - Kelowna Christian School

Staff displayed a PowerPoint presentation summarizing the application and responded to questions from the Committee.

Jordan Hettinga, Kent Macpherson, Applicant's agent

- Displayed a PowerPoint presentation outlining the application.
- Spoke to the structural limitations of the building in allowing the addition to go up instead of out.
- Spoke to the parking requirements and traffic congestion .
- Reviewed the Board of Director's discussion to date on the future expansion of the private school.
- Spoke to the playing fields and gymnasium area requirements.
- Confirmed the subject the property is surrounded by ALR.
- Confirmed the applicant owns the property to the south.
- Provided drawings that gave an overview of the proposed building.
- Reviewed the landscaping buffer being proposed.
- Displayed a rendering of the proposed addition to the building.
- Responded to questions from the Committee.
- Confirmed the addition will be two storeys in height.
- Confirmed the existing space is at capacity.
- Emphasized that future additions are not foreseen and trying to maximize the existing site.
- Confirmed there are no plans to build a school on the site owned to the south.
- Confirmed a large chunk of the expansion is the gymnasium that would not be able to be stacked on the existing building.

Moved by Domenic Rampone/Seconded by Yvonne Herbison

THAT the Committee recommend Council support permission from the ALC to amend the existing non-farm use to permit the construction of an existing school.

Carried

Anedotal Comments

- Request that the applicant considers building a rooftop garden area using green building techniques.
- Requests the applicant also consider incorporating curriculum and a scholarship related to agriculture for the students attending the school.
- The Committee expressed their difficulty in supporting the application as they view it as the creep of nonfarm use on agriculture land. Concern was raised regarding the lack of a long term strategic plan for agriculture on the property. It is viewed as the slow, gradual erosion of agricultural land.
- The Committee encourages discussion with the City on partnering on an active transportation bike path in the immediate area for students to access the school given the traffic congestion in the area.

3.3 Glenmore Rd 3755, A20-0010 - Rosa Perretta

Staff:

- Displayed a PowerPoint presentation summarizing the application and responded to questions from the Committee.
- Spoke to the access to the site.
- Confirmed the site was in the ALR when the applicant purchased the property.
- Confirmed the City would not support any subdivision of the property.

Jordan Hettinga, Kent Macpherson, Applicant's Agent

- Displayed a PowerPoint presentation outlining the application.
- Outlined the challenges of the property with a large chunk being covered by groundwater.
- Not asking to do nonfarm use activities.
- Provided an overview of the topography and access of the subject property.
- Spoke to the agrologist report conducted in 2015.
- Reviewed photos of the subject property.
- Responded to questions from the Committee.
- Spoke to the origin of the water on the site and there is not a definitive reason known as to why the water is so high on the property.
- Confirmed the owner has owned the property since early 2000.

Moved By Aura Rose/Seconded By Domenic Rampone

THAT the Committee recommend Council not support the subject property being excluded from the ALR.

Carried

Anedotal Comments

- Recognize the bureaucratic processes the owner is facing. The Committee remains concerned with supporting the removal of the subject property from the ALR given there is no means to protect the lands afterwards.
- The Committee believes supporting the application for removal sets a precedent as a large property requesting exclusion from the ALR.

4. **ALC Decisions - Update**

There were no updates.

Staff advised the Committee that the Summerhill Winery Culinary Institute application is being considered by Council at Monday's meeting.

5. **Next Meeting**

The next Committee meeting has been scheduled for March 11, 2021.

6. **Termination of Meeting**

The Chair declared the meeting terminated at 8:53 p.m.

Chair

COMMITTEE REPORT



Date: March 11th, 2021

RIM No. 1210-21

To: Agricultural Advisory Committee (AAC)

From: Development Planning Department

Application: A20-0004 / FH20-0004 **Owner:** 1035617 BC Ltd., Inc. No. 1035617

Address: 3201 Pooley Road **Applicant:** Jagdeep Gill

Subject: Application to the ALC for Non-Adhering Residential Use Permit for Temporary Farm Worker Housing

Existing OCP Designation: REP – Resource Protection

Existing Zone: A1 – Agriculture 1

Agricultural Land Reserve: Yes

1.0 Purpose

To consider a non-adhering residential use permit to allow temporary farm help housing to accommodate 60 seasonal farm workers on the subject property.

2.0 Proposal

2.1 Background

The subject property is 20.26 acres (8.2ha) property. The property is located on the corner of Pooley Road and Rose Road, within the Southeast Kelowna OCP Sector. The property used to be an apple orchard; however, these were removed with the development of a new packing facility. The applicant has replanted the remaining land with cherry trees. There are no other dwellings on the property and is currently two accesses off Rose Road, and this application would ask for a third access onto Pooley Road.

In 2019, a Farm Development Permit (DP19-0186) was approved for the subject property, which allowed the construction of a new agricultural accessory building to be used for cold storage, fruit processing and packing facility with office space on the subject property. The building subsequently received a Building Permit (BP62264) to allow for the construction, which met all regulations and bylaws. This two-storey packing facility is 5,934.8m² in size, including office space. The need for this facility was because the applicant and applicant's family own and lease several agricultural properties, mostly within the South Okanagan, where they grow apples, cherries, peaches, nectarines and grapes. They have a total of 883 acres of active farmland.

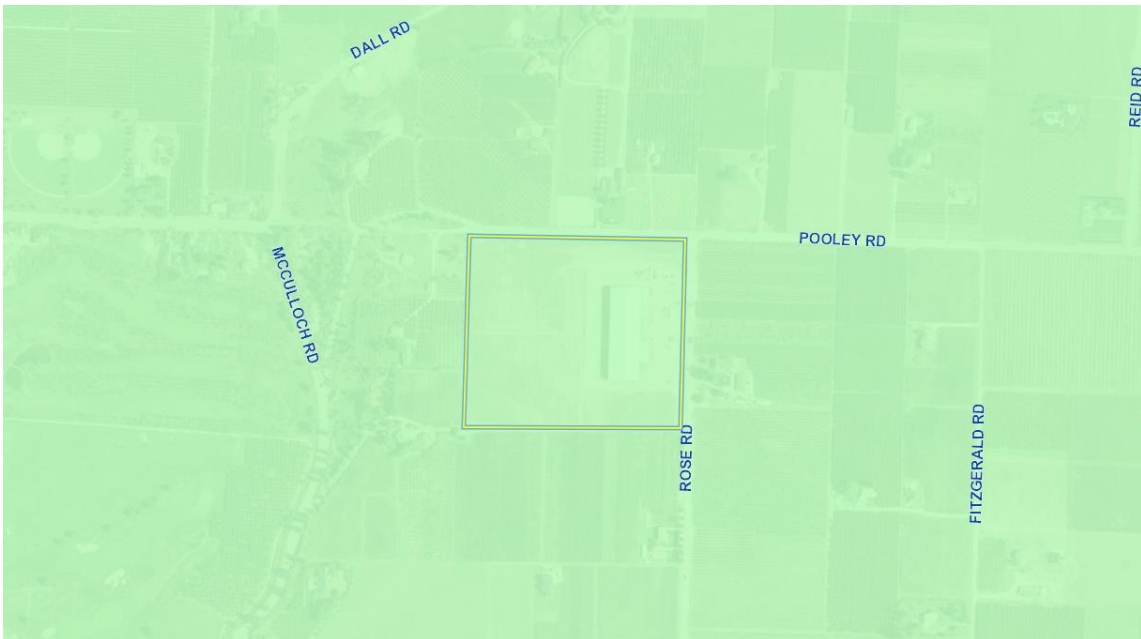
2.2 Project Description

The applicant is seeking approvals to accommodate 60 seasonal workers on the property. The workers will help with packing cherries in the packing facility and work on orchards throughout Kelowna. They will be transferred to other farms with a farm vehicle. There are 16 total units proposed (9 sleeper, 2 washroom, 2 recreational, 2 kitchen, and 1 laundry), for a total floor area of 1913.6m². The total area of infrastructure will be approximately 2,700m² (0.27ha) in size, which does not exceed the maximum allowable 0.3ha footprint. The applicant is proposing to provide each worker with their own room and bed, which is different than a shared space or bunk houses that are typically provided as part of the SAWP.

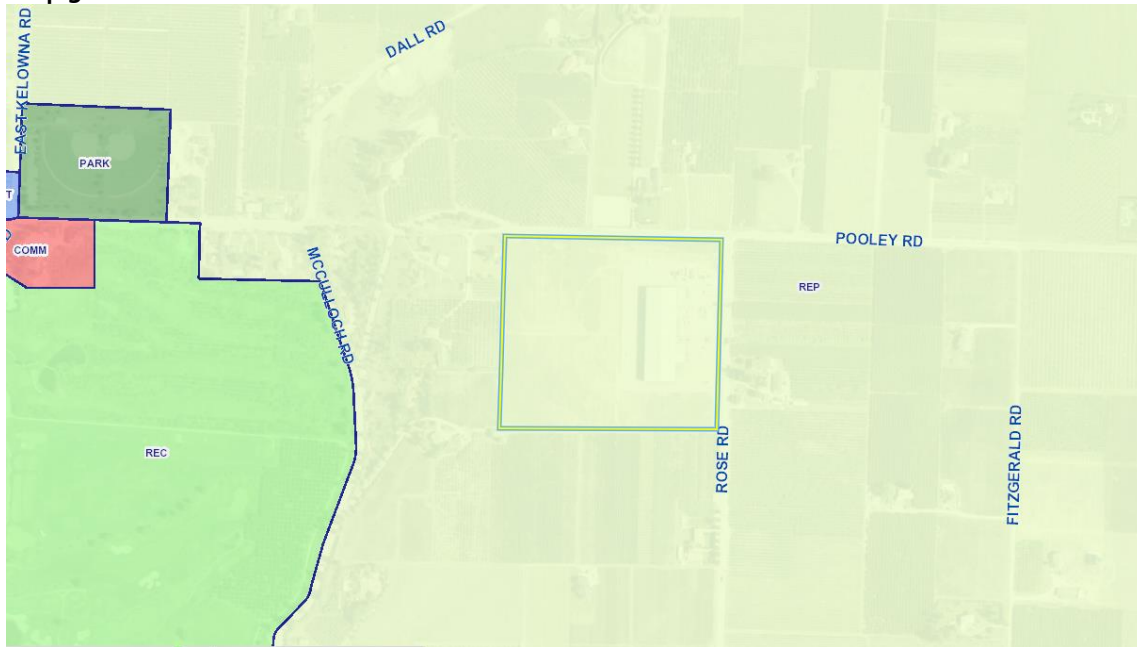
Map 1 – Context Map



Map 2 – Agricultural Land Reserve



Map 3 – Future Land Use



2.3 Neighbourhood Context

The subject property lies within the Southeast Kelowna OCP sector. The surrounding area is predominately agricultural lands, within the Agricultural Land Reserve. There are number of rural residential properties, as well as Harvest and Orchard Greens Golf Courses to the West.

Zoning and land uses adjacent to the property are as follows:

Table 1: Zoning and Land Use of Adjacent Property

Direction	Zoning	ALR	Land Use
North	A1 – Agriculture 1	Yes	Agriculture / Winery
South	A1 – Agriculture 1	Yes	Agriculture
East	A1 – Agriculture 1	Yes	Agriculture
West	A1 – Agriculture 1	Yes	Agriculture

3.0 Development Planning

The proposed temporary farm worker accommodation meets the regulations of the Zoning Bylaw. The proposal is also consistent with the Ministry of Agriculture standards for temporary farm worker accommodation.

The City of Kelowna Official Community Plan (OCP) policy on Farm Help Housing states accommodation for farm help on the same agricultural parcel will be considered only where:

- Agriculture is the principal use on the parcel;
- The applicant demonstrates that the additional housing is necessary to accommodate farm employee(s) whose residence on the farm property is considered critical to the overall operation of the

farm. The primary consideration is whether the scale of the farm operation is large enough that permanent help is deemed necessary; and,

- TFWH (e.g. bunkhouse accommodation on non-permanent foundations) is the preferred solution where the need for farm worker housing is justified.

The Farm Protection Development Permit Guidelines state to design TFWH such that:

- TFWH should use all existing dwellings within the farm unit, prior to building new temporary farm worker housing, unless the existing dwellings are used for a use consistent with the Agriculture Land Commission Act. Alternatively, the existing dwellings on the farm unit must be removed, decommissioned to an approved use, or demolished including decommissioning the existing septic system, prior to the authorization of a new temporary farm worker housing structure.
- TFWH footprint should be contiguous with the residential footprint (i.e. Homeplate) and / or within 50 metres of the road and/or located to maximize agricultural potential and limit negative impacts on the farm parcel.
- TFWH should have a minimum 3.0-metre-wide vegetated buffer for screening to adjacent property lines and between the TFWH and active farming areas.

The City of Kelowna Agriculture Plan recommends to:

- Allow TFWH, as permitted by City of Kelowna Bylaw. TFWH, as permitted by the City of Kelowna, should be allowed. The TFWH footprint means the portion of a lot that includes all structures, driveways and parking areas associated with the temporary farm worker housing, including but not limited to structures.

In keeping with the Ministry of Agriculture's Guide to Bylaw Development in Farming Areas and the City's policy for Temporary Farm Worker Housing, Community Planning Staff recommend the registration of Section 219 Restrictive Covenants which state:

- The TFWH shall be used for temporary farm workers only;
- The owner will remove the TFWH if the farm operation changes such that it is no longer required;
- The dwellings will only be used for farm workers for a maximum of eight (8) months of the year;
- The maximum number of accommodations permitted on this farm unit within this City sector is 60 workers; and,
- The TFWH building footprint is a maximum of 0.3ha.

The existing housing meets the needs of the farming operation and is in an area of the property that minimizes the residential impact to the active and future agriculture.

Report prepared by: Tyler Caswell, Planner I

Reviewed by: Dean Strachan, Community Planning & Development Manager

Attachments:

Attachment A – ALC Non-Adhering Residential Use Application

Attachment B – Site Plan

Attachment C – Floor Plan

Attachment D – Elevation

Attachment E – Landscape Plan

Attachment F – Applicant’s Rationale

Attachment G – Interior Health

Attachment H – Development Engineering Department

Attachment I – Ministry of Agriculture

Provincial Agricultural Land Commission - Applicant Submission

Application ID: 60454

Application Status: Under LG Review

Applicant: 1035617 BC Ltd.

Local Government: City of Kelowna

Local Government Date of Receipt: 11/25/2020

ALC Date of Receipt: This application has not been submitted to ALC yet.

Proposal Type: Non-Adhering Residential Use - Non-Adhering Tourism Accommodation

Proposal: The purpose of the proposal is to build housing for temporary foreign worker under TFW programs.

Mailing Address:

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

Parcel Identifier: 004-370-651

Legal Description: L 3 SEC 10 TP 26 OSOYOOS DIVISION YALE DISTRICT PL 790

Parcel Area: 8.2 ha

Civic Address: 3201 pooley road kelowna bc V1W4G7

Date of Purchase: 12/13/2018

Farm Classification: Yes

Owners

Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).

When the property was first bought it was an old apple orchard .Now replanting has been done and cherry trees have been planted in the place of the apples.

2. Quantify and describe in detail all agricultural improvements made to the parcel(s).

Old apples tree were pulled and new cherries trees are being planted

3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).

No non agriculture use is in place

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm
Specify Activity: Tree fruit farming

East

Land Use Type: Agricultural/Farm
Specify Activity: Tree fruit farming

South

Land Use Type: Agricultural/Farm
Specify Activity: Tree fruit farming

West

Land Use Type: Agricultural/Farm
Specify Activity: Tree fruit farming

Proposal

1. What is the purpose of the proposal?

The purpose of the proposal is to build housing for temporary foreign worker under TFW programs.

2. Describe any agri-tourism that is currently taking place on the property.

No

3. What is the total floor area of the proposed accommodation in square metres?

1913.6 m²

4. How many "sleeping units" in total are proposed?

16

5. Describe the rationale for the proposed location of the accommodation.

The proposed location is central location to our farms in Kelowna and Vernon area. Cherries packing activities will also be carried out on this farm property. To manage our farming activities efficiently we require the worker to live on this property.

6. Describe the size, type and number, as well as occupancy of all residential structures currently located on the property.

No current residential structure is present on the property.

ATTACHMENT	A
This forms part of application # A20-0004 FH20-0004	
Planner Initials	TC
 City of Kelowna DEVELOPMENT PLANNING	

7. Describe any agri-tourism accommodation or tourist accommodation currently located on the property.

None

8. Does the proposal support agriculture in the short or long term? Please explain.

The proposal support the agriculture in the long run. To manage and complete farming activities on time such as pruning, thinning, harvesting, packing, we require certain number of worker. Without required number of worker we won't be able to complete any tasks. The proposed build will provide housing for our workers and assist in successful operation.

9. What is the total area of infrastructure necessary to support the proposed accommodation?

2700 meter square

10. Do you need to import any fill be required to construct the accommodation?

No

Applicant Attachments

- Other correspondence or file information - Project Rational
- Proposal Sketch - 60454
- Other correspondence or file information - Title certificates
- Other correspondence or file information - Lease documents
- Site Photo - Photos
- Certificate of Title - 004-370-651

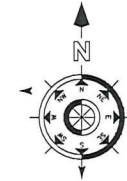
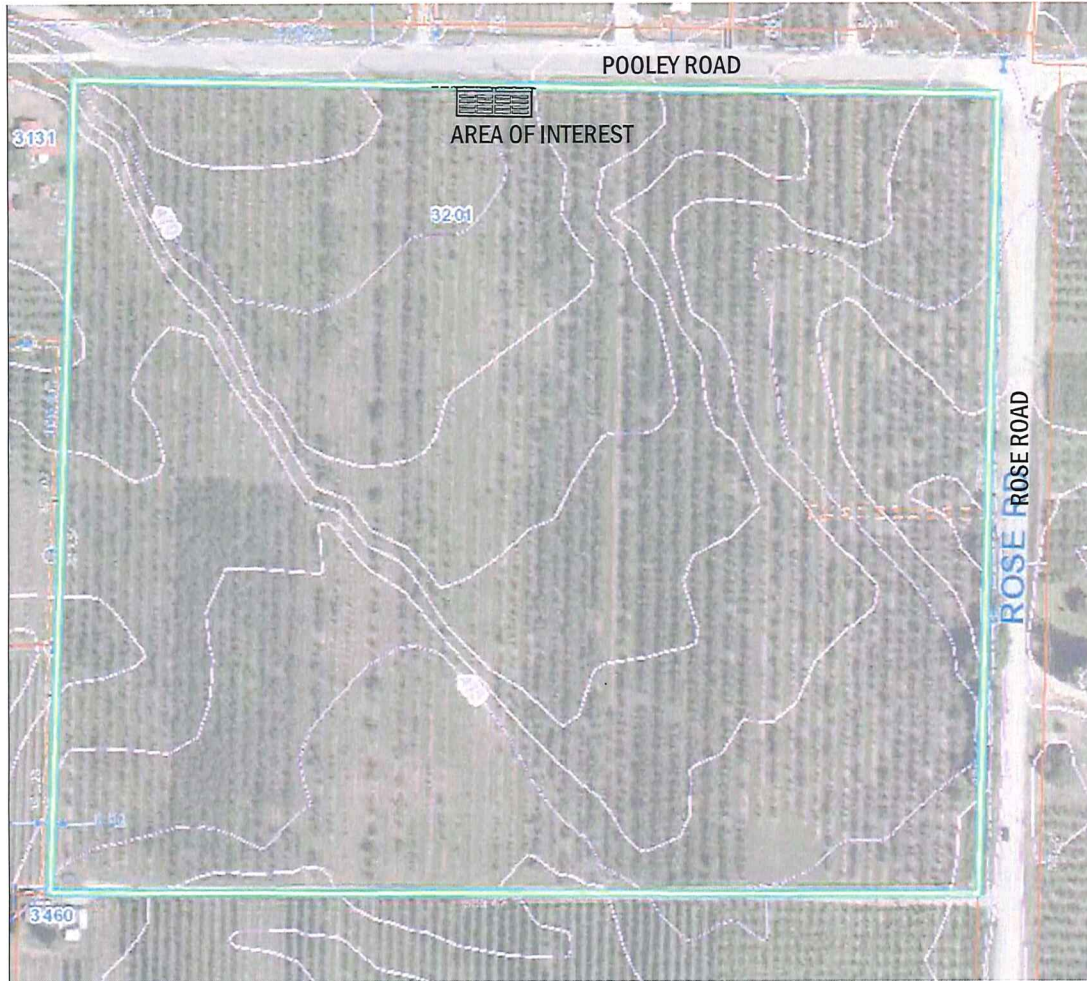
ALC Attachments

None.

Decisions

None.

ATTACHMENT		A
This forms part of application		
# A20-0004 FH20-0004		
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MUNICIPAL ADDRESS
3201 POOLEY ROAD
KELOWNA, B.C.
V1W-4G7

LEGAL ADDRESS
LOT 3 BLOCK
PLAN 790
KID 276244
PID 004-370-651

20.0 Acres / 8.09 Ha.

DATE	NO	BY	REVISION
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PROJECT: POOLEY RD ORCHARD 3201 POOLEY ROAD KELOWNA, B.C. V1W-4G7			
SHEET TITLE: SITE PLAN & NOTATION			
DRAWN BY:	BAH	CHECKED BY:	
SCALE:	R.G.	DATE:	Nov. 20, 20
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ATTACHMENT B

This forms part of application
A20-0004 FH20-0004

Planner Initials **TC**



3201 POOLEY ROAD

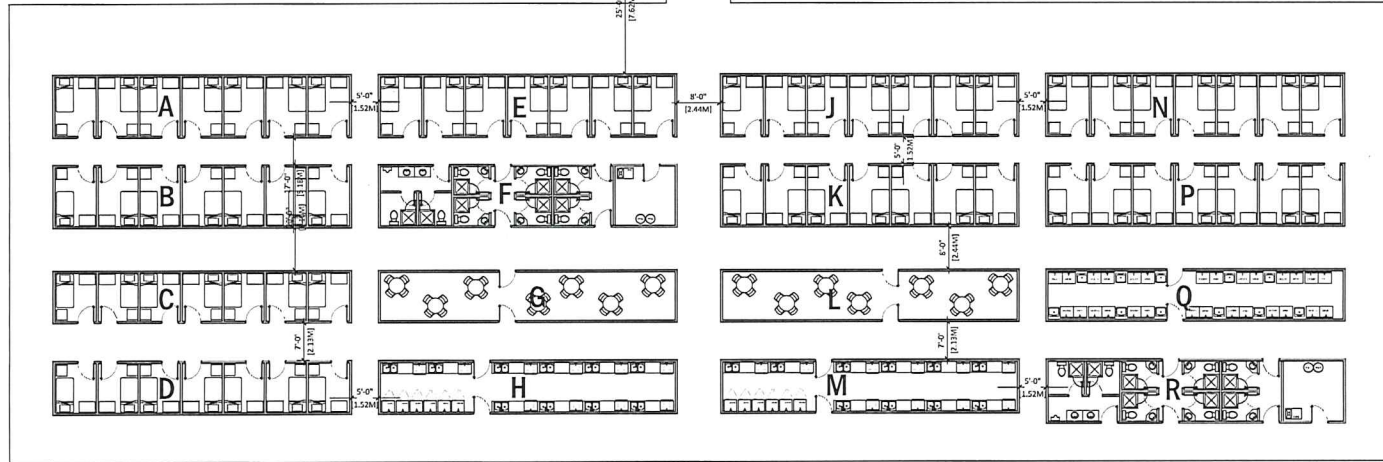
No.	Type	Per Unit	Per Unit	Total Amount
8	12' SLEEPING UNIT	672 sq. ft.	62.4 m2	5,376 sq. ft. 499.2 m2
2	10' SLEEPING UNIT	560 sq. ft.	52.0 m2	1,120 sq. ft. 104.0 m2
2	12' KITCHEN	672 sq. ft.	62.4 m2	1,344 sq. ft. 124.8 m2
2	12' WASHROOM	672 sq. ft.	62.4 m2	1,344 sq. ft. 124.8 m2
2	10' RECREATIONAL	560 sq. ft.	52.0 m2	1,120 sq. ft. 104.0 m2
				10,304 sq. ft. 1 913.6 m2

POOLEY ROAD

CEDAR TREES

ORCHARD

ORCHARD



ORCHARD

ATTACHMENT B

This forms part of application
A20-0004 FH20-0004

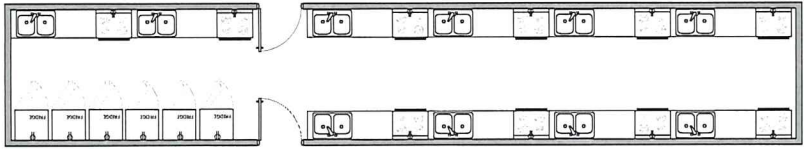
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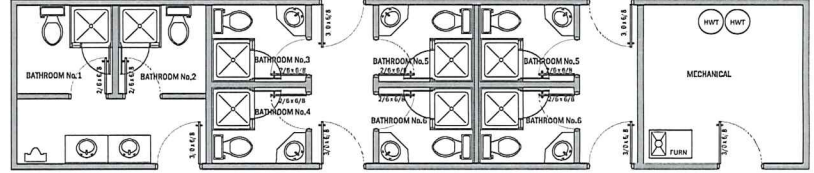
TRAILER DESIGNATION

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- B 3.66 m x 17.0 m 12'-0" x 56'-0" SLEEPER
- C 3.0 m x 17.0 m 10'-0" x 56'-0" SLEEPER
- D 3.0 m x 17.0 m 10'-0" x 56'-0" SLEEPER
- E 3.66 m x 17.0 m 12'-0" x 56'-0" SLEEPER
- F 3.66 m x 17.0 m 12'-0" x 56'-0" WASHROOM
- G 3.0 m x 17.0 m 10'-0" x 56'-0" RECREATIONAL
- H 3.66 m x 17.0 m 12'-0" x 56'-0" KITCHEN
- J 3.66 m x 17.0 m 12'-0" x 56'-0" SLEEPER
- K 3.66 m x 17.0 m 12'-0" x 56'-0" SLEEPER
- L 3.0 m x 17.0 m 10'-0" x 56'-0" RECREATIONAL
- M 3.0 m x 17.0 m 10'-0" x 56'-0" KITCHEN
- N 3.66 m x 17.0 m 12'-0" x 56'-0" SLEEPER
- P 3.66 m x 17.0 m 12'-0" x 56'-0" SLEEPER
- Q 3.0 m x 17.0 m 10'-0" x 56'-0" LAUNDRY
- R 3.0 m x 17.0 m 10'-0" x 56'-0" WASHROOM

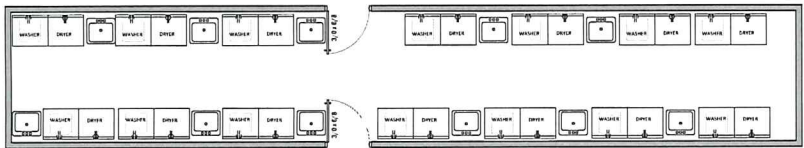
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<p>HOLDEN'S DRAFTING & DESIGN BY SAUCY AVERIF KELOWNA, B.C. V1Y4A3</p> <p>Phone: 250-868-0802 Fax: 250-868-0804 P.O.D. Email: chad@hdsd.ca</p>			
<p>PROJECT: POOLEY RD ORCHARD 3201 POOLEY ROAD KELOWNA, B.C. V1W-4G7</p>			
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CHECKED:	B.G.	SCALE:	
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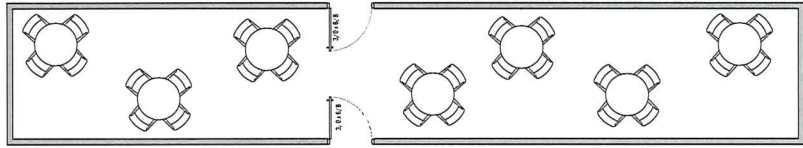
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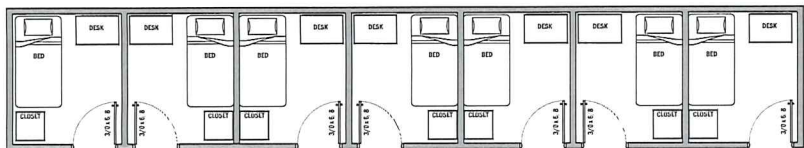
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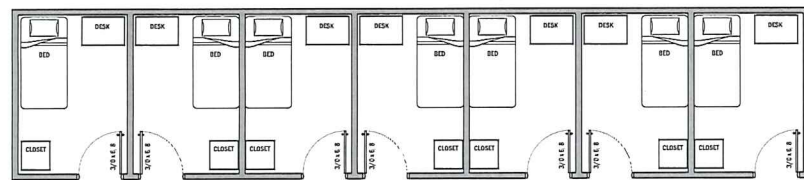
LAUNDRY UNIT



RECREATIONAL UNIT



SLEEPER UNIT



SLEEPER UNIT

ATTACHMENT C

This forms part of application
 # A20-0004 FH20-0004

Planner Initials **TC**

City of Kelowna
 DEVELOPMENT PLANNING

DATE	NO.	BY	REVISION

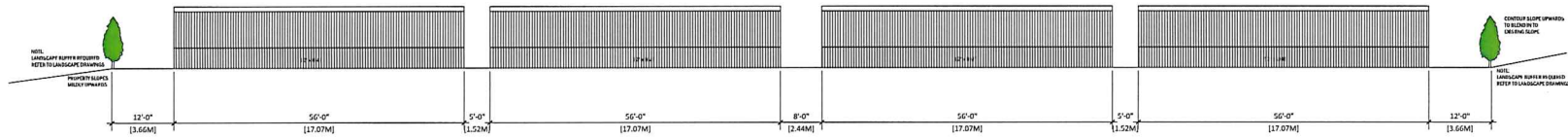
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HOLDEN'S
 DRAUGHTING & DESIGN
 151 COLSON AVENUE
 V1W 1A3
 Phone: 250.866.8822
 Fax: 250.866.8822
 Email: holdens@hdd.ca

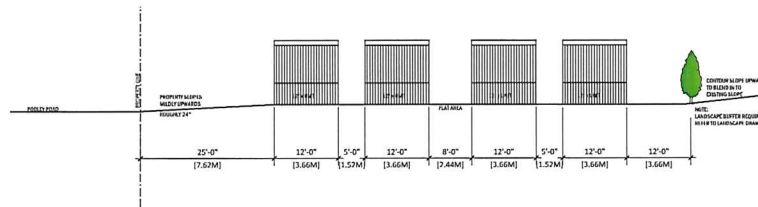
PROJECT
 POOLEY RD ORCHARD
 3201 POOLEY ROAD
 KELOWNA, B.C. V1W-4G7

SHEET TITLE
 UNIT FLOOR PLANS

DESIGNER BAH	SHEET NO. A 3
CHECKER R.G.	REV. Rev. 0
DATE Nov. 20, 20	



LONGITUDINAL ELEVATION



CROSS SECTIONAL ELEVATION



DATE	NO.	BY	REVISION
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<small>PROJECT:</small> POOLEY RD ORCHARD 3201 POOLEY ROAD KELOWNA, B.C. V1W-4G7			
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<small>DATE:</small> Nov. 20, 20	<small>REVISED:</small> Rev. 0		

ATTACHMENT D

This forms part of application
 # A20-0004 FH20-0004



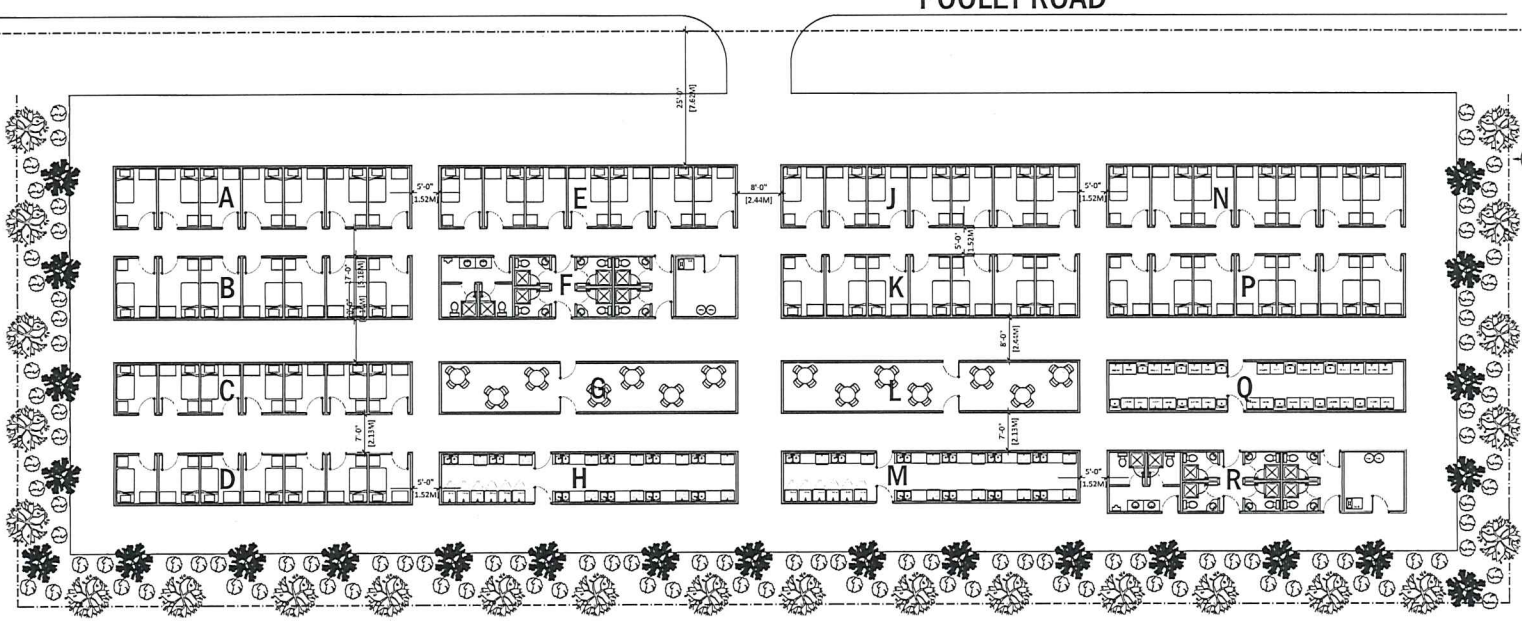
City of
Kelowna
 DEVELOPMENT PLANNING

Planner
 Initials TC

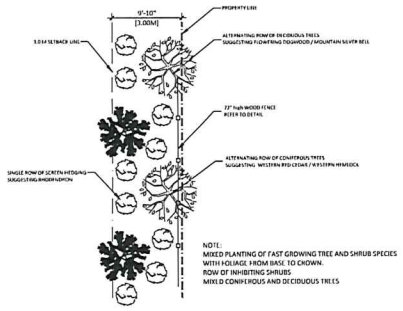
POOLEY ROAD

ORCHARD

ORCHARD



ORCHARD



ATTACHMENT E

This forms part of application
A20-0004 FH20-0004

Planner
Initials

TC



**City of
Kelowna**
DEVELOPMENT PLANNING

D.3: Solid Wood Fence
All posts and rails shall be rough sawn of "No. 1 Structural" grade, pressure treated with a wood preservative non-toxic to surrounding plant material, in accordance with CSA Standard 080.2 and compatible with staining requirements below. Stain to match fence boards.

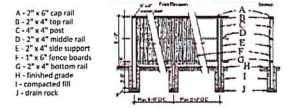
All fence boards and planks shall be rough sawn of "Quality Fencing" grade, finished with penetrating stain with preservative, conforming to CCB Standards 1 GP45M and 204M, applied to all surfaces prior to installation and on any cuts thereafter.

Line posts shall be minimum 8.0 ft. in length and at least (standard) 4" x 4".
Corner posts shall be minimum 8.0 ft. in length and at least (standard) 6" x 6".
Fence rails (min. 3) shall be maximum 7.5 ft. in length and at least (standard) 2" x 4".
Cap rails shall be at least (standard) 2" x 6". Cant to drain.

The finished height of opaque fencing shall be at least 6.0 ft.
All nails used in fence construction shall meet the following specifications:
B.1 Minimum gauge of nails used - #10, common in post/rail connections
B.2 Minimum gauge of nails used - #15, common in rail/fence board connections
B.3 Galvanized - CSA G164

Line posts shall be placed no more than 8.0 ft. o.c. and be firmly anchored in the soil to a depth of not less than 2.0 ft.

The fence shall be constructed in accordance with these specifications and details, which forms part of these specifications.



DATE	NO.	BY	REVISION
<p><small>Copyright Reserved</small> This drawing is an instrument of service for the professional project of the applicant and shall not be used for any other project without the written consent of the author or in part of this drawing. Please check and verify all critical details and dimensions prior to the start of construction, and contact the author upon completion of any quantities to be required. WEATHER DO NOT SCALE THESE DRAWINGS.</p>			
PROJECT			
POOLEY RD ORCHARD 3201 POOLEY ROAD KELOWNA, B.C. V1W-4G7			
SHEET TITLE			
LANDSCAPE PLAN			
DESIGNER	BAH	DRAWN BY	R.G.
CHECKED BY	R.G.	DATE	Nov. 20, 20
SHEET NO.			L 1
REV.			Rev. 0

Project Rational

ATTACHMENT F

This forms part of application
A20-0004 FH20-0004

Planner Initials **TC**

City of **Kelowna**
DEVELOPMENT PLANNING



Introduction

We are a family operated grower and packer originally based in Oliver BC Canada since 1998. We are involved in growing and processing of tree fruits such as cherries, peaches, nectarines, and apples. We also grow vegetable at considerable scale. In the last several years, due to rapid expansion in North Okanagan, we focused on Kelowna and surrounding areas and purchased many properties in the area. Now largest share of our farm properties is based around Kelowna. With recent purchased farms and increased production from the existing orchards, we had to built newwe packing facility to enhance the production capacity and adopt the new processing technology available in the industry. As Kelowna being central to various locations in BC including Oliver, Keremeos, Vernon, Armstrong, Kelowna, we opted to build the newer packing facility in Kelowna at 3201 Pooley RD, one of our cherry’s orchard. The project started in mid 2019 and finished in June 2020. Starting with cherries 2021, we will commence packing cherries at the newer facility at 3201 Pooley rd., Kelowna.

Requirement for housing

As there is no housing located at 3201 Pooley RD, Kelowna or near by owned properties to reside our workers, we must build new housing for workers required to pack cherries and work in Kelowna orchards. We required minimum of 60 workers to handle packing house operation and orchards in Kelowna effectively. Workers will be transported to near orchards in the farm vehicle. Most of the workers we employ receive under the temporary foreign worker program which has strict housing requirement. Moreover, the restrictions implemented due to ongoing pandemic of Covid 19, forces to build a well structured housing with

required living space and utilities to provide workers a safe living environment.

The plan and impact

We have already prepared the design and plans for the project and tried to use the less agricultural land as possible. To minimize the impact, we are utilizing the portable containers as housing instead of building whole new concrete building. The utilization of containers significantly minimizes the impact by reducing the number of activities required to build a completely new building.

Distance between the packing house and proposed building

The proposed TFWH is not sited within 15mm or less from the existing packing facility. The main reason for more distance is workers safety. The area surrounding the packing facility is usually crowded with semi trucks delivering the fruit and loading the packed product. Additionally, there will be other vehicle and equipment moving such as forklifts, passenger vehicle of staff and visitor.



ATTACHMENT G

This forms part of application
 # A20-0004 FH20-0004

Planner Initials TC


City of Kelowna
DEVELOPMENT PLANNING

Dec 16, 2020

City of Kelowna
 1435 Water Street,
 Kelowna, BC V1Y 1J4

Dear Lauren Moore,

Re: A20-0004, FH20-0004 – Request for Temporary Farm Worker Housing at 3201 Pooley Road

Thank you for the opportunity to provide comments on this application. It is my understanding the applicant is requesting a permit to allow for Temporary Farm Worker (TFW) Housing on ALR land to house up to 60 TFWs. The referral has been reviewed from a Healthy Food Systems and a Healthy Communities Development perspective. The following is for your consideration:

Housing

While Interior Health recognizes the importance of having housing available for TFW, this proposed housing may not support the health and wellness of the workers.

- The location of the housing on Pooley Road is outside the Permanent Growth Boundary and does not provide convenient access to amenities the workers may require.
- Not having easy access to a variety of amenities, such as public transportation and grocery stores, may have a negative impact on the workers’ physical and mental health. In addition, opportunities for social connection with the broader community of Kelowna will be limited.

Interior Health also recognizes the farm employer’s need to have the workers housed in proximity to the farm. However, the health and wellness of the workers also should be consider while they are working in the community. A possible option would be to have housing located within the Permanent Growth Boundary (See example from [Abbotsford](#)). If this is not possible, then partnerships with community groups and social services are suggested to ensure the health and wellness of the workers are supported. In addition, regardless of where the housing is located, engagement with the farm workers to identify their needs and partnerships with social services are suggested to ensure they are connected with city and other amenities.

Environmental Public Health

Interior Health, over the years, has received and investigated complaints of poor farm worker housing conditions. As such, we are interested in continuing to work with the City of Kelowna to ensure safe and sanitary housing conditions for farm workers. In addition, to ensure the applicant is following City of Kelowna’s [Specific Use Regulations](#) for Temporary Farm Worker Housing (section 9.13); it is recommended prior to Building Permit issuance, Interior Health - Environmental Health program confirm all regulatory requirements have been met. The Environmental Health program can be contacted at HP.Admin.Central@interiorhealth.ca.

It is my understanding that the subject parcel is serviced by community water and not sanitary sewer systems. From an Environmental Public Health perspective, the following legislation may apply to this proposal:

- [Sewerage System Regulation](#): Prescribes any buildings in which domestic sewage is produced must be connected to the sanitary sewer system or a sewerage system. See [IH Onsite Sewerage webpage](#) for more information.
- [Industrial Camps Regulation](#): Prescribes the minimum housing standards that must be met. Even though this regulation is for where there are five or more occupants, these standards are still encouraged to be followed as best practice.
- [Food Premises Regulation](#): Prescribes requirements for food preparation and service to workers.

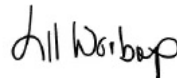
More information about sewerage and food premise requirements and processes can be found on the [Interior Health - Your Environment webpage](#).

Interior Health is committed to improving the health and wellness of all by working collaboratively with local governments and community partners to create policies and environments that support good health. Please do not hesitate to reach out to if you require clarification or have questions.

Sincerely,



Tanya Osborne, BAHS
Community Health Facilitator
Healthy Communities



Jill Worboys, RD
Public Health Dietitian
Healthy Communities

ATTACHMENT G

This forms part of application
A20-0004 FH20-0004

Planner Initials TC


City of Kelowna
DEVELOPMENT PLANNING



CITY OF KELOWNA

MEMORANDUM

Date: December 15, 2020

File No.: A20-0004 FH20-0004

To: Land Use Planning Manager (TC)

From: Development Engineering Manager (JK)

Subject: 3201 Pooley Road at Rose Rd Lot 3 Plan 790 Farm Worker Housing

Development Engineering has the following comments and requirements associated with this application to consider an ALC Non-Adhering Residential Use Permit to allow for Temporary Farm Worker Housing to be constructed on the subject property for 60 Farm Workers.

The requirements for setbacks and Building Code related issues must be considered. Development Engineering will defer comment on those and other issues to Building & Permitting.

Domestic water and fire protection.

The subject property is currently serviced with an irrigation service, a Domestic service and a dedicated Fire Line. On-site servicing, the utilisation of the existing services as well as the required fire protection will be reviewed by Building & Permitting.

Sanitary Sewer.

This subject property is currently not within the City service area. Sanitary sewage is handled by on-site wastewater disposal system(s). The existing and proposed on-site system(s) will be reviewed by a Licenced Wastewater Practitioner and Building & Permitting.

Access and Parking

Both Pooley Rd and Rose Rd fronting this property are designated as major collectors. Provide an adequate a hard surface to accommodate the parking and turning movements on-site. Limit the driveway width to 6.0m meters

James Kay

James Kay, P.Eng.
Development Engineering Manager
JF



ATTACHMENT	
This forms part of application	
# A20-0004 FH20-0004	
Planner Initials	TC
 City of Kelowna <small>DEVELOPMENT PLANNING</small>	

December 18, 2020

File No: 0280-30

Local Government File No: A20-0004

City of Kelowna
 1435 Water Street
 Kelowna, BC V1Y 1J4
 Via E-mail: planninginfo@kelowna.ca

Dear City of Kelowna:

Re: Non-adhering residential use application for 3201 Pooley Road (PID: 004-370-651)

Thank you for providing B.C. Ministry of Agriculture staff the opportunity to comment on the proposed non-adhering residential use application in the Agricultural Land Reserve (ALR) for temporary farm worker housing. We note that the proposed temporary farm worker housing is intended to house workers that are part of the federal Seasonal Agriculture Worker Program (SAWP). The amount of useable space allocated per worker is more than double the amount of space suggested in the Temporary Farm Worker Housing Minister’s Bylaw Standard in the Ministry’s Guide for Bylaw Development in Farming Areas, which was intended to strike a balance between providing sufficient housing for workers and protection of agricultural land. However, the TFWH Standard was developed in 2009 and is due for a review. In addition, Covid-19 has posed significant challenges with regard to housing of SAWP workers in such a way as to achieve good public health outcomes.

Ministry staff have no objection to this application proceeding to the Agricultural Land Commission (ALC) for the following reasons:

- The proposed housing is on a larger (20 acre) lot and the farm operation consists of multiple parcels, some of which include processing;
- The housing is proposed to be on a compact footprint close to the road;
- The housing is proposed to consist of trailers which could easily be removed when no longer required;
- The applicants are clearly attempting to address public health issues by providing each worker with their own bedroom space; and
- Based on the information in the documentation provided it appears that the number of workers proposed to be housed is consistent with the Minister’s Bylaw Standard for Temporary Farm Worker Housing.

If you have any questions, please contact us directly by email or phone.

ATTACHMENT |

This forms part of application
A20-0004 FH20-0004

Planner Initials **TC**

City of **Kelowna**
DEVELOPMENT PLANNING



Sincerely,



Alison Fox, P.Ag.
Land Use Agrologist
BC Ministry of Agriculture, Food
and Fisheries
Alison.Fox@gov.bc.ca
(778) 666-0566



Christina Forbes, BSc, P.Ag.
Regional Agrologist | Kelowna
BC Ministry of Agriculture, Food
and Fisheries
Christina.Forbes@gov.bc.ca
236-766-7057

Email copy: Sara Huber, Regional Planner, ALC Sara.Huber@gov.bc.ca

surrounding the property is within the ALR and zoned for agriculture. There is an existing residential neighborhood zoned RU1 – Large Lot Residential to the west of the subject site.

3.0 Current Development Policies

3.1 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

Objective 5.33 Protect and enhance local agriculture.

Policy 5.33.1 Protect Agricultural Land. Retain the agricultural land base by supporting the ALR and by protecting agricultural lands from development, except as otherwise noted in the City of Kelowna Agricultural Plan. Ensure that the primary use of agricultural land is agriculture, regardless of parcel size.

Objective 5.34 Preserve productive agricultural land.

Policy 5.34.2 Farm Help Housing. Accommodation for farm help on the same agricultural parcel will be considered only where:

- Agriculture is the principal use on the parcel; and
- The applicant demonstrates that the additional housing is necessary to accommodate farm employee(s) whose residence on the farm property is considered critical to the overall operation of the farm. The primary consideration is whether the scale of the farm operation is large enough that permanent help is deemed necessary.
- Temporary farm worker housing (e.g. bunkhouse accommodation on non-permanent foundations) is the preferred solution where the need for farm worker housing is justified.

Chapter 15 Farm Protection Development Permit Guidelines.

Design temporary farm working housing such that:

- Temporary farm worker housing should use all existing dwellings within the farm unit, prior to building new temporary farm worker housing, unless the existing dwellings are used for a use consistent with the Agriculture Land Commission Act. Alternatively, the existing dwellings on the farm unit must be removed, decommissioned to an approved use or demolished including decommissioning the existing septic system, prior to the authorization of a new temporary farm worker housing structure.
- Temporary farm worker housing footprint should be contiguous with the residential footprint (i.e. homeplate) and / or within 50 metres of the road and/or located to maximize agricultural potential and limit negative impacts on the farm parcel.
- Temporary farm worker housing should have a minimum 3 metre wide vegetated buffer for screening to adjacent property lines and between the temporary farm worker housing and active farming areas.

3.2 City of Kelowna Agriculture Plan

- Allow Temporary Farm Worker Housing, as permitted by City of Kelowna bylaw. Temporary Farm Worker Housing, as permitted by the City of Kelowna, should be allowed. The TFWH footprint means the portion of a lot that includes all structures, driveways and parking areas

associated with the temporary farm worker housing, including but not limited to structures for cooking, sanitary, living and sleeping. The footprint does not include the vegetated buffer.

Prepared by: Alex Kondor, Planner Specialist

Approved for Inclusion: Dean Strachan, Community Planning & Development Manager

Attachments:

Attachment A – Site Plan

Attachment B – Non-Adhering Residential Use Application



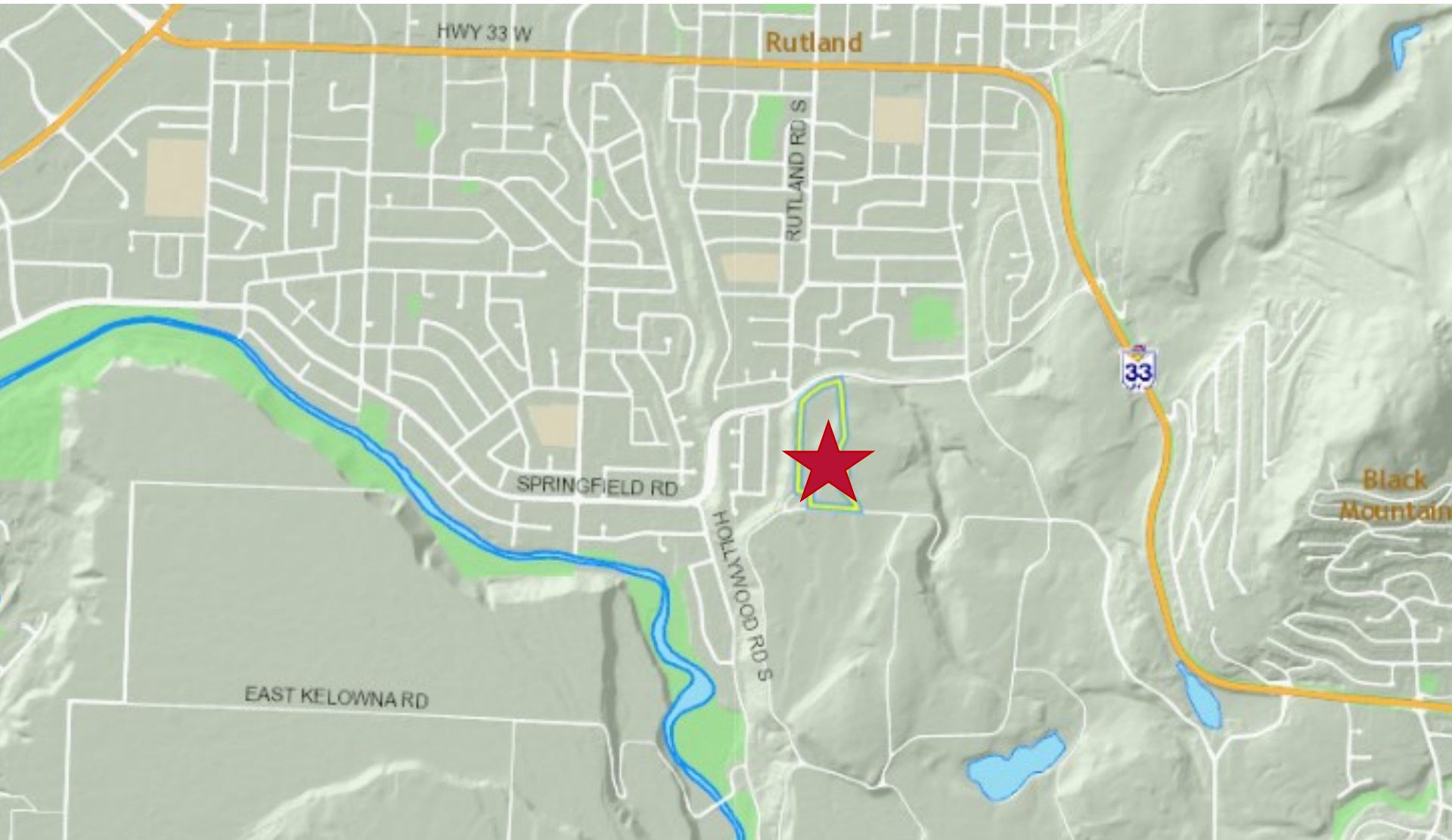
A21-0002/1454 Teasdale Road

Non-Adhering Residential Use Permit

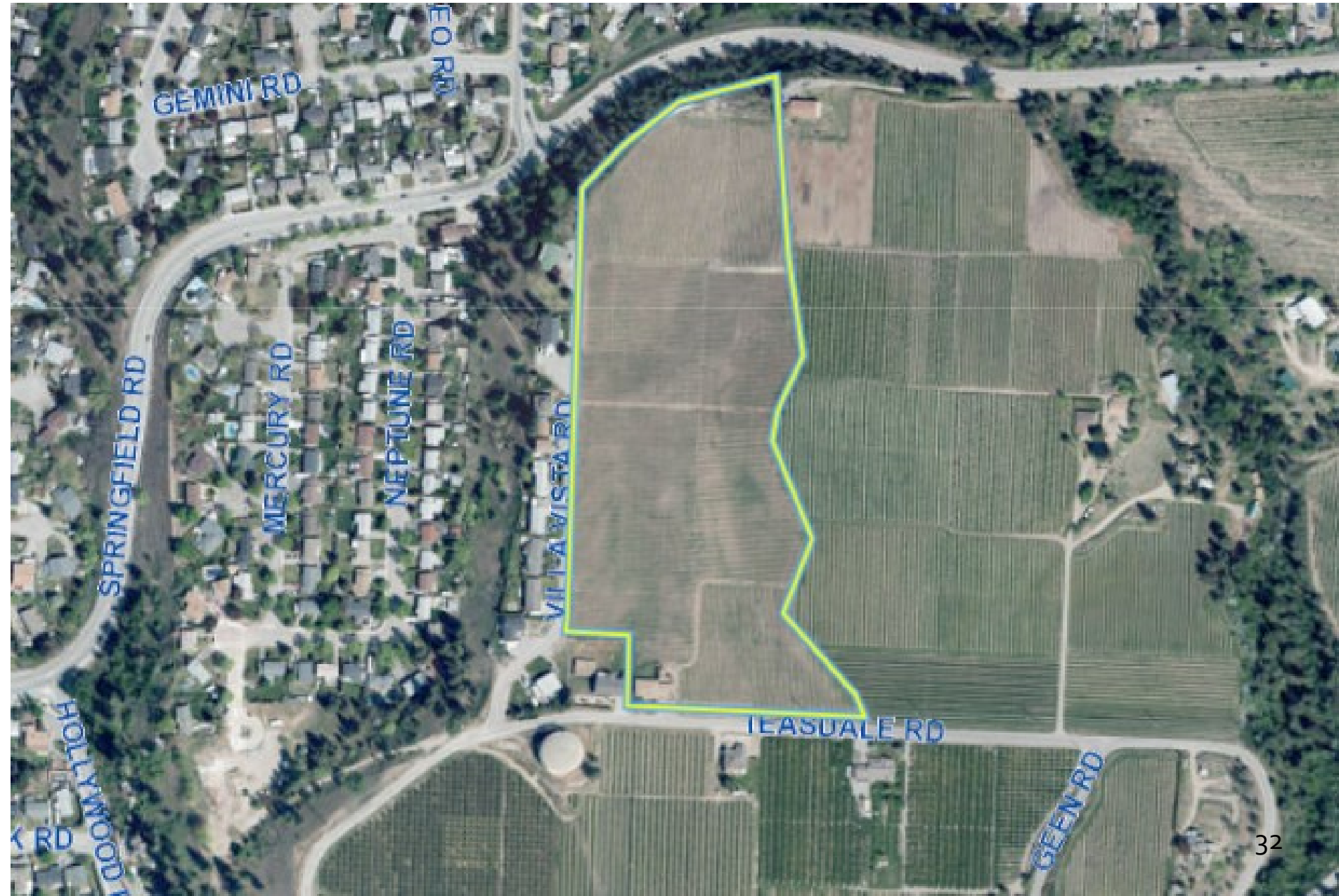
Proposal

- ▶ Non-Adhering Residential Use Permit to allow for temporary farm worker housing for five (5) workers

Context Map



Subject Property Map



ALR Map



Proposed Location



Development Policy: Zoning Bylaw

Regulation	Meets
Minimum farm unit size: 3.8 ha	<input checked="" type="checkbox"/>
New TFWH structures must include a communal kitchen	<input checked="" type="checkbox"/>
Only occupied during growing, harvesting and pruning periods	<input checked="" type="checkbox"/>
Occupied no more than 10 months of a calendar year	<input checked="" type="checkbox"/>
Maximum TFWH footprint: 0.30 ha for maximum of 60 workers	<input checked="" type="checkbox"/>
Maximum temporary farm workers per city sector: 60	<input checked="" type="checkbox"/>

Development Policy: OCP Policies & Permit Guidelines

Policy / Guideline	Meets
Agriculture is the principal use on the parcel	<input checked="" type="checkbox"/>
Permanent help is deemed necessary	<input checked="" type="checkbox"/>
TFWH is on non-permanent foundations	<input checked="" type="checkbox"/>
Building footprint within 50 m of the road or located to maximize agricultural potential and limit negative impacts on the farm parcel	<input checked="" type="checkbox"/>
Minimum 3 m wide vegetated buffer	<input checked="" type="checkbox"/>



Conclusion of Staff Remarks



1 SITE PLAN



2 ENLARGED SITE PLAN

ATTACHMENT A
 This forms part of application # A21-0002
 Planner Initials **AK**
 City of Kelowna
 DEVELOPMENT PLANNING

PROJECT DATA:
 CIVIC ADDRESS: 1454 TEASDALE RD., KELOWNA, BC
 LEGAL DESCRIPTION: PLAN KAP4697 LOT A SECTION 23 TOWNSHIP 26 EXCE PT PLAN H12752 KAP78750
 PID: 008-573-824
 ZONING: A1, AGRICULTURAL
 LOT AREA: 67,610m²
 TOTAL BUILDING AREA: 157m²
 SITE COVERAGE: 0.2%
 BUILDING HEIGHT: 1-STOREY

GENERAL NOTES:

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 DO NOT SCALE THIS DRAWING.

ALL DIMENSIONS, LAYOUTS, & CALCULATIONS ARE APPROXIMATE & MUST BE VERIFIED ON SITE PRIOR TO ANY CONSTRUCTION OR INSTALLATION.
 LAYOUTS ARE SUBJECT TO CHANGE DUE TO EXISTING CONSTRUCTION.

	PROJECT: 1454 TEASDALE RD 10-PERSON CAMP	DRAWING TITLE: SITE PLAN	DATE: 01.04.2021
		SCALE: NTS	PAGE: 1 OF 1

Provincial Agricultural Land Commission - Applicant Submission

Application ID: 62086

Application Status: Under LG Review

Applicant: Parminder Hans , Kulwant Hans

Agent: Nudigz Contractors Ltd

Local Government: City of Kelowna

Local Government Date of Receipt: 01/06/2021

ALC Date of Receipt: This application has not been submitted to ALC yet.

Proposal Type: Non-Adhering Residential Use - Additional Residence for Farm Use

Proposal: Temporary Farm Worker Housing. Current house on property is insufficient. The proposal will achieve SAWP and WALI approved housing for 5 workers.

Agent Information

Agent: Nudigz Contractors Ltd

Mailing Address:

1770 Richter Street, PH11

Kelowna, BC

V1Y 0E6

Canada

Primary Phone: (250) 681-2433

Mobile Phone: (778) 581-3414

Email: lauren@nudigz.ca

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

Parcel Identifier: 008-573-824

Legal Description: Lot A Section 23 Township 26 ODYD (Osoyoos Div of Yale) Plan 4697
Except Plans H12752 and KAP78750

Parcel Area: 6.8 ha

Civic Address: Belgo/Black Mountain

Date of Purchase: 01/04/2021

Farm Classification: Yes

Owners

1. **Name:** Parminder Hans

Address:

3647 Bemrose Road

Kelowna, BC

V1W 4G8

Canada

Phone: (250) 808-9270

Email: parm.hans@gmail.com

2. **Name:** Kulwant Hans

Address:
3647 Bemrose Road
Kelowna, BC
V1W 4G8
Canada
Phone: (250) 808-9270

ATTACHMENT B

This forms part of application
A21-0002

Planner Initials **AK**

City of **Kelowna**
DEVELOPMENT PLANNING



Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).

16.7 acres total land

15.5 acres of grapes

2. Quantify and describe in detail all agricultural improvements made to the parcel(s).

2008 grapes were planted

fencing and irrigation was added at this time

3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).

Primary residence located on property will be used for orchard management.

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm

Specify Activity: apples

East

Land Use Type: Agricultural/Farm

Specify Activity: cherries

South

Land Use Type: Residential

Specify Activity: residential development

West

Land Use Type: Residential

Specify Activity: residential development

Proposal

1. What is the purpose of the proposal?

Temporary Farm Worker Housing. Current house on property is insufficient. The proposal will achieve SAWP and WALI approved housing for 5 workers.

2. Describe the necessity for an additional residence for farm use and how it will support agriculture in the short or long term.

These workers are required to sustain the farm.

3. Describe the size, type and number, as well as occupancy of all residential structures currently located on the property.

There is currently 1 house on property which is 1500sf. It is single family dwelling

4. What is the total floor area of the proposed additional residence in square metres?

157 m²

5. Describe the rationale for the proposed location of the additional residence.

It is the only area on the property that is level and isn't using up farmland. It is located near the primary residence, near the edge of property.

6. What is the total area of infrastructure necessary to support the additional residence?

n/a

7. Do you need to import any fill to construct the additional residence or infrastructure?

Yes

Proposal dimensions

Total fill placement area (0.01 ha is 100 m²) *0.16 ha*

Maximum depth of material to be placed as fill *0.1 m*

Volume of material to be placed as fill *14 m³*

Estimated duration of the project. *1 Months*

Describe the type and amount of fill proposed to be placed.

6" of road crush for base of temporary foundation

Briefly describe the origin and quality of fill.

standard 1"minus road crush

Applicant Attachments

- Agent Agreement-Nudigz Contractors Ltd
- Proposal Sketch-62086
- Certificate of Title-008-573-824

ALC Attachments

None.

Decisions

None.

ATTACHMENT		B
This forms part of application		
# A21-0002		
Planner Initials	AK	 City of Kelowna DEVELOPMENT PLANNING

COMMITTEE REPORT



Date: March 11th 2021
RIM No. 1210-21
To: Agricultural Advisory Committee (AAC)
From: Community Planning Department
Application: A20-0008 **Owner:** City of Kelowna
Address: 4690 Hwy 97N **Applicant:** City of Kelowna
Subject: Application to the ALC for Exclusion – Mitigation Options

1.0 Purpose

To consider mitigation options related to an application to the Agricultural Land Commission for an “Exclusion” under Section 29(1) of the Agricultural Land Commission Act.

2.0 Proposal

2.1 Background

At the August 13th 2020 Agricultural Advisory Committee meeting staff presented a report to the Agricultural Advisory Committee related to a proposal to exclude 16.2 ha of land from the Agricultural Land Reserve for the purposes of a future transportation corridor (Hollywood Road North) and relocation of the BC Transit Regional Transit Facility (Report is attached as Schedule A). At this meeting the AAC passed the following resolution:

THAT the exclusion of the subject property under Section 29(1) of the Agricultural land Commission Act not be supported.

And the following anecdotal comments were made:

- Concern that a more exhaustive search for a site needed to take place.
- Concern that the agricultural assessment of the property is underestimated

Staff recognize the resolution from the committee made on August 13th 2020 regarding the exclusion application and are not asking the committee to reconsider the exclusion application at this time. Prior to asking Council to consider the exclusion application staff have developed several mitigation options related to this application and are asking the committee to consider these mitigation options to provide a recommendation to council regarding the specific mitigation options outlined in this report.

3.0 Mitigation Options

The purpose of this report is to outline several mitigation options related to the exclusion application for a regional transit facility previously considered by the Agricultural Advisory Committee. Staff have reviewed the City of Kelowna Agricultural Plan and Official Community Plan for potential implementation projects that could be budgeted for and funded by the City to off-set and mitigate the agricultural impact of the regional transit facility. Agricultural implementation projects have been evaluated in relation to their impact, relevance to the transit project, and feasibility. Three mitigation options are proposed to be considered:

1. **Creation of a permanent full-time Agricultural Enforcement and Compliance Officer position.**
 - a. This position would directly support the City of Kelowna Agriculture Plan action item 1.4a to: Maintain and expand the City's Agricultural Compliance and Enforcement Strategy.
2. **Commitment to design and install a vegetative buffer around the proposed Transit Facility that meets and exceeds City of Kelowna Development Permit guidelines and best practices found in the Ministry of Agriculture Guide to Edge Planning.**
 - a. This would be a direct investment in on-site trees and landscaping in accordance with established guidelines and best practices and would demonstrate how buffering requirements can be achieved.
3. **Creation of an agricultural signage program to design and install signage in strategic high visibility areas to promote and protect agriculture.**
 - a. This aligns with the City's Agriculture Plan Action item 3e: Evaluate an agricultural signage program to raise awareness and appreciation for agricultural areas within the City.

Prior to asking council to consider the proposed exclusion application related to the transit facility staff are asking the AAC to provide an additional recommendation to Council if they support or not support the three specific mitigation options above.

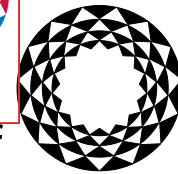
Report prepared by: Alex Kondor, Planner Specialist

Reviewed by: Dean Strachan, Community Planning & Development Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Attachment A – August 13th 2020 AAC Report



COMMITTEE REPORT

Planner
Initials ak

Date: August 13, 2020

RIM No. 1210-21

To: Agricultural Advisory Committee (AAC)

From: Development Planning Department

Application: A20-0008 **Owner:** City of Kelowna

Address: 4690 Hwy 97N **Applicant:** City of Kelowna

Subject: Application to the ALC for "Exclusion"

1.0 Purpose

The applicant is requesting permission from the Agricultural Land Commission for an "Exclusion" under Section 29(1) of the Agricultural Land Commission Act.

2.0 Proposal

2.1 Site Context

The subject properties are located in the Highway 97 City Sector. The Future Land Use is REP – Resource Protection is zoned A1 – Agriculture, is within the Agricultural Land Reserve however is within the Permanent Growth Boundary (PGB). The properties are a total of 72.8 ha in size with the northern property having a portion hooked across Highway 97 and the Okanagan Rail Trail (ORT). The property does not currently have any agricultural activity.

4690 Highway 97 N:

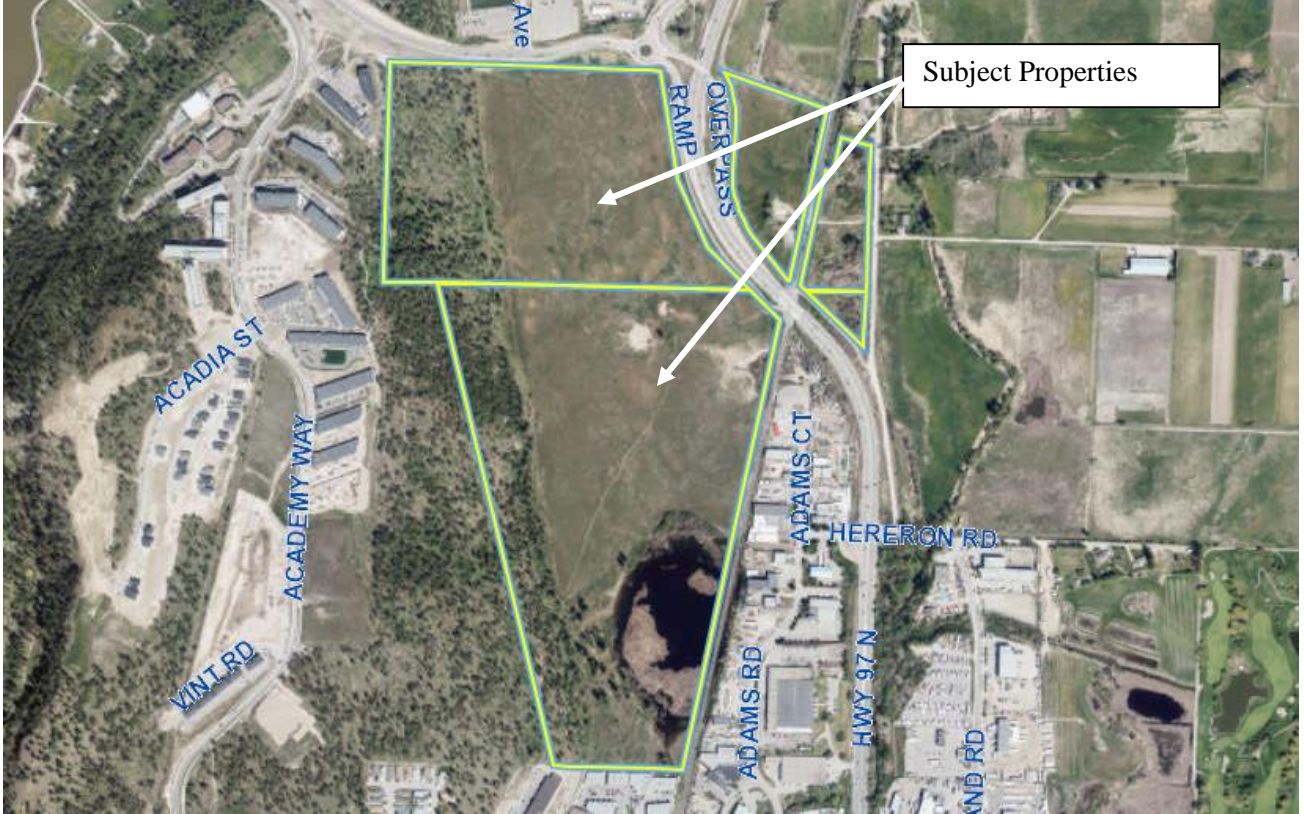
Parcel Size: 72.8 ha (total)
Elevation: 352.0 to 350.25 metres above sea level (masl) (approx.)

Zoning and land uses adjacent to the property are as follows:

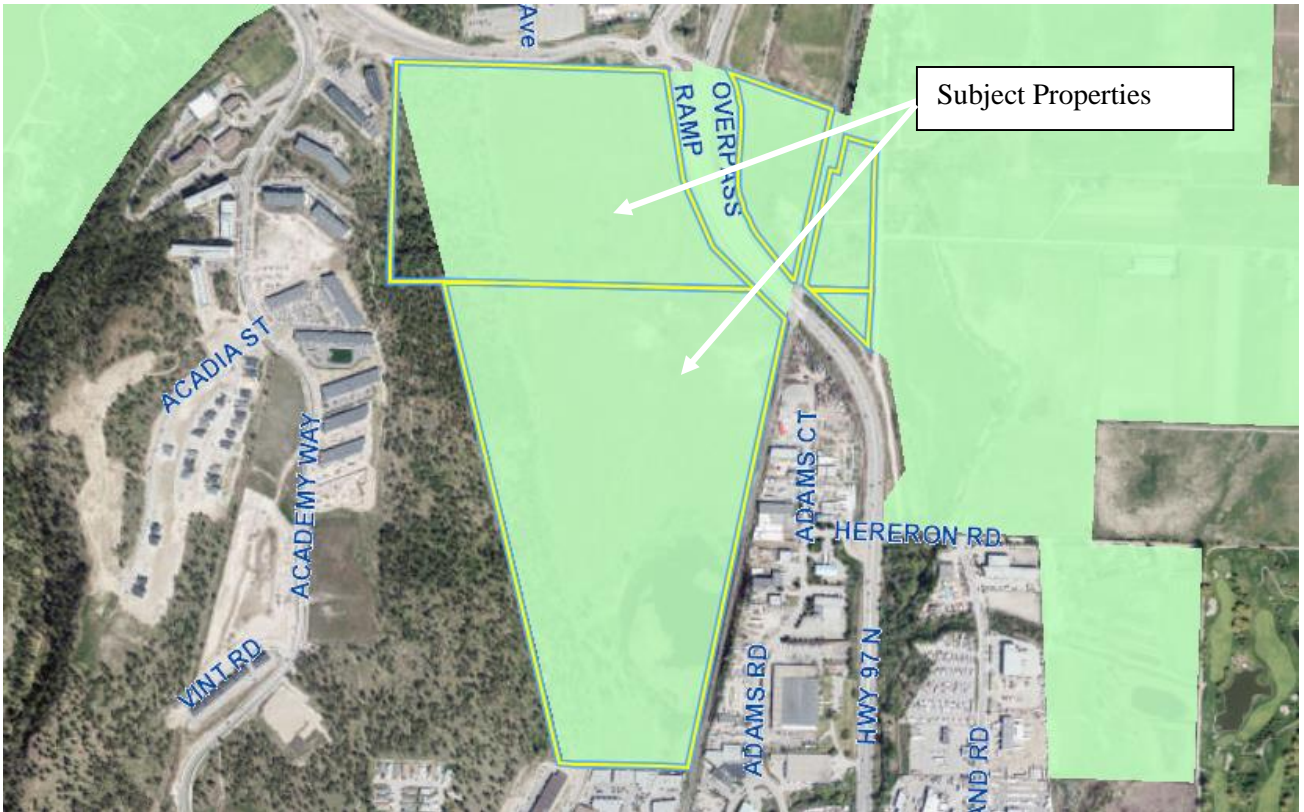
Table 1: Zoning and Land Use of Adjacent Property

Orientation	Zoning	Land Use
North	CD20 – Comprehensive University Development Zone	John Hindle Drive/UBCO
East	A1 – Agriculture 1 & I2 – General Industrial	Hwy 97/Agriculture/Industrial
South	I2 – General Industrial	Industrial
West	C3L, RM4, RM5, P3, A1	Commercial/Agriculture/Residential

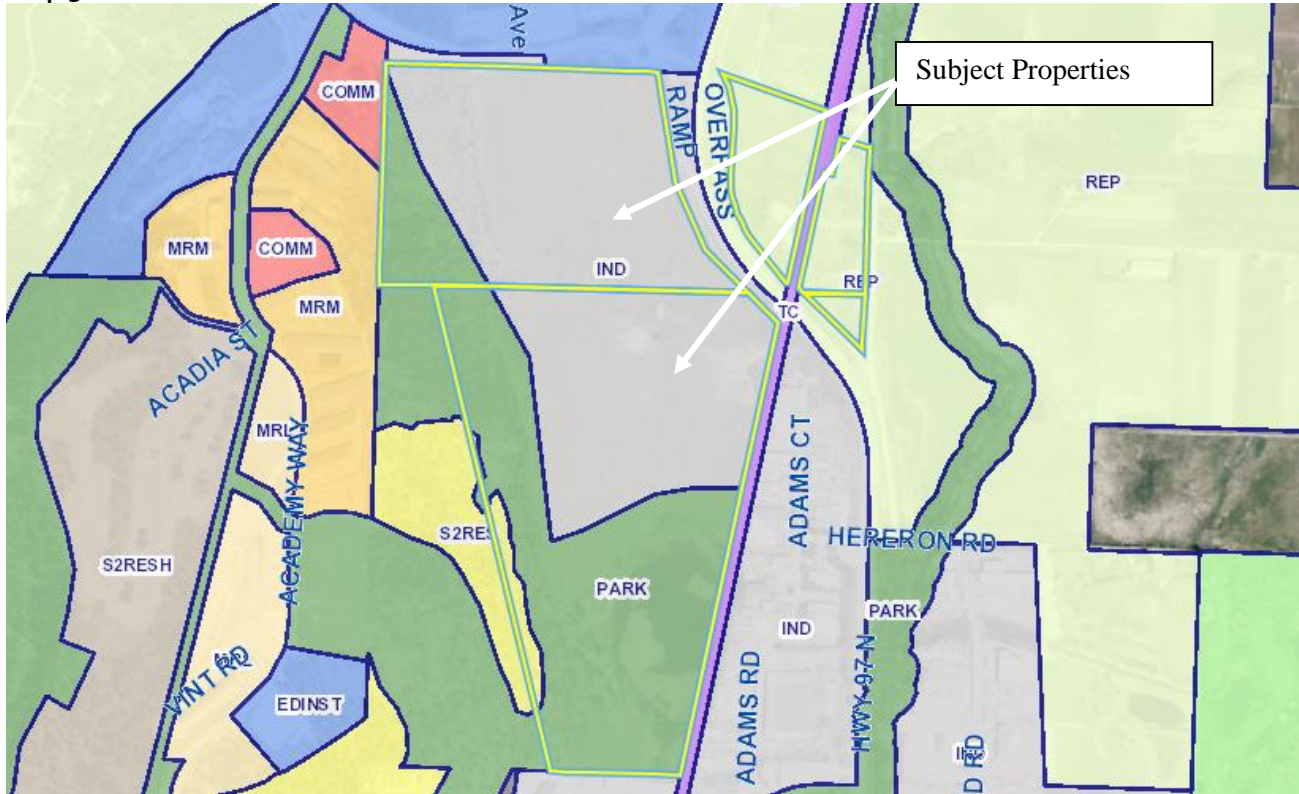
Map 1 - Neighbourhood



Map 2 - Agricultural Land Reserve



Map 3 – Future Land Use



2.2 Background

The subject properties have been considered for non-agricultural purposes dating back to the University South Area Structure Plan and the City's Official Community Plan (OCP) adopted in 1995. In communication with the ALC a portion of the lands has been identified as challenging for long term agriculture uses and subsequently designated as future industrial. Continued discussions between City and ALC staff have occurred periodically over time which led to the land being purchased by the City in July of 2017.

Carney Pond is also located on the south portion of the property is identified as future park land and is intended on being conserved for environmental considerations. In addition, a portion of the property, which is hooked across Highway 97 and the ORT, has a large wetland area. It is in close proximity to Mill Creek and has significant environmental value.

Public Notification

For an exclusion application under Section 29(1) of the Agricultural Land Commission Act., public notification is required prior to making a formal application with the ALC. The required public notification was conducted in June and July of 2020 which included posting of signage, advertisements in local newspapers, and direct notification of adjacent landowners. Public input and feedback have been collected and will form part of the application.

2.3 Project Description

The proposal is to exclude 16.2 ha of land from the Agricultural Land Reserve for the purposes of a future transportation corridor (Hollywood Road North) and relocation of the BC Transit Regional Transit Facility. The extension of Hollywood Road north is identified as a two lane arterial road in the OCP and is proposed to ultimately connect with John Hindle Drive directly to the north.

Regional Transportation

Public transportation service delivery for the City of Kelowna is provided in partnership with BC Transit, the City and other local governments. The existing transit facility is located on Hardy Road and does not have the necessary land area to increase transit service to meet rising needs of the community. Suitable locations have been explored by City staff, in coordination with BC Transit, both locally and regionally for a number of years. However none have been found which met the criteria or business needs of BC Transit. The subject properties have been identified as a suitable location which could meet the requirements of future transit expansion. Further information and a letter of support from BC Transit is provided and attached as part of this report.

Soil and Agricultural Land Capability

The soil classification within the proposed exclusion area is Wesbank (3D – Improved) and Trout Creek (4WD – Improved). Further detailed soil classification information is provided in the AIA conducted by Associated Engineering, dated February 2020 and attached as part of this report.

3.0 Community Planning

The proposed exclusion is reviewed primarily against the OCP's Agricultural Policies, Transportation Policies and recommendations of the City's Agricultural Plan (2017), and secondly against overall city-wide policies and objectives. The proposal is considered to meet a number of the overall policies and objectives of the Transportation Initiatives of the OCP and provide mitigation measures on the impact to loss of agricultural land.

Policy Considerations

General agricultural policies of the OCP are aimed at protection of agricultural land and supporting the ALR. However, the proposed area has been identified for over two decades for industrial development and helps achieve significant transportation objectives and strategic priorities. As identified in Policy 5.33.2, it states that the City of Kelowna will not support ALR exclusion applications to the ALC except in extraordinary circumstances where such exclusions are otherwise consistent with the goals, objectives and other policies of this OCP. Soil capability alone should not be used as justification for exclusion. Staff consider the proposal to meet the criteria of this policy as it has been identified in long range planning initiatives and it ensures efficient and effective transit infrastructure and facilities which is noted in Objectives 7.9 and Policies 7.9.2, 3 and 4 of the OCP.

Mitigation Measures

Even though the proposal is considered to meet the policy threshold for exclusion consideration there is ultimately some impact to agriculture. In 2019 City staff engaged a consultant to complete an Agricultural Impact Assessment (AIA) for the proposal to help determine and quantify those impacts. As part of the assessment mitigation and offset strategies have been outlined to help moderate losses and provide

compensation. The mitigation measures are outlined in detail in the AIA and include topsoil management/salvage, collaboration with the Young Agrarians on other City owned properties to support agriculture and providing improvements on those properties. The City also provides indirect support of agriculture by implementing initiatives such as the 2017 Agricultural Plan through OCP and Zoning changes, as well as ongoing compliance and enforcement on agricultural lands.

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Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Schedule A – Policies
Schedule B -Technical Comments
Agricultural Impact Assessment / Applicant Package