

Agricultural Advisory Committee

AGENDA



Thursday, August 11, 2022
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, the City is required to collect the first and last name and telephone number or email address of everyone attending a Council meeting, public hearing, or Council Committee meeting. This information will be kept by the City for 30 days in case there is a need for contact tracing on the part of the medical health officer. If the information is not required for that purpose it will be destroyed after 30 days.

We appreciate your cooperation in meeting this requirement.

2. Minutes

3 - 4

Approve Minutes of the Meeting of July 14, 2022.

3. Applications for Consideration

3.1. Ward Rd 1989 - A22-0004 - Gill Family Orchards Inc.

5 - 29

To consider a non-adhering residential use permit to allow temporary farm help housing to accommodate 24 seasonal farm workers on the subject property.

4. ALC Decisions - Update

5. End of Term Committee review

6. New Business

7. Next Meeting

September 8, 2022

8. Termination of Meeting

Agricultural Advisory Committee Minutes

Date: Thursday, July 14, 2022
Time: 6:00 pm
Location: Council Chamber
City Hall, 1435 Water Street

Members Present John Janmaat (Chair), Yvonne Herbison (Vice Chair), Domenic Rampone, Aura Rose, Derek Brown

Members Absent Jill Worboys, Avi Gill, Chris Zabek

Staff Present Wesley Miles, Planner Specialist; Tyler Caswell, Planner II

1. Call to Order

The Chair called the meeting to order at 6:00 p.m.

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

2. Minutes

Moved By Domenic Rampone/Seconded By Aura Rose

THAT the Minutes of the April 14, 2022 Agricultural Advisory Committee meeting be adopted.

Carried

3. Applications for Consideration

3.1 Teasdale Rd, 1368 - A22-0003 - Northview Orchards Ltd. Inc No. 221199

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

Applicant/Owner Brian Witzke:

- Responded to questions from the committee.
- Confirmed who currently lives on the property, father and son which are both owners.
- The proposed house is approximately 2400 ft² and located in an area that is better suited for building with poor soil conditions.
- The proposed location will allow to better utilize the rest of the property for farm operations.

Staff responded to questions of the committee.

Anecdotal Comments:

- The Committee understands it is making an exception for the larger second dwelling but considers it appropriate for the site and a generational farming family. The size of the proposed dwelling is reasonable and is in a good location as the home site is not suitable for farming and does not impact arable land. There are currently two houses on the property and will continue to allow two houses.

Moved by Domenic Rampone/Seconded by Derek Brown

THAT the Committee recommends that Council support the application to consider a non-adhering residential use permit.

Carried

4. ALC Decisions - Update

Staff updated the Committee on a number of ALC decisions from previous files as well as an update on Council decisions to be forwarded onto the ALC for deliberation.

5. New Business

There was no new business.

6. Next Meeting

The next Committee meeting has been scheduled for August 11, 2022.

7. Termination of Meeting

The Chair declared the meeting terminated at 6:35 p.m.

Chair

COMMITTEE REPORT



Date: August 11, 2022

RIM No. 1210-21

To: Agricultural Advisory Committee (AAC)

From: Development Planning Department (MS)

Application: A22-0004 **Owner:** Gill Family Orchards Inc., Inc. No. BC1159244

Address: 1989 Ward Road **Applicant:** Carl Withler

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

Existing OCP Designation: REP – Resource Protection Area

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 24 seasonal farm workers on the subject property.

2.0 Proposal

2.1 Background

The subject property is 9.27 ha (22.9 ac) in size and is located on Ward Road in Southeast Kelowna. The applicant is seeking seasonal farm workers to help with planting, pruning, and picking cherries on 17.72 ha (43.78 acres) of land that is owned and farmed by the property owner. The subject property contains farm equipment storage buildings only, with no existing residential uses. The property owner currently has 6 seasonal farm workers that reside on another property within the sector (3296 McCulloch Road) who will be accommodated on the subject property once this project is constructed.

2.2 Project Description

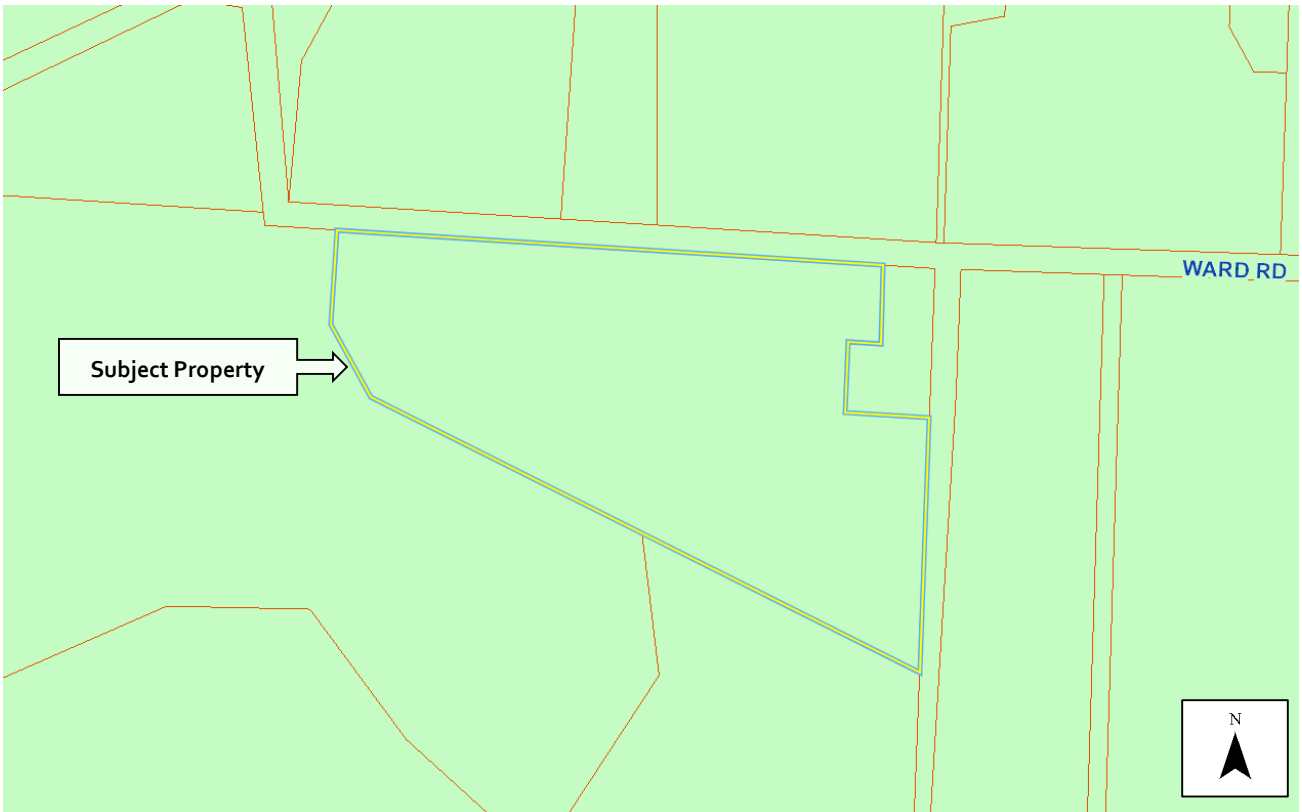
The applicant is proposing to place prefabricated trailer units on blocks on the subject property to accommodate 24 seasonal farm workers. The gross floor area of the trailers would be 419 m² (4510 ft²). The temporary farm worker housing would be located near Ward Road in a portion of the property that is not currently used for agricultural purposes. The workers would help with planting, pruning, and picking cherries on the subject property and two other nearby properties belonging to the property owner:

- 1989 Ward Road (9.27 ha / 22.9 ac)
- 3254 McCulloch Road (4.34 ha / 10.72 ac)
- 3571 Bemrose Road (4.11 ha / 10.16 ac)

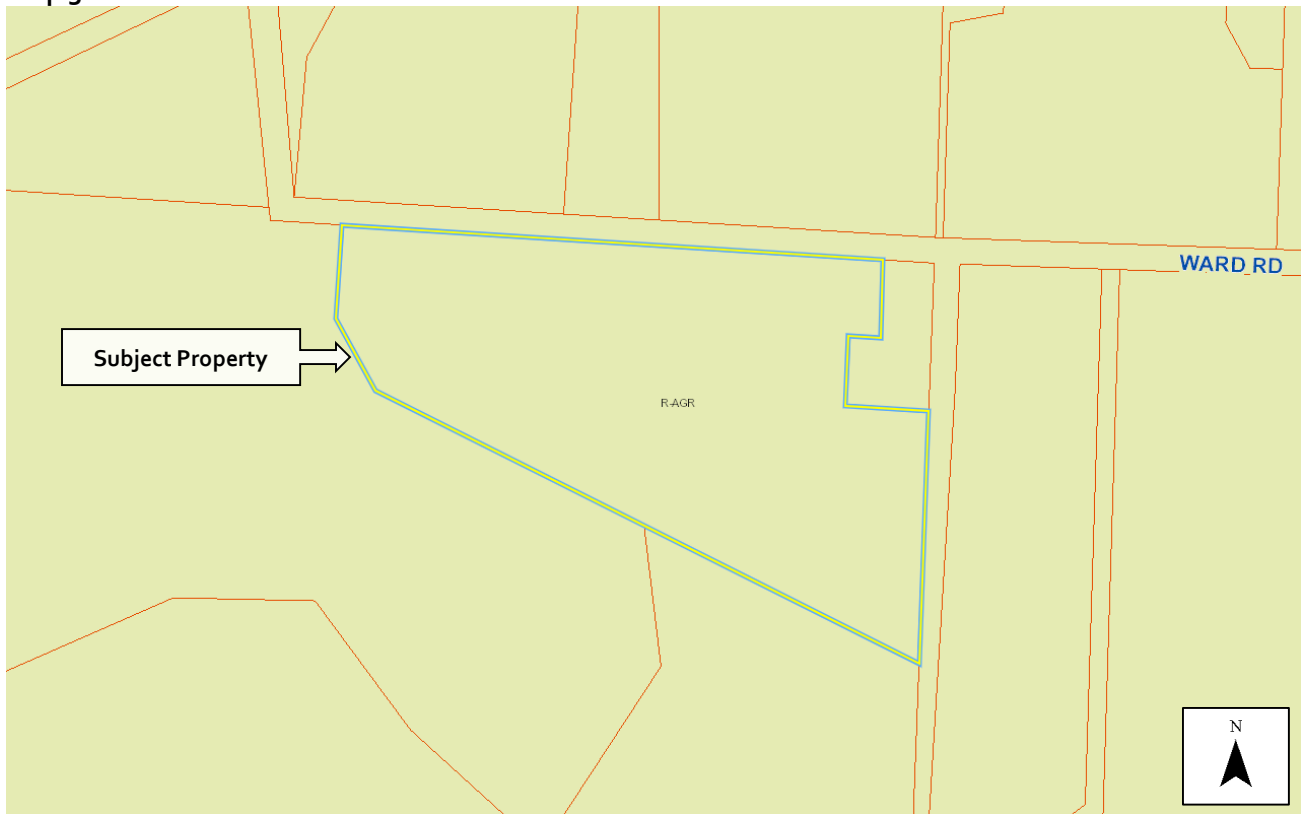
Map 1 - Neighbourhood



Map 2 – Agricultural Land Reserve



Map 3 – Future Land Use



2.3 Neighbourhood Context

The subject property lies within Southeast Kelowna. The surrounding area consists entirely of agricultural lands which are within the Agricultural Land Reserve.

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
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 worker housing meets the regulations of the Zoning Bylaw and generally complies with the policies of the Official Community Plan, Farm Protection Development Permit Guidelines, and Agriculture Plan.

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

- Agriculture is the principal use on the parcel;

- The applicant demonstrates that on-site housing for farm workers is necessary for 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, such as bunkhouse accommodation on non-permanent foundations, is the preferred solution where farm worker housing is justified.

The Farm Protection Development Permit Guidelines state that Temporary Farm Worker Housing should be designed so that:

- All existing dwellings within the farm unit should be utilized prior to building new temporary farm worker housing, unless the existing dwellings are for a use consistent with the Agricultural 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.
- The temporary farm worker housing footprint should be contiguous with the residential footprint (i.e. Homeplate) and/or within 60 metres of the road and/or located to maximize the agricultural potential and limit negative impacts on the farm parcel.
- Establish a minimum 3 metre wide vegetated buffer for screening to adjacent property lines and between the temporary farm worker housing and active farming areas.

The City of Kelowna Agriculture Plan recommends to:

- Allow a 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.

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, Development 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 0.3 ha.

Report prepared by: Mark Tanner, Planner II

Reviewed by: Dean Strachan, Community Planning & Development Manager

Attachments:

Attachment A: ALC Non-Adhering Residential Use Application

Attachment B: Drawing Package



Provincial Agricultural Land Commission - Applicant Submission

Application ID: 64834

Application Status: Under LG Review

Applicant:

Agent: Carl Withler

Local Government: City of Kelowna

Local Government Date of Receipt: 02/10/2022

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: House 60 TFW for cherry production.

Agent Information

Agent: Carl Withler

Mailing Address:

2612 Woodland Cres

Kelowna, BC

V1W 2R4

Canada

Primary Phone: (250) 870-2137

Email: withler@shaw.ca

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

Parcel Identifier: 030-944-988

Legal Description: EPP95434

Parcel Area: 10 ha

Civic Address: 1989 Ward Road, Kelowna, B.C.

Date of Purchase: 12/01/2021

Farm Classification: Yes

Owners

1. **Name:**

Address:

Phone:

Email:

Applicant:

Ownership or Interest in Other Lands Within This Community

- Ownership Type:** Fee Simple
Parcel Identifier: 004-320-921
Owner with Parcel Interest:
Parcel Area: 4.3 ha
Land Use Type: Agricultural/Farm
Interest Type: Full Ownership
-

Current Use of Parcels Under Application

- 1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).**
Entire orchard planted to high quality cherry and apple production.
- 2. Quantify and describe in detail all agricultural improvements made to the parcel(s).**
Equipment shed on site for storage of farm equipment.
- 3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).**
None.

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm
Specify Activity: apple production

East

Land Use Type: Agricultural/Farm
Specify Activity: apple production.

South

Land Use Type: Agricultural/Farm
Specify Activity: apple production

West

Land Use Type: Agricultural/Farm
Specify Activity: cherry production

Proposal

- 1. What is the purpose of the proposal?**
House 60 TFW for cherry production.
- 2. Describe the necessity for an additional residence for farm use and how it will support agriculture in the short or long term.**
The Gill family now has 40 acres in producing cherries. Labour is needed to plant, prune and pick the crop.

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

None

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

200 m²

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

Housing for TFW is a requirement of the SAWP program.

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

2000 m as required by City of Kelowna.

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

No

Applicant Attachments

- Agent Agreement-Carl Withler
- Proposal Sketch-64834
- Certificate of Title-030-944-988

ATTACHMENT A

This forms part of application
A22-0004

Planner
Initials

MT



**City of
Kelowna**
COMMUNITY PLANNING

ALC Attachments

None.

Decisions

None.

ATTACHMENT B

This forms part of application

A22-0004

Planner Initials **MT**



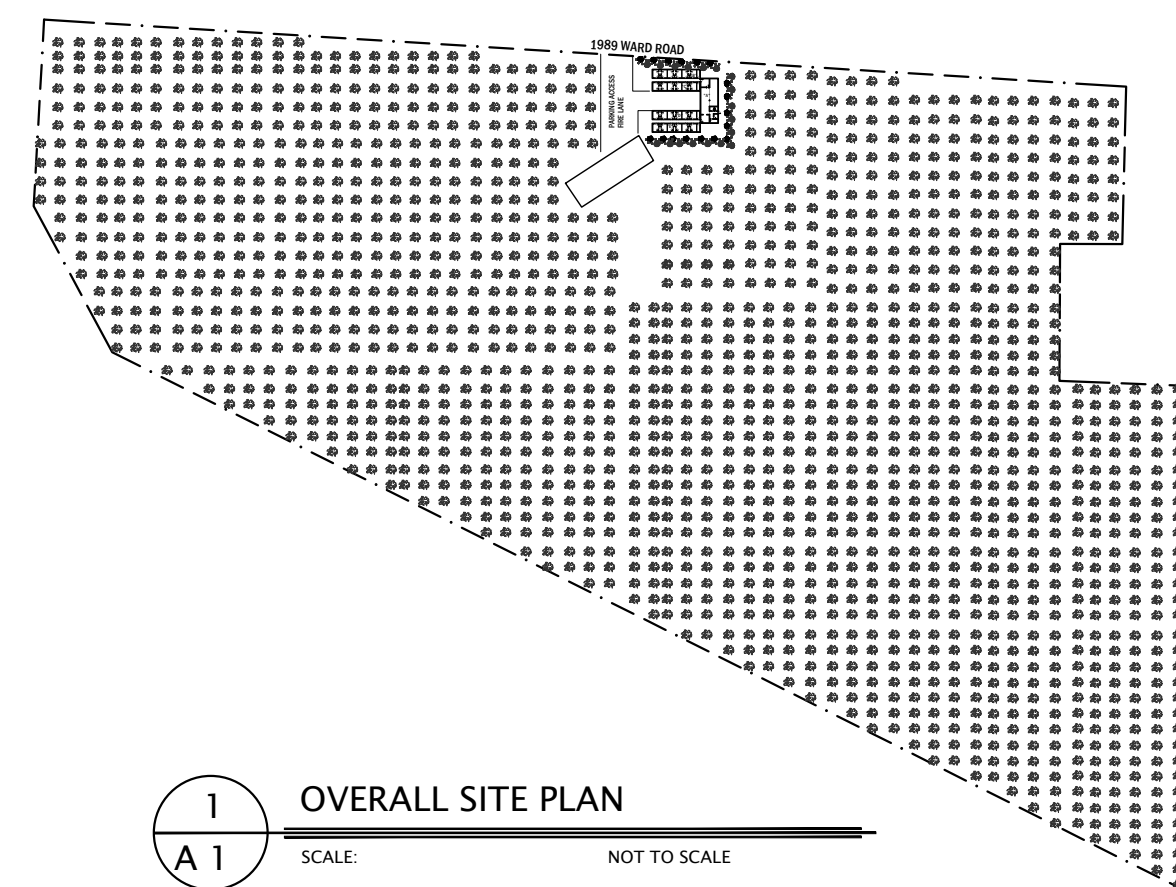
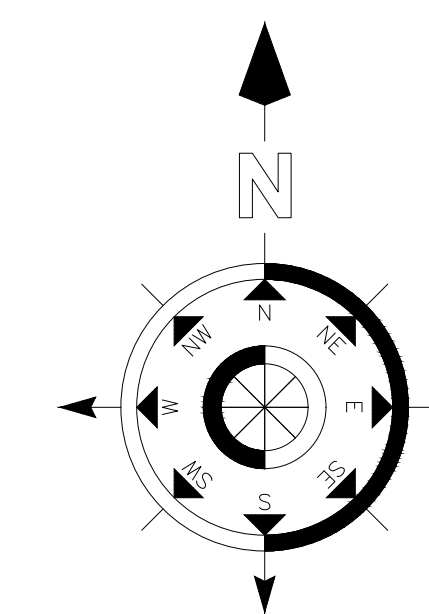
MUNICIPAL ADDRESS
1989 WARD ROAD
KELOWNA, B.C.
V1W-4B1

LEGAL ADDRESS
LOT 1 BLOCK
PLAN EPP95434
KID 855120
PID 030-944-988

ZONE A1
WATER CITY

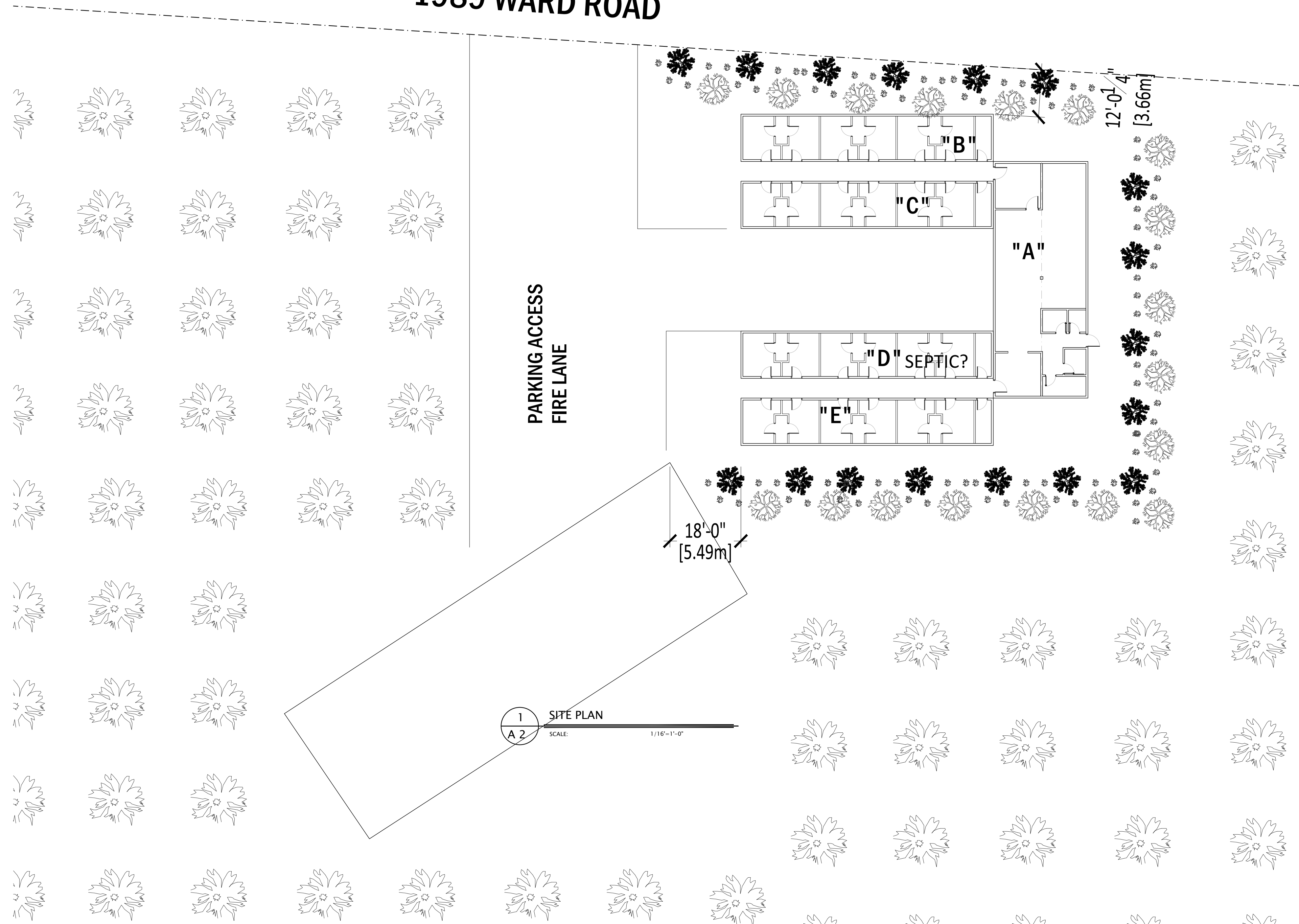
FIRE

22.907 Acres / 9.27 Ha.



1 OVERALL SITE PLAN
A 1 SCALE: NOT TO SCALE

1989 WARD ROAD



- A KITCHEN / DINING 24' x 60'
- B SLEEPING UNITS 12' x 64'
- C SLEEPING UNITS 12' x 64'
- D SLEEPING UNITS 12' x 64'
- E SLEEPING UNITS 12' x 64'
- G SEPTIC FIELD

1 SITE PLAN
A 2 SCALE: 1/16"=1'-0"

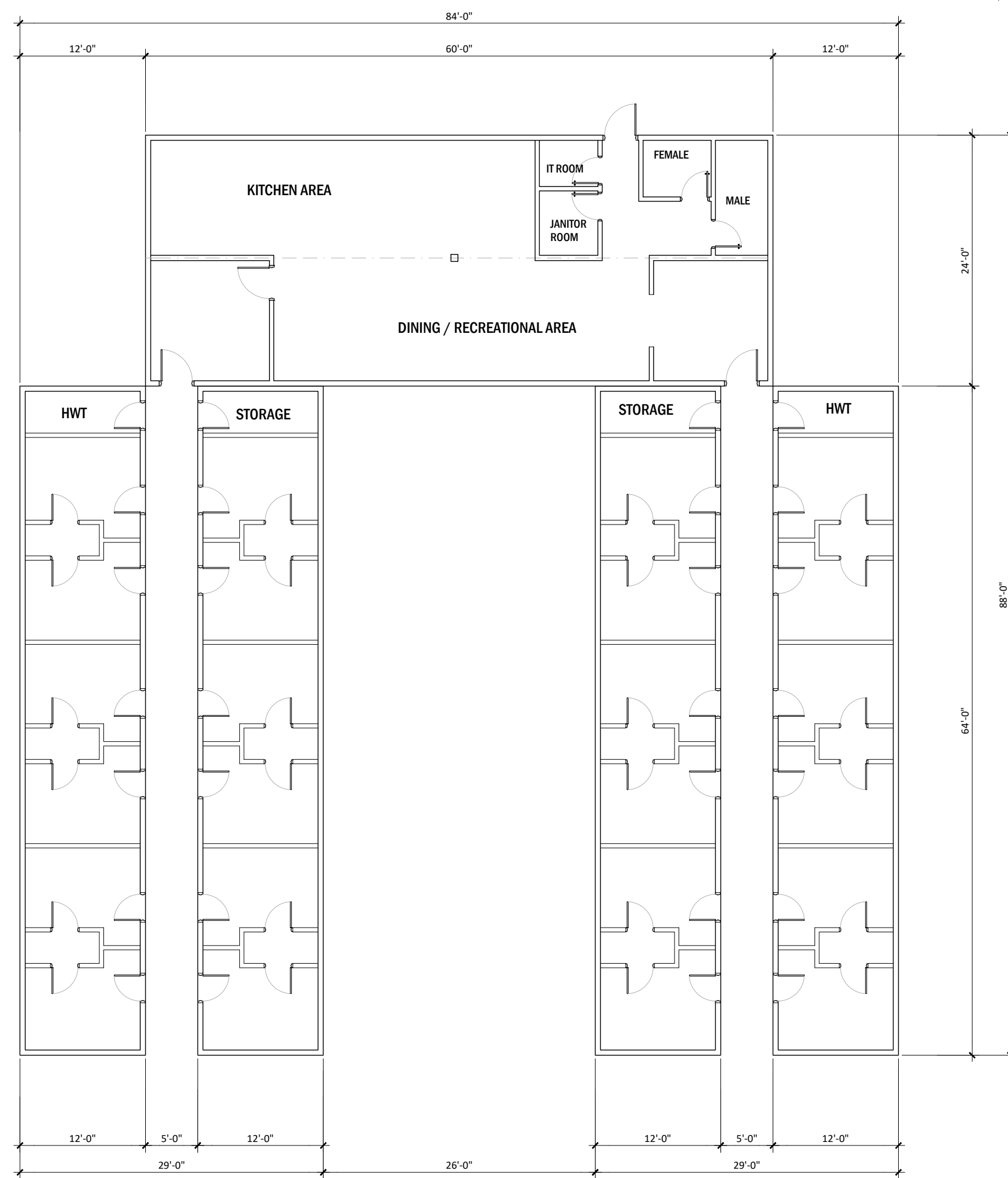
DATE	NO.	BY	REVISION
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<p>HOLDEN'S DRAUGHTING & DESIGN 832 SAUCIER AVENUE KELOWNA, B.C. V1Y-6A3 Phone: 250.868.0962 Fax: 250.868.0962 Email: h.holden@shaw.ca</p>			
PROJECT M. GILL 1989 WARD ROAD KELOWNA, B.C.			
SHEET TITLE SITE PLAN & NOTATION			
DRAWN	RAH		SHEET NO.
CHECKED			A 1
SCALE	1/32"=1'-0"		Rev. 0
DATE	14-Jun-22		

ATTACHMENT B

This forms part of application

A22-0004

Planner Initials **MT**



1 TRAILER LAYOUT
SCALE: 3/32"=1'-0"

SLEEPING UNIT SCHEDULE (x4)

BED (48" x 78")	24
NIGHT STAND	24
SMALL DESK	24

TYPICAL CONSTRUCTION NOTES: refer to specifications

fire
fire extinguisher supplied
one per exit
one per laundry room

plumbing
shut off valves 1 per fixture
all vents in wall structure / where possible

electrical
electrical heat / 1 per bedroom
receptacles as per specifications

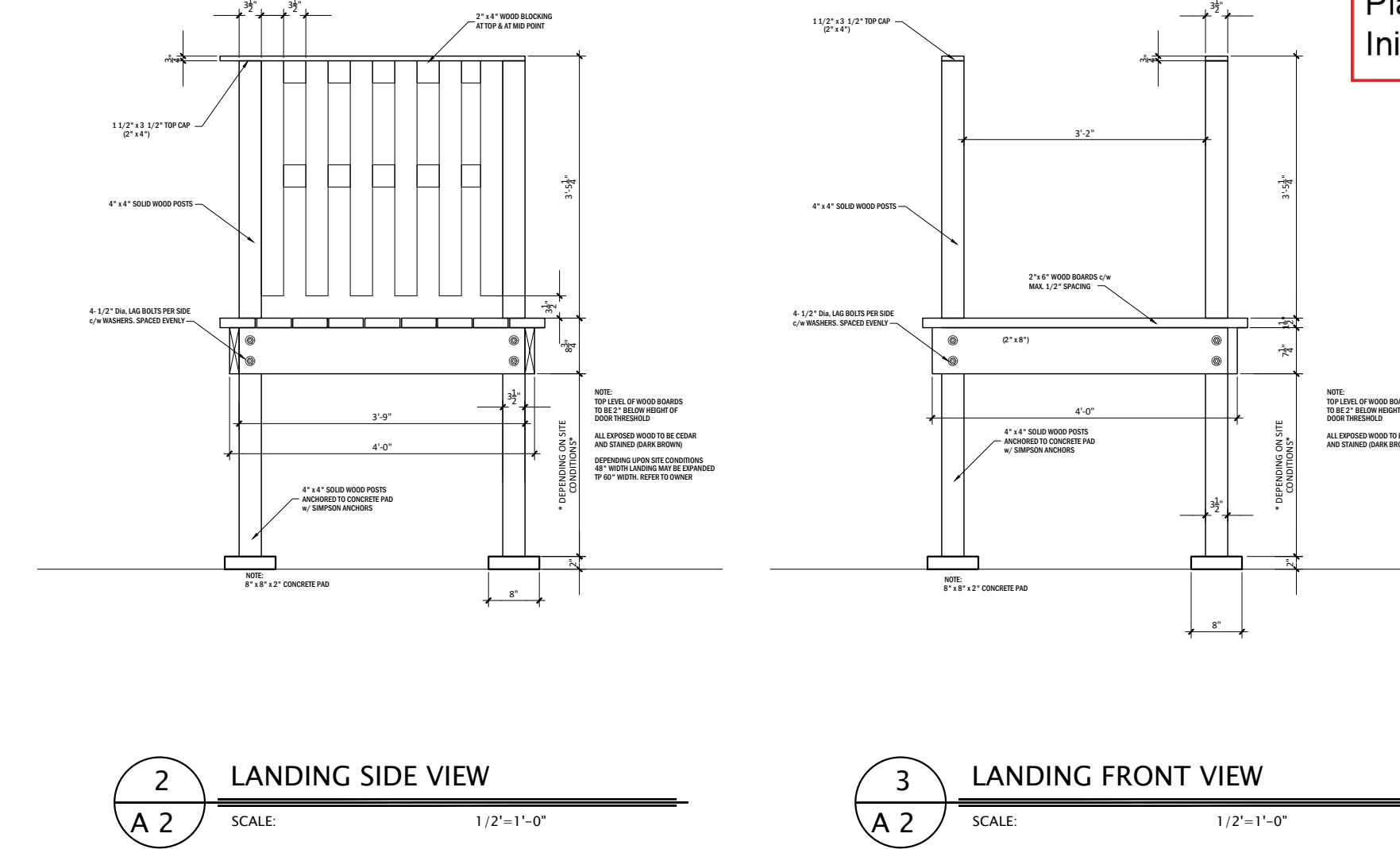
telephone
one per
jacks as per spec

emergency exit
running man symbol to be installed
at all exits

bedroom doors to have
20 min. FRR
door closer or door closer hinges

mechanical doors to have
20 min. FRR
door closer or door closer hinges

DORMITORY COMPLEX REGULATIONS	
LIVE LOAD	75 PSF
ROOF LOAD	44 PSF
CEILING HEIGHT STRUC.	8'-0 1/4"
CEILING HEIGHT FINISH	8'-0 1/4"



2 LANDING SIDE VIEW
SCALE: 1/2"=1'-0"

3 LANDING FRONT VIEW
SCALE: 1/2"=1'-0"

TYPICAL CONSTRUCTION NOTES:

BLOCKING
treated 6"x 6" bottom core
untreated 6"x 6" top blocks
24" x 24" x 1 1/2" concrete pad

SKIRTING
to a maximum height of 25 1/2"
2" x 4" spruce as required
screened vents 6 only 14" x 8"
clad access hatch 1 only 36" x 18"

STAIRS & LANDINGS
total max. rise allowed
all stairs / landings to be c/w handrail
spruce construction / 2 coats of solid stain
to match exterior
non slip surface on treads & decking

PREFABRICATED TRAILER UNITS
to be confirmed by manufacturer

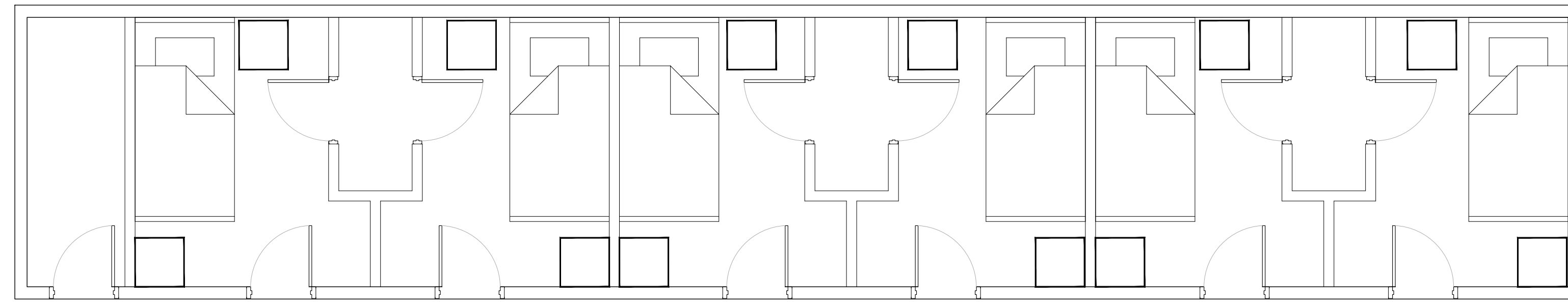
FLOORS
3/8" plywood glued/screwed
2"x10" @ 16" o.c. joists
R28 friction fit batt insulation
5/8" t&g plywood glued / screwed / sanded

EXTERIOR WALLS
30 gauge exterior steel
3/8" plywood
2"x6" @ 16" o.c. spruce
R20 friction fit batt insulation
3/8" plywood

PARTITIONS
2"x4" @ 16" o.c. spruce
R12 friction fit batt insulation

ROOF
EPDM
1/2" spruce plywood
2"x8" @ 16" o.c. tapered
R28 batt insulation
1/2" type 'x' g.w.b.

DATE	NO.	BY	REVISION
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PROJECT: M. GILL 1989 WARD ROAD KELOWNA, B.C.			
SHEET TITLE: TRAILER LAYOUT			
DRAWN: RAH	SHEET NO. A 2		
CHECKED:	SCALE: 3/32"=1'-0"		
DATE: 14-Jun-22	Rev. 0		



SLEEPING UNIT SCHEDULE (x4)

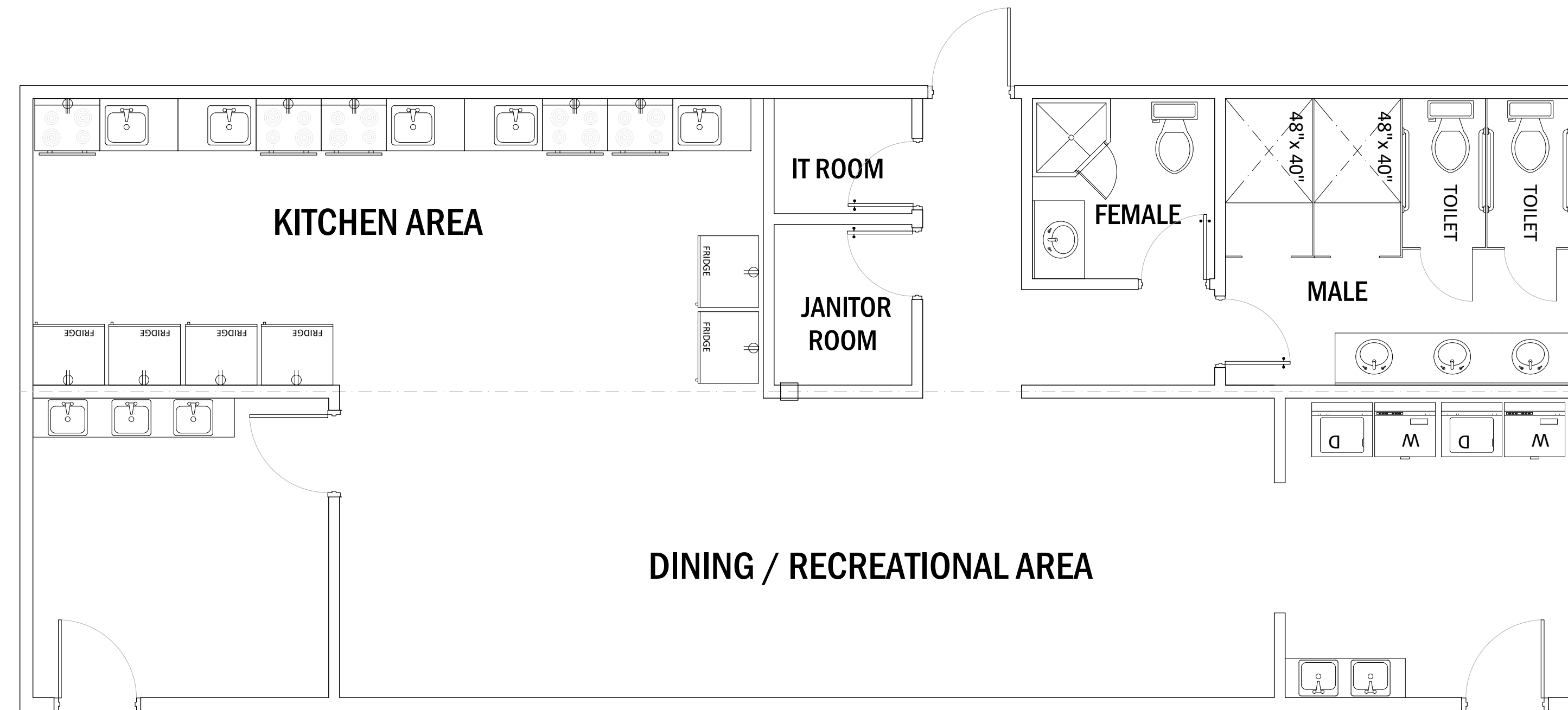
BED (48" x 78")	24
NIGHT STAND	24
SMALL DESK	24

- BATHROOMS**
- VANITY
 - 18"x24" high FRAMELESS MIRROR CENTRED OVER VANITY
 - TOILET
 - DOUBLE PAPER TOILET DISPENSER
 - SHOWER (SIZE)
 - 48"x 78" WHITE VINYL CURTAIN c/w ROD
 - ROBE HOOK

- LAUNDRY**
- SHELF ABOVE LAUNDRY MACHINES
 - MAYTAG HEAVY DUTY RESIDENTIAL TYPE WASHERS
 - MAYTAG HEAVY DUTY RESIDENTIAL TYPE DRYERS
 - ROBE HOOK

- MILLWORK:**
- ALL CLOSETS, NIGHT TABLES AND DESKS TO BE BIRCH CONSTRUCTION c/w DOORS, ADJUSTABLE AND/OR FIXED SHELVING
 - COUNTERTOPS SHALL BE "EBONY FUSION" POST FORMED PLASTIC LAMINATE
 - ALL VANITIES SHALL BE 30" x 32" A.F.F. FULL CABINET c/w 4" BACKSPLASH AND BIRCH DOOR.
 - ALL DOOR / DRAWER PULLS SHALL BE 'C' PULL TYPE ALUMINUM
 - ALL HINGES SHALL BE RECESSED EUROPEAN

1 SLEEPING TRAILER
A 3 SCALE: 1/4"=1'-0"



FIXTURE & APPLIANCE SCHEDULE

KITCHENS

STOVE	5
SINK	5
FRIDGE	6

BATHROOM

SINKS	9
TOILETS	3
SHOWER	3

LAUNDRY

WASHER	2
DRYER	2

ATTACHMENT B

This forms part of application # A22-0004

Planner Initials **MT**

2 KITCHEN / BATHROOM TRAILER
A 3 SCALE: 1/4"=1'-0"

DATE	NO.	BY	REVISION

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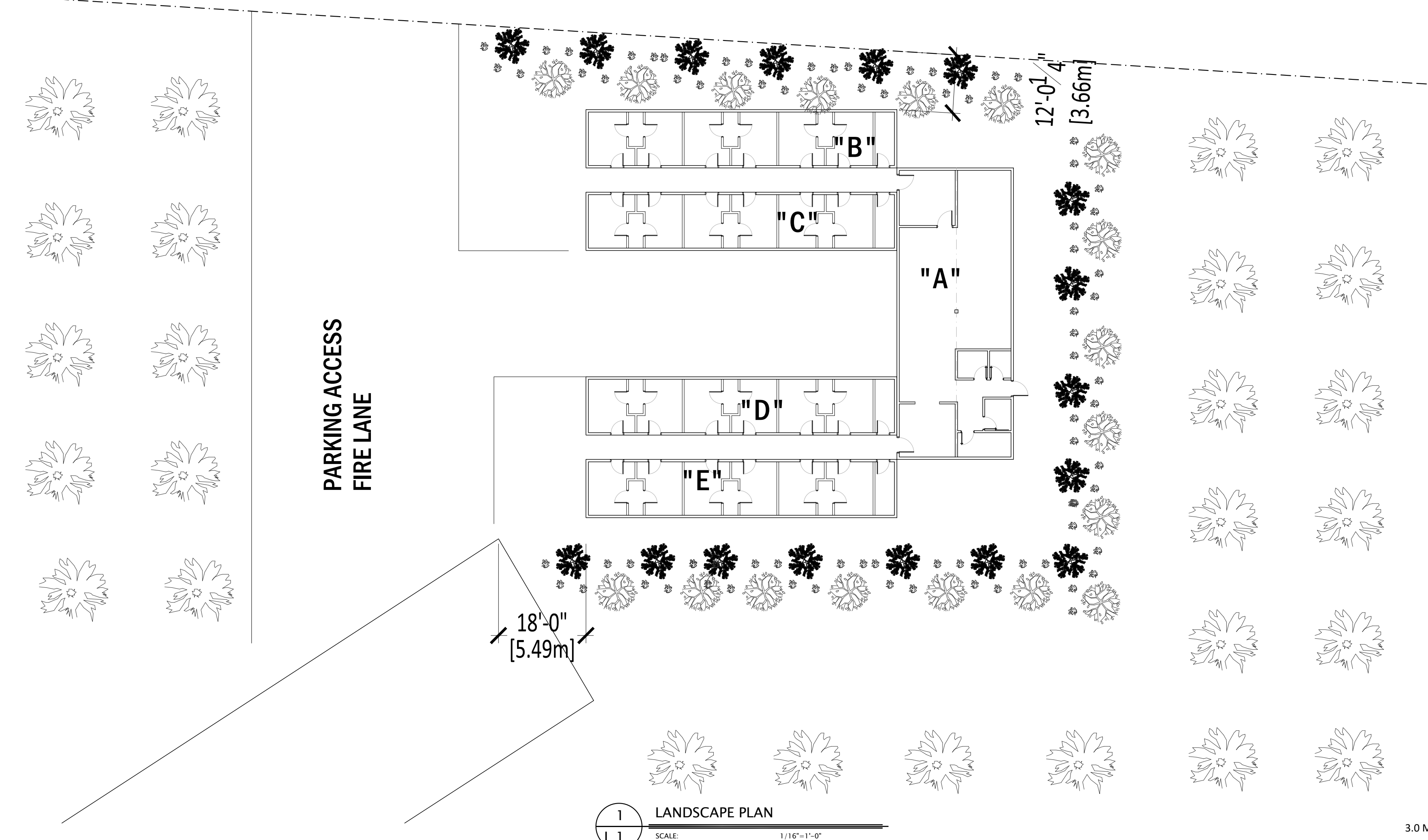
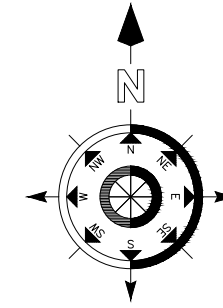
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832 SAUCIER AVENUE
KELOWNA, B.C. V1Y-6A3
Phone: 250.868.0962
Fax: 250.868.0962
Email: h.holden@shaw.ca

PROJECT: M. GILL
1989 WARD ROAD
KELOWNA, B.C.

SHEET TITLE: TRAILER & KITCHEN BATHROOM LAYOUT

DRAWN: RAH	SHEET NO. A 3
CHECKED:	Rev. 0
SCALE: 1/4"=1'-0"	
DATE: 14-Jun-22	

1989 WARD ROAD



1 LANDSCAPE PLAN
SCALE: 1/16"=1'-0"

D.1: 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 CGSB Standards 1-GP145M 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.

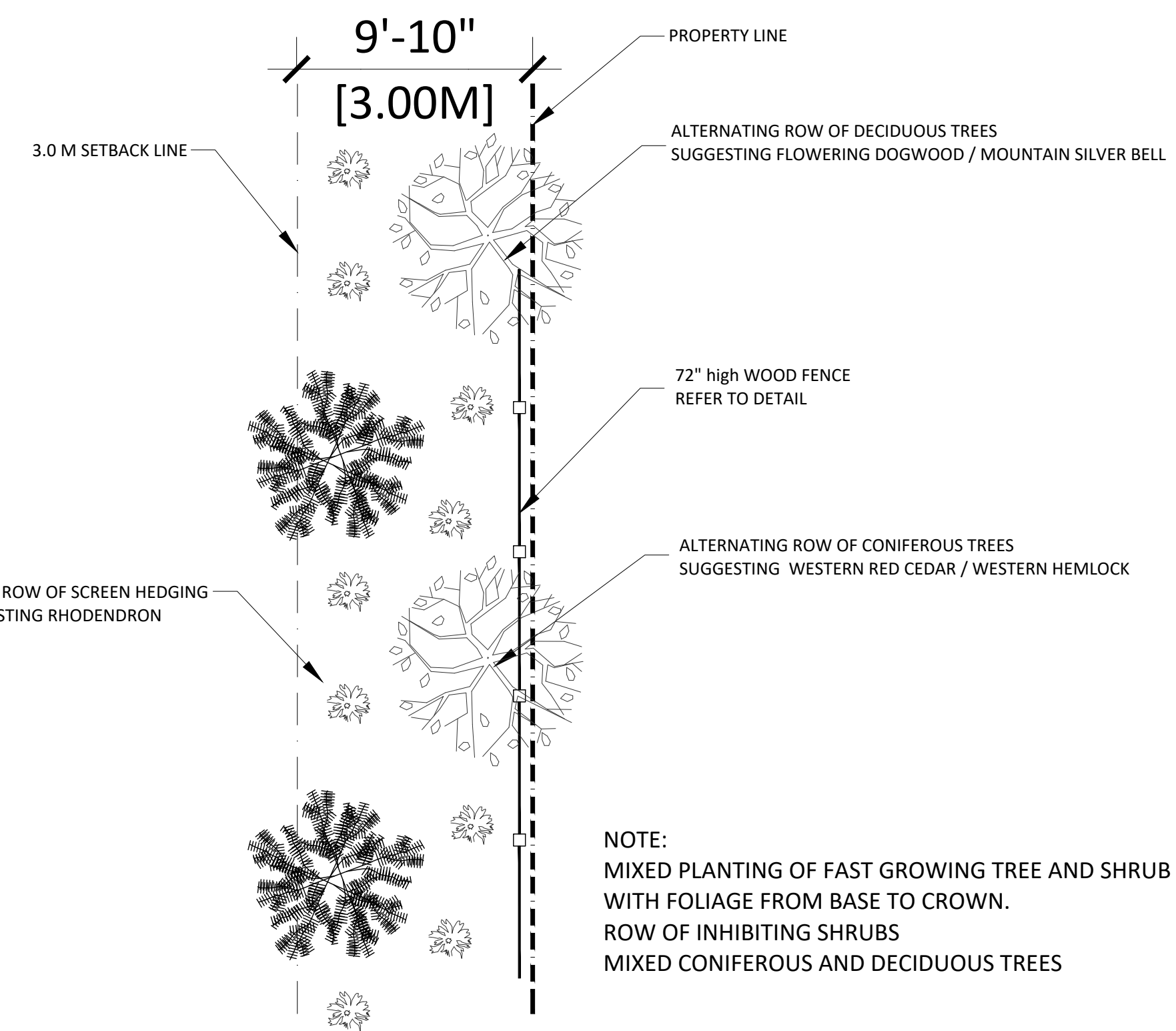
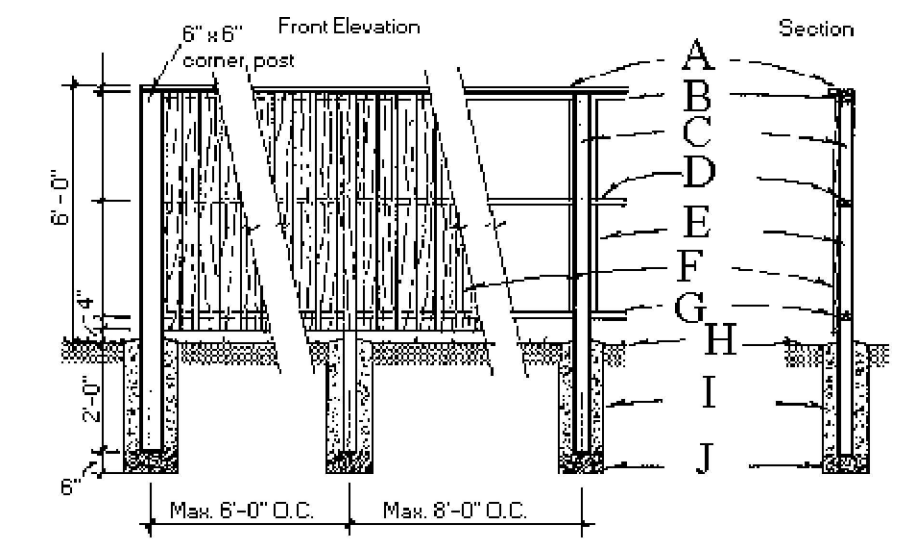
All nails used in fence construction shall meet the following specifications:

- 8.1 Minimum gauge of nails used - #9, common in post/rail connections
- 8.2 Minimum gauge of nails used - #11.5, common in rail/fence board connections
- 8.3 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 specification.

- A - 2" x 6" cap rail
- B - 2" x 4" top rail
- C - 4" x 4" post
- D - 2" x 4" middle rail
- E - 2" x 4" side support
- F - 1" x 6" fence boards
- G - 2" x 4" bottom rail
- H - finished grade
- I - compacted fill
- J - drain rock



2 LANDSCAPE PLANTING LAYOUT
SCALE: 3/16"=1'-0"

ATTACHMENT B
This forms part of application
A22-0004

Planner Initials **MT**

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PROJECT M. GILL 1989 WARD ROAD KELOWNA, B.C.			
SHEET TITLE LANDSCAPE PLAN			
DRAWN RAH	SHEET NO. L 1		
CHECKED	SCALE 1/16"=1'-0"		
DATE 14-Jun-22	Rev. 0		



City of
Kelowna

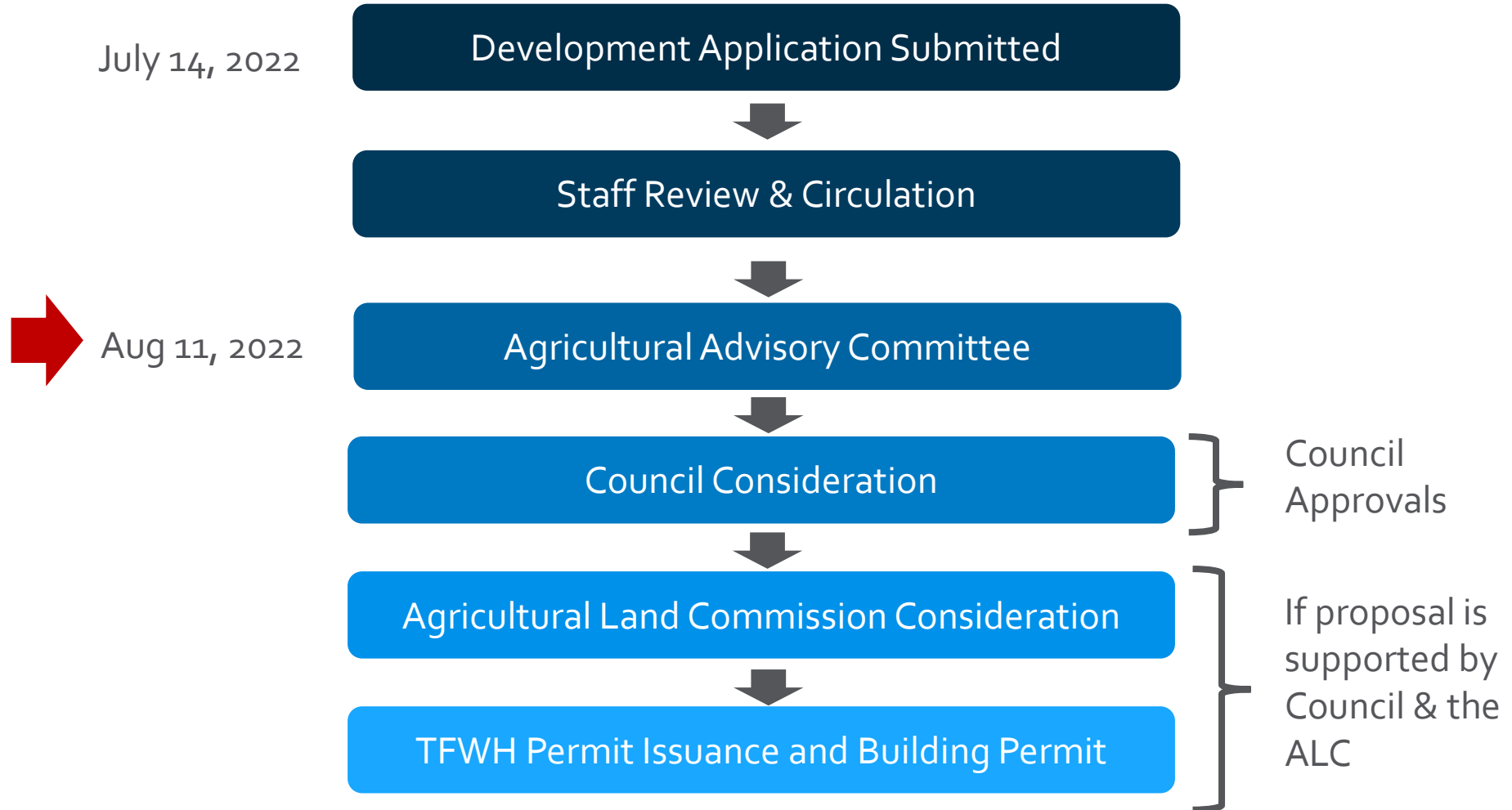
A22-0004 1989 Ward Rd

ALR Application for Non-Adhering Residential Use Permit

Proposal

- ▶ To consider an application to the Agricultural Land Commission for a Non-Adhering Residential Use Permit application to allow Temporary Farm Worker Housing to accommodate 24 seasonal workers on the subject property

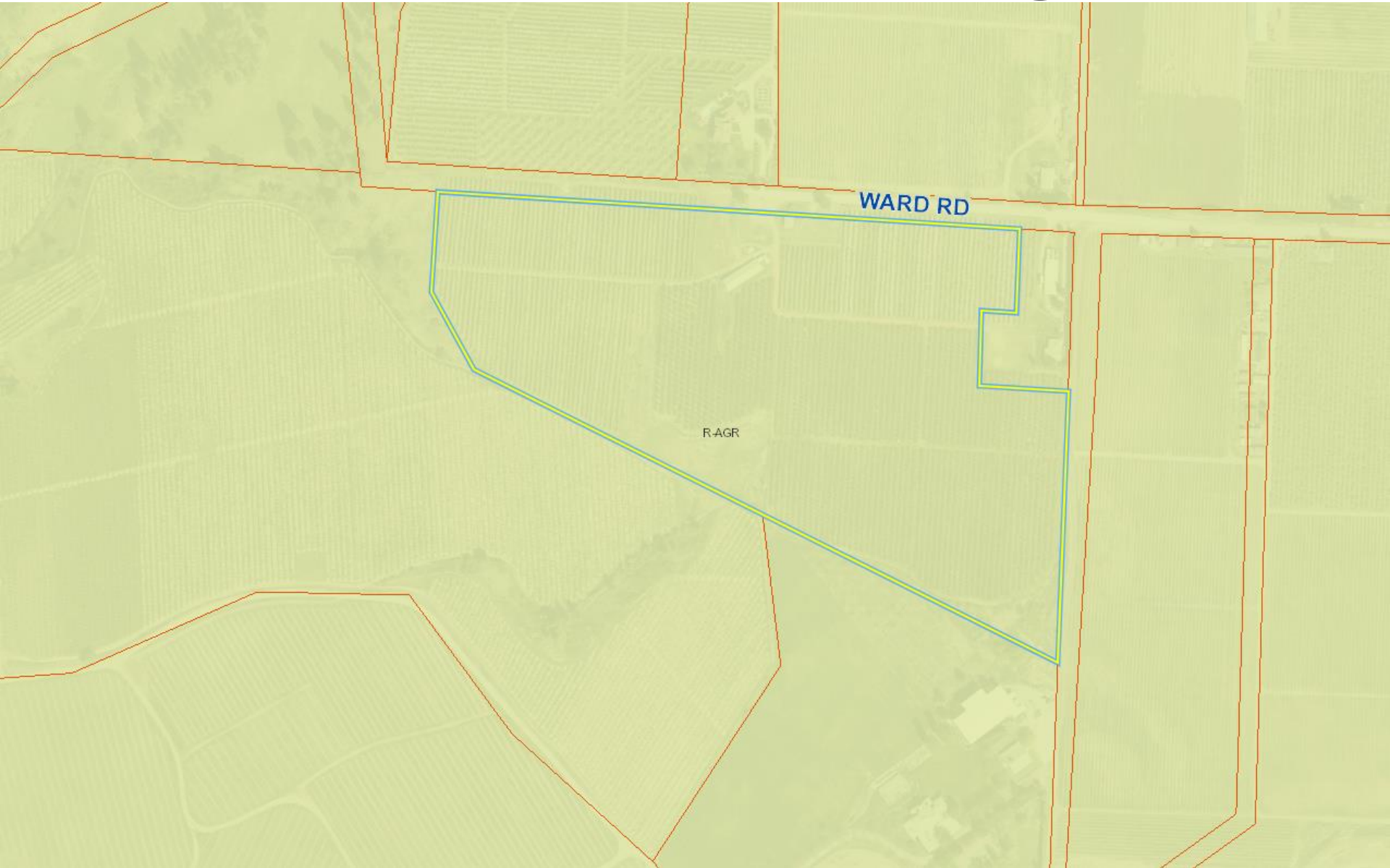
Development Process



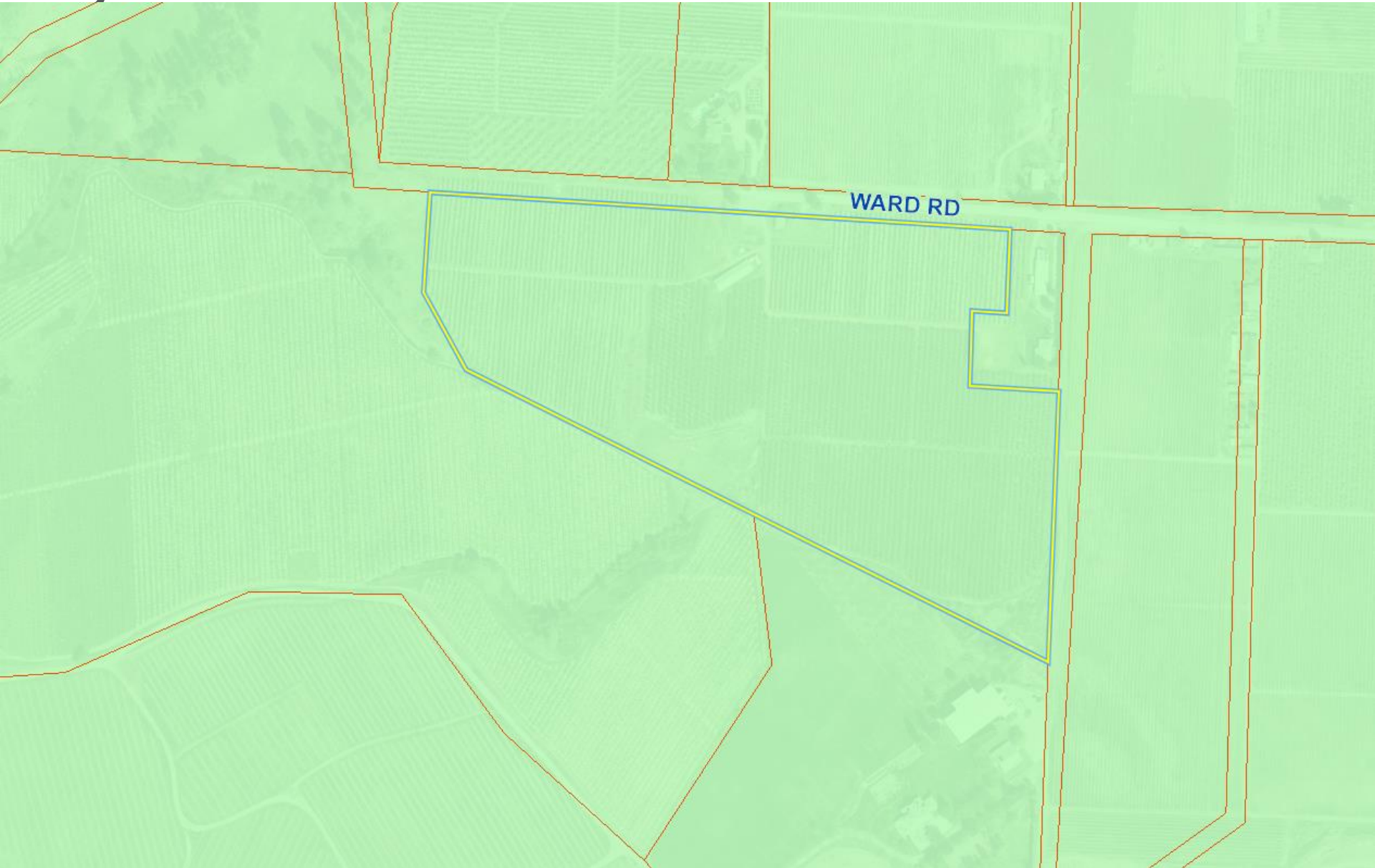
Context Map



OCP Future Land Use / Zoning



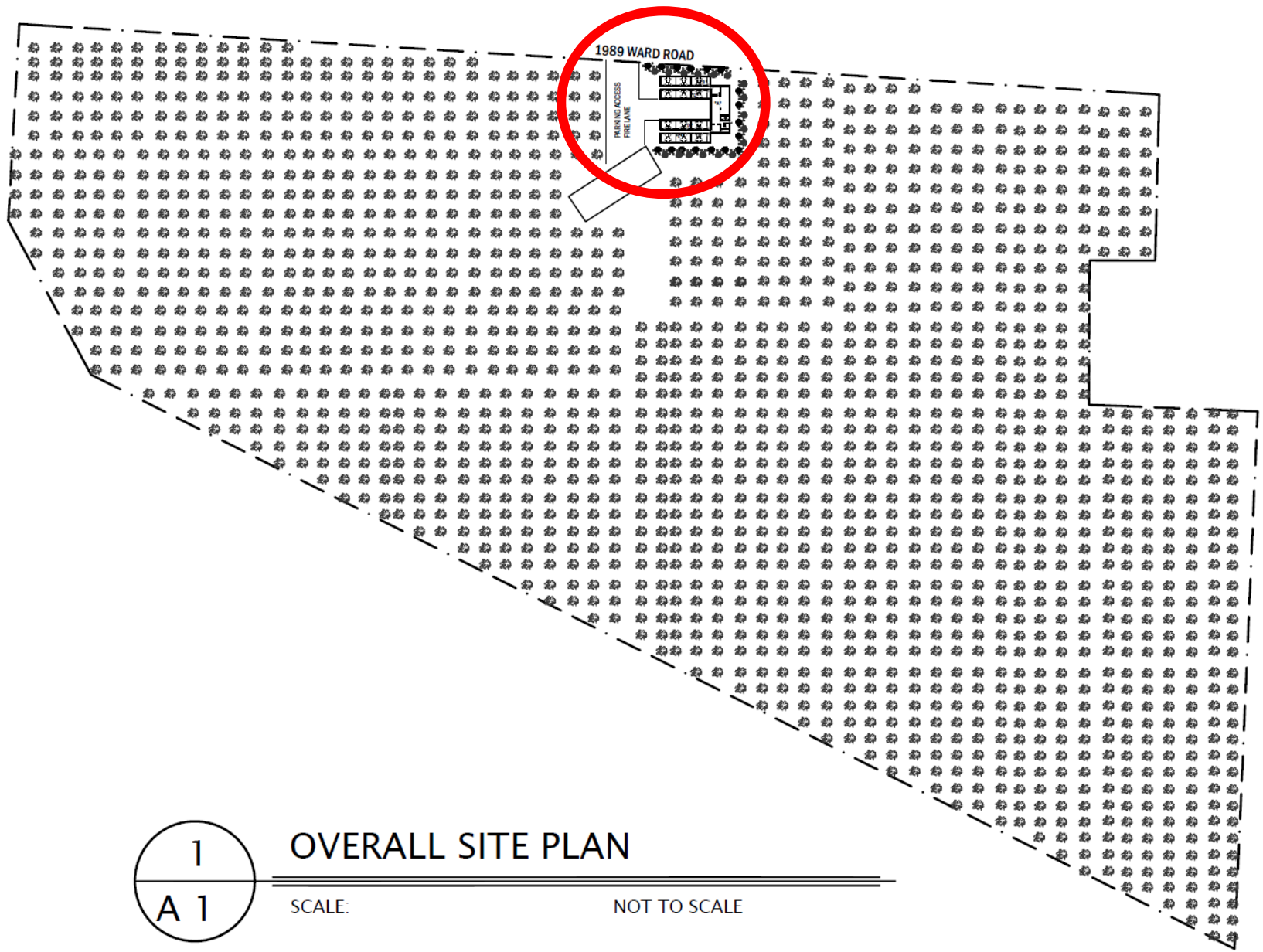
Agricultural Land Reserve



Project Details

- ▶ The application is to construct temporary farm worker housing to accommodate 24 seasonal workers
- ▶ The owners are seeking seasonal agricultural workers to help with planting, pruning, and picking cherries on the subject property and two other nearby properties belonging to the property owner
- ▶ Housing would consist of 419 m² pre-fabricated trailer units on blocks

Site Plan



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OVERALL SITE PLAN

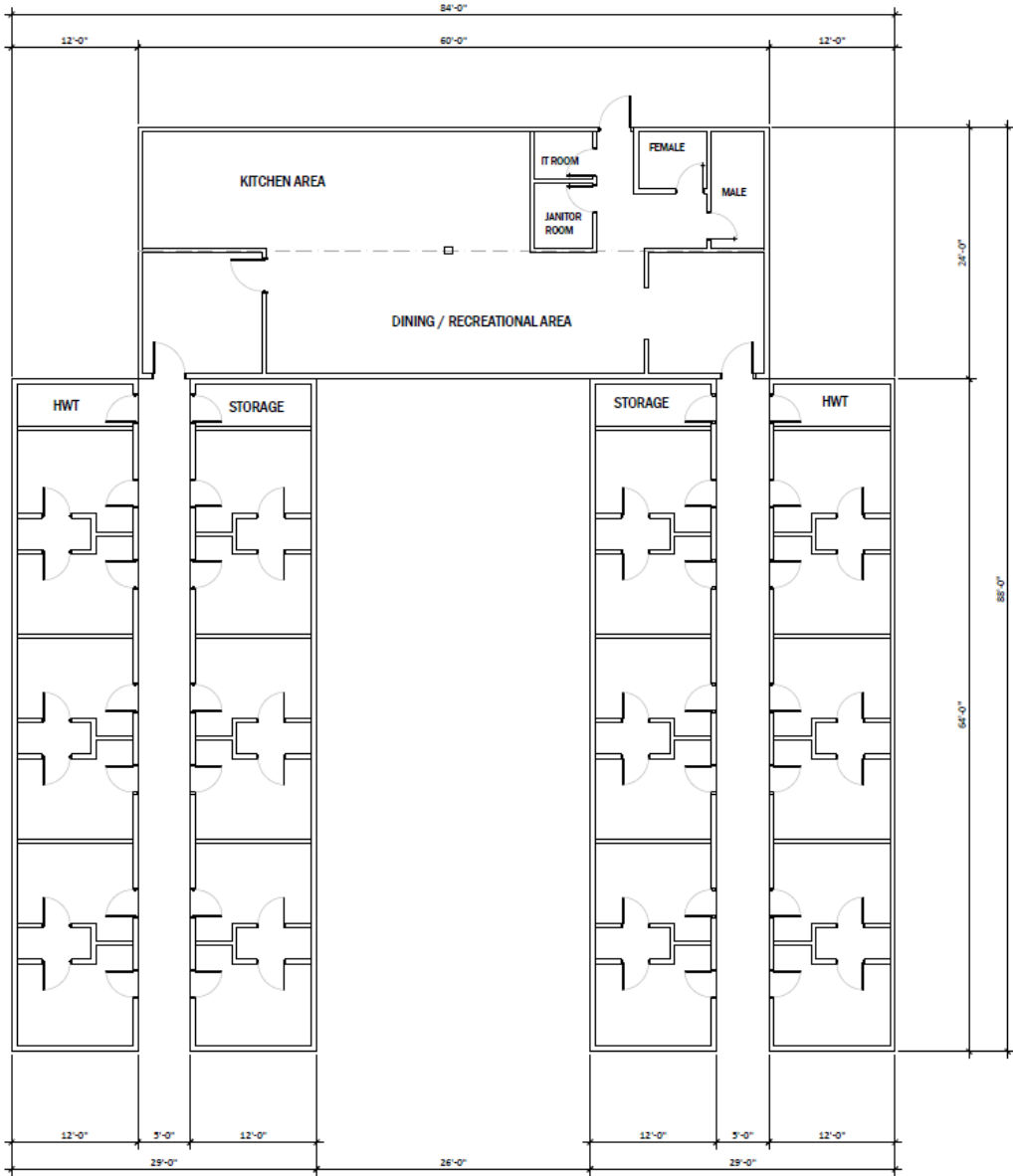
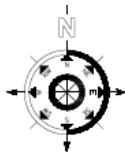
SCALE:

NOT TO SCALE

Aerial View



Floor Plans



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"/>
Scale of farm operation is large enough that permanent help is deemed necessary	<input checked="" type="checkbox"/>
TFWH on non-permanent foundations where the need for farm worker housing is justified	<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 for screening to adjacent property lines and between TFWH and active farming	<input checked="" type="checkbox"/>

AAC Recommendation

- ▶ Request for AAC to provide a recommendation for Council of either support or non-support.
- ▶ Application will be forwarded to ALC should Council support it.



Conclusion of Staff Remarks