

City of Kelowna

Regular Council Meeting

AGENDA



Monday, March 6, 2017

9:00 am

Knox Mountain Meeting Room (#4A)

City Hall, 1435 Water Street

Pages

1. Call to Order

2. Confirmation of Minutes

2 - 3

Regular AM Meeting - February 27, 2017

3. Reports

3.1 Transit Service Standards Workshop

4 - 37

The purpose of the Transit Service Standards Workshop is to inform Council of the process being followed to develop standards and measurements to guide the provision of transit service, and to seek Council's input on key scenarios being developed.

3.2 Temporary Farm Worker Housing (TFWH) – Revised Draft Policy

38 - 95

To provide updates to temporary farm worker housing policy that meets the needs of farmers, which adheres to provincial standards and provides a consistent approach across the Central Okanagan.

4. Issues Arising from Correspondence & Community Concerns

4.1 Mayor Basran, re: Issues Arising from Correspondence

5. Termination



City of Kelowna Regular Council Meeting Minutes

Date: Monday, February 27, 2017
 Location: Knox Mountain Meeting Room (#4A)
 City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillor Maxine DeHart, Councillor Ryan Donn, Councillor Tracy Gray, Councillor Charlie Hodge, Councillor Brad Sieben*, Councillor Luke Stack

Members Absent Councillors Gail Given and Mohini Singh

Staff Present City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Divisional Director, Active Living & Culture, Jim Gabriel*; Recreation & Business Services Manager, Lori Angus*; Community Theatre Manager, Randy Zahara*; Sport & Event Services Manager, Doug Nicholas*; Event Development Supervisor, Chris Babcock*

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 10:31 a.m.

2. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor DeHart

R151/17/02/27 THAT the Minutes of the Regular AM Meeting of February 20, 2017 be confirmed as circulated

Carried

Councillor Sieben joined the meeting at 10:32 a.m.

3. Reports

3.1 Sport, Recreation and Culture Fees and Allocation

Staff:

- Displayed a PowerPoint Presentation providing an overview of the fee schedule and space allocation within the Recreation facilities and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Stack

R152/17/02/27 THAT Council receives the report for information, dated February 12, 2017, regarding an overview of fee structures and allocation of space within sport, recreation and cultural facilities.

Carried

Moved By Councillor Sieben/Seconded By Councillor Donn

R153/17/02/27 THAT Council direct staff to consider implementing a capital improvement fee for all recreation, sport and cultural facilities as part of their current review of recreation, sport and cultural fees and report back to Council.

Carried

4. Resolution Closing the Meeting to the Public

Moved By Councillor Stack/Seconded By Councillor Gray

R154/17/02/27 THAT this meeting be closed to the public pursuant to Section 90(2) (b) of the Community Charter for Council to deal with matters relating to the following:

- Negotiations with another level of Government (Province)

Carried

5. Adjourn to Closed Session

The meeting adjourned to a closed session at 12:04 p.m.

6. Reconvene to Open Session

The meeting reconvened to an open session at 12:10 p.m.

7. There were no Issues Arising from Correspondence & Community Concerns

8. Termination

The meeting was declared terminated at 12:10 p.m.

Mayor

/sf/acm

City Clerk

Report to Council



Date: March 6, 2017
File: 1405-01
To: City Manager
From: Transit and Programs Manager
Subject: Transit Service Standards Workshop

Recommendation:

THAT Council receive, for information, the report from the Transit and Programs Manager, dated March 6, 2017, with respect to Transit Service Standards.

Purpose:

The purpose of the Transit Service Standards Workshop is to inform Council of the process being followed to develop standards and measurements to guide the provision of transit service, and to seek Council's input on key scenarios being developed.

Background:

The Kelowna Transit Future Plan currently under development is intended to describe a vision for our community transit network over a short, mid, and long term horizon. This includes service standards and performance guidelines; mid-term network updates; long-term network vision; capital plan for transit-related infrastructure; and the financial plan for servicing and implementation.

The attached presentation provides an overview of the service standard development component of the Transit Future Plan and covers:

- Transit planning objectives
- Role of service standards
- Public engagement plan and timelines
- Proposed scenarios

Information presented will assist Council in considering acceptance of service standards to be presented in final form mid-2017.

Internal Circulation:

Division Director, Infrastructure

Community Engagement Consultant, Communications & Information Services

Communications Advisor, Communications & Information Services

Considerations not applicable to this report:

Legal/Statutory Authority

Legal/Statutory Procedural Requirements
Financial/Budgetary Considerations
Personnel Implications
External Agency/Public Comments
Communications Comments
Alternate Recommendation

Submitted by:

J. Dombowsky, Transit and Programs Manager
Reviewed and approved, Rafael Villarreal, Department Manager, Integrated Transportation

Approved for inclusion:



Alan Newcombe, Divisional Director, Infrastructure

Attachments: Transit Service Standards (Presentation)

cc: Division Director, Infrastructure
Community Engagement Consultant, Communications & Information Services
Communications Advisor, Communications & Information Services

Transit Service Standards Council Workshop

March 6, 2017

Kelowna on the Move Road Map

Regional Transportation Plan

in partnership with STPCO

Fall 2016 – Dec 2018

- Intelligent Transportation Strategy
- Shared Mobility & TDM Strategies
- Regional Transportation Network
- Cooperation with Central Okanagan Planning Study
- Funding and Implementation Plan



City of Kelowna Transportation Plan

Jan 2017 – Dec 2018

- Vision and Goals
- Future Transportation Network
- Policies, projects, bylaws and programs
- Financial Strategy
- Special Projects



Transit Future Action Plan

in partnership with BC Transit

Fall 2016 – Jun 2018

- Service Standards
- Medium-Term Transit Plan
- Long-Term Network Vision
- Transit-Related Infrastructure Plan

Kelowna on the Move Road Map

Regional Transportation Plan

Fall 2016 – Dec 2018

- Intelligent Transportation Strategy
- Shared Mobility & TDM Strategies
- Regional Transportation Network
- Central Okanagan Planning Study Cooperation
- Funding and Implementation Plan



City of Kelowna Transportation Plan

Jan 2017 – Dec 2018

- Vision and Goals
- Future Transportation Network
- Financial Strategy
- Special Projects



Transit Future Action Plan

Fall 2016 – Jun 2018

- Service Standards
- Medium-Term Transit Plan
- Long-Term Network Vision
- Transit -Related Infrastructure Plan

What does it take to
plan a transit system?

What does it take to plan a transit system?

- ▶ Balancing multiple objectives:
 - ▶ Moving People More Efficiently
 - ▶ Enabling Access for All
 - ▶ Connecting Urban Centres

Moving People More Efficiently



- ▶ Focusing on the place where transit works best
- ▶ Reducing our carbon footprint
- ▶ Serving the most people as possible

Enabling Access for All

- ▶ Serving the residents most in need



Connecting Urban Centres



- ▶ Supporting vibrant and healthy urban centres
 - ▶ Most trips by transit begin and end on foot, so transit thrives in walkable neighbourhoods

What are Service Standards?

What are Service Standards?

- ▶ A guide for decision making when faced with trade-offs between the three objectives
 - ▶ Set priorities for transit service in the community
 - ▶ Provide a method for measuring how well we are meeting our objectives
 - ▶ Provide a fair and consistent process to guide service changes

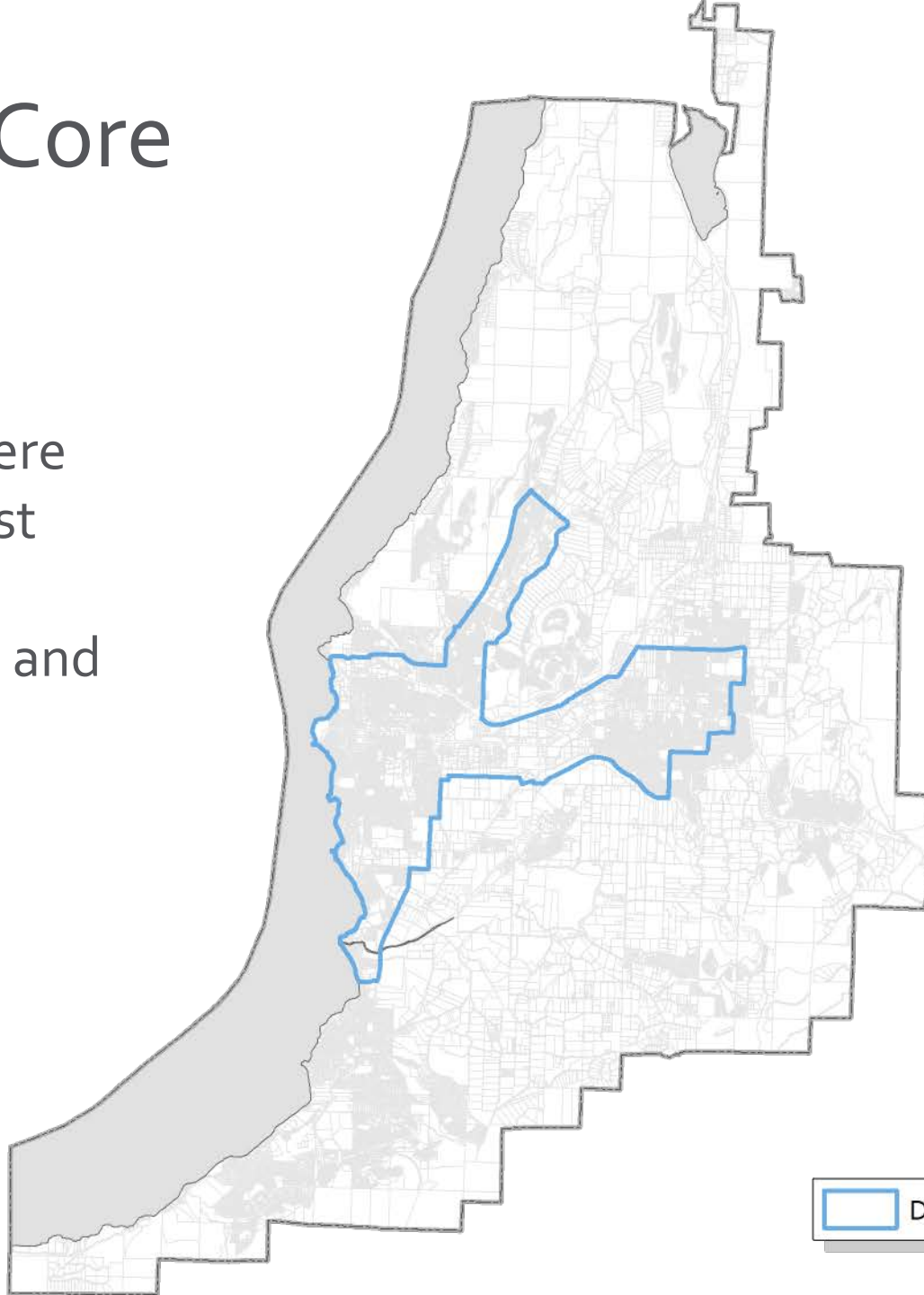
What do they cover?

- ▶ Defining service areas as well as how routes are designed and fit together in a network
- ▶ Duration and frequency of service
- ▶ Performance targets
- ▶ Standards for bus stop placement and design

Transit Core and Coverage Areas

Transit Core

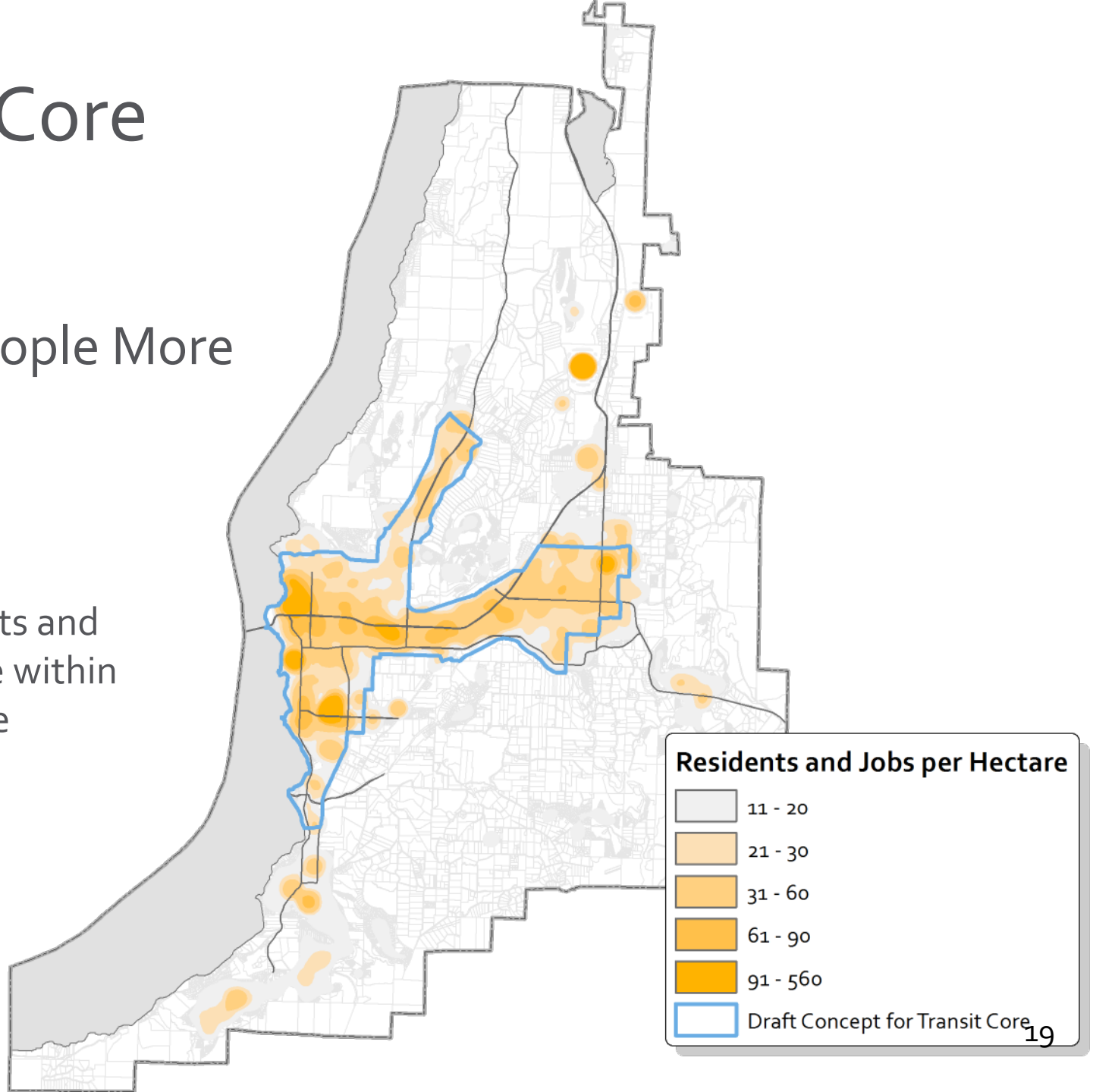
The area where transit is most efficient, competitive, and sustainable



Transit Core

Moving People More
Efficiently

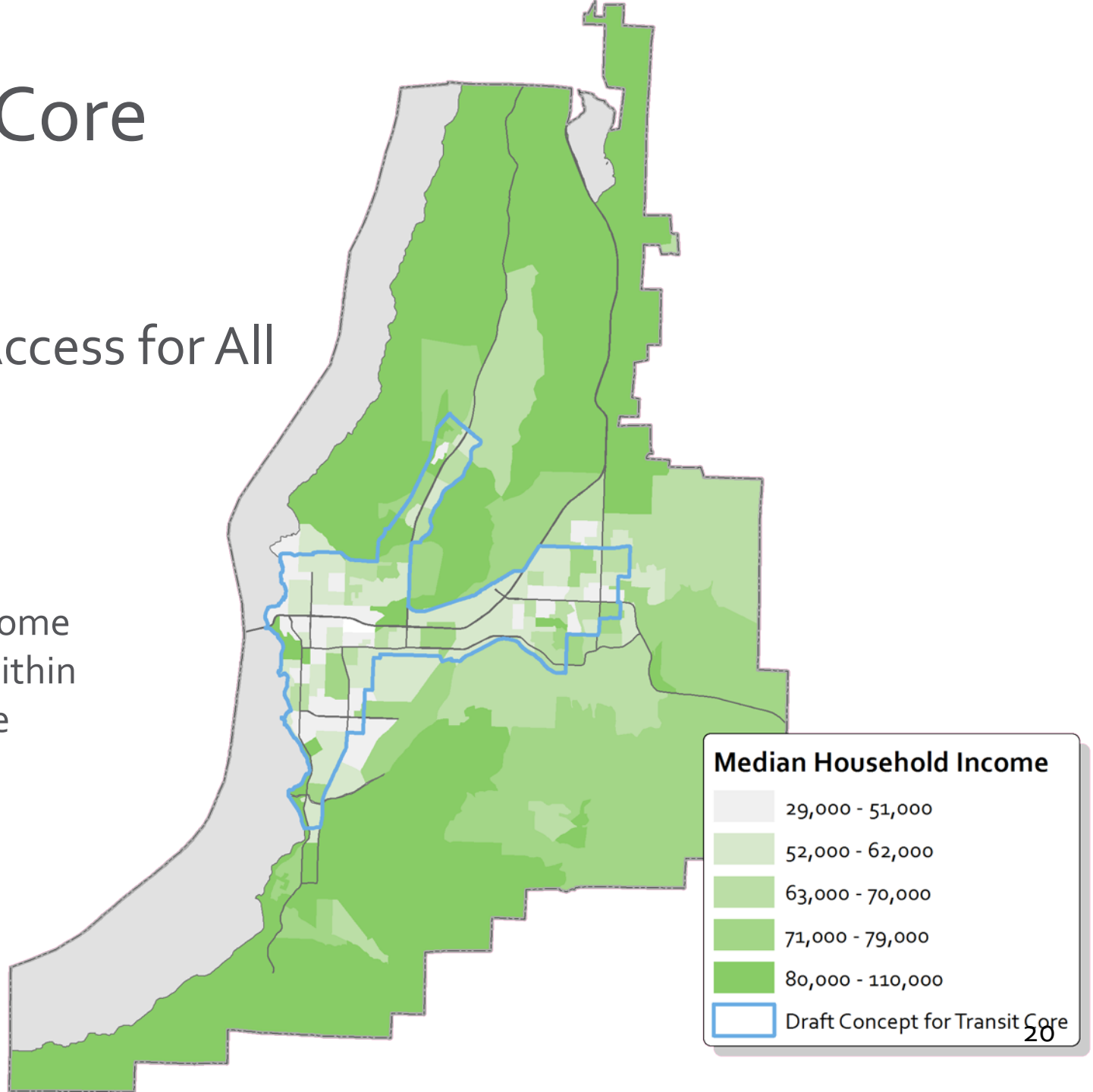
56% of residents and
70% of jobs are within
the Transit Core



Transit Core

Enabling Access for All

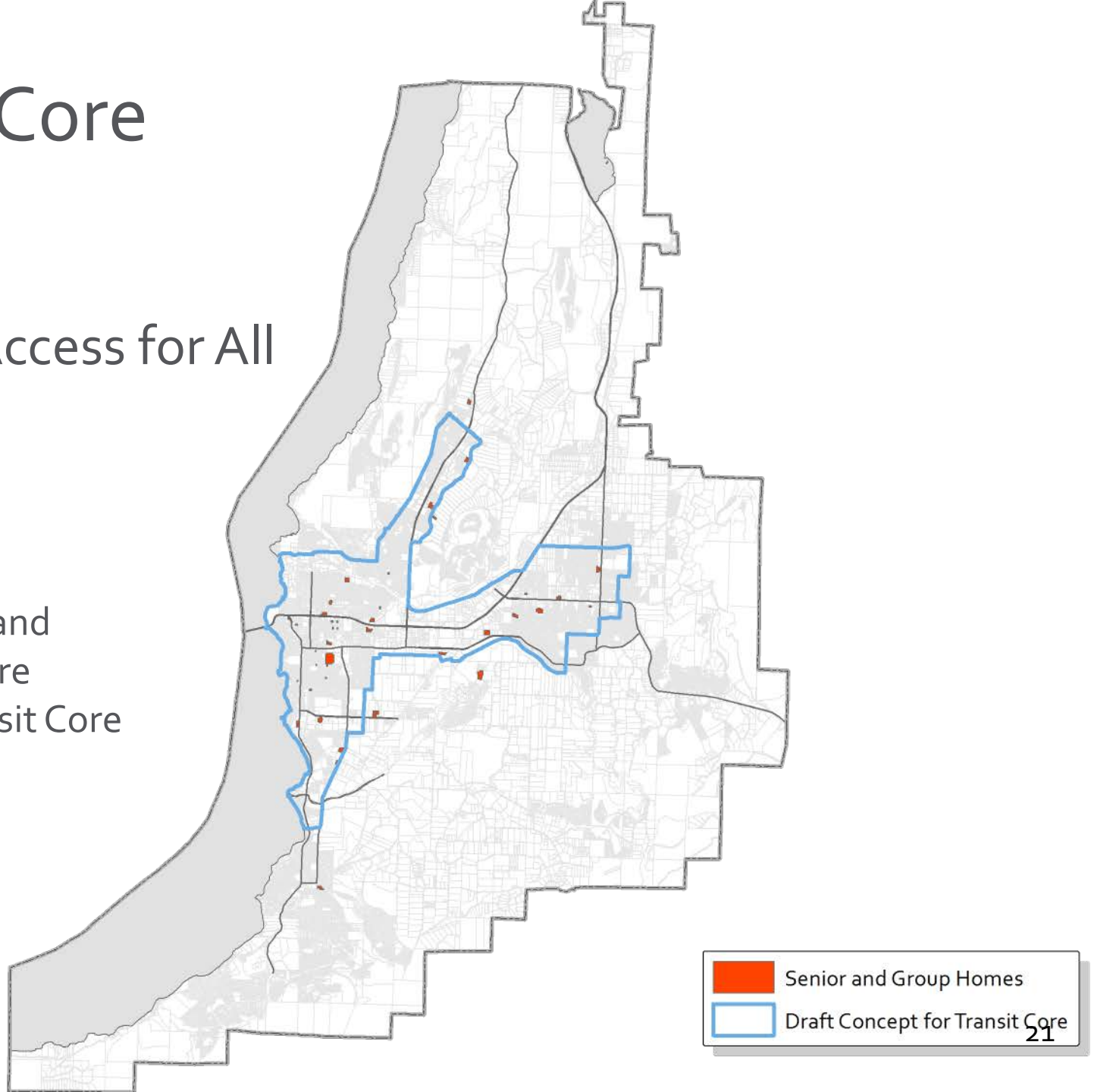
70% of low-income residents are within the Transit Core



Transit Core

Enabling Access for All

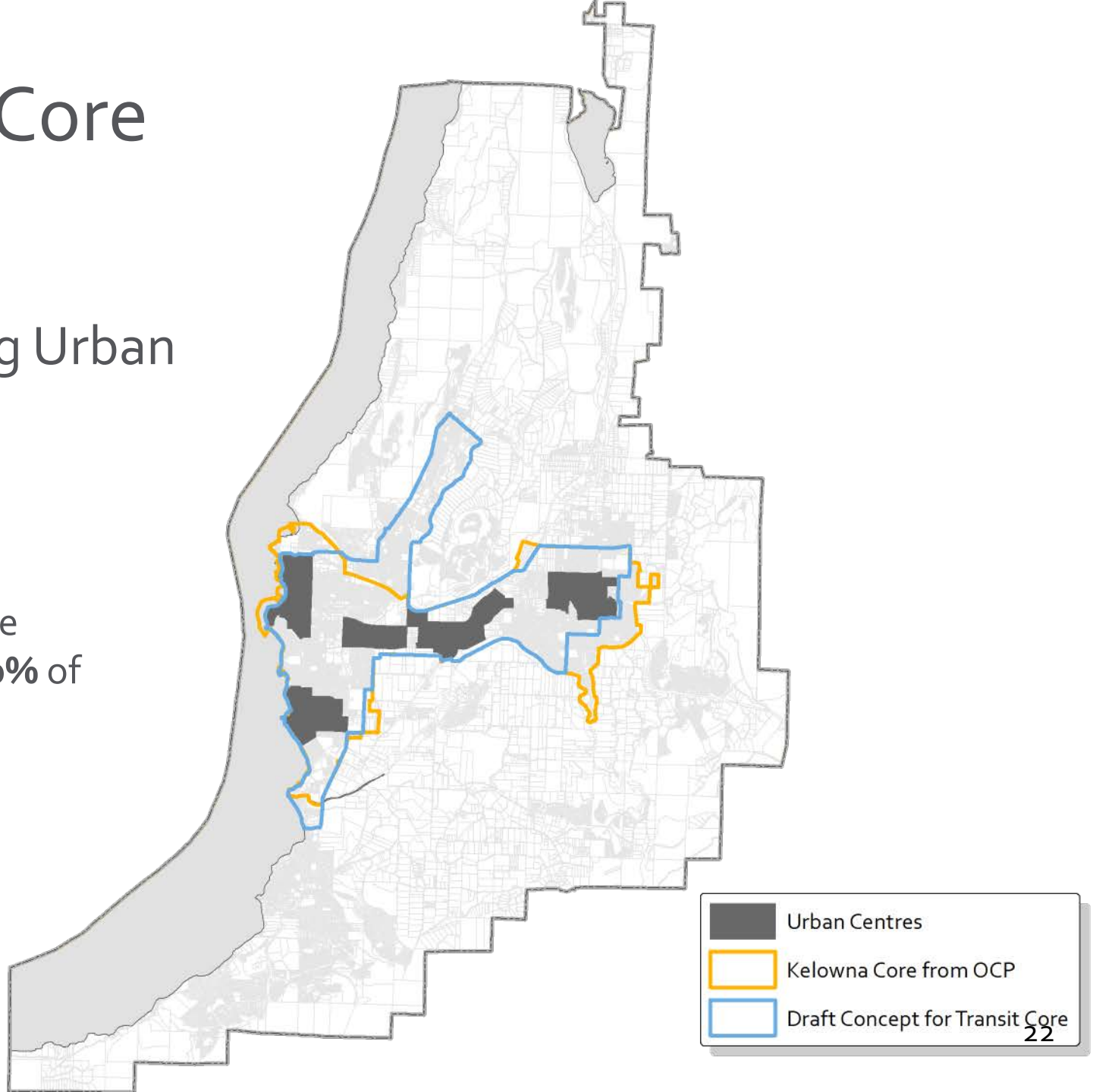
86% of senior and group homes are within the Transit Core



Transit Core

Connecting Urban Centres

The Transit Core accounts for **90%** of transit use

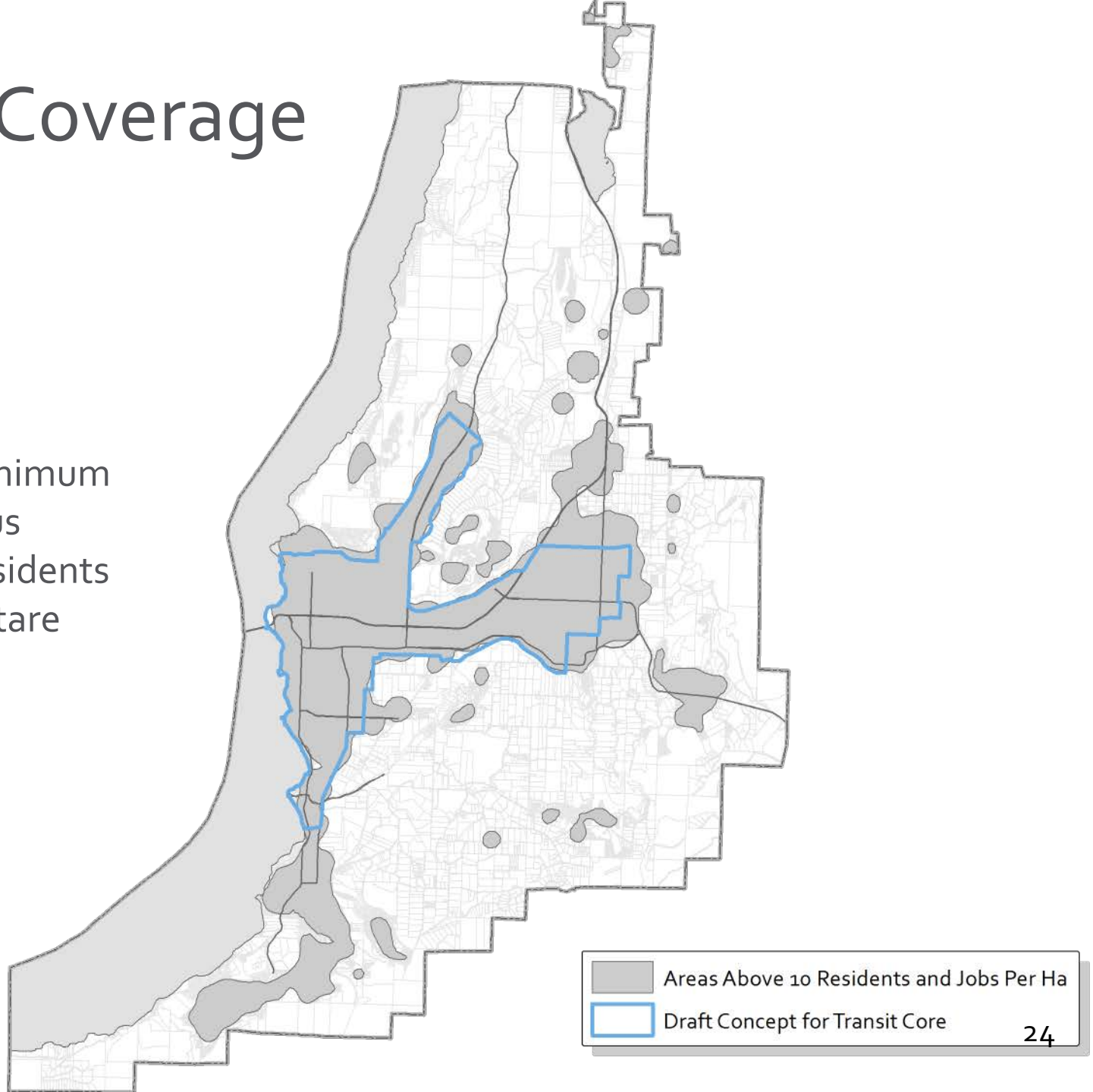


Transit Coverage Area

- ▶ Areas where demand is low, but where service is required for people without access to other means of getting around

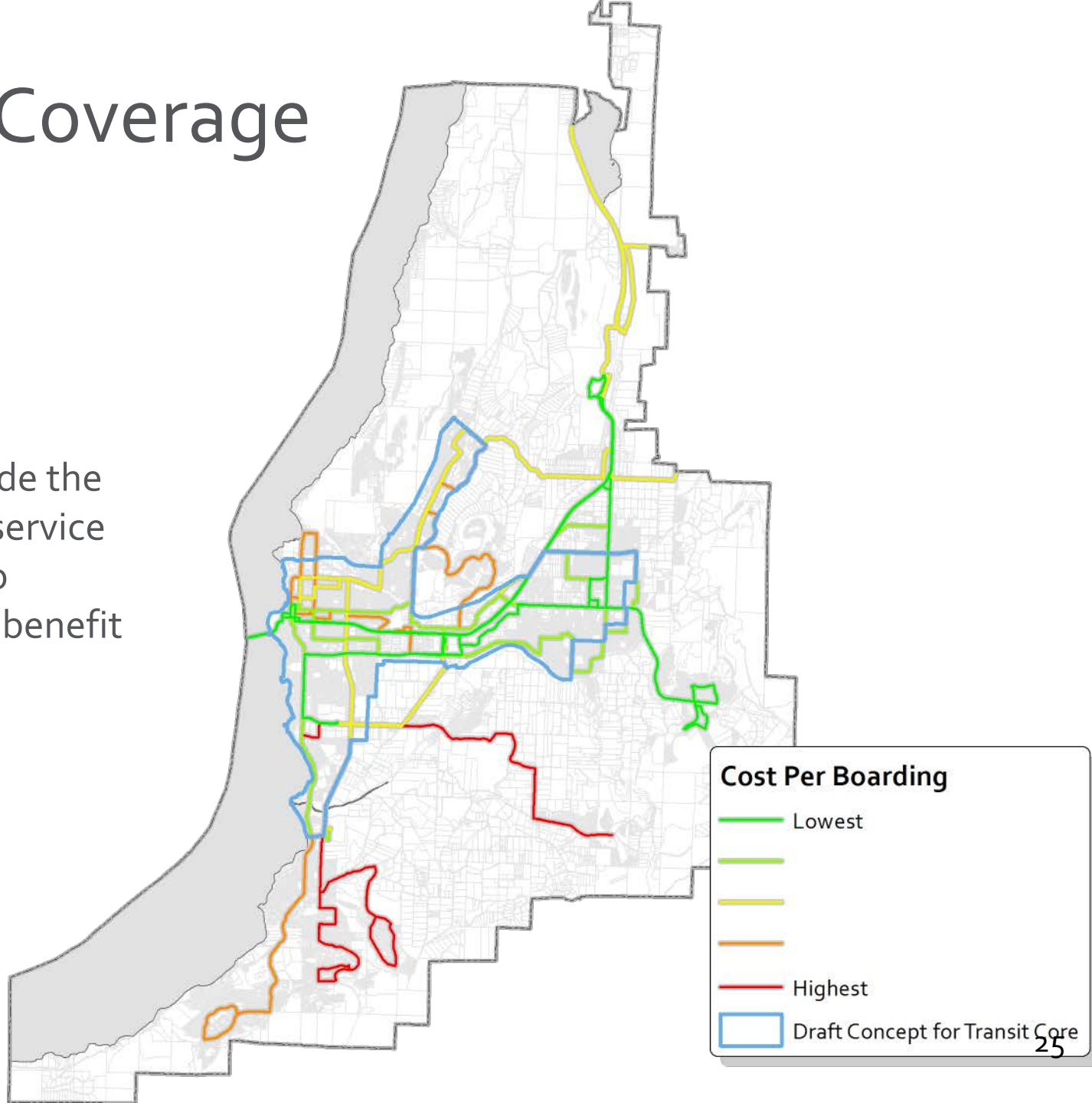
Transit Coverage Area

BC Transit's minimum standard for bus service is **10** residents or jobs per hectare



Transit Coverage Area

If few people ride the bus, coverage service may provide no environmental benefit



Engagement Plan

Engagement Plan



- ▶ Inform

- ▶ What and why of Service Standards



- ▶ Educate

- ▶ Key concepts of Standards – coverage areas, objectives



- ▶ Engage

- ▶ Provide opportunity to weigh in on potential trade-offs associated with the objectives

Engagement Plan

- ▶ Coordinated with engagement for Transit Future Action Plan
 - ▶ Short-term service changes
 - ▶ Service Standards
- ▶ Open Houses
 - ▶ March 14th: Queensway (2pm-5pm)
 - ▶ March 16th: Parkinson Rec Centre (12pm-3pm)
 - ▶ March 16th: Rutland Rec Centre (5pm-8pm)
- ▶ Online Survey

Public Input

How can a well designed network move people more efficiently?

- ▶ With routes that are more direct and have fewer stops. This means buses are faster and more frequent. While the initial walk to the bus stop may be slightly longer, the result is a service which is quicker for everyone.

Weighing the Priorities

I prefer to have a bus stop **closer** to my door, even if that means the bus comes less often and takes longer to get to my destination.

I prefer to walk a bit **farther** to the bus stop if that means the bus comes more often and gets me to my destination more quickly.



Strongly
Agree

Somewhat
Agree

Neutral

Somewhat
Agree

Strongly
Agree

Moving People More Efficiently

Enabling Access for All

Connecting Urban Centres

How can a well planned transit system improve equity?

- ▶ By providing a critical service to residents without access to other means of getting around. Many people who rely on transit live in the Transit Core.
 - ▶ 70% of low-income residents live in the Transit Core
 - ▶ 86% of senior and group homes are located in the Transit Core
 - ▶ 80% of renter households live in the Transit Core

Weighing the Priorities

Transit service should provide a convenient way for the majority of **people** who don't have access to other means to get around independently.

A basic level of transit service should be provided to as many **neighbourhoods** as possible, at the expense of Core service.



Strongly
Agree

Somewhat
Agree

Neutral

Somewhat
Agree

Strongly
Agree

Moving People More Efficiently

Enabling Access for All

Connecting Urban Centres

How can a well structured transit system connect communities?

- ▶ Service can be added to respond to high demand on existing routes when buses are full or passing people by.
- ▶ Or, service can be proactively provided to areas where demand is expected to grow in the future.
 - ▶ This investment may not pay off right away, but can help gradually build ridership over time as the community fills in.

Weighing the Priorities

Service should be added to the routes where demand is highest and buses are often full **today**.

Service should be proactively provided to shape transit-oriented urban centres and grow ridership **over time**.



Strongly
Agree

Somewhat
Agree

Neutral

Somewhat
Agree

Strongly
Agree

Moving People More Efficiently

Enabling Access for All

Connecting Urban Centres

Balancing Objectives

- ▶ If you had **10** points in total to assign between the three objectives, how would you weight their importance?
 - ▶ **Moving People More Efficiently** – Try to increase transit use and reduce emissions as much as possible. Ensure the transit system remains financially stable.
 - ▶ **Enabling Access for All** – Serve people who depend on transit to meet their daily needs.
 - ▶ **Connecting Urban Centres** – Be proactive in shaping neighbourhoods around transit as the region grows.



Questions?

Report to Council



Date: March 6, 2017
File: 1210-24
To: City Manager
From: Community Planning and Strategic Investments (TG/MS)
Subject: Temporary Farm Worker Housing (TFWH) – Revised Draft Policy

Recommendation:

THAT Council receives for information, the report from Community Planning and Strategic Investments dated March 6, 2017, outlining revised draft policy for Temporary Farm Worker Housing in Kelowna;

AND THAT Council directs staff to prepare the amendments to the Official Community Plan Bylaw No. 1500 as described in the Community Planning and Strategic Investments report dated March 6, 2017;

AND THAT Council directs staff to prepare the amendments to Zoning Bylaw No. 8000 as described in the Community Planning and Strategic Investments report dated March 6, 2017;

AND FURTHER THAT Council directs staff to prepare the amendments to the Development Application Procedures Bylaw No. 10540 as described in the Community Planning and Strategic Investments report dated March 6, 2017.

Purpose:

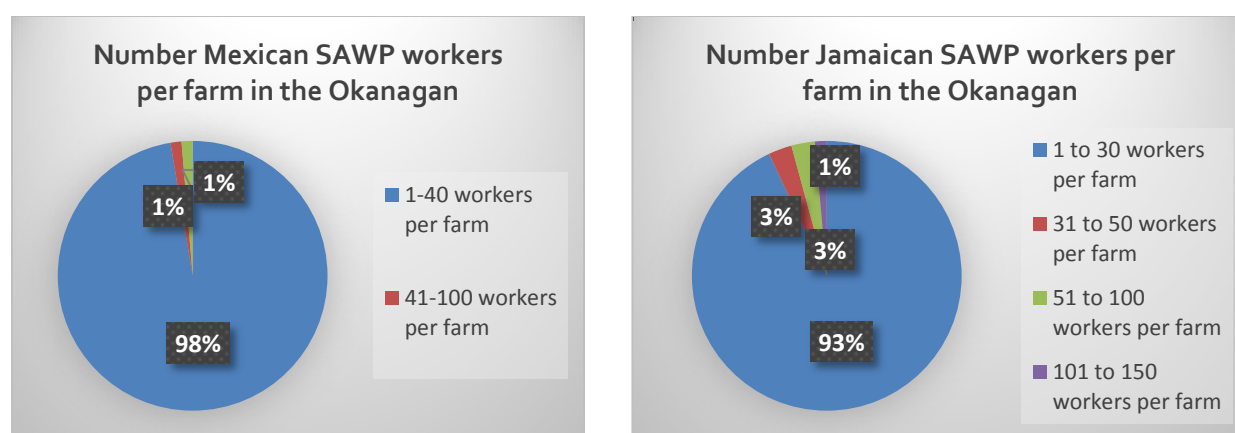
To provide updates to temporary farm worker housing policy that meets the needs of farmers, which adheres to provincial standards and provides a consistent approach across the Central Okanagan.

Background:

On October 31, 2016 Council was consulted on preliminary temporary farm worker housing (TFWH) policies. Since then, staff have further consulted with the BC Fruit Growers Association (BCFGA), the Mexican Consulate, the Jamaica Liaison Service, and the Ministry of Agriculture. During this consultation, new information has become available which has led to a revision of the proposed policy.

Based on data from the Mexican Consulate and Jamaica Liaison Service, in 2016, farmers in the Okanagan hired 2085 Mexican and 707 Jamaican workers through the federal Seasonal Agricultural Workers Program (SAWP)¹. When examining the distribution of workers, it was discovered that over 93 per cent of Okanagan farms have less than 40 workers per farm as illustrated in Figure 1. Further investigation found that in 2016, only 3 Kelowna farms had more than 40 Mexican SAWP workers, and only 4 Kelowna farms had more than 30 Jamaican SAWP workers.

Figure 1: Distribution of SAWP workers per Okanagan Farm



Note: The method for reporting data varies between the Mexican and Jamaican SAWP coordinators²

Based on feedback from the AAC, Council and other agencies, staff collaborated further with other Central Okanagan municipalities and the Ministry of Agriculture to refine the temporary farm worker policy. The District of Peachland has not participated in the process due to the limited ALR land and need for TFWH in their region.

While some of the draft policies have been modified since Council's initial review, the overall intent remains the consistent: to reduce the TFWH footprint on farm land and minimize the risk of TFWH being used for non-farm purposes. Further, the updated draft policies remain consistent with the Ministry of Agriculture Guide to Bylaw Development in Farming Areas³.

The draft policies address temporary farm worker housing only. Applications for housing for relatives or additional housing for full time farm employees are addressed through different policies.

Proposed Policy:

The proposed regulations have the following objectives:

1. Minimize footprint on farm land;
2. Use existing dwellings within the farm unit as a first option wherever possible;
3. Require new TFWH to be temporary structures on non-permanent foundations;
4. Addresses dwellings on all properties within the farm unit which includes leased properties;

¹ Personal Communication Consulado General de Mexico en Vancouver SAWP Coordinator and Deputy Chief Liaison Officer, Jamaica Liaison Service

² Personal Communication Consulado General de Mexico en Vancouver SAWP Coordinator and Deputy Chief Liaison Officer, Jamaica Liaison Service

³ Ministry of Agriculture, 2015. Guide for Bylaw Development in Farming Areas.

5. Ensure appropriate buffers to adjacent properties; and
6. Measurable (e.g. number of workers, season of use, temporary farm worker housing footprint)

Changes to the draft temporary farm worker policy that was presented to Council last fall are illustrated in Table 1.

Next Steps:

The City of Kelowna and Regional District of Central Okanagan will be undergoing the referral process for the proposed policies concurrently. The District of Lake Country and City of West Kelowna will consider the proposed policy as part of future reviews of their Zoning Bylaws.

Table 1 – Changes to Draft Temporary Farm Worker Housing Policy

| Bylaw | Initial draft policy | Revised draft policy |
|---|---|---|
| Official Community Plan | none | As a first option, farm help housing should be located within the Permanent Growth Boundary providing access to amenities for workers. |
| Zoning Bylaw | Farm Residential Footprint | Residential Footprint |
| | Structure(s) to accommodate a maximum of forty TFW for farm units less than or equal to 30 ha. For those farm units greater than 30 ha, structure(s) can accommodate a maximum of 1.34 TFW per one ha of land within the farm unit. | Structure(s) to accommodate a maximum of 40 TFW |
| | TFWH occupied from March 1 to October 31 | TFWH occupancy allowed during the farm unit's growing, harvesting and pruning periods to a maximum of 8 months/year which will be filed in an annual statutory declaration. |
| | Percentage of TFWH footprint may not exceed five per cent of the parcel size and may not exceed 0.25 ha. | TFWH footprint may not exceed 0.20 ha |
| Development Application Procedures Bylaw | Issuance or Refusal of Temporary Farm Worker Housing Permits | Issuance of Temporary Farm Worker Housing Permits |
| | none | General housekeeping amendments to align the Bylaw with Zoning Bylaw, Development Application Fees Bylaw, and current City structure. |

It should be noted that there are differences between the City of Kelowna and Regional District of Central Okanagan policies due to the differences in staff resources, current processes and urban/rural scenarios. The biggest difference noted is that the Regional District has put all the policy within their Zoning Bylaw, while the City of Kelowna has policy amongst three documents (OCP, Zoning and

Procedures Bylaws) to allow for flexibility. The overall intent of the draft regulations, however, remains the same.

Internal Circulation:

Divisional Director, Community Planning and Real Estate
Policy and Planning Department Manager
Community Planning Department Manager
Divisional Director, Communications and Information Services
Divisional Director, Corporate and Protective Services
Building and Permitting Manager
Long Range Planning Manager

Legal/Statutory Authority:

Local Government Act Part 14, Division 4 – Official Community Plans and Division 5 – Zoning Bylaws

Legal/Statutory Procedural Requirements:

Local Government Act Section 475 specifies that a local government must, during the development, repeal or amendment of an official community plan, provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected. This consultation is in addition to a required public hearing.

Existing Policy:

OCP 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.⁴

OCP 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 he 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.⁵

Farm Protection DP Guidelines

Guideline 1.2: On agricultural lands, where appropriate, locate all buildings and structures, including farm help housing and farm retail sales, within a contiguous area (i.e. homeplate). Exceptions may be permitted where the buildings or structures are for farm use only.⁶

External Agency/Public Comments:

⁴ City of Kelowna 2030 Official Community Plan, Chapter 5: Development Process, page 5.35

⁵ City of Kelowna 2030 Official Community Plan, Chapter 5: Development Process, page 5.36

⁶ City of Kelowna Official Community Plan, Chapter 15: Farm Protection DP Guidelines, page 15.3

City of Kelowna staff collaborated with staff from Regional District of Central Okanagan, City of West Kelowna, District of Lake Country, Ministry of Agriculture and Agriculture Land Commission to develop the proposed policies and regulations.

Agriculture Advisory Committee: February 9, 2017

The draft Temporary Farm Worker Housing policies were reviewed by the Agriculture Advisory Committee at the meeting held on February 9, 2017 and the following recommendations were passed:

Moved By Jeff Ricketts/Seconded By Ed Schiller

THAT the Agricultural Advisory Committee recommends that Council lobby the Ministry of Agriculture to reduce the allowable parcel size for temporary farm worker housing from 3.8 hectares to 2.0 hectares in order to reflect what is actually happening in the agriculture industry.

Carried

Moved By Domenic Rampone/Seconded By Pete Spencer

THAT the Agricultural Advisory Committee recommends that Council encourage the Regional District of Central Okanagan and the City of West Kelowna to join Kelowna in lobbying the Ministry of Agriculture to lowering the minimum parcel size for Temporary Farm Worker Housing from 4.0 ha to 2.0 ha.

Carried

Moved By Domenic Rampone/Seconded By Pete Spencer

THAT the Agricultural Advisory Committee recommends that Council support the draft policies for temporary farm worker housing that meets the needs of farmers, which adheres to provincial standards, in conjunction with a consistent regional approach, as presented by staff on February 9, 2017.

The application files for the required OCP, Zoning and Development Application Procedure Bylaw amendments have been referred to the following organizations for comment:

- | | |
|---|--|
| • Interior Health | • Black Mountain Irrigation District |
| • Regional District of Central Okanagan | • South East Kelowna Irrigation District |
| • Ministry of Agriculture | • Glenmore Ellison Improvement District |
| • Ministry of Transportation | • Rutland Water Works |

Communications Comments:

The requirement for consultation under Section 475 of the Local Government Act will be addressed prior to staff bringing the amendments forward to Council for first reading by advertising twice in the Kelowna Daily Courier and posting information about the amendments on the City's website, on the Official Community Plan webpage.

Considerations not applicable to this report:

Financial/Budgetary Considerations:

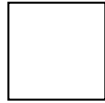
Personnel Implications:
Alternate Recommendation:

][Submitted by:

T. Guidi, Sustainability Coordinator

M. Stepphun, Planner Specialist

Approved for inclusion:



TC

cc:

Divisional Director, Community Planning and Real Estate
Policy and Planning Department Manager
Community Planning Department Manager
Divisional Director, Communications and Information Services
Divisional Director, Corporate and Protective Services
Building and Permitting Manager
Long Range Planning Manager
Regional District of Central Okanagan, Ron Fralick
City of West Kelowna, Brent Magnan
District of Lake Country, Mark Koch
District of Peachland, Cory Gain

Attachments:

Schedule A: OCP16-0022 List of Amendments to OCP Bylaw No. 10500 for TFWH
Schedule B: TA16-0015 List of Amendments to Zoning Bylaw No. 8000 for TFWH
Schedule C: TA16-0016 List of Amendments to Development Application Procedures Bylaw No. 10540 for TFWH
Schedule D: Ministry of Agriculture Support Letter
Schedule E: Agriculture Land Commission Support Letter
Schedule F: Comments from Interior Health

SCHEDULE A - OCP16-0022

| OCP16-0022 - DRAFT | | | | |
|---|--|---|--|--|
| List of Amendments to Official Community Plan Bylaw No. 10500 for Temporary Farm Worker Housing | | | | |
| No. | Section | Existing | Proposed | Explanation |
| 1 | Chapter 5 - Development Processes Revise policy 5.34.2 to replace the words agricultural parcel with farm unit. | <p>Farm Help Housing. Accommodation for farm help on the same agricultural parcel will be considered only where:</p> <ul style="list-style-type: none"> • 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. <p>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.</p> | <p>Farm Help Housing. As a first option, farm help housing should be located within the Permanent Growth Boundary providing access to amenities for workers. Accommodation for farm help on the same farm unit will be considered only where:</p> <ul style="list-style-type: none"> • 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. <p>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.</p> | <p>Replace the words 'agricultural parcel' with 'farm unit' to be consistent with Zoning Bylaw. Add statement to encourage farm help housing to be within Permanent Growth Boundary.</p> |
| 2 | Chapter 15 - Farm Protection | 1) Any development located on Agricultural Lands before: | 1) Any development located on Agricultural Lands before: | Remove agri-tourist accommodation to be consistent |

SCHEDULE A - OCP16-0022

| | | | | |
|---|--|---|--|---|
| | <p>Development Permit Guidelines</p> <p>Remove agri-tourist accommodation under Properties Affected 1. b. ii.</p> | <p>a. Subdivision of land; b. A Building Permit, Soil Permit, or alteration of land associated with the following uses: i. agri-tourism; ii. agri-tourist accommodation; iii. agricultural dwellings, additional; iv. secondary suite (within an accessory building or structure); v. utility services, minor impact; vi. wineries and cideries; vii. greenhouses and plant nurseries; viii. agricultural and garden stands; ix. temporary farm worker housing.</p> | <p>a. Subdivision of land; b. A Building Permit, Soil Permit, or alteration of land associated with the following uses: i. agri-tourism; ii. agricultural dwellings, additional; iii. secondary suite (within an accessory building or structure); iv. utility services, minor impact; v. wineries and cideries; vi. greenhouses and plant nurseries; vii. agricultural and garden stands; viii. temporary farm worker housing.</p> | <p>with Zoning Bylaw amendment to prohibit the use of Agri-tourist accommodation within the A1 zone. (received third reading at August 23, 2016 Council meeting).</p> |
| 3 | <p>Chapter15 - Farm Protection Development Permit Guidelines</p> <p>Add new guideline under 1.7 and label it 1.8</p> | | <p>Design temporary farm worker housing such that:</p> <ul style="list-style-type: none"> • 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 | <p>Addition of policy on where temporary farm worker housing should be located, the type of buffer required as well as using existing dwellings first prior to construction of new temporary farm worker housing.</p> |

SCHEDULE A - OCP16-0022

| | | | | |
|--|--|--|--|--|
| | | | <p>the existing septic system, prior to the authorization of a new temporary farm worker housing structure.</p> <ul style="list-style-type: none">• Temporary farm worker housing footprint should be contiguous with the residential footprint (i.e. homeplate) and / or within 50 metres of the road.• 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. | |
|--|--|--|--|--|

SCHEDULE B - TA16-0015

| Zoning Bylaw No. 8000 | | | | |
|---|--|---|--|---|
| List of Amendments to Zoning Bylaw No. 8000 for Temporary Farm Worker Housing | | | | |
| No. | Section | Existing | Proposed | Explanation |
| 1 | Replace in Section 2 Interpretation, 2.3 General Definitions | AGRICULTURAL DWELLINGS, ADDITIONAL means any dwelling on a bona fide agricultural operation that is used to house full-time permanent or seasonal farm workers employed on the same site as the agricultural operation only. This may include but is not limited to single detached houses, mobile homes , or bunkhouses. | AGRICULTURAL DWELLING(S), ADDITIONAL means any dwelling on a bona fide agricultural operation that is used to house full-time permanent or temporary farm workers employed on the farm unit . This may include but is not limited to single detached houses, mobile homes , or bunkhouses. | Replaced the words “on the same site” with farm unit so the definition is consistent with temporary farm worker(s) . Replaced seasonal farm workers with temporary farm workers for consistency. |
| 2 | Add to Section 2 Interpretation, 2.3 General Definitions | | RESIDENTIAL FOOTPRINT means the portion of a lot that includes all structures, landscaping, driveways and parking areas associated with the principal dwelling, including but not limited to the principal dwelling, mobile home for family, home based business (minor, major and rural) , accessory structures including garage and storage, recreation areas (including pools and sport courts), and outdoor living areas. Structures not included in the residential footprint are agricultural structures , including greenhouses , | Introduction of a new definition consistent with Ministry of Agriculture “Guide for Bylaw Development in Farming Areas.” |

SCHEDULE B - TA16-0015

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| | | | agricultural and garden stands and those structures associated with the temporary farm worker housing footprint . | |
| 3 | Add to Section 2 Interpretation, 2.3 General Definitions | | FARM UNIT means one or more contiguous or non-contiguous parcels, that may be owned, rented or leased, within City limits, which forms and is managed as a single farm. | Introduction of a new definition consistent with Ministry of Agriculture "Guide for Bylaw Development in Farming Areas." |
| 4 | Add to Section 2 Interpretation, 2.3 General Definitions | | <p>ON-FARM PROCESSING means the undertaking of processes, including mixing, drying, canning, size reduction, fermentation, heat treatments, cold treatments, chemical treatments, and biological treatments on a farm unit to:</p> <ul style="list-style-type: none"> • Prepare value added products from farm products to sell, or • Prepare feed for livestock, poultry, farmed game, located on the farm <p>But excludes on-farm composting, on-farm soil preparation, and on-farm soilless medium production.</p> | Introduction of a new definition consistent with Ministry of Agriculture "Guide for Bylaw Development in Farming Areas." |
| 5 | Add to Section 2 Interpretation, 2.3 General Definitions | | TEMPORARY FARM WORKER(S) means an individual or individuals who carry out agricultural work on a temporary and seasonal basis on a farm unit . | Introduction of a new definition consistent with Ministry of Agriculture "Guide for Bylaw Development in Farming Areas." |

SCHEDULE B - TA16-0015

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| 6 | Add to Section 2 Interpretation, 2.3 General Definitions | | TEMPORARY FARM WORKER HOUSING (TFWH) means a dwelling to temporarily accommodate temporary farm worker(s) , which is accessory to a farm unit , that is used to provide spaces for cooking, sanitary, living and sleeping. | Introduction of a new definition consistent with Ministry of Agriculture "Guide for Bylaw Development in Farming Areas." |
| 7 | Add to Section 2 Interpretation, 2.3 General Definitions | | TEMPORARY FARM WORKER HOUSING (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. | Definition modified from residential footprint to distinguish the area used for temporary farm worker housing . |
| 8 | Add to Section 9 Specific Use Regulations | | 9.13 Temporary Farm Worker Housing | Addition of category to specific use regulations for temporary farm worker housing . |
| 9 | Add to Section 9 Specific Use Regulations, 9.13 Temporary Farm Worker Housing | | <p>9.13.1 The following requirements must be met prior to the issuance of a permit for a temporary Farm Worker Housing structure:</p> <p>(a) Farm Classification for the parcel, as determined by the <i>BC Assessment Act</i>.</p> <p>(b) Minimum parcel size is 3.8 ha.</p> <p>(c) The need for temporary farm worker housing onsite to house temporary farm workers must be</p> | Addition of specific use regulations outlining the conditions that must be met for temporary farm worker housing . |

SCHEDULE B - TA16-0015

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| | | | <p>demonstrated through documentation such as a contract with the federal government through a migrant worker program, such as the Seasonal Agricultural Worker Program, farm receipts and / or previous employment records, and/or a farm plan prepared by a professional agrologist.</p> <p>(d) New TFWH structures shall include a communal kitchen.</p> <p>(e) The TFWH shall be occupied only during the farm unit's growing, harvesting and pruning periods. .</p> <p>(f) A statutory declaration must be filed with the City of Kelowna annually, by January 31st, stating that the building will be used only for TFWH and specify the time(s) of year when the TFWH will be occupied. The specified period of time may be no greater than eight months of that calendar year.</p> <p>(g) If the temporary farm worker housing is vacant for two consecutive growing seasons, the owner will remove, at their expense, any temporary structures for temporary</p> | |
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SCHEDULE B - TA16-0015

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| | | | farm worker housing, and remove or decommission any existing buildings that had been repurposed for temporary farm worker housing purposes, by December 31 st of the second year of vacancy. | |
| 10 | Add to Section 9 Specific Use Regulations, 9.13 Temporary Farm Worker Housing | | 9.13.2 TFWH Footprint Size (a) TFWH footprint may not exceed 0.20 ha. | Addition of specific use regulations for temporary farm worker housing footprint size . |
| 11 | Add to Section 9 Specific Use Regulations, 9.13 Temporary Farm Worker Housing | | 9.13.3 TEMPORARY FARMWORKER ALLOCATION (a) Structure(s) to accommodate a maximum of forty temporary farm workers per farm unit . (b) Farm units with greenhouses and/or on-farm processing structures may increase allowable number of workers by 1 worker per each 1000 m2 of greenhouse and/or on-farm processing structures. (c) Where a farm unit comprises of multiple parcels of land, TFWH may be clustered on a single parcel, subject to: i. A restrictive covenant be registered on all other parcels of the | Addition of specific use regulations for the number of temporary farm workers . |

SCHEDULE B - TA16-0015

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| | | | <p>farm unit restricting the development of further TFWH on said parcels, and transferring the allocation of TFWH to the parcel being developed with TFWH.</p> | |
| 12 | Replace in Section 11 Agriculture Zones 11.1.3 Secondary Uses | (a) agricultural dwellings, additional | (a) agricultural dwelling(s), additional | Update the word to match with revised definition. |
| 13 | Add to Section 11 Agriculture Zones 11.1.4 Buildings and Structures Permitted | | <p>(f) TFWH may be in one of the following structure types:</p> <ul style="list-style-type: none"> i. Existing structure with a Building Permit that was approved at least 2 years prior to TFWH application, to be converted into TFWH, on the parcel within the farm unit. ii. New TFWH must be in temporary structures on non-permanent foundations, such that it is designed to be removed by a truck or vehicle. Concrete pads or foundations are not permitted. | Regulations for type of structures permitted for TFWH . |

SCHEDULE C - TA16-0016

| Procedures Bylaw No. 10540 - DRAFT | | | | |
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| List of Amendments to Development Application Procedures Bylaw No. 10540 for Temporary Farm Worker Housing | | | | |
| No. | Section | Existing Text | Proposed Text | Explanation |
| 1 | Update wording in section 1.3.7 | An application for an Additional Dwelling for Farm Employee Permit | An application for a Temporary Farm Worker Housing Permit | |
| 2 | Add to 1.4 Definitions | | ‘Community Planning’ means the City of Kelowna’s Community Planning Department. | Consistent with re-organization |
| 3 | Remove from 1.4 Definitions | ‘Land Use Management’ means the City of Kelowna’s Land Use Management Department; | ‘Land Use Management’ means the City of Kelowna’s Land Use Management Department; | Consistent with re-organization |
| 4 | Replace all instances in Zoning Bylaw | ‘Land Use Management’ | ‘Community Planning’ | Consistent with re-organization |
| 5 | Replace all instances in Zoning Bylaw | ‘Director of Land Use Management’ | ‘Department Manager, Community Planning’ | Consistent with re-organization. Note: the definition for Department Manager, Community Planning was added during a previous revision, and Director of Land Use Management definition was removed during a previous revision. |
| 6 | Remove from Section 1.4.1 Definitions | ‘Additional Dwelling for Farm Employee Permit’ means a permit authorized by Section 15(1) of the <i>Community Charter</i> for the accommodation of a full-time employee or employees paid to work on a farm operation. | ‘Additional Dwelling for Farm Employee Permit’ means a permit authorized by Section 15(1) of the <i>Community Charter</i> for the accommodation of a full-time employee or employees paid to work on a farm operation. | Remove additional dwelling for farm employee permit. |
| 7 | Add to Section 1.4.1 Definitions | | ‘Agricultural Advisory Committee’ means an advisory committee established by Council . | No definition in bylaw. |

SCHEDULE C - TA16-0016

| Procedures Bylaw No. 10540 - DRAFT | | | | |
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| List of Amendments to Development Application Procedures Bylaw No. 10540 for Temporary Farm Worker Housing | | | | |
| No. | Section | Existing Text | Proposed Text | Explanation |
| 8 | Add to Section 1.4.1 Definitions | | <p>‘Temporary Farm Worker Housing Permit Minor Direct’ means a permit authorized by Section 15 (1) of the Community Charter, issued by the Department Manager, Community Planning that applies to development that meets the following criteria:</p> <ul style="list-style-type: none"> • Is for eight or fewer sleeping units in one or more Temporary farm worker agricultural dwellings; and • Is consistent with the applicable guidelines and policies of the Official Community Plan and regulations of the Zoning Bylaw. | No definition in bylaw. Wording is consistent with Development Application Fees Bylaw. |
| 9 | Section 1.4.1 Definitions | | ‘Temporary Farm Worker Housing Permit Major’ means a permit authorized by Section 15(1) of the <i>Community Charter</i> for the accommodation of an employee(s) paid to work on a farm for less than eight months per calendar year. | No definition in bylaw. Wording is consistent with Development Application Fees Bylaw. |
| 10 | Revise 2.1.2 in Section 2.1 Making Application | <p>2.1.2 Application Requirements and Processing</p> <p>h) An Application for an Additional Dwelling for Farm Employee Permit will be made and processed substantially in accordance with Schedule ‘9’ of this bylaw.</p> | <p>2.1.2 Application Requirements and Processing</p> <p>h) An Application for a Temporary Farm Worker Housing Permit will be made and processed substantially in accordance with Schedule ‘9’ of this bylaw.</p> | Replace Additional Dwelling for Farm Employee Permit with Temporary Farm Worker Housing Permit |
| 11 | Replace wording Section 2.3.4 Delegation of Authority | <p>2.3.4 Issuance or Refusal of Additional Dwelling for Farm Employee Permits</p> <p>The powers of Council under Section 15(1) of the <i>Community Charter</i> to issue, to refuse, to amend and to set conditions for permits for the placement of dwellings for the accommodation of farm help, in</p> | <p>2.3.4 Issuance of Temporary Farm Worker Housing Permits</p> <p>The powers of Council under Section 15(1) of the <i>Community Charter</i> to issue, to amend and to set conditions for permits for the placement of dwellings for the accommodation of Temporary farm workers, in accordance with the <i>Agricultural Land Commission Act</i> and Regulations.</p> | Replace Additional Dwelling for Farm Employee Permit with Temporary Farm Worker Housing Permit; remove words ‘farm help’; and remove the words “to refuse” as Council cannot refuse |

SCHEDULE C - TA16-0016

| Procedures Bylaw No. 10540 - DRAFT | | | | |
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| List of Amendments to Development Application Procedures Bylaw No. 10540 for Temporary Farm Worker Housing | | | | |
| No. | Section | Existing Text | Proposed Text | Explanation |
| | | accordance with the <i>Agricultural Land Commission Act</i> and Regulations. | | an application for up to 40 temporary farm workers as Kelowna is a Farm Bylaw community. |
| 12 | Add to Section 2.4.2 's)' and Renumber 't) Development Approval Information | s) Any other topic in relation to which the Director of Land Use Management considers the proposed activity or development impacts the jurisdiction of the City | s) Agricultural impacts, including, but not limited to a soils assessment; t) Any other topic in relation to which the Department Manager, Community Planning considers the proposed activity or development impacts the jurisdiction of the City . | |
| 13 | Rename schedule 9 | Schedule '9' Applications for Additional Dwelling for Farm Employee Permits | Schedule '9' Applications for Temporary Farm Worker Housing Permits | |
| 14 | Replace Schedule '9' Applications for Additional Dwelling for Farm Employee Permits with Schedule '9' Applications for Permanent Farm Worker Housing Permits | This information is meant as a general guide only and is not regarded as the right to development approval if the steps indicated are followed. 1.0 APPLICATION REQUIREMENTS The following information will be required to accompany an application for an Additional Dwelling for Farm Employee Permit under this Bylaw: 1.1 State of Title, printed within ninety (90) days before making application, for all properties subject of the application; 1.2 Owner's Authorization (where required); 1.3 Project Rationale outlining the justification for the additional farm help in relation to the agricultural | This information is meant as a general guide only and is not regarded as the right to development approval if the steps indicated are followed. 1.0 TEMPORARY FARM WORKER HOUSING PERMIT MINOR DIRECT 1.1 Restriction on Delegation. As a restriction on Section 2.3.4, the Department Manager, Community Planning may only issue or amend Temporary Farm Worker Housing Permits that meet the following criteria: <ul style="list-style-type: none"> The Permit is consistent with OCP DP Guidelines; The Permit authorizes eight (8) or fewer sleeping units; and No variances to the Zoning Bylaw are required. | Update wording to reflect Permanent Farm Worker Housing Permit |

SCHEDULE C - TA16-0016

| Procedures Bylaw No. 10540 - DRAFT | | | | | | | | | | | | | | | | | | | |
|--|------------------------|---|---|----------------------|-----------------|--|--------------------------------|----------------------|--|---|-----------------|--|--|------------------------|--|-----------------------|--------------------|--|--|
| List of Amendments to Development Application Procedures Bylaw No. 10540 for Temporary Farm Worker Housing | | | | | | | | | | | | | | | | | | | |
| No. | Section | Existing Text | Proposed Text | Explanation | | | | | | | | | | | | | | | |
| | | <p>activities, including maps, as necessary.</p> <p>2.0 PROCESSING PROCEDURES An Additional Dwelling for Farm Employee Permit application submitted in accordance with this bylaw will be processed as follows:</p> <p>2.1 Upon receipt of an application package submitted to the City in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.</p> <p>2.2 Land Use Management will review the application to determine whether it is complete and, if incomplete, will request the required information from the applicant. One Window Staff will open a file only upon a complete submission package.</p> <p>2.3 Land Use Management will refer the application to all applicable City departments, government and external agencies.</p> <p>2.4 Land Use Management will evaluate the proposal for compliance with relevant City bylaws and policies and relevant provincial regulations, which include but is not limited to Agricultural Land Reserve Use, Subdivision and Procedure Regulation.</p> <p>2.5 Relevant technical comments will be incorporated into a staff report for</p> | <p>Applications not eligible for issuance or amendment by the Department Manager, Community Planning must be considered by Council.</p> <p>1.2 Application Requirements a) The following information listed in Schedule ‘1’ of this bylaw will be required to accompany an application for a Temporary Farm Worker Housing Permit Minor Direct under this bylaw:</p> <table><tr><td>(a) Application Form</td><td>(g) Photographs</td><td></td></tr><tr><td>(b) State of Title Certificate</td><td>(i) Site Plan</td><td></td></tr><tr><td>(c) Owner’s Authorization form (if applicable)</td><td>(j) Floor Plans</td><td></td></tr><tr><td>(d) Site Profile or Site Profile Waiver</td><td>(k) Elevation Drawings</td><td></td></tr><tr><td>(f) Project Rationale</td><td>(m) Landscape Plan</td><td></td></tr></table> <p>b) Additional information may be required by the Department Manager, Community Planning to evaluate adequately and to issue a Permit, in accordance with Section 2.4 of this bylaw.</p> <p>1.3 Processing Procedures A Temporary Farm Worker Housing Permit Minor Direct application</p> | (a) Application Form | (g) Photographs | | (b) State of Title Certificate | (i) Site Plan | | (c) Owner’s Authorization form (if applicable) | (j) Floor Plans | | (d) Site Profile or Site Profile Waiver | (k) Elevation Drawings | | (f) Project Rationale | (m) Landscape Plan | | |
| (a) Application Form | (g) Photographs | | | | | | | | | | | | | | | | | | |
| (b) State of Title Certificate | (i) Site Plan | | | | | | | | | | | | | | | | | | |
| (c) Owner’s Authorization form (if applicable) | (j) Floor Plans | | | | | | | | | | | | | | | | | | |
| (d) Site Profile or Site Profile Waiver | (k) Elevation Drawings | | | | | | | | | | | | | | | | | | |
| (f) Project Rationale | (m) Landscape Plan | | | | | | | | | | | | | | | | | | |

SCHEDULE C - TA16-0016

| Procedures Bylaw No. 10540 - DRAFT | | | | |
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| List of Amendments to Development Application Procedures Bylaw No. 10540 for Temporary Farm Worker Housing | | | | |
| No. | Section | Existing Text | Proposed Text | Explanation |
| | | <p>consideration by the Director of Land Use Management.</p> <p>2.6 Land Use Management will notify the applicant in writing of the decision of the Director of Land Use Management.</p> <p>2.7 If authorized for issuance by the Director of Land Use Management, staff will prepare the required Additional Dwelling for Farm Employee Permit, related schedules and required covenants for signature.</p> | <p>submitted in accordance with this bylaw will be processed as follows:</p> <p>a) Upon receipt of an application package submitted in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.</p> <p>b) Community Planning will review the application to determine whether it is complete and, if incomplete, will request the required information from the applicant. One Window Staff will open a file only once a complete package has been submitted.</p> <p>c) Community Planning will refer the application to all applicable City departments.</p> <p>d) Community Planning will evaluate the proposal for compliance with relevant City bylaws and policies.</p> <p>e) Relevant technical comments will be incorporated into a staff report for consideration by the Department Manager, Community Planning.</p> <p>f) Community Planning will notify the applicant in writing of the decision of the Department Manager, Community Planning.</p> <p>g) If authorized for issuance by the Department Manager, Community Planning, staff will prepare the required Permit and related schedules for signature, and obtain</p> | |

SCHEDULE C - TA16-0016

| Procedures Bylaw No. 10540 - DRAFT | | | | | | | | | | | | | | | | | | | |
|--|------------------------|---------------|---|----------------------|-----------------|--|--------------------------------|----------------------|--|---|-----------------|--|--|------------------------|--|-----------------------|--------------------|--|--|
| List of Amendments to Development Application Procedures Bylaw No. 10540 for Temporary Farm Worker Housing | | | | | | | | | | | | | | | | | | | |
| No. | Section | Existing Text | Proposed Text | Explanation | | | | | | | | | | | | | | | |
| | | | <p>the required Landscape Bonding, pursuant to Section 2.8 of this bylaw.</p> <p>h) Upon sign-off of the Permit by the Department Manager, Community Planning and receipt of the related bonding, the Permit will be issued and then registered on the State of Title.</p> <p>2.0 TEMPORARY FARM WORKER HOUSING PERMIT MAJOR</p> <p>2.1 Application Requirements</p> <p>a) The following information listed in Schedule ‘1’ of this bylaw will be required to accompany an application for a Temporary Farm Worker Housing Permit Major under this Bylaw:</p> <table><tr><td>(a) Application Form</td><td>(g) Photographs</td><td></td></tr><tr><td>(b) State of Title Certificate</td><td>(i) Site Plan</td><td></td></tr><tr><td>(c) Owner’s Authorization form (if applicable)</td><td>(j) Floor Plans</td><td></td></tr><tr><td>(d) Site Profile or Site Profile Waiver</td><td>(k) Elevation Drawings</td><td></td></tr><tr><td>(f) Project Rationale</td><td>(m) Landscape Plan</td><td></td></tr></table> <p>b) Additional information may be required the Department Manager,</p> | (a) Application Form | (g) Photographs | | (b) State of Title Certificate | (i) Site Plan | | (c) Owner’s Authorization form (if applicable) | (j) Floor Plans | | (d) Site Profile or Site Profile Waiver | (k) Elevation Drawings | | (f) Project Rationale | (m) Landscape Plan | | |
| (a) Application Form | (g) Photographs | | | | | | | | | | | | | | | | | | |
| (b) State of Title Certificate | (i) Site Plan | | | | | | | | | | | | | | | | | | |
| (c) Owner’s Authorization form (if applicable) | (j) Floor Plans | | | | | | | | | | | | | | | | | | |
| (d) Site Profile or Site Profile Waiver | (k) Elevation Drawings | | | | | | | | | | | | | | | | | | |
| (f) Project Rationale | (m) Landscape Plan | | | | | | | | | | | | | | | | | | |

SCHEDULE C - TA16-0016

| Procedures Bylaw No. 10540 - DRAFT | | | | |
|--|---------|---------------|--|-------------|
| List of Amendments to Development Application Procedures Bylaw No. 10540 for Temporary Farm Worker Housing | | | | |
| No. | Section | Existing Text | Proposed Text | Explanation |
| | | | <p>Community Planning to evaluate adequately and to make a recommendation to Council concerning a Permit, in accordance with Section 2.4 of this bylaw.</p> <p>2.2 Processing Procedures A Temporary Farm Worker Housing Permit application submitted in accordance with this Bylaw will be processed as follows:</p> <ul style="list-style-type: none"> a) Upon receipt of an application package submitted in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant. b) Community Planning will review the application to determine whether it is complete and, if incomplete, will request the required information from the applicant. Staff will open a file only upon a complete submission package. c) Community Planning will refer the application to all applicable City departments, and government and external agencies. d) Community Planning will evaluate the proposal for compliance with relevant City bylaws and policies. e) The applicant will undertake the form(s) of public notification and | |

SCHEDULE C - TA16-0016

| Procedures Bylaw No. 10540 - DRAFT | | | | |
|--|---------|---------------|---|-------------|
| List of Amendments to Development Application Procedures Bylaw No. 10540 for Temporary Farm Worker Housing | | | | |
| No. | Section | Existing Text | Proposed Text | Explanation |
| | | | <p>consultation required in accordance with Section 4 of this bylaw</p> <p>f) Community Planning will prepare a staff report and refer the application to the Agricultural Advisory Committee.</p> <p>g) The applicant is encouraged to attend the meeting of the Agricultural Advisory Committee at which the Permit application is being reviewed.</p> <p>h) Upon receipt of the recommendation of the Agricultural Advisory Committee and the comments of other referral agencies, Community Planning staff will prepare a staff report and draft Permit for review by Council.</p> <p>i) Staff of the Office of the City Clerk will notify the applicant in writing of the decision of Council.</p> <p>j) If authorized for issuance by Council, Community Planning staff will prepare the required Permit and related schedules for signature, and obtain the required Bonding, pursuant to Section 2.8 of this bylaw.</p> <p>Upon sign-off of the Permit by the Department Manager, Community Planning and receipt of the related bonding, the Permit will be issued and then registered.</p> | |

Schedule D



September 9, 2016

File: 0280-20

Ref: 184951

Tracy Guidi
Sustainability Coordinator
City of Kelowna, BC
tguidi@kelowna.ca

RE: Okanagan regional approach to Temporary Farm Worker Housing local government bylaws

Dear Ms. Guidi:

Thank you for providing a final opportunity to review the draft Temporary Farm Worker Housing bylaw provisions dated August 12, 2016 which were prepared by City of Kelowna staff and other Central Okanagan local government staff.

Ministry of Agriculture staff acknowledge the effort involved in co-ordinating a regional approach to temporary farm worker housing and recognize the potential benefits for both local governments and the farming community. Temporary Farm Worker Housing is an important and complex issue involving multiple levels of government which affects farmers, local governments and the public. Ministry staff are encouraged with the initiative being taken by the working group and appreciate having had the opportunity to participate in the formulation of the draft bylaw provisions.

Ministry staff have reviewed the August 12, 2016 version of the draft bylaw provisions and are of the opinion that they are consistent with the intention of the Minister's Bylaw Standard on Temporary Farm Worker Housing. If you have any questions or require any further assistance through the bylaw approval process, please continue to engage with Ministry staff.

Sincerely,

Joan Easton
Executive Director

pc: Brenda Lennox, Senior Manager, Strengthening Farming Unit, Ministry of Agriculture

Schedule E



October 12, 2016

Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

Reply to the attention of Martin Collins
ALC File:

Todd Cashin
Suburban & Rural Planning Manager
City of Kelowna
1435 Water St
Kelowna, BC
V1Y 1J4

Dear Sir:

Re: City of Kelowna Temporary Farm Worker Housing Bylaw Amendments
Zoning Bylaw 8000 and Procedures Bylaw 10540
TA16-0015 and TA16-0016

Thank you for forwarding draft copies of proposed bylaw amendments proposed for the City of Kelowna Bylaws referenced above pertaining to Temporary Farm Worker Housing.

The ALC would like to commend the City for its draft bylaw amendments which attempt to ensure that the proposed Temporary Farm Worker Housing (TFWH) located within the ALR is consistent with the purposes of the Agricultural Land Commission Act and regulation.

The only substantive comment on the amendments is that a 60 meter setback from the road may be excessive for this type of housing, and that instead the rear of the TFWH building be no greater than 50 meters from a road. The ALC commonly recommends that residential structures be located no deeper than 50 meters from the public road to help limit negative impacts on agriculture from long driveways, and residences that are located adjacent to production areas (which are commonly located deeper within the parcel).

Apart from the above, the ALC has no objection to the proposed Temporary Farm Worker Housing amendments proposed for the bylaw(s), finding them to be consistent with the ALC's mandate to preserve agricultural land and encourage farming.

Again thank you for the opportunity to comment. If you have any further questions please contact the undersigned.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Martin Collins, Regional Planner



January 20, 2017

Melanie Steppuhn, BES, BCLA
Land Use Planner
1435 Water Street
Kelowna, BC V1Y 1J4

Dear Ms. Steppuhn:

RE: Temporary Farm Worker Housing Amendment files TAI6-0015; TAI6-0016 and OCPI6-0022

Thank you for the opportunity to provide comments regarding City of Kelowna Staff and Council consideration of Temporary Farm Worker Housing text amendment. It is our understanding the amendment is to balance the need for temporary farm workers in the agricultural industry and their accommodation, with the least impact to farmable land as possible. The bylaw amendment has been reviewed from Healthy Food Systems and Public Health Protection perspectives. The following information is provided for your consideration.

Healthy Food Systems

Interior Health has an interest in the protection of farmland to support local agricultural capacity now and in the future. Agricultural capacity is a key aspect of local healthy food systems. Food systems determine how we choose food and what food we have access to. The food we eat is critical to our health. Land use decisions can influence food production which can thereby impact the accessibility, quality and variety of food available to us. Having access to healthy and safe food helps to protect the population from chronic disease and infectious illnesses.

- Farmland preservation helps to maintain a level of food production that contributes to food self-sufficiency, and food self-sufficiency increases food security and supports healthy eating.
- Food self-sufficiency in BC is increasingly important, as extreme weather will affect food production in California and elsewhere. Currently, California supplies 40%-50% of BC's imported fruits and vegetables.
- The proposed OCP and zoning bylaw text amendments for Temporary Farm Workers Housing appear to protect farmland by minimizing the impact that the housing would have on the land.
 - Reducing and keeping a small and contained footprint, for both the structures and the utilities required for them (water, septic/sewer, fire protection), would have a long term, positive impact on the ability of farmland to produce food.

Bus: 1-855-744-6328 ext. 4
Fax: (250) 851-7341
hbe@interiorhealth.ca
www.interiorhealth.ca

Healthy Built Environment Team
Population Health
519 Columbia Street
Kamloops, BC, V2C 2T8

Interior Health's Community Nutrition and Food Security Program is able to review future Temporary Farm Worker Housing applications from a healthy food systems perspective.

Public Health Protection:

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. Therefore, 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.

Regulatory Requirements:

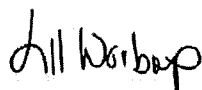
The Industrial Camps Regulation prescribes the minimum housing standards which must be met to protect the health and wellbeing of residents where there are 5 or more occupants. Interior Health strongly encourages connection to community water and sanitary sewer systems; however, onsite services may be possible if regulatory requirements can be met. Therefore, in addition to the Industrial Camps Regulation the following provincial health legislation may apply depending on the particulars of each temporary farm housing scenario:

- Industrial Camps Regulation;
- Drinking Water Protection Act and Regulation;
- Sewerage System Regulation or Municipal Wastewater Regulation depending whether more or less than 22,700 L of sewage is produced per day;
- Food Premises Regulation if food is prepared and served to workers.

More information about drinking water, sewerage and food premise requirements and processes can be found on the Interior Health - Your Environment webpage.

Overall, Interior Health supports the proposed OCP and Zoning Bylaw text amendments for Temporary Farm Workers Housing, and encourages continuing to work together to protect the health and safety of farm workers. If there are any questions please feel free to contact Jill Worboys at 250-469-7070 ext 12292, Anita Ely at 250-833-4114, or the Healthy Built Environment Team at 1-855-744-6328 ext 4 or hbe@interiorhealth.ca.

Kind regards,



Jill Worboys, RD
Public Health Dietitian



Anita Ely, CPHI(C)
Environmental Health Officer

JW&AE/ae

Temporary Farm Worker Housing

March 6, 2017

Agenda

1. Purpose
2. Since the last time we met....
3. SAWP workers in the Okanagan
4. TFWH policy intent
5. Proposed policy
6. Examples
7. Next Steps

Purpose

- ▶ Provide clear policy and process direction for Temporary Farm Worker Housing
- ▶ Respond to the changing needs of the industry
- ▶ Provide a consistent regional approach
- ▶ Consistent with provincial bylaw standards



Council Priorities and Commitments

- ▶ Preserve agricultural land
- ▶ Fair but firm
- ▶ Responsive customer service
- ▶ Planning excellence



Procedures

Additional Dwellings on Farmland

TFWH

**Minor
(8 or less)**

**Major
(more than 8)**

Full Time Farm
Worker
Housing

Council
Policy 03
(ALC Application)

Mobile Home
for Family

Farm
Protection DP

Since the Last Time...

- ▶ Have consulted with:
 - ▶ Regional working group (RDCO, West Kelowna, Lake Country)
 - ▶ Ministry of Agriculture
 - ▶ BC Fruit Growers Association
 - ▶ Mexican Consulate
 - ▶ Jamaican Liaison Service

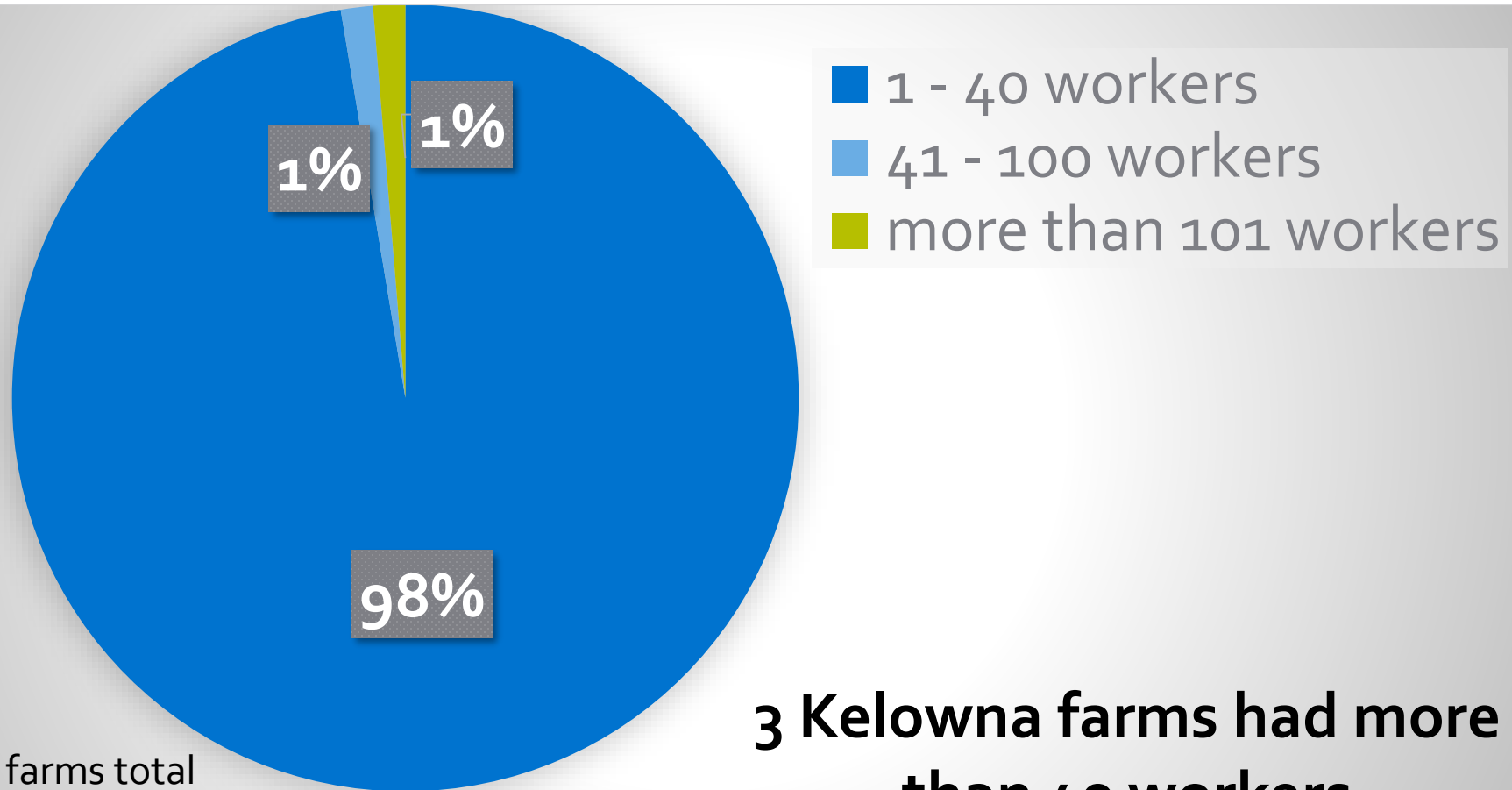


Since The Last Time...

- ▶ Received information on:
 - ▶ Number of TFW per farm in the Okanagan
 - ▶ Regulating TFW in a farm regulated community



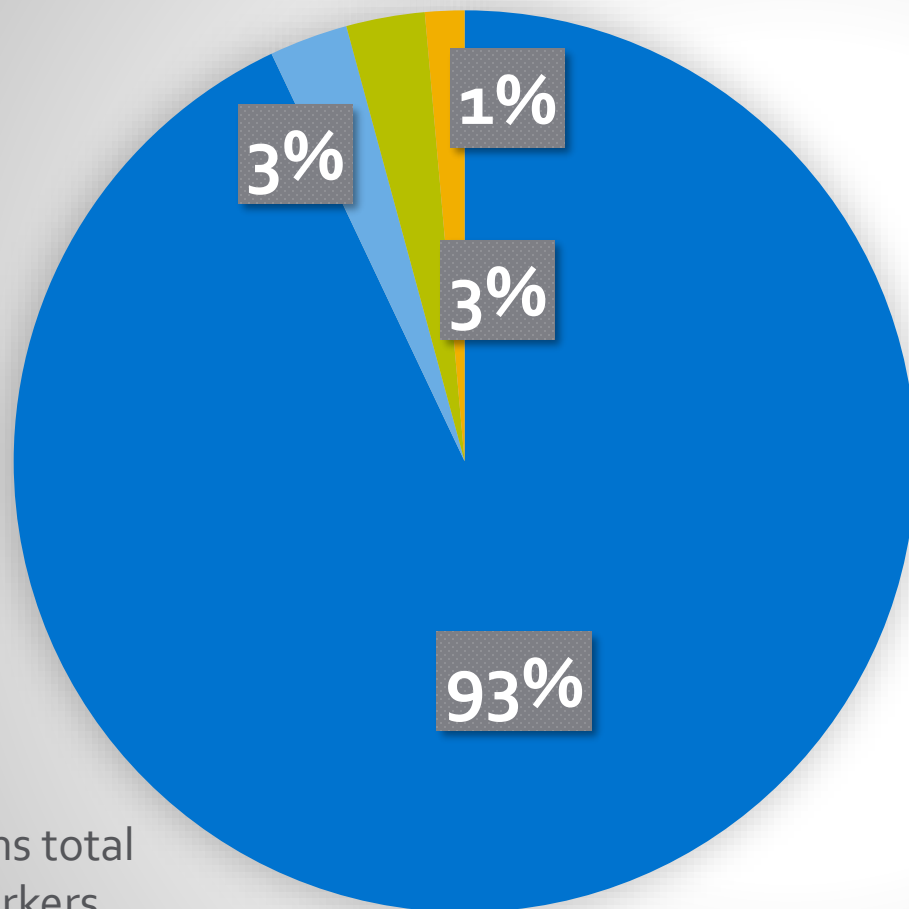
Mexican SAWP Workers per Farm in the Okanagan, 2016



228 farms total
2085 workers

**3 Kelowna farms had more
than 40 workers**

Jamaican SAWP Workers per Farm in the Okanagan, 2016



71 farms total
707 workers

- 1 to 30 workers
- 31 to 50 workers
- 51 to 100 workers
- 101 to 150 workers

4 Kelowna farms had more than 30 workers

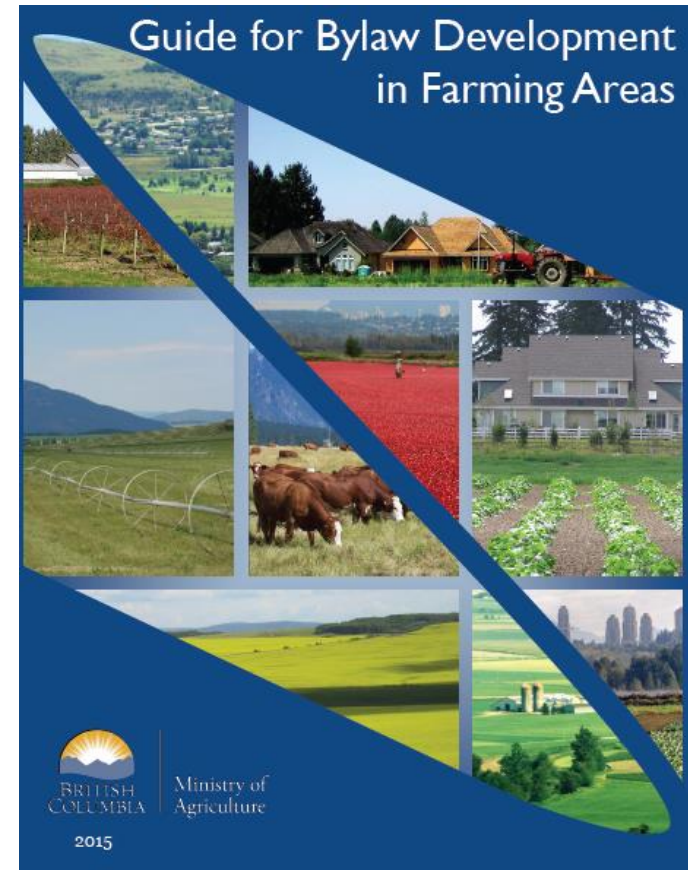
The Intent

- ▶ Reduce the footprint on farm
- ▶ Use existing dwellings as first option
- ▶ New TFWH on non-permanent foundations
- ▶ Addresses buffers to adjacent properties
- ▶ Minimize the risk of TFWH being used for non-farm purposes



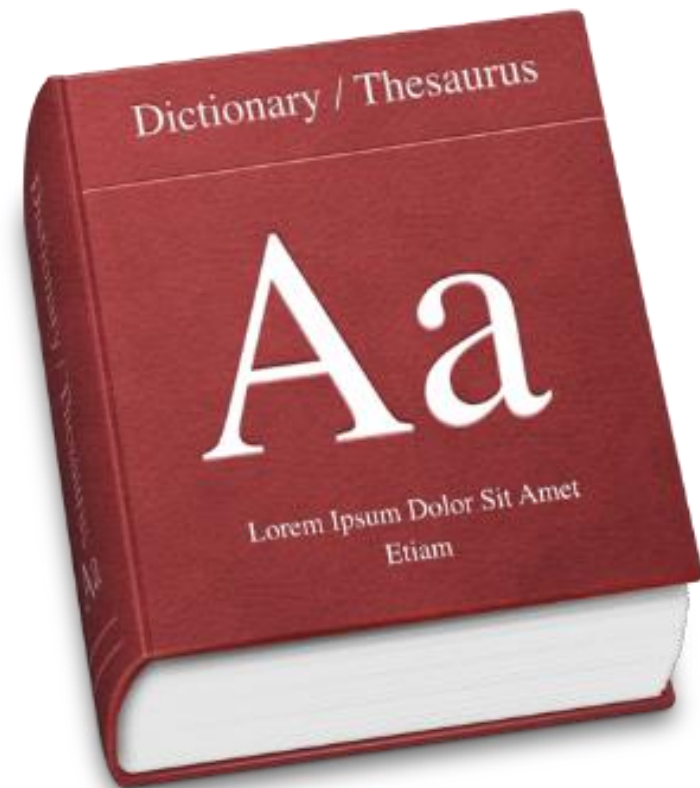
The Policy

- ▶ Consistent with Guide to Bylaw Development in Farming Areas
- ▶ Policy changes to:
 - ▶ OCP
 - ▶ Farm Protection DP Guidelines
 - ▶ Zoning Bylaw
 - ▶ Development Application Procedures Bylaw



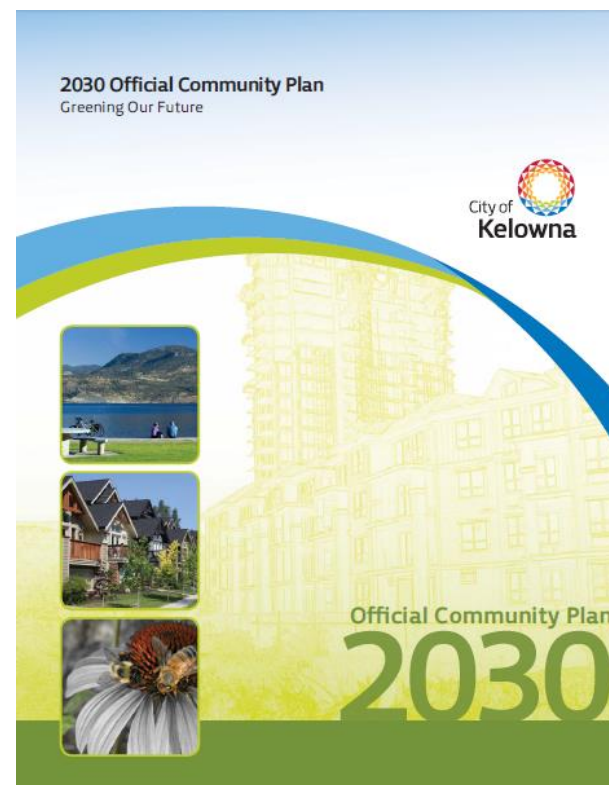
Definitions

- ▶ Farm unit
- ▶ Temporary farm worker
- ▶ Temporary farm worker housing
- ▶ (*Change*) Residential footprint
- ▶ On-farm processing
- ▶ TFWH footprint



OCP & Farm DP Guidelines Update

- ▶ ***New*** As a first option, farm help housing should be located within the PGB
- ▶ Design TFWH such that:
 - ▶ Use all existing dwellings first
 - ▶ **(*Change*)** Should be contiguous with the residential footprint (homeplating) or within 50 meters of road
 - ▶ Vegetated buffer



Zoning Bylaw Update

- ▶ Farm classification status
- ▶ **(*New info*)** Minimum parcel size 3.8 ha
- ▶ TFW need demonstrated through documentation
- ▶ Include a communal kitchen
- ▶ **(*Change*)** Occupied 8 months per calendar year during growing, harvesting and pruning periods
- ▶ Removal or decommission when vacant for two years



Zoning Bylaw Update:

- ▶ **(*Change*)** TFWH footprint may not exceed 0.20 ha
- ▶ **(*Change*)** Structures to accommodate a maximum of 40 TFW per farm unit
- ▶ Farm units with multiple parcels require covenant restricting TFWH on other parcels



Zoning Bylaw Update

- ▶ Farm units with greenhouses and/or on-farm processing can increase by 1 worker per each 1000 m² of those structures
- ▶ New TFWH structures on non-permanent foundations that can be removed by a vehicle.



Procedures Bylaw Update

- ▶ **(*Change*)** TFWH Permit Minor Direct if:
 - ▶ Consistent with OCP DP Guidelines
 - ▶ Authorizes 8 or fewer sleeping units
 - ▶ No variances
- ▶ **(*Change*)** TFWH Permit Major
 - ▶ All other applications
- ▶ **(*Change*)** Removed the word “refusal” from “Issuance of TFWH permits”

Example 1

| Proposed policy | Application | Meets policy? |
|-------------------------|-------------|---------------|
| Parcel size > 3.8 ha | 12.9 ha | Yes |
| Farm unit > 3.8 ha | 77 ha | Yes |
| Max 40 TFW | 48 | No |
| < 0.2 ha TFWH footprint | 0.15 ha | Yes |

Application does not meet policy

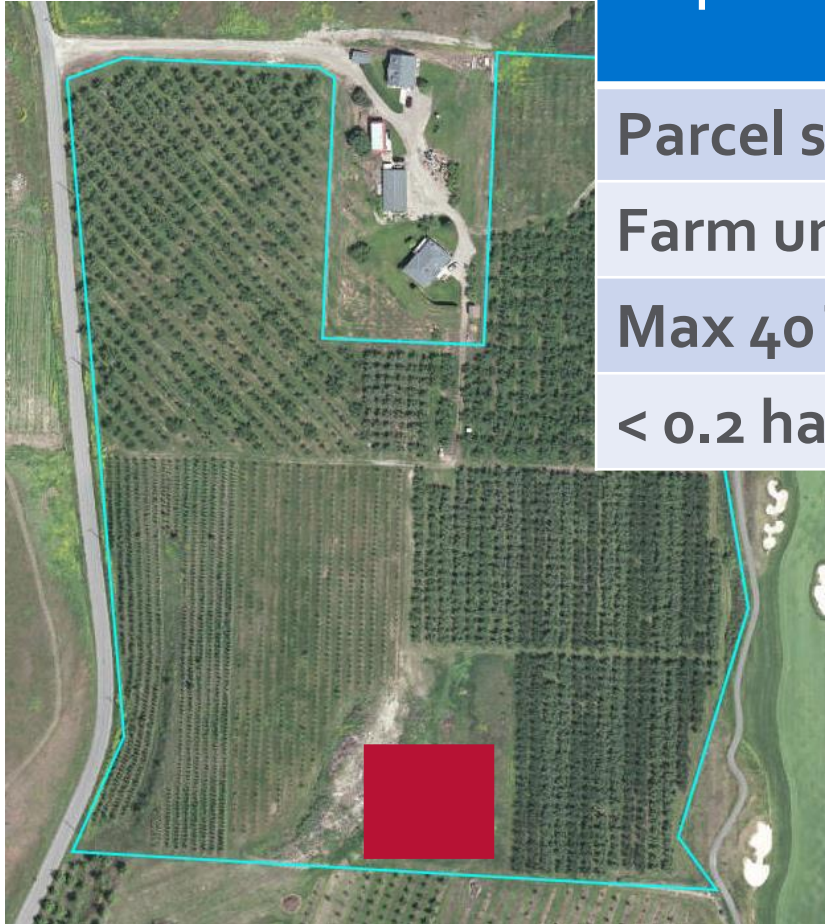
Applicant options:

- Reduce number workers
- Move some workers to urban location
- Site specific zoning application

MCKENZIE RD

GIBSON RD

Example 2



| Proposed policy | Application | Meets policy? |
|-------------------------|-------------|---------------|
| Parcel size > 3.8 ha | 6.0 ha | Yes |
| Farm unit > 3.8 ha | 48 ha | Yes |
| Max 40 TFW | 40 | Yes |
| < 0.2 ha TFWH footprint | 0.2 ha | Yes |

Application meets proposed guidelines:

- TFWH Permit Major
- Council review to amend and/or set conditions

Latta

Tower
Ranch Golf
Course

Proposed
TFWH Site

N

Example 3

| Proposed policy | Application | Meets policy? |
|-------------------------|-------------|---------------|
| Parcel size > 3.8 ha | 6.5 ha | Yes |
| Farm unit > 3.8 ha | unknown | Yes |
| Max 40 TFW | 14 | Yes |
| < 0.2 ha TFWH footprint | 0.06 | Yes |

Application meets proposed guidelines:

- TFWH Permit Major
- Council review to amend and/or set conditions





AAC Recommendation

“THAT the AAC recommends that Council support the draft policies for TFWH that meets the needs of farmers, which adheres to provincial standards, in conjunction with a consistent regional approach, as presented by staff on February 9, 2017.”

AAC Recommendation

“THAT the AAC recommends that Council lobby the Ministry of Agriculture to reduce the allowable parcel size for TFWH from 3.8 hectares to 2.0 hectares in order to reflect what is actually happening in the agriculture industry.”

Applications That Do Not Meet Criteria

ISSUE: Parcel size less than 3.8 ha

REMEDY: Apply for site specific zoning amendment (require Minister approval)

ISSUE: More than 40 workers per farm unit

REMEDY: Move to urban location or apply for site specific zoning amendment

Regional Process

- ▶ RDCO concurrently going through the process
- ▶ West Kelowna and Lake Country will consider policies as part of their bylaw reviews.



Development Process

2016

Policy Development



Feb 9, 2017

AAC Meeting



March 6 2017

Council Workshop



March 2017

Advertising



April 2017

Initial Consideration



May 2017

Public Hearing
Second & Third Readings
Minister Approval

Council
Approvals



City of
Kelowna

Questions?

Other Municipal Examples

| Local Gov't | Min. Farm Unit | Min. Lot Size | Max. workers per operation | Occupancy time limits | Farm Community (Section 553) |
|--------------|--|---------------|-----------------------------------|-----------------------------------|------------------------------|
| Kelowna | 3.8 ha | 3.8 ha | 40 | 8 months specified on declaration | Yes |
| Delta | 8 ha | 4 ha | 42 max | Specified on declaration | Yes |
| Langley | 4 ha | 4 ha | 10 persons / 4 ha, 40 workers max | April 1 – Nov. 30 | Yes |
| Abbotsford | 3.8 ha (A ₁) 8 ha (A ₂) | 3.8 ha | Not specified | Specified on declaration | Yes |
| Pitt Meadows | 2 ha | 2 ha | 10 persons / 4 ha, 40 workers max | April 1 – Nov. 30 | No |
| Richmond | 8.09 ha | 8.09 ha | 30 max | 10 months in any 12 month period | No |