

COMMITTEE REPORT



Date: January 11, 2018

RIM No. 1210-21

To: Agricultural Advisory Committee (AAC)

From: Community Planning Department (KB)

Application: FH17-0001 **Owner:** Stewart Brothers Winery Ltd.

Address: 4500 Stewart Rd West **Applicant:** Protech Consulting 2012 (Grant Maddock)

Subject: Farm Help Development Permit Application to Council to allow Temporary Farm Worker Housing (TFWH) for 22 Temporary Farm Workers

Existing OCP Designation: Resource Protection Area (REP)

Existing Zone: A1 – Agriculture 1

1.0 Purpose

The applicant is requesting permission from Council to issue a Farm Help Development Permit No. FH17-0001 for Lot 2 Section 32 Township 29 ODYD Plan 3093 Except Plan KAP58804, located at 4500 Stewart Road West, for Temporary Farm Worker Housing for 22 Temporary Farm Workers.

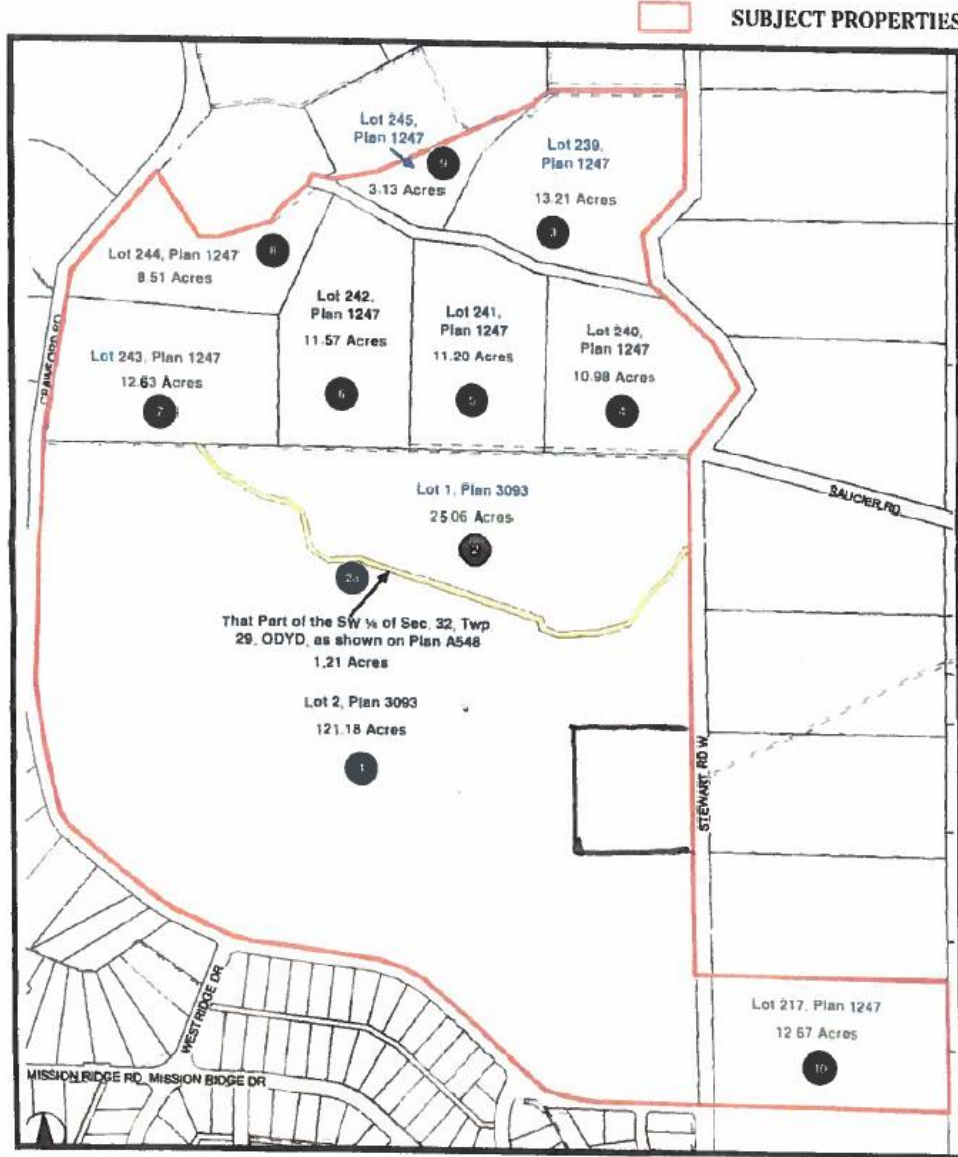
2.0 Proposal

2.1 Background

The owners, Stewart Brothers Winery Ltd. farm 4500 Stewart Rd W, and nine immediately surrounding properties, in Southeast Kelowna. Combined, there is a total of 218.9 acres owned or controlled by Stewart Brothers Winery Ltd. On these properties, 25 acres are currently planted with mature vineyards and in 2017 40 additional acres were planted. In the next three years an additional 30 acres are proposed to be planted per year, and the remaining land area is planned on being planted in 2022. The 22 workers housed on the subject property would mainly work at the properties on-site, but there may be some overlapping with additional vineyards in West Kelowna.

The request is for 22 Temporary Farm Workers to be housed in temporary structures on non-permanent foundations (trailers). See Map 2 for the location of the proposed trailers.

Map 1 – Properties owned or controlled by Stewart Brothers Winery Ltd. surrounding 4500 Stewart Road West



2.2 Project Description

The proposed trailer accommodation for 22 workers is to be placed on the subject property, in close proximity to the existing office and warehouse building. Each trailer includes six bedrooms, and a shared kitchen, sitting area, washroom and laundry facilities.

The plan includes a landscape buffer between the TFWH and the vineyard, consisting of a three metre wide buffer with proposed plantings which include 'Green Select' Dwarf (Austrian) Pines, Varigated Redtwig Dogwood, Witch Hazel and 'Dakota' Pinnacle Birch.

Map 2 – Proposed Temporary Farm Worker Housing Layout



2.3 Federal and Provincial Standards and Bylaw Guide

The Federal Government has recognized that there is a shortage of farm workers throughout Canada. As part of the Seasonal Agricultural Workers Program (SAWP) the owner must provide accommodation for their foreign workers. Seasonal dwellings for farm help are considered a 'farm use' by the Agricultural Land Commission. According to the Ministry of Agriculture, seasonal worker housing should be communal and temporary in nature, with shared kitchens, and conform to SAWP / BC Agriculture Council standards.

The Agricultural Land Commission, as well as the Ministry of Agriculture's Guide to Bylaw Development in Farming Areas¹, advises that temporary farm workers should be housed in temporary structures. This application complies with these standards.

Ministry of Agriculture guidelines for *Regulating Temporary Farm Worker Housing in the ALR*² states that a maximum number of 40 workers per farm for orchards and vineyards is permissible.

¹ BC Min. Of Ag., 2015. Guide for Bylaw Development in Farming Areas, (Revised 2015)

² Min. Of Ag., 2009. Regulating Temporary Farm Worker Housing in the ALR – Discussion Paper and Standards, Sustainable Agriculture Management Branch.

In addition, the application complies with the provincial standards for Temporary Farm Worker Housing (TFWH) in that it:

- a) Meets the needs of the agriculture industry;
- b) Minimizes the residential impact of TFWH in the agricultural area;
- c) Minimizes the loss and/or fragmentation of agricultural land due to TFWH; and
- d) Minimizes the risk of TFWH being used for non-farm purposes.

The Bylaw Guide states that a local government may require the following:

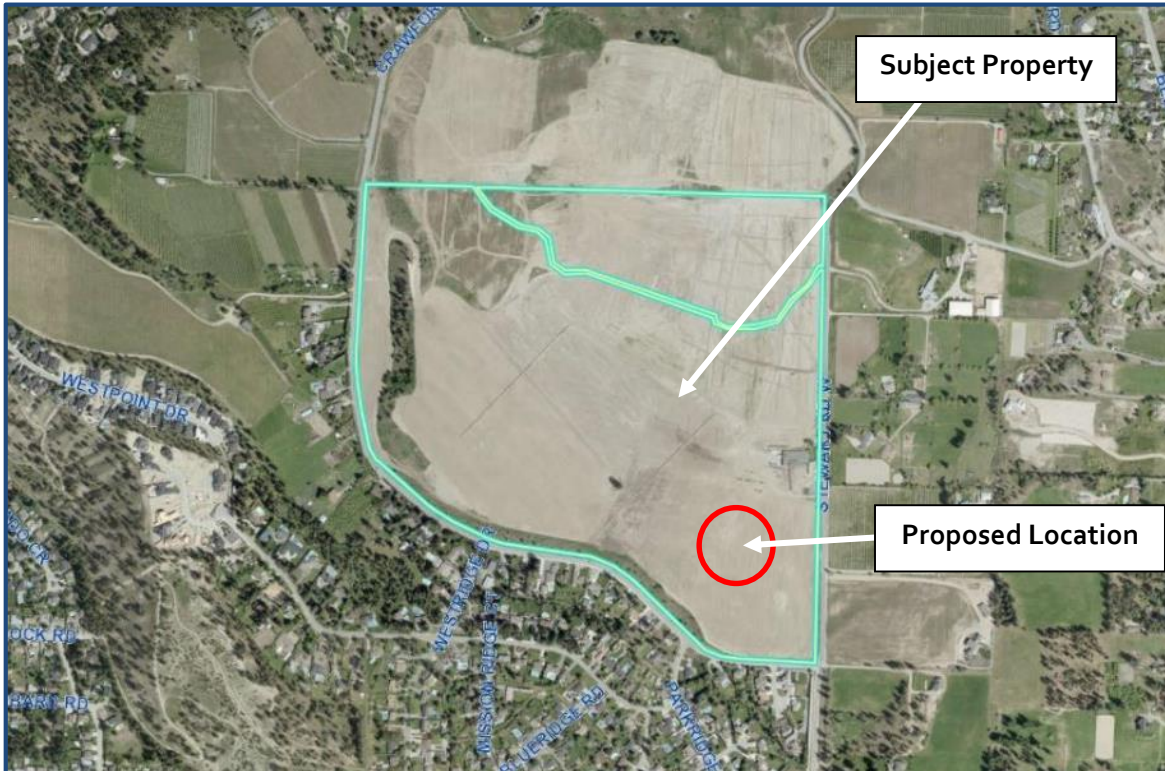
- A Restrictive Covenant that states:
 - the TFWH shall be used for temporary farm workers only;
 - the owner will remove the TFWH if the farm operation changes such that it is no longer required; and
 - the TFWH will only be used for farm workers for a specified limited number of months during the year (typically a maximum of eight months).
- A deposit sufficient to remove the TFWH **or** the cost of removal can be recovered by local government through taxes applied to the property.

2.4 Site Context

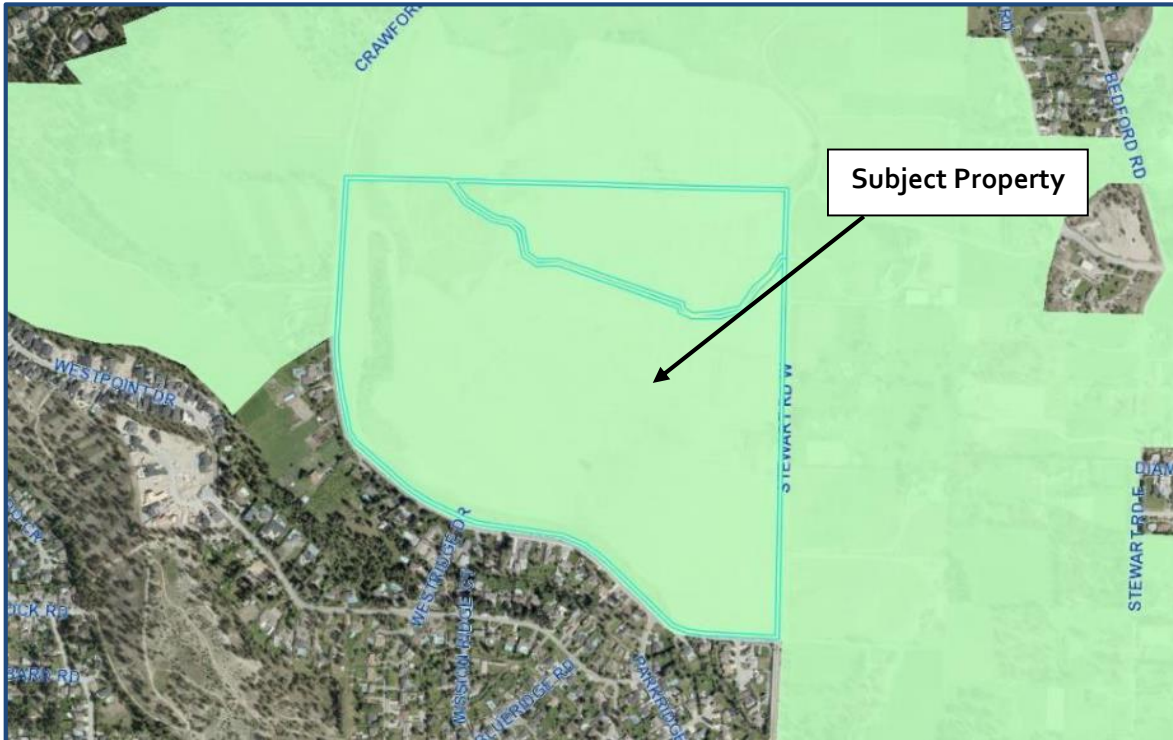
Parcel Summary – 4500 Stewart Road West:

Parcel Size: 49.04 ha (121.18 acres)
Elevation: 445 to 495 metres above sea level (masl) (approx.)

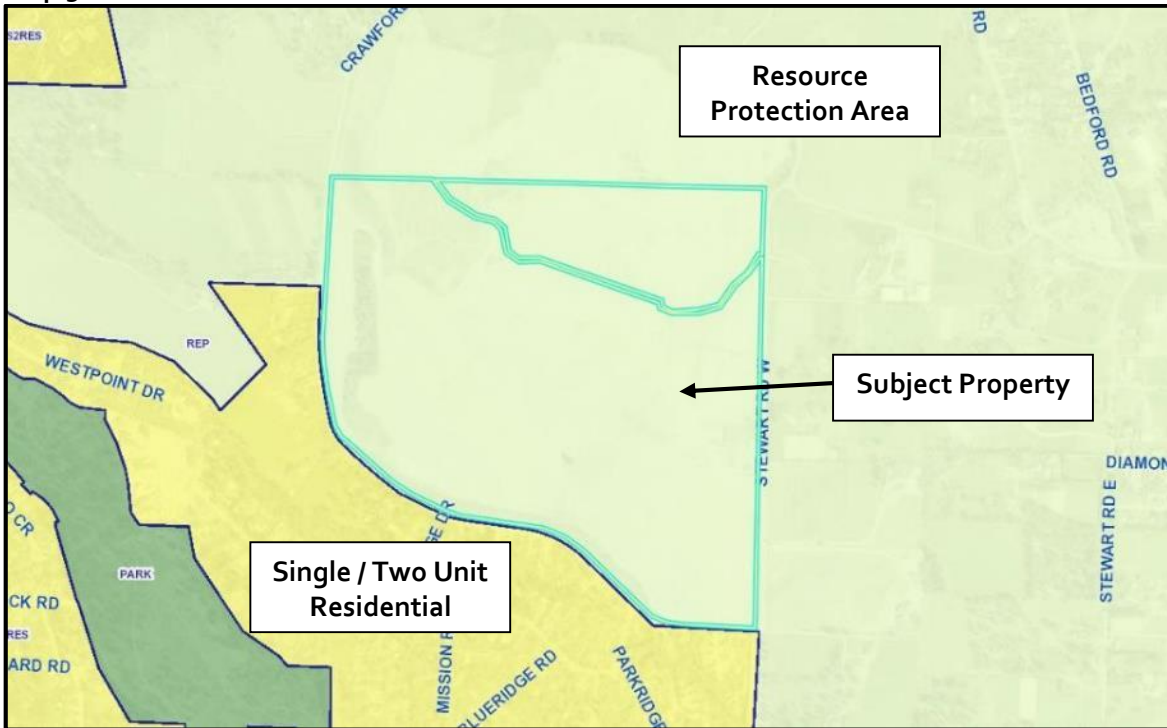
Map 3 – Neighbourhood Context



Map 4 – Agricultural Land Reserve Map



Map 5 – Future Land Use



2.5 Neighbourhood Context

The subject property lies within the Southeast Kelowna Sector of the City according to the Official Community Plan.

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	RR2 – Rural Residential 2 RR3 - Rural Residential 3 RR3C - Rural Residential 3 with Carriage House	No	Residential
East	A1 – Agriculture 1 A1C - Agriculture 1 with Carriage House	Yes	Agriculture / Residential
West	A1 – Agriculture 1 RR2 - Rural Residential 2	No/Yes	Agriculture

3.0 Community Planning

The AAC should consider:

- Homeplating guidelines from the OCP and the Ministry Bylaw Guide Standards;
- Potential impacts on this farm and on other farm operations.
- Potential measures to ensure the structures are continually used for farm workers through time.

Council and staff are seeking a recommendation from the AAC with respect to the proposed TFWH for 40 temporary farm workers per on the subject property. The AAC should pay particular attention to City and Ministry standards and regulations with respect to Temporary Farm Worker Housing and long term potential changes to the farm operation.

In addition, the AAC should consider potential impacts to agricultural land should this proposal be established. If this use is deemed to be appropriate, the AAC may wish to recommend criteria with respect to any constraints that would be appropriate.

Regardless of whether or not the AAC supports the proposed use, AAC members should consider recommendations in terms of limiting or mitigating impacts of the use to agriculture, either on site or for neighbouring farms, in the event that the ALC and City Council approve the use.

Report Prepared by: Kimberly Brunet, Planner

Reviewed by: Todd Cashin, Community Planning Department Manager

Attachments:

Schedule A – Policies

Schedule B – Technical Comments

Attachment A – City of Kelowna Memorandum

Attachment B – Site Plan, Site Servicing Plan and Trailer Layout

Attachment C – Landscape Plan

Attachment D - Photos