

# COMMITTEE REPORT



**Date:** January 11, 2018

**RIM No.** 0940-00

**To:** Agricultural Advisory Committee (AAC)

**From:** Community Planning Department (LB)

**Application:** TA18-0001 / FH18-0001      **Owner:** Geen Family Holdings Ltd., Inc.  
No. BC1054713

**Address:** 4133 Shanks Rd      **Applicant:** Cody Walsh  
4085 Shanks Rd

**Subject:** Farm Help Development Permit Application for Temporary Farm Worker Housing

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## 1.0 Purpose

The applicant is requesting authorization from Council for site specific Text Amendment TA18-0001 and to issue Farm Help Development Permit No. FH18-0001 for Lot 19 Section 34 Township 23 ODYD Plan 500 Except Plan KAP45154, located at 4133 Shanks Road, Kelowna, BC and Lot 20 Section 34 Township 23 ODYD Plan 500 Except Plan KAP45154, located at 4085 Shanks Road, Kelowna, BC for temporary farm worker housing for 140 temporary farm workers.

## 2.0 Proposal

### 2.1 Background

Coral Beach Farms Ltd. is owned and operated by Lake Country cherry growers, and owners of the subject properties, David and Laura Geen. The company currently has 670 acres of cherries planted with an additional 410 acres planned by 2020 for a total of 1,080 acres. The majority of land owned or leased by the company is in the Central and North Okanagan, with 170 acres within the City of Kelowna. In 2017 the company produced 3,660 tons of cherries, and upwards of 6,000 tons is expected by 2021. The cherries are currently packed at the company's facility in Carr's Landing and a new packing facility is proposed for one of the subject properties to handle future demand; however, that facility is not part of this application.

Coral Beach Farms employs 800 to 900 staff in the peak summer season, 40 to 80 staff in the shoulder seasons (spring and fall), and 15 staff year round. By 2020 the company expects to employ over 1,000 staff. Approximately 60% of seasonal staff are brought in under the Seasonal Agricultural Workers Program (SAWP) program from Mexico and Jamaica, with the remainder primarily being international backpackers and out-of-province Canadians. The company currently has 410 beds for SAWP staff plus 100 beds of rented accommodation and 250 beds at serviced campsites.

On the subject properties, 9 acres were planted with sweet cherries in spring 2017. A future cherry packing facility is being considered for the northernmost property at 7980 Highway 97 North to accommodate the company's growth. A Development Permit application will be submitted for that facility at a later date.

## 2.2 Project Description

The application is for a total of 140 beds for temporary farm worker housing (TFWH) in temporary structures on non-permanent foundations. The TFWH and associated facilities are located entirely outside of the ALR on the west portions of 4133 and 4085 Shanks Road, and are accessed off of Shanks Road. The housing will be located in two groupings of trailers with 70 beds on each property. Parking and common picnic areas will be between the two dormitory sites.

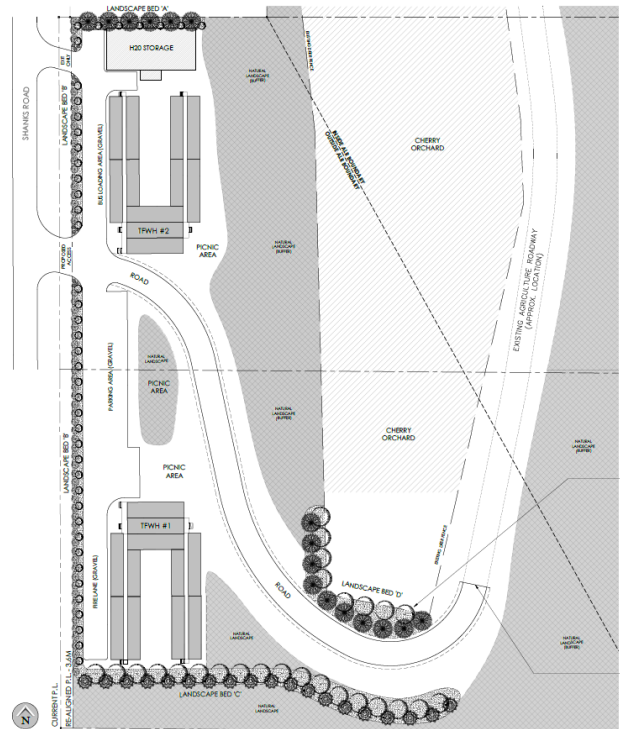
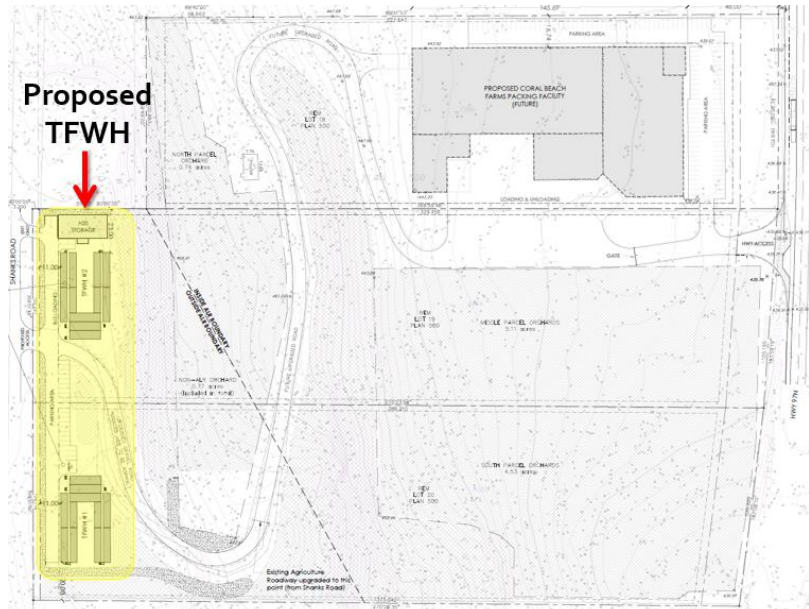
The trailers will be in a dormitory format where each dormitory will have 28 double occupancy rooms and 14 single occupancy rooms for a total occupancy of 70. Each room will have its own washroom. A large common area associated with each dormitory will contain kitchen facilities, a seating area, and washrooms. One of the dormitories will be for summer use only while the other will be equipped for multi-season use.

Water service is provided by the District of Lake Country, and a water reservoir and pump station will be located in the northwest corner of 4133 Shanks Road to provide water for domestic uses, irrigation, and fire flow. Septic tanks will be located adjacent to each dormitory with septic fields down the slope to the east.

In addition to the treed areas that will remain as natural landscape buffers to the orchard and the property to the south, landscape buffers will be planted around the TFWH area. The buffers are 3 m to 6 m in width and include Douglas Fir, Tower Poplar, Ponderosa Pine, Quaking Aspen, Oregon Grape Holly, Cutleaf Smooth Sumac, Mount Baker Lilac, and White Snowberry. Planting details can be found in the attached Landscape Plan.

## 2.3 Federal and Provincial Standards and Bylaw Guide

The Federal Government recognizes 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 form to SAWP / BC Agricultural Council standards.

The Agricultural Land Commission, as well as the Ministry of Agriculture's Guide to Bylaw Development in Farming Areas<sup>1</sup> advises that temporary farm workers should be housed in temporary structures. This application complies with these standards.

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

The application complies with the provincial standards for TFWH in that it:

- Meets the needs of the agriculture industry;
- Minimizes the residential impact of TFWH in the agricultural area;
- Minimizes the loss and / or fragmentation of agricultural land due to TFWH; and
- 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

Site Summary – 7980 Highway 97 N, 4133 Shanks Road & 4085 Shanks Road:

Parcel Size: 11.45 ha (28.28 acres)  
Elevation: 430 to 488 metres above sea level (masl) (approx.)

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

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



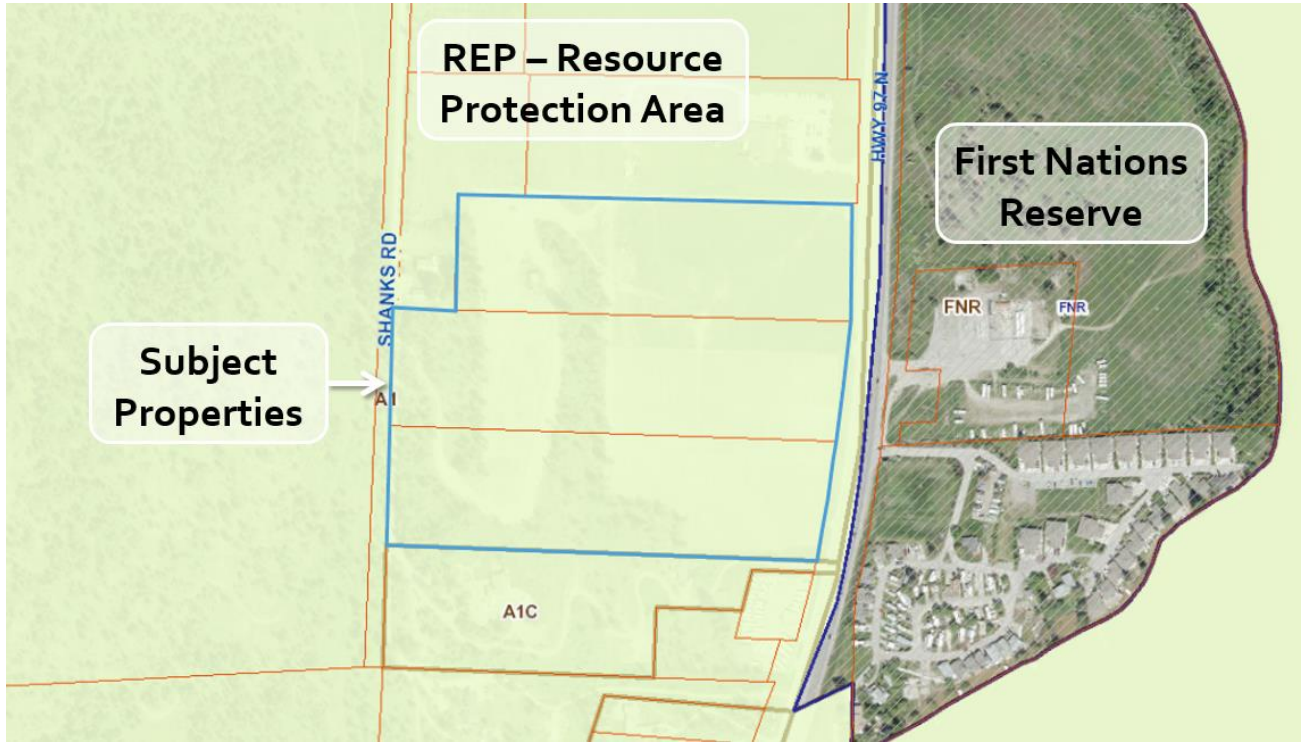
Map 1 – Neighbourhood



Map 2 – Agricultural Land Reserve



**Map 3 – Future Land Use**



**2.5 Neighbourhood Context**

The subject property lies within the City’s McKinley Sector according to the Official Community Plan (OCP). 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 / No	Agriculture / Restaurant (The Jammery) / Residential
South	A1c – Agriculture 1 with Carriage House	No	Residential
East	First Nations Reserve	Yes	Residential / Outdoor Storage
West	A1 – Agriculture 1	No	Natural area

**3.0 Community Planning**

The AAC should consider:

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

Council and staff are seeking a recommendation from the AAC with respect to the proposed TFWH for 140 temporary farm workers on the subject properties. The AAC should pay particular attention to City and

Ministry standards and regulations with respect to TFWH and long-term potential changes to the farm operation.

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

Regardless of whether or not the AAC supports the proposed use, AAC members should consider recommendations in limiting or mitigating impacts of the use to agriculture, either on-site or for neighbouring properties, in the event that City Council approves the use.

**Report prepared by:** Laura Bentley, Planner

**Reviewed by:** Ryan Smith, Community Planning Department Manager

**Attachments:**

Schedule A – Policies

Schedule B – Technical Comments

Schedule C – Applicant Letter

Schedule D – Site Plan, Floor Plans & Sanitary Plan

Schedule E – Landscape Plan

Schedule F – Site Photos