

COMMITTEE REPORT



Date: May 9th 2019

RIM No. 1210-21

To: Agricultural Advisory Committee (AAC)

From: Community Planning Department (AK)

Application: A19-0006 **Owner:** Bill and Sukhi Sander

Address: 839 Hartman Road **Applicant:** Bill and Sukhi Sander

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

1.0 Purpose

To consider a non-adhering residential use permit application to allow Temporary Farm Worker Housing to accommodate up to 60 workers on the property located at 839 Hartman Road.

2.0 Proposal

2.1 Background

The proposal is to place mobile trailers on the subject site to house up to 60 temporary farm workers. There are several approvals required for this proposal:

1. Non-Adhering Residential Use Permit (A19-0006) – Owners of land within the Agricultural Land Reserve are required to obtain approval from the Agricultural Land Commission for dwellings for Temporary Farm Help.
2. Zoning Bylaw Amendment (TA19-0001) - The property owners previously obtained approval to house up to 60 workers at a property located at 1610 Swainson Road (File FH15-0004). Both of these properties are located in the Rutland City Sector. The Zoning Bylaw restricts temporary farm worker accommodation to a maximum of 60 workers per City Sector for each. A text amendment to the Zoning Bylaw is required to be approved by Council as the proposal would result in 120 workers located the same City Sector.
3. Farm Worker Housing Permit (FH19-002) – A Farm Worker Housing permit must be approved by Council confirming the proposal meets the City of Kelowna regulations related to temporary farm worker housing.

Agriculture is the principal use on the parcel. The proposed accommodation is on non-permanent foundations which is the preferred solution where the need for farm worker housing is justified. The proposed housing meets the needs of the farming operation and is located in an area of the property that minimizes the residential impact to agriculture.

In accordance with the City of Kelowna Farm Protection Development Permit Guidelines a 3m wide landscape buffer will be required for screening to adjacent properties liens and between the temporary farm working housing and active farming areas.

2.2 Project Description

The proposal is to place a cluster of 11 mobile trailers in a work-camp configuration near Gibson Road. The housing located is meant to minimize impact to the existing cherry orchard. A detailed site plan is attached showing the layout of the proposed housing. The housing is needed to provide accommodation for workers employed in various cherry orchards owned by the applicants.

2.3 Site Context

The subject is an 19 acre (7.8 ha parcel) of land that fronts both Hartman Road and Gibson Road. The property is currently vacant and planted to cherries. The property is designated Resource Protection Area (REP) in the City's Official Community Plan (OCP) and zoned A1 – Agriculture 1. The property is located within the ALR. There is a sanitary sewer main along the frontage of the property therefore the dwellings would be able to connect to the sanitary sewer system and will not require a private septic system.

2.4 Neighborhood Context

The subject property lies within the Rutland City Sector. The adjacent properties are zoned A1 and within the ALR. Across the street east of the site is a pocket of residential lots with single detached houses.

3.0 Community Planning

The proposed temporary farm worker accommodation meets the regulations of the Zoning Bylaw with the exception of the number of workers exceeding the amount of workers allowed per City Sector. The proposal is also consistent with Ministry of Agriculture standards for temporary farm worker accommodation.

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

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

The Farm Protection Development Permit Guidelines state to design temporary farm working housing such that:

- Temporary farm worker housing should use all existing dwellings within the farm unit, prior to building new temporary farm worker housing, unless the existing dwellings are used for a use consistent with the Agriculture Land Commission Act. Alternatively, the existing dwellings on the farm unit must be removed, decommissioned to an approved use or demolished including

decommissioning the existing septic system, prior to the authorization of a new temporary farm worker housing structure.

- Temporary farm worker housing footprint should be contiguous with the residential footprint (i.e. homeplate) and / or within 50 metres of the road and/or located to maximize agricultural potential and limit negative impacts on the farm parcel.
- Temporary farm worker housing should have a minimum 3 metre wide vegetated buffer for screening to adjacent property lines and between the temporary farm worker housing and active farming areas.

The City of Kelowna Agriculture Plan recommends to:

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

Report prepared by: Alex Kondor, Planner Specialist

Reviewed/Improved for Inclusion : Laura Bentley , Community Planning Supervisor

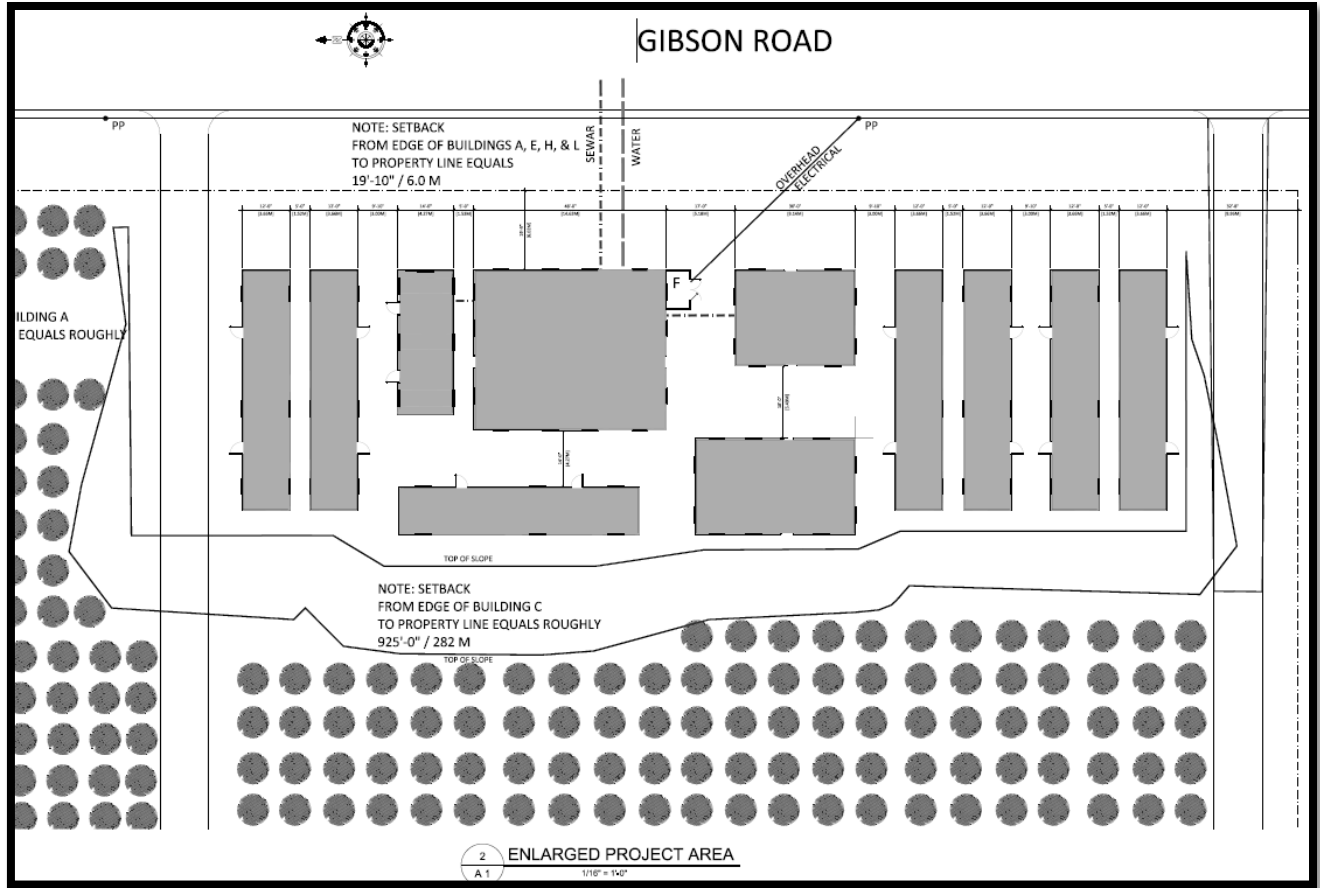
Attachments:

Attachment A – Site Plan

Attachment B – Letter from the Ministry of Agriculture

Attachment A – Site Plan





Attachment B – Letter from Ministry of Agriculture



January 25/19

File: FH19-0002

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

Re: FH19-0002 Temporary Farm Worker Accommodation 839 Hartman Road

To the City of Kelowna,

Thank you for providing the B.C. Ministry of Agriculture the opportunity to comment on the application to allow temporary farm worker housing (TFWH) accommodation for the property located at 839 Hartman Road. I have reviewed the documents you have provided and can provide the following comments:

- Ministry staff support the development of seasonal farm worker accommodation appropriate to the farm operation's agricultural activity, and consistent with the Agricultural Land Commission's (ALC) Policy L-09 Additional Residences for Farm Help Accommodation.
- The City of Kelowna's TFWH criteria refer to the requirements for the physical accommodations. This application would benefit from a detailed description of the nature of the proposed buildings, including their adherence to the criteria such as that:
 - the accommodation style should be provided as "bunkhouse" which is very minimalist in nature;
 - new TFWH should be in an existing building or a mobile home; and
 - housing is to be provided on a temporary foundation and no basement is permitted.
- As you are aware, more information on the federal Seasonal Farm Worker Program (SAWP) can be located online here: <https://www.canada.ca/en/employment-social-development/services/foreign-workers/agricultural/seasonal-agricultural.html>

If you have any questions please contact me directly at christina.forbes@gov.bc.ca or 250-861-7201.

Sincerely,



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