

Schedule A – Section 9 – Specific Use Regulations - Zoning Bylaw No. 8000 Text Amendment TA19-0017

No.	Section	Relevant Existing	Proposed	Explanation
1.	<p>9.13.4 Site Specific Regulations</p> <p>Add: Lot A, Section 12, Township 26, ODYD, Plan EPP71625 located at 2975 Gallagher Drive, Kelowna, BC to existing table: 'Regulations apply for Temporary Farm Worker Housing on a site-specific basis as follows:'</p> <p>Add: Notwithstanding section 9.13.2(a) TFWH Footprint Size, the TFWH footprint may not exceed 0.95 ha for structures to accommodate a maximum of 130 temporary farmworkers.</p>	<p>9.13.2 TFWH Footprint Size</p> <p>a) TFWH footprint may not exceed 0.20 ha for structure(s) to accommodate a maximum of forty temporary farmworkers and may not exceed 0.30 ha for structure(s) to accommodate a maximum of sixty temporary farm workers.</p>	<p>The following regulations shall apply to this farm unit only.</p> <p>Notwithstanding section 9.13.2(a) TFWH Footprint Size, the TFWH footprint may not exceed 0.95 ha for structures to accommodate a maximum of 130 temporary farmworkers.</p>	<p>Zoning Bylaw Section 9.13.2 states TFWH footprint may not exceed 0.30 ha for structure(s) to accommodate a maximum of sixty temporary farm workers. This amendment would allow the TFWH footprint to be increased to 0.95 ha.</p>

No.	Section	Relevant Existing	Proposed	Explanation
2.	Add: Notwithstanding section 9.13.3(a) Temporary Farmworker Allocation, structures to accommodate a maximum of 130 temporary farm workers shall be permitted on this farm unit in this city sector as identified on Official Community Plan Map 5.4	9.13.3 Temporary Farm Worker Allocation (a) Structure(s) to accommodate a maximum of forty temporary farm workers per each city sector as identified on Official Community Plan Map 5.4 for parcels up to eight hectares. For parcels eight hectares or more, structure(s) to accommodate a maximum of sixty temporary farm workers per each city sector as identified on Official Community Plan Map 5.4.	Notwithstanding section 9.13.3(a) and Temporary Farmworker Allocation, structures to accommodate a maximum of 130 temporary farm workers shall be permitted on this farm unit in this city sector as identified on Official Community Plan Map 5.4.	Zoning Bylaw Section 9.13.3 (c) limits the amount of farm workers per Farm Unit in each City Sector therefore a site-specific text amendment is required to allow for a total of 130 temporary farm workers to be located within the same farm unit within the same City Sector. This is a site-specific text amendment to increase the total Temporary Farm Worker Allocation permitted within the Belgo-Black Mountain Sector to 130 units for the subject farm unit.

Planner
 Initials

**CITY OF KELOWNA
MEMORANDUM**

Date: ~~November 26, 2019~~ **January 03, 2020**

File No.: A19-0017

To: Land Use Planning Manager (AK)

From: Development Engineering Manager (JK)

Subject: 2975 Gallagher Rd

A1

The Development Engineering Branch has the following comments with regard to this application for a non-adhering residential use permit for an additional 70-unit temporary farm working housing within the Agricultural Land Reserve (ALR). The Development Technician for this file will be Jim Hager.

1. Domestic water and fire protection.

- a. The subject lot is within the Black Mountain Irrigation District (BMID) water service area. The developer is required to make satisfactory arrangements with BMID for all water and fire protection-related issues. All charges for service connection and upgrading costs, as well as any costs to decommission existing services, shall be the responsibility of the developer.
- b. The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs. All fire flow calculations approved by BMID are to be shared with the Development Engineering Branch upon submittal of any off-site civil engineering drawings.
- c. Provide an adequately sized domestic water and fire protection system complete with an individual lot connection. The water system must be capable of supplying domestic and fire flow demands of the project in accordance with the Subdivision, Development & Servicing Bylaw No. 7900.

2. Sanitary Sewer.

- a. This subject parcel is currently not within the City service area. Sanitary sewage is presently handled by an on-site sewage disposal system.
- b. The applicant's consulting engineer will determine the requirements of the on-site disposal system that will support the proposed use. The disposal system shall be reviewed by the Interior Health Authority and Building & Permitting.
- c. The increased capacity of the on-site septic system to accommodate the additional 70 units may require the approval of Ministry of the Environment (MOE) (total daily flows > 22,700 L/day). Confirmation of approval by MOE **or the Interior Health Authority** will be required prior to issuance of the Building Permit.

- d. An Engineering drawing showing the location of the septic field with relation to the current drainage easement (Plan EPP71368) on the subject lot is to be provided.

3. Storm drainage

- a) The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the Subdivision, Development and Servicing Bylaw No. 7900. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and provision of a storm drainage service for the development and / or recommendations for onsite drainage containment and disposal systems. Only one service will be permitted for this development. The applicant, at his cost, will arrange the installation of one overflow service if required.
- b) Provide the following drawings:
 - i. A detailed Lot Grading Plan (indicate on the Lot Grading Plan any slopes that are steeper than 30% and areas that have greater than 1.0 m of fill);
 - ii. A detailed Stormwater Management Plan; and
 - iii. An Erosion and Sediment Control Plan.

4. Geotechnical Report

- a) Provide a geotechnical report prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision.
- b) The Geotechnical reports must be submitted to the Development Services Department (Subdivision Approving officer) for distribution to the Development Engineering Branch and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.
 - iv. Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
 - v. Site suitability for development.
 - vi. Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
 - vii. Any special requirements for construction of roads, utilities and building structures.
 - viii. Recommendations for items that should be included in a Restrictive Covenant.
 - ix. Recommendations for roof drains, perimeter drains and septic tank effluent on the site.
 - x. Any items required in other sections of this document.

5. Gallagher Rd Extension

- a) The location of the subject lot aligns with the future alignment of Gallagher Rd, as seen

in the 20-Yr Major Roads Network in the City of Kelowna's Official Community Plan. Future Gallagher Rd is classified as a 2-Lane Major Collector (Rural SS-R5).

- b) The ~340-m section of the access road from Gallagher Rd to the subject lot's access is to be upgraded to a 6.0-m wide emergency access standard. The emergency access standards are found in Table 1 and Table 2 of Section 4 (Highways) of Schedule 4 of Bylaw 7900. The 50-mm asphalt layer and reverse crossfall seen in SS-R2 will not be a requirement.

Note: Although not a requirement, it is recommended that the applicant contact the owners of 2980 Gallagher Rd to coordinate any works related to road structure along the future alignment of the Gallagher Rd and Loseth Rd connection.

- c) ~~As the future Gallagher Rd is to be constructed as part of a larger development-related project, cash-in-lieu will be collected for future design and construction.~~
- d) ~~The directly attributable elements of the Rural SS-R5 cross-section will be based on 100% of the road works, as follows:~~
- i. ~~This development will be responsible for the design and construction costs of 340 m of Future Gallagher Rd (from the existing paved termination of Gallagher Rd to the subject lot's driveway).~~
 - ii. ~~3,400 m² of asphalt driving surface (10.0 m width x 340 m length = 1,700 m²)~~
- e) ~~Cash-in-lieu \$289,000 will be required to be paid to the City of Kelowna for the future extension of Gallagher Rd to Loseth Rd ((3,400 m² x \$68 /m²) x 125% = \$289,000).~~

~~**Note:** The additional 25% to the cost is based on Section 8.1 (b) of Bylaw 7900 — City to Perform Work.~~

6. Future Gallagher Rd Access


Once Gallagher Rd is constructed (schedule to be decided), the subject lot will front a dedicated City of Kelowna road. Accesses to Gallagher Rd will be formalized at the time of construction and shall adhere to all relevant City of Kelowna Bylaws and Policies, including number of accesses and access widths. Ensure that plans for future site access are confirmed with the Development Engineering Branch.

7. Electric Power and Telecommunication Services

All proposed service connections are to be installed underground. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost.

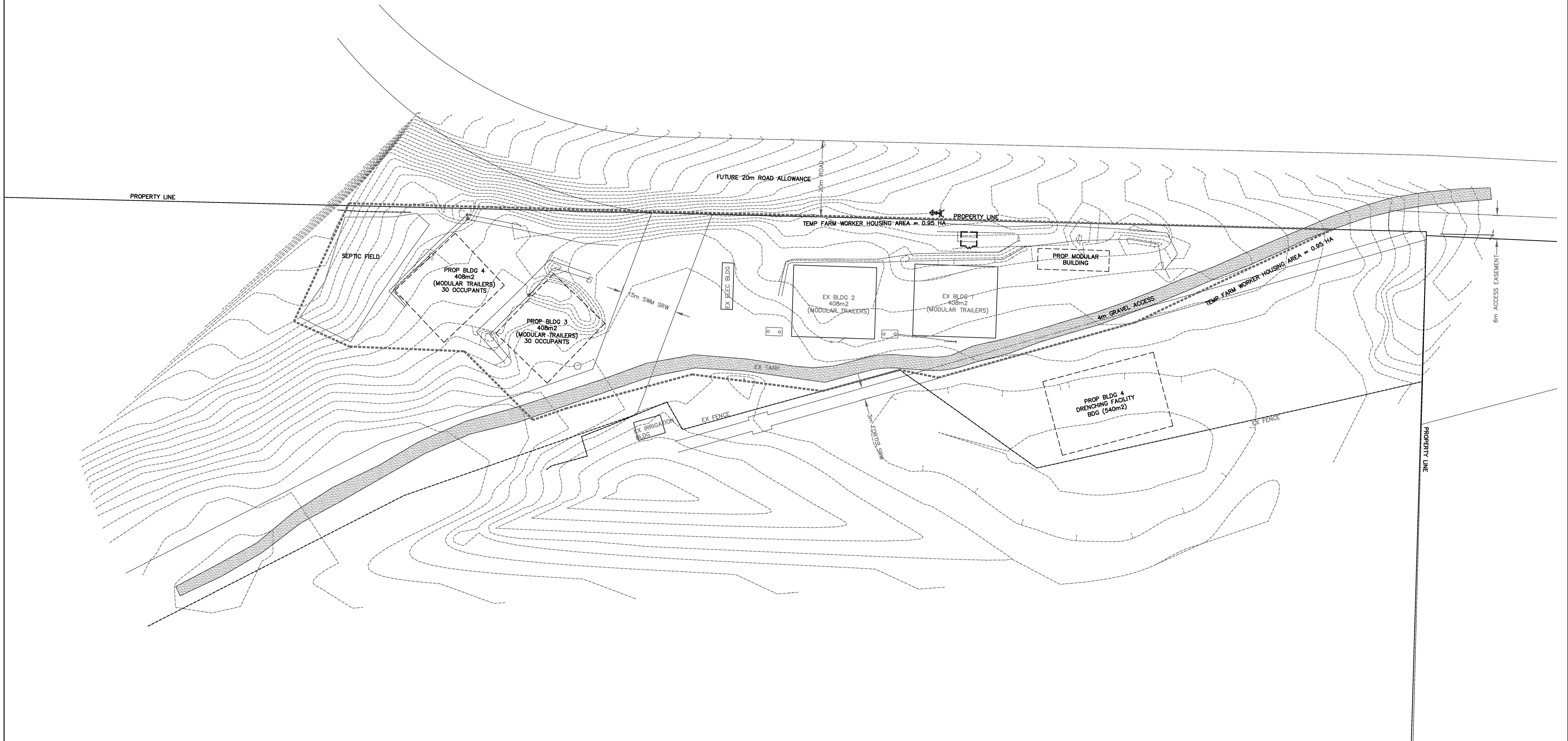
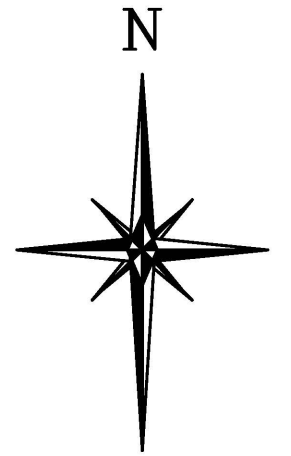
8. Charges and Fees

- a) Cash-in-lieu for Gallagher Rd _____ **\$289,000.00**



James Kay, P.Eng.
Development Engineering Manager

JKH



THE LOCATION OF THIS DRAWING IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN PERMISSION OF THE CITY OF KELOWNA.

Legend

- | | | | | | |
|-----------------|--|---------------|--|-------------|--|
| Water | | Manhole | | I.C. (SAN) | |
| San. Sewer | | Power Pole | | I.C. (STM) | |
| Storm Sewer | | Lamp Standard | | C.S. | |
| Gas | | Catch Basin | | LPT | |
| U.G. Telephone | | Hydrant | | SERVICE BOX | |
| U.G. Electrical | | Trees | | | |

PROTECH CONSULTING 2012

200 - 1461 St. Paul Street Kelowna B.C. Phone 860-1771
FAX 860-1994

NO.	DATE	BY	REVISION	CHKD
1	OCT 28 2019	DJP	ADD SITE AREAS	DJP

DRAWN	DS
DESIGN	DJP
APPROVED	DRP
DATE	JULY 2019
SCALE	
HORIZ.	1:500

THE CITY OF KELOWNA
ENGINEERING DEPARTMENT
CORAL BEACH FARMS
2975 GALLAGHER ROAD
SITE LAYOUT

DIVISION	
DRAWING NO.	19027-01
REV. NO.	1



Sept 23rd, 2019

CITY OF KELOWNA PLANNING DEPARTMENT

My company, Coral Beach Farms Ltd, presently has 930 acres of cherries planted, with another 250 being planted in spring of 2020. 300 of these acres are in Kelowna, with the balance predominantly in Lake Country, and Vernon. As you are likely aware, sweet cherries are one of the most labour intensive crops grown in BC, and peak labour needs are concentrated in a very short time span over the summer months.

The 2019 season was our last year packing fruit at our Lake Country facility in Carr's Landing, as we are moving into our 140,000 square foot packing facility located in North Kelowna, in April of 2020.

Specifically, in Kelowna, we are farming the following blocks, which total 300 acres:

- 1) 100 acres on Gallagher Road (subject property)
- 2) 50 acres on Bal Court, off Highway 33 (long term lease)
- 3) 80 acres of mixed deeded and lease land in East Kelowna (Dendy orchards)
- 4) 25 acres in the Glenmore valley (leased)
- 5) 10 acres in Okanagan Mission (leased)
- 6) 25 acres on Joe Rich Road in the Black Mountain area (being planted in spring of 2020)
- 7) 10 acres on Shanks Road.

We presently have the following accommodation in the city of Kelowna:

- 1) 140 beds at Shanks road (dedicated to packing staff in peak season)
- 2) 6 beds at Bal Court
- 3) 16 beds at Dendy farm in East Kelowna
- 4) 60 beds at Gallagher Road

Total beds: 222 beds

This forms part of application

TA19-0017

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This forms part of application

TA19-0017

Planner
Initials ak

Beds servicing strictly Kelowna farms (net of Shanks beds, which serve packing needs for all 1200 acres of cherries, operation wide): 82 beds

82 beds in Kelowna leaves us in a severe shortfall as our young trees come into production, as we calculate we need approximately $\frac{3}{4}$ worker per bearing acre of cherry trees. Our intent is to build another 70 beds at the Gallagher road site for 2020 (the subject of this application), and for 2021 or 2022, to build 44 additional beds in East Kelowna.

Owing to the sector plan in the present COK farm worker housing bylaw, we do understand that this request will require a site-specific text amendment, and a more detailed process to obtain permitting. However, we have looked at other options and ruled them out: For example, we considered building at Bal Court to remain to compliant with the bylaw. However, this would involve removing producing cherry trees in good soil, and the camp would be located in full view of all the residents of the Toovey road subdivision. On the other hand, adding additional units at Gallagher road places the camp on an area poorly suited to farming (in a frost pocket), and well set back and out of sight from residential areas. This choice is also efficient for us, being both easier to manage when more workers are at one site, and also being located on our largest single property, minimizing the transportation needs for the workers. We note that council members remarked positively on our previous choice of this Gallagher road site for phase #1, and were appreciative of the pains we took to site the camp well.

As a final note, please understand that we also presently have 474 beds (mostly our own, but a percentage rented) in Lake Country and Vernon. We are not concentrating our beds in Kelowna, but rather distributing the beds as evenly as possible, to have the employees located as close as possible to the tasks at hand.

Should you have any further questions, please call me at [REDACTED]

Sincerely,

David Geen

FarmQuest Consulting Ltd**3755 Haskins Road East****Creston, B.C. V0B 1G1****Mobile: (250) 428-1742 Email: dholder@telus.net**

November 2, 2018

To Whom It Concerns;

I visited the "Layer Cake" farm site owned and operated by David Geen of Coral Beach Farms on Wednesday, October 31st to assess the proposed location for worker accommodation on this farm.

It is my view that the proposed worker accommodation site will be ideally located on this property and will have the least impact on the agricultural capability of the land base. The proposed accommodation site has the following characteristics:

- It is located in the least productive area of the property due to the topography of the land. If planted, the proposed accommodation site would have a high risk for crop loss due to the potential for spring frost.
- It is a highly suitable for worker accommodation facilities due to:
 - o Easy and immediate access to the property entrance
 - o Located on the perimeter of the farming operation
 - o Convenient access to power and water sources
 - o Shade from existing conifers for housing and worker rest area

There are approximately 100 acres currently under cultivation on this farm which have been fenced, planted to cherries or prepared for planting in 2019 and 2020. As the cherry orchard matures, the labour requirement during the peak demand for labour at harvest is estimated to be 1 worker per acre.

The photos included in this report illustrate the proposed worker accommodation site and the view of the current farming operation from that site.

Kind Regards,


Duane Holder P.Ag.

FarmQuest Consulting Ltd.

This forms part of application

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Photo 1. Proposed Worker Accommodation site.



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Photo 2. Existing farming operation adjacent to proposed accommodation site.

