

# Provincial Agricultural Land Commission - Applicant Submission

**Application ID:** 60454

**Application Status:** Under LG Review

**Applicant:** 1035617 BC Ltd.

**Local Government:** City of Kelowna

**Local Government Date of Receipt:** 11/25/2020

**ALC Date of Receipt:** This application has not been submitted to ALC yet.

**Proposal Type:** Non-Adhering Residential Use - Non-Adhering Tourism Accommodation

**Proposal:** The purpose of the proposal is to build housing for temporary foreign worker under TFW programs.

**Mailing Address:**

## Parcel Information

### Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

**Parcel Identifier:** 004-370-651

**Legal Description:** L 3 SEC 10 TP 26 OSOYOOS DIVISION YALE DISTRICT PL 790

**Parcel Area:** 8.2 ha

**Civic Address:** 3201 pooley road kelowna bc V1W4G7

**Date of Purchase:** 12/13/2018

**Farm Classification:** Yes

**Owners**

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## Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).

**Applicant:** 1035617 BC Ltd.

*When the property was first bought it was an old apple orchard .Now replanting has been done and cherry trees have been planted in the place of the apples.*

**2. Quantify and describe in detail all agricultural improvements made to the parcel(s).**

*Old apples tree were pulled and new cherries trees are being planted*

**3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).**

*No non agriculture use is in place*

**Adjacent Land Uses**

**North**

**Land Use Type:** Agricultural/Farm  
**Specify Activity:** Tree fruit farming

**East**

**Land Use Type:** Agricultural/Farm  
**Specify Activity:** Tree fruit farming

**South**

**Land Use Type:** Agricultural/Farm  
**Specify Activity:** Tree fruit farming

**West**

**Land Use Type:** Agricultural/Farm  
**Specify Activity:** Tree fruit farming

**Proposal**

**1. What is the purpose of the proposal?**

*The purpose of the proposal is to build housing for temporary foreign worker under TFW programs.*

**2. Describe any agri-tourism that is currently taking place on the property.**

*No*

**3. What is the total floor area of the proposed accommodation in square metres?**

*1913.6 m<sup>2</sup>*

**4. How many "sleeping units" in total are proposed?**

*16*

**5. Describe the rationale for the proposed location of the accommodation.**

*The proposed location is central location to our farms in Kelowna and Vernon area. Cherries packing activities will also be carried out on this farm property. To manage our farming activities efficiently we require the worker to live on this property.*

**6. Describe the size, type and number, as well as occupancy of all residential structures currently located on the property.**

*No current residential structure is present on the property.*

<b>ATTACHMENT</b>	<b>A</b>
This forms part of application # A20-0004 FH20-0004	
Planner Initials	TC
 City of <b>Kelowna</b> DEVELOPMENT PLANNING	

**7. Describe any agri-tourism accommodation or tourist accommodation currently located on the property.**

*None*

**8. Does the proposal support agriculture in the short or long term? Please explain.**

*The proposal support the agriculture in the long run. To manage and complete farming activities on time such as pruning, thinning, harvesting, packing, we require certain number of worker. Without required number of worker we won't be able to complete any tasks. The proposed build will provide housing for our workers and assist in successful operation.*

**9. What is the total area of infrastructure necessary to support the proposed accommodation?**

*2700 meter square*

**10. Do you need to import any fill be required to construct the accommodation?**

*No*

### **Applicant Attachments**

- Other correspondence or file information - Project Rational
- Proposal Sketch - 60454
- Other correspondence or file information - Title certificates
- Other correspondence or file information - Lease documents
- Site Photo - Photos
- Certificate of Title - 004-370-651

### **ALC Attachments**

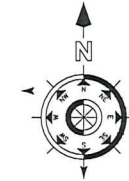
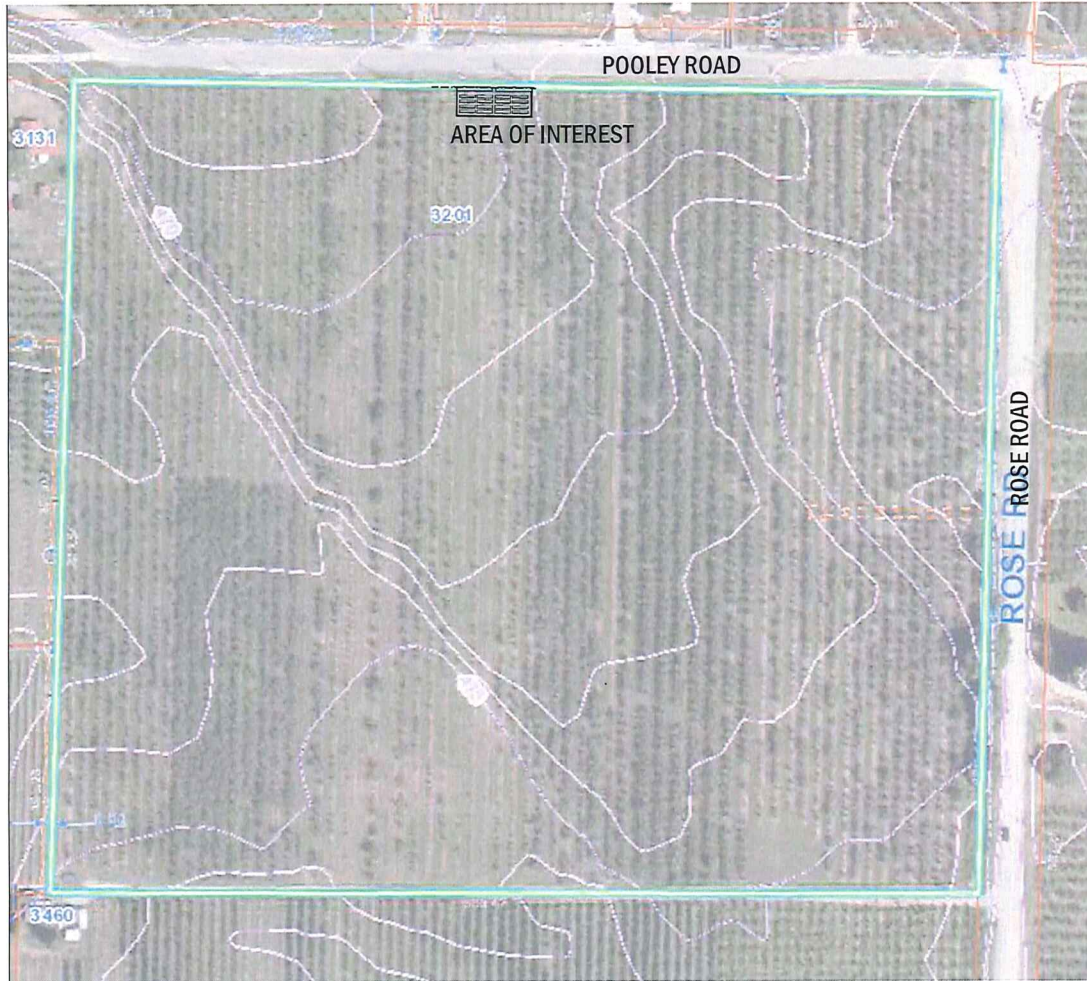
None.

### **Decisions**

None.

<b>ATTACHMENT</b>		<b>A</b>
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# A20-0004 FH20-0004		
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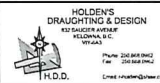




MUNICIPAL ADDRESS  
3201 POOLEY ROAD  
KELOWNA, B.C.  
V1W-4G7

LEGAL ADDRESS  
LOT 3 BLOCK  
PLAN 790  
KID 276244  
PID 004-370-651

20.0 Acres / 8.09 Ha.

DATE	NO	BY	REVISION
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PROJECT: POOLEY RD ORCHARD 3201 POOLEY ROAD KELOWNA, B.C. V1W-4G7			
SHEET TITLE: SITE PLAN & NOTATION			
DRAWN BY: BAH	SHEET NO: 1		
CHECKED BY: R.G.	SCALE: A 1		
DATE: Nov. 20, 20	Rev. 0		

# ATTACHMENT B

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## 3201 POOLEY ROAD

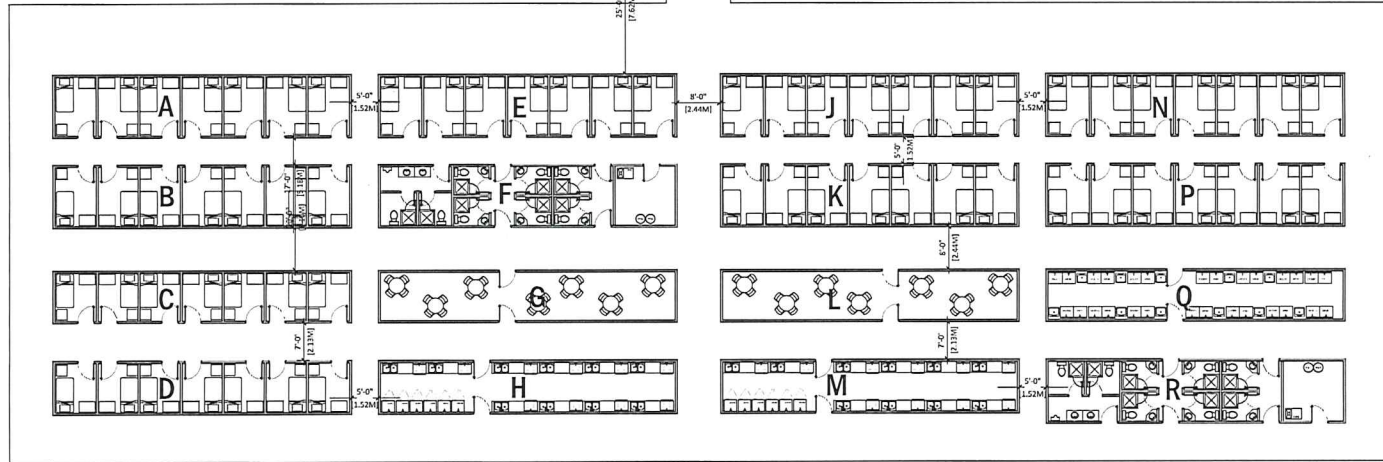
No.	Type	Per Unit	Per Unit	Total Amount
8	12' SLEEPING UNIT	672 sq. ft.	62.4 m2	5,376 sq. ft. 499.2 m2
2	10' SLEEPING UNIT	560 sq. ft.	52.0 m2	1,120 sq. ft. 104.0 m2
2	12' KITCHEN	672 sq. ft.	62.4 m2	1,344 sq. ft. 124.8 m2
2	12' WASHROOM	672 sq. ft.	62.4 m2	1,344 sq. ft. 124.8 m2
2	10' RECREATIONAL	560 sq. ft.	52.0 m2	1,120 sq. ft. 104.0 m2
				10,304 sq. ft. 1 913.6 m2

POOLEY ROAD

CEDAR TREES

ORCHARD

ORCHARD



ORCHARD



**ATTACHMENT B**

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# A20-0004 FH20-0004



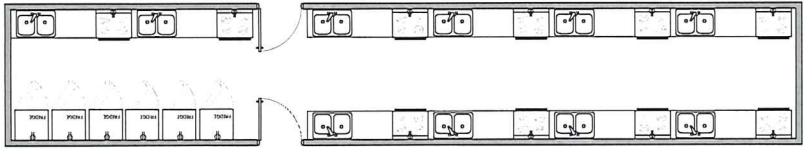
City of  
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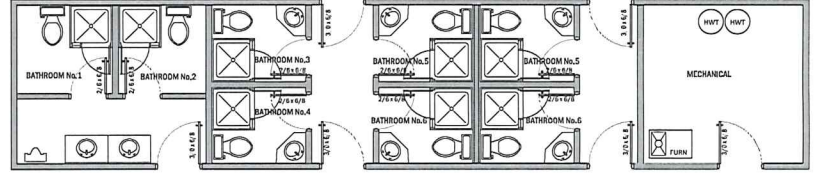
**TRAILER DESIGNATION**

- A 3.66 m x 17.0 m 12'-0" x 56'-0" SLEEPER
- B 3.66 m x 17.0 m 12'-0" x 56'-0" SLEEPER
- C 3.0 m x 17.0 m 10'-0" x 56'-0" SLEEPER
- D 3.0 m x 17.0 m 10'-0" x 56'-0" SLEEPER
- E 3.66 m x 17.0 m 12'-0" x 56'-0" SLEEPER
- F 3.66 m x 17.0 m 12'-0" x 56'-0" WASHROOM
- G 3.0 m x 17.0 m 10'-0" x 56'-0" RECREATIONAL
- H 3.66 m x 17.0 m 12'-0" x 56'-0" KITCHEN
- J 3.66 m x 17.0 m 12'-0" x 56'-0" SLEEPER
- K 3.66 m x 17.0 m 12'-0" x 56'-0" SLEEPER
- L 3.0 m x 17.0 m 10'-0" x 56'-0" RECREATIONAL
- M 3.0 m x 17.0 m 10'-0" x 56'-0" KITCHEN
- N 3.66 m x 17.0 m 12'-0" x 56'-0" SLEEPER
- P 3.66 m x 17.0 m 12'-0" x 56'-0" SLEEPER
- Q 3.0 m x 17.0 m 10'-0" x 56'-0" LAUNDRY
- R 3.0 m x 17.0 m 10'-0" x 56'-0" WASHROOM

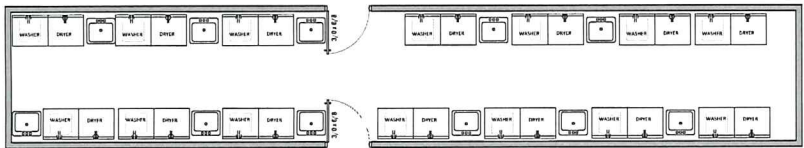
DATE	NO	BY	REVISION
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<p>HOLDEN'S DRAFTING &amp; DESIGN BY SAUCY AVERE KELOWNA, B.C. V1Y4A3 Phone: 250-868-0802 Fax: 250-868-0804 P.O.D. Email: chad@hdsd.ca</p>			
<p>PROJECT POOLEY RD ORCHARD 3201 POOLEY ROAD KELOWNA, B.C. V1W-4G7</p>			
<p>SHEET TITLE UNIT TRAILER CONFIGURATION</p>			
DRAWN BY	DATE	SHEET NO	
B.A.H.		A 2	
CHECKED BY			
R.G.			
SCALE			
DATE	Nov. 20, 20	Rev. 0	



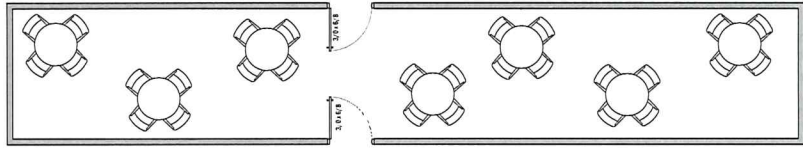
KITCHEN UNIT



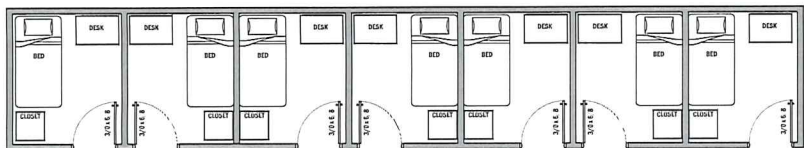
WASHROOM UNIT



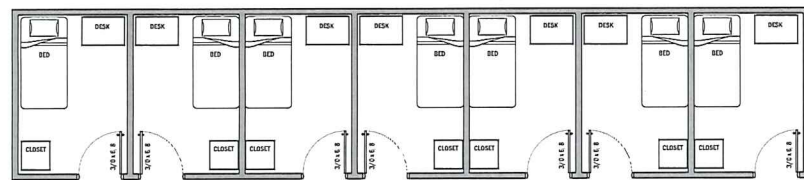
LAUNDRY UNIT



RECREATIONAL UNIT



SLEEPER UNIT



SLEEPER UNIT

**ATTACHMENT C**

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DATE	NO.	BY	REVISION

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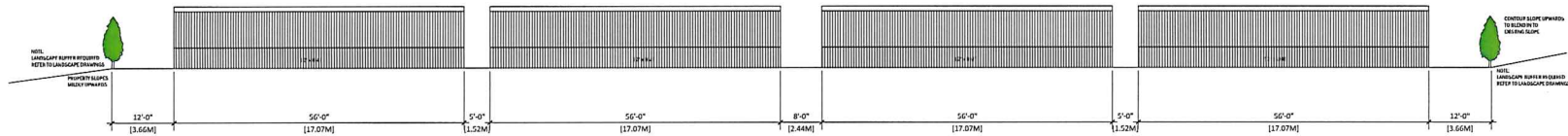
**HOLDEN'S DRAFTING & DESIGN**  
 1511 KILBURN AVENUE  
 V1W 4A3  
 Phone: 250.868.8822  
 Fax: 250.868.8822  
 Email: holdens@hdd.ca

PROJECT: POOLEY RD ORCHARD  
 3201 POOLEY ROAD  
 KELOWNA, B.C. V1W-4G7

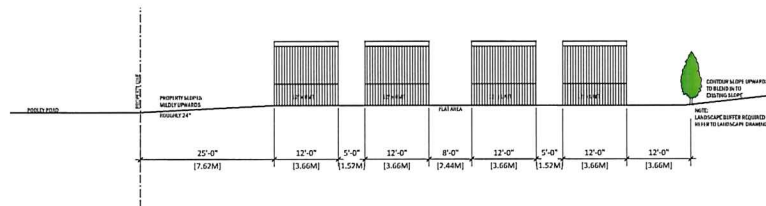
SHEET TITLE: UNIT FLOOR PLANS

DRAWN: BAH	SHEET NO:
CHECKED: R.G.	<b>A 3</b>
DATE: Nov. 20, 20	Rev. 0





LONGITUDINAL ELEVATION



CROSS SECTIONAL ELEVATION



DATE	NO	BY	REVISION
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<b>HOLDEN'S          DRAUGHTING &amp; DESIGN</b> <small>INCORPORATED          KELOWNA, B.C.          V1Y 1K4</small> <small>Phone: 250.868.7822 Fax: 250.868.0162          Email: chris@hds.ca</small>			
<small>PROJECT</small> POOLEY RD ORCHARD 3201 POOLEY ROAD KELOWNA, B.C. V1W 4G7			
<small>SHEET TITLE</small> SITE ELEVATIONS			
<small>DRAWN</small>	RAH	<small>CHECKED</small>	
<small>SCALE</small>	E.G.	A 4	
<small>DATE</small>	Nov. 20, 20	<small>REVISED</small>	Rev. 0

**ATTACHMENT D**

This forms part of application  
 # A20-0004 FH20-0004



City of  
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# Project Rational

## Introduction

We are a family operated grower and packer originally based in Oliver BC Canada since 1998. We are involved in growing and processing of tree fruits such as cherries, peaches, nectarines, and apples. We also grow vegetable at considerable scale. In the last several years, due to rapid expansion in North Okanagan, we focused on Kelowna and surrounding areas and purchased many properties in the area. Now largest share of our farm properties is based around Kelowna. With recent purchased farms and increased production from the existing orchards, we had to built newwe packing facility to enhance the production capacity and adopt the new processing technology available in the industry. As Kelowna being central to various locations in BC including Oliver, Keremeos, Vernon, Armstrong, Kelowna, we opted to build the newer packing facility in Kelowna at 3201 Pooley RD, one of our cherry's orchard. The project started in mid 2019 and finished in June 2020. Starting with cherries 2021, we will commence packing cherries at the newer facility at 3201 Pooley rd., Kelowna.

## Requirement for housing

As there is no housing located at 3201 Pooley RD, Kelowna or near by owned properties to reside our workers, we must build new housing for workers required to pack cherries and work in Kelowna orchards. We required minimum of 60 workers to handle packing house operation and orchards in Kelowna effectively. Workers will be transported to near orchards in the farm vehicle. Most of the workers we employ receive under the temporary foreign worker program which has strict housing requirement. Moreover, the restrictions implemented due to ongoing pandemic of Covid 19, forces to build a well structured housing with

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required living space and utilities to provide workers a safe living environment.

### **The plan and impact**

We have already prepared the design and plans for the project and tried to use the less agricultural land as possible. To minimize the impact, we are utilizing the portable containers as housing instead of building whole new concrete building. The utilization of containers significantly minimizes the impact by reducing the number of activities required to build a completely new building.

### **Distance between the packing house and proposed building**

The proposed TFWH is not sited within 15mm or less from the existing packing facility. The main reason for more distance is workers safety. The area surrounding the packing facility is usually crowed with semi trucks delivering the fruit and loading the packed product. Additionally, there will be other vehicle and equipment moving such as forklifts, passenger vehicle of staff and visitor.



**Interior Health**  
*Every person matters*

**ATTACHMENT** G

This forms part of application  
# A20-0004 FH20-0004

Planner Initials TC

  
**City of Kelowna**  
DEVELOPMENT PLANNING

Dec 16, 2020

City of Kelowna  
1435 Water Street,  
Kelowna, BC V1Y 1J4

Dear Lauren Moore,

**Re: A20-0004, FH20-0004 – Request for Temporary Farm Worker Housing at 3201 Pooley Road**

Thank you for the opportunity to provide comments on this application. It is my understanding the applicant is requesting a permit to allow for Temporary Farm Worker (TFW) Housing on ALR land to house up to 60 TFWs. The referral has been reviewed from a Healthy Food Systems and a Healthy Communities Development perspective. The following is for your consideration:

### Housing

While Interior Health recognizes the importance of having housing available for TFW, this proposed housing may not support the health and wellness of the workers.

- The location of the housing on Pooley Road is outside the Permanent Growth Boundary and does not provide convenient access to amenities the workers may require.
- Not having easy access to a variety of amenities, such as public transportation and grocery stores, may have a negative impact on the workers' physical and mental health. In addition, opportunities for social connection with the broader community of Kelowna will be limited.

Interior Health also recognizes the farm employer's need to have the workers housed in proximity to the farm. However, the health and wellness of the workers also should be considered while they are working in the community. A possible option would be to have housing located within the Permanent Growth Boundary (See example from [Abbotsford](#)). If this is not possible, then partnerships with community groups and social services are suggested to ensure the health and wellness of the workers are supported. In addition, regardless of where the housing is located, engagement with the farm workers to identify their needs and partnerships with social services are suggested to ensure they are connected with city and other amenities.

### Environmental Public Health

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. In addition, to ensure the applicant is following City of Kelowna's [Specific Use Regulations](#) for Temporary Farm Worker Housing (section 9.13); 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](mailto:HP.Admin.Central@interiorhealth.ca).



It is my understanding that the subject parcel is serviced by community water and not sanitary sewer systems. From an Environmental Public Health perspective, the following legislation may apply to this proposal:

- [Sewerage System Regulation](#): Prescribes any buildings in which domestic sewage is produced must be connected to the sanitary sewer system or a sewerage system. See [IH Onsite Sewerage webpage](#) for more information.
- [Industrial Camps Regulation](#): Prescribes the minimum housing standards that must be met. Even though this regulation is for where there are five or more occupants, these standards are still encouraged to be followed as best practice.
- [Food Premises Regulation](#): Prescribes requirements for food preparation and service to workers.

More information about sewerage and food premise requirements and processes can be found on the [Interior Health - Your Environment webpage](#).

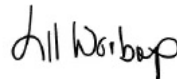
Interior Health is committed to improving the health and wellness of all by working collaboratively with local governments and community partners to create policies and environments that support good health. Please do not hesitate to reach out to if you require clarification or have questions.

Sincerely,



---

Tanya Osborne, BAHS  
Community Health Facilitator  
Healthy Communities



---

Jill Worboys, RD  
Public Health Dietitian  
Healthy Communities

**ATTACHMENT** G

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**City of Kelowna**  
DEVELOPMENT PLANNING



## CITY OF KELOWNA

## MEMORANDUM

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**Date:** December 15, 2020

**File No.:** A20-0004 FH20-0004

**To:** Land Use Planning Manager (TC)

**From:** Development Engineering Manager (JK)

**Subject:** 3201 Pooley Road at Rose Rd Lot 3 Plan 790 Farm Worker Housing

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Development Engineering has the following comments and requirements associated with this application to consider an ALC Non-Adhering Residential Use Permit to allow for Temporary Farm Worker Housing to be constructed on the subject property for 60 Farm Workers.

The requirements for setbacks and Building Code related issues must be considered. Development Engineering will defer comment on those and other issues to Building & Permitting.

**Domestic water and fire protection.**

The subject property is currently serviced with an irrigation service, a Domestic service and a dedicated Fire Line. On-site servicing, the utilisation of the existing services as well as the required fire protection will be reviewed by Building & Permitting.

**Sanitary Sewer.**

This subject property is currently not within the City service area. Sanitary sewage is handled by on-site wastewater disposal system(s). The existing and proposed on-site system(s) will be reviewed by a Licenced Wastewater Practitioner and Building & Permitting.

**Access and Parking**

Both Pooley Rd and Rose Rd fronting this property are designated as major collectors. Provide an adequate a hard surface to accommodate the parking and turning movements on-site. Limit the driveway width to 6.0m meters

A handwritten signature in cursive script that reads "James Kay".

---

James Kay, P.Eng.  
Development Engineering Manager  
JF



**ATTACHMENT** I

This forms part of application  
# A20-0004 FH20-0004

Planner Initials **TC**

City of **Kelowna**  
DEVELOPMENT PLANNING

December 18, 2020

File No: 0280-30

Local Government File No: A20-0004

City of Kelowna  
1435 Water Street  
Kelowna, BC V1Y 1J4  
Via E-mail: [planninginfo@kelowna.ca](mailto:planninginfo@kelowna.ca)

Dear City of Kelowna:

**Re: Non-adhering residential use application for 3201 Pooley Road (PID: 004-370-651)**

Thank you for providing B.C. Ministry of Agriculture staff the opportunity to comment on the proposed non-adhering residential use application in the Agricultural Land Reserve (ALR) for temporary farm worker housing. We note that the proposed temporary farm worker housing is intended to house workers that are part of the federal Seasonal Agriculture Worker Program (SAWP). The amount of useable space allocated per worker is more than double the amount of space suggested in the Temporary Farm Worker Housing Minister's Bylaw Standard in the Ministry's Guide for Bylaw Development in Farming Areas, which was intended to strike a balance between providing sufficient housing for workers and protection of agricultural land. However, the TFWH Standard was developed in 2009 and is due for a review. In addition, Covid-19 has posed significant challenges with regard to housing of SAWP workers in such a way as to achieve good public health outcomes.

Ministry staff have no objection to this application proceeding to the Agricultural Land Commission (ALC) for the following reasons:

- The proposed housing is on a larger (20 acre) lot and the farm operation consists of multiple parcels, some of which include processing;
- The housing is proposed to be on a compact footprint close to the road;
- The housing is proposed to consist of trailers which could easily be removed when no longer required;
- The applicants are clearly attempting to address public health issues by providing each worker with their own bedroom space; and
- Based on the information in the documentation provided it appears that the number of workers proposed to be housed is consistent with the Minister's Bylaw Standard for Temporary Farm Worker Housing.

If you have any questions, please contact us directly by email or phone.



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This forms part of application  
# A20-0004 FH20-0004

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City of **Kelowna**  
DEVELOPMENT PLANNING



Sincerely,



Alison Fox, P.Ag.  
Land Use Agrologist  
BC Ministry of Agriculture, Food  
and Fisheries  
Alison.Fox@gov.bc.ca  
(778) 666-0566



Christina Forbes, BSc, P.Ag.  
Regional Agrologist | Kelowna  
BC Ministry of Agriculture, Food  
and Fisheries  
[Christina.Forbes@gov.bc.ca](mailto:Christina.Forbes@gov.bc.ca)  
236-766-7057

Email copy: Sara Huber, Regional Planner, ALC [Sara.Huber@gov.bc.ca](mailto:Sara.Huber@gov.bc.ca)