# COMMITTEE REPORT



Date:	March 11 <sup>th</sup> 2021		Kelowna
RIM No.	1210-21		
То:	Agricultural Advisory Committee (AAC)		
From:	Development Planning Department (AK)		
Application:	A21-0002	Owner:	Parminder and Kulwant Hans
Address:	1454 Teasdale Road	Applicant:	Lauren Mason - Nudigz Contractors Ltd
Subject:	Application to the ALC for Non-Adhering Residential Use Permit		

#### 1.0 Purpose

The applicant is requesting permission from the ALC for a 'Non-Adhering Residential Use Permit' to allow for temporary farm worker housing for five (5) workers.

#### 2.0 Proposal

## 2.1 Background

The subject site is a 16.7 acre agricultural property located at 1454 Teasdale Road in the Rutland neighborhood. The majority of the lot (Approximately 15.5 acres) is planted to grapes. There is an existing 1,500sqft single family dwelling on the property which is being used for orchard management. The applicants state that they require housing for 5 temporary farm workers to farm the property which cannot be housed in the existing dwelling. If approved the proposal would allow for up to 5 workers to be housed as part of the Seasonal Agricultural Worker program (SAWP).

2.2 Proposal

The proposal is to place a modular building near the existing single detached house to house 5 workers as shown on the attached site plan. The proposal is consistent with the City of Kelowna regulations related to temporary farm worker housing (TFWH). Specifically the proposed building is a modular building to be placed on a non-permanent foundation and the proposed temporary farm worker housing is located in an area contiguous with the existing residential footprint meant to maximize agricultural potential and limit negative impacts on the farm parcel.

#### 2.3 Neighbourhood Context

The subject site is located in the Agricultural Land Reserve. The property is zoned  $A_1$  – Agriculture and designated REP- Resource Protection Area in the City's Official Community Plan. Most of the area

surrounding the property is within the ALR and zoned for agriculture. There is an existing residential neighborhood zoned RU1 – Large Lot Residential to the west of the subject site.

## 3.0 Current Development Policies

3.1 Kelowna Official Community Plan (OCP)

## **Chapter 5: Development Process**

*Objective 5.33 Protect and enhance local agriculture.* 

Policy 5.33.1 Protect Agricultural Land. Retain the agricultural land base by supporting the ALR and by protecting agricultural lands from development, except as otherwise noted in the City of Kelowna Agricultural Plan. Ensure that the primary use of agricultural land is agriculture, regardless of parcel size.

## *Objective 5.34 Preserve productive agricultural land.*

Policy 5.34.2 Farm Help Housing. 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.

## Chapter 15 Farm Protection Development Permit Guidelines.

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.
- 3.2 City of Kelowna Agriculture Plan
  - 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 for cooking, sanitary, living and sleeping. The footprint does not include the vegetated buffer.

Prepared by:	Alex Kondor, Planner Specialist
Approved for Inclusion:	Dean Strachan, Community Planning & Development Manager

Attachments:

Attachment A – Site Plan Attachment B – Non-Adhering Residential Use Application