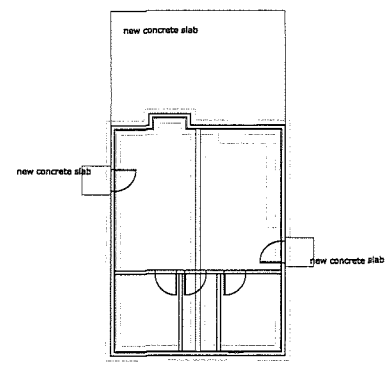


LOT A, SEC 16, TP 26 ODYD, PLAN 32982
EXCEPT PLAN KAP71228.
2830 EAST KELOWNA ROAD



PROPOSED FLOOR PLAN
1/8" = 1'-0"

237 BERNARD AVENUE
KELOWNA, B.C.
V1Y 6K2
TEL: 250/8623004
EMAIL: lee-rod@shaw.ca



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No.	Date	Revised
01	2023.03.28	Issued for building permit

Project Title
KITSCH WINES
AGRICULTURAL WORKER
HOUSE RELOCATION

KELOWNA BC
Drawing Number

A0.00

DRAWINGS ARE NOT TO BE SCALED.
ALL DIMENSIONS SHALL BE TAKEN ON JOB

Drawing Title
**PROPOSED
SITE PLAN**

1/16" = 1'-0"

Date	
Job No.	
Scale	AS SHOWN
Drawn	
Checked	

SCHEDULE A

This forms part of application
FH22-0004

Planner Initials **GA**

City of Kelowna
DEVELOPMENT PLANNING

Provincial Agricultural Land Commission - Applicant Submission

Application ID: 64025

Application Status: Under LG Review

Applicant: Maria Kitsch , Trent Kitsch

Agent: Maria Kitsch

Local Government: City of Kelowna

Local Government Date of Receipt: 10/25/2021

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

Proposal Type: Non-Adhering Residential Use - Additional Residence for Farm Use

Proposal: Purchased by us in Nov 2018, the property came with a small 2 bedroom home (768sq ft and surface area) and the principal residence (3,700 surface area, 6,500 sq ft). We have applied for and been granted permission to build a winery but the location of the small home is at the spot that makes the most sense for the winery (not arable, close to wastewater, driveway access already exists etc). Because the small home is original, the municipality doesn't have permits for it. This proposal is to request permission to KEEP and MOVE the small home to a new location on the property that is also not farmed. Site plan and home layout included in attachments. Second consideration also being requested to allow a 12x12 bedroom to be added to the footprint of the small home, bringing it to 914sq ft if approved. The addition of this room would allow us to house sufficient workers for our vineyards.

Agent Information

Agent: Maria Kitsch

Mailing Address:

2830 East Kelowna Rd

Kelowna, BC

V1W 4H5

Canada

Primary Phone: (778) 821-1955

Email: ria.kitsch@gmail.com

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

Parcel Identifier: 003-268-993

Legal Description: Lot A Plan KAP32982 Section 16 Township 26 Land District 41 Except Plan KAP71228

Parcel Area: 8.1 ha

Civic Address: 2830 East Kelowna Rd

Date of Purchase: 11/05/2018

Farm Classification: Yes

Owners

1. **Name:** Maria Kitsch

Address:

2830 East Kelowna Rd

Applicant: Maria Kitsch , Trent Kitsch

Kelowna, BC
V1W 4H5
Canada
Phone: (778) 821-1955
Email: ria.kitsch@gmail.com

2. **Name:** Trent Kitsch

Address:
2830 East Kelowna Rd
Kelowna, BC
V1W 4H5
Canada
Phone: (250) 317-5140
Email: trent@kitschwines.ca

Ownership or Interest in Other Lands Within This Community

1. **Ownership Type:** Fee Simple
Parcel Identifier: 025-418-726
Owner with Parcel Interest: Maria Kitsch
Parcel Area: 1.3 ha
Land Use Type: Residential
Interest Type: Partial Ownership

2. **Ownership Type:** Fee Simple
Parcel Identifier: 005-266-980
Owner with Parcel Interest: Maria Kitsch
Parcel Area: 7.5 ha
Land Use Type: Agricultural/Farm
Interest Type: Unregistered Lease

Current Use of Parcels Under Application

1. **Quantify and describe in detail all agriculture that currently takes place on the parcel(s).**
11.5 acres are farmed, all in Pinot Noir grapes. The original two-bedroom home is used for Foreign Workers. The paved area is used to crush grapes into juice which is fermented offsite at the family's licensed location nearby. We have 5 chickens who are often let free range in the vineyard, the eggs are used for personal consumption only.

2. **Quantify and describe in detail all agricultural improvements made to the parcel(s).**
3 acres of planted area was added Spring 2020 (originally was 8.5 acres of cherries).

3. **Quantify and describe all non-agricultural uses that currently take place on the parcel(s).**
We (the owners) reside at the property in a home who's footprint area is 3,700sq ft. We are a family of 4 with 2 dogs.

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm

Applicant: Maria Kitsch , Trent Kitsch

Specify Activity: Orchard and wine grapes

East

Land Use Type: Agricultural/Farm

Specify Activity: Orchard

South

Land Use Type: Agricultural/Farm

Specify Activity: Orchard

West

Land Use Type: Residential

Specify Activity: 3 acre empty lot on a subdivision

Proposal

1. What is the purpose of the proposal?

Purchased by us in Nov 2018, the property came with a small 2 bedroom home (768sq ft and surface area) and the principal residence (3,700 surface area, 6,500 sq ft). We have applied for and been granted permission to build a winery but the location of the small home is at the spot that makes the most sense for the winery (not arable, close to wastewater, driveway access already exists etc). Because the small home is original, the municipality doesn't have permits for it. This proposal is to request permission to KEEP and MOVE the small home to a new location on the property that is also not farmed. Site plan and home layout included in attachments. Second consideration also being requested to allow a 12x12 bedroom to be added to the footprint of the small home, bringing it to 914sq ft if approved. The addition of this room would allow us to house sufficient workers for our vineyards.

2. Describe the necessity for an additional residence for farm use and how it will support agriculture in the short or long term.

Farmed area is currently 11.5 acres on property and 10.25 leased nearby (where wine is currently manufactured). By MOVING the current farm worker house, we can have a purpose-built wine manufacturing facility on owned property rather than leased property (currently operating out of a residential garage) and grow our volume to match our growing vineyard footprint. By KEEPING the current farm worker house on this property, we can house a couple of workers that come in from Mexico (currently bringing in 2 women April-Oct annually). Our application also includes a potential expansion of 144sq ft to the farm worker house for 1 more bedroom to house 2 more workers (1 worker per 5 acres of vineyard is an industry average, meaning we need at least 4 to farm our 21.75 acres combined), putting the total sq ft at 914 if expansion is approved.

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

House #1 - original farm house, 2 bedrooms, 1 bathroom, 768sq ft. Used to house two temporary foreign workers annually from April - Oct.

House #2 - Residential home built 2007. 5 bedrooms, 5 bathrooms. Lot coverage of 3,700 sq ft. 3 storeys, total square footage of 6,500. Used to house our family of 4.

4. What is the total floor area of the proposed additional residence in square metres?

85 m²

5. Describe the rationale for the proposed location of the additional residence.

New location is similar to current: both are grassy, non-planted, near edge of property, have vehicle access, are near services and tie-ins. The current location of the farm worker house is on the big grassy area that has been approved by the ALR for building a winery. We are applying so that we keep the farm

Applicant: Maria Kitsch , Trent Kitsch

worker accommodation which is hard to find and expensive in Kelowna without impacting the farmed area while also giving the winery the best chance for efficient operations. Farm workers have proven to be essential in today's labour market.

6. What is the total area of infrastructure necessary to support the additional residence?

The proposed location already has vehicle access and access to services and tie in to the existing septic. The only need will be a concrete slab for the foundation that is the dimension of the home (768 ft² if the same, 914ft² if additional bedroom is approved).

7. Do you need to import any fill to construct the additional residence or infrastructure?

No

Applicant Attachments

- Agent Agreement-Maria Kitsch
- Proposal Sketch-64025
- Other correspondence or file information-Letter of Rationale and photos
- Other correspondence or file information-Farm house drawing
- Certificate of Title-003-268-993

ALC Attachments

None.

Decisions

None.

CITY OF KELOWNA MEMORANDUM

Date: February 23, 2022
File No.: A22-0001
To: Land Use Planning Manager (TC)
From: Development Engineering Manager (NC)
Subject: 2830 East Kelowna Rd.



temp farm help move

Development Engineering has the following comments at this point in time with regard to this application for Move of Temporary Farm Work Housing to different location on property

Potential requirements are provided for information only and are subject to the policies in effect at the time when a formal building permit application is made by the owners.

1. Domestic water and fire protection.
 - a) Our records indicate that the subject property is provided with domestic and non-portable irrigation services.
 - b) All charges for service connection and upgrading costs, as well as any costs to decommission existing services, shall be the responsibility of the developer.
 - c) On-site servicing including the utilisation of existing or proposed services as well as fire protection requirements will be reviewed by Building & Permitting.
 - d) Meters with double check valve assemblies are required for all services.
2. Sanitary Sewer.
 - a) This subject parcel is currently not within the City sewer service area. Sanitary sewage is presently handled by an on-site sewage disposal system.
 - b) Existing and proposed on-site servicing upgrades will be reviewed by the Interior Health Authority and Building & Permitting.
3. Electric Power and Telecommunications Services.
 - a) 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


Nelson Chapman P.Eng.
Development Engineering Manager
RO/JF

TEMPORARY FARM WORKER HOUSING PERMIT



APPROVED ISSUANCE OF TEMPORARY FARM WORKER HOUSING PERMIT NO. FH22-0004

Issued To: William and Maria Kitsch
Site Address: 2830 East Kelowna Road
Legal Description: Lot A Section 16 Township 26 ODYD Plan 32982 Except Plan KAP71228

Zoning Classification: A1 – Agriculture 1
Development Permit Area: Temporary Farm Worker Housing



SCOPE OF APPROVAL

This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.

The issuance of a Permit limits the Permit Holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

1. TERMS AND CONDITIONS

THAT Temporary Farm Worker Housing Permit No. FH22-0004 Lot A Section 16 Township 26 ODYD Plan 32982 Except Plan KAP712284, located at 2830 East Kelowna Road, Kelowna, BC to allow the development of temporary farm worker housing be approved subject to the following:

- a) The dimensions and siting of the buildings and structures to be constructed on the land be in accordance with Schedule "A";
- b) Registration of a Section 219 Restrictive Covenant restricting the use of the temporary farm worker housing to accommodation for temporary farm workers only, to a maximum sixty (60) temporary farm workers, and to a maximum occupation of ten (10) months of the year;
- c) Registration of a Section 219 Restrictive Covenant on all parcels owned or leased by the farmer in the Southeast Kelowna OCP Sector restricting the total number of temporary farm worker housing to sixty (60) on those parcels; and
- d) Registration of a Section 219 Restrictive Covenant on the farm unit parcels prohibiting the parcels from being sold or otherwise transferred separately; and

AND THAT this Temporary Farm Worker Housing Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2. DEVELOPMENT

The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit that shall form a part hereof.

If the Permit Holder does not commence the development permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

This Permit IS NOT a Building Permit.

3. Indemnification

Upon commencement of the works authorized by this Permit the Developer covenants and agrees to save harmless and effectually indemnify the Municipality against:

- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.
- b) All costs, expenses, claims that may be incurred by the Municipality where the construction, engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

4. APPROVALS

Issued and approved by Council on the May 30th, 2022

Terry Barton, Development Planning Department Manager

Date

**The PERMIT HOLDER is the CURRENT LAND OWNER.
Security shall ONLY be returned to the signatory of the
Landscape Agreement or his or her designates**

DRAFT

Maria (Ria) and Trent Kitsch
2830 East Kelowna Rd
Kelowna, BC, V1W 4H5

ATTACHMENT **D**

This forms part of application
FH22-0004

Planner Initials **GA**

City of **Kelowna**
DEVELOPMENT PLANNING



October 22, 2021

Agricultural Land Commission
201 - 4940 Canada Way
Burnaby, BC, V5G 4K6

Re: Non-Adhering Residential Use Permit, Relocation of Farm Worker House
Subject Property: 2830 East Kelowna Rd, Kelowna BC

Timeline

Unknown: Original 2 bedroom, 1 bathroom home built (768ft²)

2006: 5 bedroom, 5 bathroom home built (3,700 surface area, 6,400 living area)

November 2018: Property purchased by current owners

May 2020: 11.5 acres of vineyard planted (including 3.5 acres of previously unplanted area)

September 2020: ALC approves winery production building on property (Application 59612)

Summer 2021: ALC announces they will be in support for secondary residences for farm workers

Supporting Information:

The owners of the subject property also own a winery (Kitsch Wines Ltd.) which operates nearby at 3330 Neid Road where 10.25ac more of vines are leased and managed.

In vineyard management, a rule of thumb is 1 worker per 5 acres of vines. The combination of the two vineyards = 21.75 acres and would therefore warrant about 4 workers (2 workers for each site).

The applicants were very pleased to have been granted permission to build a winery at the subject property, but after considering the design, they realized they were going to lose a very valuable asset: the existing farm worker home. In the last year, many other winery locations have been discussed and vetted with architects, geotech and the municipality but it has been confirmed that the approved location is where the winery should go due to area availability and access to roads and services without using arable land. When the ALC announced recently that small farm worker houses would be approved, the applicants decided to make this application.

The existing farm worker home is original, the municipality doesn't have permits for it, but it was renovated prior to 2018 and in great condition. This proposal is to request permission to KEEP and MOVE the small home to a new location on the property that is also not farmed - photos below and site plan attached to application.

Additional consideration also being requested is to allow a 12x12 bedroom to be added to the footprint of the small home, bringing it to 914sq ft, if approved. The addition of this room would allow applicants to house sufficient workers for our vineyards.

The farmed area is currently 11.5 acres on property and 10.25 acres leased nearby (where wine is currently manufactured). By MOVING the current farm worker house, we can have a purpose-built wine manufacturing facility on owned property rather than leased property (currently operating out of a residential garage) and grow our volume to match our growing vineyard footprint. By KEEPING the current farm worker house on this property, we can house the workers that come in from Mexico (currently bringing in 2 women April-Oct annually). Our application also includes a potential expansion of 144sq ft to the farm worker house for 1 more 12x12 bedroom which would allow for 2 more workers (1 worker per 5 acres of vineyard is an industry average, meaning we need at least 4 to farm our 21.75 acres combined), putting the total sq ft at 914 if expansion is approved.

The rationale for moving the small home is the new location is like the current: both are grassy, non-planted, near edge of property, have vehicle access, are near services and tie-ins. The current location of the farm worker house is on the big grassy area that has been approved by the ALR for building a winery. We are applying so that we keep the farm worker accommodation which is hard to find and expensive in Kelowna without impacting the farmed area while also giving the winery the best chance for efficient operations.

The proposed location already has vehicle access and access to services and tie into the existing septic. The only need will be a concrete slab for the foundation that is the dimension of the home (768 ft² if the same, 914ft² if 1 additional bedroom is approved).

In summary, we would like to move the small home approx. 275 feet to another non-farmed area on the property and add one more bedroom, if approved. The reason for moving is it would allow us to build the ALR approved winery where the home currently sits and keep the temporary foreign worker housing.

See Site Photos below



Above: View facing Southwest, showing existing farm house (RV parked in front) and big grassy area where wine production building is proposed and approved by ALR.



Above: View facing Northeast. You can see the back of the farm worker house in it's current location and it's general size. Vineyard is in background as well as a bit of the roofline of the main single family home.



Above: View facing South. RV is parked in front of farm worker house in its existing location in the distance. This photo is taken where new location is proposed. Fence will be taken down and ring road is on other side around the edge of the vineyard. (don't mind the grass, that was for irrigation repairs). The main single family residence is also visible.



Above: View facing North. Future farm worker house proposed location, tucked right up to trees and fence line. The side of the family home facing this area has virtually no windows so the privacy of both homes will be intact. The septic is located under the grass closer to the family home.