

Provincial Agricultural Land Commission - Applicant Submission

Application ID: 63252

Application Status: Under LG Review

Applicant: .

Agent: Green Spark Consulting

Local Government: City of Kelowna

Local Government Date of Receipt: 05/28/2021

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: House TFW's to plant, prune and pick cherries.

Agent Information

Agent: Green Spark Consulting

Mailing Address:

2612 Woodland Cres.

Kelowna, BC

v1W 2R4

Canada

Primary Phone: (250) 870-2137

Email: withler@shaw.ca

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

Parcel Identifier: 011-264-748

Legal Description: Lot 3 Plan KAP2037 Section 7&18 Township 27 Land District 41 Except Plan 10570

Parcel Area: 18 ha

Civic Address: 2570 Gallagher Road, Kelowna, B.C.

Date of Purchase: 05/01/2004

Farm Classification: Yes

Owners

1. **Name:**

Address:

Phone:

Email:

Applicant:



Current Use of Parcels Under Application

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

Fully producing cherry orchard

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

Planted and functioning cherry orchard

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

Cherry production

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm

Specify Activity: cherries

East

Land Use Type: Agricultural/Farm

Specify Activity: pasture

South

Land Use Type: Transportation/Utilities

Specify Activity: Gallagher road

West

Land Use Type: Agricultural/Farm

Specify Activity: pasture

Proposal

1. What is the purpose of the proposal?

House TFW's to plant, prune and pick cherries.

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

Steady labour is needed to continue high quality cherry production.

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

Single wide mobile home.

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

200 m²

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

It is near Gallagher road, services are available and away from neighbouring residences.

Applicant:

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

50m

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

No

Applicant Attachments

- Agent Agreement-Green Spark Consulting
- Proposal Sketch-63252
- Site Photo-rough sketch of TFW location
- Certificate of Title-011-264-748

ALC Attachments

None.

Decisions

None.

ATTACHMENT A

This forms part of application
A22-0002 / FH22-0003

Planner Initials

City of 
Kelowna
DEVELOPMENT PLANNING

Applicant: []

CITY OF KELOWNA

MEMORANDUM

Date: April 26, 2022 (R1)
File No.: A22-0002
To: Suburban and Rural Planning (TC)
From: Development Engineering Manager (NC)
Subject: 2570 Gallagher Rd Farm Worker Housing

The Development Engineering Branch has the following comments with regard to this application for Non-Adhering Residential Use-Additional Residence for Farm Use. All requirements outlined in this memo are applicable at time of Building Permit application. The Development Technician for this file will be Sarah Kelly.

1. General

- a) The following requirements are valid for two (2) years from the reference date of this memo, or until the application has been closed, whichever occurs first. The City of Kelowna reserves the rights to update/change some or all items in this memo once these time limits have been reached.
- b) Additional TFWH will result in an increase of vehicles requiring large turn radii travelling along Gallagher Rd, to address road safety concerns a road dedication of up to 1460 m² is necessary. See figure below for the approximate maximum area of dedication.



ATTACHMENT B

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2. 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. All fireflow calculations are to be shared with City of Kelowna Development Engineering.
- b) 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.

3. Sanitary Sewer Service

- a) This property is not currently connected to the City's sanitary sewer main. Sanitary sewage is presently handled by an on-site sewage disposal system. The existing on-site system is not shown on the submitted Site Plan.
- 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.

4. Storm Drainage

- a) The developer must engage a consulting civil engineer to provide a stormwater 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 plans, minimum basement elevations (MBE), if applicable, and recommendations for onsite drainage containment and disposal systems. On-site stormwater management plan will require review and acceptance by Development Engineering at time of Building Permit.

5. Site Access

- a) All access to the subject lot must will be restricted to the existing driveway, no additional driveway will be permitted.

6. Electric Power and Telecommunication 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

SK

ATTACHMENT		B
This forms part of application		
# A22-0002 / FH22-0003		
Planner Initials	TC	 City of Kelowna DEVELOPMENT PLANNING

TEMPORARY FARM WORKER HOUSING PERMIT



APPROVED ISSUANCE OF TEMPORARY FARM WORKER HOUSING PERMIT NO. FH22-0003

Issued To: Parmjeet Singh Gurm & Gurjit Kaur Gurm
Site Address: 2570 Gallagher Road
Legal Description: Lot 3 Sections 7 and 18 Township 27 ODYD Plan 2037 Except Plan 10570
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. FH22-0003 Lot 3 Sections 7 and 18 Township 27 ODYD Plan 2037 Except Plan 10570, located at 2570 Gallagher 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) A vegetated buffer is provided for screening adjacent property lines and between the temporary farm worker housing and active farming areas in accordance with Schedule B;
- c) The applicant be required to post with the City a Landscape Performance Security deposit in the form of an Irrevocable Letter of Credit in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;
- d) 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 forty-eight (48) temporary farm workers, and to a maximum occupation of ten (10) months of the year;

ATTACHMENT C

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City of Kelowna
DEVELOPMENT PLANNING

- e) 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
- f) 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. PERFORMANCE SECURITY

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Developer and be paid to the Developer or his or her designate if the security is returned. The condition of the posting of the security is that should the Developer fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may use enter into an agreement with the property owner of the day to have the work carried out, and any surplus shall be paid over to the property own of the day. Should the Developer carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Developer or his or her designate. There is filed accordingly:

- a) An Irrevocable Letter of Credit in the amount of \$7,000.00

Before any bond or security required under this Permit is reduced or released, the Developer will provide the City with a statutory declaration certifying that all labour, material, workers' compensation and other taxes and costs have been paid.

3. 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.

4. 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.

ATTACHMENT		C
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# A22-0002 / FH22-0003		
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5. 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**

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SCHEDULE A

This forms part of application
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PROPOSED BUILDING DETAIL
Scale 1:1000



PROPOSED BUILDING DETAIL

Existing building locations derived from City of Kelowna Satellite imagery.

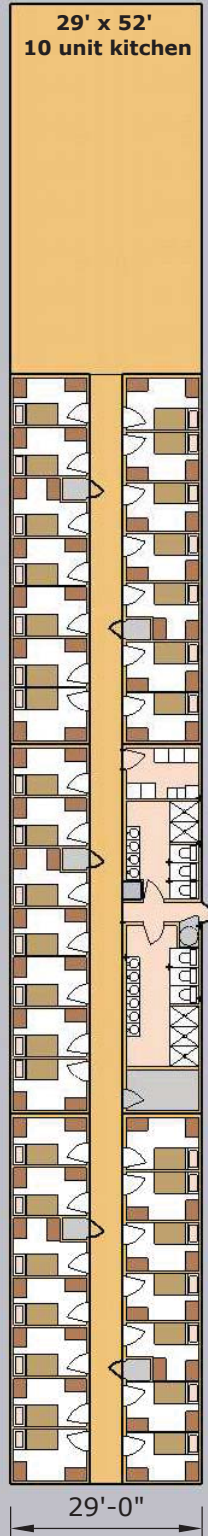
TITLE:
SKETCH PLAN OF LOT 3, SEC. 7&18, T.P. 27,
O.D.Y.D., PLAN 2037 EXCEPT PLAN 10570
(2570 Gallagher Road, Kelowna)

DRAWN BY:
RUNNALLS DENBY
british columbia land surveyors
259A Lawrence Avenue Phone: (250)763-7322
Kelowna, B.C. V1Y 6L2 Fax: (250)763-4413
Email: rob@runnallsdenby.com

CLIENT:
PARMJEET GURM

SCALE: 1:2000 (17"x22")
DATE: 16/12/2021
DWG: 16298 SKETCH
FILE No: 16298
REV. 0

40 MAN CAMP/KITCHEN



- 35 Bedrooms in 5 Sleepers
- Laundry Room
- 6 Showers
- 6 Toilets
- 10 sinks

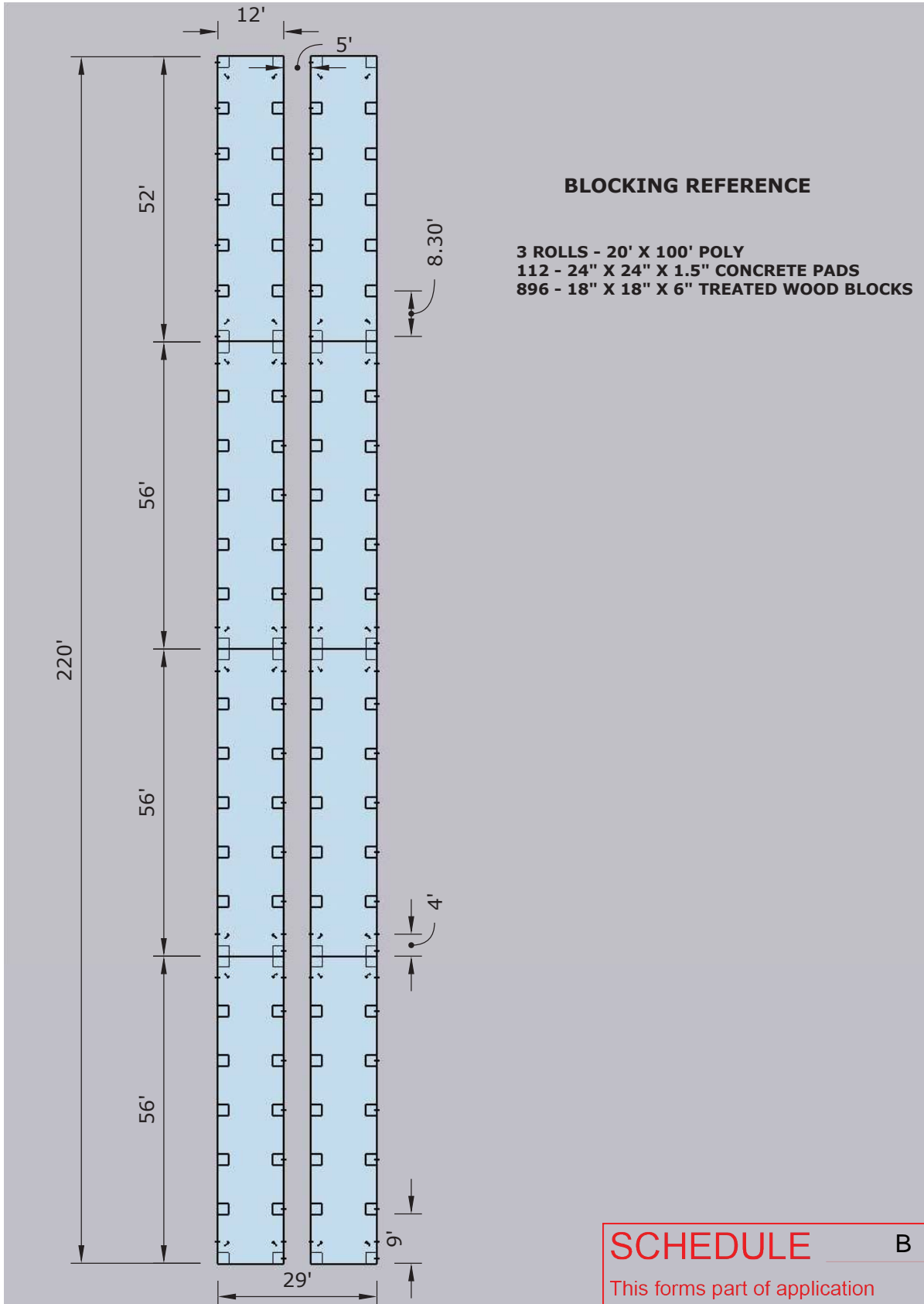
SCHEDULE B

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HAPPY GURM CAMP

Blocking/Tie down Layout



BLOCKING REFERENCE

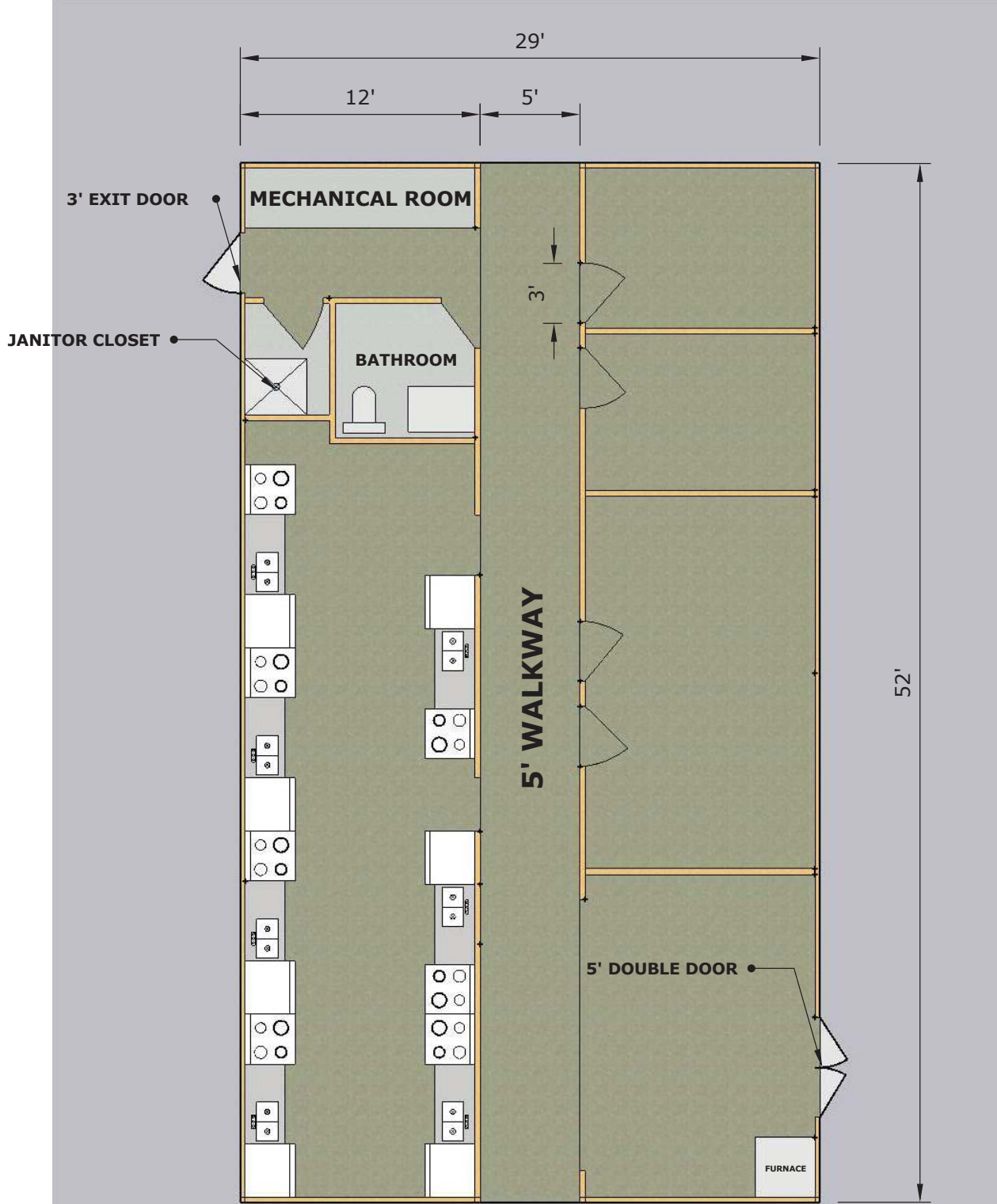
- 3 ROLLS - 20' X 100' POLY
- 112 - 24" X 24" X 1.5" CONCRETE PADS
- 896 - 18" X 18" X 6" TREATED WOOD BLOCKS

SCHEDULE B

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SCHEDULE

B

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SCHEDULE C

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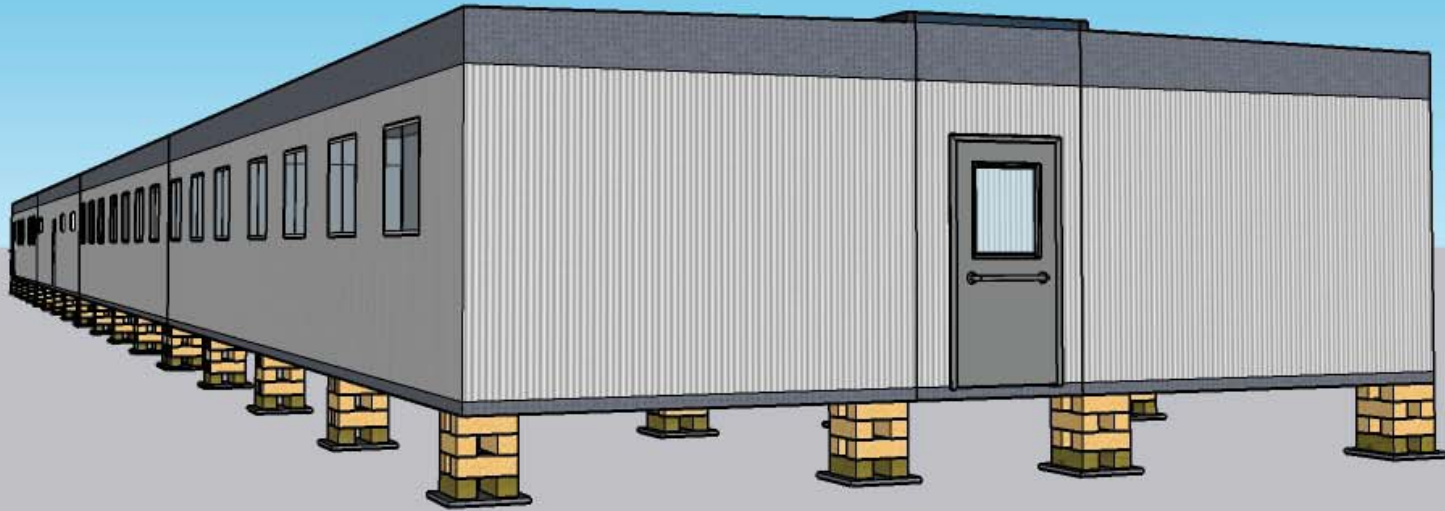


SCHEDULE C

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SCHEDULE

C

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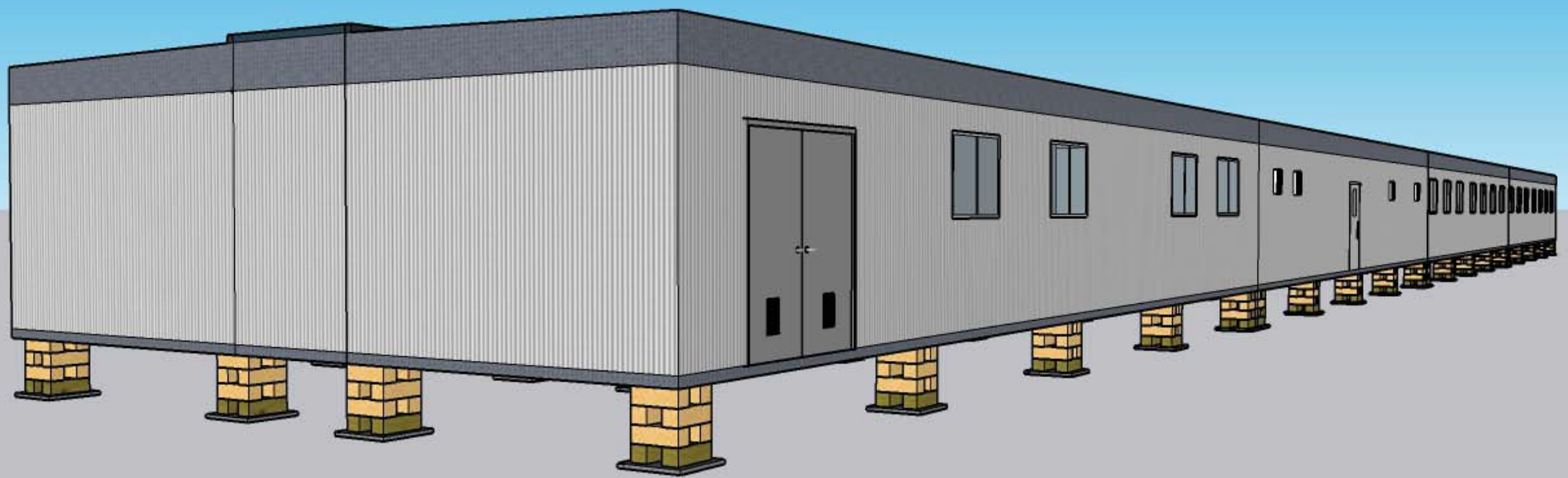
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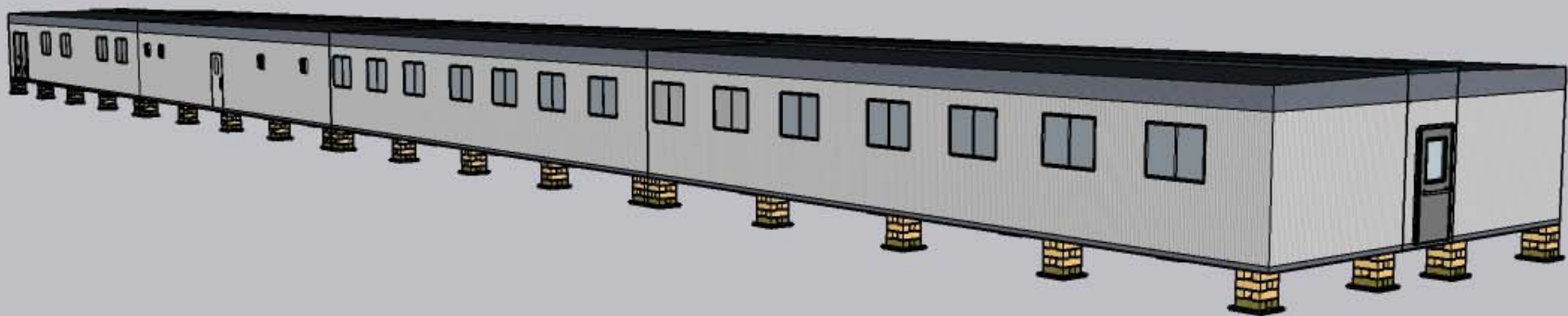


SCHEDULE C

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SCHEDULE C

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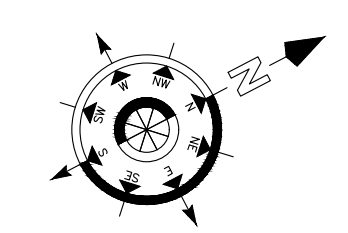
Planner
Initials **TC**

PLAN EPP 99627

SCHEDULE C

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A22-0002 / FH22-0003

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Property Report
2570 GALLAGHER ROAD
KELOWNA, B.C.
V1P-1H1

LOT 3
BLOCK
PLAN KAP2037

Zone: A1

KID 107110
PID 011-264-748

Acre: 40.2
Water Provider
BMID

ORCHARD

PLAN EPP99627

Parking

125' lg STEEL CHAIN LINK FENCE

ORCHARD

3.00 m setback

Parking

6.00 m setback

MAIN ENTRANCE

GALLAGHER ROAD

SHADED CLOTH FENCE SECTION

NOTE:
THIS SECTION OF FENCE TO HAVE
SHADE CLOTH INSTALLED
ROUGHLY 150'

PLAN 5157

PLAN 24270

DATE	NO.	BY	REVISION

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HOLDEN'S DRAUGHTING & DESIGN
832 SAUCIER AVENUE
KELOWNA, B.C.
V1Y-6A3
Phone: 250.868.0962
Fax: 250.868.0962
Email: r.holden@shaw.ca
H.D.D.

PROJECT
PARMIJIT GURM
2570 GALLAGHER ROAD
KELOWNA, B.C.

SHEET TITLE
SITE PLAN & NOTATION

DRAWN RAH	SHEET NO. L1
CHECKED	Rev. 0
SCALE 1/32"=1'-0"	
DATE 17-May-22	

SCHEDULE

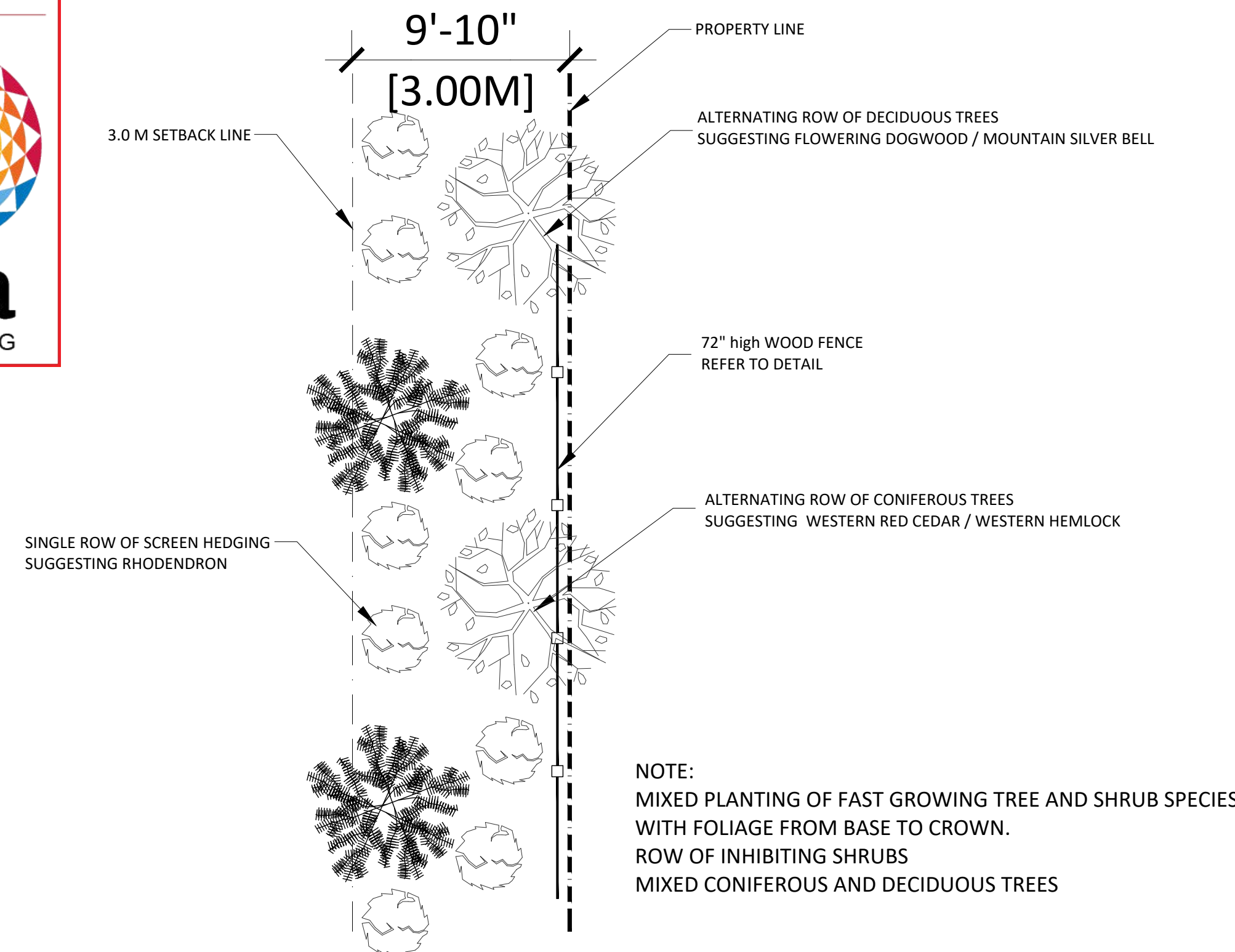
C

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A22-0002 / FH22-0003



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Planner
Initials **TC**



NOTE:
MIXED PLANTING OF FAST GROWING TREE AND SHRUB SPECIES
WITH FOLIAGE FROM BASE TO CROWN.
ROW OF INHIBITING SHRUBS
MIXED CONIFEROUS AND DECIDUOUS TREES

1 TREE PLANTING LAYOUT
SCALE: 1/4" = 1'-0"

D.1: Solid Wood Fence
All posts and rails shall be rough sawn of "No. 1 Structural" grade, pressure treated with a wood preservative non-toxic to surrounding plant material, in accordance with CSA Standard O80.2 and compatible with staining requirements below. Stain to match fence boards.

All fence boards and planks shall be rough sawn of "Quality Fencing" grade, finished with penetrating stain with preservative, conforming to CGSB Standards 1-GP145M and 204M, applied to all surfaces prior to installation and on any cuts thereafter.

Line posts shall be minimum 8.0 ft. in length and at least (standard) 4"x 4".

Corner posts shall be minimum 8.0 ft. in length and at least (standard) 6"x 6".

Fence rails (min. 3) shall be maximum 7.5 ft. in length and at least (standard) 2"x 4".

Cap rails shall be at least (standard) 2"x 6". Cant to drain.

The finished height of opaque fencing shall be at least 6.0 ft.

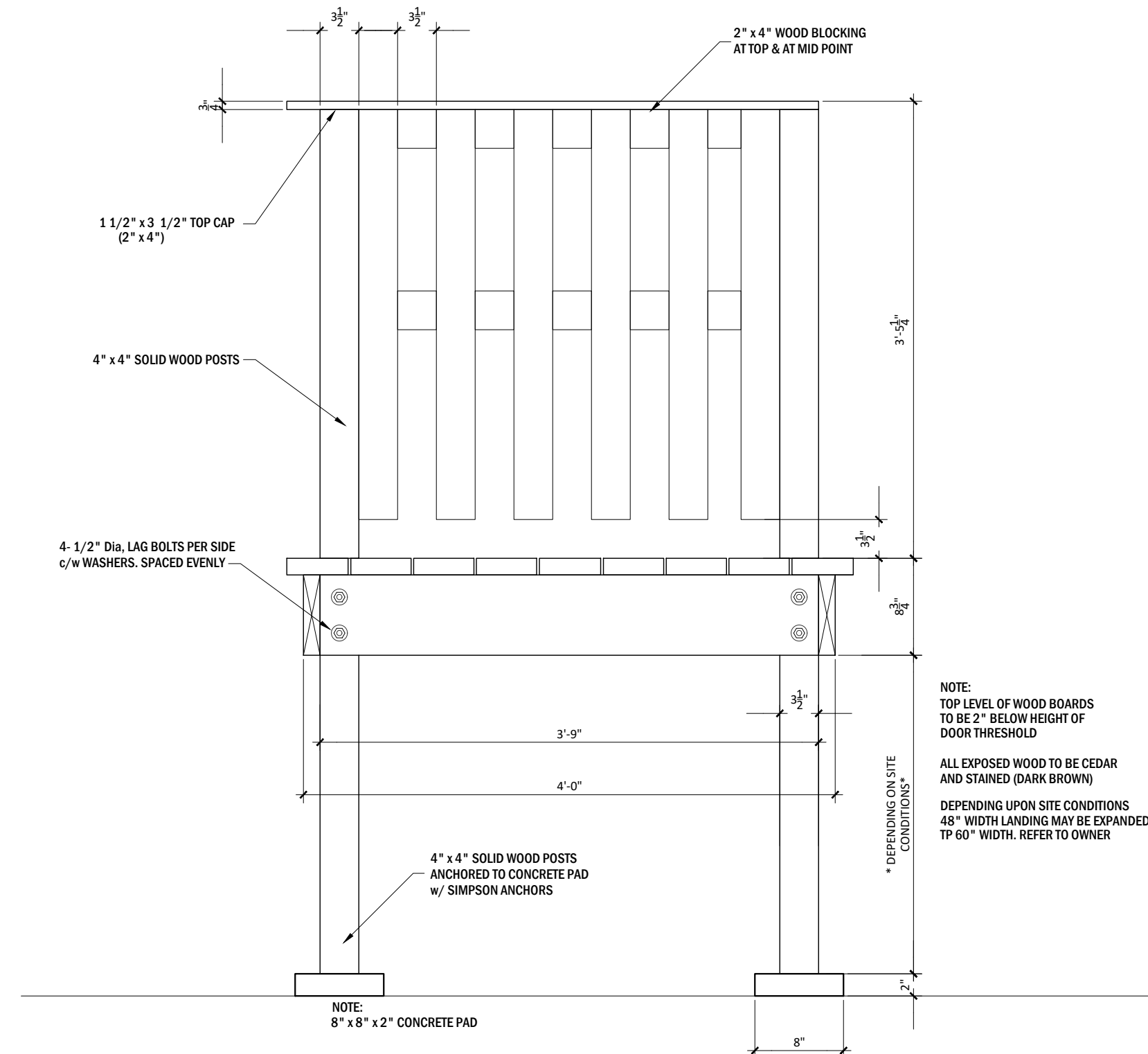
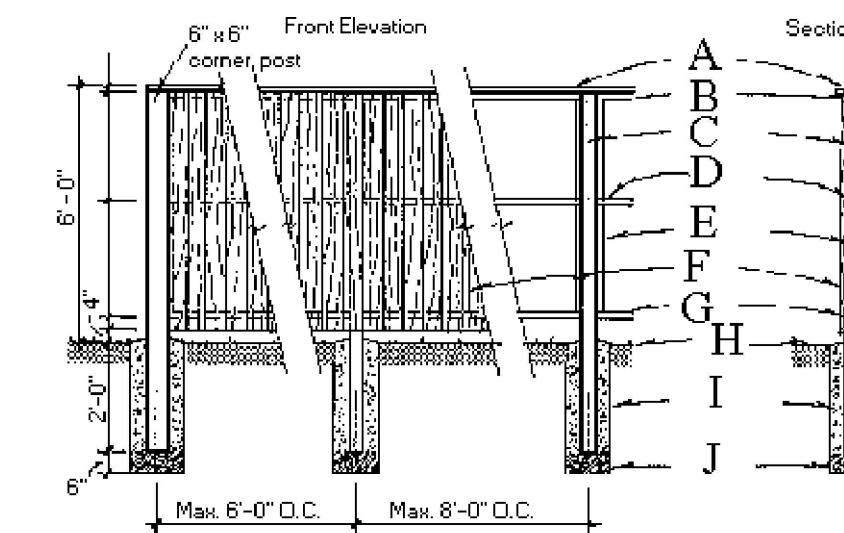
All nails used in fence construction shall meet the following specifications:

- 8.1 Minimum gauge of nails used - #9, common in post/rail connections
- 8.2 Minimum gauge of nails used - #11.5, common in rail/fence board connections
- 8.3 Galvanized - CSA G164

Line posts shall be placed no more than 8.0 ft. o.c. and be firmly anchored in the soil to a depth of not less than 2.0 ft.

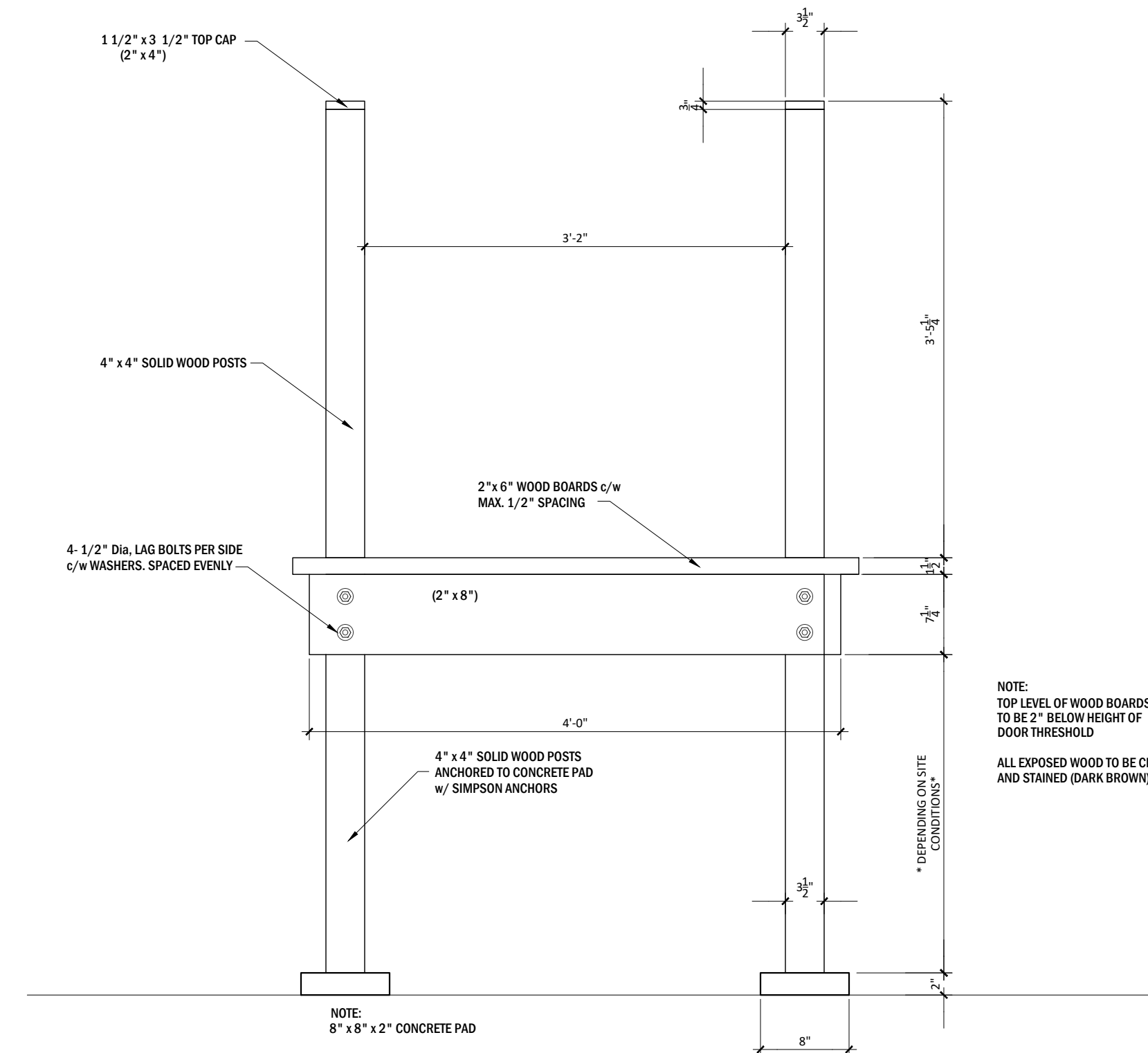
The fence shall be constructed in accordance with these specifications and details, which forms part of these specification.

- A - 2" x 6" cap rail
- B - 2" x 4" top rail
- C - 4" x 4" post
- D - 2" x 4" middle rail
- E - 2" x 4" side support
- F - 1" x 6" fence boards
- G - 2" x 4" bottom rail
- H - finished grade
- I - compacted fill
- J - drain rock



NOTE:
TOP LEVEL OF WOOD BOARDS TO BE 2" BELOW HEIGHT OF DOOR THRESHOLD
ALL EXPOSED WOOD TO BE CEDAR AND STAINED (DARK BROWN)
DEPENDING UPON SITE CONDITIONS 48" WIDTH LANDING MAY BE EXPANDED TO 60" WIDTH. REFER TO OWNER
* DEPENDING ON SITE CONDITIONS *

2 LANDING SIDE VIEW
SCALE: 1" = 1'-0"



NOTE:
TOP LEVEL OF WOOD BOARDS TO BE 2" BELOW HEIGHT OF DOOR THRESHOLD
ALL EXPOSED WOOD TO BE CEDAR AND STAINED (DARK BROWN)
* DEPENDING ON SITE CONDITIONS *

3 LANDING FRONT VIEW
SCALE: 1" = 1'-0"

DATE	NO.	BY	REVISION

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Fax: 250.868.0962
H.D.D. Email: holden@shaw.ca

PROJECT: **PARMJIT GURM**
2570 GALLAGHER ROAD
KELOWNA, B.C.

SHEET TITLE: **LANDSCAPE DETAILS**

DRAWN: RAH	SHEET NO. L2
CHECKED:	
SCALE: AS NOTED	
DATE: 17-May-22	Rev. 0