

REPORT TO COUNCIL TEMPORARY FARM WORKER HOUSING PERMIT



Date: June 19th, 2023
To: Council
From: City Manager
Address: 3455 Rose Road
File No.: FH23-0001
Zone: A1 – Agriculture 1

1.0 Recommendation

THAT Council authorizes the issuance of Temporary Farm Worker Housing Permit no. FH23-0001 for Lot 4 Section 10 Township 26 ODYD Plan 355 located at 3455 Rose Road, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
1. 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;
2. The applicant be required to post the City a Landscape Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscape buffer, as determined by a professional landscaper;
3. Registration of a Section 219 restrictive covenant on the Title that states;
 - a. The dwellings will be used for temporary farm workers only;
 - b. The owner will remove the dwellings if the farm operation changes such that if they are no longer required;
 - c. The dwellings will only be used for farm workers for a maximum of ten (10) months of the year;
 - d. The maximum number of accommodations permitted on this farm unit within this City sector is 60 workers; and,
 - e. The temporary farm worker housing building footprint is a maximum of 0.3ha.

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

2.0 Purpose

To consider a Temporary Farm Worker Housing Permit for 24 seasonal workers on the subject property.

3.0 Development Planning

Staff support the application for Temporary Farm Worker Housing (TFWH) for up to 24 agricultural workers on the subject property. The proposed temporary farm worker accommodation meets the regulations of the

Zoning Bylaw. The proposal is also consistent with the Ministry of Agriculture standards for temporary farm worker accommodation.

The proposal complies with the City of Kelowna OCP policies of TFWH requirements. Agriculture is the principal use on the parcel. The applicant has demonstrated that the scale of farm operations is large enough and necessary to accommodate farm employees whose residence on the farm property is considered critical to the overall operation of the farm. The proposed housing is on non-permanent foundations which is the preferred solution where the need for farm worker housing is justified and is in an area of the property that minimizes the residential impact to agriculture.

4.0 Subject Property & Background

4.1 Subject Property Map



The subject property is located a corner lot on Rose Road and Pooley Road in Southeast Kelowna. The property is approximately 300m from the four-way stop at the intersection of McCulloch Road, Reekie Road and Rose Road. The parcel is accessible from Rose Road and is a rectangular shape. The property is zoned A1 – Agriculture 1 and is designated R-AGR - Rural – Agricultural and Resource in the City’s Official Community Plan (OCP). The property is located within the Agricultural Land Reserve (ALR).

4.2 Background

On June 15th, 2020, Council approved an Agricultural Land Reserve Application (A19-0019) and a Temporary Farm Worker Housing Permit Application (FH19-0007) for 24 seasonal agricultural workers on the subject property. These applications were moved forward to the Agricultural Land Commission (ALC) and ultimately approved. The approval of the TFWH Permit was conditional on Council recommendations. These were not completed within the two-year period, so a new TFWH Application was resubmitted and must be reconsidered by Council.

5.0 Zoning Bylaw Regulations Summary

The proposal is to sleep 24 seasonal farm workers in four different sleeping areas. The first and second sleeping areas are in two mobile homes, which are both 79.7m² (857.88 ft²) in size and have three bedrooms with a communal kitchen, bathroom and living space. The third unit is the ATCO trailer unit, which is 71.3m² (767.47 ft²) in size, with two bedrooms and a communal kitchen, bathroom and living space. The final sleeping area is a suite connected to the storage and cooler area. This space is 72.2m² (777.15 ft²) and has two bedrooms with a communal kitchen and bathroom. These four sleeping units are within the residential footprint, limiting the impacts of the orchard and they are located South of the primary dwelling. The attached site plan shows the layout of the accessory buildings and temporary farm worker housing.

In accordance with the City of Kelowna Farm Protection Development Permit Guidelines, the application includes a landscape plan, which provides a buffer between the TFWH and the active agricultural land surrounding the housing. This vegetative buffer will be 3.0m wide and be planted with numerous cedars separating the four sleeping units with the active agriculture.

6.0 Current Development Policies

Objective 8.1. Protect and preserve agricultural land and its capability	
Policy 8.1.9. Farm Help Housing.	<p>As a first option, encourage farm help housing to be located within the Permanent Growth Boundary, providing access to amenities for workers. As a second option, accommodation for farm help on agricultural land on the same farm unit, where approved by the ALC, will be considered when:</p> <ul style="list-style-type: none"> • Agriculture is the principal use on the parcel; and • The applicant demonstrates that on-site housing for farm workers is necessary for 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. <p>Temporary farm working housing, such as bunkhouse accommodation on non-permanent foundations, is the preferred solution where farm worker housing is justified.</p> <p><i>Agriculture is the principal use of the parcel and the applicant has demonstrated the need for seasonal agricultural workers.</i></p>
Policy 8.1.10. Homeplating	<p>Locate buildings and structures, including farm help housing and farm retail sales area and structures, on agricultural parcels in close proximity to one another and where appropriate, near the existing road frontage.</p> <p><i>The farm worker dwelling units are close to the principal dwelling and have created a farm plate near the road frontage.</i></p>

7.0 Application Chronology

Application Accepted: February 6th, 2023
 Neighbour Notification Received: May 29th, 2023

Report prepared by: Tyler Caswell, Planner II
Reviewed by: Dean Strachan, Community Planning & Development Manager
Reviewed by: Terry Barton, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Attachment A: Draft Development Permit FH23-0001
 Schedule A: Site Plan & Floor Plans
 Schedule B: Landscape Plan

For additional information, please visit our Current Developments online at www.kelowna.ca/currentdevelopments.