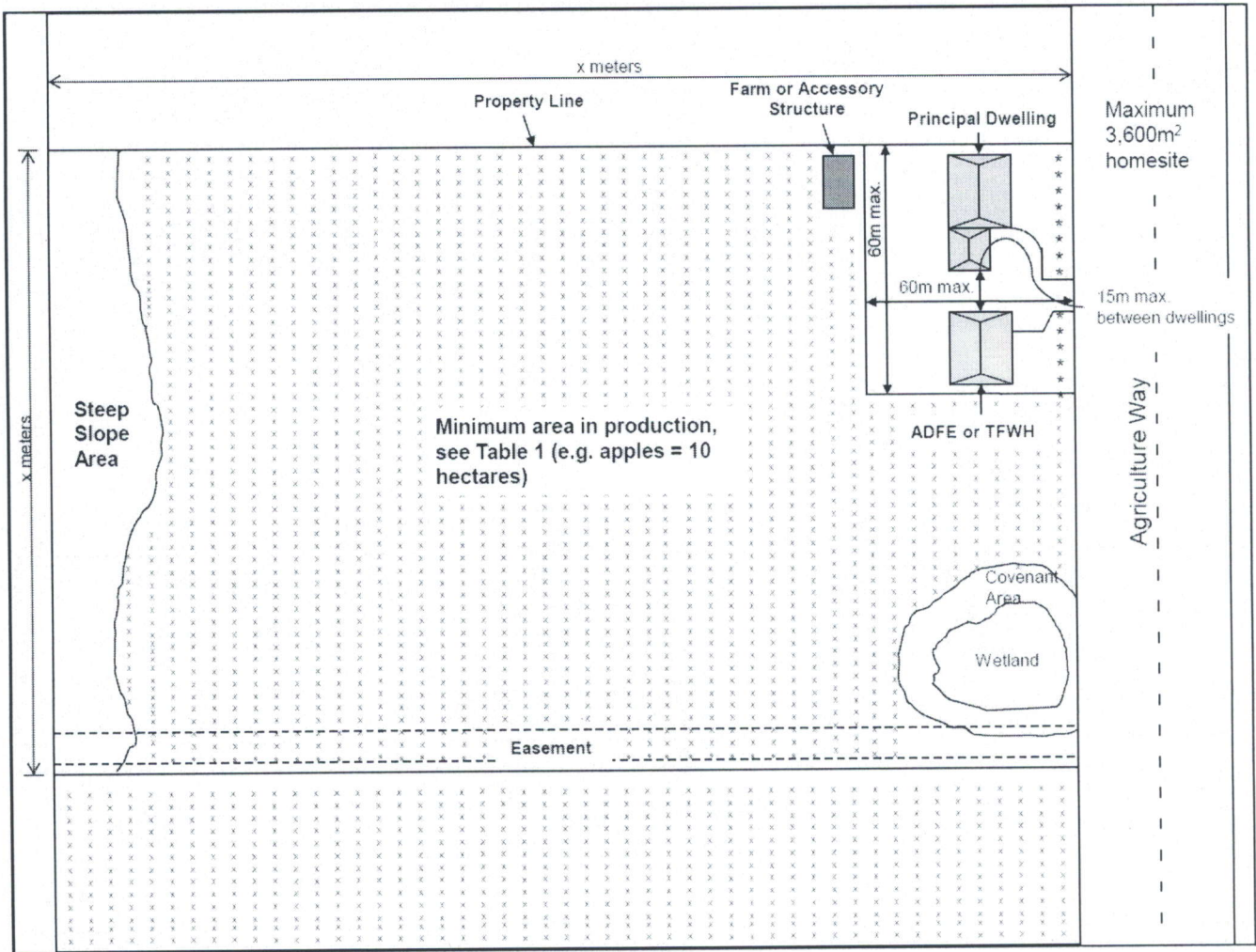


Appendix 3: Sample Site Plan (Required for Both ADFE and TFWH Requests)



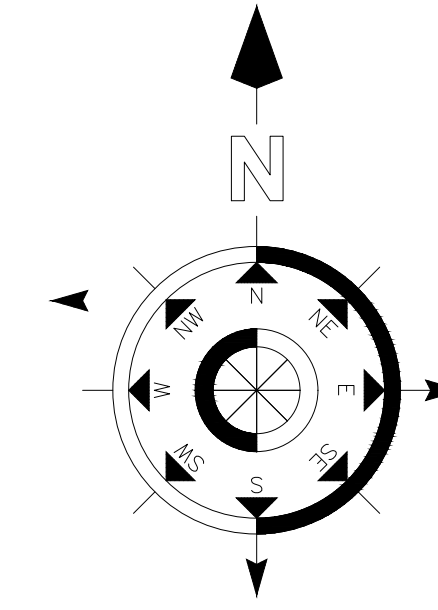
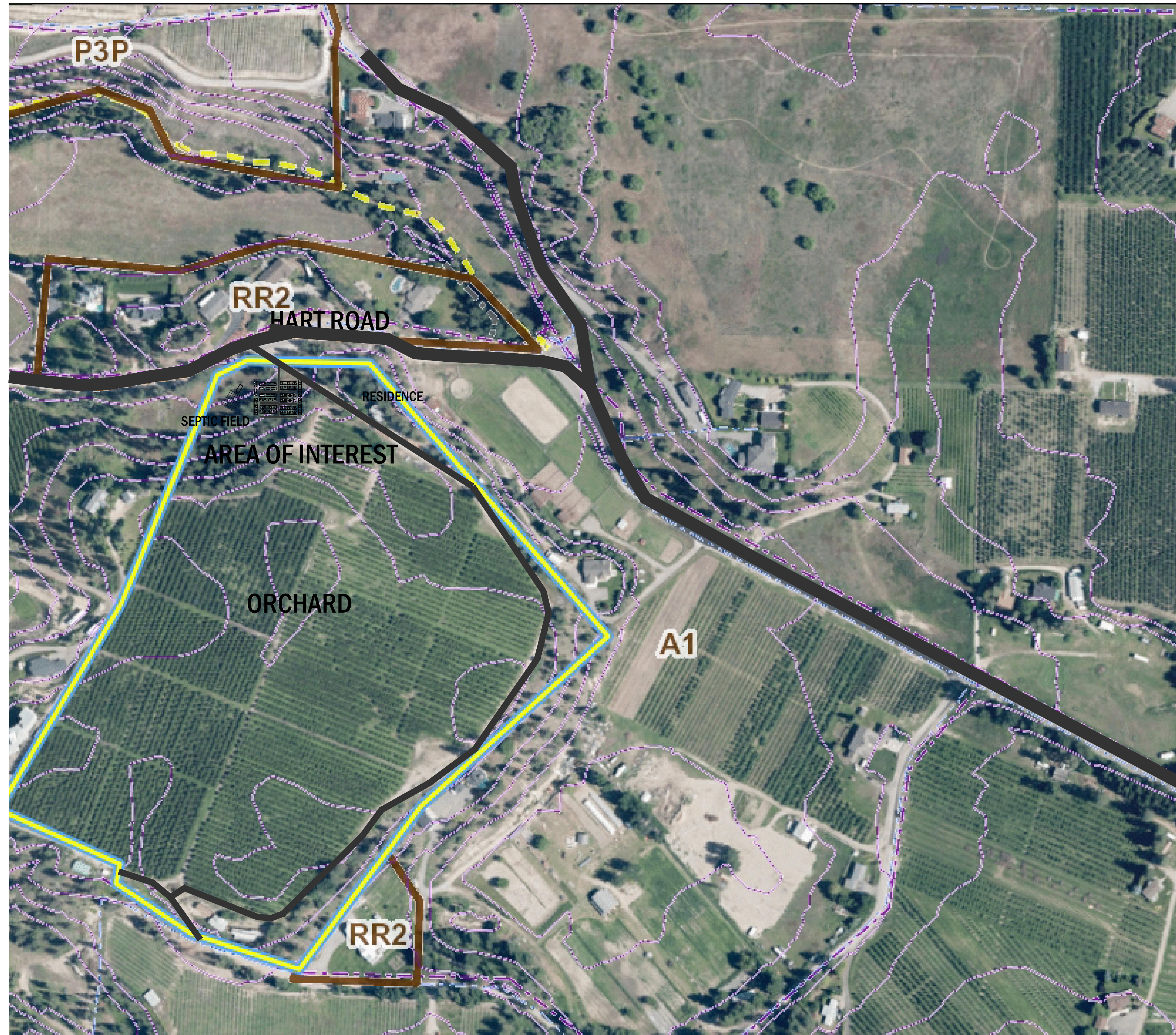
SCHEDULE A

This forms part of application
 # FH22-0005

Planner Initials **GA**

City of **Kelowna**
 DEVELOPMENT PLANNING





MUNICIPAL ADDRESS
 3845 HART ROAD
 KELOWNA, B.C.
 V1W-4B2

LEGAL ADDRESS
 LOT 3 BLOCK
 PLAN KAP 90274
 KID 728799
 PID 028-135-351

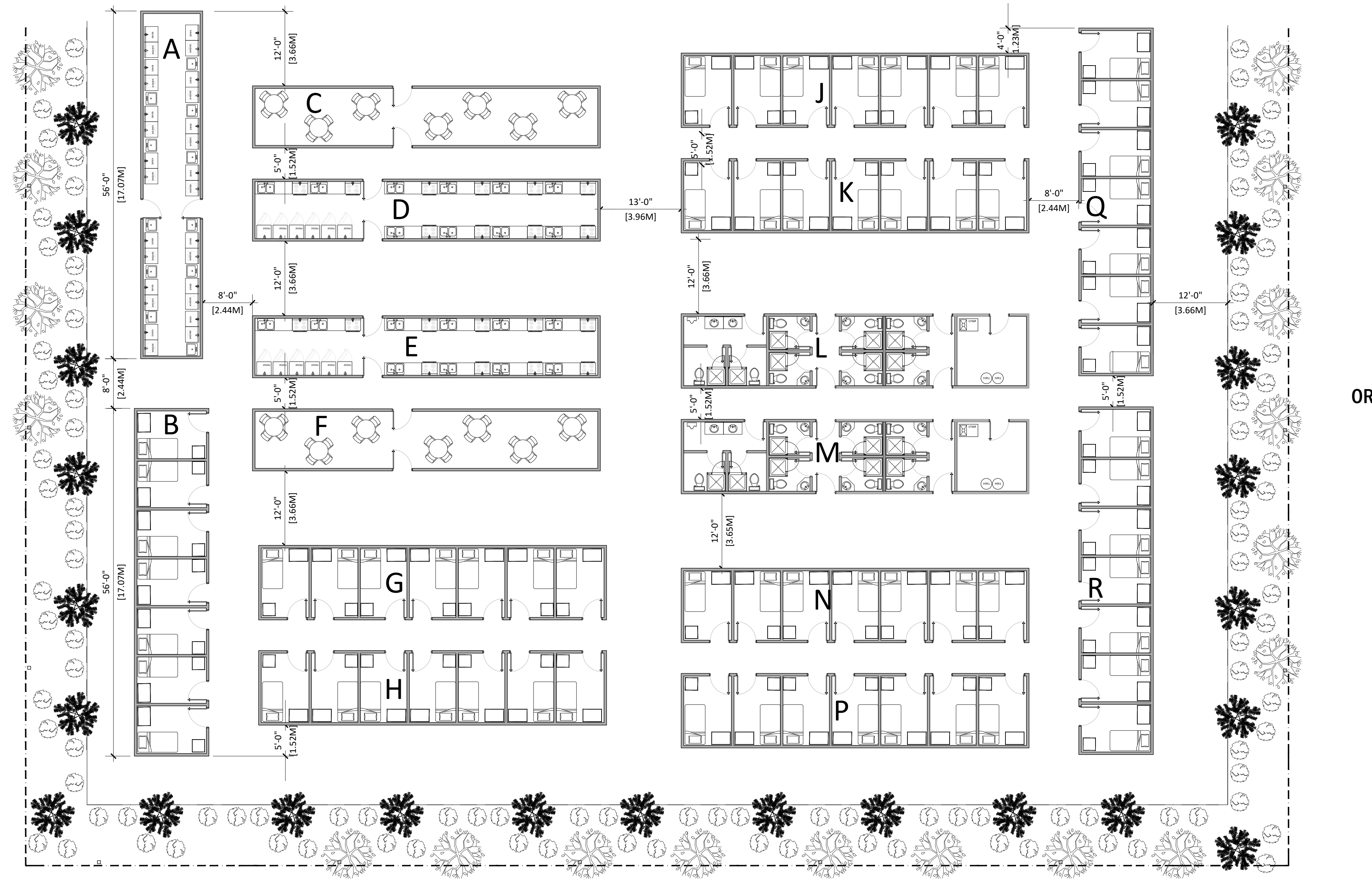
28.91 Acres / 11.70 Ha.

3845 HART ROAD

No.	Type	Per Unit	Per Unit	Total Amount
4	12' SLEEPING UNIT	672 sq. ft.	62.4 m2	2,688 sq. ft. 249.7 m2
3	10' SLEEPING UNIT	560 sq. ft.	52.0 m2	1,680 sq. ft. 156.0 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
1	10' LAUNDRY UNIT	560 sq. ft.	52.0 m2	560 sq. ft. 52.0 m2
				8,736 sq. ft. 811.6 m2

DATE				NO.				BY				REVISION			
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<p align="center"> HOLDEN'S DRAUGHTING & DESIGN <small>832 SAUCIER AVENUE KELOWNA, B.C. V1Y-6A3</small> <small>Phone: 250.868.0962 Fax: 250.868.0962 Email: h.holden@shaw.ca</small> </p>															
<p align="center">PROJECT</p> <p align="center"> HART ROAD ORCHARD 3845 HART ROAD KELOWNA, B.C. V1W-4B2 </p>															
<p align="center">SHEET TITLE</p> <p align="center">SITE PLAN & NOTATION</p>															
DRAWN		RAH		SHEET NO.		A 1		CHECKED		R.G.		SCALE		DATE	
												Oct. 25, 21		Rev. 0	

3845 HART ROAD



ORCHARD

ORC

TRAILER DESIGNATION

- A 3.66 m x 17.0 m 12'-0" x 56'-0" LAUNDRY
- 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" RECREATIONAL
- D 3.0 m x 17.0 m 10'-0" x 56'-0" KITCHEN
- E 3.66 m x 17.0 m 12'-0" x 56'-0" KITCHEN
- F 3.66 m x 17.0 m 12'-0" x 56'-0" RECREATIONAL
- G 3.0 m x 17.0 m 10'-0" x 56'-0" SLEEPER
- H 3.66 m x 17.0 m 12'-0" x 56'-0" SLEEPER
- 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" WASHROOM
- M 3.0 m x 17.0 m 10'-0" x 56'-0" WASHROOM
- 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" SLEEPER
- R 3.0 m x 17.0 m 10'-0" x 56'-0" SLEEPER

DATE	NO.	BY	REVISION

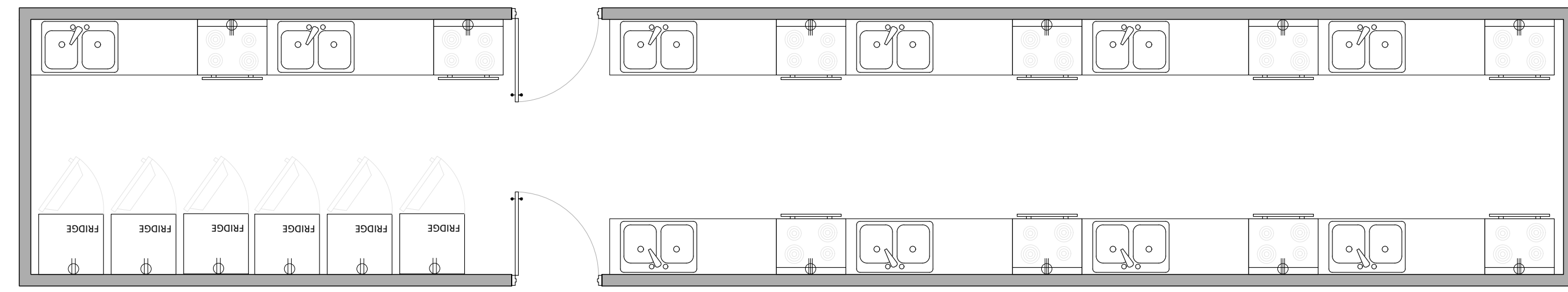
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Phone: 250.868.0962
Fax: 250.868.0962
Email: r.holden@shaw.ca
H.D.D.

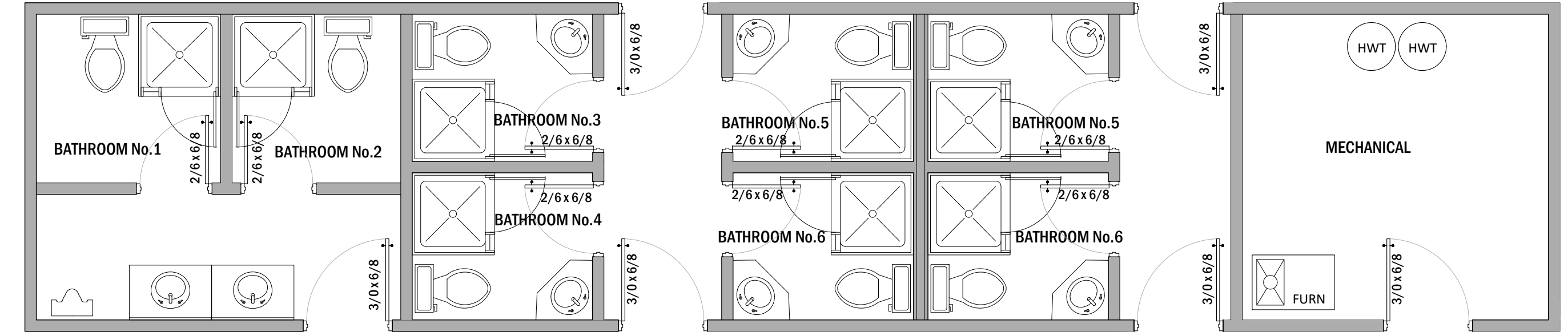
PROJECT
HART ROAD ORCHARD
3845 HART ROAD
KELOWNA, B.C. V1W-4B2

SHEET TITLE
UNIT TRAILER CONFIGURATION

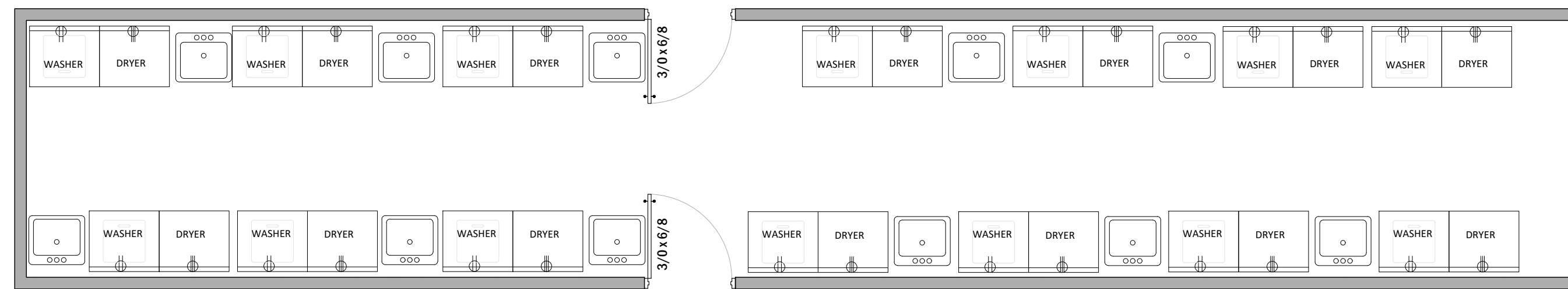
DRAWN RAH	SHEET NO. A 2
CHECKED R.G.	Rev. 0
SCALE	
DATE Oct. 25, 21	



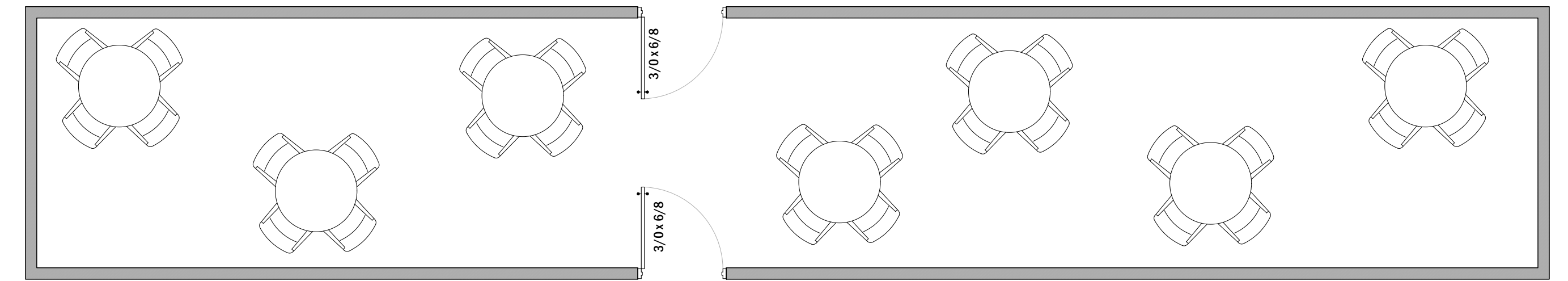
KITCHEN UNIT (2)



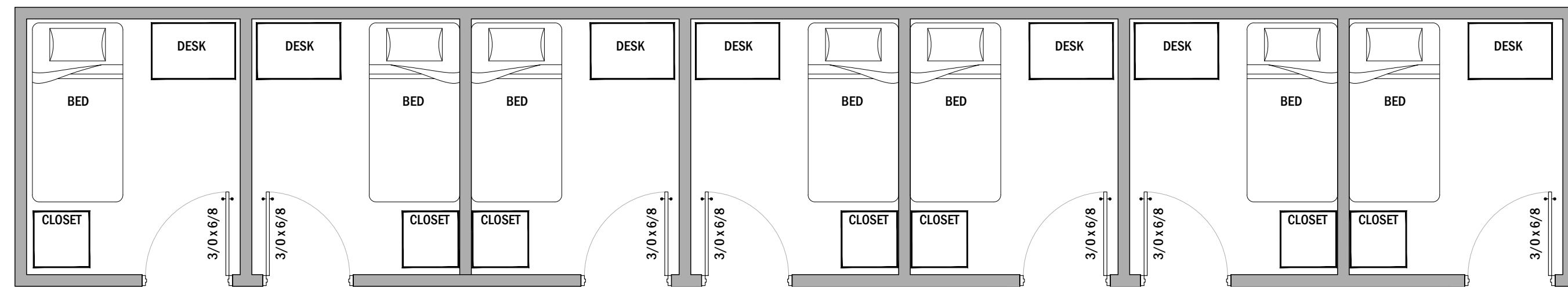
WASHROOM UNIT (2)



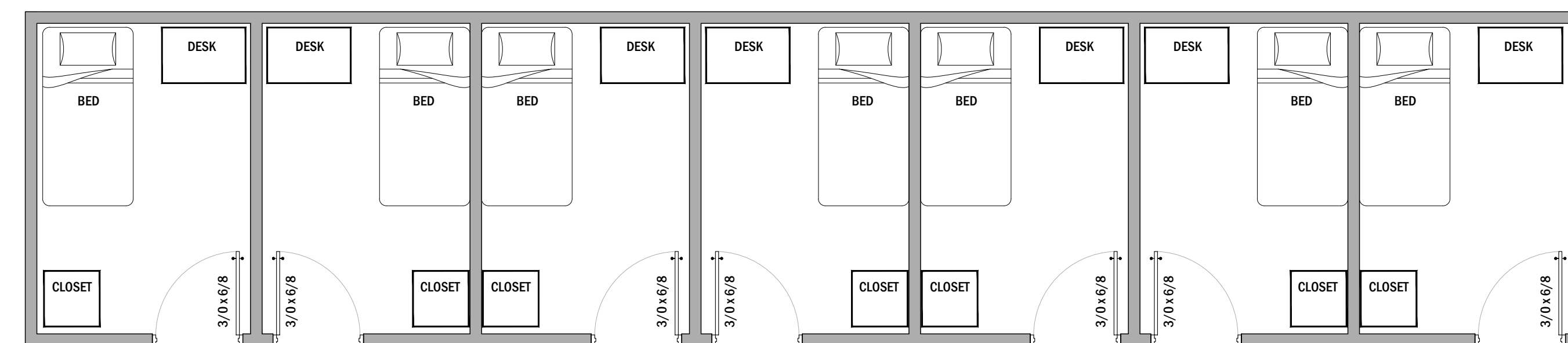
LAUNDRY UNIT (1)



RECREATIONAL UNIT (2)



SLEEPER UNIT (3)



SLEEPER UNIT (4)

DATE	NO.	BY	REVISION

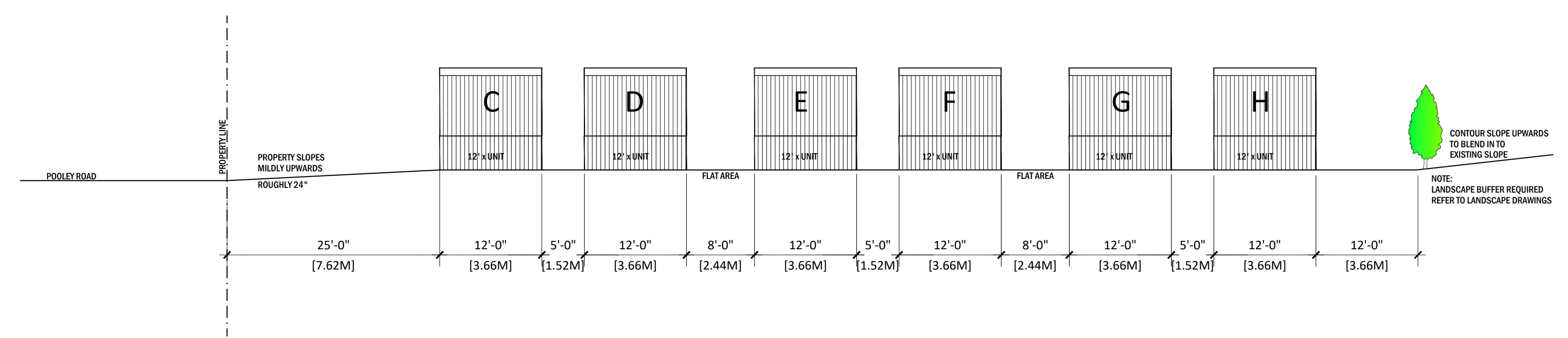
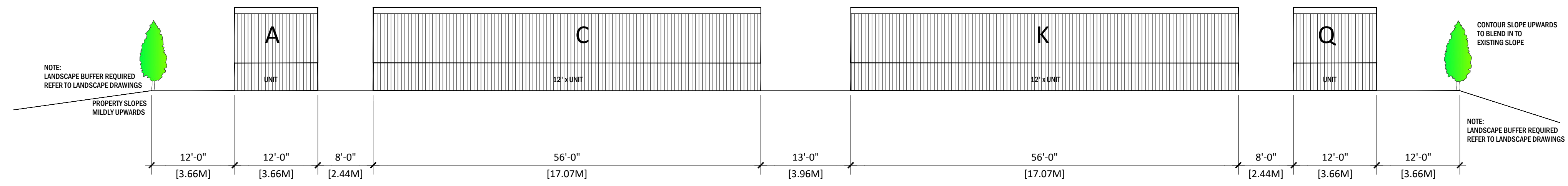
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Phone: 250.868.0962
Fax: 250.868.0962
Email: h.holden@shaw.ca

PROJECT
HART ROAD ORCHARD
3845 HART ROAD
KELOWNA, B.C. V1W-4B2

SHEET TITLE
UNIT FLOOR PLANS

DRAWN	RAH	SHEET NO.	A 3
CHECKED	R.G.	Rev. 0	
SCALE			
DATE	Oct. 25, 21		



DATE	NO.	BY	REVISION

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KELOWNA, B.C. V1Y-6A3
Phone: 250.868.0962
Fax: 250.868.0962
H.D.D. Email: r.holden@shaw.ca

PROJECT
HART ROAD ORCHARD
3845 HART ROAD
KELOWNA, B.C. V1W-4B2

SHEET TITLE
SITE ELEVATIONS

DRAWN	RAH	SHEET NO.	A 4
CHECKED	R.G.	Rev. 0	
SCALE			
DATE	Oct. 25, 21		

Provincial Agricultural Land Commission - Applicant Submission

Application ID: 63476

Application Status: Under LG Review

Applicant: Khela Orchards

Agent: Carl Withler

Local Government: City of Kelowna

Local Government Date of Receipt: 07/05/2021

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 60 TFW currently in the SAWP program

Agent Information

Agent: Carl Withler

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: 028-135-351

Legal Description: LOT 3 SECTIONS 3 AND 4 TOWNSHIP 26 OSOYOOS DIVISION YALE
DISTRICT PLAN KAP90274

Parcel Area: 13 ha

Civic Address: 3845 hart Road, Kelowna

Date of Purchase: 04/29/2019

Farm Classification: Yes

Ownership or Interest in Other Lands Within This Community

1. **Ownership Type:** Fee Simple
Parcel Identifier: 016-767-721
Owner with Parcel Interest: Khela Orchards
Parcel Area: 22 ha
Land Use Type: Agricultural/Farm
Interest Type: Full Ownership
-

Current Use of Parcels Under Application

1. **Quantify and describe in detail all agriculture that currently takes place on the parcel(s).**
Late season cherry production.
2. **Quantify and describe in detail all agricultural improvements made to the parcel(s).**
Equipment shed and farm manager trailer
3. **Quantify and describe all non-agricultural uses that currently take place on the parcel(s).**
27 acres of high value cherry production.

Adjacent Land Uses

North

Land Use Type: Transportation/Utilities
Specify Activity: Hart Road

East

Land Use Type: Agricultural/Farm
Specify Activity: cherry production

South

Land Use Type: Agricultural/Farm
Specify Activity: cherry production

West

Land Use Type: Transportation/Utilities
Specify Activity: Hart Road

Proposal

1. **What is the purpose of the proposal?**
House 60 TFW currently in the SAWP program
2. **Describe the necessity for an additional residence for farm use and how it will support agriculture in the short or long term.**
Housing is a requirement of the SAWP program and on-site housing is preferred to reduce travel time to work sites.

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

A farm managers trailer (registered on title) is on the property currently.

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.

The site is not farmable due to extremely sandy soils, steep terrain and standing yellow pine on site.

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

.2 ha per City of Kelowna farm footprint bylaw.

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

No

Applicant Attachments

- Agent Agreement-Carl Withler
- Proposal Sketch-63476
- Other correspondence or file information-lot plan
- Certificate of Title-028-135-351

ALC Attachments

None.

Decisions

None.

Appendix 6: Temporary Farm Worker Housing Criteria (TFWH)

1. TFWH should be provided as “bunkhouse” style accommodation which is very minimalist in nature.
2. New TFWH should be in an existing building, or a manufactured home. Housing should be constructed or manufactured in a manner that makes it easily movable from one location to another for residential use or offsite if the housing is no longer required.
3. Housing is to be provided on a temporary foundation (no concrete footings) and no basement permitted.
4. Housing must be located on a declared home plate. A home plate must be contained within a contiguous area no greater than 3,600 m² including those portions of existing farmhouses and their associated ancillary farm residential that are located more than 60 metres from the front, interior, rear or exterior property lines. Consideration will be given where a hardship (e.g. topography or agricultural viability) can be demonstrated.
5. Total useable floor area should be in the range of 7.44 m² minimum and 10 m² maximum. Total useable floor area does not include washrooms, laundry rooms, mechanical rooms, or storage rooms.
6. Sleeping areas must be a minimum of 8.5 m³ per person.

The following recommendations are consistent with the Federal Seasonal Agricultural Worker Program (SAWP):

1. One washbasin for every seven occupants.
2. One shower for every ten occupants.
3. One toilet facility for every ten occupants.
4. At least one laundering machine in good working order for every fifteen bunks or the equivalent.
5. One unit (2 burners) stove or hot plate for every four workers.
6. One refrigerator unit for every six workers.

CITY OF KELOWNA MEMORANDUM

Date: September 1, 2021
File No.: A21-0010
To: Land Use Planning Manager (WM)
From: Development Engineering Manager (RO)
Subject: 3845 Hart Road Lot 3 Plan KAP90274

ATTACHMENT B

This forms part of application
FH22-0005

Planner Initials **GA**

City of **Kelowna**
DEVELOPMENT PLANNING



ALC application

Development Engineering has the following comments at this point in time with regard to this application for Non-Adhering Residential Use – New Residence for Farm Use for 60 TFW

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 three 19mm domestic service and two 50mm non-portable irrigation services.
- b) On-site servicing including the utilisation of existing or proposed services as well as fire protection will be reviewed by Building & Permitting.
- c) A Work Order Agreement is required with the property owner and the City to facilitate any service connection upgrades.
- d) Payment is to be made prior to issuance of a building permit.
- e) 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.

Ryan O'Sullivan
Development Engineering Manager
JF

TEMPORARY FARM WORKER HOUSING PERMIT



APPROVED ISSUANCE OF TEMPORARY FARM WORKER HOUSING PERMIT NO. FH21-0004

Issued To: Khela Orchards
Site Address: 3845 Hart Road
Legal Description: Lot 3 Sections 3 And 4 Township 26 ODYD Plan KAP90274

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. FH22-0005 Lot 3 Sections 3 And 4 Township 26 ODYD Plan KAP90274 located at 3845 Hart 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 March 21st, 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



September 3, 2021

File No: 0280-30

Local Government File No: A21-0010

City of Kelowna

1435 Water Street

Kelowna, BC V1Y 1J4

Via E-mail: planninginfo@kelowna.ca



Dear City of Kelowna planning staff:

Re: Non-Adhering Residential Use, 3845 Hart Road, Parcel Identifier: 028-135-351

Thank you for providing the Ministry of Agriculture, Food and Fisheries staff the opportunity to comment on the proposed non-adhering residential use application. From an agricultural perspective, we offer the following comments on the materials provided:

- The applicant wishes to house up to 60 temporary foreign workers (TFW) in the seasonal agricultural worker program (SAWP) on-site to support cherry production.
- The proposed site for the housing is not under production.
- Suitable housing is a requirement of the SAWP program. We note that the application states the housing will have a total floor area of 200 m². This is well below the 10 m² maximum useable floor area per worker recommended by the Minister's Bylaw Standard for Temporary Farm Worker Housing found in the Guide for Bylaw Development in Farming Areas; however, it may not be large enough to meet the guidelines set out by the Western Agriculture Labour Initiative (<https://walicanada.ca/wp-content/uploads/2020/11/TFW-Housing-inspection-guide-V20-3-October-2020.pdf>). We recommend that the applicant review this to ensure that the housing will be adequate for the number of workers proposed to be housed, as the housing will need to pass an inspection.
- The application does not specify the type of housing proposed; however, if it will be in trailers that could be removed when no longer required, then based on the information provided the proposal appears reasonable based upon the crop, scale, and location of the operation.

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

Sincerely,



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



Chris Zabek, P.Ag.
Regional Agrologist
Ministry of Agriculture, Food and Fisheries
Chris.Zabek@gov.bc.ca
(250) 861-7680

Cc: Sara Huber, Regional Planner, ALC