



Provincial Agricultural Land Commission - Applicant Submission

Application ID: 102070
Application Type: Non-Adhering Residential Use within the ALR
Status: Submitted to L/FNG
Name: Mayers
Local/First Nation Government: City of Kelowna

1. Parcel(s) Under Application

Parcel #1

Parcel Type Fee Simple
Legal Description LOT 2 DISTRICT LOT 359 OSOYOOS DIVISION YALE DISTRICT PLAN 17157 EXCEPT PLAN 39252
Approx. Map Area 6.03 ha
PID 008-441-961
Purchase Date Jul 26, 2001
Farm Classification Yes
Civic Address 2360 Saucier Rd.
Certificate Of Title 20240819 State of Title Certificate_Title - TFW Housing (Foxglove).pdf

Land Owner(s)	Organization	Phone	Email	Corporate Summary
Lynda Mayers	Not Applicable			Not Applicable

ATTACHMENT A

This forms part of application
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2. Other Owned Parcels

Do any of the land owners added previously own or lease other parcels that might inform this application process? No

3. Primary Contact

Type Third-Party Agent
First Name Derrick
Last Name Sobotka
Organization (If Applicable) United Irrigation & Landscaping Inc.
Phone 2503003127
Email derrick@unitedlandscapes.ca

4. Government

Local or First Nation Government: City of Kelowna

5. Land Use

Land Use of Parcel(s) under Application

Describe all agriculture that currently takes place on the parcel(s).

Our current land use involves operating a seasonal commercial nursery business, Foxglove Wholesale Nursery. The nursery is focused on the cultivation, care, and sale of a wide variety of plants and trees. The operations are in line with agricultural use, including the propagation of ornamental plants, shrubs, and trees, as well as other related activities that support nursery production. This business is active seasonally, adhering to agricultural best practices and contributing to the local agricultural economy.

Describe all agricultural improvements made to the parcel(s).

Several agricultural improvements have been made to the parcel. A previously installed irrigation system has been maintained to facilitate the efficient watering of various plant and tree products throughout the property. We have also installed and maintained multiple greenhouse structures to enhance the growing and maintenance conditions for our

nursery stock. Additionally, fencing was installed along the front and around various perimeters of the property prior to our purchase of the business and assumption of the rights to the property.

Describe all other uses that currently take place on the parcel(s).

206 m2 workshop at entrance of the site
60 m2 retail office at entrance of the site
141 m2 small home at the south edge

Land Use of Adjacent Parcels

	Main Land Use Type	Specific Activity
North	Residential	Residential House
East	Agricultural / Farm	Horse Boarding Organization / Private Residence
South	Other	Forested Land
West	Residential	Residential House

6. Proposal

Selected Subtype: Non-Adhering Tourism Accommodation

What is the purpose of the proposal? The purpose of our proposal for a non-adhering residential use permit is to enhance and refine our Temporary Foreign Worker (TFW) program by creating a centralized, comfortable, safe, and well-equipped residential space for our workers. Our goal is to ensure that the temporary foreign workers we employ have a secure and healthy environment during their stay with us, which will significantly improve their overall experience and well-being.

We are applying for this permit to establish dedicated on-site housing that aligns with both our operational needs and the specific requirements of our workers. The proposed housing will consolidate our current accommodations into a single, centralized location, which is essential for ensuring the workers have easy access to amenities, support, and transportation.

This proposal will achieve several important objectives:

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1. **Improved Living Conditions for Workers:** The creation of a centralized housing facility will provide our temporary foreign workers with a comfortable living space that includes adequate sleeping quarters, kitchen facilities, laundry services, and common areas for social interaction and relaxation. A single, purpose-built residential area will be safer, easier to maintain, and more conducive to fostering a sense of community and well-being among our workers.
2. **Enhanced Safety and Welfare:** By housing our workers on-site, we can better ensure their safety and well-being. The proposed accommodation will be built to meet or exceed all health and safety standards, including fire safety, sanitation, and emergency preparedness. Proximity to their place of work will minimize travel risks and ensure that our workers have quick access to medical care and other necessary services if needed.
3. **Operational Efficiency:** Centralized housing will also improve our operational efficiency. It allows us to better manage shift rotations, respond quickly to any operational needs, and ensure workers are rested and ready for their tasks. This helps maintain the productivity levels required for our seasonal commercial nursery operations.
4. **Support for Agricultural Operations:** The establishment of a centralized residential area for our TFW program will support our ongoing agricultural activities by ensuring a stable and reliable workforce. Given the seasonal nature of our nursery business, having a dependable and readily available workforce is critical to meeting production demands and maintaining the quality of our products. The proposal will also allow us to attract and retain skilled workers by providing them with a desirable living environment, directly benefiting our agricultural productivity.
5. **Contributions to the Local Agricultural Economy:** The improved residential facilities will enable us to continue to offer employment to temporary foreign workers who play a vital role in supporting our operations. This, in turn, helps sustain the local agricultural economy by ensuring that labor needs are met in a timely and efficient manner. By providing appropriate housing, we also contribute to the well-being of the broader agricultural workforce, promoting a sustainable and socially responsible approach to agricultural labor management.

In summary, our proposal for a non-adhering residential use permit aims to



enhance the quality of life for our temporary foreign workers by providing them with safe, comfortable, and well-equipped accommodation. This will not only benefit our workers but also contribute to the efficiency and sustainability of our agricultural operations, ensuring that we continue to play a positive role in the local agricultural community.

What is the total floor area (m²) of the proposed accommodation? 343.37

How many "sleeping units" in total are proposed? 15

Describe how the proposal for tourism accommodation will support agriculture in the short or long term.

We are applying for a non-adhering residential use permit to establish an additional residence that supports our Temporary Foreign Worker (TFW) program. The proposed residence will provide centralized, comfortable, safe, and well-equipped housing for our workers, enhancing their living conditions and overall experience while in our care. This improvement is essential to ensure their well-being, productivity, and retention, which are vital for our farm's success.

The additional residence is necessary to house workers on-site, allowing for better management of daily tasks, improved response to operational needs, and minimized travel-related risks. Centralized housing will ensure our workers are readily available, rested, and prepared to meet the high demands of our seasonal commercial nursery business, particularly during peak seasons when labor needs are at their highest. This proposal will enhance worker welfare, safety, and efficiency, directly supporting our agricultural activities.

In the short term, the new residence will enable us to accommodate more workers, increasing our labor capacity and ensuring we have the workforce needed to maintain productivity levels, meet market demands, and sustain our operations. In the long term, it will help us retain skilled workers, build a stable workforce, and provide a foundation for sustainable growth and expansion of our operations. The proposed housing will contribute to a more consistent, reliable labor force, essential for maintaining production standards and meeting the challenges of an ever-evolving agricultural market.

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Our farm, Foxglove Wholesale Nurseries, operates on several acres with intensive, year-round activities, including planting, watering, pruning, pest control, and general maintenance of various plant and tree products. The scale of our operations requires a significant amount of manual labor, especially during peak growing seasons. We rely heavily on our TFW program to provide the necessary workforce to handle the high intensity of our operations, which involves both indoor and outdoor tasks across multiple greenhouses and planting areas. The additional residence will enable us to efficiently manage our labor force and maintain the quality and scale of our operations, ensuring continued productivity and economic contributions to the local agricultural sector.

By providing safe, adequate, and centralized housing, we will foster a healthier, more stable workforce, directly benefiting our agricultural productivity and sustainability in both the short and long term. This residence will also demonstrate our commitment to worker welfare, which is crucial for maintaining our reputation and attracting dedicated workers to our organization.

Describe the rationale for the proposed location of the tourism accommodation.

We are applying for a non-adhering residential use permit to establish a centralized, safe, and comfortable residence for our Temporary Foreign Worker (TFW) program. The proposed location for this residence is strategically chosen to enhance both worker well-being and operational efficiency. The new residence will be situated on-site, close to the main working areas of our farm operation, ensuring convenient access for our workers and streamlining daily activities.

Rationale for the Proposed Location:

The chosen location allows for the effective management of our seasonal nursery operations by minimizing travel time and transportation costs for workers. With housing located on-site, workers will have immediate access to the fields, greenhouses, and other essential work areas. This proximity is crucial for meeting the high demands of our operations, particularly during peak growing seasons, when rapid response times and flexibility are required to maintain plant health and productivity. The location also allows for better supervision and support, ensuring that workers are readily available for tasks and can quickly address any unexpected issues or emergencies.

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Furthermore, placing the residence on-site allows us to create a cohesive living and working environment that fosters a sense of community among our workers. This contributes to a positive work culture and promotes overall job satisfaction and retention. By providing comfortable, safe, and centralized accommodations, we aim to attract and retain skilled workers, which is essential for maintaining a reliable and experienced workforce that meets our farm's needs.

Description of Farm Operation:

Scale, Intensity, and Labour Capacity

Foxglove Wholesale Nurseries operates on several acres, with high-intensity, year-round agricultural activities. Our operations focus on cultivating a diverse range of plants, including ornamental shrubs, trees, perennials, and seasonal flowers, which require specialized care throughout the year. The nursery involves multiple greenhouses, outdoor planting areas, and irrigation systems that demand constant attention and labor.

The scale and intensity of our operations necessitate a dedicated workforce capable of handling tasks such as planting, watering, pruning, pest management, and harvesting. We rely heavily on our TFW program to provide the labor required to maintain our operations, particularly during peak seasons when labor demands are highest. The proposed additional residence will allow us to accommodate a larger workforce, thereby increasing our labor capacity to sustain and expand our agricultural production.

The proposed location for the additional residence is integral to refining our TFW program and supporting the scale, intensity, and labor capacity of our farm operation. By situating the residence on-site, we ensure that our workers have immediate access to their workplace, enhancing both operational efficiency and worker well-being. This strategic placement will contribute to the continued success and sustainability of our agricultural activities, ensuring we can meet current and future demands while maintaining high standards of productivity and quality.

Describe any agri-tourism that is currently taking place on the property.

No Agri-Tourism activities will occur on this site.

Describe the total floor area (m²), type, number, and occupancy of all


permanent mobile home residential unit 150 m².

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residential structures currently located on the property.

Proposal Map / Site Plan 20240904 Detailed Site Plans - TFW Housing (Foxglove).pdf

Do you need to import any fill to construct or conduct the proposed non-adhering residential use? No

7. Optional Documents

Type	Description	File Name
Photo of the Application Site	Site Photo	FW 7.jpg
Photo of the Application Site	Site Photo	FW 6.jpg
Photo of the Application Site	Site Photo	FW 5.jpg
Photo of the Application Site	Site Photo	FW 4.jpg
Photo of the Application Site	Site Photo	FW3.jpg
Photo of the Application Site	Site Photo	FW2.jpg
Photo of the Application Site	Site Photo	FW1.jpg
Other files that are related	Manufacturer Specifications 2	20240819 Manufacturer Spec Sheet - TFW Housing (Foxglove) 2.pdf
Other files that are related	Manufacturer Specifications 1	20240819 Manufacturer Spec Sheet - TFW Housing (Foxglove).pdf

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ATTACHMENT B

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October 18, 2024

Lisa Schell
Legal & Administrative Coordinator
City of Kelowna

Sent by email to planninginfo@kelowna.ca

Re: ALC File #102070; Local Government File #A24-0013 – Non-Adhering Residential Use within the ALR at 2360 Saucier Road (PID: 008-441-961) – The Subject Property

Dear Lisa Schell,

Thank you for providing the opportunity for Ministry of Agriculture and Food (Ministry) staff to comment on File #A24-0013, that proposes new housing for farm workers on the Subject Property in the form of a 6-unit side-by-side, 343.37 m², modular building. From a land use planning perspective, Ministry staff offer the following comments:

- Ministry staff are aware that the 6.03 ha Subject Property is located in the Agricultural Land Reserve and is an active nursery operated year-round with greenhouse and container production of a wide variety of plants and trees.
- The proposed housing unit is a prefabricated camp-style modular home that will be placed on the Subject Property without a permanent foundation. Housing located on skids, as opposed to permanent foundation such as asphalt, is recommended in the Temporary Farm Worker Housing Minister's Bylaw Standard in the Ministry's [Guide for Bylaw Development in Farming Areas](#), given that it reduces the impact to the land base.
- The application states the new housing unit "will consolidate current accommodation into a single, centralized location" but does not state what accommodations are currently being used, whether they are located on the Subject Property, and what will happen to any current housing if this application is approved. There is mention of a 141 m² mobile home on the

Subject Property, but it is not clear if that home is being used for farm worker housing.

- Ministry staff find it positive that the proposed housing would be sited at the southeast corner of the Subject Property where it does not appear it will displace any current agricultural production. Ministry staff suggest the applicant includes vegetative screening to the east and south of the proposed housing unit to provide a buffer between it and the neighbouring properties.
- The proposed housing unit includes beds for 29 workers. Ministry staff find it challenging to accurately comment on the suitability of the housing unit's size without further information on the operation's employment specifics, such as number of workers currently employed, length of stay required, how many workers are currently housed on the Subject Property, etc. However, the proposed number of beds is equivalent to approximately 2 workers per acre and does not appear unreasonable or disproportionate for the nursery sector and its activities.
- Overall, Ministry staff support the proposed temporary farm worker housing on the Subject Property and anticipate it would benefit the existing agricultural operation.

Please contact Ministry staff if you have any questions regarding the above comments.

Sincerely,



Chelsey Andrews, MCP
Land Use Planner
Strengthening Farming Program
Ministry of Agriculture and Food

chelsey.andrews@gov.bc.ca
Phone: 1 250-850-1854

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CC: Agricultural Land Commission – ALC.Referrals@gov.bc.ca

TEMPORARY FARM WORKER HOUSING PERMIT



APPROVED ISSUANCE OF TEMPORARY FARM WORKER HOUSING PERMIT NO. FH24-0002

Issued To: Catspaw Management Co. Ltd. Inc.No. 155100
Site Address: 2360 Saucier Rd
Legal Description: Lot 2 District Lot 359 ODYD Plan 17157 Except Plan 39252
Zoning Classification: A1 – Agriculture
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

AND THAT Council authorizes the issuance of Temporary Farm Worker Housing Permit No. FH24-0002 for Lot 2 District Lot 359 ODYD Plan 17157 Except Plan 39252, located at 2360 Saucier Rd, Kelowna, BC subject to the following:

1. Approval by the Agricultural Land Commission of Non-Adhering Residential Use Permit Application A24-0013;
2. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
3. 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";
4. The applicant is 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;
5. Registration of a Section 219 Restrictive Covenant on the Title that states:
 - a. The dwellings will be used for temporary farm workers only;

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- 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 0.3 ha.

AND FURTHER THAT this 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 **\$17,231.25**

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 Applicant 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.



5. APPROVALS

Issued and approved by Council on January 13th, 2025

Nola Kilmartin, 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**

ATTACHMENT C

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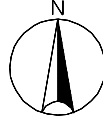


FOXGLOVE NURSERIES

2360 Saucier Avenue
Kelowna, BC



client:		
scale:	1"=25'	revision: REV003
date:	September 4, 2024	checked by: UNITED
drawn by:	S.WEMPE	drawing #: TFW-HOUSING



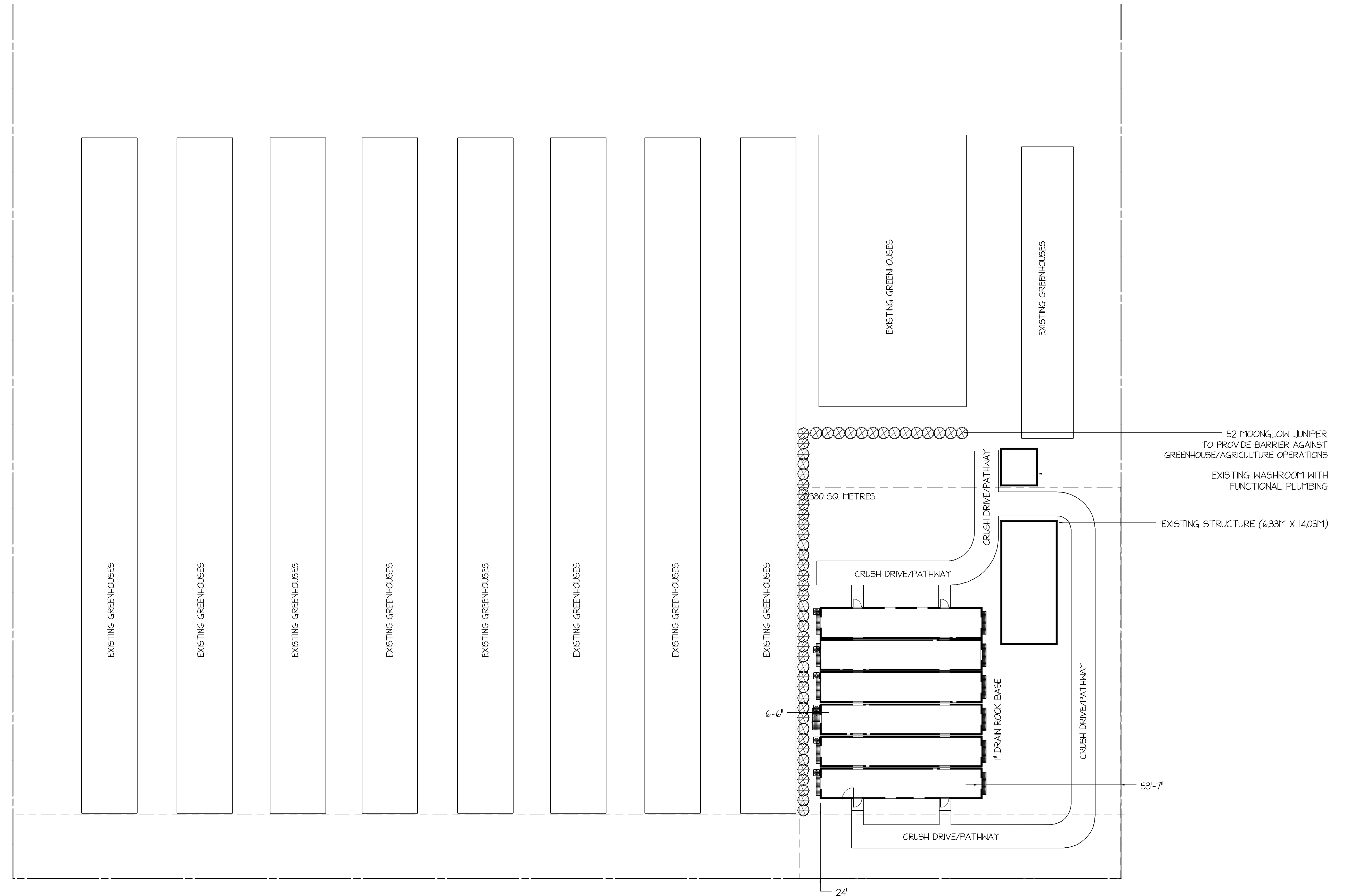
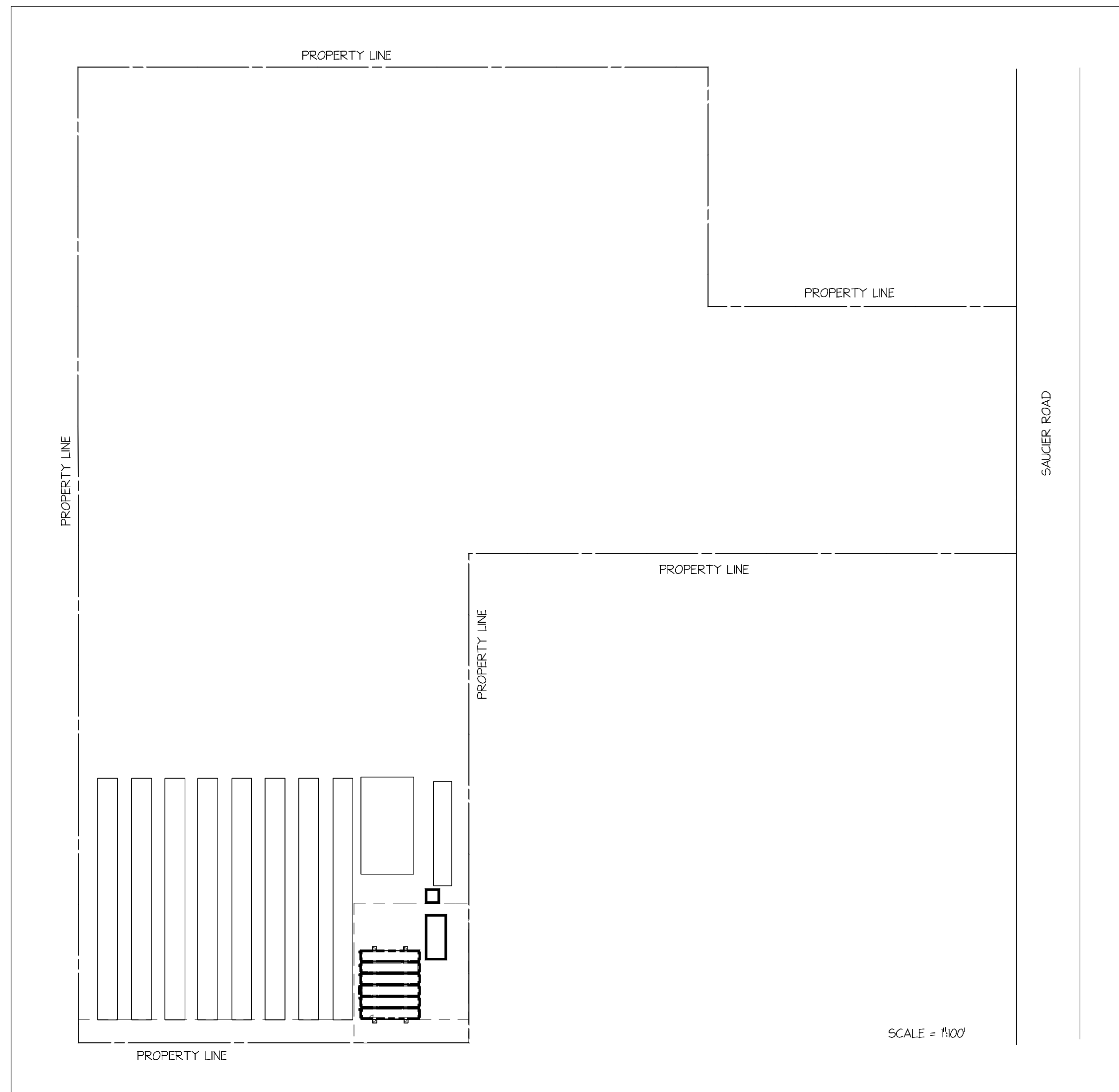
LANDSCAPE NOTES:

ALL MEASUREMENTS TO BE CONFIRMED AND SCALE NOT GUARANTEED ACCURATE.
 SURFACE UNDER ALTA FAB 6 UNIT CAMP TO BE LEVELED AND COMPACTED CRUSH ROCK.
 PLUMBING FOR ALTA FAB 6 UNIT CAMP TO BE PROVIDED BY EXISTING FUNCTIONAL PLUMBING.
 PLANTINGS TO BE INSTALLED TO PROVIDE NOISE BARRIER AND PRIVACY AT PROPERTY LINES.
 UNDERGROUND TIME CONTROLLED IRRIGATION TO BE INSTALLED INCLUDING DRIP LINES FOR ALL PLANTINGS.
 PLANTINGS TO BE INSTALLED AT SPACING RECOMMENDED FOR MATURE SIZE.
 ALL LANDSCAPING TO FOLLOW BCLNA GUIDELINES.

Qty	Botanical Name	Common Name	Size/Condition	Spacing
Trees				
52	Juniperus scopulorum 'Moonglow'	MOONGLOW JUNIPER	5 Gal	4-6 Feet

SCHEDULE A
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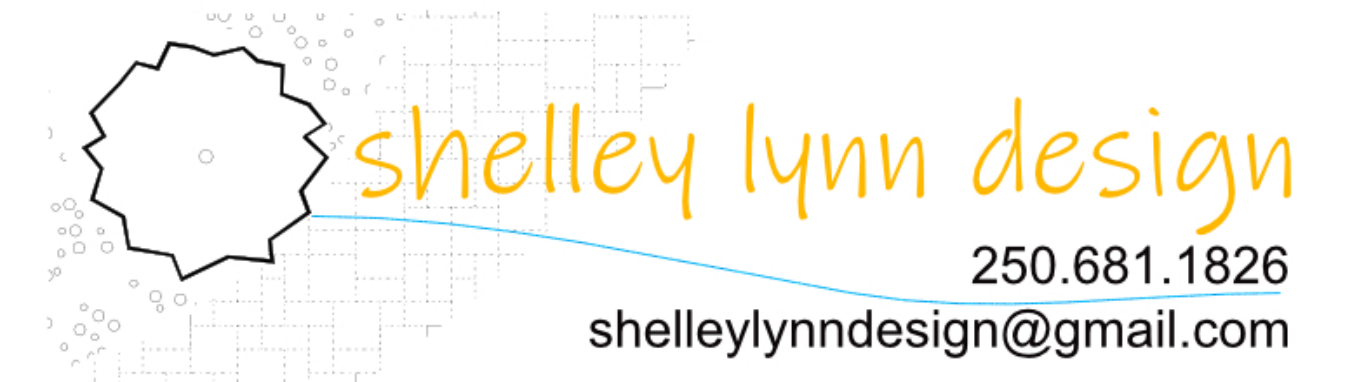
SCHEDULE B
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FOXGLOVE NURSERIES

2360 Saucier Avenue
Kelowna, BC

client:		
scale	date	revision
2.54cm:1.219m	November 27, 2024	REV004
drawn by	checked by	drawing #
S.WEMPE	D.SOBOTKA	TFW-BUILD



LOT 2 DISTRICT
LOT 359 OSOYOOS DIVISION YALE DISTRICT
PLAN I7157 EXCEPT PLAN 39252

SCALE IS DEFINED AS APPROPRIATE FOR PLAN AS PRESENTED

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