

COMMITTEE REPORT



Date: April 10, 2025
To: Agricultural Advisory Committee
From: Development Planning Department
Address: 3677 Spiers Rd
File No.: A24-0004 / FH25-0001
Zone: A1 – Agriculture

1.0 Purpose

To consider an application to the Agricultural Land Commission (ALC) for a non-adhering residential use permit to allow for temporary farm help housing to accommodate four (4) seasonal farm workers.

2.0 Development Planning

The subject property is 5.39 ha (13.31 acres) in size and is located on Spiers Rd. The applicant is seeking permission for four (4) seasonal farm workers to help during the harvest season. The owners currently have four workers in Oliver and are seeking permission for the workers to also be housed in Kelowna. The seasonal workers are hired through the federal Seasonal Agriculture Worker Program (SAWP) and are typically employed from March to November.

The applicant proposes legalizing an existing 52.8 m² additional residence, which would house the seasonal farm workers. This residence would be in addition to the 433 m² principal dwelling, and a third existing 87.1 m² residence which is currently rented out. All three of the buildings are clustered together, creating a Homeplate, which limits the impact on the active agriculture.

If the proposal is approved by Council and the Agricultural Land Commission, a covenant is required to be registered on title indicating that the unit can only be used for farm workers for a maximum of 10 (ten) months and the unit will be removed if the workers are no longer required. A vegetative buffer is required to be planted to separate the active agriculture from the workers' accommodation.

3.0 Subject Property & Background

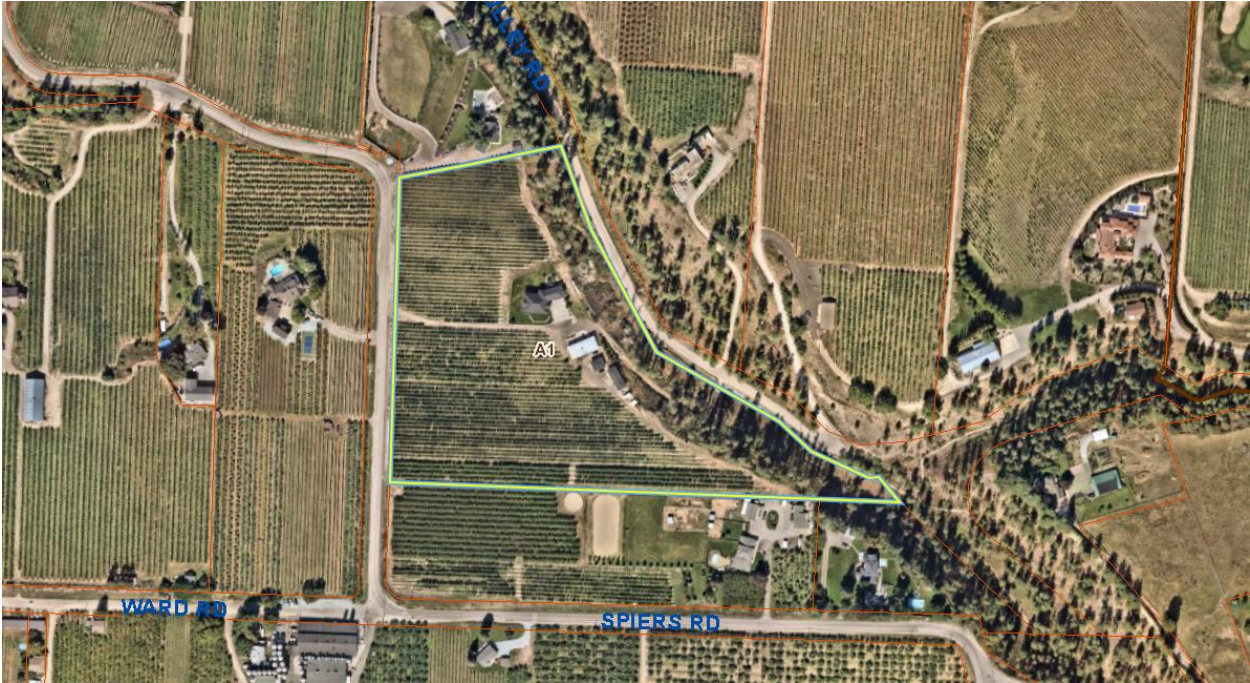
3.1 Site Context

The subject property is located on Spiers Rd, near the intersection with Ward Rd. The property also borders Gulley Rd but does not have direct vehicular access. The surrounding area is primarily agriculture.

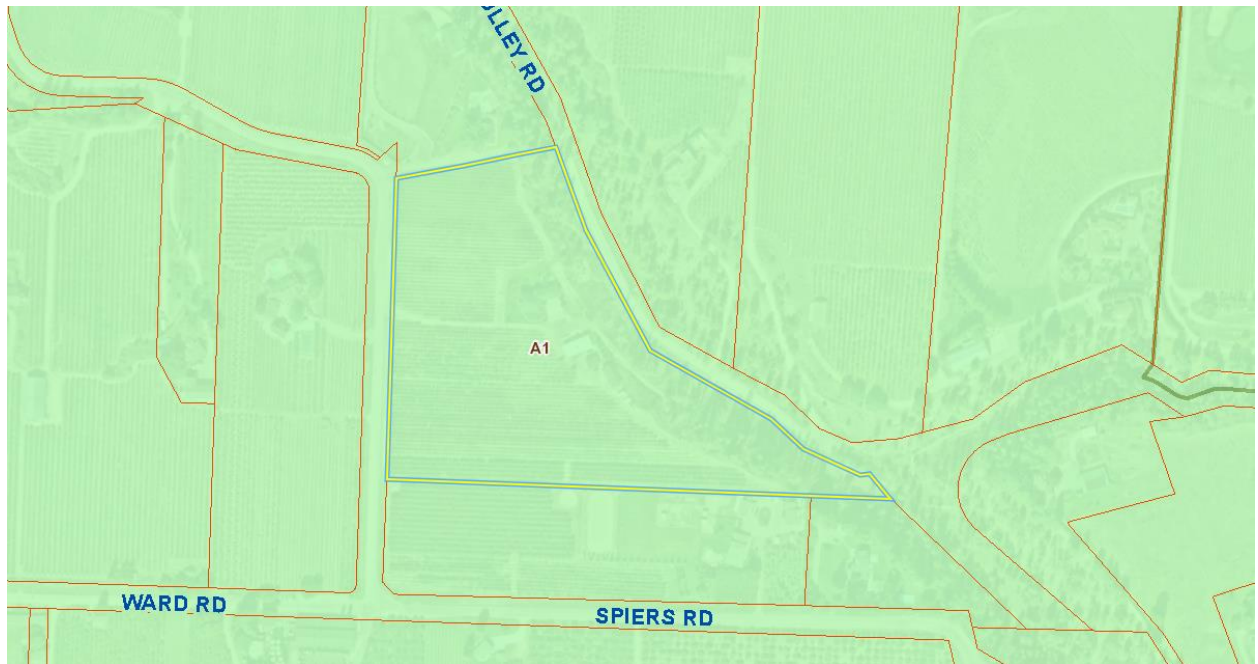
Zoning and land use adjacent to the property are as follows:

Orientation	Zoning	ALR	Land Use
North	A1 – Agriculture 1	Yes	Agriculture / Rural Residential
South	A1 – Agriculture 1	Yes	Agriculture
East	A1 – Agriculture 1	Yes	Agriculture
West	A1 – Agriculture 1	Yes	Agriculture

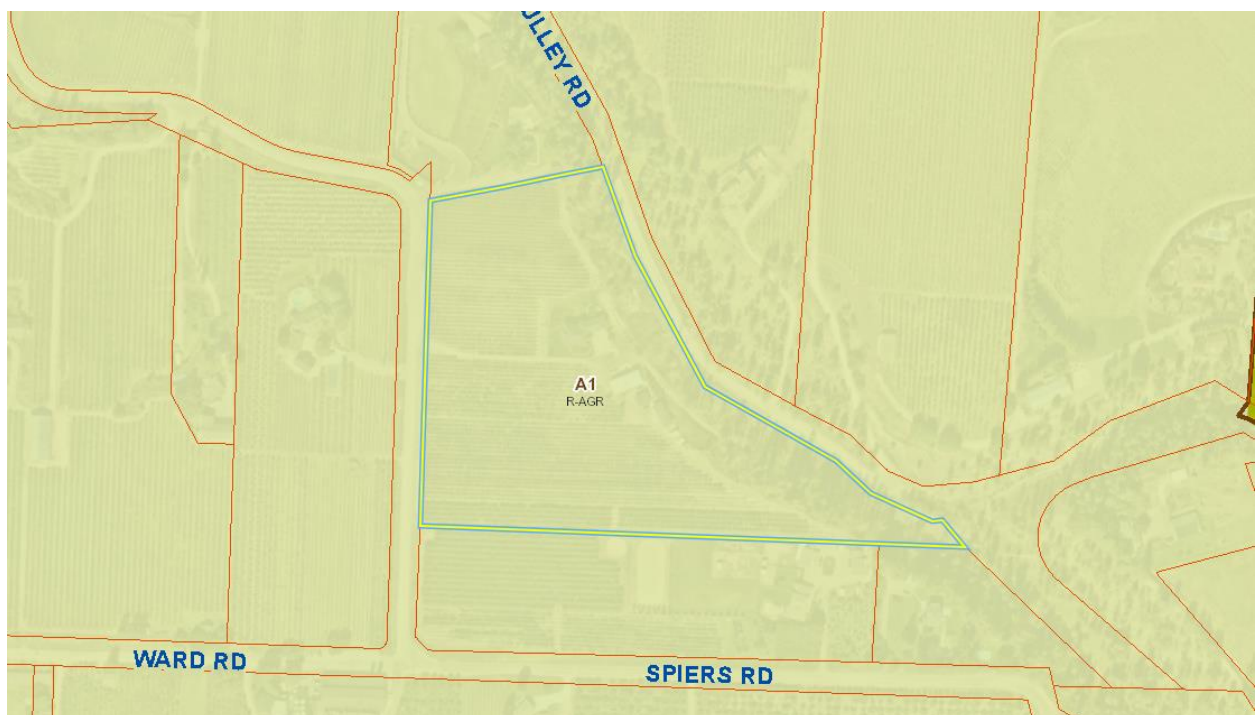
Subject Property Map



ALR Map



Future Land Use Map



4.0 Current Development Policies

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.

4.1 Kelowna Official Community Plan (OCP)

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 amenity 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 only 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 worker housing, such as a bunkhouse accommodation on non-permanent foundations, is the preferred solution where farm worker housing is justified.</p> <p><i>The property is not in the Permanent Growth Boundary, but the farm unit is to work on the subject property, which has agriculture as the principal use.</i></p>
Policy 8.1.10. Homeplating.	<p>Locate buildings and structures, including farm help housing and farm retail sales areas and structures, on agricultural parcels in close proximity to one another and where appropriate, near the existing road frontage.</p> <p><i>The location of the additional residence is in a close proximity with the other two residences, and uses the existing driveway.</i></p>

The OCP Farm Protection Development Permit Guidelines state to design TFWH such that:

- TFWH should use all existing dwellings within the farm unit, prior to building new temporary farm worker housing, unless the existing dwellings are used for a use consistent with the Agriculture Land Commission Act. Alternatively, the existing dwellings on the farm unit must be removed, decommissioned to an approved use, or demolished including decommissioning the existing septic system, prior to the authorization of a new temporary farm worker housing structure.
- TFWH footprint should be contiguous with the residential footprint (i.e., Homeplate) and / or within 50 metres of the road and/or located to maximize agricultural potential and limit negative impacts on the farm parcel.
- TFWH should have a minimum 3.0-metre-wide vegetated buffer for screening to adjacent property lines and between the TFWH and active farming areas.

4.2 The City of Kelowna Agriculture Plan:

Allow TFWH, as permitted by City of Kelowna Bylaw. TFWH, as permitted by the City of Kelowna, should be allowed. The TFWH footprint means the portion of a lot that includes all structures, driveways and parking areas associated with the temporary farm worker housing, including but not limited to structures.

4.3 Ministry of Agriculture's Guide to Bylaw Development in Farming Areas:

In keeping with the Ministry of Agriculture's Guide to Bylaw Development in Farming Areas and the City's policy for Temporary Farm Worker Housing, Development Planning Staff recommend the registration of Section 219 Restrictive Covenants which state:

- The TFWH shall be used for temporary farm workers only;
- The owner will remove the TFWH if the farm operation changes such that it is no longer required;
- The dwellings will only be used for farm workers for a maximum of ten (10) months of the year;
- The maximum number of accommodations permitted on this farm unit within this City sector is 60 workers; and,
- The TFWH building footprint is a maximum of 0.3ha.

Report prepared by:	Tyler Caswell, Planner Specialist
Reviewed by:	Alex Kondor, Development Planning Manager
Approved for Inclusion:	Nola Kilmartin, Development Planning Department Manager

Attachments:

Attachment A – ALC Application File No: 69080
Attachment B – Site Plan
Attachment C – Conceptual Drawing Package
Attachment D – Project Rationale
Attachment E – Ministry of Agriculture Memorandum