

# REPORT TO COUNCIL

## ALR APPLICATION



**Date:** May 5, 2025  
**To:** Council  
**From:** City Manager  
**Address:** 3677 Spiers Rd  
**File No.:** A24-0004  
**Zone:** A1 – Agriculture

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### **1.0 Recommendation**

THAT Agricultural Land Reserve Application No. A24-0004 for Lot 1 Block 2 Section 9 Township 26 ODYD Plan 1072 Except Plans B5219 and 14900 located at 3677 Spiers Rd, Kelowna, BC for a Non-Adhering Residential Use Permit pursuant to Section 25 of the Agricultural Land Commission Act, be supported by Council;

AND THAT the Council directs Staff to forward the subject application to the Agricultural Land Commission for consideration.

### **2.0 Purpose**

To support an application to the Agricultural Land Commission for a Non-Adhering Residential Use Permit to allow Temporary Farm Worker Housing to accommodate four (4) seasonal workers on the subject property.

### **3.0 Development Planning**

Staff support the application for Temporary Farm Worker Housing (TFWH) for up to four agricultural workers on the subject property. The proposed temporary farm worker accommodation meets the regulations of the Zoning Bylaw, and it is also consistent with the Ministry of Agriculture standards for temporary farm worker accommodation.

The proposal complies with the City of Kelowna Official Community Plan (OCP) policies for TFWH. Agriculture is the principal use on the parcel. The applicant has demonstrated that the scale of the agricultural operation 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 utilizes an existing accessory building 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.

If the Non-Adhering Residential Use Permit Application is approved by Council and the Agricultural Land Commission, a Temporary Farm Worker Housing Permit (FH25-0001) will be considered by the Delegate. If this is approved, 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 per year, and a vegetative buffer is required to be planted to separate the active agriculture from the workers' accommodation.

## 4.0 Subject Property & Background

### 4.1 Subject Property Map



The subject property is located on Spiers Rd, near the intersection with Ward Rd. The property also borders Gully 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	Yes	Agricultural / Rural Residential
East	A1 – Agriculture	Yes	Agriculture
South	A1 – Agriculture	Yes	Agriculture
West	A1 – Agriculture	Yes	Agriculture

## 5.0 Project Description

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 m<sup>2</sup> accessory building, which would house the seasonal farm workers. This temporary farm worker accommodation would be in addition to the 433 m<sup>2</sup> principal dwelling, and a third existing 87.1 m<sup>2</sup> 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.

## 6.0 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.

### 6.1 Kelowna Official Community Plan (OCP)

<b>Objective 8.1. Protect and preserve agricultural land and its capability.</b>	
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"> <li>• Agriculture is the principal use on the parcel; and</li> <li>• 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.</li> </ul> <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 temporary farm worker housing is in a close proximity with the other two residences and utilizes 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.

## 7.0 Application Chronology

Application Accepted: February 6, 2024  
 Neighbour Notification Received: N/A

## 8.o Agricultural Advisory Committee

Agricultural Advisory Committee April 10, 2025

THAT the committee recommend that Council support the application (A24-0004) to the Agricultural Land Commission (ALC) to allow a non-adhering residential use permit to allow for temporary farm help housing to accommodate four (4) seasonal farm workers on the subject property.

The above noted application was reviewed by the Agricultural Advisory Committee at the meeting held on April 10, 2025, and the following recommendations were passed:

Anecdotal comments include that the Committee recognizes the effectiveness of cedar as a buffering vegetation. However, given the increasing wildfire risks in the Okanagan region and the combustion risks of cedar, alternatives to cedar should be considered wherever possible.

<b>Report prepared by:</b>	Tyler Caswell, Planner Specialist
<b>Reviewed by:</b>	Carla Eaton, Development Planning Manager
<b>Reviewed by:</b>	Nola Kilmartin, Development Planning Department Manager
<b>Approved for Inclusion:</b>	Ryan Smith, Divisional Director, Planning, Climate Action & Development Services

### 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

For additional information, please visit our Current Developments online at [www.kelowna.ca/currentdevelopments](http://www.kelowna.ca/currentdevelopments).