

Temporary Farm Worker Housing

March 6, 2017

Agenda

1. Purpose
2. Since the last time we met....
3. SAWP workers in the Okanagan
4. TFWH policy intent
5. Proposed policy
6. Examples
7. Next Steps

Purpose

- ▶ Provide clear policy and process direction for Temporary Farm Worker Housing
- ▶ Respond to the changing needs of the industry
- ▶ Provide a consistent regional approach
- ▶ Consistent with provincial bylaw standards



Council Priorities and Commitments

- ▶ Preserve agricultural land
- ▶ Fair but firm
- ▶ Responsive customer service
- ▶ Planning excellence



Procedures

Additional Dwellings on Farmland

TFWH

**Minor
(8 or less)**

**Major
(more than 8)**

Full Time Farm
Worker
Housing

Council
Policy 03
(ALC Application)

Mobile Home
for Family

Farm
Protection DP

Since the Last Time...

- ▶ Have consulted with:
 - ▶ Regional working group (RDCO, West Kelowna, Lake Country)
 - ▶ Ministry of Agriculture
 - ▶ BC Fruit Growers Association
 - ▶ Mexican Consulate
 - ▶ Jamaican Liaison Service

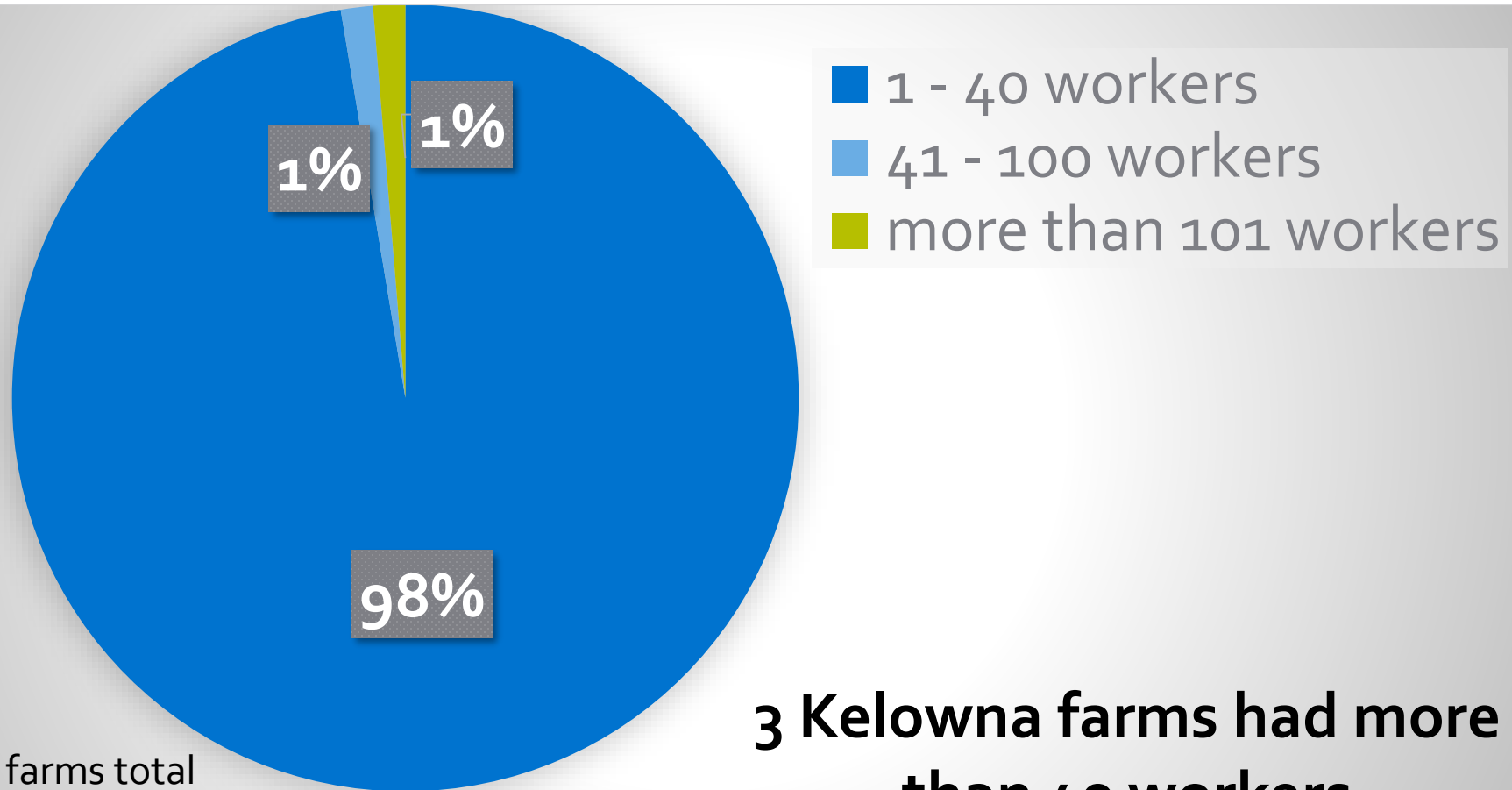


Since The Last Time...

- ▶ Received information on:
 - ▶ Number of TFW per farm in the Okanagan
 - ▶ Regulating TFW in a farm regulated community



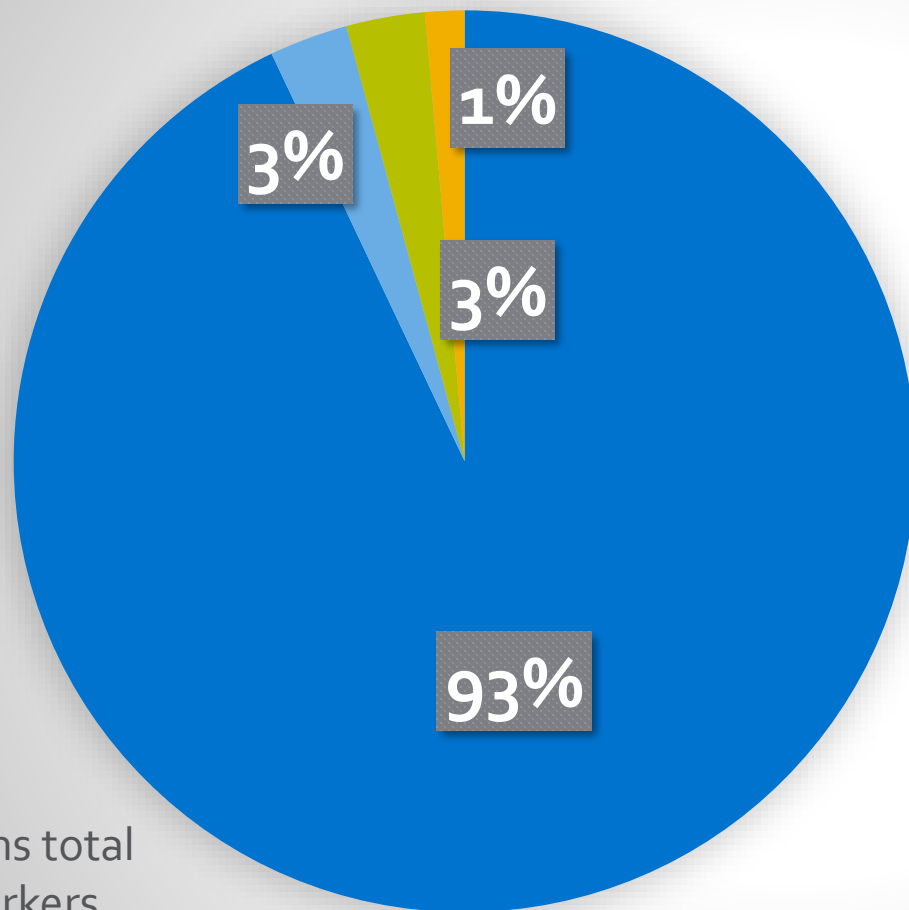
Mexican SAWP Workers per Farm in the Okanagan, 2016



228 farms total
2085 workers

**3 Kelowna farms had more
than 40 workers**

Jamaican SAWP Workers per Farm in the Okanagan, 2016



- 1 to 30 workers
- 31 to 50 workers
- 51 to 100 workers
- 101 to 150 workers

4 Kelowna farms had more than 30 workers

71 farms total
707 workers

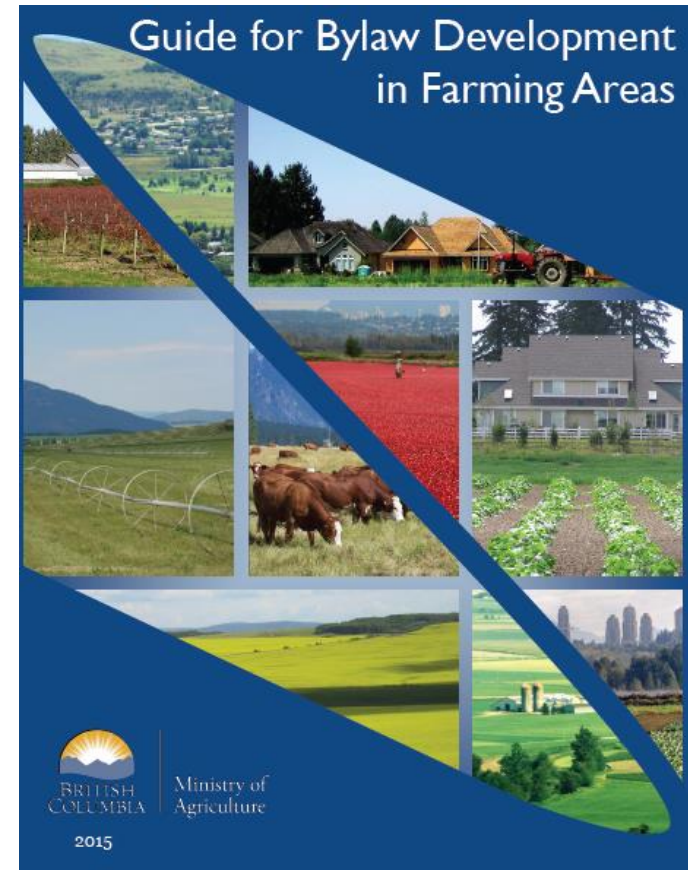
The Intent

- ▶ Reduce the footprint on farm
- ▶ Use existing dwellings as first option
- ▶ New TFWH on non-permanent foundations
- ▶ Addresses buffers to adjacent properties
- ▶ Minimize the risk of TFWH being used for non-farm purposes



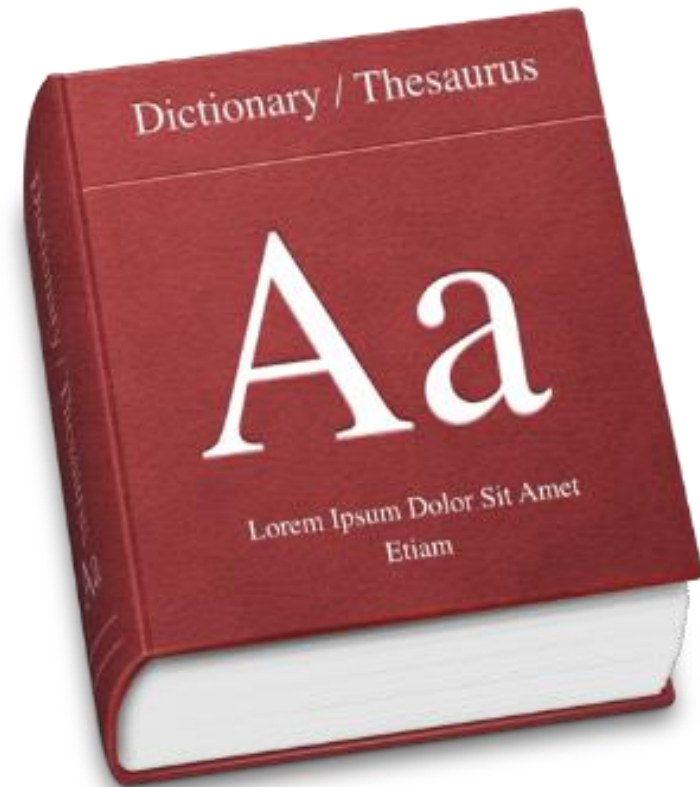
The Policy

- ▶ Consistent with Guide to Bylaw Development in Farming Areas
- ▶ Policy changes to:
 - ▶ OCP
 - ▶ Farm Protection DP Guidelines
 - ▶ Zoning Bylaw
 - ▶ Development Application Procedures Bylaw



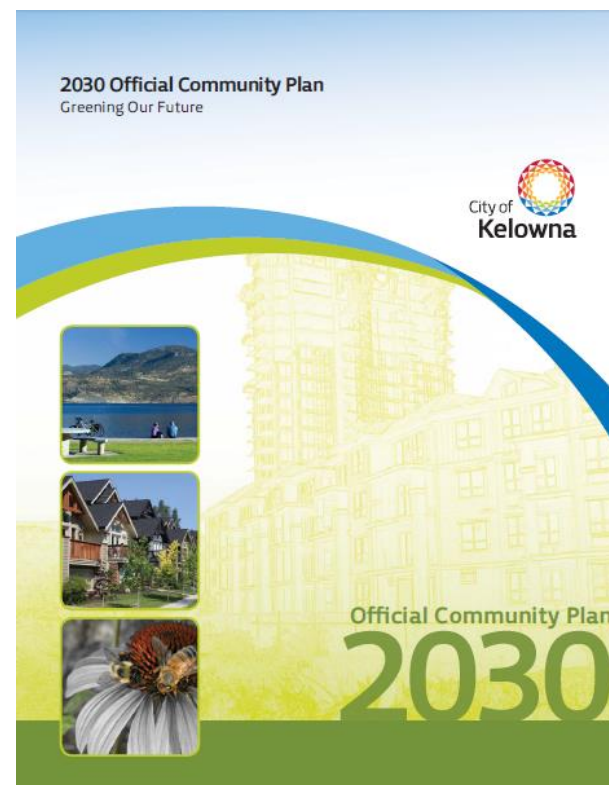
Definitions

- ▶ Farm unit
- ▶ Temporary farm worker
- ▶ Temporary farm worker housing
- ▶ (*Change*) Residential footprint
- ▶ On-farm processing
- ▶ TFWH footprint



OCP & Farm DP Guidelines Update

- ▶ ***New*** As a first option, farm help housing should be located within the PGB
- ▶ Design TFWH such that:
 - ▶ Use all existing dwellings first
 - ▶ **(*Change*)** Should be contiguous with the residential footprint (homeplating) or within 50 meters of road
 - ▶ Vegetated buffer



Zoning Bylaw Update

- ▶ Farm classification status
- ▶ **(*New info*)** Minimum parcel size 3.8 ha
- ▶ TFW need demonstrated through documentation
- ▶ Include a communal kitchen
- ▶ **(*Change*)** Occupied 8 months per calendar year during growing, harvesting and pruning periods
- ▶ Removal or decommission when vacant for two years



Zoning Bylaw Update:

- ▶ **(*Change*)** TFWH footprint may not exceed 0.20 ha
- ▶ **(*Change*)** Structures to accommodate a maximum of 40 TFW per farm unit
- ▶ Farm units with multiple parcels require covenant restricting TFWH on other parcels



Zoning Bylaw Update

- ▶ Farm units with greenhouses and/or on-farm processing can increase by 1 worker per each 1000 m² of those structures
- ▶ New TFWH structures on non-permanent foundations that can be removed by a vehicle.



Procedures Bylaw Update

- ▶ **(*Change*)** TFWH Permit Minor Direct if:
 - ▶ Consistent with OCP DP Guidelines
 - ▶ Authorizes 8 or fewer sleeping units
 - ▶ No variances
- ▶ **(*Change*)** TFWH Permit Major
 - ▶ All other applications
- ▶ **(*Change*)** Removed the word “refusal” from “Issuance of TFWH permits”

Example 1

Proposed policy	Application	Meets policy?
Parcel size > 3.8 ha	12.9 ha	Yes
Farm unit > 3.8 ha	77 ha	Yes
Max 40 TFW	48	No
< 0.2 ha TFWH footprint	0.15 ha	Yes

Application does not meet policy

Applicant options:

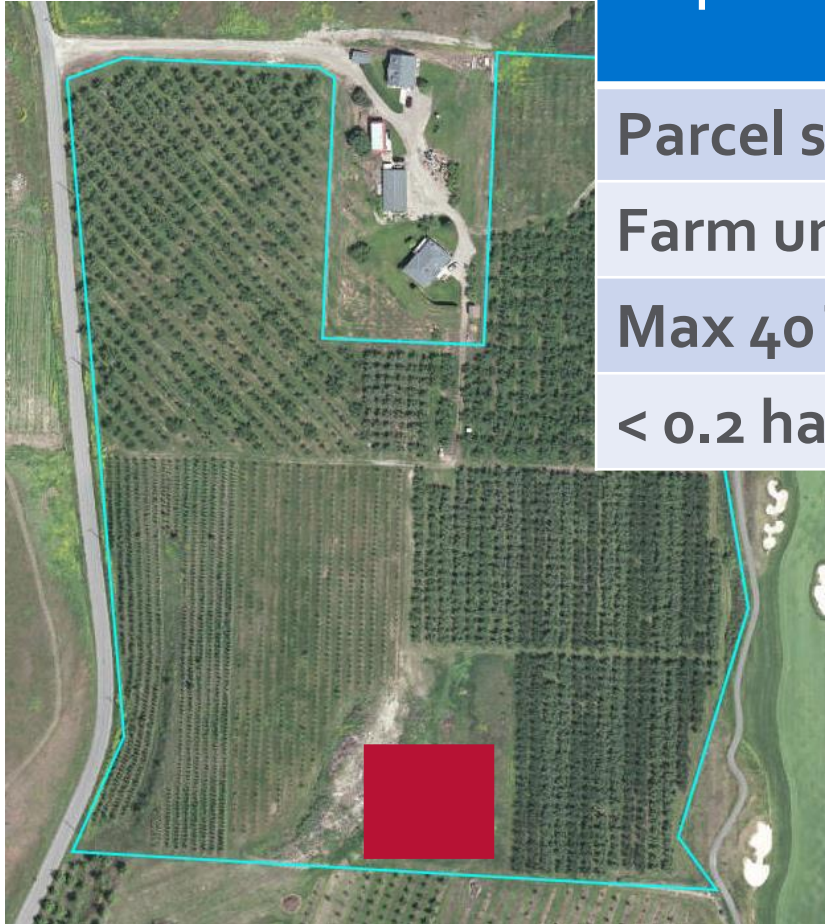
- Reduce number workers
- Move some workers to urban location
- Site specific zoning application

MCKENZIE RD

GIBSON RD



Example 2



Proposed policy	Application	Meets policy?
Parcel size > 3.8 ha	6.0 ha	Yes
Farm unit > 3.8 ha	48 ha	Yes
Max 40 TFW	40	Yes
< 0.2 ha TFWH footprint	0.2 ha	Yes

Application meets proposed guidelines:

- TFWH Permit Major
- Council review to amend and/or set conditions

Latta
Road

Tower
Ranch Golf
Course

Proposed
TFWH Site



N



Example 3

Proposed policy	Application	Meets policy?
Parcel size > 3.8 ha	6.5 ha	Yes
Farm unit > 3.8 ha	unknown	Yes
Max 40 TFW	14	Yes
< 0.2 ha TFWH footprint	0.06	Yes

Application meets proposed guidelines:

- TFWH Permit Major
- Council review to amend and/or set conditions





AAC Recommendation

“THAT the AAC recommends that Council support the draft policies for TFWH that meets the needs of farmers, which adheres to provincial standards, in conjunction with a consistent regional approach, as presented by staff on February 9, 2017.”

AAC Recommendation

“THAT the AAC recommends that Council lobby the Ministry of Agriculture to reduce the allowable parcel size for TFWH from 3.8 hectares to 2.0 hectares in order to reflect what is actually happening in the agriculture industry.”

Applications That Do Not Meet Criteria

ISSUE: Parcel size less than 3.8 ha

REMEDY: Apply for site specific zoning amendment (require Minister approval)

ISSUE: More than 40 workers per farm unit

REMEDY: Move to urban location or apply for site specific zoning amendment

Regional Process

- ▶ RDCO concurrently going through the process
- ▶ West Kelowna and Lake Country will consider policies as part of their bylaw reviews.



Development Process

2016

Policy Development



Feb 9, 2017

AAC Meeting



March 6 2017

Council Workshop



March 2017

Advertising



April 2017

Initial Consideration



May 2017

Public Hearing
Second & Third Readings
Minister Approval

Council
Approvals



City of
Kelowna

Questions?

Other Municipal Examples

Local Gov't	Min. Farm Unit	Min. Lot Size	Max. workers per operation	Occupancy time limits	Farm Community (Section 553)
Kelowna	3.8 ha	3.8 ha	40	8 months specified on declaration	Yes
Delta	8 ha	4 ha	42 max	Specified on declaration	Yes
Langley	4 ha	4 ha	10 persons / 4 ha, 40 workers max	April 1 – Nov. 30	Yes
Abbotsford	3.8 ha (A ₁) 8 ha (A ₂)	3.8 ha	Not specified	Specified on declaration	Yes
Pitt Meadows	2 ha	2 ha	10 persons / 4 ha, 40 workers max	April 1 – Nov. 30	No
Richmond	8.09 ha	8.09 ha	30 max	10 months in any 12 month period	No