

SCHEDULE B - TA16-0015

<b>Zoning Bylaw No. 8000</b>				
<b>List of Amendments to Zoning Bylaw No. 8000 for Temporary Farm Worker Housing</b>				
No.	Section	Existing	Proposed	Explanation
1	Replace in Section 2 Interpretation, 2.3 General Definitions	<b>AGRICULTURAL DWELLINGS, ADDITIONAL</b> means any dwelling on a bona fide agricultural operation that is used to house full-time permanent or seasonal farm workers employed on the same site as the agricultural operation only. This may include but is not limited to single detached houses, <b>mobile homes</b> , or bunkhouses.	<b>AGRICULTURAL DWELLING(S), ADDITIONAL</b> means any dwelling on a bona fide agricultural operation that is used to house full-time permanent or <b>temporary farm workers</b> employed on the <b>farm unit</b> . This may include but is not limited to single detached houses, <b>mobile homes</b> , or bunkhouses.	Replaced the words “on the same site” with <b>farm unit</b> so the definition is consistent with <b>temporary farm worker(s)</b> . Replaced seasonal farm workers with <b>temporary farm workers</b> for consistency.
2	Add to Section 2 Interpretation, 2.3 General Definitions		<b>RESIDENTIAL FOOTPRINT</b> means the portion of a lot that includes all structures, landscaping, driveways and parking areas associated with the principal <b>dwelling</b> , including but not limited to the principal <b>dwelling, mobile home</b> for family, <b>home based business (minor, major and rural)</b> , accessory structures including garage and storage, recreation areas (including pools and sport courts), and outdoor living areas. Structures not included in the <b>residential footprint</b> are <b>agricultural structures</b> , including <b>greenhouses</b> ,	Introduction of a new definition consistent with Ministry of Agriculture “Guide for Bylaw Development in Farming Areas.”

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			<b>agricultural and garden stands</b> and those structures associated with the <b>temporary farm worker housing footprint</b> .	
3	Add to Section 2 Interpretation, 2.3 General Definitions		<b>FARM UNIT</b> means one or more contiguous or non-contiguous parcels, that may be owned, rented or leased, within City limits, which forms and is managed as a single farm.	Introduction of a new definition consistent with Ministry of Agriculture “Guide for Bylaw Development in Farming Areas.”
4	Add to Section 2 Interpretation, 2.3 General Definitions		<p><b>ON-FARM PROCESSING</b> means the undertaking of processes, including mixing, drying, canning, size reduction, fermentation, heat treatments, cold treatments, chemical treatments, and biological treatments on a <b>farm unit</b> to:</p> <ul style="list-style-type: none"> <li>• Prepare value added products from farm products to sell, or</li> <li>• Prepare feed for livestock, poultry, farmed game, located on the farm</li> </ul> <p>But excludes on-farm composting, on-farm soil preparation, and on-farm soilless medium production.</p>	Introduction of a new definition consistent with Ministry of Agriculture “Guide for Bylaw Development in Farming Areas.”
5	Add to Section 2 Interpretation, 2.3 General Definitions		<b>TEMPORARY FARM WORKER(S)</b> means an individual or individuals who carry out agricultural work on a temporary and seasonal basis on a <b>farm unit</b> .	Introduction of a new definition consistent with Ministry of Agriculture “Guide for Bylaw Development in Farming Areas.”

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6	Add to Section 2 Interpretation, 2.3 General Definitions		<b>TEMPORARY FARM WORKER HOUSING (TFWH)</b> means a dwelling to temporarily accommodate <b>temporary farm worker(s)</b> , which is accessory to a <b>farm unit</b> , that is used to provide spaces for cooking, sanitary, living and sleeping.	Introduction of a new definition consistent with Ministry of Agriculture “Guide for Bylaw Development in Farming Areas.”
7	Add to Section 2 Interpretation, 2.3 General Definitions		<b>TEMPORARY FARM WORKER HOUSING (TFWH) FOOTPRINT</b> means the portion of a lot that includes all structures, driveways and parking areas associated with the <b>temporary farm worker housing</b> , including but not limited to structures for cooking, sanitary, living and sleeping. The footprint does not include the vegetated buffer.	Definition modified from <b>residential footprint</b> to distinguish the area used for <b>temporary farm worker housing</b> .
8	Add to Section 9 Specific Use Regulations		<b>9.13 Temporary Farm Worker Housing</b>	Addition of category to specific use regulations for <b>temporary farm worker housing</b> .
9	Add to Section 9 Specific Use Regulations, 9.13 Temporary Farm Worker Housing		9.13.1 The following requirements must be met prior to the issuance of a permit for a <b>temporary Farm Worker Housing</b> structure: (a) Farm Classification for the parcel, as determined by the <i>BC Assessment Act</i> . (b) Minimum parcel size is 3.8 ha. (c) The need for <b>temporary farm worker housing</b> onsite to house <b>temporary farm workers</b> must be	Addition of specific use regulations outlining the conditions that must be met for <b>temporary farm worker housing</b> .

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			<p>demonstrated through documentation such as a contract with the federal government through a migrant worker program, such as the Seasonal Agricultural Worker Program, farm receipts and / or previous employment records, and/or a farm plan prepared by a professional agrologist.</p> <p>(d) New <b>TFWH</b> structures shall include a communal kitchen.</p> <p>(e) The <b>TFWH</b> shall be occupied only during the <b>farm unit's</b> growing, harvesting and pruning periods. .</p> <p>(f) A statutory declaration must be filed with the City of Kelowna annually, by January 31<sup>st</sup>, stating that the building will be used only for <b>TFWH</b> and specify the time(s) of year when the <b>TFWH</b> will be occupied. The specified period of time may be no greater than eight months of that calendar year.</p> <p>(g) If the temporary farm worker housing is vacant for two consecutive growing seasons, the owner will remove, at their expense, any temporary structures for temporary</p>	
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10	Add to Section 9 Specific Use Regulations, 9.13 Temporary Farm Worker Housing		9.13.2 <b>TFWH Footprint Size</b> (a) <b>TFWH footprint</b> may not exceed 0.20 ha.	Addition of specific use regulations for <b>temporary farm worker housing footprint size</b> .
11	Add to Section 9 Specific Use Regulations, 9.13 Temporary Farm Worker Housing		9.13.3 <b>TEMPORARY FARMWORKER ALLOCATION</b> (a) <b>Structure(s)</b> to accommodate a maximum of forty <b>temporary farm workers per farm unit</b> . (b) <b>Farm units</b> with <b>greenhouses</b> and/or <b>on-farm processing</b> structures may increase allowable number of workers by 1 worker per each 1000 m2 of <b>greenhouse</b> and/or <b>on-farm processing</b> structures. (c) Where a <b>farm unit</b> comprises of multiple parcels of land, <b>TFWH</b> may be clustered on a single parcel, subject to: i. A restrictive covenant be registered on all other parcels of the	Addition of specific use regulations for the number of <b>temporary farm workers</b> .

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			<p><b>farm unit</b> restricting the development of further <b>TFWH</b> on said parcels, and transferring the allocation of <b>TFWH</b> to the parcel being developed with <b>TFWH</b>.</p>	
12	<p>Replace in Section 11 Agriculture Zones 11.1.3 Secondary Uses</p>	<p>(a) <b>agricultural dwellings, additional</b></p>	<p>(a) <b>agricultural dwelling(s), additional</b></p>	<p>Update the word to match with revised definition.</p>
13	<p>Add to Section 11 Agriculture Zones 11.1.4 Buildings and Structures Permitted</p>		<p>(f) <b>TFWH</b> may be in one of the following structure types:</p> <ul style="list-style-type: none"> <li>i. Existing <b>structure</b> with a Building Permit that was approved at least 2 years prior to <b>TFWH</b> application, to be converted into <b>TFWH</b>, on the parcel within the <b>farm unit</b>.</li> <li>ii. New <b>TFWH</b> must be in temporary structures on non-permanent foundations, such that it is designed to be removed by a truck or vehicle. Concrete pads or foundations are not permitted.</li> </ul>	<p>Regulations for type of structures permitted for <b>TFWH</b>.</p>