

# CITY OF KELOWNA

## BYLAW NO. 11373

### Official Community Plan Amendment No. OCP16-0022 – Temporary Farm Worker Housing

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A bylaw to amend the "*Kelowna 2030* – Official Community Plan Bylaw No. 10500".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT "*Kelowna 2030* – Official Community Plan Bylaw No. 10500", **Chapter 5 – Development Process, Agricultural Land Use Policies**, Objective 5.34 Preserve productive agricultural land, policy .2 be deleted that reads:

"Farm Help Housing. Accommodation for farm help on the same agricultural parcel will be considered only where:

- agriculture is the principal use on the parcel, and
- the applicant demonstrates that the additional housing is necessary to accommodate farm employee(s) whose residence on the farm property is considered critical to 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.

Temporary farm worker housing (e.g. bunkhouse accommodation on non-permanent foundations) is the preferred solution where the need for farm worker housing is justified."

And replace it with:

"Farm Help Housing. As a first option, farm help housing should be located within the Permanent Growth Boundary providing access to amenities for workers. Accommodation for farm help on the same farm unit will be considered only where:

- agriculture is the principal use on the parcel, and
- the applicant demonstrates that the additional housing is necessary to accommodate farm employee(s) whose residence on the farm property is considered critical to the overall operation of the farm. The primary consideration is whether the scale of the farm operation is large enough that help is deemed necessary.

Temporary farm worker housing (e.g. bunkhouse accommodation on non-permanent foundations) is the preferred solution where the need for farm worker housing is justified."

2. THAT "*Kelowna 2030* – Official Community Plan Bylaw No. 10500", **Chapter 15 – Farm Protection DP Guidelines, Category** be amended by deleting:

"Sec. 919 (c) of the Local Government Act for the protection of farming."

And replace it with the following:

"Sec. 488 (1) (c) of the Local Government Act for the protection of farming."

3. THAT "*Kelowna 2030* – Official Community Plan Bylaw No. 10500", **Chapter 15 – Farm Protection DP Guidelines, Properties Affected** 1. b ii be amended by deleting the reference to "agri-tourist accommodation";

4. THAT "*Kelowna 2030* – Official Community Plan Bylaw No. 10500", **Chapter 15 – Farm Protection DP Guidelines, Guidelines** be amended by adding a new section 1.8 in its appropriate location:

"1.8 Design temporary farm working housing such that:

- Temporary farm worker housing 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.
- Temporary farm worker housing footprint should be contiguous with the residential footprint (i.e. homeplate) and/or within 50 meters of the road.
- Temporary farm worker housing should have a minimum 3 metre wide vegetated buffer for screening to adjacent property lines and between the temporary farm worker housing and active farming areas.

5. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 10<sup>th</sup> day of April, 2017.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved by the Ministry of Agriculture this

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk