

SCHEDULE C - TA16-0016

Procedures Bylaw No. 10540 - DRAFT

List of Amendments to Development Application Procedures Bylaw No. 10540 for  
Temporary Farm Worker Housing

Note: yellow highlights indicate revised text since May 2 Public Hearing

No.	Section	Existing Text	Proposed Text	Explanation
1	Update wording in section 1.3.7	An application for an <b>Additional Dwelling for Farm Employee Permit</b>	An application for a <b>Temporary Farm Worker Housing Permit</b>	
2	Add to 1.4 Definitions		<b>'Community Planning'</b> means the City of Kelowna's Community Planning Department.	Consistent with re-organization
3	Remove from 1.4 Definitions	<b>'Land Use Management'</b> means the City of Kelowna's Land Use Management Department;	<del><b>'Land Use Management'</b> means the City of Kelowna's Land Use Management Department;</del>	Consistent with re-organization
4	Replace all instances in Zoning Bylaw	<b>'Land Use Management'</b>	<b>'Community Planning'</b>	Consistent with re-organization
5	Replace all instances in Zoning Bylaw	<b>'Director of Land Use Management'</b>	<b>'Department Manager, Community Planning'</b>	Consistent with re-organization. Note: the definition for Department Manager, Community Planning was added during a previous revision, and Director of Land Use Management definition was removed during a previous revision.
6	Remove from Section 1.4.1 Definitions	<b>'Additional Dwelling for Farm Employee Permit'</b> means a permit authorized by Section 15(1) of the <i>Community Charter</i> for the accommodation of a full-time employee or employees paid to work on a farm operation.	<del><b>'Additional Dwelling for Farm Employee Permit'</b> means a permit authorized by Section 15(1) of the <i>Community Charter</i> for the accommodation of a full-time employee or employees paid to work on a farm operation.</del>	Remove additional dwelling for farm employee permit.
7	Add to Section 1.4.1 Definitions		<b>'Agricultural Advisory Committee'</b> means an advisory committee established by Council.	No definition in bylaw.

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8	Add to Section 1.4.1 Definitions		<p><b>'Temporary Farm Worker Housing Permit Minor Direct'</b> means a permit authorized by Section 15 (1) of the Community Charter, issued by the <b>Department Manager, Community Planning</b> that applies to development that meets the following criteria:</p> <ul style="list-style-type: none"> <li>• Is for eight or fewer sleeping units in one or more Temporary farm worker agricultural dwellings for the accommodation of an employee(s) paid to work for no greater than 10 months per calendar year; and</li> <li>• Is consistent with the applicable guidelines and policies of the <b>Official Community Plan</b> and regulations of the <b>Zoning Bylaw</b>.</li> </ul>	No definition in bylaw. Wording is consistent with Development Application Fees Bylaw.
9	Section 1.4.1 Definitions		<p><b>'Temporary Farm Worker Housing Permit Major'</b> means a permit authorized by Section 15(1) of the <i>Community Charter</i> for the accommodation of an employee(s) paid to work on a farm for no greater than ten months per calendar year.</p>	No definition in bylaw. Wording is consistent with Development Application Fees Bylaw.
10	Revise 2.1.2 in Section 2.1 Making Application	<p><b>2.1.2 Application Requirements and Processing</b> h) An Application for an <b>Additional Dwelling for Farm Employee Permit</b> will be made and processed substantially in accordance with Schedule 'g' of this bylaw.</p>	<p><b>2.1.2 Application Requirements and Processing</b> h) An Application for a <b>Temporary Farm Worker Housing Permit</b> will be made and processed substantially in accordance with Schedule 'g' of this bylaw.</p>	Replace Additional Dwelling for Farm Employee Permit with Temporary Farm Worker Housing Permit
11	Replace wording Section 2.3.4 Delegation of Authority	<p><b>2.3.4 Issuance or Refusal of Additional Dwelling for Farm Employee Permits</b> The powers of <b>Council</b> under Section 15(1) of the <i>Community Charter</i> to issue, to refuse, to amend and to set conditions for permits for the</p>	<p><b>2.3.4 Issuance of Temporary Farm Worker Housing Permits</b> The powers of <b>Council</b> under Section 15(1) of the <i>Community Charter</i> to issue, to amend and to set conditions for permits for the placement of dwellings</p>	Replace Additional Dwelling for Farm Employee Permit with Temporary Farm Worker Housing Permit; remove

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		placement of dwellings for the accommodation of farm help, in accordance with the <i>Agricultural Land Commission Act</i> and Regulations.	for the accommodation of Temporary farm workers, in accordance with the <i>Agricultural Land Commission Act</i> and Regulations.	words 'farm help'; and remove the words "to refuse" as Council cannot refuse an application for up to 40 temporary farm workers as Kelowna is a Farm Bylaw community.
12	Add to Section 2.4.2 '(s)' and Renumber '(t) Development Approval Information	s) Any other topic in relation to which the <b>Director of Land Use Management</b> considers the proposed activity or development impacts the jurisdiction of the <b>City</b>	s) Agricultural impacts, including, but not limited to a soils assessment; t) Any other topic in relation to which the <b>Department Manager, Community Planning</b> considers the proposed activity or development impacts the jurisdiction of the <b>City</b> .	
13	Rename schedule 9	Schedule 'g' Applications for Additional Dwelling for Farm Employee Permits	Schedule 'g' Applications for Temporary Farm Worker Housing Permits	
14	Replace Schedule 'g' Applications for Additional Dwelling for Farm Employee Permits with Schedule 'g' Applications for Permanent Farm Worker Housing Permits	This information is meant as a general guide only and is not regarded as the right to development approval if the steps indicated are followed. <b>1.0 APPLICATION REQUIREMENTS</b> The following information will be required to accompany an application for an <b>Additional Dwelling for Farm Employee Permit</b> under this Bylaw: <b>1.1</b> State of Title, printed within ninety (90) days before making application, for all properties subject of the application; <b>1.2</b> <b>Owner's</b> Authorization (where required); <b>1.3</b> Project Rationale outlining the justification for the additional farm help in	This information is meant as a general guide only and is not regarded as the right to development approval if the steps indicated are followed. <b>1.0 TEMPORARY FARM WORKER HOUSING PERMIT MINOR DIRECT</b> <b>1.1 Restriction on Delegation.</b> As a restriction on Section 2.3.4, the <b>Department Manager, Community Planning</b> may only issue or amend <b>Temporary Farm Worker Housing Permits</b> that meet the following criteria: • The Permit is consistent with <b>OC</b> P DP Guidelines; • The Permit authorizes eight (8) or fewer	Update wording to reflect Permanent Farm Worker Housing Permit

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		<p>relation to the agricultural activities, including maps, as necessary.</p> <p><b>2.0 PROCESSING PROCEDURES</b> An <b>Additional Dwelling for Farm Employee Permit</b> application submitted in accordance with this bylaw will be processed as follows:</p> <p>2.1 Upon receipt of an application package submitted to the City in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.</p> <p>2.2 <b>Land Use Management</b> will review the application to determine whether it is complete and, if incomplete, will request the required information from the applicant. One Window Staff will open a file only upon a complete submission package.</p> <p>2.3 <b>Land Use Management</b> will refer the application to all applicable <b>City</b> departments, government and external agencies.</p> <p>2.4 <b>Land Use Management</b> will evaluate the proposal for compliance with relevant <b>City</b> bylaws and policies and relevant provincial regulations, which include but is not limited to <b>Agricultural Land Reserve Use</b>, <b>Subdivision and Procedure Regulation</b>.</p> <p>2.5 Relevant technical comments will be incorporated into a staff report for</p>	<p>sleeping units; and</p> <ul style="list-style-type: none"> <li>No variances to the <b>Zoning Bylaw</b> are required.</li> </ul> <p>Applications not eligible for issuance or amendment by the <b>Department Manager, Community Planning</b> must be considered by <b>Council</b>.</p> <p><b>1.2 Application Requirements</b></p> <p>a) The following information listed in Schedule '1' of this bylaw will be required to accompany an application for a <b>Temporary Farm Worker Housing Permit Minor Direct</b> under this bylaw:</p> <table border="1" data-bbox="1081 925 1640 1234"> <tr> <td>(a) Application Form</td> <td>(g) Photographs</td> </tr> <tr> <td>(b) State of Title Certificate</td> <td>(i) <b>Site Plan</b></td> </tr> <tr> <td>(c) <b>Owner's</b> Authorization form (if applicable)</td> <td>(j) Floor Plans</td> </tr> <tr> <td>(d) <b>Site Profile or Site Profile Waiver</b></td> <td>(k) Elevation Drawings</td> </tr> <tr> <td>(f) Project Rationale</td> <td>(m) Landscape Plan</td> </tr> </table> <p>b) Additional information may be required by the <b>Department Manager, Community Planning</b> to evaluate adequately and to issue a Permit, in accordance with Section 2.4 of this bylaw.</p>	(a) Application Form	(g) Photographs	(b) State of Title Certificate	(i) <b>Site Plan</b>	(c) <b>Owner's</b> Authorization form (if applicable)	(j) Floor Plans	(d) <b>Site Profile or Site Profile Waiver</b>	(k) Elevation Drawings	(f) Project Rationale	(m) Landscape Plan	
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		<p>consideration by the <b>Director of Land Use Management</b>.</p> <p>2.6 <b>Land Use Management</b> will notify the applicant in writing of the decision of the <b>Director of Land Use Management</b>.</p> <p>2.7 If authorized for issuance by the <b>Director of Land Use Management</b>, staff will prepare the required <b>Additional Dwelling for Farm Employee Permit</b>, related schedules and required covenants for signature.</p>	<p>1.3 <b>Processing Procedures</b> A <b>Temporary Farm Worker Housing Permit Minor Direct</b> application submitted in accordance with this bylaw will be processed as follows:</p> <ul style="list-style-type: none"> <li>a) Upon receipt of an application package submitted in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.</li> <li>b) <b>Community Planning</b> will review the application to determine whether it is complete and, if incomplete, will request the required information from the applicant. One Window Staff will open a file only once a complete package has been submitted.</li> <li>c) <b>Community Planning</b> will refer the application to all applicable City departments.</li> <li>d) <b>Community Planning</b> will evaluate the proposal for compliance with relevant City bylaws and policies.</li> <li>e) Relevant technical comments will be incorporated into a staff report for consideration by the <b>Department Manager, Community Planning</b>.</li> <li>f) <b>Community Planning</b> will notify the applicant in writing of the decision of the <b>Department Manager, Community Planning</b>.</li> <li>g) If authorized for issuance by the</li> </ul>	

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			<p><b>Department Manager, Community Planning</b>, staff will prepare the required Permit and related schedules for signature, and obtain the required Landscape Bonding, pursuant to Section 2.8 of this bylaw.</p> <p>h) Upon sign-off of the Permit by the <b>Department Manager, Community Planning</b> and receipt of the related bonding, the Permit will be issued and then registered on the State of Title.</p> <p><b>2.0 TEMPORARY FARM WORKER HOUSING PERMIT MAJOR</b></p> <p><b>2.1 Application Requirements</b></p> <p>a) The following information listed in Schedule '1' of this bylaw will be required to accompany an application for a <b>Temporary Farm Worker Housing Permit Major</b> under this Bylaw:</p> <table border="1" data-bbox="1094 1209 1642 1518"> <tr> <td>(a) Application Form</td> <td>(g) Photographs</td> </tr> <tr> <td>(b) State of Title Certificate</td> <td>(i) <b>Site Plan</b></td> </tr> <tr> <td>(c) <b>Owner's</b> Authorization form (if applicable)</td> <td>(j) Floor Plans</td> </tr> <tr> <td>(d) <b>Site</b> Profile or <b>Site</b> Profile Waiver</td> <td>(k) Elevation Drawings</td> </tr> <tr> <td>(f) Project Rationale</td> <td>(m) Landscape Plan</td> </tr> </table>	(a) Application Form	(g) Photographs	(b) State of Title Certificate	(i) <b>Site Plan</b>	(c) <b>Owner's</b> Authorization form (if applicable)	(j) Floor Plans	(d) <b>Site</b> Profile or <b>Site</b> Profile Waiver	(k) Elevation Drawings	(f) Project Rationale	(m) Landscape Plan	
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			<p>b) Additional information may be required by the <b>Department Manager, Community Planning</b> to evaluate adequately and to make a recommendation to <b>Council</b> concerning a Permit, in accordance with Section 2.4 of this bylaw.</p> <p><b>2.2 Processing Procedures</b> A <b>Temporary Farm Worker Housing Permit</b> application submitted in accordance with this Bylaw will be processed as follows:</p> <p>a) Upon receipt of an application package submitted in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.</p> <p>b) <b>Community Planning</b> will review the application to determine whether it is complete and, if incomplete, will request the required information from the applicant. Staff will open a file only upon a complete submission package.</p> <p>c) <b>Community Planning</b> will refer the application to all applicable City departments, and government and external agencies.</p> <p>d) <b>Community Planning</b> will evaluate the proposal for compliance with relevant City bylaws and policies.</p>	

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			<p>e) The applicant will undertake the form(s) of public notification and consultation required in accordance with Section 4 of this bylaw</p> <p>f) <b>Community Planning</b> will prepare a staff report and refer the application to the <b>Agricultural Advisory Committee</b>.</p> <p>g) The applicant is encouraged to attend the meeting of the <b>Agricultural Advisory Committee</b> at which the Permit application is being reviewed.</p> <p>h) Upon receipt of the recommendation of the <b>Agricultural Advisory Committee</b> and the comments of other referral agencies, <b>Community Planning</b> staff will prepare a staff report and draft Permit for review by <b>Council</b>.</p> <p>i) Staff of the <b>Office of the City Clerk</b> will notify the applicant in writing of the decision of <b>Council</b>.</p> <p>j) If authorized for issuance by <b>Council</b>, <b>Community Planning</b> staff will prepare the required Permit and related schedules for signature, and obtain the required Bonding, pursuant to Section 2.8 of this bylaw.</p> <p>Upon sign-off of the Permit by the <b>Department Manager, Community Planning</b> and receipt of the related bonding, the Permit will be issued and then registered.</p>	