

SCHEDULE B - TA16-0015

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

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			those structures associated with the temporary farm worker housing footprint .	
3	Add to Section 2 Interpretation, 2.3 General Definitions		FARM UNIT 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		ON-FARM PROCESSING means the undertaking of processes, including grading, packing, mixing, drying, canning, size reduction, fermentation, heat treatments, cold treatments, chemical treatments, and biological treatments on a farm unit to: <ul style="list-style-type: none"> • Prepare value added products from farm products to sell, or • Prepare feed for livestock, poultry, farmed game, located on the farm But excludes on-farm composting, on-farm soil preparation, and on-farm soilless medium production.	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		TEMPORARY FARM WORKER(S) means an individual or individuals who carry out agricultural work on a temporary and seasonal basis on a farm unit .	Introduction of a new definition consistent with Ministry of Agriculture "Guide for Bylaw Development in Farming Areas."
6	Add to Section 2 Interpretation,		TEMPORARY FARM WORKER HOUSING (TFWH) means a	Introduction of a new definition consistent with Ministry of

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

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			<p>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 TFWH structures shall include a communal kitchen.</p> <p>(e) The TFWH shall be occupied only during the farm unit's growing, harvesting and pruning periods. .</p> <p>(f) A statutory declaration must be filed with the City of Kelowna annually, by January 31st, stating that the building will be used only for TFWH and specify the time(s) of year when the TFWH will be occupied. The specified period of time may be no greater than ten 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 farm worker housing, and remove or decommission any existing buildings that had been repurposed for temporary farm</p>	
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			<p>worker housing purposes, by December 31st of the second year of vacancy.</p>	
10	<p>Add to Section 9 Specific Use Regulations, 9.13 Temporary Farm Worker Housing</p>		<p>9.13.2 TFWH Footprint Size (a) TFWH footprint may not exceed 0.20 ha for structure(s) to accommodate a maximum of forty temporary farmworkers and may not exceed 0.30 ha for structure(s) to accommodate a maximum of sixty temporary farm workers.</p>	<p>Addition of specific use regulations for temporary farm worker housing footprint size.</p>
11	<p>Add to Section 9 Specific Use Regulations, 9.13 Temporary Farm Worker Housing</p>		<p>9.13.3 TEMPORARY FARMWORKER ALLOCATION (a) Structure(s) to accommodate a maximum of forty temporary farm workers per each city sector as identified on Official Community Plan Map 5.4 for parcels up to eight hectares. For parcels eight hectares or more, structure(s) to accommodate a maximum of sixty temporary farm workers per each city sector as identified on Official Community Plan Map 5.4. (b) Farm units with greenhouses and/or on-farm processing structures may increase allowable number of workers by 1 worker per each 1000 m² of greenhouse and/or on-farm processing structures.</p>	<p>Addition of specific use regulations for the number of temporary farm workers.</p>

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			(c) Where a farm unit comprises multiple parcels of land, a restrictive covenant shall be registered on all farm unit parcels within the same sector of the temporary farm worker housing as identified on Official Community Plan Map 5.4 restricting the development of further TFWH on said parcels within that sector.	
12	Replace in Section 11 Agriculture Zones 11.1.3 Secondary Uses	(a) agricultural dwellings, additional	(a) agricultural dwelling(s), additional	Update the word to match with revised definition.
13	Add to Section 11 Agriculture Zones 11.1.4 Buildings and Structures Permitted		(f) TFWH may be in one of the following structure types: <ul style="list-style-type: none"> i. Existing structure with a Building Permit that was approved at least 2 years prior to TFWH application, to be converted into TFWH, on the parcel within the farm unit. ii. New TFWH 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. 	Regulations for type of structures permitted for TFWH .