

Agricultural Land Commission Referral Application A-21-04

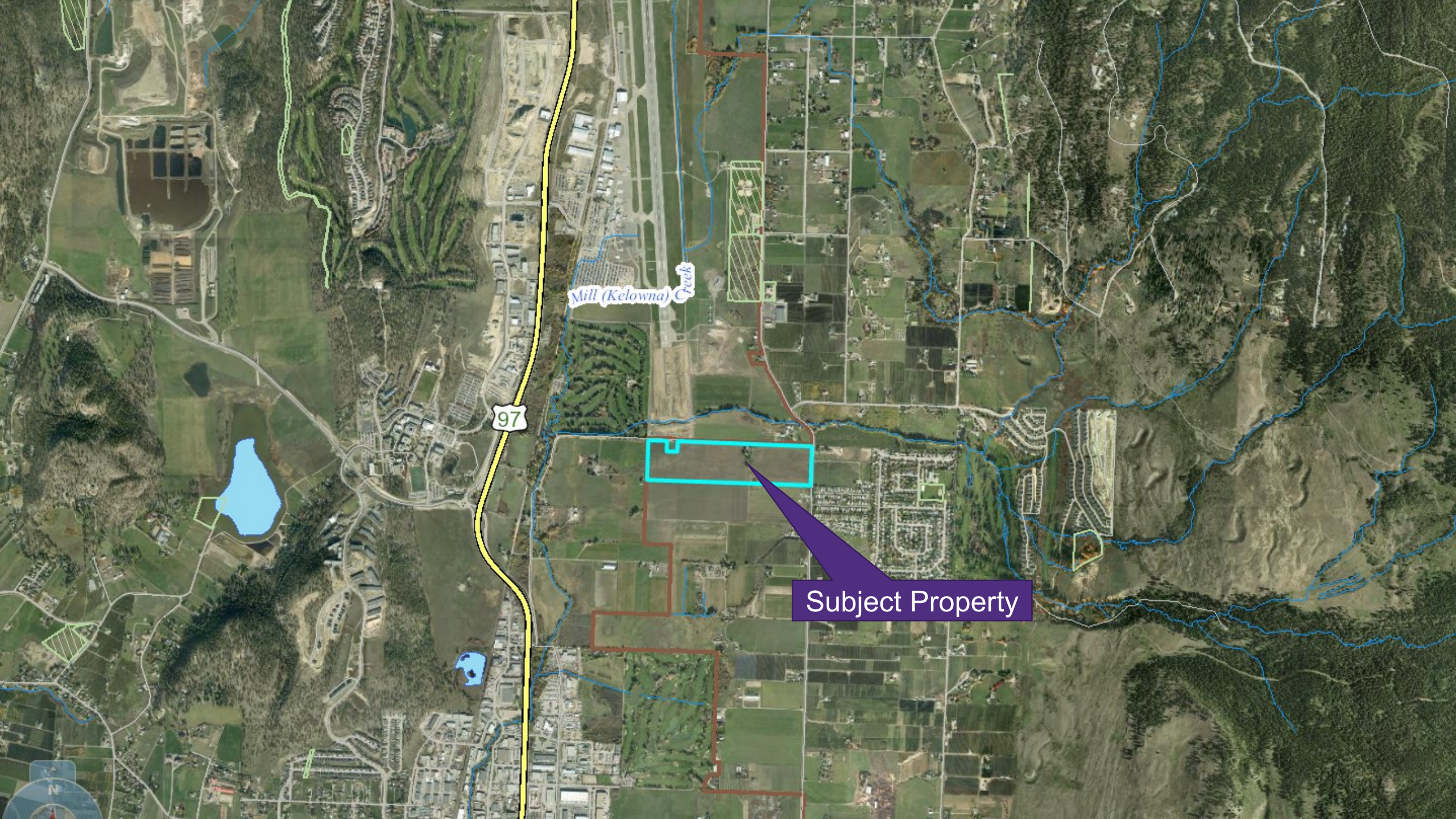
Regional District of Central Okanagan Board Meeting
January 13, 2021

1450 K.L.O. Road
Kelowna, BC, V1W 3Z4
rdco.com



Purpose

- To consider an Agricultural Land Commission referral application to permit a Non-Adhering Residential Use to use a portion of the property for temporary farm worker housing



Mill (Kelowna) Creek

97

Subject Property



Subject Property



Old Vernon Rd

Bulman Rd

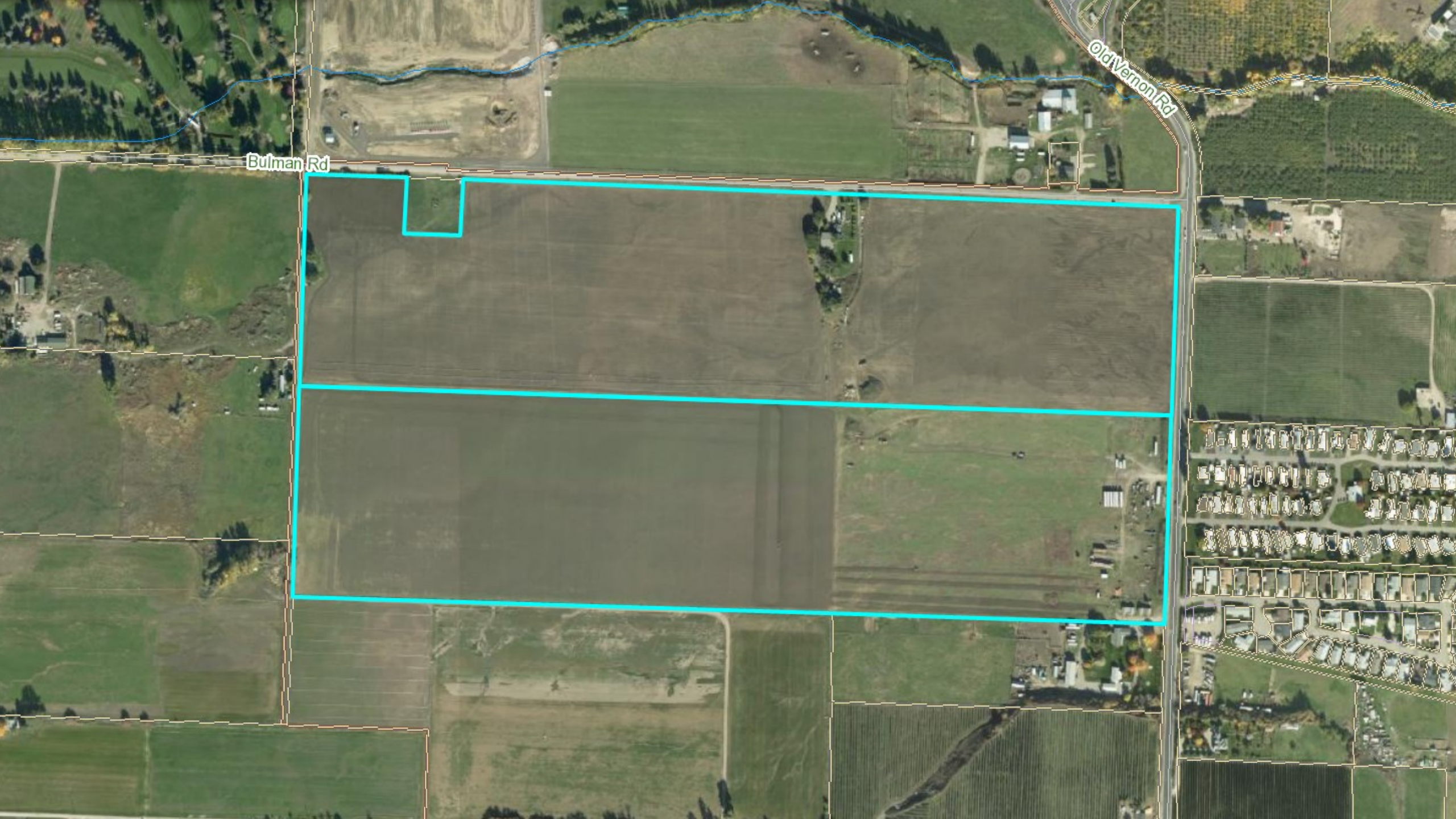
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pl 7394

1
pl 10418

Background

- 300-hectare farm operation
- 310 temporary farm workers



Bulman Rd

Old Vernon Rd

Background

- The subject property contains:
 - Two duplexes (red)
 - Accessory building (blue)

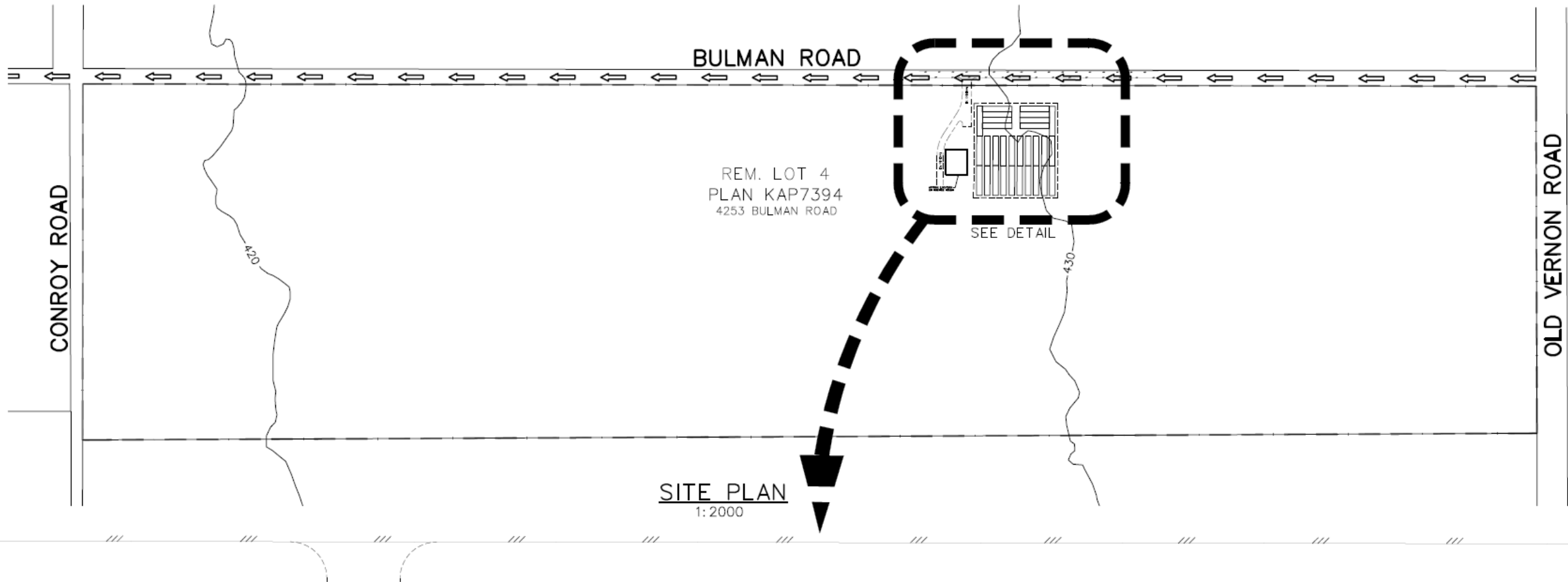






Proposal

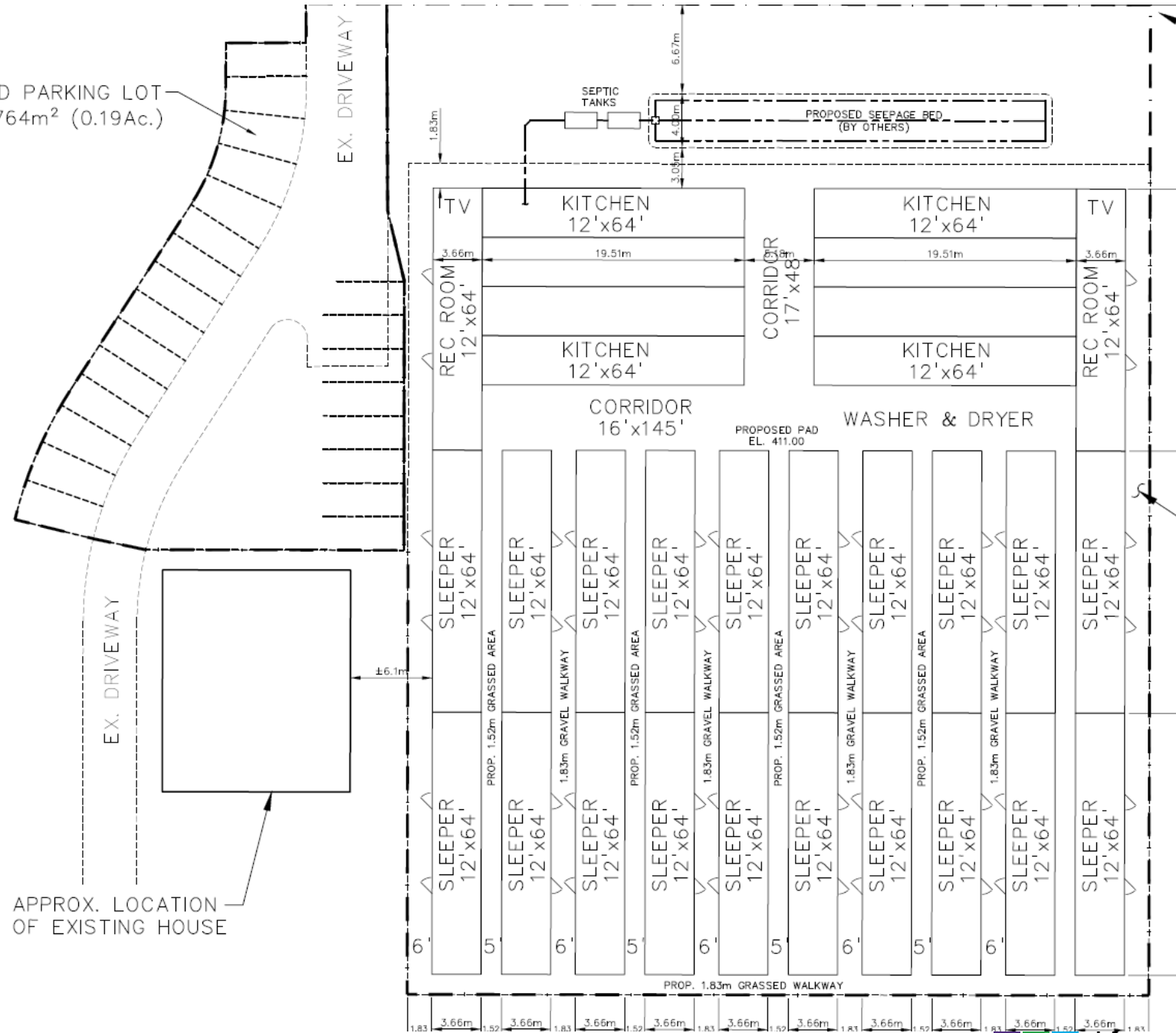
- Temporary Farm Worker Housing for 120 temporary farm workers under the Seasonal Agricultural Worker Program



Proposal

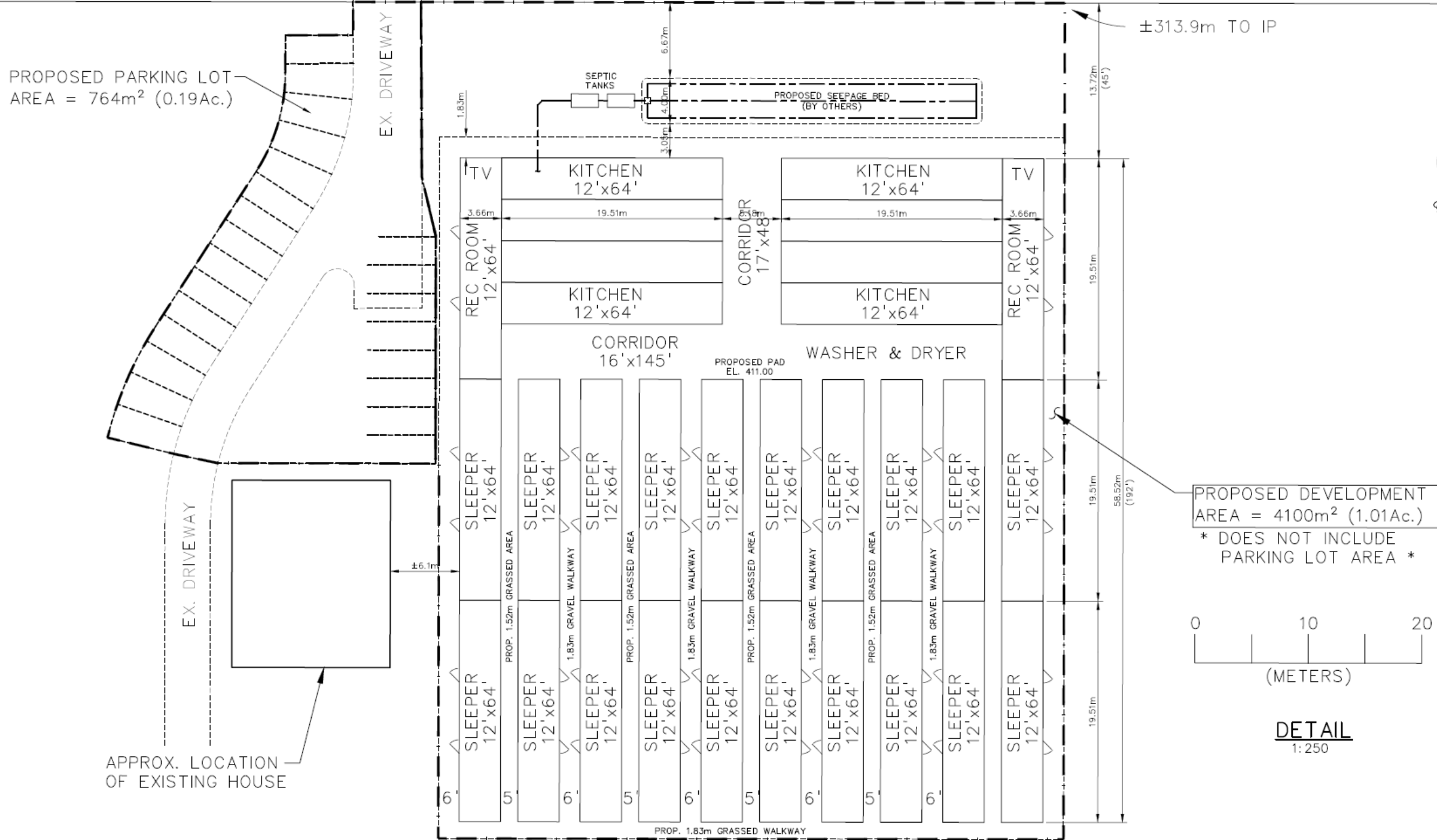
- 2655 m² building footprint
- Sleeping units
- Washrooms
- Kitchens
- Laundry facilities
- Recreation

PROPOSED PARKING LOT
AREA = 764m² (0.19Ac.)



PROPOSED PARKING LOT
AREA = 764m² (0.19Ac.)

±313.9m TO IP



PROPOSED DEVELOPMENT
AREA = 4100m² (1.01Ac.)

* DOES NOT INCLUDE
PARKING LOT AREA *



DETAIL
1:250



Proposal

- 2200 m² outdoor amenity space
- 23 parking spaces



5573-E

8076







5673-C







Proposal

- Proximity to public transit routes
- Sensitive to surrounding residential uses
- Proximity to work locations
- Minimized building footprint on a single site
- 120 workers reasonable for 40 ha of cherries

Agrologist Report

- 120 temporary farm workers is reasonable
- Location is an efficient use of land within the ALR

Servicing

- Black Mountain Irrigation District
- Proposed Septic System
- Within the Ellison Fire Protection Area
- FortisBC

Seasonal Agricultural Worker Program

- Federal program
- Maximum 8 months per year
- Ensure safe working and living conditions for workers

Airport Regulations

- Approval from the airport is not required
- Transport Canada recommends no residential development within the NEF 30 contour
- Airport Master Plan recommends no residential development within the NEF 25 contour

NEF Contours 2025 and 2045

Open in Acrobat



- 2045 Noise Exposure Forecast - Most Demanding Expansion Scenario
- 2025 Noise Exposure Forecast - Prepared for Master Plan 2025

Agricultural Land Commission

ALR Use Regulations do not have provisions for TFWH

All TFWH proposals require a Non-Adhering Residential Use application

Regional Growth Strategy

- Our Land, Our Economy, and Our Food
 - Protect ALR land and supporting uses
 - Promote employment and investment
 - Support sustainable agricultural activities
 - Enhance local agriculture and food systems
 - Promote food production and agricultural viability
- **RGS policies support the application**

Agricultural Plan

- Recognizes the need for seasonal farm worker housing
- **Agricultural Plan policies support the application**

Ellison Official Community Plan

- Activities that contribute to farming income
- Retention of large continuous blocks of agricultural land

- **OCP policies support the application**

Zoning Bylaw

- Building GFA exceeds 250 m²
- Minimum setback less than 15 metres
- Less than the 89 parking spaces required
- **Zoning Bylaw Amendment required**

Temporary Farm Worker Housing Regulation Review

- Regulations last amended in 2012
- Do not reflect current best practices

Agricultural Advisory Commission

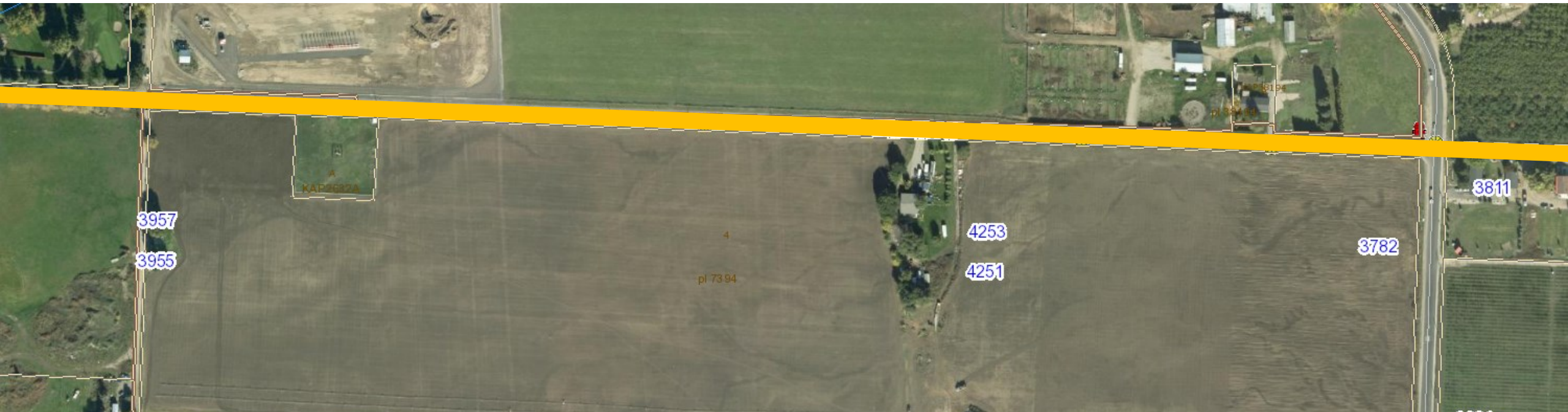
- **Supports the application**

Inspection Services

- Building Permit required
- Technical requirements:
 - Architect approval for BC Building Code
 - Fire Code compliance
 - IHA approval of sewerage disposal system
 - BMID confirmation of water service

Engineering Services

- Adjacent to Ellison Sanitary Sewer
- Not within the Sewer Service Area
- Connection not permitted



Ministry of Agriculture, Food and Fisheries

- Cherries are labour intensive
- Minimized impact on agricultural land
- Area per worker is greater than the recommended 10m²
- Proposal is reasonable given the crop, scale and location

Ministry of Transportation and Infrastructure

- No access permitted to Old Vernon Road
- No concerns

Interior Health Authority

- Ensure quality of housing and onsite amenities
- Support services for workers
- Safe and reliable transportation for workers
- Comply with provincial regulations

Black Mountain Irrigation District

- No water service on Bulman Road
- Connect to water service at Old Vernon Road
- Water Letter
 - Application to BMID
 - Deposit paid to BMID

City of Kelowna

- Recommends:
 - Farm housing near amenities
 - Discourages residential development within the NEF 25 contour
 - Vegetative buffer
- OCP prohibits development within the NEF 25 contour
 - Encourages RDCO to do the same
- Recommends farm housing near amenities for workers

Summary

- TFWH for 120 temporary farm workers
- Supported by the RGS, Agricultural Plan and OCP
- Does not align with the Zoning Bylaw
- Technical requirements addressed at BP stage

Summary

- Support from AAC and MOAFF
- IHA provides recommendations
- BMID outlines requirements for water service
- City of Kelowna discourages residential development near the airport

Recommendation

- **THAT** the Regional Board support Agricultural Land Commission Application A-21-04 for applicant S. Sundher Orchards Ltd., on the condition that the applicant seek approval of a zoning bylaw amendment by the Regional Board to allow a non-adhering residential use for temporary farm worker housing as outlined in the report from the Director of Community Services dated January 13, 2022;
- **AND THAT** the Regional Board directs staff to forward the application to the Agricultural Land Commission.



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