

ADMINISTRATIVE REPORT



TO: Advisory Planning Commission
FROM: B. Newell, Chief Administrative Officer
DATE: July 20, 2021
RE: Temporary Use Permit – Electoral Area “C”

Purpose: To allow for temporary farm labour housing in ALR lands. Folio: C-05482.000

Civic: 376 Road 6 Legal: Lot 170, Plan KAP1728, District Lot 2450S, SDYD

OCP: Agriculture (AG) Zoning: Agriculture One (AG1)

Proposed Development:

This application is seeking to allow for temporary farm labour housing on the subject property through the issuance of a Temporary Use Permit (TUP).

In support of this proposal, the applicant has stated that “this new residence would provide 12 new bedrooms, in which we could add some new employees and use to alleviate pressure placed on our existing employee housing. In the short term, this new housing will allow us to grow and harvest our fields, in a timely manner, as this past season tons of produce were left in the field. In the long term, the additions in our workforce would allow us to plan towards new plantings and new fields, and diversify the produce grown in our community.”

Site Context:

The subject property is approximately 4.5 ha in area and is situated on the northeastern corner of Highway 97 and Road 6. It is understood that the parcel is comprised of a single detached dwelling with agricultural productivity on approx. 2.5 ha.

The surrounding pattern of development is generally characterised by similarly agricultural parcels used primarily for farming purposes.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on December 17, 1920, while available Regional District records indicate that a building permit for single detached dwelling has been issued in the past.

Under the Electoral Area “C” Official Community Plan (OCP) Bylaw No. 2452, 2008, the subject property is designated as Agriculture (AG). Under the Electoral Area “C” OCP Bylaw policies for Agriculture-designated lands the Board “supports establishing housing for year round farm help and seasonal farm workers” (Section 9.3.20).

Under the Electoral Area “C” Zoning Bylaw No. 2453, 2008, the property is currently zoned Agriculture One Zone (AG1) which allows for maximum number of two (2) dwellings (one principal and one accessory) for parcels less than 8.0 ha in size.

The Regional District has received written complaints regarding “untidy/unsightly premises” on site which was later resolved on October 29, 2020.

The property is within the Agricultural Land Reserve (ALR) and is classified as part Residential (Class 01) and part “Farm” (Class 09) by BC Assessment.

In December, 2020, a referral for non-adhering residential use application was referred to the Regional District by the Agricultural Land Commission (ALC), in order to allow temporary farm workers housing (TFWH) for up to twelve (12) farm labourers on the subject parcel.

At its meeting on January 7, 2020, the Regional District Board resolved to authorize the application to proceed to ALC for their determination.

On April 1, 2021, the ALC approved the non-adhering residential use application with conditions that:

- *Siting of the moveable modular home in accordance with Schedule A of this decision;*
- *The registration of a restrictive covenant prior to placement of the TFWH, stating that the TFWH will only be used by temporary farm workers in accordance with this decision, and that the owner will remove the TFWH and restore the land to conditions suitable for agricultural use if the TFWH is vacant for two consecutive years;*
- *Approval for the non-farm use is granted for the sole benefit of the Applicants and is non-transferable.*

Analysis:

In considering this proposal, Administration notes that the Electoral Area “C” OCP Bylaw speaks to supporting “housing for year round farm help and seasonal farm workers” (e.g. farm labour housing).

In this instance, the applicant has substantiated the need for migrant farm worker housing as they farm the subject parcel (4.5 ha) in addition to nine (9) other agricultural parcels owned by the applicant/owner of the subject parcel. Approval of subject application will assist the landowner in securing affordable housing for temporary farm workers required for the management and operation of farm-land.

Administration notes that the siting and placement of the temporary farm labour housing will minimize the residential impacts on agricultural lands taking into consideration topography, agricultural capability, access and clustering of residential structures on site.

Administration further notes that impacts on the farm and surrounding farm operations is minimal as the use will occur in an area with limited cultivation on the property.

In addition, this application has been supported (in past) by key agencies including Area “C” Advisory Planning Committee, Regional District Board (January 7, 2020), and the Agricultural Land Commission. The floor area for the proposed housing has since been reduced from 256.4 m² to 166.5m².

In issuing a Temporary Use Permit, the Regional District may specify conditions according to which the proposed use may be conducted. In this instance, ALC has imposed conditions on the use of proposed dwelling(s) (See background). Given that the significant concerns are already dealt with by the ALC, Administration recommends the “temporary farm workers housing” use of the land be subject to the following conditions:

- the maximum gross floor area of all farm worker housing shall be 166.5 m²; and

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- the maximum number of sleeping units for all farm worker housing shall not exceed 12.

Conversely, the addition of uses within an agricultural area that are non-farm uses in nature can pose potential land use conflicts with agricultural operations. By allowing additional uses to occur, the primary use of the property or surrounding properties as agricultural land can become threatened through the introduction of competing interests.

In summary, the subject proposal is “temporary” in nature and aligns with OCP policies for supporting farm labour housing in ALR lands.

Administrative Recommendation:

THAT the APC recommends to the RDOS Board of Directors that the proposed temporary use be approved.

Options:

1. THAT the APC recommends to the RDOS Board of Directors that the proposed temporary use be approved.
2. THAT the APC recommends to the RDOS Board of Directors that the proposed temporary use be approved with the following conditions:
 - i) *TBD*
3. THAT the APC recommends to the RDOS Board of Directors that the proposed temporary use be denied.

Respectfully submitted:

Fiona Titley

Fiona Titley, Planner 1

Endorsed By:



C. Garrish, Planning Manager

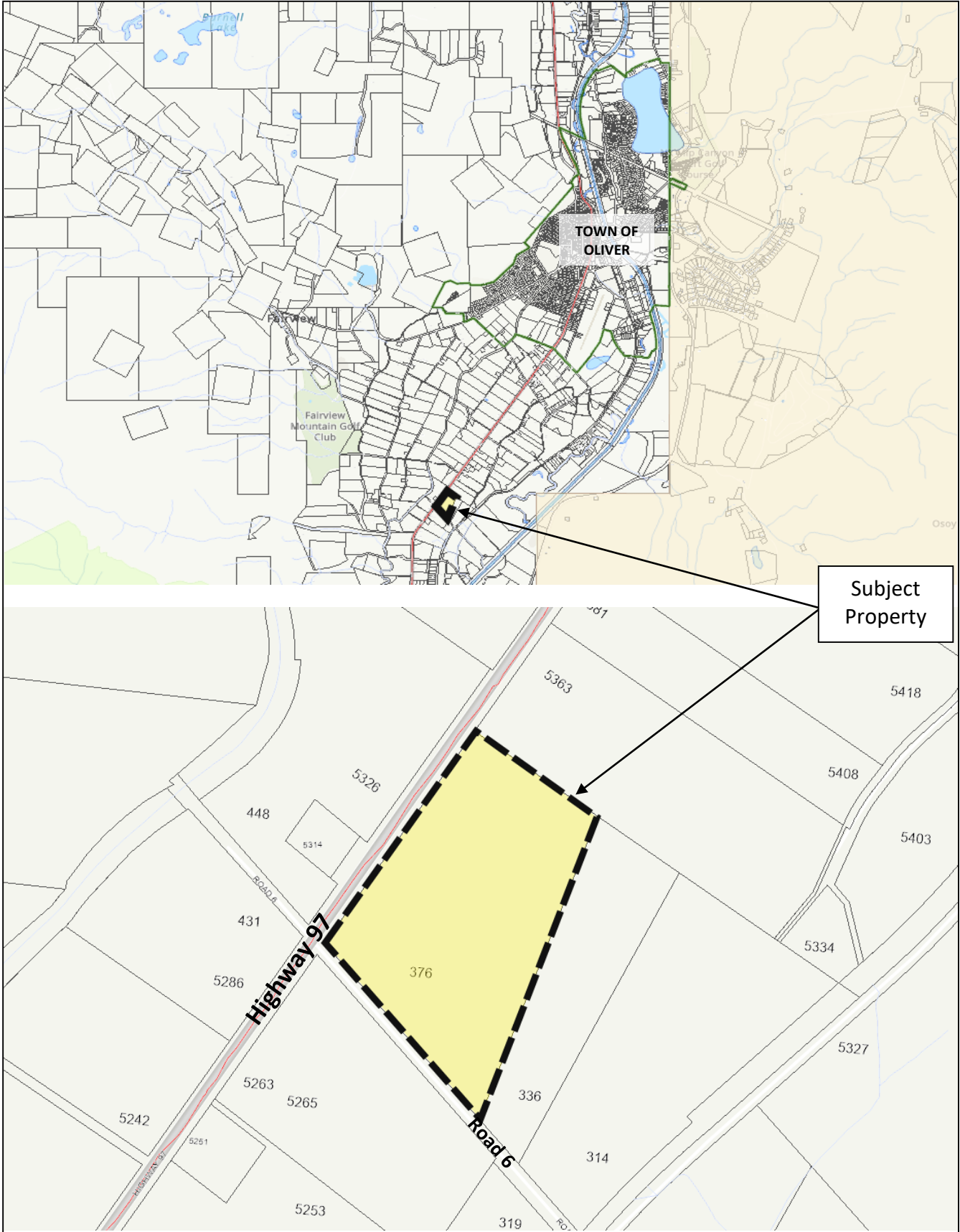
Attachments:

No. 1 – Context Maps

No. 2 – Site Plan

No. 3 – Floor Plan



Attachment No. 1 – Context Maps



Attachment No. 2 – Applicant’s Site Plan

Location Map & Site Plan



	Conditionally Approved Non-Adhering Residential Use
	The Property

Attachment No. 3 – Applicant’s Floor Plans

