
MEETING TYPE: Regular Council Meeting
MEETING DATE: February 20, 2024
AUTHOR: Trevor Empey, Senior Planner
DEPARTMENT: Planning and Development
ITEM TITLE: Agricultural Land Reserve | ALR2023-004 | 1890 Goldie Road
DESCRIPTION: Non-Adhering Residential Use Application for Temporary Farm Worker Housing on Agricultural Land Reserve

PURPOSE

To consider if this Non-Adhering Residential Use application meets District land use polices and regulations and to determine if this application will be forwarded to the Agricultural Land Commission (ALC) for decision.

RECOMMENDATION

THAT Non-Adhering Residential Use application ALR2023-004 for property at 1890 Goldie Road legally described as Lot B Section 21 Plan KAP5226 Township 20 (Roll 2788000; PID 010-331-344) to allow temporary farm worker housing for up to 6 workers be supported; AND THAT ALR2023-004 be forwarded to the Agricultural Land Commission.

EXECUTIVE SUMMARY

This Non-Adhering Residential Use application proposes temporary farm worker housing for up to six workers to support farm operations on the subject property and leased A1-Agriculture (A1) zoned land (2411 Williams Road). This application is to provide temporary farm worker housing for both 1890 Goldie Road and 2411 Williams Road. The housing is proposed to be a mobile structure and would not impact the viability of farm operations on this parcel. Staff are supportive of this application and recommend approval.

This application was reviewed and supported the District's Agricultural Advisory Committee (AAC) on November 20th, 2023, and as this application is proposing a form of rental housing, it has been expedited as per the District's Official Community Plan 2018-2038 Bylaw 1065, 2018.

APPLICABLE LEGISLATION, BYLAWS AND POLICIES

Agricultural Land Reserve Use Regulation (B.C. Reg 30/2019)
Official Community Plan 2018-2038 Bylaw 1065, 2018.
Agriculture Plan
Zoning Bylaw 561, 2007

BACKGROUND/HISTORY:**TABLE 1: PROPERTY INFORMATION**

Civic Address:	1890 Goldie Road		
Roll Number:	2788000		
Legal Description:	LOT B SECTION 21 OSOYOOS DIV OF YALE LAND DISTRICT PLAN KAP5226 TOWNSHIP 20		
Applicant:	Alfred Burk	Owner:	Alfred Burk
OCP Designation:	Agricultural		
Existing Zoning Designation:	A1 - Agriculture		
Proposed Zoning:	No Change proposed		
Land Use Contract:	N/A		
Covenant:	N/A		
ALR:	Yes		
Parcel Size:	3.4 Hectares (8.5 Acres)		
DP Area(s):	N/A		
Water Supply:	Municipal		
Sewer:	Private – Septic		
Site Context:	Zoning:	Use:	
<i>North:</i>	A1 – Agricultural	Agricultural	
<i>East:</i>	A1 - Agricultural	Agricultural	
<i>South:</i>	A1 - Agricultural	Agricultural	
<i>West:</i>	A1 - Agricultural	Agricultural	

SITE CONTEXT

The subject property is rural in nature with frontage on Goldie Road and located in the Okanagan Centre Ward. Goldie Road is a rural area of the community, with agricultural land use primarily occurring on parcels located in the Agricultural Land Reserve (ALR).

Currently existing on the subject property are: one primary residence, one accessory building with a second storey designed to house a temporary farm worker and one abandoned original farm residence. The accessory building is only used for storage at this time, no farmworkers reside in the building.

It is important to note that housing for a temporary farm worker in the second storey of the accessory building was permitted through a Non-Adhering Residential Use application approved by the District and the ALC in 2020; however, to support the second storey addition of farmworker housing, the ALC placed conditions that the original abandoned farmhouse be taken down. The applicant has not fulfilled these ALC conditions due to demolition costs and subsequent plans to convert the abandoned farm residence to a cidery and farmstand in the future. An application has not been submitted to the District's Planning Department at this time to support the development of a cidery and farmstand.

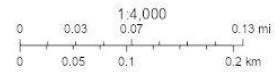
MAP 1: LOCATION MAP

1890 Goldie Rd.



12/11/2023, 10:45:58 AM

- Parcels
- Streets
- Easements
- Lake Country Boundary
- Street



District of Lake Country Online Mapping System
District of Lake Country

MAP 2: ORTHOPHOTO



FIGURE 1: CONCEPTUAL SITE PLAN

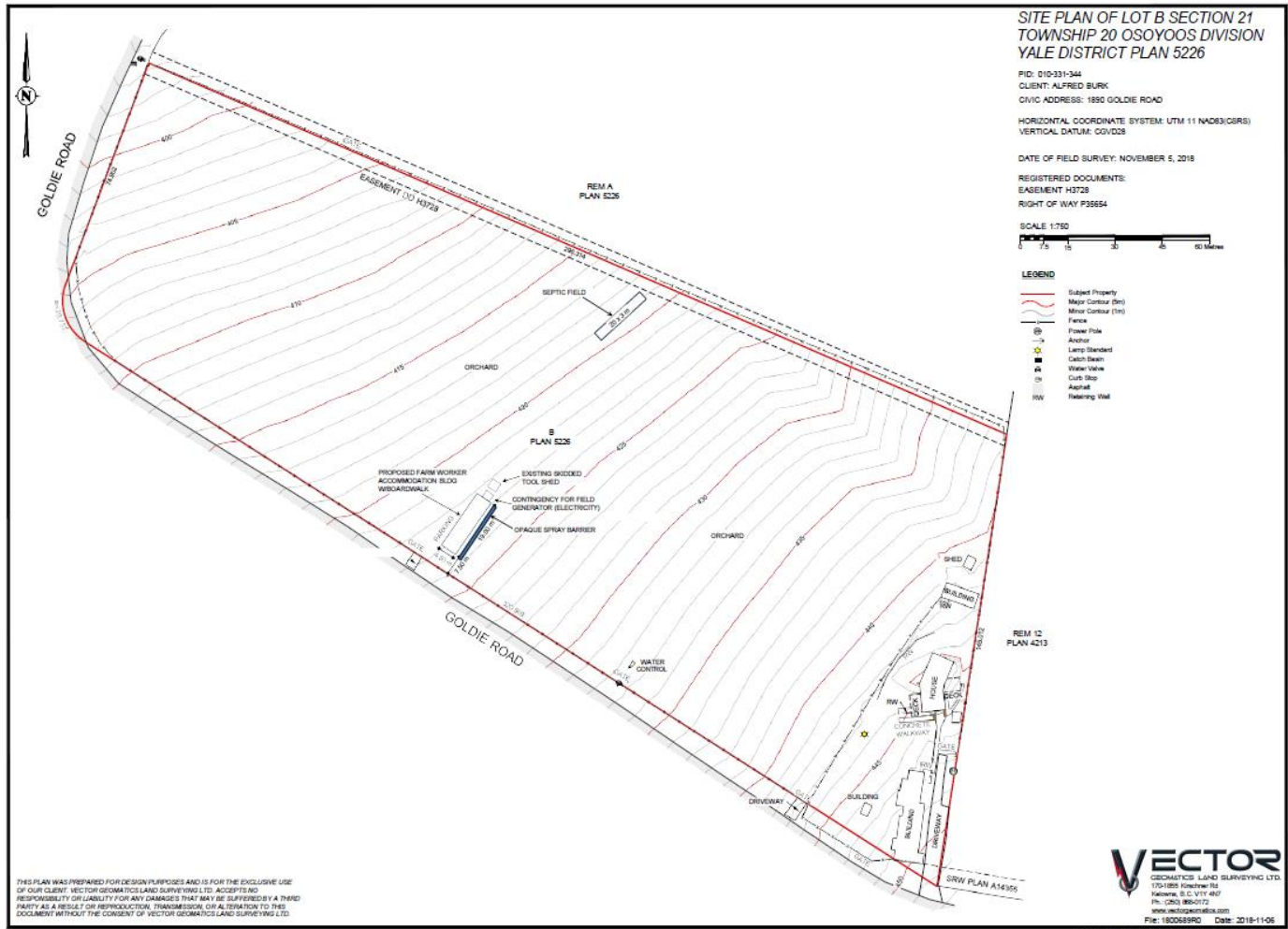
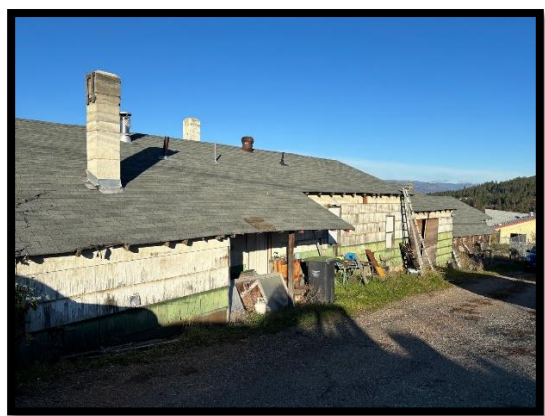


FIGURE 2: SITE PHOTOS

Original Farm House



Accessory Building



Primary Residence (Single Family Dwelling)



Apple Orchard

**TABLE 2: FILE CHRONOLOGY**

Date	Event
2023-09-29	Application submission
2023-10-12	Core Team Meeting
2023-10-13	External Referrals
2023-11-20	Agricultural Advisory Committee consideration
N/A	Previous Council consideration

DISCUSSION/ANALYSISPolicy Review

This application proposes to place housing for temporary farm workers in the form of a mobile trailer in the existing orchard on the subject property. Farm loss would occur totaling 140-170m² (1500-1800 sq. feet) where the residential structure is placed if this application were approved by Council and the ALC. Staff reviewed the goals, objectives and policies of Official Community Plan (OCP) s.14 – Agricultural, and staff are confident that if this application were supported by the ALC, there would be minimal impact to surrounding agricultural properties, minimal farm loss would occur and support of the agricultural use of this parcel would be improved by providing residences for additional temporary farm workers.

Under the Agricultural policies of the District's OCP, s.14.1.3 outlines that Council supports additional dwellings on farmland only when the farm warrants full-time help. In this case, the applicant proposes that six additional temporary farm workers are required to support farm operations. Staff also reviewed the District's Agricultural Plans and note that this application would support policy objectives under s.1.1 of the Agricultural Plan that seek to protect existing ALR land since the temporary farm worker housing is temporary in nature.

The subject property is surrounded by A1 zoned parcels and is in a rural location of the District. It is unlikely that major impacts would result in placing housing for temporary farm workers on the subject property as it would be in the existing orchard and away from adjacent parcel boundaries. Minimal potential impacts could include an increase in vehicular traffic to and from the subject property when workers are leaving or returning the subject property. Given the nature of this proposal, staff are confident that the subject property would continue to be used in its highest and best potential supporting OCP s.14.5 – Farmland Protection for ALR parcels in the District.

Zoning Bylaw 561, 2007

The applicant is required to conform to the District's Zoning Bylaw 561, 2007. Under the Zoning Bylaw s.12, A1 zoning regulations are identified including buildings and structures. This application would fall under the permitted seasonal accommodation facility (12.1.5 (d)) for seasonal farm help. If this application proceeds to the ALC for approval, a District Building Permit would be required, to authorize the proposed seasonal accommodation facility for temporary farm workers.

Covenant on Title

The Ministry of Agriculture recommended that a covenant be placed on title to ensure that the farm worker residences are removed after they are not needed. Staff recommends that Council request the ALC to determine the appropriate covenant to require removal of the temporary farm worker housing once it is not required to support farm operations. This covenant would be held by the ALC and would be required at the Building Permit stage of this application, subject to an approval of this application by the ALC.

The applicant intends to provide an opaque barrier (19m in length, unknown in height). If this application is approved by council and sent to the ALC, staff recommends that Council request the ALC to determine the appropriate protection required to limit any impacts to the proposed residential use from the existing agricultural use on the subject property based on best practices.

IMPACT ON INFRASTRUCTURE, SERVICES AND STAFF CAPACITY (if applicable)

Existing infrastructure for access (Goldie Road) and water (municipal) have capacity to accommodate the proposed development. As noted previously, this proposal has been prioritized by staff; however, regular staff time has been used to process the proposed development application.

FINANCIAL IMPLICATIONS

None Budget Previously Approved Other (see below)

CONSULTATION (Internal referrals, External Agencies, Committees, Stakeholders)

Ministry of Agriculture

Staff referred this application to the Ministry of Agriculture for feedback and review. Based on the review of the application materials, the Ministry of Agriculture staff recommended that a covenant be placed on the subject property that would require the temporary farm worker housing (trailer) to be removed when no longer needed to house farm workers, if the application is forwarded to the ALC.

COMMUNICATIONS (if applicable)

N/A

ALIGNMENT WITH COUNCIL STRATEGIC PRIORITIES

- Create and Support Opportunities for a Healthy, Active and Inclusive Community
- Create Infrastructure That Meets Community Needs
- Encourage Growth of the Downtown Core
- Ensure Sustainable Water Service Delivery for the Community
- Explore Opportunities to Engage with Regional Local Governments for the Betterment of the Community
- Honour Reconciliation by Strengthening Relationships and Inclusiveness With Our Indigenous Partners
- Identify and support improvements to the Development Process
- Implement the Agricultural Plan
- Preserve, Protect and Enhance Our Natural Environment
- Secure long term wastewater service delivery for our community
- Support Opportunities to Diversify Lake Country's Tax Base

ALIGNMENT WITH MASTER PLANS

- | | |
|--|--|
| <input checked="" type="checkbox"/> Agricultural Plan | <input checked="" type="checkbox"/> Official Community Plan |
| <input type="checkbox"/> Climate Action Charter | <input type="checkbox"/> Parks & Recreation Master Plan 2019 |
| <input checked="" type="checkbox"/> Housing Needs Report | <input type="checkbox"/> Sanitary Sewer System Map |
| <input type="checkbox"/> Liquid Waste Management Plan Stage 1/2 Report | <input type="checkbox"/> Transit Future Plan-Central Okanagan Region-DRAFT |
| <input type="checkbox"/> McCoubrey Plateau Area Structure Plan | <input type="checkbox"/> Transportation for Tomorrow |
| <input type="checkbox"/> Mobility Master Plan | <input type="checkbox"/> Water Master Plan |

OPTIONS

The following options are presented for Council's consideration:

- A. THAT Non-Adhering Residential Use application ALR2023-004 for property at 1890 Goldie Road (Roll 2788000; PID 010-331-344) to allow temporary farm worker housing for up to six workers be supported; AND THAT ALR2023-004 be forwarded to the Agricultural Land Commission.
- B. THAT Non-Adhering Residential Use application ALR2023-004 for property at 1890 Goldie Road (Roll 2788000; PID 010-331-344) to allow temporary farm worker housing for up to six workers not be supported; AND THAT ALR2023-004 be forwarded to the Agricultural Land Commission.
- C. THAT Non-Adhering Residential Use application ALR2023-004 for property at 1890 Goldie Road (Roll 2788000; PID 010-331-344) to allow temporary farm worker housing for up to 6 six workers not be supported; AND THAT ALR2023-004 not be forwarded to the Agricultural Land Commission.
- D. THAT Non-Adhering Residential Use application ALR2023-004 for property at 1890 Goldie Road (Roll 2788000; PID 010-331-344) to allow temporary farm worker housing for up to six workers be deferred pending receipt of additional information as identified by Council.

Collaborators: *(each individual collaborator to add name and date reviewed)*

Name	Date Reviewed

Respectfully Submitted,
Trevor Empey, Senior Planner
MCIP, RPP

Report Approval Details

Document Title:	ALR2023-004-NARU-1890 Goldie Road.docx
Attachments:	- ALC Application 1890 Goldie - Attachment A_Redacted.pdf
Final Approval Date:	Feb 13, 2024

This report and all of its attachments were approved and signed as outlined below:

No Signature - Task assigned to Brian Zurek, Manager of Planning was completed by workflow administrator Reyna Seabrook, Director of Corporate Services

Brian Zurek, Manager of Planning - Jan 31, 2024 - 11:50 AM

No Signature found

Steven Gubbels, Manager of Development - Jan 31, 2024 - 2:26 PM

Jared Kassel, Director of Planning & Development - Jan 31, 2024 - 2:58 PM

Reyna Seabrook, Director of Corporate Services - Feb 8, 2024 - 9:25 AM

No Signature found

Trevor James, CFO, Director of Finance & Administration - Feb 13, 2024 - 11:54 AM