# MEMORANDUM

DEVELOPMENT SERVICES DEPARTMENT

**DATE:** November 10, 2026 **FILE NO.:** C2026.004-TUP

**TO:** Christopher Garrish, Senior Manager of Planning

**FROM:** Shannon Duong, Planner II

**RE:** Temporary Use Permit (TUP) — Electoral Area "C"

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Owners: Orion Kendrick & Nicole Lawton Civic: 7226 Island Road Folio: C-05341.000

Legal: Parcel A on Plan B7217, Block A of Lot 68, District Lot 2450S, SDYD, Plan 2030

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**Proposed Development:**

This application is seeking to renew an existing permit for the use of an ~72 $m^2$ industrial worker accommodation unit (i.e., a Jack and Jill styler dorm trailer) for the purposes of temporary farm worker accommodations on the subject property through the issuance of a Temporary Use Permit (TUP).

In support of this proposal, the applicant has stated:

- *The purpose of the application is to authorize the temporary use of the existing ATCO trailer in connection with the operation of Sagebrush Native plant Nursery Ltd.*
- *The requested time period for the temporary use is for as long as Sagebrush Native plant Nursery Ltd. remains in business and continues operating from the property, subject to the maximum term and renewal provisions available for Temporary Use Permits under RDOS requirements. The requested authorization is therefore intended to be ongoing for the duration of the nursery operation, with any required renewal application to be pursued before the expiry of the permit term.*
- *The reason for the proposed temporary use permit is to allow the continued establishment and operation of a local native plant nursery that supports the growing, availability, and distribution of native plant species. The need for housing for foreign workers is paramount to the daily running of our business. The use is expected to contribute to restoration, landscaping, habitat enhancement, and environmentally appropriate planting projects in the region.*

**Site Context:**

The subject property is approximately 3.24 ha in area and is situated on the west side of Island Road, approximately 0.735 km north from the boundary of the Town of Oliver.

The property is understood to contain a single detached dwelling, farm structures (i.e., a greenhouse and chicken coop), various accessory buildings and structures, the subject temporary farm worker accommodation unit, and a recreational vehicle with an office.

The surrounding pattern of development is generally characterised by agricultural development, as well as clusters of low density residential lots to the north and small rural residential lots to the south.

**Background:**

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on August 5, 1957, while BC Assessment has classified the property as part "Residential" (Class 01) and part "Farm" (Class 09).

Available Regional District records indicate that a building permits have not been issued for the property.

Official Community Plan (OCP) Bylaw:

Under the Electoral Area "C" Official Community Plan (OCP) Bylaw No. 2452, 2008, the subject property is currently designated Agriculture (AG), and is the subject of a Watercourse Development Permit (WDP) Area designation.

Section 20.3.7 of the OCP Bylaw specifies the following conditions which may imposed by temporary use permits issued in relation to a dwelling units for farm labour:

- The use of the accommodation be restricted to farm labour only;
- The structure be removed from the property when the permit lapses, if the renewal of that permit has not been approved by the Regional Board;
- The structure be constructed or manufactured in a manner that makes it easily moveable from one location to another; and,
- The foundation be temporary in nature (i.e. not concrete).

Zoning Bylaw:

Under the Okanagan Valley Zoning Bylaw No. 2800, 2022, the property is currently zoned Agriculture One (AG1) which permits "accessory dwelling" as an accessory use.

The subject industrial worker accommodation unit is not seen to be captured under the definition of "accessory dwelling" due to its unique layout wherein each sleeping unit has its own separate entrance and is disconnected from a common kitchen area (see Attachment No. 3).

Under Section 10.0 (Floodplain Regulations) of the Zoning Bylaw, the subject property is within the floodplain associated with Park Rill Creek and the siting and construction of habitable area is subject to the siting restrictions and flood construction levels specified in the bylaw.

Bylaw Enforcement:

The property has been the subject of a Stop Work Notice for the construction of a greenhouse and oversized shed.

Agricultural Land Reserve (ALR):

The property is within the Agricultural Land Reserve (ALR) and the ALR Use Regulation allows for one principal residence with a floor area of up to 500 $m^2$ and one additional residence with a floor area of up to 90 $m^2$ on properties less than 40 ha in area. As the subject temporary farm worker accommodation unit is less than 90 $m^2$, ALC approval is not required for its placement and use.

The recreational vehicle (RV) that exists on the property is understood to provide for additional accommodations for farm workers; however, it is understood that its use requires approval from the

Agricultural Land Commission (ALC) and approval for its use will be sought separate of the industrial worker accommodation unit that is the subject of this application.

Delegation Bylaw:

Under Section 3.23 of the Regional District's *Chief Administrative Officer Delegation Bylaw No. 3033, 2023*, "the CAO or his designate shall ... be delegated authority to renew or re-issue a temporary use permit under Section 493(3) of the *Local Government Act* where:

i) no additional changes to the initial permit have been requested by the applicant;

ii) there have been no compliance issues with the original permit; and

iii) no representation(s) opposing the requested permit has been submitted to the Regional District within the timeframe specified in the Regional District's Development Procedures Bylaw."

**Public Process:**

In accordance with Sections 2.4 and 2.15 of Schedule 5 (Application for a Temporary Use Permit) of the Regional District's Development Procedures Bylaw No. 2500, 2011, adjacent residents and property owners were notified of this TUP application on October 19, 2026, and provided 15 working days to submit comments electronically or in-person to the Regional District.

As of Novemmber 9, 2026, being 15 working days from the date of notification, no representations have been received electronically or by submission at the Regional District office.

**Analysis:**

In this instance, and with regard to the first guideline contained under Section 3.23 of the CAO Delegation Bylaw, Administration notes that the application requests the same use that was authorized under the initial TUP (TUP No. C2023.024-TUP).

With regard to the second guideline, the Regional District has not received any complaints with respect to TUP No. C2023.024-TUP, and accordingly, there has been no enforcement in relation to compliance with the original permit.

Additionally, the subject accommodation unit is understood to continue to be used for farm labour only, be moveable from one location to another, and have a temporary foundation. In this regard, the use authorized under TUP No. C2023.024-TUP has remained in compliance with the conditions of the permit.

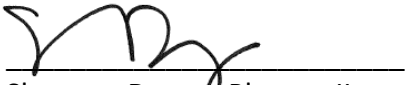
With regard to the third guideline, the Regional District has not received any representations opposing the requested permit during the feedback acceptance timeframe of October 19, 2026 to November 9, 2026.

For these reasons, it is recommended that the Temporary Use Permit be approved.

**Recommendation:**

THAT Temporary Use Permit No. C2026.004-TUP, to allow for the the use of an ~72 $m^2$ industrial worker accommodation unit for the purposes of temporary farm worker accommodations, be approved.

**Respectfully submitted:**



Shannon Duong, Planner II

Attachments: No. 1 – Agency Referral List

No. 2 – Context Maps

No. 3 – Applicant's Floor Plans

No. 4 – Applicant's Site Plan (Sketch with Measurements)

No. 5 – Applicant's Site Plan (Aerial Imagery with Measurements)

No. 6 – Applicant's Site Plan (Aerial Imagery, Labeled)

No. 7 – Aerial Imagery

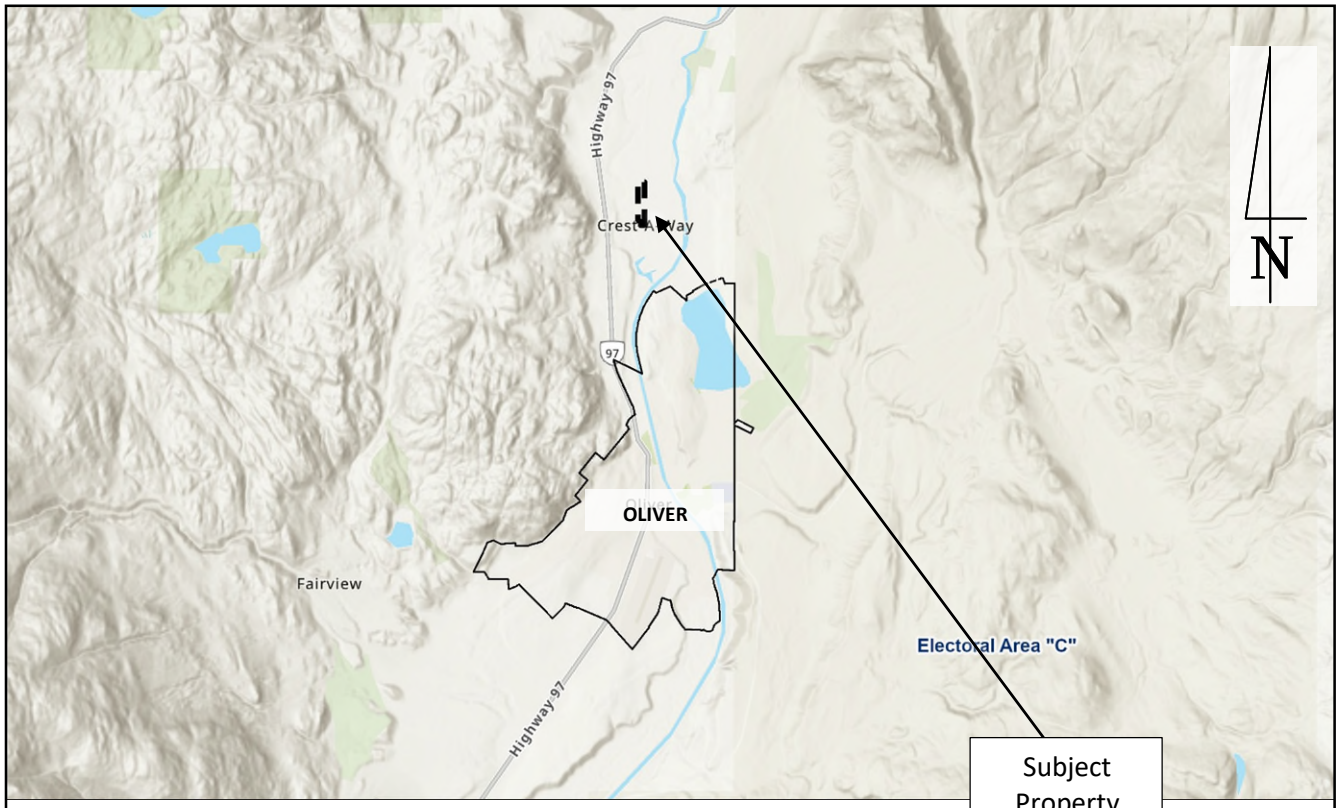
No. 8 – Applicant's Farm Unit

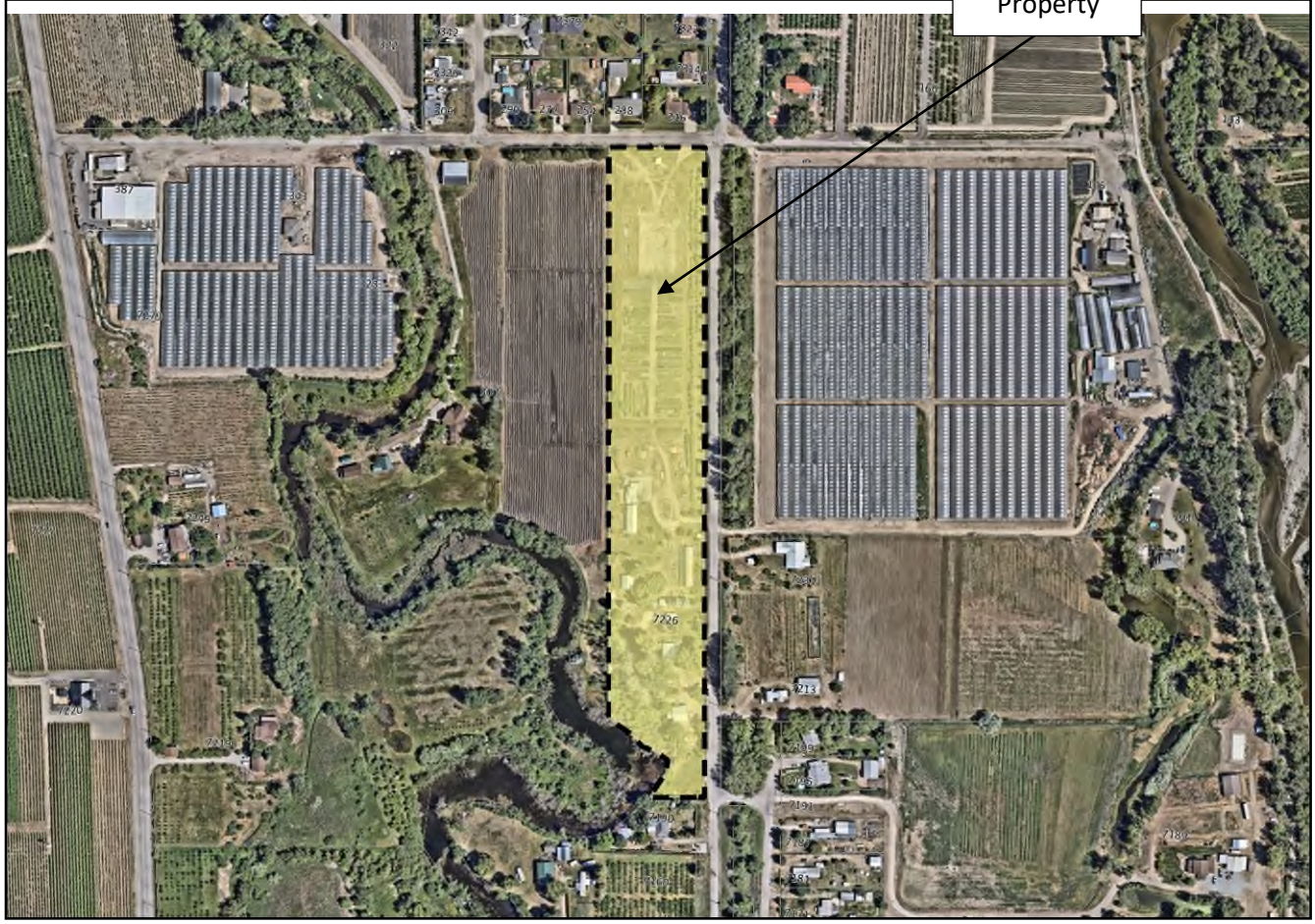
Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a ☑, regarding Temporary Use Permit No. C2026.004-TUP:

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|---|---|---|---|
| **MEMBER MUNICIPALITIES** | | | |
| ☐ | City of Penticton | ☑ | Town of Oliver (Public Works) |
| ☐ | District of Summerland | ☐ | Town of Osoyoos |
| ☐ | Town of Princeton | ☐ | Village of Keremeos |
| **FIRST NATIONS** | | | |
| ☐ | Okanagan Nation Alliance (ONA) | ☐ | Lower Similkameen Indian Band (LSIB) |
| ☐ | Osoyoos Indian Band (OIB) | ☐ | Upper Similkameen Indian Band (USIB) |
| ☐ | Penticton Indian Band (PIB) | | |
| **SCHOOL DISTRICTS** | | | |
| ☐ | School District No. 53 (Areas A, C & D) | ☐ | School District No. 67 (Areas D, E, F, I) |
| ☐ | School District No. 58 (Area H) | | |
| **REGIONAL DISTRICTS** | | | |
| ☐ | Central Okanagan Regional District | ☐ | Kootenay Boundary Regional District |
| ☐ | Fraser Valley Regional District | ☐ | Thompson Nicola Regional District |
| **IRRIGATION & IMPROVEMENT DISTRICTS** | | | |
| ☐ | Allison Lake Improvement District | ☐ | Lakeshore Water Works |
| ☐ | Apex Mountain Resort (utilities) | ☐ | Lower Nipit Improvement District |
| ☐ | Boundary Line Irrigation District | ☐ | Meadow Valley Irrigation District |
| ☐ | Cawston Irrigation District | ☐ | Osoyoos Irrigation District |
| ☐ | Farleigh Lake Water Users Community | ☐ | Red Wing Resorts (Water System) |
| ☐ | Fairview Heights Irrigation District | ☐ | Rolling Hills Waterworks District |
| ☐ | Hedley Improvement District | ☐ | Similkameen Improvement District |
| ☐ | Kaleden Irrigation District | ☐ | Skaha Estates Improvement District |
| ☐ | Keremeos Irrigation District | ☐ | Vaseux Lake Improvement District |
| **FIRE DEPARTMENTS** | | | |
| ☐ | Anarchist Mtn. Volunteer Fire Department | ☑ | Oliver Fire Department |
| ☐ | Apex Volunteer Fire Department | ☐ | Osoyoos Fire Department |
| ☐ | Kaleden Volunteer Fire Department | ☐ | Penticton Fire Department |
| ☐ | Naramata Volunteer Fire Department | ☐ | Summerland Fire Department |
| ☐ | OK Falls Volunteer Fire Department | ☐ | Willowbrook Volunteer Fire Department |
| **PROVINCIAL MINISTRIES & AGENCIES** | | | |
| ☑ | Agricultural Land Commission (ALC) | ☑ | Ministry of Agriculture & Food |
| ☐ | Archaeology Branch | ☐ | Ministry of Energy & Climate Solutions |
| ☐ | BC Parks | ☐ | Ministry of Housing & Municipal Affairs |
| ☐ | Integrated Land Management Bureau | ☐ | Ministry of Infrastructure |
| ☐ | Interior Health Authority (IHA) | ☐ | Ministry of Mining & Critical Minerals |
| ☐ | Mountain Resort Branch | ☐ | Ministry of Transportation and Transit |
| | | ☐ | Ministry of Water, Land & Resource Stwrd. |
| **FEDERAL MINISTRIES & AGENCIES** | | | |
| ☐ | Canadian Wildlife Services | ☐ | Fisheries and Oceans Canada |
| ☐ | Dominion Radio Astrophysical Observatory | ☐ | Parks Canada |
| ☐ | Environment Canada | | |
| **OTHER** | | | |
| ☐ | Fortis | | |

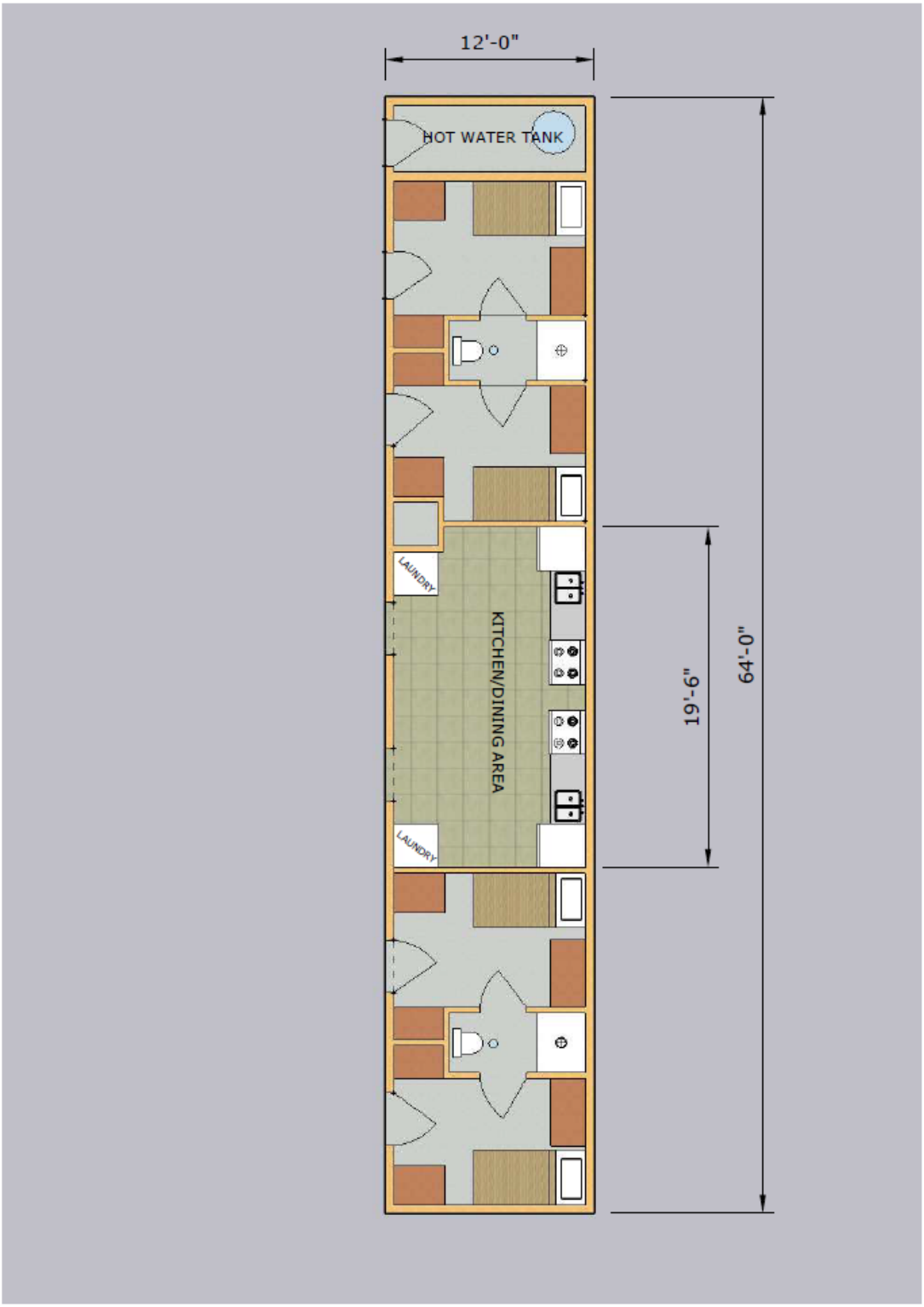
Attachment No. 2 – Context Maps



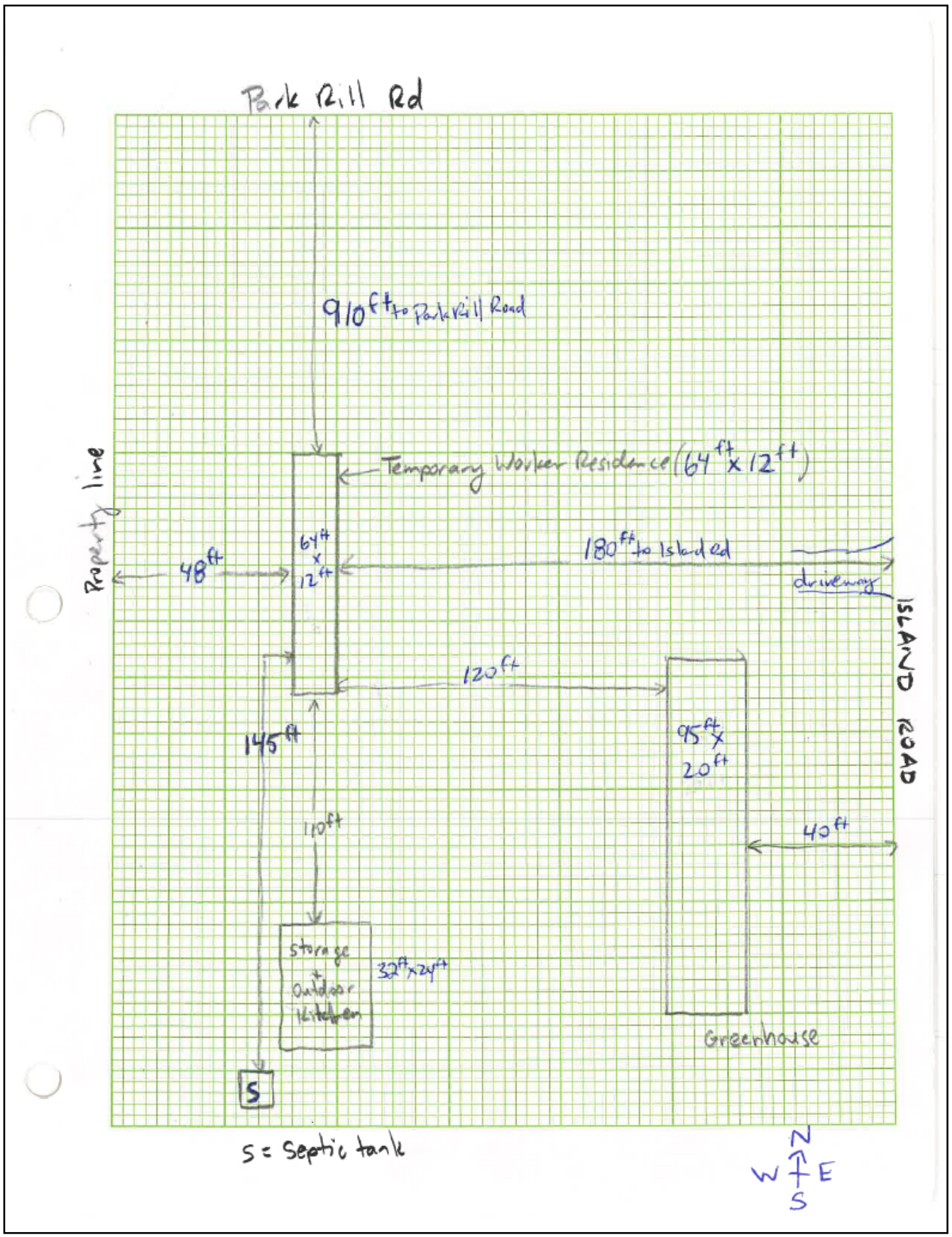



BNTC
BORDER NORTH TRAILER CO.

## 12' X 64' JACK AND JILL CUSTOM DORM



Attachment No. 4 – Applicant's Site Plan (Sketch with Measurements)



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