

SUBJECT TO ADOPTION
**Minutes of the meeting of
DISTRICT OF NORTH SAANICH
AGRICULTURAL ADVISORY COMMISSION**

Held Thursday, June 5, 2008 at 4:00 p.m.

PRESENT:

Chair	A. Finall
Members	B. Brennan H. Crawford R. Kline I. Mishchenko N. Schafer B. Dunic
Environmental Advisory Liaison	J. Von Kaldenberg
Co-Council Liaison	S. Fea
Staff Liaison	S. Bowden
Recording Secretary	V. Stefani

ALSO ATTENDING:

Lisa Makar, Sidney Business Association
Councillor Carinne Green
Chris Sigurdson & Heather Martman,
applicants

REGRETS:

Co-Council Liaison	A. Scoones
--------------------	------------

INTRODUCTIONS AND CALL TO ORDER

A. Finall called the meeting to order at 4:02 p.m.

ADOPTION OF MINUTES

MOVED BY: H. Crawford
SECONDED: J. Von Kaldenberg

THAT the minutes of the regular meeting held May 05, 2008 be approved as circulated, with the correction of a typing error in the motion regarding the proposed district wide burning ban.

CARRIED

ADDITIONS TO AGENDA

MOVED BY: B. Brennan
SECONDED: N. Schafer

THAT the agenda for the June 05, 2008 meeting be approved with the addition of an informational item from King County regarding transferring development rights and a Report from Farmland Economic Viability Review from Central Saanich under 7. Discussion.

CARRIED

SUBMISSION BY SIDNEY BUSINESS ASSOCIATION RE NORTH SAANICH FLAVOUR TRAIL

Lisa Makar, General Manager of the Sidney Pier Hotel spoke on behalf of the Sidney Business Association, expressing the Association's interest in participating in the North Saanich Flavour Trail and its potential link to restaurants in Sidney. She noted that participation in the event would increase the exposure of farmers and products, and respectfully requested that another \$1500 be added to the budget for the purpose of partnering restaurants with farms. L. Makar also noted that although there are no specific proposals at this time, there are numerous possibilities such as dinners, a billfold for restaurant checks, feature sheets etc. The role of the Sidney Business Association would be to get the various parties together.

R. Kline joined the meeting at 4:12 p.m.

A. Finall advised that the District of North Saanich has provided some funding and that an application for further funding has been forwarded to Investment Agriculture. A subcommittee has been formed and plans to hire a coordinator.

N. Schafer pointed out that farmers are contributing and that restaurants interested in participating should also be willing to contribute. L. Makar agreed that this idea could be pursued and that fundraising initiatives could also take place. The Flavour Trail Subcommittee will liaise with Ms. Makar.

L. Makar left the meeting at 4:20 p.m.

BUSINESS ARISING FROM THE MINUTES OF MAY 05, 2008

9645 West Saanich Road

A. Finall & B. Dunic left the room at 4:20 p.m. I. Mishchenko assumed the Chair.

I. Mishchenko asked that the recording secretary record all factual comments regarding the application. Notes will then be distributed by email to ensure that comments have been captured correctly.

I. Mishchenko circulated a handout (attached) proposing key topic areas, with other topics to be noted and discussed afterward. The handout included an aerial photo with areas A,B,C,D and E notated. I. Mishchenko and S. Fea both thanked the applicants for their time and generosity in opening their property twice, as only two commission members attended the first site meeting.

On a question from N. Schafer, H. Martman informed the Commission that she and C. Sigurdson had taken over the property and have been operating since 1997. H. Martman stated that the 2 buildings currently on the property are 6 – 7 years old and that a house was demolished. Land in the rear section has been leased since 2001.

Topic 1 – What observations were made on actual use of the site after the site visit?

N. Schafer noted that the soil mixing operation was more substantial than he anticipated, although he wasn't sure what to compare it to.

J. Von Kaldenberg stated he was happy with the notion that such a facility exists in North Saanich as it provides a local, needed product and farmers don't have to drive to Central Saanich. He felt that material going into the finished soil product is good and that if horse

operations are permitted in ALR, soil making is far more desirable, particularly as it is the only operation in the District.

B. Brennan expressed dismay at the size of the soil mixing operation, and concern about leaching from material left to compost on the verge of Pendray farm. B. Brennan had questions about whether there is land in North Saanich which has been diverted from the ALR for institutional uses; whether the subject land could ever be returned to farmable use; and whether permission had been obtained to construct and use the storage buildings. She questioned the use of 'original' farmland.

H. Crawford felt that the operation is a 'classic' soil blending facility. He also had noticed that some material that is being biodegraded and was unsure whether it is part of the operation. He was quite prepared to see what he saw and stated that the issues have already been mentioned. He mentioned that the rules and regulations and environmental aspects should be seriously looked at. He recommended that the application be forwarded to the ALC for their assessment and comment along with concerns from I. Mishchenko's list.

J. Von Kaldenberg stated that he had attended the second site visit, at which time the issue of drainage was discussed. He said that the applicants had indicated there was no large ditch draining and that the water sits to ultimately percolate away. He did not feel that that drainage is any more an issue than on other farms. He noticed rubble and learned that this material will be removed. He felt that once the rubble is removed, that area could possibly be viable for return to farmland. He asked whether any liability existed in the event of drainage or leachate into the creek.

C. Sigurdson pointed out that the applicant property forms a strip down the centre between two sections belonging to other owners, one of which is Pendray farms, and that all of those areas are also producing leachate. He questioned how the producers of leachate could be differentiated.

I. Mishchenko stated that his observations at the site visit were surprising. He felt that the level of land has been raised in areas C, D and E noted on the aerial photo. He noted that there appeared to be some aggregates present. He saw a tub grinder and some of the materials that had been loaded in the area. He also saw pressure treated lumber, glass and plastics. He felt that the Commission, rather than considering practices of the current owners, should project into the future. He stated his opinion that with a tub grinder, it would not be unusual that there might be other types of grinding going on. In areas C & B, he also saw composting material, as well as a substantial amount of "overburden" being stored on site which could add to the fill and dumping aspect. I. Mishchenko said that the owner had indicated they are able to sell some of the overburden but that he is unsure whether the material is being picked up or sold on site. He also stated his opinion that the overburden in area B is overgrown and appeared to have been there for a long time. He also saw piles of rock and rubble.

Topic 2 - What are the concerns of proposed non farm use on impacts to subject property, adjacent properties and neighbours?

On a question from B. Brennan as to whether the soil mixing operation is commercial, C. Sigurdson said they are not conducting business from the property and a discussion arose about the definition of 'commercial'. H. Martman advised that the prior property owner was making soil on a smaller scale. S. Bowden confirmed it is a commercial soil mixing operation and non farm use of the property.

Topic 3 – Are there provincial or local government legislation governing soil mixing, composting and dumping?

I. Mishchenko informed the group that he researched Central Saanich, where composting operations have caused challenges resulting in legal action between land owners and the District. He noted that the Farm Protection Practices Act describes composting more as soil

husbandry. It is linked directly to activities happening on the farm and is therefore a permitted land use in ALR. In this case the activity is commercial in nature so is not protected under the ALR or the Farm Protection Act. Composting, whether in industrial zoning or on a farm involves the Health Act, Waste Management Act, Organic Matter Recycling regulation and Pesticide Control Act and obliges the owner to be responsible for having various plans in place. Permitting is required and is further complicated by several jurisdictions being involved.

I. Mishchenko stated that soil mixing and soil dumping is currently a hot topic in the Capital Regional District because of the construction boom and the resultant amounts of fill. There is little in the way of provincial or local government strategies, plans or bylaws to deal with the issues, which gives rise to the number of legal actions and stop orders taking place. I. Mishchenko stated his opinion that it would be difficult to remediate the land in order to make it farmable.

I. Mishchenko also stated that he investigated how other operations are being treated and found it very complex. Near Nanaimo, most soil mixing takes place on light industrial zoned land, with site specific regulations.

R. Kline answered questions from the Commission and confirmed that composting is regulated separately from soil and fill. He advised that this situation involves an application for soil material coming onto the ALR property. The subsequent soil making operation is then a non farm use application. With the operation having taken place for a number of years, the ALC will look at both situations together.

The District of North Saanich does not currently have a soil and fill bylaw.

S. Bowden left the meeting at 5:05 p.m.

Topic 4 – What is the tax treatment of this property if the proposed non farm land use is approved? What is the tax treatment imposed on other landscape supply companies performing similar activities?

The property currently has farm tax status and is zoned A-1. H. Crawford confirmed that a commercial operation on a farm is taxed as a commercial operation. A second discussion arose on the definition of a commercial operation, and N. Schafer noted that the applicants had requested that the property not be taxed at a commercial rate. H. Martman advised that if their tax status is changed to commercial they would probably want to sell product directly from the property to help with increased tax costs. N. Schafer stated he was hesitant to make a recommendation that could potentially put any competitors at a disadvantage.

I. Mishchenko said that there are two issues: tax, and the fact that future competitors would have to buy land which is zoned light industrial at a higher cost. N. Schafer felt that the municipality would incur additional expenses for such an operation than it would for traditional agricultural use, and that a special category or approval would create additional work for the municipality without corresponding revenue.

R. Kline noted that the Land Commission has no role in deciding tax implications.

Topic 5 - How does the proposed non farm use benefit the future use of this land for farming? How does the proposed non farm use benefit the future adjacent farming activities?

N. Schafer pointed out that there is a benefit to the region as it is important to have good soil.

H. Martman advised that the neighbouring nursery is interested in purchasing the property in the event it goes up for sale. Also, the demolished house could be replaced.

J. Von Kaldenberg stated his belief that soil mixing has a positive effect, and that if greenhouses were to go in farmability would go down.

H. Crawford didn't feel qualified to comment on issues such as environmental and regulatory. Given the discussion and their realization that composting is an issue, the applicants stated their

willingness to make changes, and said that they would like to comply. Although most of their compost comes from other sources, I. Mishchenko pointed out that practices of future owners could cause complaints. C. Sigurdson said they still need to get compost and can try to get 100% secondary sources.

On a question from B. Brennan, C. Sigurdson advised that they request soil from reputable, regulated sources. He personally visits source sites, usually local, to view the material. At the subject property, an onsite person monitors receiving soil and occasionally sends away anything with other material, too much clay or rocks. He said that compost does have to sit in a pile for a while but they are not grinding fresh material and letting it sit. Local farms will have to find somewhere else to deposit material.

Recording Secretary to circulate minutes. A recommendation will be made at an extra meeting, to be held at 4:00 p.m., June 19th, 2008. Recording secretary to send email meeting reminder.

C. Sigurdson and H. Martman left the meeting at 5:34p.m.

A. Finall and B. Dunic returned to the meeting.

North Saanich Flavour Trail

A. Finall provided an update on the activities of the Flavour Trail subcommittee. The grant application has been submitted following review by S. Bowden and R. Kline.

A. Finall advised that she had investigated funding that may be available from the Spirit Committee. S. Fea advised that allocation of funds for 2008 is still being considered. The Spirit Committee will agree to transfer \$500.00 from the funds dedicated for the Float to the Flavour Trail, and if there are further surplus funds available from the UBCM Tourism grant for the Flavour Trail will notify the AAC.

B. Brennan noted that there is a lot of support for the Flavour Trail, and members discussed various farms and groups they have contacted as well as logistics and publicity for the event.

A. Finall will email the grant application to commission members.

Commission members discussed the proposed participation by Sidney restaurants. N. Schafer suggested there could be some degree of collaboration during the month of August to raise awareness about North Saanich farms while the event itself should focus on North Saanich. Members were in agreement.

North Saanich Agricultural Area Plan

A. Finall will circulate the revised application, which will be discussed at the next regular meeting.

Cage Free Eggs

Will be discussed at the meeting June 19th. B. Hughes will be asked to draft a recommendation.

DISCUSSION OF RECOMMENDATIONS OF NORTH SAANICH AGRICULTURAL TASK FORCE

To be discussed at the next regular meeting.

DISCUSSION OF MAIN ISSUES TO BE CONSIDERED IN NORTH SAANICH AGRICULTURAL AREA PLAN

To be discussed at the next regular meeting.

DISCUSSION

Topics to be discussed at the 2009 Agricultural Advisory Committee workshop to be held by the Ministry of Agriculture and Lands, Strengthening Farming Program

B. Brennan and H. Crawford attended a similar workshop in 2007. A. Finall to circulate the website address. The topic was deferred to the next regular meeting.

Transferring Development Rights

J. Von Kaldenberg circulated information from King County, Washington regarding transferring development rights from one parcel of land to another. The group discussed the possibility of using the concept in the agricultural context.

A. Finall advised that she had attended a meeting of the Mt. Newton Valley Farm Trust, which is asking the Land Conservancy to approach Central Saanich Council to keep land available for farming. A. Finall mentioned that a graph of provincial government expenditures to agriculture across Canada shows that B.C. expenditures are the lowest.

H. Crawford mentioned that the major recommendations of the North Saanich Agricultural Task Force were the creation of an Agricultural Area Plan and revision of the zoning bylaws, which are not consistent with ALC regulations. R. Kline concurred that a decision should be made whether to proceed with identifying some of the issues, and that the Commission could choose a contractor to assist.

S. Fea reminded the group that an Agricultural Area Plan is part of its mandate and funding for a consultant is available. The Plan is the first step and a decision regarding bylaws may be made if the consultant points out problems.

I. Mishchenko advised that Central Saanich has produced a report on farm economics which the group should review.

R. Kline reminded the group that Mark Robbins is making a presentation to Council on June 9th.

DATE OF NEXT MEETING

The next Agricultural Advisory Commission meeting will be held at 4:00 p.m. on June 19, 2008.

The next regular meeting of the Agricultural Advisory Commission will be held at 4:00 p.m. on July 3, 2008.

ADJOURNMENT

The meeting adjourned at 6:17 p.m.