



**MINUTES OF THE  
PENINSULA AGRICULTURAL COMMISSION**  
Committee Room No. 2, Saanich Municipal Hall  
**THURSDAY, MAY 8, 2014 AT 7:30 PM**

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**Present:** Mike Romaine in the Chair; John Buchanan; Linda Geggie; Bernadette Greene; Bev Marley; Bob Maxwell; Niki Tate-Stratton; Dianne Williamson; Councillors Derman (Saanich), Cormier (C.Saanich) . Also present was Rob Kline, Ministry of Agriculture, and Isobel Hoffmann, Recording Clerk.

**Guests:** Mary Alice Johnson (Juan de Fuca).

**Regrets:** Councillors Stock and Loveless; Ryan Vantreight; Terry Michell.

**Minutes:** Moved by Bob Maxwell and seconded by Dianne Williamson: "That the Minutes of March 13, 2014 be adopted as circulated, and the minutes of April 10, 2014 be adopted as amended."

CARRIED

**Agenda:** Conference Call with Terry Crowe, District of Richmond, regarding Medical Marijuana

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**TREASURER'S REPORT:** No Change

**SPEAKER'S BUREAU:**

Councillor Vic Derman gave an interesting power point presentation on effects of Climate Change.

**MEDICAL MARIJUANA – CONFERENCE CALL with Terry Crowe, Richmond**

A conference call was arranged with Terry Crowe, a Planner with Richmond, to discuss how Richmond has processed licensed medical marijuana (MM) applications within the municipality.

Mr. Crowe stated:

- Usually when the ALC proposes policy changes, there is consultation; in this case, a bulletin explaining the changes just appeared.
- Staff did research, a report was taken to the Planning Committee and Council in December last year, and discussions took place with the RCMP and Health Canada.
- The impact on agricultural land (soil) from an MM production facility was questioned, noting the use was better suited to industrial land.
- Health Canada has six applications from various groups right now and after seeking legal advice, Richmond Council decided to prohibit MM operations outright in all zones.
- Council would consider a modified prohibition in urban and rural areas on a case by case basis.
- The company Metagene has applied for a MM research and production operation in an urban industrial area, and Council has amended the OCP to allow such a facility, with stringent requirements set by the RCMP. The bylaw is at 3<sup>rd</sup> reading. Some modest sewer and water infrastructure improvements will be required.
- Council has no problem with the legal prescription use of medical marijuana: the issue is land use, servicing requirements and the impact on the environment and agricultural soils.

- He cannot predict what Council will finally decide about this particular application.
- Council has toured a Metagene facility and the standards are set very high in terms of air quality inside the plant and making sure that no spores escape the facility.
- He anticipates similar applications will be made across the country.

Discussion ensued and questions were put to Mr. Crowe, who responded as follows:

- Bylaws can be amended to allow a specific zone for a light industrial manufacturing use for production of medical marijuana.
- If the use is permitted in an agricultural area, it would be classified as a special non-conforming use and that would require a zoning and OCP amendment.
- Council doesn't like the fact that the ALC considers MM production a farm use. The more these operations start up, the more agricultural soils will be impacted.
- Even if Health Canada issues a permit for a facility on agricultural land, local zoning requirements have to be met.
- Health Canada also has some strict and costly requirements: all employees have to be scrutinized and have a criminal record check; the facility has to meet air quality and security requirements.
- Regarding farm tax, Metagene would have to apply for a reduced tax rate, but they have indicated to Richmond that they will not do this.
- Metagene has been very cooperative but he feels this is just the tip of the iceberg.
- In response to a suggestion that municipalities should have a cooperative open dialogue on this issue, Mr. Crowe stated this has not happened on the Lower Mainland – each municipality sets its own guidelines and makes its own decisions. It is a very sensitive issue.

Councillor Derman noted that according to legal advisers, it is difficult for municipalities to ban an MM facility outright, and the opinion is that if a case was taken to court, the municipality would lose. There is some control with setbacks and other requirements. If growing medical marijuana is deemed an agricultural operation, the Right to Farm legislation comes into effect and this supersedes municipal bylaws. He thinks there will be a few resolutions on this topic at the UBCM this fall.

Bernadette Greene noted that N. Saanich considered a report from Pitt Meadows on May 5<sup>th</sup> which outlined the status of municipalities on the Lower Mainland in terms of regulating medical marijuana production facilities.

- Prohibited for all aspects of medical marijuana production:  
Abbotsford, Delta\*, City of Langley, Richmond, North Vancouver.  
\*bylaw went to Public Hearing February 25, 2014.
- Site specific rezoning applications (Industrial zone):  
Burnaby, Coquitlam, Township of Langley, Chilliwack.
- Surrey has approved site specific zoning on agricultural zones and limited commercial zones.

Rob Kline stated:

- Essentially, local governments cannot prohibit an agricultural activity outright in the ALR without the permission of the Minister of Agriculture.
- If they proceed to construct a prohibitive bylaw within the ALR where the ALC has identified the activity as a legitimate activity within the ALC Act, their bylaw could be considered of having no force or effect by the Province.

- However, the LGA has a tool in section 903 that allows a local government that has become "turned on" by those sections of the LGA to construct prohibitive bylaws on their own that they then must still get the Minister of Agriculture to approve.
- If the Minister approves them, the local government can pass the bylaw that prohibits what ever activity they are not interested in entertaining.
- Only Delta, Langley, Abbotsford and Kelowna have been given those prohibitive powers within the ALR as they have been formally "turned on" under specific sections of the LGA .
- However, there are legal opinions that some local governments believe they can construct prohibitive bylaws for Medical Marihuana facilities; he believes that North Saanich has the legal opinion they can prohibit MM in all zones including those in the ALR.
- Central Saanich has a different interpretation, and he suspects Saanich might be similar to Central Saanich.
- Juan de Fuca Electoral area has zoning for MM with some lot setback restrictions.
- There will be further discussion and hopefully clarity to come from the Ministry of Agriculture on the MM and local government zoning topic.
- At this time, the ALC recognizes MM as an agricultural crop.

General discussion noted the following points:

- Constructing a solid concrete building on good agricultural soils is a waste.
- This seems to be a growing industry; how will it affect our local food production as it seems higher profits can be made from growing marijuana?
- On the other hand, some farmers may want to enhance their living by growing MM.
- These are 24-hour operations: they are noisy from truck traffic and air quality fans, have security fencing and security lights, all of which have an impact on the surrounding environment.
- What happens if a facility is permitted on agricultural land, and then a few years down the road it ceases to operate? How does this affect the soil?

The Chair stated there is a proposal in-stream for Saanich, and PAC ha been asked to provide its opinion by the applicant. Perhaps PAC could draft some guidelines from a farmers' perspective on what they would like to see considered if and when Council reviews an application. Such as:

- Setbacks.
- Cooperation between other municipalities.
- What would the review process entail?
- What are the major concerns to ensure that local agriculture is not jeopardized.

**CARRY for further Action**

## **TERMS OF REFERENCE**

- The District of Saanich considered the revised Terms of Reference, which were approved unanimously by Council on May 5<sup>th</sup>.
- PAC now has three things to consider:
  - 1) Possible name change
  - 2) Addition of two members
  - 3) Complete the Terms of Reference, incorporating Conflict of Interest guidelines
- The chair stated he would like some agreement about the name change and the addition of two members.

Discussion ensued:

- Suggested we look for a new member outside of the direct farming community, but perhaps more involved in agri-tourism or farm economics, as this skill-set could be beneficial to PAC .
- Perhaps we could find someone from the grape-growing industry, which is booming in BC. This is also part of agri-tourism.

**The sub-committee working on the Conflict of Interest and the remainder of the Terms of Reference has yet to report on their progress. Hopefully there will be some information at the June meeting so we can get the Terms of Reference issue wrapped up.**

## **CORRESPONDENCE**

- a) Letter from District of Metchosin appointing Tom Henry as its Council representative, replacing Jim MacPherson. Mr. Henry was not able to attend tonight's meeting.
- b) Letters from N. Saanich and Saanich endorsing the changes to the Terms of Reference. N. Saanich also suggested a name change for PAC to the South Island Agricultural Commission.

## **AGRICULTURAL ISSUES – Current**

- **Goose Management Strategy (Bev Marley, Rob Kline)**

Bev Marley stated:

- An application has been submitted for a pilot cull; this is the first cull in Western Canada.
- We want to make sure it is done correctly and humanely.
- Some farmers were apprehensive when approached about the cull, but we have approval from some farmers to access their property.
- Addling had a disappointing outcome; it too too long to get permission from property owners and then to get the permit. Hoping to get everything in place this fall and also that property owners will sign on for a three year programme. We can then get the permits, so addling can begin at the start of the season and be effective.
- So far the process has been frustrating.

- **Deer Management Strategy (Ryan Vantreight) - not present**

Rob Kline stated:

- Jeff Weightman, CRD, has reported a lot of activity and some population reduction in the Central Saanich area and a reduction in traffic accidents.
- The streamlining of the Central Saanich permit process works well and there has been good cooperation between farmers and staff.
- Oak Bay is still proposing a cull. He is not sure if permits have been obtained yet.

- **CRD Food Systems Strategy (Linda Geggie)**

Linda Geggie stated:

- A working group meeting has just been held; Bob Maxwell and Rob Kline participated.
- The committee is looking at a number of keystone projects – such as drainage, organic matter/composting, farmland trusts, relationship with First Nations.

- Sixteen priorities have been identified.
- The Regional Sustainability Strategy is in hiatus until after the fall election.
- The group working on the Food Systems Sub-Strategy will continue to meet and discuss options to keep the project moving forward rather than waiting for the RSS to be approved.
- In answer to a comment from Councillor Cormier regarding the decoupling of water and sewer systems, and the provision of water to farmers in areas not serviced by municipal water systems, Linda advised this is something that can be looked at in a sub-strategy.

Councillor Derman advised it is unlikely the RSS will come forward prior to the fall election. Agricultural water rates are determined by the Water Commission. Until the RSS is approved, the Regional Growth Strategy is enforced. Unless related to health or fire prevention, a municipality is not allowed to extend water services outside of its serviced area.

Rob Kline noted that municipal water usually only used for drip irrigation or crop washing; it is too expensive to use for regular irrigation.

- **ALC/ALR Core Review (Linda Geggie)**

Linda Geggie stated:

- Bill 24 has received 2<sup>nd</sup> reading; the NDP and the independents do not support it.
- There has to be a majority in order for the Bill to pass.
- The Minister has proposed some minor amendments but declined to delay the Bill.
- The Cattleman's Association, a major agricultural representative, has asked that the Bill be tabled for more consultation.
- It is amazing to see the support out there for agriculture, bring a unification between the BC Agriculture Council, the Cattleman's Association and small organic farmers.
- Lana Popham, the NDP critic for agriculture, has been very vocal about the process.
- The House could continue to sit for a few more weeks, and the Bill may make it to 3<sup>rd</sup> reading.

- **Farmland Trust (Linda Geggie)**

Linda Geggie stated:

- Saanich Planning is proposing a report on this.
- At the last meeting, she agree to take this issue as part of the Education and Outreach strategy, and asked if anyone else was willing to assist with research.
- She thought it was important that PAC weigh in on this topic, which could have far reaching effects.
- Mary Alice and Niki offered to work with Linda, forming a sub-committee and will liaise with Sharon Hvozdzanski, the Saanich Municipal Planner.

**Report back at the next meeting.**

## **AGRICULTURAL STRATEGY – Sub-Committee Reports**

**Water:** ((Michael Doehnel) – no report

**Farm Economics** (Terry Michell) –not present

**Agricultural Land Base (Mike Romaine)**

Mike stated he does not have the time to devote to this strategy and asked if anyone else was interested in taking it on. Members suggested that Tom Henry, the new Metchosin rep. May be interested. **Secretary to confirm with Mr. Henry.**

**Resource Stewardship (Vacant)**

**Education and Outreach (Linda Geggie)** Due to time constrictions, it was agreed to have a brain-storming session on the Saanich Fair at the next meeting.

**LATE ITEMS:**

● **Panama Flats**

A letter has been received from Neil Findlow, Saanich Planning, regarding an application to include a 14.5 ha parcel of property within the Panama Flats (4112 Carey Road) into the ALR. While the project is still being referred to internal departments and external agencies for comment, Mr. Findlow stated they would like to know if the Commission:

1. Has no objection to the project
2. Generally has no objection or concerns with suggested changes
3. Does not support the project.

The draft plan has been endorsed by Council. The Sustainability Coordinator at Saanich, Mark Boyson, is looking into the next steps to ensure the land is protected. It is a target of the Saanich Corporate Plan to increase the amount lands in the ALR.

Rob Kline stated:

- Saanich made the decision some time ago after purchasing the property to include two-thirds of the Panama Flats in the ALR. About one-third of the property is in the ALR right now.
- It is mostly the western area of the site that is not included in the ALR.

Discussion noted that although the land has been farmed in the past, it is a floodplain and that makes some forms of agriculture difficult.

**It was agreed to respond the Planning Department that PAC generally has no objection or concerns with the suggested changes.**

● **CR-FAIR – Request for support for grant from VanCity**

Linda Geggie requested that PAC consider sending a letter of support for a grant request by CR-Fair from VanCity.

- CR-Fair has been working with VanCity on a range of food initiatives, and they have been supporting our work for a long time.
- A grant of up to \$50,000 is available, with \$25,000 going towards operating costs and \$25,000 towards projects.
- Some of the projects the funds would be used for are the Farmer2Farmer Conference, the Flavour Trail, and small farm aggregation (cooperative selling).
- VanCity has requested that PAC send a letter of support for the grant.
- Linda has drafted a letter, which was distributed to PAC members.
- Rob Kline advised he will be working with Linda and CR-Fair on some of their projects this summer.

\*\*\*Linda left the meeting while members discussed the request.\*\*\*

**MOTION:**        **Moved by Bernadette Greene and Seconded by Niki Tate-Stratton: “That PAC endorse the request to send a letter of support on behalf of CR-Fair to VanCity for a grant request, as outlined.”**

**CARRIED**

\*\*\*Linda returned to the meeting\*\*\*

**WEBSITE - <http://saanich.ca/living/afs/index.html>**

Members were reminded to pass along information they wish to be posted on the site.

Adjournment:        On a Motion from Bev Marley, the meeting adjourned at 8:50 pm

Next Meeting:        The next PAC meeting will be held on **THURSDAY JUNE 12, 2014**, at 7:30 pm at the Saanich Municipal Hall, Committee Room No. 2.