

Staff Report to Agricultural Advisory Committee

Planning and Development

FILE: 6635-20-2024-02

REPORT DATE: May 28, 2024 **MEETING DATE:** June 27, 2024
TO: Agricultural Advisory Committee
FROM: Allison Dominelli, Planner
SUBJECT: ALC Non-farm Use Application for 17607 and 17890 Ford Rd Detour

RECOMMENDATION(S):

THAT the Agricultural Advisory Committee:

- A. Recommends that Council forwards to the Agricultural Land Commission with a recommendation of support, the Non-Farm Use Application for 17607 and 17890 Ford Rd Detour to use the site for a soil mixing and screening operation; OR

 - B. Other.
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PURPOSE

To present an application for a Non-Farm use at 17607 and 17890 Ford Rd Detour (PIDs: 008-384-932 and 013-180-681) to permit the continued operation of a soil mixing and screening business.

Information Report Decision Report Direction Report

DISCUSSION

Background:

The City has received an Agricultural Land Commission (ALC) non-farm use application, to continue the soil screening and mixing operation at 17607 Ford Rd Detour (Site A in Figure 1) and 17890 Ford Rd Detour (Site B).

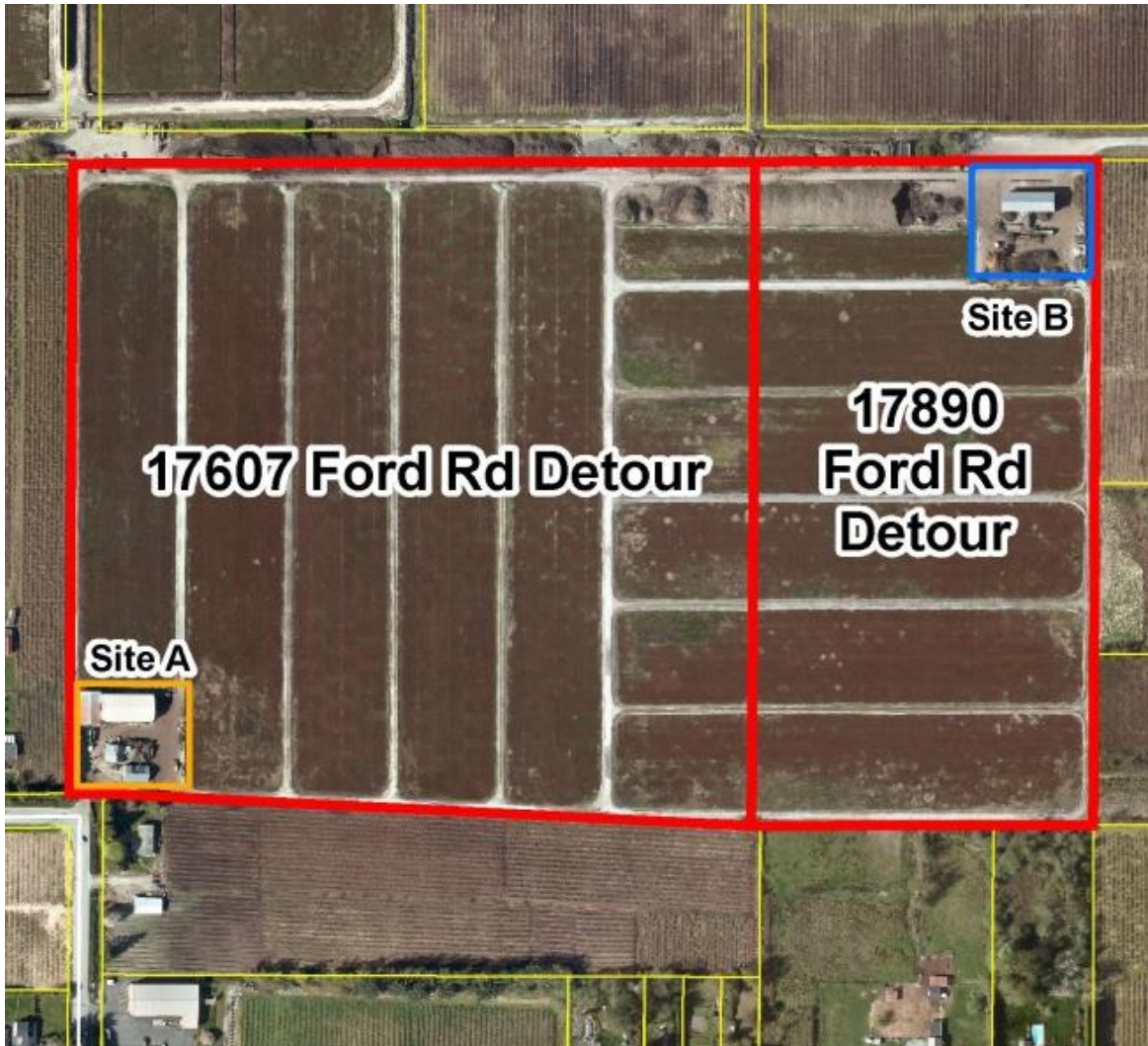
Civic Address: 17607 & 17890 Ford Rd Detour

Property Size: 23.2 ha/57.3 ac (combined)

Area of Non-farm Use: 0.8 ha/2 ac (combined)

OCP Designation: Agricultural

Zoning: A-1 (General Agricultural)



Since 1994, Site A at 17607 Ford Rd Detour has been the subject of numerous temporary use permits and non-farm use applications. The soil screening and mixing operation was expanded around 2010 to Site B at 17890 Ford Rd Detour. The ALC last granted approval for the non-farm use application on both sites in 2014 for ten years (ending on March 31, 2024), subject to certain conditions (see Attachment A).

The soil mixing and screening operation is not considered an agricultural use, and is therefore not permitted under the site's A-1 zoning. Since the ALC approval was granted in 2014, a number of temporary use permits have been issued and renewed for the non-farm use, to permit the business to operate.

The majority of the two properties are used for cranberry production and there are no dwellings on either property. The applicant also owns two other cranberry farms in Pitt Meadows, totaling an additional 42.64 ha (105 acres).

The business involves soil screening and mixing. Site A screens raw peat moss for the mushroom industry and Site B processes topsoil. The sites are on opposite corners because the peat moss must be kept as far away from any topsoil as possible to ensure that no forms of bacteria make it into the soil for mushrooms. Peat from other properties is processed and mixed with other agricultural by-products and turned into topsoil. This operation provides a service to the agricultural community by processing horse manure and spent mushroom compost (which are waste products) into quality soil. This agricultural waste recycling reduces operational costs for local producers who would have to otherwise pay to dispose of the materials.

In accordance with an ALC condition of approval, a covenant is registered on title confirming the non-farm use approval is for the applicant only, and that the property cannot be sold or otherwise transferred unless the soil mixing and screening operation is stopped and the land returned to an agricultural standard.

The applicant also holds a Licence to Occupy from the City along the unopened portion of Ford Rd north of the properties. This area is used for storing equipment and materials related to the soil processing facility.

Under the terms of the temporary use permit, a charge of \$9,333 annually is levied to compensate for the difference in taxes between land classed as agricultural and light industrial. In 2014 when this charge was determined, both of the subject properties were solely classed as agricultural. Beginning in 2015 however, the properties have been assessed by BC Assessment as both agricultural and light industrial and the property taxes paid accordingly based on these assessments.

Relevant Policy, Bylaw or Legislation:

The City's Official Community Plan supports preservation of ALR land for agricultural production uses, and does encourage value-added agricultural business initiatives in appropriate locations, including on-farm sites.

The Agricultural Viability Strategy recommends supporting the economic viability of the agricultural sector. It does discourage non-farm uses, but it also supports developing solutions for disposing of agricultural wastes. In this case, agricultural waste products (horse manure and spent mushroom compost) are diverted and re-purposed into usable soil.

The Economic Development Strategic Plan supports a viable and growing agriculture sector, including ancillary revenue generation opportunities.

The A-1 (General Agricultural) zoning of the properties does not permit the soil mixing and screening operation (as it is not considered a farm use in *ALC Act* and the Zoning Bylaw must be consistent with the *ALC Act*). In addition, the previous ALC approval for the non-farm use was

only for ten years and for the sole benefit of the applicant. As such, the temporary use permit tool has been used for the past decade to permit the subject land use, rather than rezoning the property to permit the use permanently. If the ALC ultimately approves this application, then staff will review the ALC decision to determine the most appropriate land use tool(s) to implement the decision.

Analysis:

As part of the ALC's decision in 2014, it determined that the operation is relatively small, does not have an adverse impact on the existing agricultural operation, and it provides a service to the agricultural community by redirecting and reusing horse manure and spent mushroom compost as a quality soil.

This Committee noted in past reviews of the previous temporary use permit applications for this operation that:

- The materials produced on this site are used for gardening, which promotes agriculture in the community, and
- The business provides a valuable service to the agricultural community by providing an avenue for agricultural waste to be re-purposed.

While not strictly a farm use, the operation itself is similar to other farm uses in relation to impacts to surrounding properties and residents regarding noise, traffic, odour, etc. The site is surrounded by farmland and is located in an area where these types of activities normally occur.

Next Steps:

In this case, the soil screening and mixing operation has been a long-standing operation in the community. It supports policies in City plans to strengthen agriculture and support farmers.

While cumbersome to administer through the use of temporary use permits, staff support the ALC continuing to tie the approval of the non-farm use to the applicant. Over the years, the applicant has proven to operate the non-farm use in a manner that mitigates negative impacts, and is legitimately farming the majority of the site aside from the non-farm use area. If the non-farm use were approved permanently, there would be no guarantees that a future property owner would continue the operation in the same manner or continue farming the remainder of the site.

The review process for this application is:

1. The recommendation from the AAC will be forwarded to Council;
2. Council will decide whether or not to forward the non-farm use application to the ALC for consideration;
3. If the ALC approves the non-farm use, a land use application (e.g. temporary use permit) will be submitted by the applicant for Council's consideration of issuance.

A non-farm use application only proceeds to the ALC for review if it receives approval from the local government to be forwarded in the form of an authorizing resolution. Council has the option of:

- Forwarding the application to the ALC with a recommendation of support; OR
- Forwarding the application to the ALC with no comment; OR
- Forwarding the application to the ALC with a recommendation of no support; OR
- Not forwarding the application to the ALC.

If an application is forwarded to the ALC, the ALC will consider the local government’s input but ultimately any decision is made by the ALC. Conversely, if Council does not resolve to forward an application to the ALC, then the application does not proceed any further. There is no appeal process to the ALC that an applicant can make in that case.

If this application is not approved, the applicant will be required to cease the soil mixing and screening operation, and return the site to an agricultural standard.

KATZIE FIRST NATION CONSIDERATIONS

Referral Yes No

SIGN-OFFS

Written by:

Allison Dominelli,
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Reviewed by:

Colin O’Byrne,
Manager of Planning

ATTACHMENT(S):

- A. ALC Approval 2014