

The Corporation of the City of Kawartha Lakes
Minutes
Agricultural Development Advisory Committee Meeting

ADAC2020-03
Thursday, November 26, 2020
9:00 A.M.
Council Chambers
City Hall
26 Francis Street, Lindsay, Ontario K9V 5R8

Members:
Councillor Andrew Veale
Robert Bonis
Phil Callaghan
Alex Cameron
Will MacArthur
Guy Masters
Michelle Murphy-Ward
Rebecca Parker
Matthew Pecoskie
Adam Shea
Shawn Westland
Alice VanVught

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1. Call to Order

Welcome to guests as well as new members of the Committee appointed by Council since the last meeting of this Committee: Alex Cameron, Will MacArthur, Guy Masters, and Alice VanVught.

Chair R. Parker called the meeting to order at 9:04 am on the Zoom platform. Councillor A. Veale and Members R. Bonis, A. Cameron, P. Callaghan, W. MacArthur, G. Masters, M. Murphy-Ward, M. Pecoskie, A. Shea, were in attendance.

Guests: Aaron Sloan, Anna Kalnina, Jonathan Derowiz, Jenna Stephens, Keith Taylor, Chris Marshall, Richard Holy.

Absent: A. VanVught and S. Westland

2. Administrative Business

2.1 Adoption of Agenda

Moved By A. Shea

Seconded By M. Pecoskie

That the agenda be adopted as circulated.

Carried

2.2 Declaration of Pecuniary Interest

There were no declarations of pecuniary interest disclosed.

2.3 Adoption of Minutes

Moved By Councillor Veale

Seconded By M. Pecoskie

That the minutes of the Agricultural Development Advisory Committee meeting held on March 10, 2020, be adopted as circulated.

Carried

3. Deputations/Presentations

3.1 Regulation of Nuisance Associated with Cannabis Cultivation and Processing Operations within the City of Kawartha Lakes

The following guests joined the meeting: Aaron Sloan, Manager, Municipal Law Enforcement & Licensing; Chris Marshall, Director of Development Services; Richard Holy, Manager, Planning; Jonathan Derworiz, Planner II.

The members reviewed the council direction regarding Report LGL2020-011, Regulation of Nuisance associated with Cannabis Cultivation and Processing Operations within the City of Kawartha Lakes, as Appendix A was to be placed before the Agricultural Development Advisory Committee for review and comment.

A fulsome discussion of the issues included a review of the types of cannabis production:

- It should be understood that the Health Canada licensed production of pharmaceutical or recreational cannabis is an agricultural activity and is appropriate on lands zoned and designated for agricultural production.
- This type of production should be differentiated from the legal growing for personal medical or recreational use, as well as illegal, unlicensed production.
- The production identified in the first bullet point may be considered an agricultural operation if it is commercial in nature, “for gain”.
- The production identified in the second point is either not legal, or not for gain, and cannot be considered an agricultural operation.
- Agricultural operations are protected from complaints surrounding noise, light, odour and dust, as well as regulations by municipalities in relation to normal farm practices.
- The Farming and Food Production Protection Act was noted as the protection for agricultural operations, on agricultural lands conducting normal farm practices. This was noted to protect all types of agriculture in this discussion, not just legal, commercial cannabis production. It was identified that as proposed the by-law amendments may impact all types of agricultural production, and not just cannabis production, or the perceived target of the issues/complaints of the illegal/unlicensed production.
- The committee identified the need for an exemption for the legal, licensed, commercial production of cannabis, and other agricultural operations within the property standards by-law.
- Definitions for “agricultural operation”, “agricultural lands” and “normal farm practice” are needed, as used in other CKL by-laws.
- They had further preliminary discussions with members of the Planning Staff regarding areas of land use regulation surrounding cannabis production. The Planner intends to participate at a future meeting to provide proposed drafts of land use regulations.
- Fencing surrounding cannabis operations was raised as a question. The committee provided the Manager of Municipal Law Enforcement and Licensing feedback that chain link fencing with barbed wire would be appropriate to protect such a high-value agricultural crop from theft and interference.

- Further to that, it was suggested that properties where enforcement action has taken place to remove illegal/unlicensed grow operation should also have any chain link fencing removed as a follow-up legal action.

Moved By A. Shea

Seconded By M. Murphy-Ward

That ADAC recommends that an exemption for normal farm practices be added to the proposed changes to the property standards by-law.

Carried

Moved By R. Bonis

Seconded By M. Murphy-Ward

THAT ADAC recommends that Municipal Law Enforcement follow up in circumstances where law enforcement have removed illegal, unlicensed grow operations to ensure that any perimeter chain link fencing be removed from the property as permitted through the fortification by-law.

Carried

3.2 Backyard Chickens

Aaron Sloan, Manager of Municipal Law Enforcement and Licensing attended the meeting to make a verbal presentation to discuss plans for a draft report to Council and receive feedback regarding an option to allow backyard chickens in residential areas of the municipality.

The ADAC members were concerned that the by-law amendment would serve to regulate agricultural properties and farming practices. Staff advised the ADAC members that the current Animal Control By-law offers a number of exemptions for agricultural properties and permitting backyard chickens will be limited to residential properties. Large agricultural poultry operations will not to be regulated by this by-law. The members expressed some concerns regarding health and safety with a mind to cross contamination of nearby agricultural flocks, requiring an active veterinary-client relationship for the health of the birds, and that the National Poultry Code of Practice should be applied as closely as possible within the backyard setting. The pilot program could require completion of available education and training programs for applicants seeking approval for backyard chickens. They suggest that there be a backyard chicken limit of 4 hens and no roosters, and that coop standards be implemented such that the chickens are not permitted to be free-range and that runs be covered to prevent contact with wild birds. Distance from the chicken coop to residences should be considered as was noted in the previous Lindsay By-Law. Source water protection is a concern for properties within well-head protection zones and surface-water intake areas, so both manure management and disposal as well as deadstock

disposal must be managed on a timely and routine basis and any compliance requirements be met. It was noted that the Canadian Food Inspection Agency considers therapy chickens, ducks, etc. to be high risk and are not supportive of this use, and as such by-law amendments should not result in permitting poultry as pets. Restricting the use of the meat and eggs to personal use by only the residents of the property is imperative as there is no intent to allow for a business or barter system to be developed with the products. Staff confirmed that these items including minimum distance separation (MDS) are items that are being considered in the animal by-law amendment.

In addition, guests Jenna Stephens and Keith Taylor from the Kawartha Region Conservation Authority advised that Source Water Protection is being considered in relation to the manure from backyard chickens being a potential significant drinking water threat. They reviewed current regulations surrounding surface water intake and well-head protection zones and identified considerations the Source Water Protection Committee is reviewing. There would be an opportunity to review proposed changes if they move forward at a future time.

Moved By A. Shea

Seconded By M. Pecoskie

That ADAC supports amending the appropriate by-laws to permit the keeping of backyard chickens within a 3-year trial program, and

That the MLEL consider the additional input provided by ADAC in crafting the pilot program.

Carried

3.3 Source Water Protection Official Plan and Zoning By-law Amendments

Anna Kalnina, Planner II, and Kawartha Region Conservation Authority staff members Jenna Stephens and Keith Taylor attended as guests. A brief review was provided by the Planner of the Source Water Protection policy and regulation amendments, including prohibitions for significant drinking water threats in certain vulnerable areas, which were passed recently at Council. The boundaries of key vulnerable areas are now identified through a map overlay within the Zoning By-law. In future building permits or other development within the vulnerable areas would trigger that applicant to speak with the Risk Management Official to determine requirements of an Risk Management Plan or prohibition.

Moved By R. Bonis

Seconded By Councillor Veale

That all three presentations be received.

Carried

4. Correspondence

5. New or Other Business

6. Update from Economic Development Division

6.1 Economic Recovery Task Force - verbal update

Members were advised of the recent approval of recommendations brought forward by the Economic Recovery Task Force.

6.2 Skills Advance Ontario - Agriculture and Manufacturing project - verbal update

Members were advised of the progress in developing the SkillsAdvance Ontario jobseeker and incumbent worker training programs for manufacturing and agricultural businesses. Employers planning to hire in the near future for positions in alignment with entry level positions, or whose existing employees could benefit from up-skill training should contact the Economic Development Officer - Workforce for further information.

6.3 Kawartha Choice FarmFresh Website and Training - verbal update

A Rural Economic Development grant project has been approved by OMAFRA for the Kawartha Choice FarmFresh program, and is being led by Peterborough and the Kawarthas Economic Development on behalf of the partnership with Kawartha Lakes. A new website platform will be developed, 2 training series will be delivered (Value-Added Food Business Bootcamp and Farm Financial Management), and an agri-business asset inventory and needs analysis will be conducted. The project will be undertaken over the next four months with completion by March 31.

6.4 Shop Kawartha Lakes Campaign - verbal update

A Shop Kawartha Lakes campaign is underway. Businesses are encouraged to download social media templates to participate in the program.

6.5 Spotlight on Agriculture in Kawartha Lakes - verbal update

The Spotlight on Agriculture in Kawartha Lakes committee will be hosting a lunch-time speaker event on Friday, December 4th for ticket holders from the postponed Gala event.

6.6 Kawartha Farmfest - verbal update

Kawartha Farmfest was held on October 3rd under strict COVID protocols. Four farms participated and 400 paid adults and their families made over safe 1700 visits to farms that day. All feedback was positive. There was no crowding and participants were very respectful of the rules and protecting the health of the host farm teams and other guests. No COVID illnesses were reported related to the event.

7. News and Updates from Members

A. Shea noted that with all meetings and events moving online due to pandemic gathering restrictions, the chronic issues with rural broadband and cell coverage have been well exposed. The support to improving the networks by the Economic Recovery Task Force and Council are greatly appreciated.

A. Cameron noted that there may be a need to amend the definition of commercially licenced pickup trucks being impacted by a Heavy Truck by-law in the Kirkfield area. Councillor Veale indicated he would look into the issue and report back to the committee at a future meeting.

R. Parker echoed the significant broadband issues experienced. COVID protocols are in place with mask wearing and washing hands, and the sheep industry is booming.

8. Next Meeting

The next meeting will be Thursday, January 14, 2021 at 9:00 a.m. by Zoom.

9. Adjournment

The meeting was adjourned by the Chair at 12:19.