



Provincial Agricultural Land Commission - Applicant Submission

Application ID: 58039

Application Status: Under LG Review

Applicant: Earthbank Resource Systems Ltd.

Local Government: Nanaimo Regional District

Local Government Date of Receipt: 09/05/2018

ALC Date of Receipt: This application has not been submitted to ALC yet.

Proposal Type: Non-Farm Use

Proposal: We currently sell around 10,000 yards of Fish Compost annually to Vancouver Island and Gulf Island farmers, local golf courses, the Town of Qualicum Beach, the City of Parksville, Milner Gardens (VIU), Morningstar Golf Course, and literally countless urban and community garden food producers. We require a special land use permit in order to make our compost on ALR land, and have historically received this approval from the ALC (as well as the RDN), as we have clearly demonstrated over time our commitment to land-stewardship, our vital link to our community (especially food production). Perhaps most significantly, our composting activities have greatly enhanced the agricultural viability of the land we currently operate on. Please review our letter in attachments for details.

Mailing Address:

1424 Hodges Road

Parksville, BC

V9P 2B5

Canada

Primary Phone: (250) 954-0118

Mobile Phone: (250) 897-8118

Email: fishcompost@shaw.ca

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

Parcel Identifier: 028-988-868

Legal Description: Lot 1, District Lot 19, Nanoose District, Plan EPP16024

Parcel Area: 30.2 ha

Civic Address: 1330 Hodges Road, Parksville, V9P 2B5

Date of Purchase: 01/17/2013

Farm Classification: Yes

Owners

1. **Name:** Earthbank Resource Systems Ltd.

Address:

1330 Hodges Road

Parksville, BC

V9P 2B5

Canada

Phone: (250) 897-8118

Cell: (250) 954-0118

Email: earthbank@shaw.ca

Applicant: Earthbank Resource Systems Ltd.

2. **Ownership Type:** Fee Simple
Parcel Identifier: 026-659-247
Legal Description: Lot C, District Lot 26, Nanoose District, Plan VIP80909
Parcel Area: 24 ha
Civic Address: 1410 Hodges Road, Parksville, B.C. V9P 2B5
Date of Purchase: 08/29/2009
Farm Classification: Yes
Owners

1. **Name:** Volkhard Fritzsche
Address:
1420 Hodges Road
Parksville, BC
V9P 2B5
Canada
Phone: (250) 248-3307
Email: hof-waldeck63@shaw.ca
-

Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).

The parcels identified are currently used to compost fish waste from fish farms, salmon exclusively, and forestry waste from local land clearing (predominately Fir and Hemlock), as well as some saw dust and bark from local wood processors). We also take manure from a neighboring dairy farm and compost it with the wood waste. We grind the wood waste on site.

2. Quantify and describe in detail all agricultural improvements made to the parcel(s).

We utilize nutrient recapture of our waste water, contained in large holding ponds (please see attachments). Over time, as these ponds mellow, they are distributed via sprinklers directly to the area grasslands. Over time the biomass of these areas has significantly increased, as the grasses located on same uptake the nitrogen and nutrients in the waste water. In addition, we apply both our fish compost, as well as the topsoil that comes in mixed with the land-clearing debris, directly to our land. As we plan to farm same, our intention is to make these lands more viable from a farming perspective.

3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).

Even though we are composting a farm product that is protected under the Right To Farm Act (fish waste from salmon farming), this activity is not currently included in the Act. As mentioned, we apply our Fish Compost to our land, however the majority of it is sold to local area farmers, landscapers, municipalities, education/public gardens and retailers. Please see attachments for a complete list of our customers. Please also review our letter that clearly outlines our strong link to local food producers/community.

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm
Specify Activity: unknown

East

Land Use Type: Agricultural/Farm
Specify Activity: dairy/cheese

Applicant: Earthbank Resource Systems Ltd.

South

Land Use Type: Agricultural/Farm

Specify Activity: cattle

West

Land Use Type: Agricultural/Farm

Specify Activity: cattle

Proposal

1. How many hectares are proposed for non-farm use?

9 ha

2. What is the purpose of the proposal?

We currently sell around 10,000 yards of Fish Compost annually to Vancouver Island and Gulf Island farmers, local golf courses, the Town of Qualicum Beach, the City of Parksville, Milner Gardens (VIU), Morningstar Golf Course, and literally countless urban and community garden food producers. We require a special land use permit in order to make our compost on ALR land, and have historically received this approval from the ALC (as well as the RDN), as we have clearly demonstrated over time our commitment to land-stewardship, our vital link to our community (especially food production). Perhaps most significantly, our composting activities have greatly enhanced the agricultural viability of the land we currently operate on. Please review our letter in attachments for details.

3. Could this proposal be accommodated on lands outside of the ALR? Please justify why the proposal cannot be carried out on lands outside the ALR.

It would be impossible to do what we do in an industrial park. As you can see from the layout of our operation, specifically the nutrient waste water holding ponds and the careful process we have designed to create our nutrient-rich compost, an industrialized process would be impossible. The only other option for fish waste is the rendering plant, and even they can only take the waste if it is very fresh and/or frozen. Our passive compost process provides the smallest possible ecological footprint with the best possible results in terms of nutrient capture/recycling. We have perfected this process over two decades, and have careful records and an excellent standing with local environmental regulating bodies to prove our case for being on ALR land. For details, please review our letter in attachments.

4. Does the proposal support agriculture in the short or long term? Please explain.

Without question, our proposal supports agriculture in both the short and long term. In the short term, we are supplying Vancouver Island and Gulf Island farmers with a much needed soil amender. There are very little options for farmers in this area, and virtually none that comes close to our quality/affordability (we are listed for use in certified organic food production, and sell primarily in bulk). In the long-term, we are slowly and steadily improving the soil quality of the ALR land on which we operate. It is our intention to farm this land, and have already built a greenhouse to move us further towards this goal. Please see our letter in attachments for details.

Applicant Attachments

- Site Photo - Earthbank Greenhouse
- Professional Report - RDN By-Law Amendment
- Proposal Sketch - 58039
- Other correspondence or file information - Letter Of Support
- Other correspondence or file information - Letter Of Support
- Other correspondence or file information - Letter Of Support

Applicant: Earthbank Resource Systems Ltd.

- Other correspondence or file information - ALC Application Overview
- Certificate of Title - 028-988-868
- Certificate of Title - 026-659-247

ALC Attachments

None.

Decisions

None.



Earthbank Resource Systems Ltd.
1424 Hodges Road
Parksville, BC V9P 2B5
Canada

Tel: 250-897-8118
www.fishcompost.com
earthbank@shaw.ca

August 31, 2018

Agricultural Land Commission
133 – 4940 Canada Way
Burnaby, BC
V5G 4K6

Re: Application to Conduct a Non-Farm Use in the ALR

Dear Executive Committee of the ALC;

Please note that we had a previous application, reference **ALC File: 54982**. During the appeal process our application expired, at which time we were advised by Sara Huber, our previous file manager at the ALC, to move forward with a new application. **In our new application there is a significant reduction in the size of our operation, from 12 hectares to 9 hectares that is inside the ALR. There is another .8 hectares that we are applying to rezone which is outside the ALR. Please see new Site Plan enclosed.**

During our appeal process, we felt it was important to emphasize our strong community ties with local farmers and urban food producers. We believe that the Earthbank facility qualifies for approval of a non-farm use based primarily on these ties, under section 13(1) of the ALCA; specifically 13(1)(a)(b)&(c). As such, we will highlight this important aspect of our business moving forward.

Earthbank fish compost is an integral component to the productivity of food producers in our region, as there is virtually no other comparable source of soil amendments for these commercial and urban farmers. Over the past two decades, our ties to local farms and food producers has grown significantly, and continues to grow as customers experience the long-term benefits of adding our fish compost to their farms and gardens.

For many years our fish compost has been pivotal to successful food production for dozens of Vancouver Island/Gulf Island farmers, as well as countless urban/residential food producing gardens and community/educational gardens. We provide an OMRI Listed soil amender in bulk, that is unparalleled in terms of quality and price point. In addition, Earthbank is in compliance with the local Regional District of Nanaimo's initiatives for building soil productivity/capacity and also environmental sustainability.

Section 13(1)(a) of the ALC Act emphasizes the validity of “an application for use of agricultural land for a school, hospital, publically funded institution or public utility, or another purpose prescribed by regulation”

Earthbank is currently "**prescribed by regulation**" by two government regulatory agencies and one NGO that regulates the organic food production industry. The provincial Organic Matter Recycling Regulations (OMMR) is administered by the Ministry of Environment under the Environmental Management Act; the Waste Stream Management License, issued and operated by the Regional District of Nanaimo; and the Organic Matter Review Institute (OMRI), which is the agency that approves our compost for use in organic production.

In addition to local farmers, our compost is used widely by the City of Parksville, the Town of Qualicum Beach, and the Vancouver Island University's Milner Gardens & Woodlands to enhance their community gardens. Indeed, both communities have won awards over many years due to the success of their community gardens. Earthbank also donates generously to many community food gardens, including District 69's urban food production education initiative, a very successful program that introduces the next generation to food production best practices at two local high schools. *For a complete list of users, please see attached.*

Section 13(1)(b) it emphasizes the importance of being in line with “ a regional growth strategy under the Local Government Act”

The Regional Growth Strategy for the RDN encourages: “Land that is primarily intended for resource uses such as agriculture, forestry, aggregate and other resource development, including forestry” and additionally; “Land designated for resource management, or resource use purposes”.

One of Earthbank's primary functions is to recycle organic matter and the nutrients from *forestry* waste into a powerful soil amender. We receive and process forestry waste from sawmills, log sorts and wood waste from land clearing for developments. This material is then processed over a one to two year period and turned into compost and soil which is used extensively as a much needed agricultural amendment in our community. The alternative in the past for this so-called waste is to simply burn it and/or landfill it. As such, our composting process fits into the RDN Regional Growth Strategy in two fundamental ways. One, we are recycling nutrients and organic matter which supports the goal of providing a sustainable agriculture locally. Also, we are reducing carbon emissions by providing a much needed alternative to burning or landfills.

Further to the RDN regional growth strategy compatibility, Earthbank's other primary function is to process fish waste produced by the salmon farming industry, as well as unwanted cow manure from a neighbouring dairy farm. Both of these inputs are from farms protected under the 'Right to Farm' legislation. It follows that the waste from the same should be provided protection on agricultural land, especially since the end result of our nutrient/organic matter recycling activity directly enhances soil of our own ALR land, as well as numerous other farms on ALR land. Please review our letters of support from some of our valued farmers, as these will explain in detail how our fish compost has benefited them directly.

The RDN Regional Growth Strategy also states “Resource activities on land in this designation should be encouraged to operate in ways that do not harm the functioning of natural ecosystems.”

The above statement links together 13 (1) (a) and 13 (1) (b) under “community use” in the ALCA. Both the provincial and local regulations governing the Earthbank facility are primarily focused on environmental protection/enhancement. In our compost process, we apply both nutrient rich compost and soil that comes from the land clearing debris loads directly to our property. As such, our operation is significantly improving the farming viability of the ALR land we are operating on. This will benefit us directly, as we move into more traditional farming practices, as well as generations of farmers to come. Further, we contain and recycle 100% of all effluent from our composting operation in which one of the main uses is to stimulate the growth of biomass (i.e.

green manure) to further enhance the addition of organic matter to our farm soils on large portions of the property.

Section 13(1)(c) indicates applicants should adhere to “the form and content of the official community plan of a local government”

According to the April 13, 2016 RDN Staff report, *“the subject property is designated as Rural, pursuant to the Regional District of Nanaimo Electoral Area ‘G’ Official Community Plan Bylaw No. 1540, 2008.”*

That same report goes on to state:

“The OCP policies support a full range of agricultural and complimentary uses and value added activities are encouraged that can improve farm viability.”

As mentioned, our compost and soils have been supporting local farms and food production, as well as community groups/gardens for many years. In addition, our activities have greatly improved the quality of the soil on our land, making it significantly more viable for producing farm crops in the future. Furthermore, an amendment to the OCP Bylaw No. 1450 in May of 2010 both strengthened the focus on value added activities that can improve farm viability and further encourages policies regarding *“Energy Use and Climate Change”*. Please see attached Amendment.

Under RDN OCP Policies please note:

"5. Food Production - support efforts to maintain a sustainable locally produced source of food."

It is widely understood that the quality of local agricultural soils on Vancouver Island and the surrounding Gulf Islands is poor, and that the production and addition of compost to enhance soil fertility long term is becoming a cornerstone to the sustainability of locally produced food. Indeed, the RDN now offers residents a rebate of up to \$100 for their investment in improving soil quality, specifically by adding compost. Many of our residential customers, which include urban food growers, are benefiting from this program.

The number of farms located on Vancouver Island and the Gulf Islands that Earthbank supplies soil amendment to has been steadily increasing over the past two decades, despite the fact that we do very little advertising. At last count, this number is over two dozen. In addition, as mentioned, we regularly donate to community gardens, including District 69's educational food production program. The number of urban or “backyard” farmers we serve are too many to count.

It is our understanding that our compost production operation is viewed favourably by the RDN in regard to the above, in particular their Agriculture Advisory Committee. In 2016 this Committee made 2 site visits to our facility related to our rezoning application and the conclusion from these visits was to recommend Approval for Non-Farm Use to the ALC. It is their position that the Earthbank facility fits in well within the Official Community Plan and the Regional Growth Strategy.

Last but not least, we are declaring formerly our plans to utilize the remainder of the Earthbank property, that is about 60 acres of the total 75 acres, for traditional agricultural purposes and green

belt. Currently we have recently constructed a 3500 square foot greenhouse (*see attached photograph*) that is a prototype for extensive future greenhouse production on the property. There are plans in place to proceed with a number of agricultural crops and products on significant acreage including an agricultural processing building on the property that has already begun and will be completed in 2019. Our recent expansion directly relates to our plans to engage in agricultural activities, including food production. It is our expectations that the Earthbank property will evolve into a fully agricultural property over the next 5 years, if not sooner.

In summary, it is clear that Earthbank provides a much needed soil amender that is of significant value to local farms and urban food producers on Vancouver Island and the Gulf Islands. The production of compost fits perfectly with the environmental and growth strategy goals of the RDN, specifically recycling, land stewardship, and strengthening local food security. Our contribution to the both the Vancouver Island farming community, and also the numerous farm and residential food producers cannot be understated. In addition, our operation is significantly benefiting the productivity of the ALR property we are located on, making it more viable for many generations of farmers to come. We hope that we have clearly demonstrated how our operation is in line with the principles set out in the ALC Act.

If you have any questions, please feel free to contact us.

Yours truly

Terry Gay
Earthbank Resource Systems Ltd.

**LOT C
PLAN VIP80909**

**LOT 1
PLAN EPP16024**

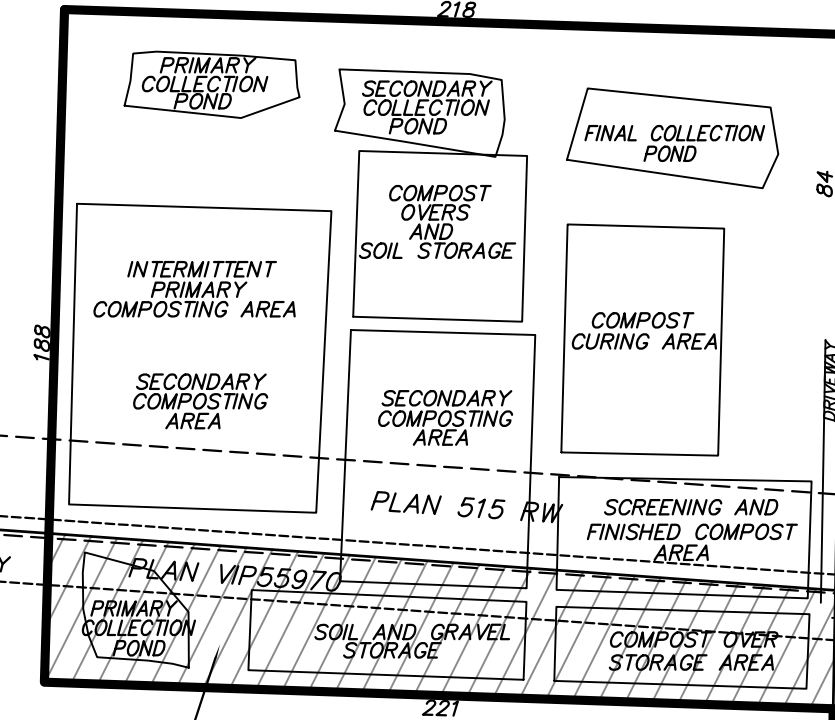
30.2 ha

**AREA REMOVED FROM PREVIOUS
PROPOSED RE-ZONING**

2.5 ha.

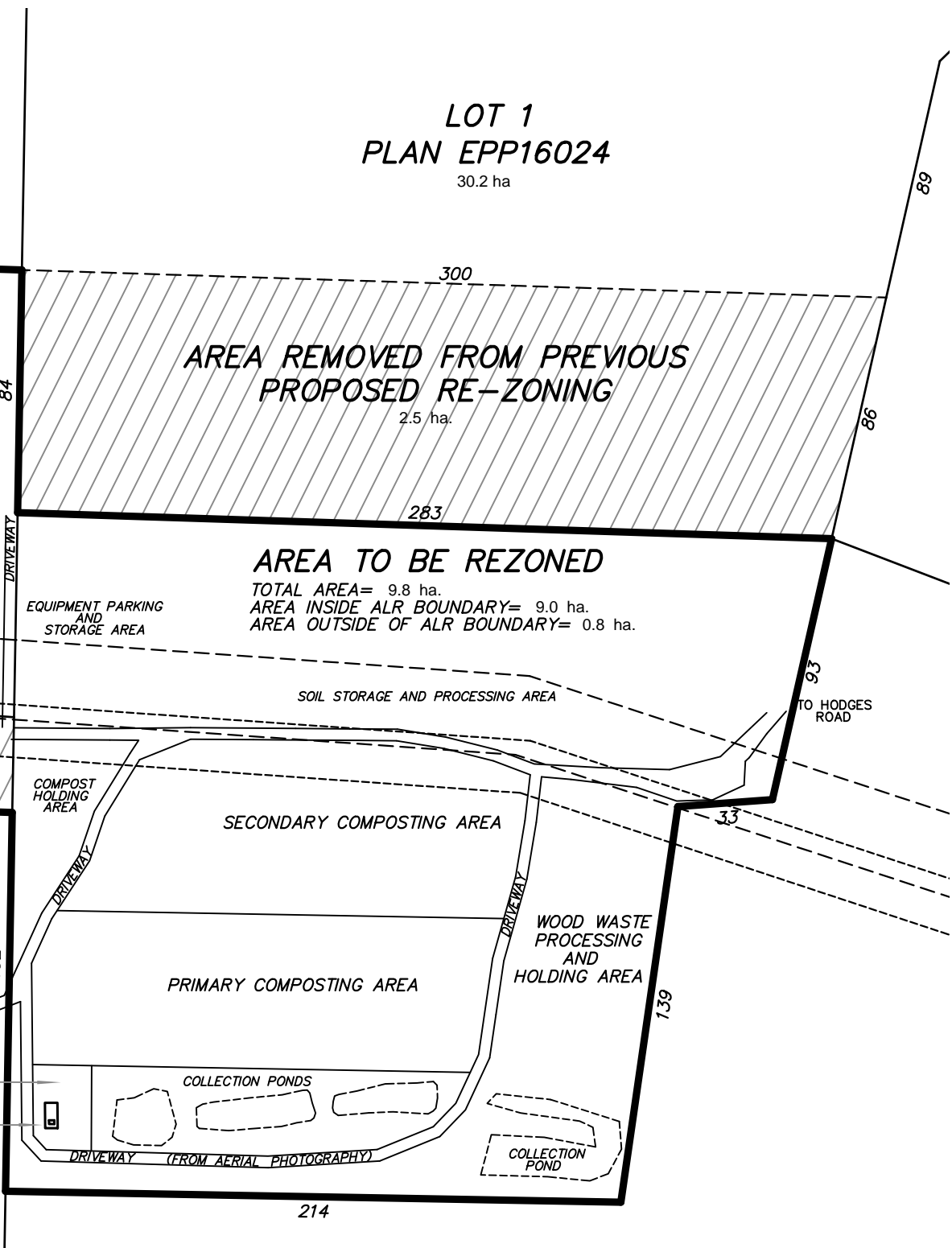
AREA TO BE REZONED

TOTAL AREA= 9.8 ha.
AREA INSIDE ALR BOUNDARY= 9.0 ha.
AREA OUTSIDE OF ALR BOUNDARY= 0.8 ha.



AREA OUTSIDE OF ALR BOUNDARY
(HATCHED AREA)
0.8 ha.

REM DL 138



214

TITLE SEARCH PRINT

2018-08-29, 15:35:49

File Reference:

Requestor: Laura Lamb

Declared Value \$ 47253

****CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN****

Land Title District

VICTORIA

Land Title Office

VICTORIA

Title Number

FB293353

From Title Number

FA52787

Application Received

2009-08-25

Application Entered

2009-08-29

Registered Owner in Fee Simple

Registered Owner/Mailing Address:

VOLKHARD FRITZSCHE, RETIRED
1410 HODGES ROAD
PARKSVILLE, BC
V9P 2B5

Taxation Authority

Nanaimo/Cowichan Assessment Area

Description of Land

Parcel Identifier:

026-659-247

Legal Description:

LOT C DISTRICT LOT 26 NANOOSE DISTRICT PLAN VIP80909

Legal Notations

THIS CERTIFICATE OF TITLE MAY BE AFFECTED BY THE AGRICULTURAL LAND COMMISSION ACT; SEE AGRICULTURAL LAND RESERVE PLAN NO. 5, DEPOSITED 26/07/1974

HERETO IS ANNEXED EASEMENT EL83746 OVER THAT PART OF LOT 1 SHOWN ON PLAN VIP65598

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE LOCAL GOVERNMENT ACT, SEE EX3536

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE LOCAL GOVERNMENT ACT, SEE FB451033

TITLE SEARCH PRINT

2018-08-29, 15:35:49
Requestor: Laura Lamb

File Reference:
Declared Value \$ 47253

Charges, Liens and Interests

Nature:	EXCEPTIONS AND RESERVATIONS
Registration Number:	M76300
Registered Owner:	ESQUIMALT AND NANAIMO RAILWAY COMPANY
Remarks:	INTER ALIA A.F.B. 9.693.7434A DD 16333, 72722G, 70874G, 80379G, 405388G SECTION 172(3) FOR ACTUAL DATE AND TIME OF REGISTRATION SEE ORIGINAL GRANT FROM E & N RAILWAY COMPANY

Nature:	RIGHT OF WAY
Registration Number:	129090G
Registration Date and Time:	1947-12-24 11:22
Registered Owner:	BRITISH COLUMBIA HYDRO AND POWER AUTHORITY
Remarks:	INTER ALIA

Nature:	STATUTORY RIGHT OF WAY
Registration Number:	EC136498
Registration Date and Time:	1989-12-21 11:40
Registered Owner:	TERASEN GAS (VANCOUVER ISLAND) INC.
Transfer Number:	EV64062
Remarks:	INTER ALIA CANCELLED AS TO ALL EXCEPT THAT PART IN PLAN VIP55970 SEE EG20039 19.02.1993

Nature:	LEASE
Registration Number:	CA1400115
Registration Date and Time:	2009-12-21 11:56
Registered Owner:	DEAN ANDREW PETER BRUYCKERE CLAUDIA BRUYCKERE AS JOINT TENANTS
Remarks:	INTER ALIA

Nature:	RIGHT OF FIRST REFUSAL
Registration Number:	CA1400116
Registration Date and Time:	2009-12-21 11:56
Registered Owner:	DEAN ANDREW PETER BRUYCKERE CLAUDIA BRUYCKERE AS JOINT TENANTS

Duplicate Infeasible Title NONE OUTSTANDING

Transfers NONE

TITLE SEARCH PRINT

File Reference:

Declared Value \$ 47253

2018-08-29, 15:35:49

Requestor: Laura Lamb

Pending Applications

NONE

TITLE SEARCH PRINT

2018-08-28, 16:24:16

File Reference:

Requestor: Neal Bird

****CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN****

Title Issued Under SECTION 98 LAND TITLE ACT

Land Title District VICTORIA
Land Title Office VICTORIA

Title Number CA2942465
From Title Number CA2876449

Application Received 2013-01-08

Application Entered 2013-01-17

Registered Owner in Fee Simple
Registered Owner/Mailing Address: EARTHBANK RESOURCE SYSTEMS LTD., INC.NO. BC0684065
1424 HODGE'S ROAD
PARKSVILLE, BRITISH COLUMBIA
V9P 2B5

Taxation Authority Port Alberni Assessment Area

Description of Land
Parcel Identifier: 028-988-868
Legal Description:
LOT 1 DISTRICT LOT 19 NANOOSE DISTRICT PLAN EPP16024

Legal Notations

THIS CERTIFICATE OF TITLE MAY BE AFFECTED BY THE AGRICULTURAL LAND COMMISSION ACT, SEE AGRICULTURAL LAND RESERVE PLAN NO. 5, DEPOSITED 26.07.1974

HERETO INTER ALIA IS ANNEXED EASEMENT EN108468 OVER PART OF SOUTH 1/2 OF DISTRICT LOT 83, NANOOSE DISTRICT EXCEPT PARCEL B AND RW DD9088F AND 13475 AS SHOWN ON PLAN VIP69835

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE LOCAL GOVERNMENT ACT, SEE FB451032

TITLE SEARCH PRINT

2018-08-28, 16:24:16

File Reference:

Requestor: Neal Bird

Charges, Liens and Interests

Nature: EXCEPTIONS AND RESERVATIONS
Registration Number: M76300
Registered Owner: ESQUIMALT AND NANAIMO RAILWAY COMPANY
Remarks: INTER ALIA
A.F.B. 9.693.7434A
77229G
SECTION 172(3)
FOR ACTUAL DATE AND TIME OF REGISTRATION SEE
ORIGINAL GRANT FROM E AND N RAILWAY COMPANY

Nature: RIGHT OF WAY
Registration Number: 144369G
Registration Date and Time: 1950-03-20 14:10
Registered Owner: BRITISH COLUMBIA HYDRO AND POWER AUTHORITY
Remarks: INTER ALIA

Nature: STATUTORY RIGHT OF WAY
Registration Number: ED14447
Registration Date and Time: 1990-02-06 10:58
Registered Owner: FORTISBC ENERGY (VANCOUVER ISLAND) INC.
INCORPORATION NO. 236352
Transfer Number: FB475875
Remarks: INTER ALIA
PART IN PLAN VIP56464

Nature: EASEMENT
Registration Number: EN108469
Registration Date and Time: 1999-11-29 09:03
Remarks: INTER ALIA
APPURTENANT TO LOT 1, DISTRICT 116, NANOOSE
DISTRICT, PLAN 12149 EXCEPT PLAN VIP57241

Nature: EXCEPTIONS AND RESERVATIONS
Registration Number: EP3782
Registration Date and Time: 2000-01-14 09:46
Registered Owner: WEYERHAEUSER COMPANY LIMITED
INCORPORATION NO. A50607
Remarks: INTER ALIA
SEE EP3781

Nature: STATUTORY RIGHT OF WAY
Registration Number: CA2997120
Registration Date and Time: 2013-02-18 12:24
Registered Owner: THE CROWN IN RIGHT OF BRITISH COLUMBIA

TITLE SEARCH PRINT

2018-08-28, 16:24:16

File Reference:

Requestor: Neal Bird

Nature:	MORTGAGE
Registration Number:	CA3094239
Registration Date and Time:	2013-04-25 14:55
Registered Owner:	ROYAL BANK OF CANADA

Nature:	ASSIGNMENT OF RENTS
Registration Number:	CA3094240
Registration Date and Time:	2013-04-25 14:55
Registered Owner:	ROYAL BANK OF CANADA

Nature:	STATUTORY RIGHT OF WAY
Registration Number:	CA4985045
Registration Date and Time:	2016-02-15 08:35
Registered Owner:	BRITISH COLUMBIA HYDRO AND POWER AUTHORITY

Nature:	STATUTORY RIGHT OF WAY
Registration Number:	CA4985046
Registration Date and Time:	2016-02-15 08:35
Registered Owner:	TELUS COMMUNICATIONS INC. INCORPORATION NO. A0097809

Nature:	STATUTORY RIGHT OF WAY
Registration Number:	CA5410890
Registration Date and Time:	2016-08-09 14:25
Registered Owner:	SHAW CABLESYSTEMS LIMITED INCORPORATION NO. A0075382

Duplicate Infeasible Title NONE OUTSTANDING

Transfers NONE

Pending Applications NONE

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1540.01

**A BYLAW TO AMEND “REGIONAL DISTRICT OF NANAIMO
ELECTORAL AREA 'G' OFFICIAL COMMUNITY PLAN BYLAW NO. 1540, 2008”**

WHEREAS the Board of the Regional District of Nanaimo wishes to amend “Regional District of Nanaimo Electoral Area ‘G’ Official Community Plan No. 1540, 2008”:

THEREFORE THAT IT BE RESOLVED that the Board of the Regional District of Nanaimo, in open meeting assembled ENACTS AS FOLLOWS:

1. This Bylaw may be cited as “Regional District of Nanaimo ELECTORAL AREA ‘G’ OFFICIAL COMMUNITY PLAN BYLAW AMENDMENT BYLAW NO. 1540.01, 2010”.
2. The "Regional District of Nanaimo ELECTORAL AREA 'G' OFFICIAL COMMUNITY PLAN BYLAW NO. 1540, 2008” is hereby amended as set out in Schedule ‘A’ and ‘B’ to this Bylaw.

Introduced and read two times this 27th day of April, 2010.

Considered in conjunction with the Regional District of Nanaimo Financial Plan and any applicable waste management plans this 27th day of April, 2010.

Public Hearing held pursuant to Section 890 of the *Local Government Act* this 11th day of May, 2010.

Read a third time this 25th day of May, 2010.

Adopted this 25th day of May, 2010.

Chairperson

Sr. Mgr., Corporate Administration

BYLAW NO. 1540.01

Schedule 'A'

1. "Regional District of Nanaimo Electoral Area 'G' Official Community Plan Bylaw No. 1540, 2008," is hereby amended as follows:

- a) **Table of Contents**

The following is added following "2.8 Sustainable Development Practices and Climate Change":

"2.9 Energy Use and Climate Change"

- b) **2.0 – Protecting the Natural Environment**

The following section is hereby added after "2.8 Sustainable Development Practices and Climate Change" attached as Schedule 'B' and forming part of this Bylaw:

"2.9 – Energy Use and Climate Change"

BYLAW NO. 1540.01

Schedule 'B'

2.9 Energy Use and Climate Change

Bill 27, enacted by the Government of British Columbia (Province) in 2008, requires official community plans (OCPs) to address how the Regional District of Nanaimo (RDN) will provide direction and take action to reduce GHG emissions in its electoral areas. Specifically, OCPs must include targets for the reduction of greenhouse gases and policies and actions with respect to achieving those targets.

The Province has set a target to reduce GHG emissions to 33% below 2007 levels by 2020 and 80% by 2050. The amount of GHG emitted is influenced by many factors. The RDN can directly and indirectly influence the level of emissions generated due to land use patterns, housing form, transportation systems, construction standards, and landfill operations. The RDN can also be instrumental in:

- Recognizing the role sustainable forestry practices play in offsetting GHG emissions by storing carbon;
- Helping to slow global warming and supporting adaptation to the impacts of climate change by protecting the health of ecosystems; and
- Promoting and supporting the use of renewable energy and district energy systems.

Energy consumption is strongly influenced by land use patterns, density and mobility choices. Subdivision design, site planning, building design, and construction technologies are also significant factors in the amount of energy consumed. Reducing energy consumption means building compact, complete communities that are not auto-dependent, increasing the number of multi-unit dwellings, supporting (near) net-zero building design and construction, and supporting the use of renewable energy and district energy systems.

The RDN is in the process of preparing a Community Energy & Emissions Plan (CEEP) that will provide a framework for reducing energy consumption and GHG emissions within the region and establish specific targets for the reduction of emissions in specific areas - for example, building construction, transportation, and energy source. This information will be used to help develop more detailed area specific targets, policies and actions to be included in this Plan.

It is also important to plan for adaptation to the potential impacts of climate change. In particular, OCPs may include policies that address the need to adapt to potential sea level rise, water deficits, flooding, and wildfires, etc.

Policy Target

Support Province targets to reduce greenhouse gas emissions 33% below 2007 levels by 2020, and 80% below 2007 levels by 2050.

Policies

1. **Growth Management** - Encourage population growth within village centres to reduce transportation based greenhouse gas emissions.

Encouraging the majority of growth in village centres helps to facilitate more people living close to existing services, which decreases their need to drive. Designated growth areas coupled with policies to increase population densities in areas with improved services should decrease transportation related emissions, which are the largest source of emissions in the region.

Actions

- Support redevelopment in village centres which will result in higher densities and a greater mix of uses;
- Support changes to the Urban Containment Boundary only if the result is a decrease in GHG emissions.

2. *Compact Communities* - Support neighbourhood form that provides opportunities for energy efficient modes of transportation such as walking, cycling or public transit.

When dwellings are located close to shopping, work and leisure activities residents are less reliant on driving. Higher population densities within existing communities can also support both improved public and commercial services within walking distance of residences.

Actions

- Support a variety of housing types within village centres;
- Support a mix of land uses that will contribute to having more complete and compact communities;
- Support the establishment of commercial or retail services in village centres that will provide for the needs of the residents in the village centre and in the immediate surrounding area;
- For development proposals within village centres consider how land use and transportation can be coordinated.

3. *Buildings and Energy* – Encourage the incorporation of green building features into the siting and construction of buildings.

Compact communities include more energy efficient forms of housing. By sharing walls, attached dwellings require less energy for space heating, the largest household energy expenditure. Specific green building features should be incorporated in the siting or design of buildings to make them more energy efficient and also make use of renewable energy sources.

Actions

- Consider green building features as a community amenity for zoning amendments consistent with this plan;
- Review the site layout in zoning amendments to consider how buildings may use energy more efficiently;
- Consider partnerships with the private sector for green building demonstration projects;
- Support the development and use of locally produced renewable energy.

- 4. Forest Land and Carbon Sinks** - *Recognize the importance of natural areas for carbon absorption and develop tools to encourage development in existing developed areas as a means to redirect development away from greenfield sites.*

Plants, and in fact all living biodiversity within natural areas capture and store carbon from the atmosphere. A growing forest is a carbon sink capable of absorbing emissions from other sources such as transportation and settlement. But these areas are threatened by land use change and deforestation. The RDN should develop tools and incentives to encourage development in existing developed areas as a means to redirect development away from greenfield sites.

Actions

- Develop tools and incentives to facilitate the encouragement of the redirection of development from greenfield sites to village centres;
- Develop tools and incentives to encourage the retention of trees and vegetation on private property.

- 5. Food Production** – *Support efforts to maintain a sustainable locally produced source of food.*

Escalating costs, competition with cheap imported foods and cumbersome regulations on operations have all diminished local agriculture and the ability of farmers to maintain viable farms. Support for local agriculture will cut the number of commercial vehicles transporting food into the region and provide the security to local farmers to adopt more sustainable practices.

Actions

- Review the zoning bylaw to reduce obstacles to maintaining efficient farming operations, agricultural processing or compatible land uses;
- Support the provision of services and infrastructure necessary to the efficient and sustainable farming operations;
- Support the development and provision of resources to support agricultural sales;
- Encourage the retention of land in the Agricultural Land Reserve and other productive farm lands.

- 6. Transportation and Infrastructure** – *Promote private and public infrastructure that may use energy more efficiently.*

Infrastructure and services provided in compact complete communities provides opportunities for personal and institutional choices that conserve energy. Efficient use of infrastructure may reduce transportation related emissions through integrating active transportation with existing road networks or it may reclaim energy resources from waste streams to service public and private facilities.

Actions

- Provide trails and pathways that are functional and support efficient pedestrian movement;
- Support transit and transportation alternatives that will reduce greenhouse gas emissions;
- Recover energy and materials from both public and private sector waste streams that may be used to service communities or facilities.

TO WHOM IT MAY CONCERN

November 20, 2017

What is CFI?

Coombs Farmers Institute (CFI) was established in 1914. Farmers' Institutes enjoy a respected history in our culture as builders and supporters of rural and urban communities. In 1914, our institute was granted a leasehold on property by the E&N Railway in the village of Coombs - hence, the name "Coombs Farmers' Institute" was adopted for this region. Our Institute is 103 years old, is volunteer-based and serves the following mid-Vancouver Island communities:

- Lantzville
- Nanoose
- Parksville
- Qualicum Beach
- Errington
- Coombs
- Hilliers
- Whiskey Creek
- Spider Lake

The objectives of the Coombs Farmers' Institute, enshrined in the 1897 Farmers' and Women's Institute Act, are:

A. to improve conditions of rural life so that settlement may be permanent and prosperous.

B. to promote the theory and practice of agriculture

C. to arrange on behalf of its members for the purchase, distribution or sale of commodities, supplies or products.

D. to act generally on behalf of its members in all matters incidental to agricultural pursuits and rural development

E. to promote home economics, public health, child welfare, education and better schools.

Nature of farming and agriculture continues to evolve to meet the changing needs of communities. CFI has become very active in some of the local initiatives to educate school children about sustainable food production at the local level. In conjunction with our local Chamber of Commerce we have established "community" gardens to teach children and young adults fresh food production.

Local inputs for food production are very important. Earthbank Resources – a local enterprise that takes Vancouver Island fish waste and wood waste and turns into one of the most needed nutrients to improve the productivity of local farms is a valuable enterprise for local food production. We encourage all levels of government to promote increased production of inputs required for local sustainable agriculture.

On behalf of CFI, I encourage Earthbank Resources to step up and meet the needs of a growing market for their product.

Sincerely

Janet Thoney

President,

Coombs Farmers Institute

TO WHOM IT MAY CONCERN

November 20, 2017

Who am I?

My name is Kris Chand and since 2000, I in conjunction with my wife, have operated a certified Organic farm in Parksville, BC. In addition I have been active in and held the following volunteer positions that relate to local food production, food sustainability, organic standards promotion throughout the province and local infrastructure creation for local food distribution and consumption:

1. Founding member, director, president of Qualicum Beach Farmers Market (QBFM)—2001-2014.
2. Member, Director of Island Organic Producers Association (IOPA) — still a member but not a director.
3. Director and Vice Chair for Certified Organic Associations of BC (COABC)—from 2005 to 2014, various terms and positions.
4. Past Chair of Mid Island Harvest festival for a number of years.
5. Member and past director of Coombs Farmers Institute (CFI).
6. Actively farming an organic farm in Parksville, BC (BLUE HERON ORGANIC FARM).

Earthbank Resources

I have known and used the fish compost product of Earthbank for over a decade to bring a marginally productive soil into production thru the use of fish compost created by Earthbank Resources.

Prior to Earthbank Resources we had to truck in compost from hundreds of kilometers away, an environmentally undesirable option.

Earthbank Resources, at our request and market demands, got their operations certified so that organic growers would have a local supplier to supply the increasing demand of the market.

During the last 20 years I have actively studied and participated in sustainable organic food production and the issues related to it at the local, Vancouver Island and Provincial level. There are many issues facing this sector but on Vancouver Island and particularly on Mid Vancouver Island the lack of productive soil is a major one. Earthbank's product is one of the ways we can improve the soil for food production. It is vitally important that operations such as Earthbank Resources be encouraged to increase their output so that local farming soils can be organically improved to produce sustainable food at the local level.

We at Blue Heron Organic Farm have done that over the past 20 years and continue to do that because of Earthbank Resources.

Signed

Kris Chand





From: "hof-waldeck63@shaw.ca hof-waldeck63@shaw.ca"
<hof-waldeck63@shaw.ca>
To: "Sara huber" <Sara.huber@gov.bc.ca>
Sent: Monday, July 30, 2018 1:36:38 PM
Subject: Earthbank Resources

Agricultural Land Commission

Att. Ms. Sara Huber

Re: Earthbank Resources.
Parksville, BC
Terry Gay owner

Madame.

It has been brought to my attention, that the system is again after Terry Gay and his composting facility in Parksville BC.

Here a short history of our relationship.
Hof Waldeck Farm moved to the present location in 1970 and when the next generation was getting ready to join the family farm, we had to increase the size of the dairy herd and the farms forage producing capacity. Buying land was not possible- clearing land we already owned was not possible either, because DFO did not allow us to build a second bridge

across French Creek to access our land on the west side. An attempt to build a water storage pond on Crown land was shut down by Forestry, as well as DFO and our last ditch effort was to try to find a way to use the pre-owned waste water from the sewage plant of the RDN, for irrigation purposes. That idea was nixed by the RDN and Morning Star Golf course. We have 30 acre feet of water rights on French Creek and the rules are very specific, where that amount of water can be used. In other words- of the total farmed acreage of app. 170 acres only 30 can be irrigated and if this year is a good example-we had a very late first cut, and the second cut was only feasible on land that had received compost and irrigation. The crop dried up before it was high enough to harvest and we can not use those fields for pasture land, since our dear neighbours keep destroying our fences - they hinder their access to the creek.

With the assistance of the District Agriculturist Gary Rolston we contacted Terry Gay, who had a composting operation in Courtenay to come to Parksville and set up a second operation on our farm. We rented 10 acres of useless class 4 land to Terry Gay for his compost yard. The rationale was, that compost may increase the ability of the fields on Lot C to do better than only one cut. We are talking the summer of 1995. This was specially important, since, what is now Lot C and D of D.L.26 was land cleared by us, land that only produced a crop in wet years. We hauled Alder and Maple sawdust from a mill in Errington to the farm and when we did not need it for bedding, we spread it on those fields. Over time, while winter spreading of manure was still allowed, we improved the soils to the extent, that we had in most years a good first cut and again some regrowth in the fall month that could be cut for

green feed or pastured. Before Earthbank developed a market for their compost we used much of their early attempts in developing a process- on the farm. We found out, that Green waste as Carbon Source(from the RDN waste stream) did not work for us, because it was contaminated with plastic.

Eventually we settled for 700 cubic yards of standard retail screened compost as rent for the 10 acres used by Earthbank.. A contract between us states, that the material has to be used on the farm , it can not be sold. Why would we sell it anyway, we never sold manure or our own compost either. When the dairy herd left for health reasons in the family- we joined most of the other dairy farms on the Island- the next generation did not want any part of a dairy operation. The RDN and every other governmental agency did their best to make our and Earthbanks lives miserable. From calling the operation illegal, to contributing to ground water pollution, from complaining about the increased truck traffic to the yard. The same entities, that fought Earthbank tooth and nail in a public forum, bought compost from them- be that the neighbouring city and towns or the RDN itself.

Bylaw enforcement from the RDN was scouting the composting yard - when it was officially closed for business- trying to find some prove of wrong doing of by-law infractions. On the north end of the Island, their Regional District actually helped with the start-up of the fish composting facility- while our RDN just created road blocks and wasted our time---- fighting them.

Meanwhile, we applied most of the annual compost allotment to what is now Lot C and the crops have been comparable to the irrigated land along French Creek- that has been farmed since the 1880s. We believe, that we can prove,

that it is the annual application of compost that made those fields farm able in the first place. And as far as irrigation is concerned, we are storing - what used to be the manure pit for the dairy herd-- winter run off and we use that water and the water from the pond mandated by the Best Waste Management Plan- to irrigate pastures.

I also believe, that the attacks on Earthbank Resources are a case of sour grapes. Earthbank bought 96 acres east of our place to expand the composting area- I believe it was less expensive to leave the different blocks of compost piles longer, than force accelerated production. Before composting the acreage was in accelerated wood fiber production - failing to produce a single crop of hy-bred poplars- because there was no water. Morning Star Golf course drilled many wells on the property and failed to find water. As it turned out- unknown to everybody- there was water on the south side of the Transmission line- on land that is now part of Little Qualicum Cheese Works and Earthbank Resources. Madam, you may have access to aerial photos i.e. 25 1962 BC 5047: 37 (1)-(1). It shows the area involved- one year before we bought the place and started our Mission Impossible. You will notice, that the area was mature Forest and everything after logging is history. We watched helplessly when M&B stripped the land of every tree and planted those poplars before selling the land. And we still are unable to understand what a landscaping company with a very impressive amount of construction equipment is doing to the land between us and the Organic Farm of Mr. and Mrs. Kris. Chand, an other new organic farm that got a start with Community Supported Agriculture and the impressive improvements to the land of L.Q.C.W done by the Gourley family.

Here we are in a belt of productive farm land stretching from French Creek in the West to the City of Parksville in the East. Gone is the dairy farm of David Grieve, the Pig farm on Church Road. we are looking what happened to the fields on both sides of Church Road- and we hope, a dis-guarded cigarette will not start an inferno there.

But I guess the process is unstoppable. On the last property tax notice each one of the parcels belonging to Hof Waldeck farm is paying a surcharge for Parks Acquisition. In our mind, that can only mean, that we are financing the take over of the farm for Park purposes by the RDN. It feels like being charged for the robe they want to hang you with next Monday. On the other hand, what else can you do with the land on French Creek. - it is a flood plain. The land in Lot C ----I suppose one could plant trees again.

I just hope, that I am spared the sight of Hof Waldeck Farm becoming an other subdivision in need of water, that will be taken away from the last still operating farm. By that time people will import all of their food from some place else and the last food producer on the Island will be honoured by a museum.

One thing I know for sure- people will still have to eat- and after a few more lousy years the time will come, that producing food will be again a good way to earn a living and raise a family- maybe- I live that long to see it happen.

And I thought, that it was the mandate of the ALC to protect the land and the farmers working it , for future generations. Using organic materials, creating compost is a part of that mandate. Compost helps to maintain and improve that thin layer of soil that feeds us all.

Sincerely

Volkhard Fritzsche (Fritz)
1410 Hodges Road
Hof Waldeck Farm
Parksville, BC
V9P 2B5

Tel 1 250 248 3307