



REPORT

To: Chair and Directors

Date: March 3, 2020

From: Crystal Brown, Electoral Area Manager

Subject: February 20th Electoral Area Directors Committee Meeting Recommendations

The following recommendations from the February 20, 2020 Electoral Area Directors Committee Meeting are presented to the Regional Board for its consideration:

RECOMMENDATION #1: [Corporate Unweighted]

That the Regional Board review guidelines from surrounding municipalities applicable to cannabis production and retail establishments; further, that a report identifying potential harmonized guidelines for potential inclusion in Regional District Zoning bylaws applicable to rural areas be provided to the Electoral Area Directors Committee.

RECOMMENDATION #2: [Corporate Unweighted]

That the Regional Board suspend application of the Board resolution “*That a security deposit to guarantee site remediation and/or the completion of any terms and conditions imposed by the terms of a Temporary Use Permit (TUP), be required for all TUP applications*” until new guidelines for Temporary Use Permits can be brought forward to the Board; further, that in the interim, property owners be required to sign a waiver to relinquish any right to remediation of their property by any third party, including the proponent or the PRRD.

RECOMMENDATION #3: [Corporate Unweighted]

That the Regional Board add the ‘Cleanfarms’ stewardship program to the April 15th interprovincial meeting agenda.

BACKGROUND/RATIONALE:

The draft minutes of the February 20, 2020 Electoral Area Directors Committee meeting are on the Consent Calendar.

ALTERNATIVE OPTIONS:

1. That the Regional Board provide further direction.

STRATEGIC PLAN RELEVANCE:

- Partnerships
- Inter-provincial collaboration with Alberta local governments

FINANCIAL CONSIDERATION(S):

None at this time.

Staff Initials: *CB*

Dept. Head:

CAO: *[Signature]*

COMMUNICATIONS CONSIDERATION(S):

None at this time

OTHER CONSIDERATION(S):

None at this time

ATTACHMENTS:

1. Report - Regulation of Cannabis Retail Establishments in Rural Areas
2. Report - Temporary Use Permit Alternatives
3. Cleanfarms Handout



DIRECTORS' NOTICE OF NEW BUSINESS

To: Chair and Directors

Date: January 28, 2020

From: Chair Sperling

Subject: Regulation of Cannabis Retail Establishments in Rural Areas

PURPOSE / ISSUE:

Cannabis related businesses are prohibited throughout all zones in PRRD zoning bylaws. Any location that is proposed for the distribution and/or sale of cannabis would be required to apply for and obtain a zoning bylaw amendment. Although the PRRD Cannabis-Related Business Policy directs that zoning amendments for the purpose of cannabis-related business will only be considered within commercial and industrial zones, it does not provide guidance for where cannabis-related businesses should be located, as it pertains to the protection of public health and safety, and proximity to schools, parks and churches.

RECOMMENDATION / ACTION: *[Corporate Unweighted]*

That the Regional Board review potential guidelines for regulation of cannabis retail establishments in rural areas for inclusion in Regional District Zoning bylaws.

BACKGROUND/RATIONALE:

'Cannabis Related Business Zoning Amendment Bylaw No. 2316, 2018' states that no parcel of land shall be used for a Cannabis-related business. Any location that is proposed for the distribution and/or sale of cannabis would be required to apply for and obtain a zoning bylaw amendment. Although Section 3.1 of the PRRD Cannabis-Related Business Policy states that:

"Within all Zoning Bylaws, the Regional Board will only consider zoning amendments to allow for Cannabis-Related Businesses within commercial and industrial zones".

it does not provide any criteria or guidance for where cannabis-related businesses should be located, should a zoning bylaw amendment be obtained.

Director: 

Acknowledged for Agenda by CAO: 

Page 1 of 1

March 12, 2020



REPORT

To: Committee of the Whole

Date: January 16, 2020

From: Kevan Sumner, General Manager of Development Services

Subject: Temporary Use Permit Alternatives

RECOMMENDATION: [All Directors – Corporate Unweighted]

That the Committee of the Whole recommend that the Regional Board require a security deposit, in the form of an irrevocable letter of credit, prior to issuance of any Temporary Use Permits, for the cost of:

- a) Restoring the site, upon expiration of the permit, to a condition and at an estimated cost agreed on by the applicant and landowner; and
- b) The cost of completion of any other terms and conditions required as a condition of the issuance of the Temporary Use Permit by the Regional Board.

BACKGROUND/RATIONALE:

At the December 14, 2018 Peace River Regional District (PRRD) Board meeting, the following resolution was made with respect to Temporary Use Permits:

RD/18/12/20 (14)

That a security deposit to guarantee site remediation and/or the completion of any terms and conditions imposed by the terms of a Temporary Use Permit (TUP), be required for all TUP applications.

At the January 31, 2019 PRRD Board meeting, the following resolutions were made with respect to Temporary Use Permits:

RD/19/01/39 (31)

That the report titled “Temporary Use Permit Security Research – Northern Rockies Regional Municipality & Others” dated January 17, 2019 be received for information.

RD/19/01/40 (31)

That a discussion of Temporary Use Permits (renewals, securities, work camps) be scheduled for a Committee of the Whole meeting to provide the Board with an opportunity to articulate the mandate or desired outcomes of a Select Committee to review the issue.

RD/19/01/41 (31)

That the report titled “Temporary Use Permit Legislation” dated January 21, 2019 be received for information.

Current Best Practice

With respect to decisions regarding land uses, there are two options available with respect to addressing situations where a use is proposed for a site where it is not permitted:

- 1. Zoning amendment; or

Staff Initials:

Dept. Head: *KS*

CAO: *[Signature]*

Page 1 of 5

2. Temporary Use Permit.

In general, land use decision making processes should include a public hearing, as set out in the *Local Government Act*. This is a requirement of zoning amendments; however, the *Local Government Act* also identifies times where a public hearing is not required (when the proposed rezone complies with the Official Community Plan).

With regards to temporary land uses through the issuance of a Temporary Use Permit, it should be noted that because these are permits, they only require a public notice advising that the Regional Board intends to consider issuing a temporary use permit for a proposed application.

Development Services recommends the following approach to considering proposed land uses that are not permitted under the zoning of the proposed location:

1. For land uses that are proposed with the intent to locate and exist in a certain area permanently, then the applicant should put forward a zoning amendment proposal for consideration by the PRRD Board.
2. Temporary Use Permits should be considered when the proposed use is truly meant to be temporary:
 - A land use that would occur for less than 3 years = Temporary Use Permit
 - A land use that would occur for more than 3 years but less than 6 = Temporary Use Permit with the *opportunity to apply for a renewal*
 - The renewal of a Temporary Use Permit is never guaranteed; therefore, applicants should never apply expecting that they will be granted the Temporary Use Permit for the first 3 year term, and then automatically be given the second (up to) 3 year renewal.

These best practices that are well known to both staff and the public, are more easily administered and consistently applied. Consistent processes reduce the opportunity for confusion and mistakes for all parties. Improved tracking systems have been implemented to minimize renewal applications coming forward after the TUP has expired. All current holders of Temporary Use Permits are being notified in writing six months prior to expiration of their permits, with instructions on how to apply for a renewal.

Alternative Approaches

With respect to determining alternative approaches to addressing land use, it was communicated that land use is addressed through zoning amendments or Temporary Use Permits. However, two alternative approaches are presented below for discussion purposes to address temporary land uses. Both approaches may be considered as alternatives to Temporary Use Permits, and both are a modification of a typical zoning amendment:

1. Time Limited Zoning

This type of zoning is based on a typical zoning amendment; however, with time-limited constraints placed upon it which specify the length of a time permitted use is allowed for. Time limited zoning can be combined with a Section 219 covenant, which would provide additional strength.

An example of time limited zoning: If the application was for a use for between 10-15 years (outside the confines of a TUP), a bylaw to allow the use for 15 years with a covenant with an approved provision (and therefore trigger point) for only 10 years could be used. Then the

proposed use would need approval/permission to continue for up to the additional 5 years as specified by bylaw.

2. Conditional Zoning

This type of zoning would only permit the use if it is proposed in conjunction with a permitted use. An example of this would be a residential/commercial mixed-use property, in which case the residential component of the mixed use is not permitted, unless the ground-floor commercial is in place first.

These two options are not commonplace, particularly in the north. They would provide flexibility but may result in decreased consistency in evaluation of TUP applications.

Requirement for Security

Section 502 of the *Local Government Act* empowers the District to correct damage to the environment by requiring the landowner to demolish or remove a building or structure, and restore land to a condition and by a date specified in a Temporary Use Permit. If the landowner fails to comply with the conditions as set out in a Temporary Use Permit, the PRRD can carry out the removal, demolition, or restoration at the expense of the owner. Security may be required for the performance of these conditions.

In order to help ensure that any required removal, demolition, or restoration is carried out, since the Board passed Resolution RD/18/12/20 (14), the PRRD has required applicants to provide a security to guarantee the performance of the terms set out in the Temporary Use Permit. A Temporary Use Permit is not issued until the PRRD receives an irrevocable letter of credit for the value of the security required. The amount of security must be determined for the cost of reclaiming the site to either:

- a) pre-existing condition; or
- b) a level that is satisfactory to the landowner.

Please note that since these procedures have been in place for 13 months, no Temporary Use Permits issued under these procedures have expired, and staff have not had an opportunity to assess how well the site reclamation process will work in practice. Regardless of whether the site is fully or partially restored, the use of a site following expiration of a Temporary Use Permit must comply with the applicable zoning bylaw.

When the security requirement was originally implemented, Development Services staff required that an independent, third party, qualified professional, provide the estimate of remediation costs. In response to concerns raised by applicants that employ their own qualified professionals, this requirement has been relaxed to allow applicants to provide their own estimate.

If a Temporary Use Permit lapses due to no activity occurring within two years after the date it is issued, the PRRD must return any security provided.

Security Alternatives

Some applicants have raised concerns regarding the requirement for an irrevocable letter of credit and/or the assessment to restore the site. Banks typically charge a fee for issuing a letter of credit, and landowners may wish to retain some or all of the property improvements.

Administratively, there is no guarantee that the restoration estimate will be sufficient to address any unanticipated damage to the natural environment or unsafe conditions that may result as a consequence of contravening the conditions of a permit.

The following may be considered as alternatives to the current securities procedures:

1. Allowing the requirement for security to be waived in certain situations

The Regional Board could consider waiving the security requirement in situations where the applicant and landowner are in agreement that the site improvements may be retained permanently following the expiration of the Temporary Use Permit, and the Regional Board does not make approval subject to any additional conditions that require security. Allowing site improvements to remain would not constitute permission for the temporary use to likewise remain on site following the expiration of the permit, and any improvements retained would need to conform with zoning. The PRRD would not have access to funds if any damage was caused to the environment or conditions were not met.

2. Relaxing the requirement for an irrevocable letter of credit

Alternatives to the irrevocable letter of credit, such as an insurance bond, a certified cheque, or a signed agreement to return the site to a specified state, offers applicants more flexibility but are less preferable for a variety of reasons. An irrevocable letter of credit guarantees the availability of funds in the event that remediation by the PRRD is required, and is relatively simple to administer, requiring minimal staff time and costs. Allowing consideration of alternatives will require additional staff time and potential legal costs for negotiating and reviewing alternative proposals. Some of the alternatives may not give the same level of assurance that funds will be available if required.

3. Requiring all applicants to provide an estimate of the cost of reclaiming a site that is signed by a qualified professional.

The benefit of this approach is that the PRRD would have the assurance of a qualified professional that the work and budget described would be sufficient to restore the site to the intended condition. Applicants will incur additional costs from employing the services of a qualified professional, and reclamation estimates may be higher than what the applicants believe it would cost them to reclaim the sites themselves.

Options 1 and 2 would remove restrictions that some applicants perceive as barriers to successfully obtaining a Temporary Use Permit, but would result in the potential for additional risk or cost to the PRRD if site improvements do result in environmental damage. Option 3 would provide greater assurance of the accuracy of restoration estimates at additional expense to applicants. None of these three options are recommended.

ALTERNATIVE OPTIONS:

1. That the Committee of the Whole recommend that the Regional Board allow the requirement for a security deposit prior to issuance of a Temporary Use Permit to be waived in situations where the applicant and landowner agree that the site improvements will be retained permanently following the expiration of the Temporary Use Permit, and the Regional Board does not require security to guarantee the performance of any other terms of the permit.
2. That the Committee of the Whole recommend that the Regional Board require a security deposit, in a form satisfactory to the applicant and the PRRD, prior to issuance of any Temporary Use Permits, for the cost of:
 - a) Restoring the site, upon expiration of the permit, to a condition agreed on by the applicant and landowner; and

- b) The cost of completion of any other terms and conditions required as a condition of the issuance of the Temporary Use Permit by the Regional Board.
3. That the Committee of the Whole recommend that the Regional Board require a security deposit, in the form of an irrevocable letter of credit, prior to issuance of any Temporary Use Permits, for the cost of:
 - a) Restoring the site, upon expiration of the permit, to a condition agreed on by the applicant and the landowner and at a cost determined by a qualified professional; and
 - b) The completion of any other terms and conditions required as a condition for the issuance of the Temporary Use Permit by the Regional Board.
4. That the Committee of the Whole provide further direction.

STRATEGIC PLAN RELEVANCE:

- Not Applicable to Strategic Plan.

FINANCIAL CONSIDERATION(S):

None at this time.

COMMUNICATIONS CONSIDERATION(S):

Any changes to the Temporary Use Permit process required as a result of the Regional Board's decision will be communicated to potential applicants through updates to printed application information and online resources.

OTHER CONSIDERATION(S):

None.

Attachments:

1. *Local Government Act, Part 14, Division 8 – Temporary Use Permits and Division 10 – Other Permits and Permit Matters*
2. *Sample Temporary Use Permit*
3. *Memo titled “Waiving of Security Requirements for Temporary Use Permits” dated February 6, 2020*

External Links:

1. [Report titled “Temporary Use Permit Security Requirements” dated December 14, 2018](#)
2. [Report titled “Temporary Use Permit Security Research \(Northern Rockies Regional Municipality & Others\)” dated January 17, 2019](#)
3. [Report titled “Temporary Use Permit Legislation” dated January 21, 2019](#)

Local Government Act, Part 14 – Planning and Land Use Management

Division 8 — Temporary Use Permits

Designation of temporary use permit areas

492 For the purposes of section 493, an official community plan or a zoning bylaw may

- (a) designate areas where temporary uses may be allowed, and
- (b) specify general conditions regarding the issue of temporary use permits in those areas.

Temporary use permits for designated areas and other areas

493 (1) On application by an owner of land, a local government may issue a temporary use permit as follows:

- (a) by resolution, in relation to land within an area designated under section 492;
- (b) by bylaw, in relation to land within an area outside a municipality, if there is no official community plan in effect for the area.

(2) A temporary use permit may do one or more of the following:

- (a) allow a use not permitted by a zoning bylaw;
- (b) specify conditions under which the temporary use may be carried on;
- (c) allow and regulate the construction of buildings or structures in respect of the use for which the permit is issued.

(3) If a local government delegates the power to issue a temporary use permit under this section, the owner of land that is subject to the decision of the delegate is entitled to have the local government reconsider the matter.

Public notice and hearing requirements

494 (1) If a local government proposes to pass a resolution under section 493 (1) (a), it must give notice in accordance with subsections (2) to (4) of this section.

(2) The notice must state

- (a) in general terms, the purpose of the proposed permit,
- (b) the land or lands that are the subject of the proposed permit,
- (c) the place where and the times and dates when copies of the proposed permit may be inspected, and
- (d) the place where and the time and date when the resolution will be considered.

- (3) The notice must be published in a newspaper at least 3 days and not more than 14 days before the adoption of the resolution to issue the permit.
- (4) Section 466 (4) to (8) [specific requirements in relation to notice of public hearing] applies to the notice as if the resolution were a bylaw.
- (5) If a local government proposes to adopt a bylaw under section 493 (1) (b), the following sections apply:
 - (a) section 464 [requirement for public hearing];
 - (b) section 465 [public hearing procedures];
 - (c) section 466 [notice of public hearing];
 - (d) section 469 [delegating the holding of public hearings];
 - (e) section 470 [procedure after public hearing].

Permit conditions: undertakings respecting land

- 495** (1) As a condition of issuing a temporary use permit, a local government may require the owner of the land to give an undertaking to
- (a) demolish or remove a building or other structure, and
 - (b) restore land described in the permit to a condition specified in the permit by a date specified in the permit.
- (2) An undertaking under subsection (1) must be attached to and forms part of the permit.
- (3) If the owner of the land fails to comply with all of the undertakings given under subsection (1), the local government may enter on the land and carry out the demolition, removal or restoration at the expense of the owner.

Permit conditions: additional security requirements

- 496** (1) In addition to any security required under section 502, a local government may require, as a condition of issuing a temporary use permit, that the owner of the land give to the local government security to guarantee the performance of the terms of the permit.
- (2) If there is a requirement for security under subsection (1), the permit may provide for
- (a) the form of the security, and
 - (b) the means for determining
 - (i) when there is default under the permit, and
 - (ii) the amount of the security that forfeits to the local government in the event of default.

Term of permit and renewal of permit

- 497** (1) The owner of land in respect of which a temporary use permit has been issued has the right to put the land to the use described in the permit until the earlier of the following:
- (a) the date that the permit expires;
 - (b) 3 years after the permit was issued.
- (2) A person to whom a temporary use permit has been issued may apply to have the permit renewed, subject to the restriction that a temporary use permit may be renewed only once.
- (3) Subsection (1) and sections 495 [permit conditions: undertaking respecting land] and 496 [permit conditions: additional security requirements] apply in relation to a renewal under subsection (2).

Division 10 — Other Permits and Permit Matters

Tree cutting permits in relation to areas affected by flooding or other hazards

- 500** (1) A board may, by bylaw, designate areas of land that it considers may be subject to flooding, erosion, land slip or avalanche as tree cutting permit areas.
- (2) A bylaw may, in respect of an area designated under subsection (1),
- (a) regulate or prohibit the cutting down of trees, and
 - (b) require an owner to obtain, on payment of a fee set by the bylaw, a permit before cutting down a tree.
- (3) The bylaw may allow the board, at its discretion, to require an applicant to provide a report in accordance with subsection (4) that the proposed cutting of trees will not create a danger from flooding or erosion.
- (4) A report required under subsection (3) must be
- (a) provided at the applicant's expense, and
 - (b) certified by a qualified person agreed on by the applicant and the board.

General land use permit matters

- 501** (1) A local government may issue more than one land use permit for an area of land.
- (2) Land must be developed strictly in accordance with the land use permit or permits issued.
- (3) A land use permit is binding on the local government as well as on the holder of the permit.
- (4) A local government may, by bylaw, designate the form of land use permits.

Requirement for security as condition of land use permit

- 502** (1) For the purposes only of subsections (2) and (3), a local government may, as a condition of the issue of a land use permit, require that the applicant for the permit provide security in an amount stated in the permit by whichever of the following the applicant chooses:
- (a) an irrevocable letter of credit;
 - (b) the deposit of securities in a form satisfactory to the local government.
- (2) Subsection (3) applies if a local government considers that any of the following applies:
- (a) a condition in a permit respecting landscaping has not been satisfied;
 - (b) an unsafe condition has resulted as a consequence of a contravention of a condition in a permit;
 - (c) damage to the natural environment has resulted as a consequence of a contravention of a condition in a permit.
- (3) In the circumstance referred to in subsection (2), the local government may
- (a) undertake, at the expense of the holder of the permit, the works, construction or other activities required to satisfy the landscaping condition, correct the unsafe condition or correct the damage to the environment, and
 - (b) apply the security under subsection (1) in payment of the cost of the works, construction or other activities, with any excess to be returned to the holder of the permit.
- (4) Interest earned on the security provided under subsection (1) accrues to the holder of the permit and must be paid to the holder immediately on return of the security or, on default, becomes part of the amount of the security.
- (5) If a local government delegates the power to require security under subsection (1), the delegation bylaw must include guidelines for the delegate as to how the amount of security is to be determined.

Notice of permit on land title

- 503** (1) If a local government issues any of the following, it must file in the land title office a notice that the land described in the notice is subject to the permit:
- (a) a development permit;
 - (b) a temporary use permit;
 - (c) a development variance permit.
- (2) On filing of a notice under subsection (1), the registrar of land titles must make a note of the filing against the title to the land affected.

- (3) If a permit referred to in subsection (1) is amended or cancelled, the local government must file a notice of the amendment or cancellation in the manner prescribed by regulation of the Lieutenant Governor in Council, and, on filing, the registrar of land titles must make a note of the filing against the title to the land affected.
- (4) If a notice is filed under subsection (1) or (3), the terms of the permit or any amendment to it are binding on all persons who acquire an interest in the land affected by the permit.
- (5) In the event of any omission, mistake or misfeasance by the registrar of land titles or the employees of the registrar in relation to the making of a note of the filing under subsection (1) or (3) after the notice is received by the land title office,
- (a) neither the registrar, nor the Provincial government nor the Land Title and Survey Authority of British Columbia is liable vicariously,
 - (b) the assurance fund or the Land Title and Survey Authority of British Columbia as a nominal defendant is not liable under Part 19.1 of the *Land Title Act*, and
 - (c) the assurance fund or the minister charged with the administration of the *Land Title Act* as a nominal defendant is not liable under Part 20 of the *Land Title Act*.
- (6) The Lieutenant Governor in Council may make regulations prescribing fees for the filing of notices under this section, and section 386 of the *Land Title Act* applies in respect of those fees.

Permit lapses if relevant construction not substantially started

504 (1) Subject to the terms of the permit, if the holder of a land use permit does not substantially start any construction with respect to which the permit was issued within 2 years after the date it is issued, the permit lapses.

(2) Subject to

(a) section 496 [*additional security requirements in relation to temporary use permits*], and

(b) section 502 (3) [*local government action to satisfy permit condition*],

if a land use permit lapses, the local government must return any security provided under section 502 (1) [*requirement for security as condition of land use permit*] to the person who provided it.



PEACE RIVER REGIONAL DISTRICT

TEMPORARY USE PERMIT NO. 20-###

ISSUED TO: Name: [Insert Name]
Address: [Insert Address]

- A. 1. Property affected: [Insert Legal Description]
PID: [Insert PID]
2. Official Community Plan: [Insert OCP Bylaw and designation of property]
3. Zoning Bylaw: [Insert Zoning Bylaw and zone of property]
- B. Development upon the land referenced in this permit shall conform to the following specifications and terms:
1. This *Temporary Use Permit* is valid up to and including the ***[Insert date - 3 years from date of approval, or anticipated completion of use]***, at which time it shall expire and the property affected by this permit will be subject to the applicable zoning regulations.
 2. The property referenced in Item A (1) above may be used for the following Temporary purposes in addition to those permitted by the zoning applicable to the property:
 - i. **[Insert description of use]**
 3. The conditions of the Temporary Use Permit are as follows:
 - i. Permit to be posted on site for its duration.
 - ii. Compliance with all statutory and by-law requirements.
 - iii. The temporary use may occur on the noted area of the property as shown on Schedule 'A' attached to and forming a part of this permit.
 - iv. Receipt of security to secure the condition of reclamation of the site in the amount of [\$ Insert site reclamation estimate] prior to issuance of the permit.
 - v. Site photos to document site conditions existing prior to development as permitted by this permit, must be submitted to the Peace River Regional District (PRRD) prior to the issuance of this Temporary Use Permit (TUP).
 - vi. Reclamation of the site to pre-TUP conditions, as per the photos submitted in accordance with v) above, or to a condition satisfactory to the owner and PRRD, must be completed within **90 days** of the expiration of the permit.
 - vii. Failure to comply with vi) above authorizes the Peace River Regional District to enter on the land and carry out the reclamation at the expense of the owner.
 - viii. The security is returned only after the PRRD receives a letter of approval from a qualified environmental professional that the remediation work has been completed as per vi) above.
 - ix. Should the temporary use be required beyond the expiration date of this permit, a temporary use permit renewal application must be received by the Peace River Regional District 6 months prior to the expiration of this permit for consideration by the Regional Board.

4. All terms and specifications referred to above are subject to any changes required by the Building Inspector or other officials of the Peace River Regional District where such terms and specifications do not comply with any duly enacted law or bylaw and such noncompliance is not specifically permitted by this Temporary Use Permit.
5. THIS IS NOT A BUILDING PERMIT.

Issued this [Insert date].

This permit is authorized by Peace River Regional District Board Resolution No. [Insert Resolution #] passed on the [#th day of Month, 20##].

Authorized Signatory

Schedule 'A' (Map) is attached to and forms part of the Temporary Use Permit.



MEMORANDUM

TO: Committee of the Whole

FROM: Kevan Sumner, General Manager of Development Services

DATE: February 6, 2020

SUBJECT: Waiving of Security Requirement for Temporary Use Permits

Following the writing of the January 16, 2020 Committee of the Whole report on Temporary Use Permit Alternatives, I have had discussions with legal counsel regarding the procedure for allowing the requirement for security to be waived in certain situations (Option 1 under the Security Alternatives section).

Legal counsel has advised that if cases such as described under Option 1, if an applicant leases or otherwise has some right to use the land, then whether the owner wants the improvements removed or not is a matter between the owner and the applicant that does not involve the Regional District.

The Regional District could choose to require site restoration in situations where it is determined to be desirable, which would need to be determined on a case by case basis. In such cases, security could still be required. In such cases, legal counsel has recommended that we issue permits with the terms and conditions that have been included in the draft permit attached to the January 16, 2020 report, with the following addition:

3(vii), “and the Regional District may use the security to pay such expenses.”



Cleanfarms Puts Feet on the Ground in Alberta with New Lethbridge Office

Cleanfarms, a Canada-wide stewardship organization best known for its ag-plastics recycling programs for pesticide and fertilizer jugs and totes and grain bags has opened an Alberta office in Lethbridge.

“Alberta’s importance as an executive hub for agricultural industry is growing. That combined with its position as a Prairie powerhouse for agriculture in Canada, points to the need for Cleanfarms to have feet on the ground in the province, too,” said General Manager Barry Friesen.

Cleanfarms currently has offices in Quebec, Ontario and Saskatchewan.

The Lethbridge office will be staffed by Davin Johnson, an environmental scientist who grew up in Alberta and has worked for the past decade in the province’s oil and gas, academic, government and agricultural sectors. He holds a Bachelor of Science in Geography from the University of Lethbridge.



Already familiar with Cleanfarms programs, Davin has helped to organize Cleanfarms' Unwanted Pesticide and Livestock/Equine Medication Collection program, which collects old and obsolete pesticides and animal health medications from farmers for safe disposal, and the newly launched '**Alberta Ag-plastic. Recycle it!**' pilot program that has commissioned 20 locations throughout the province to collect grain bags and twine for recycling. Cleanfarms operates the pilot on behalf of the Alberta-based Agricultural Plastics Recycling Group.

"With the grain bag and twine recycling program now underway in a progressive province that is evolving waste management and producer responsibility programs, it's a logical and important next step for Cleanfarms to have an Alberta-based office," Friesen said.

Cleanfarms, which is celebrating its 10th anniversary this year, is the only industry funded organization working across Canada that develops and operates waste product and packaging stewardship for the agricultural community. It utilizes a vast network of industry distributors, ag-retailers and in Alberta and Manitoba, municipalities, to operate collection sites where farmers can take ag-waste plastics and other non-organic, ag-waste materials for recycling or proper disposal.

Cleanfarms was established specifically to run the successful small jug recycling program originally created in 1989. The jug recycling program is Cleanfarms' signature national agricultural recycling program with a 65% recovery rate. Other ag-waste management programs include:

- Empty pesticide and fertilizer containers for large containers, e.g., totes and barrels, operated nationally
- Unwanted and old pesticide and livestock/equine medication collection, operated nationally
- Empty seed and pesticide bags collected in eastern Canada with pilot programs underway in the Prairies, and
- Empty grain bag collection now in its third year of operation in Saskatchewan.

About Cleanfarms

Cleanfarms is a non-profit industry stewardship organization committed to environmental responsibility through the proper management of agricultural plastic packaging and product waste. Recycled agricultural plastics are made into new products such as farm drainage tile, flexible irrigation pipe and plastic bags. Cleanfarms.ca

Media Contact: Barbara McConnell | 416-452-2373 |
bmccconnell@cleanfarms.ca

Cleanfarms, Canada's leading agricultural stewardship organization, is best known for its empty container recycling program & unwanted pesticides and animal medications collection campaign.
Visit: <https://cleanfarms.ca> | <https://agrirecup.ca>

