



Agricultural Land Commission
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September 23, 2014

ALC File: 47403
Your File: F-589-5*LRL

DELIVERED BY ELECTRONIC MAIL

Lindsay R. LeBlanc
Cox Taylor
Burnes House, 3rd Floor
26 Bastion Square
Victoria, B.C. V8W 1H9

Dear Ms. LeBlanc:

**RE: January 30, 2014 Stop Work Order
6341 Old East Road (the "Property"), Central Saanich**

This letter is further to the September 4, 2014 decision of the Appeal Commissioners (the "Appeal Decision") with respect to your clients' appeal of the Stop Work Order that I issued on the Property on January 30, 2014. The Appeal Decision was provided to me on September 5, 2014.

I have reviewed the Appeal Decision and it is clear that your clients intend on pursuing activities on the Property at a scale that is different from that which was being conducted prior to my January 30, 2014 Stop Work Order. I am reviewing, along with Agricultural Land Commission ("ALC") staff, the information you and your clients have submitted, in particular as it relates to the importation, processing (composting) and use of yard waste on the Property.

With respect to brewery waste, as defined by Schedule 12 of B.C. Regulation 18/2002 as used or diverted grain, malt, hop flowers, berries, fruit, leaves and twigs and yeast resulting from brewing process, I conclude that the importation and use of this material as an animal feed for animals on the Property would not be inconsistent with the intent of my January 30, 2014 Stop Work Order (I do not understand there to be any submissions or information/evidence with regard to winery waste, and am therefore not considering winery waste at this time). **Therefore, I hereby vary my January 30, 2014 Stop Work Order to permit the importation of brewery waste, as defined above, to the Property under the following conditions:**

1. Brewery waste may only be used as animal feed for animals housed on the Property;
2. The importation of brewery waste must be commensurate to the nutritional needs, and number, of animals on the Property using brewery waste as feed;
3. Stanhope Dairy Farm Ltd. and/or Mr. Gordon James Rendle and Mr. Robert Roderick Rendle must keep accurate weekly records of the number of animals housed on the Property, starting on the date of this letter;
4. Stanhope Dairy Farm Ltd. and/or Mr. Gordon James Rendle and Mr. Robert Roderick Rendle must keep accurate records of all deliveries of brewery waste to the Property, including but not limited to:
 - Date of delivery,
 - Source of brewery waste delivery,
 - Weight and/or volume of brewery waste delivery (records should be maintained in consistent units);

5. Stanhope Dairy Farm Ltd. and/or Mr. Gordon James Rendle and Mr. Robert Roderick Rendle must keep accurate daily records of the amount of brewery waste fed to animals on the Property;
6. Brewery waste must be stored separately from all other farm inputs, with the exception of other materials used solely as animal feed, on the Property in accordance with normal farm practices and any other bylaw or enactment having jurisdiction over such activities; and
7. All records related to the importation, storage and use of brewery waste on the Property must be provided to the ALC within ten (10) days of any request for such documents.

With respect to untreated and unprocessed wood residuals, as defined by Schedule 12 of B.C. Regulation 18/2002 as clean (non-contaminated and untreated) wood from lumber manufacturing, e.g. shavings, sawdust, chips, hog fuel, ground mill ends and land clearing waste which has been ground with the majority of the greenery removed and no soil present but does not include construction and demolition debris, I conclude that the importation, processing and use of this material as animal bedding for animals on the Property would be consistent with B.C. Regulation 171/2002 (*Agricultural Land Reserve Use, Subdivision and Procedure Regulation*) provided the scale is commensurate to the bedding needs of the animals on the Property. **Therefore, I hereby vary my January 30, 2014 Stop Work Order to permit the importation of untreated and unprocessed wood residuals, as defined above, to the Property under the following conditions:**

1. Untreated and unprocessed wood residuals may only be used as animal bedding for animals housed on the Property;
2. The importation of untreated and unprocessed wood residuals must be commensurate to the bedding needs, and number, of animals on the Property using untreated and unprocessed wood residuals as bedding;
3. Stanhope Dairy Farm Ltd. and/or Mr. Gordon James Rendle and Mr. Robert Roderick Rendle must keep accurate weekly records of the number of animals housed on the Property, starting on the date of this letter;
4. Stanhope Dairy Farm Ltd. and/or Mr. Gordon James Rendle and Mr. Robert Roderick Rendle must keep accurate records of all deliveries of untreated and unprocessed wood residuals to the Property, including but not limited to:
 - Date of delivery,
 - Source of untreated and unprocessed wood residuals delivery,
 - Weight and/or volume of untreated and unprocessed wood residuals delivery (records should be maintained in consistent units);
5. Stanhope Dairy Farm Ltd. and/or Mr. Gordon James Rendle and Mr. Robert Roderick Rendle must keep accurate daily records of the amount of untreated and unprocessed wood residuals used on the Property;
6. Untreated and unprocessed wood residuals must be processed and stored separately from all other farm inputs on the Property in accordance with normal farm practices and any other bylaw or enactment having jurisdiction over such activities; and

7. All records related to the importation, processing, storage and use of untreated and unprocessed wood residuals on the Property must be provided to the ALC within ten (10) days of any request for such documents.

My decision with respect to the importation of brewery waste and the importation and processing of untreated and unprocessed wood residuals does not relieve your clients of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the Property.

To be clear, my decision contained herein is in accordance with the direction and decision of the Appeal Commissioners in this regard. I take no position, nor does the ALC, with respect to the use, processing and/or storage of brewery waste and/or untreated and unprocessed wood residuals as a normal farm practice. This question is not determined by the ALC; however, the ALC must ensure the activities pursued on the Property are commensurate with the farm activities being conducted.

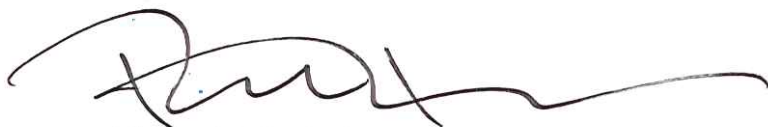
I encourage your clients to contact ALC staff in the future should they intend to alter their currently contemplated practices or pursue new practices that may or may not be consistent with B.C. Regulation 171/2002 (*Agricultural Land Reserve Use, Subdivision and Procedure Regulation*) in order to ensure all uses on the Property are appropriate. Furthermore, should your clients seek more specificity with respect to the conditions of operation, noted above, the ALC will require further details with respect to these uses.

My decision does not fetter the ability of the ALC to investigate activities on the Property further and, if appropriate, issue orders should it be deemed necessary.

I will endeavour to respond with respect to the importation, processing (composting) and use of yard waste on the Property as soon as possible.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION



Richard Bullock, Chief Executive Officer

cc: District of Central Saanich, Attention: Patrick Robins, via electronic mail

Capital Regional District, Attention: Russ Smith and Tom Watkins, via electronic mail