

CLARINGTON AGRICULTURAL ADVISORY COMMITTEE MEETING  
THURSDAY, JANUARY 10, 2008

**MEMBERS PRESENT:** Tom Barrie  
Ted Watson  
Henk Mulders  
Gary Jeffery  
Brenda Metcalf  
Donald Rickard  
Mary Ann Found  
Ross McMaster  
Orwin Bandstra  
Jennifer Knox  
Marlene Werry  
Mark Bragg

**STAFF:** Faye Langmaid  
Councillor Gord Robinson

**REGRETS:** Eric Bowman

**GUESTS:** Leslie Benson, Engineering Services  
Rob Hersey, CLOCA  
Meghan Kroon, Planning Services

Chair called the meeting to order at 7:30 p.m.

Adoption of Agenda

**08-01** *Moved by Orwin Bandstra, seconded by Donald Rickard*

*"That the Agenda January 10, 2008 be adopted"*

CARRIED

Approval of Minutes

**08-02** *Moved by Brenda Metcalf, seconded by Ted Watson*

*"That the minutes of the December 13, 2007 be approved as corrected."*

CARRIED

## **Site Alteration By-law (proposal)**

Leslie Benson, Manager of Transportation Planning and Design, Engineering Services Department

The Oak Ridges Moraine Conservation Plan suggested that all municipalities have Site Alteration By-laws and upon the review of the ORM Zoning By-law for Clarington the Ministry of Municipal Affairs and Housing made a further request for a site alteration bylaw. Leslie Benson presented to Committee a draft of a Site Alteration By-law for review. Engineering Services requested that Committee review the draft of Clarington's By-law to minimize any negative impacts this by-law may have on the agricultural community.

Rob Hersey, Director of Development Review from CLOCA was on hand to address any questions about the overlap of their regulations with the Site Alteration Bylaw and how enforcement between the two agencies is co-ordinated.

Site Alteration is defined as:

*"...the importing of fill to a site and exporting fill from a site. A site is considered altered if the filling or excavating results in a change to the contour of the property."*

The Site Alteration By-law will ensure that if a property is being altered either through fill or excavation, a permit will be required from the municipality.

An exemption from the by-law will be made for agricultural purposes:

*"as needed for the purposes of establishing or maintaining a bona fide Agricultural Practice, as defined by the Ministry of Finance and as determined by the Director;"*

Permit will still be required from Conservation Authority if the land in question is within their regulated area.

While the bylaw provides for an exemption of farm operations, there was considerable discussion, about whether it would be better to require farm operations to obtain a permit (at no charge). In this way both the farmer and Municipality would be better able to address questions from the public.

## **Business Arising from Minutes**

Resolutions with respect to fines and penalties for crimes that occur against farmers, such as vandalism, crop theft, trespass, etc. The Clerk's Department has investigated and determined that three resolutions directed at specific recipients would be better

than an general resolution. These resolutions can be circulated to other Agricultural Advisory Committee as samples.

**08-03** *Whereas the Agricultural Advisory Committee of Clarington is a Committee constituted by the Council of the Municipality of Clarington and composed of members of the local agricultural community*

*And Whereas the Clarington agricultural community have been the victims of numerous property related offences including trespass and youth vandalism;*

*And Whereas the Agricultural Advisory Committee of Clarington is concerned that the lenient sentences handed down to youth, convicted of these crimes, condone rather than discourage this behaviour for the community at large;*

*Now Therefore be it resolved:*

- 1. That the Provincial Prosecutors be encouraged to seek sentences which more accurately reflect the seriousness of this situation and its impact on the agricultural community;*
- 2. That the Provincial Prosecutors be requested to meet with the Agricultural Advisory Committee of Clarington in order to better familiarize themselves with the effects of such offences on the community;*
- 3. That input from the agricultural community be sought in any youth diversion programs in order to help educate the offenders on the seriousness of their actions;*
- 4. That a copy of this Resolution be forwarded to Mr. John O'Toole, Member of Provincial Parliament and to Ms. Bev Oda, Member of Parliament for their information.*

Moved by Jennifer Knox, seconded by Brenda Metcalf

“CARRIED”

**08-04** *Whereas the Agricultural Advisory Committee of Clarington is a Committee constituted by the Council of the Municipality of Clarington and composed of members of the local agricultural community*

*And Whereas the Clarington agricultural community have been the victims of numerous property related offences including theft of farm produce and vandalism;*

*And Whereas the Agricultural Advisory Committee of Clarington is concerned that the lenient sentences handed down to individuals convicted of these crimes condone rather than discourage this behaviour for the community at large;*

*Now Therefore be it resolved:*

- 1. That the senior management of the Durham Regional Police Service be encouraged to meet with the Agricultural Advisory Committee of*

*Clarington in order to better understand the concerns of the members and the effects of these crimes on the agricultural community;*

- 2. That the Durham Regional Police Service be requested to take a more aggressive approach towards enforcement of offences involving harm to agricultural properties; and*
- 3. That a copy of this Resolution be forwarded to Mr. John O'Toole, Member of Provincial Parliament and to Ms. Bev Oda, Member of Parliament for their information.*

Moved by Donald Rickard, seconded by Gary Jeffery

“CARRIED”

**08-05** *Whereas the Agricultural Advisory Committee of Clarington is a Committee constituted by the Council of the Municipality of Clarington and composed of members of the local agricultural community*

*And Whereas the Clarington agricultural community have been the victims of numerous property related offences including theft of farm produce and vandalism;*

*And Whereas the Agricultural Advisory Committee of Clarington is concerned that the lenient sentences handed down to individuals convicted of these crimes condone rather than discourage this behaviour for the community at large;*

*Now Therefore be it resolved:*

- 1. That the Crown Attorney's office be encouraged to meet with the Agricultural Advisory Committee of Clarington in order to better familiarize themselves with the effects of these crimes on the individual farmers and the community as a whole;*
- 2. That Crown Attorneys be encouraged to seek sentences which more accurately reflect the seriousness of this situation and its impact on the agricultural community;*
- 3. That Crown Attorneys be encouraged to actively seek Victim Impact Statements from the victims of these crimes in order to better guide the court in sentencing;*
- 4. That input from the agricultural community be sought in any sentence diversion programs in order to help educate the offenders on the seriousness of their actions; and*
- 5. That a copy of this Resolution be forwarded to Mr. John O'Toole, Member of Provincial Parliament and to Ms. Bev Oda, Member of Parliament for their information.*

Moved by Ted Watson, seconded by Mary-Ann Found

“CARRIED”

## **Reports from Committees**

No reports from other committees (none have met since last meeting).

## **Other Business**

Tom Barrie will give a presentation to Council at the January 21, 2008 GP&A meeting detailing the committee accomplishments from 2007. A list of the accomplishments was circulated to obtain additional input.

Committee would like to see a resolution to MPAC and Ministry of Finance with regard to commercial and industrial assessment interpretations and how they are damaging initiate of on-farm green energy such as biogas, solar for farm use, wind, etc.

## **Future Agendas**

Feb CLOC on Fisheries Permits  
Mar MPAC on value added green energy on the farm  
April Jake Brahn of OMAFRA on Anaerobic Digesters  
May Well regulations and funding for decommissioning

Moved to Adjourn Ross McMaster