



C.1.3

Agenda Item: C.1.3

Regular Council Meeting: May 12, 2020

Item: 2:30 p.m. Public Hearing - Bylaw 1479/20 - Intermunicipal
Development Plan with the Town of Legal

**CORRESPONDENCE RECEIVED REGARDING BYLAW 1479/20
AS OF MAY 6, 2020**

Tri-West Poultry Ltd

4346 Bridgeview St, Abbotsford, BC
57510 Range Rd 250, Sturgeon County, AB

February 27, 2020

Sturgeon County
C/O Chief Administrative Officer
9613 – 100 St
Morinville, AB T8R 1L9

Dear Sir or Madam

Regarding: Bylaw 1479/20 – Intermunicipal Development Plan, Town of Legal/Sturgeon County

I am in receipt of your letter dated February 11, 2020 regarding a proposed Intermunicipal Development Plan (IDP) between the Town of Legal and Sturgeon County (the County). I was unfortunately unable to attend the public open house hosted by the Town of Legal on February 24 due to industry commitments. I have, however, reviewed "Schedule A" to the Bylaw that received first reading on February 11, 2020 and wish to provide my comments.

By way of background, I am President of Tri-West Poultry Ltd and our family and terrific team of staff have been producing Canadian chicken for many years in Sturgeon County both in the Gibbons area as well as the Legal area. We are the second generation of our family to own and operate the farm and are excited about the opportunities that the Canadian chicken industry has for us in the years to come. We also look forward to continuing to positively contribute to the local economy in Sturgeon County through the jobs we create, the feed we purchase from local feed mills and the many Agriculture related services our farm makes use of.

I would also like to preface my comments by indicating that in principle, I do support collaborative efforts by Towns and Counties in terms of land use planning and the reduction of red tape or alignment of objectives and that this can have a positive effect on decision making and consistent development in an area.

That being said, I do have significant concerns with the implications of this Bylaw on Confined Feeding Operations. My primary concern is around Item H(11) on Page 6 of the IDP which states:

"No new or expanding Confined Feeding Operations within the Plan Area requiring registrations or approvals, or manure storage facilities requiring authorization under the Agricultural Operations Practices Act, shall be permitted within the Plan Area, as per the Sturgeon County Municipal Development Plan and the Sturgeon County Land Use Bylaw."

On the face of it, this statement is of significant concern and poses grave risk to the future of my business and others within the County. We are an existing, long time CFO that exists

within the boundaries of the IDP Area and if we are unable to expand our operation, this puts our long-term viability and the viability of other CFO's in the IDP Areas throughout the County at risk.

In January 2020, I purchased land immediately east of my CFO in anticipation of future expansion, this land is also within the IDP Area. I purchased this land specifically because it was across the road from my existing operation providing synergies and opportunity for shared services, equipment and so forth. I also recently submitted a Part 1 Application to the NRCB in respect of this anticipated expansion and am working on my Part 2 Application at this very moment. This proposed bylaw puts my entire expansion plan at risk.

My comments to this proposed Bylaw are twofold:

1. For **new** CFO's, I believe the County and the Town of Legal should consider carefully the concept of blanket restrictions on new CFO's within the IDP Area as the NRCB has final authority over the permitting of CFO's under AOPA, even in the presence of a Municipal Development Plan.
2. For **existing** CFO's, I believe it should be explicitly stated that **existing** CFO's within the IDP Area are permitted to expand their operations on land that they own within the IDP Area. It is important to note that expanding CFO's will also be subject to NRCB regulations as it relates to Minimum Distance Separation and manure storage requirements under AOPA.

If the County proceeds with the Bylaw as first read, my recent purchase of land in Sturgeon County, which was purchased under the land use framework and regulations that existed prior to this Bylaw being considered, will have significant negative financial implications for my business. This proposed bylaw will also jeopardize the long-term viability of my farming operation and possibly others in the County if they are unable to expand their existing CFO's within their respective IDP Areas.

I look forward to the County and Town of Legal considering my comments and implementing changes to the proposed Bylaw to ensure that existing CFO's within the IDP Area are permitted to expand their operations on land that they own within the IDP Area.

Thank you for considering my comments on this matter, should you have any questions please don't hesitate to contact me.

Yours Truly,

Tri-West Poultry Ltd

Per:

Jason Born, CPA, CMA, C.Dir
President
(604) 226-9850
Jason.born@shaw.ca

cc. Gordon Putnam, Q.C., Putnam & Lawson