CALL TO ORDER
Chair Carl Loewith called the meeting to order at 7:30 p.m. Chair Loewith welcomed Al Fletcher and Jake DeBruyn – OMAFRA to the meeting.

1. **CHANGES TO AGENDA** – none

2. **DECLARATIONS OF INTEREST** – none

3. **APPROVAL OF MINUTES** – Minutes of June 26th, 2008. Motion to approve by Andrew Spoelstra, seconded by John Mantel. **CARRIED.**

4. **PRESENTATIONS - Anaerobic Digester Systems on the Farm** - To better understand these systems OMAFRA staff expert Jake DeBruyn came forward to give an overview of the various types of AD systems. The following documentation outlined the various types of AD Systems:

The PPS (2005) states that in prime agricultural areas, permitted uses and activities include agricultural uses, secondary uses and agriculture-related uses. If the proposed AD system fits the meaning of one of these definitions, it could be a permitted use in a prime agricultural area, assuming the proposal is consistent with other PPS policies.
There are numerous combinations of scale/input/output for AD systems; however, there are generally four main categories these combinations may fall under:

1. farm-based
2. secondary
3. centralized farm
4. large-scale industrial

1. A farmed-based system must be consistent with the PPS definition of an agricultural use, therefore a farm-based AD system needs to be associated with the growing of crops or raising of animals. An AD system running on agricultural feedstock with small amounts of non-agricultural feedstock to generate heat and/or electricity for farm use is considered an integral part of the farm and is therefore an agricultural use under the PPS. Such an AD system would be akin to a fossil-fuel-burning furnace that is accepted as an essential part of a greenhouse operation. As an agricultural use, the AD system is predominantly intended to produce heat and/or electricity to meet or help meet the needs of the farm itself. Simultaneously, overall energy costs on the farm are reduced as farmers take advantage of programs such as Ontario’s “net metering” regulation. A farm-based AD system treating the farm’s own by-products such as manure, bedding straw, waste feed, grain cleanings or horticultural by-products may also be classified as an agricultural use. Most farm-based AD systems are viewed as an agricultural best management practice, reducing odours and pathogens, while retaining beneficial nutrients. The buildings and structures associated with a farm-based AD system are considered integral to the farm operation and constitute an agricultural use. It is normal for these farm-based systems to add some by-products from nearby farms and non-agricultural products such as food-based inputs as feedstock to improve operations, but the majority of the inputs must be farm-based. In most cases, the electricity and heat produced help reduce the farm’s energy costs, with payment received for any surplus electricity generated.

2. If a secondary AD system on a farm is limited in scale and secondary to the agricultural use on a property, regardless of the end use of the energy generated, it could be consistent with the PPS definition of a secondary use. Typically, the goal of these systems is to generate income by soliciting the Ontario Power Authority to purchase surplus energy generated from such AD systems. The energy generated could be considered a “value-added agricultural product” as per the PPS definition of secondary use if it treats by-products from the farm operation. The PPS requires that secondary uses be compatible with and not hinder surrounding agricultural operations.
3. Centralized AD systems take inputs from a variety of neighbouring farm sources. Agricultural inputs typically travel fewer than 10 kilometres because of high transportation costs relative to energy value. The main goal of these AD systems is primarily to have the Ontario Power Authority to purchase the electricity generated; however the heat may also be utilized on-site. Large-scale, centralized AD of primarily agricultural inputs from a group of farms close to each other may be proposed in the prime agricultural area; however, an official plan and/or zoning by-law amendment may be needed to approve this type of centralized AD system. Based on PPS policy 2.3.5.1, if land is proposed to be excluded from a prime agricultural area to accommodate a use such as a centralized AD system, the proponent must, among other criteria, demonstrate that the land is not in a specialty crop area, that there are no reasonable alternative locations which avoid prime agricultural areas, and that there are no reasonable alternative locations in prime agricultural areas with lower priority lands. The location of centralized AD systems in the prime agricultural area may be justified based on proximity to the manure resource (and other farm feedstock’s) and proximity to farmland for application the digestate, among other reasons.

4. Large-scale industrial AD systems that primarily treat non-farm inputs and do not fit the PPS’s agricultural use provision, shall not be permitted in a prime agricultural area and instead should be directed to an industrial or rural designated area. The Ontario Power Authority pays for the electricity generated by these large-scale industrial AD systems, with excess heat potentially used for other industrial applications.

That is the basics of some of the types of systems that the City may encounter. Beyond those points, it should be noted that MDS II applies to new or expanding livestock facilities which includes AD systems where manure is an input. Depending on the version (i.e. 1976, 1995 or 2006) of MDS II referenced in the City of Hamilton’s Zoning By-law, software from OMAFRA is available to assist with the completion of MDS calculations.

Finally, some municipalities categorize AD systems based on energy generation (kW capacity or kWh produced per year). Since Section 2.3.3.2 of the PPS states that “in prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected...” OMAFRA does not support setting arbitrary size limits if the AD system is an agricultural use. Furthermore, the amount of energy generated may change over time depending on technology and/or feedstock, making such threshold policies inappropriate. Energy generation is also not something planners can easily monitor or control.

In summary, on-farm AD systems primarily serving an agricultural function (e.g. manure management or energy generation for on-farm use), may be considered agricultural uses and are therefore permitted as-of-right in the
prime agricultural area. Next, on-farm AD systems that are secondary to agriculture, small-scale, compatible with surrounding agricultural operations, and possibly generating energy as a value-added agricultural product may be secondary uses. These may be permitted in prime agricultural areas. Proposals for centralized AD systems in the prime agricultural area generally require official plan and zoning by-law amendments, and are required to be consistent with the PPS. Lastly, large-scale industrial (i.e. non-farm) shall not be permitted in a prime agricultural area.

5. DISCUSSION ITEMS

5.1 Anaerobic Digestion Systems - City of Hamilton Planning staff asked to come forward to the ARAAC committee to discuss Anaerobic Digesters (AD) on the farm. They wanted to receive committee feedback and expertise if they considered AD Systems a part of the farming operation and how they felt about the materials that would be output onto the lands after going through the AD process. A large farm in Flamborough proposes to build a 500 watt AD System to be operated with 75% manure and 25% Fats. Oils and Grease (FOG). Staff explained that following several meeting with experts from the industry, MOE and OMAFRA that it was their understanding that this would be part of a normal farming operation and therefore could support a building permit application to allow the installation of AD Systems onto the farm. Of course, this would depend on the size and specific inputs. Committee members asked several questions and provided valuable input, all members agreed that this was an excellent proposal and the outputs would likely be better for the farmlands and environment than prior to going through the AD process. Staff will make a formal determination now based on all input received.

5.2 Draft Tree Cutting By-law - Catharine Plosz is still conducting public consultations on this by-law and was not ready for this meeting. ARAAC members are still asked to forward there comment by early November. Catharine will make another presentation to committee at the November meeting. This next draft will incorporate the changes and likely represent the final draft to be vetted through this committee.

5.3 Farm Irrigation – City Water Meters – Councillor Mitchell presented an issue for local farmers in his Ward. Some of the farmers that have access to public water have installed water meters for farm irrigation. They have recently been billed the full cost for the sewer surcharge for the water consumption even though none of this water enters the sewer system. Councillor Mitchell is working with City staff to amend this policy and provide an exemption for this purpose, other major industry have had an exemption and he wants farm irrigation exempt as well.
Committee members fully support the exemption of the sewer charge and will make a motion pending the outcome of the City of Hamilton staff recommendation. Hopefully the issue will be resolved and not have to become a formal motion from this committee.

5.4 Updated Economic Impact and Development Study – Sue Coverdale explained that this document is forthcoming and will be presented in draft format at the November meeting for committee review and input.

6. GENERAL INFORMATION

ARAAC Committee Member Update

Roy Shuker – President of the HWFA announced that the new structure of the OFA. There will be a smaller number of Directors on the new Board. Larry Freeman from the HWFA has been named the new director for Hamilton, Niagara, and Halton. Congratulations to Larry.

Nancy Mills announced that Juby Lee from Environment Hamilton will speak at the next Women’s Institute meeting on the Eat Local, Buy Local project.

Sue Coverdale told the committee that Sarah Megens has resigned from the ARAAC committee. She has left Hamilton to pursue her studies at the University of Guelph, she will be missed in Hamilton especially for her excellent work on the Eat Local Project. Sue will check with Clerks as to the formal process to replace Sarah and determine what protocol needs to take place.

7. ADJOURNMENT – Meeting was adjourned at 9:25 p.m.