Agricultural Land Use Planning in Canada

Case Study of the Municipality of Central Huron, Huron County, Ontario

FINAL REPORT

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Executive Summary

In this report we present the preliminary results of a case study of agricultural land use planning for the Municipality of Central Huron in Huron County, Ontario. The case study of the Municipality of Central Huron involved an assessment of the breadth and quality of the legislative framework that governs agricultural land use planning, including policies, legislation, and governance. The case study also involved an assessment of the political context within which agricultural land use planning takes place and decisions are made. This part of the assessment included documentation and analysis of three policy regimes: farmland preservation, global competitiveness, and food sovereignty. A policy regime refers to the combination of issues, ideas, interests, actors, and institutions that are involved in formulating policy and for governing once policies are devised.

The aim of the case study is to contribute to three areas of knowledge. The case study lends insight to the state of agricultural land use planning in the Municipality of Central Huron. It contributes to an understanding of the state of agricultural land use planning in Ontario. Finally, the case study is part of a broader national project to identify principles and beneficial practices that represent land use planning solutions that protect farmland.

Overall, the legislative framework for protecting farmland within the Municipality of Central Huron, and more broadly, within Huron County is strong. Using the four principles as the criteria for evaluating the qualities of the legislative framework in the Municipality of Central Huron, we found that the case study site, and more broadly, the County of Huron, has a moderate-highly stable legislative framework for agricultural land use planning. The framework cannot be easily changed because it is well entrenched in acts of legislation, policy and governance structures. There are particular elements of the legislative framework that contribute to stability. For example, the County of Huron Official Plan (2013) identifies a clear and definitive intent to protect prime agricultural land. To help minimise uncertainty, the plan recognizes that protecting prime agricultural land contributes to the quality of life for future generations in Huron County, that agriculture has a positive economic impact in the County, and furthermore, that food security and the production and consumption of local foods are valued by residents. These statements are accompanied by a detailed list of policies containing relatively clear language, indicating a relatively strong framework that provides a foundation for local policy and decision-making. The existing legislative framework has a moderate-high level of integration across jurisdictions. Each of the local documents analyzed had an adequate level of provincial substance with key provincial legislative documents cited on a relatively consistent basis throughout. This moderate to high level of integration shows that the key documents are being accurately considered across jurisdictions in an agricultural land use planning process that encompasses provincial, regional and local levels of government. The existing legislative framework is moderately flexible. Notably, it provides a high level of flexibility. For example, it provides flexibility farm consolidation, which has become increasingly common in the province as a whole, and it also affords lower-tier municipalities like Central Huron the flexibility to set minimum lot size standards for agricultural uses.

The County of Huron’s process of community engagement has produced land use planning documents that are very supportive of farmland protection. Policy implementation has been aided by County efforts to reach consensus through a planning process that is supportive of
public participation and education. In terms of issues, small lot agriculture/farmland fragmentation has been identified as a point of friction in the Municipality of Central Huron.

Global competitiveness has a moderate presence in the local legislative and policy documents for agricultural land use planning in the Municipality of Central Huron, and more broadly, the County of Huron, and a moderate-high level of influence. Each of the local legislative and policy documents for agricultural land use planning in the Municipality of Central Huron, and more broadly, in the County of Huron, reference farmland preservation in some way. The high presence of this policy regime is an indication that farmland preservation is an important consideration as part of the local land use planning process – it has a high level of influence. Although food sovereignty has a moderate to high presence in the local legislative and policy documents for agricultural land use planning, it has a low to moderate level of influence. Based on informant feedback, however, it is apparent that it is unclear how food sovereignty fits into mainline land use planning. This report ends with key conclusions.
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### Abbreviations

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<th>Abbr</th>
<th>Description</th>
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<tr>
<td>CLI</td>
<td>Canada Land Inventory</td>
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<td>PPS</td>
<td>Provincial Policy Statement</td>
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<td>OFA</td>
<td>Ontario Federation of Agriculture</td>
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<td>OMB</td>
<td>Ontario Municipal Board</td>
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<td>HCFA</td>
<td>Huron County Federation of Agriculture</td>
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<td>CFFO</td>
<td>Christian Farmers Federation of Ontario</td>
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<td>NFU</td>
<td>National Farmers Union of Canada</td>
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<td>NFU-O</td>
<td>National Farmers Union of Ontario</td>
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<td>PA</td>
<td>Planning Act</td>
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<td>MDS</td>
<td>Minimum Distance Separation</td>
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<td>EBR</td>
<td>Environmental Bill of Rights Registry</td>
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About the project

The national project is a three-year study to identify principles and beneficial practices that represent integrated land use planning solutions that protect farmland in Canada. We have three objectives related to this purpose:

1. To undertake case studies to fill strategic gaps in our understanding of how agricultural land use planning policies and processes at a local level protect farmland while also integrating public priorities across jurisdictions.

2. To analyse three inter-related policy regimes within Canada’s agri-food system: the long-standing policy regimes of global competitiveness and farmland preservation; and the nascent regime of food sovereignty. The aim is to understand how these three policy regimes influence agricultural land use planning at local, provincial, and national levels of policy. A policy regime and its changes refer to the combination of issues, ideas, interests, actors and institutions that are involved.

3. To mobilise knowledge gained from the research by hosting a series of regional workshops across Canada. Workshop results will culminate in a national forum to formulate policy recommendations for protecting farmland.

The relation between agriculture, food, and social priorities is connected to the society we want and the place of food and farmers within it. Historically, the decline in the economic and social role of agriculture has accompanied a significant loss and degradation of the agricultural land base. This trend appears to be reversing. The growth of the local food movement, as evident by the increasing number of farmers markets and citizen-based initiatives like community gardens and local food councils, has been the forerunner of recent calls at the national level for a Canada-wide food policy. Although drastic policy changes are not likely to happen immediately at the national level, changes are already occurring at local and regional levels, with all of Canada’s major metropolitan regions having launched food plans and policy councils (Vancouver, Calgary, Toronto, Ottawa and Montreal). These changes suggest that the place of agriculture and food within Canadian society has shifted to be much more aligned with public priorities.

Sorting out relations between agriculture, food, and society falls, in part, within the domain of land use planning because every act of producing and consuming food has impacts on the land base. Yet, in spite of forty years of farmland protection policies, the agricultural land base still faces growing pressures from urban development and the pursuit of other economic priorities, with few indications that this trend will be significantly curtailed. Will this trend be halted if Canada adopts a national food policy that gave citizens more influence over domestic food supplies? If Canada adopted such a policy, do governments have the ability to protect the agricultural land base in order to support these new public priorities?

This project aims to assess the state of agricultural land use planning in the area of Huron County, Ontario. We anticipate that the greatest potential benefit of the research is to make a positive contribution to the development of agricultural land use plans, planning processes, and policies in Ontario and elsewhere in Canada to protect farmland and promote farming as the highest and best use of these lands. Our assessment will be of benefit to land use decision makers, planning practitioners, to non-government organisations, industry groups, farmer organisations, farmers, and the general public.
Principles for guiding agricultural land use planning

An agricultural land use planning legislative framework provides the context and constraints for what local governments must and can do to protect its agricultural lands. An effective framework of policies, legislation, and governance structures presents an opportunity for local governments, which can then choose how much it wants to take advantage of this opportunity. Within this context it is helpful to be able to assess the quality of an agricultural land use planning framework and understand how well it works and why. For this purpose we have identified the following four principles, which are described below:

- Maximise stability
- Minimise uncertainty
- Integrate across jurisdictions
- Accommodate flexibility

The concepts of stability and uncertainty must be understood with a view of the world as unpredictable and essentially unknowable. This contrasts with a rationale view of the world as something that we can understand fully – if only we had all of the right data and the ability to process the information. This worldview of an open future presents challenges because planning, by its very function, is focussed on making a desirable future a visible part of today’s land use decision-making processes (Connell, 2009). The aim of planning is not to predict the future or claim to be all-knowing but to envision a desirable future with the information available. The functions of planning are to maximise what we can know about the future and to minimise what we do not know, thereby establishing a domain of understanding within which to make the best possible land use decisions in the present. This leads to the first two principles of agricultural land use planning.
Maximise stability

Something that is stable is difficult to topple; it stands strong and cannot be easily moved. Likewise, a stable legislative framework for protecting farmland is one that is not easily changed at the whim of shifting political interests; it is well-entrenched in acts of legislation, policy, and governance structures that are based on clear, concise language, and can hold up to court challenge. It is something that people can count on to secure the land base for agriculture and to know what the rules are. In this sense, a measure of stability is a measure of the thing itself—the legislative framework—as it is written in its present form. Thus, stability is a critical measure of the strength of an agricultural land use planning framework.

Minimise uncertainty

In addition to maximising the stability of a legislative framework through clear rules and regulations we must also consider how the framework will be implemented and applied to land use decisions. People want to know they can rely on these rules and regulations to be applied consistently and to know how it will be applied under different circumstances. In this sense, people want not only a stable land base for agriculture but also a legislative framework that provides some certainty about how it will be used to make agricultural land use decisions. However, what we do not know is boundless so we must accept that we cannot eliminate uncertainty. What governments can do is to minimise uncertainty by eliminating loop-holes, ambiguous language, and open-ended conditions. Perhaps more importantly, uncertainty can be minimised through consistent interpretations and applications of the legislative framework. In this sense, a measure of uncertainty is a future-oriented measure of expectations about how the legislative framework will be applied to land use decisions. Thus, the presence of uncertainty is a critical measure of the weakness of an agricultural land use planning framework.

Integrate across jurisdictions

Integrating policies and priorities across jurisdictions is a foundation for building cohesion across provincial, regional, and local governments. This principle of integration can be viewed as a “policy thread” that weaves together traditional areas of responsibility (Smith, 1998). One can also think of integration as a formal “linkage” between policies that provides consistency among them. Such formal linkages can come in the form of a provincial policy that requires a lower-level policy “to be consistent with” provincial statements. The aim of such vertical mechanisms is to ensure that lower-level policies are set within the context of broader public priorities. The same principle of integration applies horizontally, too, so that plans and strategies are coordinated and consistent across local governments. In order to successfully integrate policies across jurisdictions there must be sufficient details about the legislative context that guides and constrains local government plans and strategies.

Accommodate flexibility

Creating an effective legislative framework is an act of balance without being too stable so that it cannot be changed when needed or too strict so that it cannot be applied in a range of
circumstances. Thus, flexibility is necessary in order to moderate the restrictive effects of maximising stability and minimising uncertainty. The principle is to enable decision-makers to accommodate a controlled level of flexibility without compromising the primary functions of the legislative framework to provide stability and reduce uncertainty. The means to accommodate flexibility is typically done through governance mechanisms, such as quasi-judicial provincial commissions, advisory committees, and application processes.

Strength of Ontario’s provincial legislative framework

In this section we present our assessment of Ontario’s provincial legislative framework using the four principles. This assessment provides the context for the case study.

Acts of legislation, policy, and governance structures for agricultural land use planning in Ontario are quite stable. The Planning Act (R.S.O 1990, Chapter P.13) provides the foundational framework for a policy-led planning system that supports provincial goals. A fundamental section of the Act is ss. 2(b), which directs planning authorities to have regard to matters of provincial interest, including “the protection of the agricultural resources of the Province” (R.S.O. 1990, Chapter P.13). This clear, concise language can hold up to court challenge and serves to stabilize the provincial legislative framework. This language also lends itself to clarity in terms of what the rules are – it is language that planners can count on to bolster their actions. For Scott Tousaw, Director of Planning for the County of Huron’s Planning and Economic Development Department, the provincial framework has translated into lower-tier official plans that are supportive of agriculture and give it priority and he considers this to be a beneficial aspect of the current legislative framework (personal communication, April 24, 2014).

Section 3 of the Planning Act gives the Minister of Municipal Affairs and Housing the authority to issue policy statements on matters related to the municipal planning that are of provincial interest. Effective April 30, 2014 the Government of Ontario implemented a revised Provincial Policy Statement (PPS) that replaced the earlier 2005 version. The PPS provides policy direction to planning authorities (Figure 1). The PPS is well entrenched in acts of legislation and governance structures. Also, it is based on relatively clear and concise language that has proven to hold up to court challenge. The PPS is policy that planners and the public are relatively familiar with. The effect of changes to provincial lot creation policy in the 2005 PPS is an example of how elements of stability come together to make the legislative framework strong. These changes saw an end to all but one type of non-farm rural residential severance in prime agricultural areas because upper-tier (county or regional) and lower-tier (local) municipalities are required to be consistent with the PPS. Overall, the provincial legislative framework is quite stable; it cannot be easily changed because it is so well entrenched in acts of legislation, policy, and governance structures.

1 The phrase ‘planning authorities’ refers to municipalities, planning boards, government agencies or other entities with legal responsibilities under the Planning Act.

2 The Ontario Ministry of Municipal Affairs and Housing (2014) defines prime agricultural land as, “specialty crop areas and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection” (pg. 46). Specialty crop areas are comprised of areas where specialty crops are predominantly grown such as tender fruits (e.g. peaches, cherries, plums, etc.), grapes and other fruit crops, vegetable crops, greenhouse crops, and crops from “agriculturally developed organic soil” (Ontario Ministry of Municipal Affairs and Housing, 2014, pg. 46).
The PPS is comprised of many policies and it is not the intention for these policies to be interpreted individually; rather, the document is to be interpreted as a whole when applied to any given situation. When considering uncertainty, it is important to consider policy-specific language. The PPS sets out limitations and prohibitions, such as: “Prime agricultural areas shall be protected for long-term use for agriculture” (Ontario Ministry of Municipal Affairs and Housing, 2014, pg. 24, emphasis in original). This strong language minimises uncertainty by making a clear distinction about the type of policy (in the above example, directive and prohibitive) and the nature of implementation. Other policies use enabling or supportive language (e.g., “should”, “promote” or “encourage”). There is some discretion when applying policies with enabling or supportive language, although s. 2.3 (Agriculture) of the PPS contains very few (if any) of these types of policies (Ontario Ministry of Municipal Affairs and Housing, 2014, pg. 2). While the council of a municipality or another planning authority may differ in their interpretation of the PPS policies, they do so at the risk of a sometimes lengthy appeal process under the Planning Act, through which the Ontario Municipal Board (OMB) becomes involved.

There are elements of the provincial legislative framework that arguably create uncertainty; these elements can be considered “weak points” in the framework. An example is s. 2.3.6 of the PPS, which allows certain non-agricultural uses to be undertaken in prime agricultural areas, including the extraction of mineral aggregate resources. In this regard, ss. 2.5.4.1 of the PPS states that the extraction of mineral aggregate resources is “permitted as an interim land use provided the site is rehabilitated” (Ontario Ministry of Municipal Affairs and Housing, 2014, pg. 28). In certain cases, complete rehabilitation is not required, when, in the case of prime agricultural areas, there is a “substantial quantity of mineral aggregate resources below the water table warranting extraction, or the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible” (Ontario Ministry of Municipal Affairs and Housing, 2014, pg. 28, emphasis in original). An application by The Highland Companies to convert prime farmland into a massive limestone quarry in the Township of Melancthon near Orangeville, Ontario, is an example of the type of uncertainty that this policy creates in terms of farmland protection. Had the 937-hectare quarry been developed, restoration back to its former state of agricultural capability would have been unfeasible. The Province ordered an environmental assessment of the proposal in 2011, a prerequisite that it had previously not made a requirement for the development of quarries in Ontario. That application has since been withdrawn (Canadian Broadcasting Corporation, 2012).

Subsection 3(5) of the Planning Act requires that the decisions of councils and other planning authorities “shall be consistent with” the PPS and “shall conform with” provincial plans or “shall not conflict with them” as the case may be. The legislative authority for this level of consistency is clearly stated in provincial planning documents. For example, the PPS incorporates the following statement: “decisions affecting planning matters “shall be consistent with” policy statements issued under the [Planning Act] (Ontario Ministry of Municipal Affairs and Housing, 2014, pg. 1). This thread of consistency becomes extremely important at the local government level as policy is integrated across jurisdictions. When the council of a municipality develops an official plan to guide land use within its geographic boundaries, the official plan has to be consistent with the PPS and has to conform to, or not conflict with, any applicable provincial plans (Ontario Ministry of Municipal Affairs and Housing, 2010).
Where there is conflict, legislation sets out the procedures for resolving it. For example, the Greenbelt Act (S.O. 2005, c.1) prescribes that the policy direction afforded by the provincial Greenbelt Plan prevails in cases where there is conflict between the Plan and an official plan; a zoning by-law; or the PPS. Likewise, if there is conflict between the Greenbelt Plan and the Niagara Escarpment Plan (NEP), the NEP prevails. The Growth Plan for the Greater Golden Horseshoe (GGH) is slightly different; provincial policies that afford the greatest protection to the natural environment or human health prevail (Ontario Ministry of Infrastructure, 2006).

Some might argue that the requirement for consistency is arguably equivalent to a double-edged sword because certain provincial policy creates friction within a system that is ultimately applied locally. Examples are provincial policy that enables aggregate resource extraction to be undertaken in prime agricultural areas at the local level; provincial policy that enables new lot creation for residences surplus to a farm operation as a result of farm consolidation; provincial policy for new lot creation stemming from so-called “farm splits” and the associated criteria for setting minimum lot size standards; provincial policy that enables settlement area expansion onto prime agricultural lands; and finally, the provincial exclusion of certain regional areas (e.g. Huron County) from provincial plan areas (e.g. the Greater Golden Horseshoe [GGH] Growth Plan Area), the inclusion of which would otherwise submit those areas to more robust policy requirements (e.g. urban intensification targets).

In cases where there is a two-tier system of local government in place, the upper-tier (or regional) official plan sets out a broad planning framework for the lower-tier (or local) municipalities within its geographic boundaries that is consistent with the PPS. All lower-tier official plans and zoning by-laws must then conform to the regional plan (Ontario Ministry of Municipal Affairs and Housing, 2010). Briefly, a zoning by-law is a legally enforceable document enabled by Part V of the Planning Act that controls the use of land within a given municipality. A zoning by-law accomplishes this by implementing the objectives and policies of a local municipality’s official plan (Figure 1). This level of integration, which is ultimately linked back to the Planning Act, the PPS, and provincial plans (as the case may be), creates a legislative framework that is highly integrated. Integrating policies across jurisdictions in this way creates formal linkages that provide consistency and cohesion across provincial, regional, and local governments. The effect is that upper and lower-tier policies are set within the context of broader provincial priorities (Figure 1). As well, this thread of consistency reinforces the stability of upper-tier and lower-tier land use policy and decision-making. OMB processes serve as a system of checks and balances to safeguard against inconsistency.

The provincial legislative framework accommodates flexibility through periodic revisions to PPS and provincial plans. For example, the Planning Act requires the PPS be reviewed every five years to determine if revisions are required. A revised PPS was just published by the Province. Extensive consultation was undertaken that included postings to the Environmental Bill of Rights Registry (EBR), distribution of materials to First Nations and all affected municipalities, regional workshops, and face-to-face meetings (Ontario Ministry of Municipal Affairs and Housing, 2008). These periodic reviews enable decision-makers to accommodate a controlled level of flexibility without compromising the primary functions of the legislative framework. As well, the OMB, a quasi-judicial review board that retains the right to review and alter land use planning decisions, affords a governance mechanism to accommodate flexibility. The OMB conducts hearings and makes decisions on planning matters that have been appealed under the Planning Act, such as official plans, zoning by-laws, plans of subdivision, consents (or
severances) and minor variances to name a few. Hearings are intended to be comparatively less formal, more timely, and less costly means to resolve disputes by comparison to the court system. Appointed Members of the Board make impartial decisions based on relevant law and policies, as well as evidence presented at hearings. It is common for evidence to be presented by staff representing provincial ministries (e.g. the Ontario Ministry of Agriculture, Food and Rural Affairs). As each OMB decision needs to be evaluated on its individual merits, it is unclear to what extent the process supports or hinders farmland protection efforts in the province.

Figure 1. Relationship between key planning documents in a two-tier system of local government, Ontario.

**Political context and policy regimes**

To understand how political contexts and multiple public priorities influence agricultural land use planning in Canada, and to what extent it has already had an impact, we will examine the interaction of three current policy regimes: global competitiveness, farmland preservation, and food sovereignty. A policy regime and its changes refer to the combination of issues, ideas, interests, actors and institutions that are involved. Actors of agricultural policy regimes include a wide range of interests represented by citizens, all levels of government, local organisations,
professional organisations representing producers, farmers and ranchers themselves, unions, industry trade associations and environmental groups, among others. In Canada, the two policy regimes of global competitiveness and farmland preservation have influenced policies for several decades. The recent emergence of food sovereignty as a policy regime reflects growing public concerns about the security and safety of Canada’s domestic food supply, and may have significant implications for Canada’s global competitiveness and the conservation and use of agricultural land. In this section we described each of these three policy regimes. A description of the criteria we used to determine the level of influence of each policy regime is provided in the appendix.

Global competitiveness

A policy regime of global competitiveness has strengthened over the past forty years at both the national and provincial levels, usually in the context of pressures on industry viability in the face of freer trade. An interest in global competitiveness often requires policies and strategies to successfully integrate into the global economy. A recent report on competitiveness by the House of Commons Standing Committee on Agriculture and Agri-Food focussed on access to new markets, barriers to trade, food safety and product labelling, and market concentration within sectors. Input to this report was provided by national and regional commodity trade associations, meat and other food processors, transportation associations, and policy institutes, among others. Scholars in this field, such as Grace Skogstad, have noted that, although the membership of the agri-food policy community in Canada is strong individually, the community is nationally fragmented and organisationally divided, as national policies do not always serve all members or geographic regions equally. For example, export-oriented policies may promote the export of raw food products at the risk of higher prices for domestic food processors. Such policies also have regional differences, where policies may benefit one region (food processing in central Canada) to the disadvantage of food producers in another region (food producers in the prairies). Notwithstanding these internal challenges, the competitiveness policy regime continues to strengthen, as evident in the Growing Forward 2 (GF2) policy framework announced on September 14, 2012.

Key ideas from GF2:
- Competitiveness and Market Growth: The sector needs to continually increase productivity, to reduce costs and to respond to consumer demands, such as for high-value products with specific attributes. Competitiveness also means increasing our share of domestic and international markets.
- The key drivers are:
  o Innovation: The sector adopts and implements new technologies and innovations, creating and using knowledge to develop new products, technologies and business management practices that drive down costs, increase productivity and respond to consumer demands.
  o Institutional and Physical Infrastructure: Effective rules, regulations, standards, organizations, and physical infrastructure allow firms to operate and markets to function efficiently for a profitable sector and the well-being of Canadians.
- Competing on cost: One factor in assessing the competitiveness of Canadian agriculture and agri-food sector is how cost-efficient Canadian agricultural producers,
manufacturers and exporters are in relation to competitor suppliers. This is influenced by a number of factors, including natural resource availability and use, input prices, labour availability and cost, and scale of operation.

- Innovation is critical for improved cost competitiveness. Innovation can lead to improved productivity and reduced costs. However, despite significant agricultural research, the sector could be more effective in applying knowledge and innovating along the supply chain.

- Focus on the role of innovation for productivity growth and the ongoing efforts to access emerging growth markets.

- Continual innovation and adaptation has contributed to increased yields and the creation of new products and production methods.

- Increased trade, globalization of supply chains, and more exacting consumer demands have increased the importance of rules, regulations, and other market infrastructure.

- Additional industry capacity and infrastructure investments, such as information and communication technologies, will be required to enable producers, processors, buyers, and government agencies to adjust effectively to new food safety regulations and buyer assurance standards.

- Bilateral and multilateral trade agreements and trade promotion efforts are essential.

**Food sovereignty**

For our purposes, food sovereignty is a broad term that focusses on the right of citizens to have greater control over its food supply. The term encompasses food security and food safety. Food security is concerned about the availability, accessibility, and affordability of food.

While the control of food supplies were among the earliest drivers of nation-building and human settlements, food sovereignty, as defined by the International Planning Committee for Food Sovereignty, is about the right of peoples to define, protect and regulate domestic agricultural production and land policies that promote safe, healthy and ecologically sustainable food production that is culturally appropriate. Within Canada, the growth of the local food movement, as evident by the increasing number of farmers markets and citizen-based initiatives like community gardens and local food councils, has been the forerunner of recent calls for citizens having greater control over national agri-food policies. The National Farmers Union, Canadian Federation of Agriculture, and Food Secure Canada are some of the national actors calling for changes. Adopting agri-food policies that promote greater food sovereignty could easily reach into people’s daily lives, with economic, social and environmental implications, both positive and negative. Such policy will be regarded quite differently depending on a person’s values and priorities, and where agriculture fits among them.

**Farmland preservation**

Different terms are used in this policy regime including farmland conservation, farmland preservation, and farmland protection. For our project we will use farmland protection and farmland preservation in two specific ways:
Farmland protection: a narrower term that we will use to refer specifically to land use planning policies that aim to protect farmland so that it is available for farm uses; we will use farmland protection in relation to the contents of a legislative framework.

Farmland preservation: a broader term that concerns all aspects of policies related to farmland including policies that not only protect farmland but are also concerned with soil and landscape conservation, etc.; can be synonymously with farmland conservation; we will refer to all that is related to farmland preservation as a policy regime.

As a policy regime, preserving farmland first garnered serious public attention in Canada in the early 1970s with most provincial and local jurisdictions having some form of legislation or guidelines in place by the end of the 1970s. The historical development of farmland policies in Canada were accompanied by a wide range of economic, environmental, and social issues that were associated with and reinforced tensions among different land uses, such as residential, commercial, industrial, and natural resource development.

Correspondingly, motivations for preserving farmland are influenced by factors such as food production, market value for land, environmental issues, amenity of rural landscapes, agrarian ideals and land use conflicts on the urban fringe. In spite of efforts over the past forty years, Canada has experienced a continual loss of prime farmland across the country. The issue is especially acute in Ontario, which contains the country’s largest supply of prime agricultural lands, but concerns for the preservation of farmland exist across the country, albeit to varying degrees. But is also acute in other jurisdictions due to a much more limited and declining agricultural land base, such as in British Columbia and Quebec.

Concern about the loss and fragmentation (parcelisation) of farmland continues to be an issue in the face of continued urban sprawl and alienation of farmland (i.e., farmland that is not being farmed or no longer suitable for farming). These issues often lead to further problems, such as conflicts or tension with residential, recreational, infrastructure, and industrial land uses. Loss of farmland is often associated with concerns about the supply of local food and, increasingly, it is concerned with “land grabbing” through foreign or out-of-province ownership of land.
Introduction

Purpose and scope of case study

In this report we present the results of a case study of agricultural land use planning in the Municipality of Central Huron in Huron County, Ontario. This case study contributes to three areas of knowledge. The case study is part of a national project to identify principles and beneficial practices that represent land use planning solutions that protect farmland. For our purposes, the case study contributes to an understanding of the state of agricultural land use planning in northern British Columbia, where farmland protection faces particular pressures from natural resource developments. Finally, the case study lends insight to the state of agricultural land use planning in the Municipality of Central Huron.

The case study of the Municipality of Central Huron involved an assessment of the breadth and quality of the legislative framework that governs agricultural land use planning, including the documentation of policies, legislation, and governance structures and a detailed analysis of the contents of these documents. The case study also involved an assessment of the political context within which agricultural land use planning processes are completed and decisions are made. Our assessment of the political context included documentation and analysis of three policy regimes: farmland preservation, global competitiveness, and food sovereignty (see the appendix for a description of each policy regime).

Methods

Legislative framework:

The methods used to complete the preliminary assessment involved several activities:

- Document agricultural land use planning legislative framework:
  The legislative framework consists of policies, legislation (and by-laws), and governance structures related to agricultural land use planning at local, regional (or upper-tier), and provincial levels of government. The policies and legislation were identified as enforceable, aspirational, or enabling. Refer to the appendix for definitions of these and other terms.

- Content analysis of legislative framework documents:
  After identifying the relevant documents the next step was to analyse the level of detail of each document’s contents. The aim of the content analysis is to assess the breadth and quality of the legislative framework.

Political context:

- Policy regimes
  We analysed the contents of documents with regard for the presence and importance of policy regimes. The documents included those identified in the legislative framework. The aim is to assess the extent to which agricultural land use planning accommodates the three
policy regimes, influences land use decisions, and encompasses a comprehensive view of food systems planning, activities, and issues.

Overview of site

Huron County is located in Western Ontario on the southeast shore of Lake Huron (Figure 2). The County’s largest settlement is the Town of Goderich. The County is comprised of nine lower-tier municipalities, including the Town of Goderich, and the municipalities of Ashfield-Colborne-Wawanosh (ACW), Bluewater, Central Huron, Howick, Huron East, Morris-Turnberry, North Huron and South Huron (County of Huron, 2014a). The eight rural municipalities in Huron County are displayed in Figure 3.

Figure 2. Huron County relative to southern Ontario (HealthKick Huron, 2005).
Huron County reported a population of 59,100 in 2011, down 0.4% from 59,325 in 2006 (Statistics Canada, 2012). The County’s population represents 0.45% of the total population of Ontario (12,851,821). The County’s rural population of 35,235 accounts for more than 50% of its total population. The median age of the County’s population is 45.1; 82.9% of the population is age 15 and over. Huron County’s population density per square kilometer is 17.4. The Municipality of Central Huron reported a population of 7,691 in 2011, representing 13% of the County’s population (Statistics Canada, 2012).

Huron County has three major economic drivers: agriculture, manufacturing and tourism. As a result, agriculture is a major land use in the County. Huron County is home to the largest inland grain handling facility in Canada, which is located in the Village of Hensall (County of Huron, 2014a). Given its rich agricultural land base, it is not surprising that Huron County has been considered a pioneer in planning for agriculture in Ontario (Caldwell, 1995).
Agricultural profile

Of the ten counties and districts comprising Western Ontario, Huron County has the highest percentage of Canada Land Inventory (CLI) Class 2 soils (24.6%) and the second highest percentage of Class 1 Soils (50.1%) (Hoffman and Noble, 1975). Given the high capability soils that exist in Huron County, it has been designated a prime agricultural area (County of Huron, 2010).

Huron County reported the highest gross farm receipts of any county or district in Ontario in 2010; it was the only county or district to report gross farm receipts of over $800 million. Notably, Huron County produces more agricultural products than each of the four Atlantic Provinces in Canada (County of Huron, 2014b; Statistics Canada, 2011). Chart 1 demonstrates the magnitude of its agricultural production. In terms of gross farm receipts per farm, Huron County, with average gross farm receipts per farm of $355,660, leads all counties and districts in Western Ontario. In terms of gross farm receipts on a per acre basis, Huron County ranks fifth in Western Ontario. The Municipality of Central Huron reported the third highest gross farm receipts for 2010 among Huron County municipalities with $128,457,331, representing 15% of the County’s gross farm receipts (Statistics Canada, 2011).

Chart 1. Comparative gross farm receipts (Statistics Canada, 2010).

The two most common farm types in Huron County, as reported in the 2011 Census of Agriculture, were those dedicated to grain (and oilseed) production (1,144 farms) and beef cattle production (364 farms). Overall, half the farms in Huron County (53.74%) were categorized by the 2011 Census of Agriculture as farms producing crops (oilseed and grain, vegetables, fruits, floriculture, etc.) while the remaining farms were categorized as livestock farms. Of the 398 farms that reported in the Municipality of Central Huron, 45% were committed to grain (and...
oilseed) production (Statistics Canada, 2011; Ontario Ministry of Agriculture, Food and Rural Affairs, 2013).

In a study of the socio-economic and environmental impacts of regional agriculture and food systems in Southern Ontario, Econometric Research Ltd. and Harry Cummings & Associates (2013) reported that $988 million worth of income impacts are derived from agriculture in Huron County. Large streams of tax revenues to all levels of government are generated by agriculture in the County, which raises a tax revenue impact of $281 million.
Results

In this section we present the preliminary results for the case study of the Municipality of Central Huron. We begin with the results of our assessment of the legislative framework of the case study site within the context of regional and provincial policies and legislation. We then present the results of the content analyses of local government policies and legislation followed by the results of the political context, which includes our assessment of the influence of the three policy regimes (farmland preservation, food sovereignty, and global competitiveness). The section ends with results of the stakeholder analysis. We discuss the significance of these results in the next section.

State of agricultural land use planning

Huron County has a long history of agriculture and is considered a pioneer in planning for agriculture. In 1973, the countywide official plan for Huron County was the first of its kind to gain provincial approval. The plan contained policies that reflected an early concern about the vulnerability of farmland (and the farm community at large) to non-farm development (Caldwell, 1995). In 1976, the Ministry of Housing and the County of Huron released a report that they had jointly commissioned entitled Countryside Planning. It established agriculture as a legitimate land use that required deliberate planning (MacLaren, 1976). Countryside Planning had a profound effect on policy development for agricultural land use planning in Ontario (Troughton, 1981).

In 1995, Dr. Wayne Caldwell, Professor and Director of the School of Environmental Design and Rural Planning at the University of Guelph suggested that, at the level of local government, “Huron County, is arguably one of the most successful local jurisdictions in Canada to respond to concerns related to the loss of agricultural land and to enact programs of agricultural land preservation” (pg. 27). Historically, the pressure to see Huron County’s farmland converted to non-farm use has manifested itself in four ways: the physical expansion of urban areas; the depletion of land through recreational and cottage development; the acquisition and occupation of farms by non-farmers; and the creation of scattered rural residential development through severance activity in agricultural areas. The need to constrain the number of new lots in agricultural areas has necessitated the use of a regulatory-based approach to farmland preservation in the County. Importantly, there is a high level of public support for farmland preservation in the County and community engagement and collaboration has been an important part of garnering this support (Caldwell, 1995). It should be noted that collaboration isn’t always the case in other areas and this is one of the reasons by farmland preservation has been so successful in Huron County.

Legislative framework

The legislative framework consists of policies, regulations, and governance structures related to agricultural land use planning at local, regional, and provincial levels of government. Policy documents were identified as enforceable, aspirational, or enabling (refer to the appended glossary for definitions of these and other terms).
One of our first steps was to document the legislative framework for each case study site. The framework consists of policies, legislation (and by-laws), and governance structures related to agricultural land use planning at local, regional (or upper-tier), and provincial levels of government. Policy documents were identified as enforceable, aspirational, or enabling (refer to the appended glossary for definitions of these and other terms).

When considering the legislative framework for Huron County, it is important to recognize that Ontario’s planning system is a policy-led system that supports provincial goals (Ontario Ministry of Municipal Affairs and Housing, 2010). We identified four key pieces of provincial legislation that direct how agricultural land use planning is undertaken at the local (or lower-tier) and regional (or upper-tier) level. Of central importance is the Planning Act, which gives the Minister of Municipal Affairs and Housing the authority to issue policy statements on matters related to municipal planning that are of provincial interest, such agricultural resources (R.S.O. 1990, c.13, ss. 3). The Provincial Policy Statement (PPS) provides policy direction and guidance to regional municipalities like the County of Huron and local municipalities like Central Huron. A fundamental requirement of the Planning Act is that any official plan adopted by the council of a municipality “shall be consistent” with the PPS (R.S.O 1990, c. 13, ss. 2[5]). Briefly, an official plan describes how land in a given municipality should be used.

While there is a requirement to be consistent with the PPS, local land use planning policies of lower-tier municipalities can be more, but not less restrictive than policy set out in the PPS. The Minimum Distance Separation Formulae (MDS) – a key planning tool in Ontario – is important for regulating land use, both from an environmental perspective and from a land use compatibility perspective. Through the limitations prescribed by the MDS it helps to protect farmland in Ontario by, for example, establishing setbacks that discourage the expectation that farmland can be used for non-agricultural uses.

The County of Huron Official Plan sets out a broad planning framework for Central Huron and each of the remaining lower-tier municipalities within its geographical boundaries. The Planning Act requires that all local official plans and zoning by-laws conform to the County Official Plan. Briefly, a zoning by-law is a legally enforceable document that controls the use of land in a given municipality. Central Huron’s zoning by-law accomplishes this purpose by implementing the objectives and policies of its local official plan. Within this context, local official plans and zoning by-laws operate in tandem. If a proposed land use does not conform to a local zoning by-law, not only is an amendment to the zoning by-law required, but the council of a municipality cannot amend its zoning by-law if the proposed land use is not permitted by its official plan. In these cases, an official plan amendment would be required as well.
Table 1: Legislative Framework for the Municipality of Central Huron, Huron County, Ontario

<table>
<thead>
<tr>
<th>POLICY</th>
<th>LEGISLATION</th>
<th>GOVERNANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PROVINCIAL</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Distance Separation Formulae</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>REGIONAL</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>LOCAL</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Municipality of Central Huron Official Plan (Rev. 2014)</td>
<td></td>
<td>Municipality of Central Huron Committee of Adjustment</td>
</tr>
<tr>
<td>Zoning By-law (By-law 40-2010)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

¹ Formerly the County of Huron Planning, Agriculture and Public Works Committee.

Acts (provincial laws), bylaws (local government laws, e.g., official municipal plan) [italicised]

Enforceable policy, regulations pursuant to acts [bold]
Aspirational policy at all levels [plain text]
Content analysis of documents

After documenting the legislative framework we assessed the contents of the documents. The results of this content analysis reflect the breadth and quality of the legislative framework. For this we used a three-point (check mark) scale indicating different levels of detail from minimal (√) to moderate (✓✓) to high (✓✓✓). The criteria we used for this part of the assessment are included in Appendix: Criteria for Evaluating Content of Legislative Framework.

Local government legislation documents

The Municipality of Central Huron, and more broadly, the County of Huron, has a moderate to high-ranking set of local legislative agricultural land use planning documents. The set is comprised of an official plan and zoning by-law at the lower-tier (local) level and the official plan at the upper-tier (regional) level. Although all of these documents reference agriculture, certain components have potential to have stronger and more concise agricultural components (Table 2).

Lower-tier documents have a moderate provincial legislative context (Table 2), meaning that they each reference more than one of the key legislative documents related to planning and/or agriculture (i.e. the PPS in addition to the Planning Act). The upper-tier plan ranked low because it failed to reference the Planning Act. In all cases, additional context was provided, but not in a comprehensive way. It was established that the statements did not meet the criteria of comprehensiveness required to achieve a high ranking for this component. Both the upper-tier and lower-tier official plans ranked high in terms of the vision, goals, and objectives they afforded through stand-alone and detailed sections dedicated to these components (Table 2).

The upper-tier official plan contains only a brief section describing an agricultural background despite the importance of agriculture in the County, resulting in a low ranking (Table 2). The lower-tier official plan contains a slightly more detailed description of agricultural background for a moderate ranking. The local zoning by-law contains no agricultural background information. With that being said, it is generally uncommon for this information to be included in a zoning by-law given the thread of consistency that is required between official plans and zoning by-laws in Ontario.

Both the lower-tier and upper-tier official plans ranked high in terms of a vision and the goals and objectives they afford for agriculture (Table 2). Each plan contained a detailed section containing a vision and goals and objectives for agriculture. The local zoning by-law contains no background. With that being said, it is generally uncommon for these components to be included in a zoning by-law given the thread of consistency that is required between official plans and zoning by-laws in Ontario.

The official plan and the zoning by-law at the lower-tier level ranked high in terms of the maps component (Table 2). In Ontario, official plan policies are essentially put into ‘full force and effect’ through zoning by-laws. New development in any given municipality that complies with its zoning by-law is permitted through a building permit. The upper-tier official plan also ranked high. Both the upper and lower-tier official plans have been adopted as by-law and each contained a detailed section of more than five agricultural land use regulations.

The official plan and the zoning by-law at the lower-tier level ranked high in terms of the regulations component (Table 2). Each document contained agricultural land use maps showing designated agricultural areas, often in relation to other land uses. The upper-tier official plan was
ranked as moderate because it contained only a single agricultural land use map. With that being said, it is not abnormal for an upper-tier plan to contain fewer details in this regard by comparison to local plans. Importantly, the map designates the entire County as a prime agricultural area, which serves as a measure of how serious local government is about protecting farmland as an agricultural resource.

The lower-tier official plan and zoning by-law and the upper tier official plan, on the whole, ranked low to high in terms of the integration they provide with respect to the legislative framework. As shown in Table 3, all three documents refer to the Provincial Policy Statement (PPS) – the lower-tier official plan with the most detail. Nearly all the documents refer to the Planning Act, except for the upper-tier official plan. This came as somewhat of a surprise to the research team. All references to the Minimum Distance Separation (MDS) Guidelines were ranked as high. Detailed references to the MDS were included in the lower-tier official plan and zoning by-law, which is important, given that MDS formulae and criteria are intended to be applied this way. Document references to the applicable governance structures cited in the case study legislative framework (Table 1) were ranked as low to moderate (Table 3).

The upper-tier official plan named the lower-tier official plan, but only generally. For example, “Local communities will use these general [policies] to review and update their existing plans in order that they conform with the County Official Plan. Existing local official plans will stay in force until appropriate revisions are passed bringing them into conformity with the County of Huron Official Plan” (County of Huron, 2013, pg. 5). The local zoning by-law named the lower-tier official plan. In turn, the lower-tier official plan named the zoning by-law. While the upper-tier plan is named in the lower-tier official plan, it is not named in the zoning by-law.

In Ontario, any amendments to lower-tier official plans do not require amendments to upper-tier plans. However, any amendments to a lower-tier official plan must be accompanied by amendments to the local zoning by-law and vice versa. Revisions to the upper-tier official plan necessitate revisions to the lower-tier plan, as there is a requirement under the Planning Act for conformity between these plans. Notably, local government has adopted each local legislative agricultural land use planning document.

Local government policy documents

The Municipality of Central Huron, and more broadly, the County of Huron, has a moderate-ranking local policy document related to agricultural land use planning. One local government policy document was included in the analysis- the Take Action for Sustainable Huron Community Sustainability Plan (2011) (Table 4). The plan is considered aspirational because the upper-tier local government has not formally adopted it as by-law. The plan ranked moderate in terms of its legislative context with references to the Municipal Act and the Provincial Policy Statement (PPS). These references included expanded statements that included a general description of Ontario’s planning system for added context. The plan ranked moderate in terms of the agricultural background information it delivers. Multiple sections of the plan are dedicated to agricultural statistics and background information. The plan ranked moderate in terms of the vision, goals, and objectives it affords to these components. The plan contains a good presentation of a vision for agriculture, along with several actions related to agriculture. The plan ranked low in terms of the statements it delivers about agricultural land use regulations. The plan identifies
agricultural resources as a provincial interest under the *Planning Act* and the PPS is mentioned in relation to the wise use of resources. The plan contained no map showing agricultural land use.

The plan ranked low to moderate in terms of the integration it provides with respect to the legislative framework (Table 5). The plan cites the Provincial Policy Statement (PPS) and the *Planning Act* with a low to moderate level of detail. The Minimum Distance Separation (MDS) Guidelines are cited. References to the applicable governance structures cited in the case study legislative framework (Table 1) were ranked as low to moderate. Council at the upper-tier level ‘received’ the plan (Table 6). The plan is named in the upper-tier official plan but not in the lower-tier official plan. The latest review of the upper-tier official plan was informed by the Plan, which indicates that it has had a level of impact on local government decision-making.
Table 2. Contents of local agricultural land use legislative documents

<table>
<thead>
<tr>
<th>Legislative Context</th>
<th>Background</th>
<th>Vision, Goals, Objectives</th>
<th>Regulations (enforceable policies, procedures)</th>
<th>Maps</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Municipality of Central Huron</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Municipality of Central Huron Official Plan (2014)</td>
<td>✓✓</td>
<td>✓✓</td>
<td>✓✓</td>
<td>✓✓</td>
</tr>
<tr>
<td>Municipality of Central Huron Zoning By-law (By-law 40-2010)</td>
<td>✓✓</td>
<td>X</td>
<td>X</td>
<td>✓✓</td>
</tr>
<tr>
<td><strong>County of Huron</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>County of Huron Official Plan (2013)</td>
<td>✓</td>
<td>✓</td>
<td>✓✓</td>
<td>✓✓</td>
</tr>
</tbody>
</table>

Table 3. Breadth and depth of legislative context: legislative documents

<table>
<thead>
<tr>
<th>Legislative context</th>
<th>Land use planning tools</th>
<th>Governance</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>County of Huron Committee of the Whole¹</td>
</tr>
<tr>
<td><strong>Municipality of Central Huron</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Municipality of Central Huron Official Plan (2014)</td>
<td>✓✓</td>
<td>✓✓✓</td>
</tr>
<tr>
<td>Municipality of Central Huron Zoning By-law (By-law 40-2010)</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td><strong>County of Huron</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>County of Huron Official Plan (2013)</td>
<td>✓</td>
<td>X</td>
</tr>
</tbody>
</table>

¹ Formerly the County of Huron Planning, Agriculture and Public Works Committee.
Table 4. Contents of local land use policy documents

<table>
<thead>
<tr>
<th>The County of Huron</th>
<th>Legislative Context</th>
<th>Background</th>
<th>Vision, Goals, Objectives</th>
<th>Regulations (enforceable policies, procedures)</th>
<th>Maps</th>
</tr>
</thead>
<tbody>
<tr>
<td>Take Action for Sustainable Huron Community Sustainability Plan (2011)</td>
<td>✓ ✓</td>
<td>✓ ✓</td>
<td>✓ ✓</td>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>

1 For the purposes of this assessment, this document will be considered an aspirational policy.

Table 5. Breadth and depth of legislative context: policy documents

<table>
<thead>
<tr>
<th>The County of Huron</th>
<th>Legislative context</th>
<th>Land use planning tools</th>
<th>Governance</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>PPS (2014)</td>
<td>PA (1990)</td>
<td>Munic. of Central Huron Committee of Adjustment</td>
</tr>
<tr>
<td></td>
<td></td>
<td>MDS (2006)</td>
<td>County of Huron Committee of the Whole</td>
</tr>
<tr>
<td>Take A Take Action for Sustainable Huron Community Sustainability Plan (2011)</td>
<td>✓ ✓</td>
<td>✓ ✓</td>
<td>✓ ✓</td>
</tr>
</tbody>
</table>

1 Formerly the County of Huron Planning, Agriculture and Public Works Committee
2 For the purposes of this assessment, this document will be considered an aspirational policy.

Table 6. Status of local agricultural land use policy documents

<table>
<thead>
<tr>
<th></th>
<th>Aspirational</th>
<th>Enforceable</th>
<th>Comprehensive local land use area plan</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>In progress</td>
<td>Received by Council</td>
<td>Named in plan</td>
</tr>
<tr>
<td>Take Action for Sustainable Huron Community Sustainability Plan (2011)</td>
<td>✓ ✓</td>
<td>✓ ✓</td>
<td>✓ ✓</td>
</tr>
</tbody>
</table>

1 In Ontario, official plans at both the upper-tier (regional/county) and lower-tier (local) levels comprise the comprehensive local land use plans.
2 For the purposes of this assessment, this document will be considered an aspirational policy.
Policy regimes

The two policy regimes of farmland preservation and global competitiveness have influenced agricultural land use policy and legislation for over forty years. Food sovereignty, and its associated concerns with food security and demand for local food, is a nascent policy regime that is influencing agricultural land use planning. Within this context, the aim of our analysis was to assess how issues, ideas, interests/actors and institutions associated with the three policy regimes influence local agricultural planning processes, including decisions about zoning, official plans, boundary adjustments, land division and servicing, and, as well, to assess the extent to which agricultural land use planning encompasses a comprehensive view of food systems planning, activities, and issues.

To complete the assessment of the presence and importance of the policy regimes we examined the documents that comprise the legislative framework. Presence and importance were measured as a function of both the level of influence of words, concepts, and statements that appear in the documents and of the placement of these words, concepts, and statements within each document. The criteria for measuring the policy regime statements are presented in Appendix: Criteria for determining level of influence of policy regimes.

The local legislative and policy documents for agricultural land use planning from the Municipality of Central Huron, and more broadly, from the County of Huron, contain references to each of the defined policy regimes. Global competitiveness has a moderate presence in the local legislative and policy documents for agricultural land use planning (Tables 7, 10, and 13). Global competitiveness appears as part of a vision, goal, objective or recommendation in two of the three documents (Table 7). For example, the following statement is found in the County of Huron Official Plan (2013): “Agriculture makes a fundamental contribution to the economy of Huron County and the long-term ability of farmers to remain competitive must be protected (pg. 29, emphasis added). Global competitiveness appears as a driving issue or concern in the County of Huron Official Plan (2013): “The community noted that global competitiveness means that Huron’s farmers need to retain flexibility to respond to changing economics and management practices” (pg. 6, emphasis added). As well, the policy regime of global competitiveness appears in the County of Huron Official Plan (2013) through policy that enables the consolidation of farms and farmland: “Municipalities may choose to develop policies which permit the severance of existing residences surplus to a farming operation as a result of the acquisition of an additional farm property” (pg. 8).

The policy regime of farmland preservation has a strong presence in the documents (Tables 8, 11, and 14). Farmland preservation is referenced in the documents as part of a vision, goal, objective or recommendation (Table 8). For example, the following statement is found in the County of Huron Official Plan (2013), an enforceable document: “In developing a vision of agriculture, the goal of the community is to protect agriculture, the farmers’ ability to farm, prime agricultural land and the quality of life for future generations” (pg. 6, emphasis added). Farmland preservation was also referenced in regulations. For example, the following statement is found in the Municipality of Central Huron Plan (2014), an enforceable document: “Expansions of settlement areas will occur in an environmentally sound manner based on a demonstrated need for urban growth in order to prevent fringe and sprawl development patterns and protect agricultural lands” (pg. 43, emphasis added).
Food sovereignty has a moderate to high presence in the local legislative and policy documents for agricultural land use planning (Tables 9, 12 and 15). Monica Walker-Bolton agreed with this assessment. “In terms of food sovereignty, we want to recognize that there is a local food movement and we want to try to make a place for that within our planning policies”, she explained (personal communication, March 3, 2015). Food sovereignty appears as part of a vision, goal, objective or recommendation in one of the three documents (Table 9). Food sovereignty appears as a driving issue or concern in two of the three documents. The Take Action for Sustainable Huron Community Sustainability Plan (2011), an aspirational document, contains the following statement:

> It is evident that the momentum for ‘buying local’ is continuing to be a priority in Huron County as producers and consumers alike recognize the importance of healthy eating, the unbeatable freshness that comes [with] just-picked food, as well as the desire to support their neighbour (pg. 24, emphasis added).

Food sovereignty has a very high presence in the action items tabled in Take Action (Table 15).
Table 7: Analytical framework for policy regimes at local level: global competitiveness documents

<table>
<thead>
<tr>
<th>Level of Influence</th>
<th>Vision, Goals, Objectives, Recommendations</th>
<th>Driving Issues, Concerns</th>
<th>Regulations</th>
<th>Action Items</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Influence</td>
<td>County of Huron Official Plan</td>
<td>County of Huron Official Plan</td>
<td>County of Huron Official Plan</td>
<td></td>
</tr>
<tr>
<td>Medium Influence</td>
<td>Take Action for Sustainable Huron Community Sustainability Plan</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Low Influence</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Table 8. Analytical framework for policy regimes at local level: farmland preservation documents

<table>
<thead>
<tr>
<th>Level of Influence</th>
<th>Vision, Goals, Objectives, Recommendations</th>
<th>Driving Issues, Concerns</th>
<th>Regulations</th>
<th>Action Items</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Influence</td>
<td>County of Huron Official Plan Munic. of Central Huron Official Plan</td>
<td>County of Huron Official Plan Munic. of Central Huron Official Plan</td>
<td>County of Huron Official Plan Munic. of Central Huron Official Plan</td>
<td>Take Action for Sustainable Huron Community Sustainability Plan</td>
</tr>
<tr>
<td>Medium Influence</td>
<td>County of Huron Official Plan Munic. of Central Huron Official Plan Take Action for Sustainable Huron Community Sustainability Plan</td>
<td>County of Huron Official Plan Munic. of Central Huron Official Plan</td>
<td>Take Action for Sustainable Huron Community Sustainability Plan</td>
<td></td>
</tr>
<tr>
<td>Low Influence</td>
<td>County of Huron Official Plan</td>
<td></td>
<td>Munic. of Central Huron Official Plan</td>
<td></td>
</tr>
</tbody>
</table>

Table 9. Analytical framework for policy regimes at local level: food sovereignty documents

<table>
<thead>
<tr>
<th>Level of Influence</th>
<th>Vision, Goals, Objectives, Recommendations</th>
<th>Driving Issues, Concerns</th>
<th>Regulations</th>
<th>Action Items</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Influence</td>
<td>County of Huron Official Plan</td>
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<td>County of Huron Official Plan</td>
<td></td>
</tr>
<tr>
<td>Medium Influence</td>
<td>Take Action for Sustainable Huron Community Sustainability Plan</td>
<td></td>
<td>Take Action for Sustainable Huron Community Sustainability Plan</td>
<td></td>
</tr>
<tr>
<td>Low Influence</td>
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<td></td>
</tr>
</tbody>
</table>
### Table 10: Analytical framework for policy regime at local level: global competitiveness themes

<table>
<thead>
<tr>
<th>Level of Influence</th>
<th>Vision, Goals, Objectives, Recommendations</th>
<th>Driving Issues, Concerns</th>
<th>Regulations</th>
<th>Action Items</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Influence</td>
<td>Competitiveness</td>
<td>Competitiveness</td>
<td>Consolidation</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Flexibility</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Medium Influence</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Low Influence</td>
<td></td>
<td></td>
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</tr>
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</table>

### Table 11: Analytical framework for policy regime at local level: farmland preservation themes

<table>
<thead>
<tr>
<th>Level of Influence</th>
<th>Vision, Goals, Objectives, Recommendations</th>
<th>Driving Issues, Concerns</th>
<th>Regulations</th>
<th>Action Items</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Influence</td>
<td>Farmland Protection</td>
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<td>Land Use Compatibility</td>
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</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Farmland Protection</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Settlement Area Expansion</td>
<td></td>
</tr>
<tr>
<td>Medium Influence</td>
<td>Land Use Compatibility</td>
<td></td>
<td></td>
<td>Land Severance</td>
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<tr>
<td>Low Influence</td>
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</tr>
</tbody>
</table>

### Table 12: Analytical framework for policy regime at local level: food sovereignty themes

<table>
<thead>
<tr>
<th>Level of Influence</th>
<th>Vision, Goals, Objectives, Recommendations</th>
<th>Driving Issues, Concerns</th>
<th>Regulations</th>
<th>Action Items</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Influence</td>
<td></td>
<td>Food Security</td>
<td></td>
<td>Local Food, Diversification, Sustainable Agriculture</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Local Food</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Medium Influence</td>
<td>Local Food</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Low Influence</td>
<td>Sustainable Agriculture</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**Table 13: Analytical framework for policy regimes at local level: frequency of global competitiveness**

<table>
<thead>
<tr>
<th>Vision, Goals, Objectives, Recommendations</th>
<th>Driving Issues, Concerns</th>
<th>Regulations</th>
<th>Action Items</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Influence</td>
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<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Medium Influence</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Low Influence</td>
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<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

**Table 14: Analytical framework for policy regimes at local level: frequency of farmland preservation**

<table>
<thead>
<tr>
<th>Vision, Goals, Objectives, Recommendations</th>
<th>Driving Issues, Concerns</th>
<th>Regulations</th>
<th>Action Items</th>
</tr>
</thead>
<tbody>
<tr>
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<td>4</td>
<td>0</td>
</tr>
<tr>
<td>Medium Influence</td>
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<td>3</td>
<td>0</td>
</tr>
<tr>
<td>Low Influence</td>
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<td>2</td>
<td>1</td>
</tr>
</tbody>
</table>

**Table 15: Analytical framework for policy regimes at local level: frequency of food sovereignty**

<table>
<thead>
<tr>
<th>Vision, Goals, Objectives, Recommendations</th>
<th>Driving Issues, Concerns</th>
<th>Regulations</th>
<th>Action Items</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Influence</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Medium Influence</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Low Influence</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>
Stakeholder analysis

In addition to understanding the policies and legislation, it is important to acknowledge that these documents are influenced by various political forces. The aim of the stakeholder analysis is to document different organisations and institutions that participate in and thereby influence agricultural land use planning processes and decisions. Our stakeholder analysis involved three aspects: identify relevant stakeholders; complete a profile for each stakeholder; assess each stakeholder’s level of influence within agricultural land use planning. For each stakeholder we aimed to complete a comprehensive profile based on secondary sources, including promotional materials on websites; reports, positions papers and other publications; statements in the media; committee meeting minutes, etc. The same level of information was not available for each stakeholder.

Based on the information collected for the profiles we then assessed their level of influence using a power-influence grid. This analysis leads to four categories of stakeholders (Figure 4):

- Players: have both an interest and significant power
- Subjects: have an interest but little power
- Context setters: have power but little direct interest
- Crowd: have little interest or power

Figure 4. Categories of stakeholders

Three primary stakeholders participate in and influence agricultural land use planning decisions in the Municipality of Central Huron, and more broadly, in Huron County: the Ontario Federation of Agriculture (OFA), the Christian Farmers Federation of Ontario (CFFO) and the National Farmers Union of Ontario (NFU-O). A fourth stakeholder – the Huron Food Action Network – was identified by an informant but has been excluded from the analysis because the Network is led by the County of Huron – the regional level of government (M. Walker-Bolton, personal communication, March 3, 2015).
The OFA is a provincial not-for-profit farm organisation whose mandate is to “Create, maintain and enhance an environment that enables the business of farming” (OFA, 2013). The OFA has an affiliation with the three policy regimes under study. The OFA’s guiding principles capture key themes within each policy regime:

The OFA is guided by a set of fundamental truths that guide its work on behalf of our farmers and society in general. They are as follows: Agricultural land must be protected; Ontario farms must be profitable; Ontario farmers are exceptional environmental stewards; Food is a necessity and a right and consumers must have ready access to Ontario food; OFA is responsible to be the leading advocate for farming in Ontario (OFA, 2013).

The OFA’s stake in agricultural land use planning serves to influence policy and public opinion. Through its regional chapter, the Huron County of Federation of Agriculture (HCFA), the OFA has political status in Huron County. The OFA, as a farm organisation, retains specialist knowledge within its membership, which serves to broaden its influence over land use planning decisions in Huron County, including those decisions which have to do with farmland preservation and land use policy, environmental issues, local food and rights to farm.

The CFFO is a provincial not-for-profit farm organisation that promotes and family enterprise, resource stewardship, family values, and rural community economic development with a focus on sustainable family farm businesses and family farm life (CFFO, n.d.). The CFFO has an affiliation with two of the three policy regimes under study: farmland preservation and food sovereignty. The CFFO’s affiliation interest in the two policy regimes is evident in its values, which include: the preservation of CLI class 1-3 lands for the farming; policies that encourage Canadian grown food over imported food; justice and fairness in agriculture and trade; a food strategy on a provincial and national scale; and farm policy that balances social, economic and environmental concerns (CFFO, 2012). The CFFO’s stake in agricultural land use planning serves to influence policy and public opinion.

The NFU-O is the provincial chapter of the National Farmers Union of Canada (NFU), a not-for-profit farm organisation with a local union in Huron County (Local 335). The mandate of the National Farmers Union is to:

Promote the betterment of farmers in the attainment of their economic and social goals; to conduct projects for the benefit of farmers in the development of markets for and marketing of farm products; to achieve the reduction of costs and other measures designed to increase the economic benefits of farming; to conduct educational and research projects for the benefit of farmers; to promote and secure legislation and other forms of government action for the benefit of farmers; to promote a higher standard of community life in agriculture; and to provide services for its members consistent with its objects and work jointly with any other person or organisations for the attainment of its objects (NFU, n.d.).

The NFU-O’s stake in agricultural land use planning serves to influence policy and public opinion. Through Local 335, the NFU-O has political status in Huron County. The NFU-O, as a longstanding farm organisation, retains specialist knowledge within its membership, which
serves to broaden its influence over land use planning decisions in Huron County, including those decisions, which have to do with farmland preservation and food sovereignty. In this regard, the NFU-O works as an advocate for agriculture policy that focuses on domestic production, “as a way for farm families and local communities to regain control of food sectors that have been and are being taken over by non-farmer corporations” (NFU, 2012). As well, the NFU-O is steadfast in its support for farmland preservation: “Farmland must be preserved and must be in the hands of those who work the land” (NFU-O, 2012).

Table 16 demonstrates each stakeholder’s level of influence over agricultural land use planning in the Municipality of Central Huron, and more broadly, within Huron County. All three stakeholders were determined to have both a ‘subject’ and ‘crowd’ stake in agricultural land use planning according to Bryson’s (2004) framework. That is to say that they have an interest, but little power relative to significant power. Overall, each stakeholder has a low level of power and a medium level of influence over land use planning decisions.
Table 16. Stakeholder analysis: power-interest grid

<table>
<thead>
<tr>
<th>Influence</th>
<th>Power</th>
<th>Medium</th>
<th>High</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Medium</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>High</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- **Ontario Federation of Agriculture**
- **Christian Farmers Federation of Ontario**
- **National Farmers Union of Ontario**

**Key:**
- **Farmland protection** [boxed]
- **Food sovereignty** [bold]
- **Global competitiveness** [italics]
- Unknown/uncertain [plain text]
Discussion

Our overall aim for the project is to identify principles and beneficial practices that represent land use planning solutions that protect farmland. As a step toward this final aim we identified four principles that guided our analysis: maximise stability, minimise uncertainty, integrate across jurisdictions; and accommodate flexibility. In this section we discuss the strength of the legislative framework for the Municipality of Central Huron.

Maximise stability

A stable legislative framework for protecting farmland is one that is not easily changed at the whim of shifting political interests; it is well-entrenched in acts of legislation, policy, and governance structures that are based on clear, concise language, and can hold up to court challenge. A key element of stability is a clear statement of purpose regarding farmland protection among the primary goals and objectives within each enforceable document. Thus, stability is a critical measure of the strength of an agricultural land use planning framework.

The Municipality of Central Huron, and more broadly, the County of Huron, has a moderate-highly stable legislative framework for agricultural land use planning. The Municipality of Central Huron’s legislative framework is well entrenched in policy at the upper-tier level. Policy in the County of Huron Official Plan is based on clear, concise language that has proven to hold up to court challenge. The upper-tier official plan promotes, protects and gives priority to farming over other land uses in prime agricultural areas in the County (County of Huron, 2010). As well, the upper-tier official plan states, “Non-farm related development will be directed to settlement areas” (County of Huron, 2010, pg. 8). From these two policy examples alone, it is evident that the legislative framework in Central Huron, and more broadly, in Huron County, is a framework that planners and the public can count on and know what the rules are.

For Monica Walker-Bolton, a Planner with the County of Huron’s Planning and Development Department, the moderate-highly stable legislative framework can be attributed to a hierarchical nesting of policy between lower-tier and upper-tier land use plans in Ontario: “If someone were to skirt [the] rules, they would find themselves up against a very robust framework…It’s hard for me to imagine an environment that isn’t as stable as ours. If I were trying to do my job without that stability it would be a pretty difficult job” (personal communication, March 3, 2015). This feedback underscores the moderately-highly stable legislative framework for agricultural land use planning in the Municipality of Central Huron.

Minimise uncertainty

The presence of uncertainty, typically introduced via ambiguous language, exceptions or gaps, is a critical measure of the weakness of an agricultural land use planning framework. Thus, in addition to maximising the stability of a legislative framework through enforceable policies, people want to know they can rely on these rules and regulations to be applied consistently under different circumstances.
There are particular elements of the legislative framework that minimise uncertainty. For example, the County of Huron Official Plan (2013) identifies a clear and definitive intent to protect prime agricultural land. The plan recognizes that protecting prime agricultural land contributes to the quality of life for future generations in Huron County, that agriculture has a positive economic impact in the County, and furthermore, that food security and the production and consumption of local foods are valued by residents (County of Huron, 2013). These statements are accompanied by a detailed list of policies containing relatively clear unambiguous language indicating a relatively strong framework that provides a foundation for local policy and decision-making. Likewise, the Municipality of Central Huron’s Official Plan (2014) identifies a clear and definitive intent to protect prime agricultural land. A fundamental principle of the plan is to protect “the long-term future and flexibility” of agriculture in Central Huron (Municipality of Central Huron, 2014, pg. 4) and a fundamental goal of the plan is to “Prevent class 1, 2 and 3 soils from being used for non-agricultural purposes” (Municipality of Central Huron, 2014, pg. 8). Policies are relatively clear and unambiguous, which is indicative of a framework that serves to minimise uncertainty.

The relatively low number of official plans amendments at both the upper-tier and lower-tier level serve as an indication of the consistency through which the policies are applied and interpreted. At the same time, certain policies that enable the exclusion of prime agricultural lands for aggregate resource extraction or settlement area expansion (in keeping with provincial policy direction) add a level of uncertainty. In terms of aggregate resource extraction on prime agricultural land, s. 5.3.6 of the County of Huron Official Plan states, “Complete agricultural rehabilitation is not required on prime agricultural lands if a substantial quantity of aggregate lies below the water table, other alternatives have been considered by the applicant and found unsuitable, and agricultural land rehabilitation in remaining areas is maximized” (County of Huron, 2010, pg. 21).

While these added conditions are helpful, they do not remove the uncertainty of prime agricultural land being permanently lost to aggregate resource extraction. Even with this uncertainty, however, it is rare for aggregate extraction to cause permanent farmland loss in Huron County (M. Walker-Bolton, personal communication, March 3, 2015). In this context, it is apparent that the requirement to consider alternatives helps to avoid high capability lands for agriculture.

Integrate across jurisdictions

Integrating policies and priorities across jurisdictions is a foundation for building cohesion across provincial, regional, and local governments. One can also think of integration as a formal “linkage” that provides consistency among them. In order to successfully integrate policies across jurisdictions there must be sufficient details about the legislative context that guides and constrains local government plans and strategies. By this measure of integration, we found that

The existing agricultural land use planning legislative framework for the Municipality of Central Huron, and more broadly, the County of Huron, has a moderate to high level of vertical integration. As an example, local policy provides a foundation for agriculture in Central Huron by emphasizing that farming shall remain the predominant use of land in areas designated for agriculture (Municipality of Central Huron, 2014). This is supported by policy at the upper-tier level. However, some might argue that this thread of consistency and the requirement for
conformity between plans is arguably equivalent to a *double-edged sword* because certain upper-tier policies create friction within a system that is ultimately applied locally in Central Huron and other lower-tier municipalities across Huron County. Monica Walker-Bolton agreed with this assessment. Reflecting on the metaphor of a double-edged sword, she felt that one edge is sharper than the other:

The sharp edge is coming from the top down. The dull edge is coming from every person and their struggles in life that we are trying to reflect in the policies. Those people don’t wield a lot of influence and power, it’s the top down that does... Its great to have a framework, and the framework is very powerful, but it is a human process and there is definitely an opportunity, if not a reality, for the sharp edge to cut off all of that nuance that comes from the bottom up (M.Walker-Bolton, personal communication, March 3, 2015).

It is important to note that the Municipality of Central Huron, as well as the County of Huron, can choose to be more, but not less restrictive than provincial policy, but doing so arguably presents numerous political difficulties. In terms of policy for farmland protection, we could find no clear examples of this at either the lower-tier or upper-tier level, although the upper-tier plan has incorporated several enabling policies for, among other matters, stewardship of land and water, that are not closely linked to farmland protection, but go above and beyond provincial policy reflected in the PPS. For years, some municipalities had policies in place that did not allow surplus farm residence severances, but at the time of writing, these municipalities are now allowing them. “For better or for worse it is changing the landscape a little bit”, explained Monica Walker-Bolton (personal communication, March 3, 2015).

Each of the local documents analyzed had an adequate level of provincial substance with key provincial legislative documents cited on a relatively consistent basis throughout. In order to provide a strong legislative agricultural component in these local documents, references to key provincial legislation are very important. Each document cited all but one key provincial legislative piece; the absent legislation varied by document. As well, both the upper-tier and lower-tier official plans cited the MDS guidelines and formulae; this is a key agricultural land use planning tool in Ontario and is directed toward minimising land use conflicts. The moderate to high level of integration demonstrated in the documents is an indication that key legislation and tools are being accurately considered in the local agricultural land use planning process.

**Accommodate flexibility**

Creating an effective legislative framework is an act of balance, without being too stable so that it cannot be changed when needed or too strict so that it cannot be applied in a range of circumstances. Thus, flexibility is necessary in order to moderate the restrictive effects of maximising stability and minimising uncertainty. The means to accommodate flexibility is typically done through governance mechanisms.

The existing agricultural land use planning legislative framework for the Municipality of Central Huron, and more broadly, the County of Huron, is moderately flexible. It provides a high level of flexibility for farm consolidation, which has become increasingly common in the
province as a whole as evident by a steady decline in the number of farms in Ontario over the past several decades while remaining farms have become larger. Consolidation has given rise to larger farms as individuals who have made a choice to continue in agriculture, purchase remnant farm parcels from retiring farmers. Residential dwellings that become ‘surplus’ to a farming operation through consolidation can be subdivided in Huron County. This policy is enabled by provincial lot creation policy in the PPS, although the County of Huron could decide to be more restrictive than the Province by prohibiting this type of severance from occurring within its geographic boundaries. The application of the Minimum Distance Separation (MDS) formulae through local zoning by-laws also provides a level of flexibility for farmers intending to install or expand a livestock operation. For Sandra Weber, supportive land use policies that ensure there is still space available in agricultural areas for building livestock barns or other agriculturally related land uses are a beneficial aspect of the legislative framework (personal communication, April 24, 2014). Other examples of built-in flexibility include policies that enable certain business uses in agricultural areas, including those businesses that are related to farming and need to occur within reasonable proximity to farms as well as on-farm diversified uses. The upper-tier official plan also does not prescribe a minimum lot size standard for an agricultural lot; the decision is passed down to the Municipality of Central Huron and other local municipalities in Huron County (M. Walker Bolton, personal communication, March 3, 2015). The OMB provides mechanisms to vet (and sometimes accommodate) public concerns over inflexibility, although this comes at a cost that is difficult to bear for those who cannot afford to have their voices heard or are incapable of representing themselves in a complicated policy environment. The emotional and monetary costs of filing appeal under the Planning Act might be arguably difficult to endure for some. Because planners before the Board are making defensible recommendations that are clearly tied to policy, some may argue that flexibility isn’t a primary objective of the OMB environment (M. Walker-Bolton, personal communication, March 3, 2015). It is also noted that so-called “housekeeping amendments” to change official plans every five years - an administrative process that is stipulated under the Planning Act - provides a mechanism to accommodate change and flexibility at the local level. It is generally accepted that amendments might be appealed to the OMB, arguably for better or worse. For Monica Walker-Bolton, a Planner with the County of Huron’s Planning and Economic Development Department, flexibility is an inevitable outcome of Ontario’s democratic planning process: “Bureaucrats can just follow policy to create certainty and not use any kind of judgment calls. But we actually rely on elected officials to make judgment calls in the interest of democracy. They are the ones that introduce a much more nuanced level of flexibility into the interpretation of the policies” (personal communication, March 3, 2015).

In addition to the above four principles, we also discuss issues that have come up in our project that we believe deserve specific attention:

Influence of policy regimes

Global competitiveness has a moderate presence in the local legislative and policy documents for agricultural land use planning in the Municipality of Central Huron, and more broadly, the County of Huron, and a moderate-high level of influence (Tables 8, 11 and 14). This was
reflected in informants’ feedback. “Land use planning can’t address all of the variables that go into global competitiveness. So far as we can with land use planning, we try to”, explained Monica Walker-Bolton, a Planner with the County of Huron’s Planning and Economic Development Department who works with the Municipality of Central Huron (personal communication, March 3, 2015). This is reflected in the upper-tier official plan that cites global competitiveness verbatim. The relevant statement emphasizes that flexibility is required by Huron County farmers in order to adjust to changing economics and management practices (County of Huron, 2013). Accordingly, flexibility is paired with policy that aims to retain large farm parcels and reduce rural farm and non-farm conflicts. Likewise, both the upper and lower-tier official plans contain policies that permit the severance of existing residences surplus to a farming operation as a result of farm consolidation. “This relates to global economics; the need to be competitive through farm consolidation”, explained Arthur Churchyard, a Planner with the County of Huron’s Planning and Economic Development Department (personal communication, January 14, 2014). These policy examples suggest that global competitiveness exerts a moderate-high level of influence over agricultural land use planning decisions in Huron County.

Each of the local legislative and policy documents for agricultural land use planning in the Municipality of Central Huron, and more broadly, in the County of Huron, reference farmland preservation in some way. The high presence of this policy regime is an indication that farmland preservation is an important consideration in the local land use planning process (Tables 9, 12 and 15). “It feels like farmland [preservation] is the one that [planners are] most involved with”, explained Scott Tousaw, Director of Planning and Economic Development for the County of Huron (personal communication, April 24, 2014). When asked about the strong presence of farmland preservation in local planning documents, Monica Walker-Bolton explained: “I would definitely agree that farmland [preservation] is the number one priority” (personal communication, March 3, 2015). For planning purposes, all of Huron County is designated as a prime agricultural area and therefore the notion of farmland preservation is extremely influential in the local planning process. The continuity between this designation and policy at provincial, upper-tier and lower-tier levels of government translates into a high-level of compliance with local zoning by-laws.

Although food sovereignty has a moderate to high presence in the local legislative and policy documents for agricultural land use planning, it has a low to moderate level of influence (Tables 10, 13 and 16). This is reflected in feedback from Arthur Churchyard, a Planner employed by the County of Huron. He felt that there is very little support in Ontario’s planning system to work on food sovereignty (personal communication, April 5, 2014). The notion of food sovereignty appears to be new in Huron County because associated themes are only cited in more recently revised documents (food sovereignty itself is not cited verbatim). This includes a variety of statements regarding bolstering local food, ensuring food security, and supporting a sustainable food system within Huron County. The County of Huron Official Plan (2013) identifies food security and local food as driving concerns of the community. While food sovereignty is absent from the lower-tier official plan, it has a particularly strong presence in the Take Action for Sustainable Huron Community Sustainability Plan (2011), which contained a number of statements (or actions) tied to food sovereignty, including: improve access to local food; develop healthy food policies; increase the profile of local food; identify local food opportunities; coordinate local food action plans; public education; and support for sustainable agricultural practices, etc. All of these actions signify the growing interest among people to
define their own food systems and to be at the intermediaries of decisions affecting agriculture in Huron County. This suggests that the concerns of local residents about where their food originates, how it is produced, and the quality of the food they consume are beginning to influence agricultural land use planning in Huron County.

Small-lot agriculture/farmland fragmentation

The combined issue of small-lot agriculture and fragmentation of the land base centres on what appears to be a growing awareness of food sovereignty. Much of this interest in small-lot agriculture is associated with new farmers and their need for affordable land that is reasonably close to population centres. What makes the demand for small-lot agriculture particularly important is that there is often little room within farmland protection legislative frameworks to accommodate smaller lots. The main reason is that sub-dividing into smaller lots is in direct conflict with the over-riding goal to not fragment the land base. The primary land use planning tool for preventing fragmentation is large minimum lot sizes. Thus, small lots and farmland protection are often in direct opposition.

The Municipality of Central Huron has implemented a minimum lot size standard for new farm parcel creation within its geographical boundaries. The existing standard is 30 hectares (74 acres) (Municipality of Central Huron, 2014). This means that any farm parcel created on land designated for agriculture must be at least 30 hectares in size. Put another way, it means that a farm must be 60 hectares before it can be subdivided into two independent farm parcels. This type of severance is commonly referred to as a ‘farm split’. Provincial policy for farm parcel creation is quite restrictive and it aims to retain flexibility for future changes in the type or size of agricultural operations that might be undertaken on land designated for agriculture (Ontario Ministry of Municipal Affairs and Housing, 2014). Minimum lot size standards for farm parcel creation have become a point of friction among landowners. Monica Walker-Bolton, a Planner with the County of Huron’s Planning and Economic Development Department, confirmed that existing minimum lot size standards for farm splits have been raised as an issue in Huron County: “If we believe in public consultation and if we believe that it is up to the community to define what their issues are through the consultation that we do with them then it is an issue” (personal communication, March 3, 2015). While the existing approach prevents the fragmentation of farmland, which benefits farmers and society, the idea of a more lenient minimum lot size standard is an example of where there can be a clash of values between farmland protection and the broader concept of planning for agriculture. Although it is unclear how the issue will be resolved, it is apparent that there is interest in examining options: “We have given it a lot of thought…[the County of Huron is] interested in taking a critical look at the minimum lot size policies”, explained Monica Walker-Bolton (personal communication, March 3, 2015).

Food sovereignty

When asked about the extent that food sovereignty has changed agricultural land use planning in the Municipality of Central Huron, and more broadly, in Huron County, Monica Walker-Bolton, a Planner with the County of Huron Planning and Economic Development Department, reflected
on the public process that resulted in the Take Action for Sustainable Huron Community Sustainability Plan:

It created opportunity for concerns about local food to be expressed that might not have otherwise come through…Take Action is changing land use planning in the vein that there is only so much that the existing framework can do. Sometimes in planning, you have to be proactive rather than reactive in the sense of just reacting to the things that come across our desk (personal communication, March 3, 2015).

Throughout the process, engaged citizens recognized that environmentally sustainable food serves the economic, environmental and social realms of sustainability and they responded to that (M. Walker-Bolton, personal communication, March 3, 2015). This is reflected in the high presence of food sovereignty themes in the action items tabled as part of Take Action. Based on informant feedback, however, it is apparent that it is unclear how food sovereignty fits into mainline land use planning. “With food sovereignty, a lot of that is going to have to be driven by the individual choices that consumers make”, explained Monica Walker-Bolton (personal communication, March 3, 2015). Arthur Churchyard, a Planner with the County of Huron Planning and Economic Development Department felt that Ontario’s Planning Act is great at preventing land uses from coming into conflict with one another, but suggested that it doesn’t contain “the type of systems thinking or comprehensive thinking that we really need to start developing the legislative basis for planners involved in food systems development. We need to expand that scope” (personal communication, April 5, 2014). In a similar vein, Scott Tousaw, Director the County of Huron Planning and Economic Development Department suggested that “We have to have an increased focus on food sovereignty at all levels of government” (personal communication, April 24, 2014).

Stakeholder analysis

The three primary stakeholders that participate in and influence agricultural land use planning decisions in the Municipality of Central Huron, and more broadly, in Huron County, all have an interest in farmland preservation and food sovereignty. The OFA has an additional interest in global competitiveness (Table 17). Overall, the relevant stakeholders have a low level of power and a medium level of influence over agricultural land use planning decisions.

When asked to what extent existing agricultural plans have integrated multiple perspectives, Monica Walker-Bolton, a Planner with the County of Huron’s Planning and Economic Development Department responded, “When we write policy, we try to represent the community as broadly as possible. Here in Huron County, we’ve gone above and beyond just the basic legislated requirements for community engagement. The Take Action exercise is an example of that effort” (personal communication, March 3, 2015).
Conclusion

Reflecting on the principles of maximising stability, minimising uncertainty, accommodating flexibility, and integration across jurisdictions, there are several beneficial principles and practices for farmland protection that can be derived from this preliminary assessment of the Municipality of Central Huron, Huron County, Ontario:

1. The manner in which the existing agricultural land use planning legislative framework embeds policy between provincial, regional and local levels of government has been very instrumental to the success of farmland protection efforts in the Municipality of Central Huron, and more broadly, in Huron County. The hierarchical structure of the framework has created a jurisdictional arrangement in the County that allows for a strong County planning presence through its county-wide official plan, combined with opportunities for Central Huron and other lower-tier municipalities to create their own land use plans. This has generally created an atmosphere of collaboration versus hostility between the two levels of local government, which has translated into a solid commitment to implement farmland protection policies as they were intended.

2. The protection of agricultural resources is a provincial interest stated in the Planning Act. While County residents have the right to appeal planning decisions to the Ontario OMB – a quasi judicial review board that retains the right to review and alter land use planning decisions – the County’s approach to land use regulation is supported by a legislative framework that recognizes the need to protect farmland in the public interest.

3. The County of Huron’s process of community engagement has produced land use planning documents that are very supportive of farmland protection. Policy implementation has been aided by County efforts to reach consensus through a planning process that is supportive of public participation and education.

4. The County of Huron centers its work on a broad-based concept of planning that includes both the land use side of planning and community economic development. The County has made an ambitious effort to undertake community economic development over several decades that has supported its rural economy. This has helped stave off pressure to make severance policies more tolerant.
References


Appendix: Glossary

Policy:
A formal statement of intent; principles, rules, or guidelines that are designed to determine or influence major decisions or actions and all activities that fall within the domain of the policy.

Enforceable policy:
Policy with clear statements of intent to enforce (often with penalty for failing to follow the policy)

Aspirational policy:
Policy without clear statements of intent to enforce (often with penalty for failing to follow the policy); a broad statement about desired outcomes, objectives, or activities

Enabling policy:
Policy with clear statements of intent to implement a policy (e.g., provide resources)

Policy regime:
A policy regime and its changes refer to the combination of issues, ideas, interests, actors and institutions that are involved.

Legislation:
A law (or Order in Council) enacted by a legislature or governing body; can have many purposes: to regulate, to authorize, to proscribe, to provide (funds), to sanction, to grant, to declare or to restrict.

By-law (bylaw):
Local laws established by municipalities as regulated by the provincial government. Note: for our purposes, a by-law is considered part of legislation.

Regulation (pursuant to Act):
Is a form of legislation (law) designed with the intent to regulate; a rule or law designed to control or govern conduct; creates, limits, constrains a right, creates or limits a duty, or allocates a responsibility.

Governance:
Methods, systems, or processes of governing; the act of implementing policy and legislation. For our purposes we are concerned with groups (e.g., commissions, advisory committees) that have the authority to apply, review, or enforce policy and legislation specific to agricultural land use planning.
### Appendix: Criteria for Evaluating Content of Legislative Framework

**Legislation documents**

<table>
<thead>
<tr>
<th>Legislative Context (Provincial)</th>
<th>Background</th>
<th>Vision, Goals, Objectives</th>
<th>Local policies</th>
<th>Maps</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>![check]</td>
<td>Brief statements that include at least one reference to the main provincial legislation or policy related to agricultural land use planning. Little context provided other than perhaps a statement that acknowledges the local governments duty to uphold these acts and policies.</td>
<td>Very brief description of agriculture background. This may include a minimal section or statistics on historical context, background and issues, and demographics on agriculture/farming.</td>
<td>Includes a vision, goal, or objective for agriculture but with minimal explanation or rationale.</td>
<td>One or two brief statements about agricultural land use policies, perhaps with little context.</td>
</tr>
<tr>
<td>![check]</td>
<td>Expanded statements that reference more than one of the main provincial legislation and policies and provides added context to the above. Multiple statements that outline how provincial legislation and policies “fit” in the local context.</td>
<td>Includes multiple sections dedicated to information and statistics about agricultural background. May also reference an agricultural plan or report.</td>
<td>Includes a vision, goal, and objective for agriculture with a statement of explanation and some action items.</td>
<td>Several statements (three to five) about agricultural land use policy presented within local context. May also reference an agricultural plan.</td>
</tr>
<tr>
<td>![check]</td>
<td>Comprehensive that outlines how provincial legislation and policies “fit” in the local context. May include diagrams to help establish thread of consistency among different levels of government.</td>
<td>Comprehensive account of agricultural background. May also reference an agricultural plan or report.</td>
<td>Includes a detailed section on vision, goals, and objectives for agriculture that outlines a rationale and action items. May also document relations with other land uses and local priorities.</td>
<td>Detailed section of agricultural land use policy statements (more than five) or agricultural sub-area plan adopted as by-law. May also reference an agricultural plan.</td>
</tr>
</tbody>
</table>
## Policy documents

<table>
<thead>
<tr>
<th>Legislative Context (Provincial)</th>
<th>Background</th>
<th>Vision, Goals, Objectives</th>
<th>Local Policies</th>
<th>Maps</th>
</tr>
</thead>
<tbody>
<tr>
<td>Same as above</td>
<td>Same as above</td>
<td>Same as above</td>
<td>Different</td>
<td>Same as above</td>
</tr>
<tr>
<td>0</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>✓</td>
<td>Brief statements that include at least one reference to the main provincial legislation or policy related to agricultural land use planning. Little to no context provided other than perhaps a statement that acknowledges the local governments duty to uphold these acts and policies.</td>
<td>Very brief description of agriculture background. This may include a minimal section or statistics on historical context, background and issues, and demographics on agriculture/farming.</td>
<td>Includes a vision, goal, or objective for agriculture but with minimal explanation or rationale.</td>
<td>Several statements (three to five) about agricultural land use policy presented within local context.</td>
</tr>
<tr>
<td>✓✓</td>
<td>Expanded statements that references more than one of the main and policies and provides added context to the above. Multiple statements that outline how provincial legislation and policies “fit” in the local context.</td>
<td>Includes multiple sections dedicated to information and statistics about agricultural background. May also reference an agricultural plan or report.</td>
<td>Includes a goof presentation of vision, goal, and objective for agriculture with a statement of explanation, a few recommendation items, and some action items.</td>
<td>Comprehensive section of agricultural land use policy statements (more than five).</td>
</tr>
<tr>
<td>✓✓✓</td>
<td>Comprehensive that outlines how provincial legislation and policies “fit” in the local context.. May include diagrams to help establish thread of consistency among different levels of government.</td>
<td>Comprehensive account of agricultural background. May also reference an agricultural plan or report.</td>
<td>Includes a detailed section on vision, goals, and objectives for agriculture with an extensive and detailed list of recommendations and/or action items.</td>
<td>Comprehensive agricultural plan. May also refer to background report.</td>
</tr>
</tbody>
</table>

- Provides at least one (1) general land use map(s) with agricultural land use shown.
- Provides at least one (1) general land use map(s) showing agricultural land uses and at least one (1) agriculture specific map showing designated agricultural land.
- Provides two (2) or more agricultural land use maps including a map showing designated agricultural land. May also include Other maps to illustrate specific issues or policies (future areas of study, development permit areas, current land tenure).
Appendix: Criteria for determining level of influence of policy regimes

<table>
<thead>
<tr>
<th>Level of influence</th>
<th>Placement (significance) within Document</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Aims, Goals, Objectives</td>
</tr>
<tr>
<td>High influence</td>
<td>A clear, explicit statement as part of a short list (three to five) of items in an enforceable policy or regulation</td>
</tr>
<tr>
<td>Medium influence</td>
<td>A clear, explicit statement as part of a short list (three to five) of items in an aspirational policy</td>
</tr>
<tr>
<td>Low influence</td>
<td>A clear, explicit statement as part of a long list of items in an aspirational policy</td>
</tr>
</tbody>
</table>