

Agricultural Land Use Planning in Canada

**Case Study of
The Town of Niagara-on-the-Lake,
Ontario**

FINAL REPORT

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May, 2015

Executive Summary

In this report we present the preliminary results of a case study of agricultural land use planning for the Town of Niagara-on-the-Lake in Niagara Region, Ontario. The case study of the Town of Niagara-on-the-Lake 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 Town of Niagara on-the-Lake. 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 Town of Niagara-on-the-Lake is strong. Using the four principles as the criteria for evaluating the qualities of the legislative framework in the Town of Niagara-on-the-Lake we found that the case study site and more broadly, Niagara Region, has a moderate-highly stable legislative framework for agricultural land use planning. The framework cannot be easily changed because it is so 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 Regional Policy Plan (2010) identifies a clear and definitive objective to preserve agricultural lands by giving priority protection to unique agricultural lands (i.e. *specialty crop areas*). Likewise, the Official Plan for the Town of Niagara-on-the-Lake identifies a clear and definitive intent to protect *prime agricultural land* (includes specialty crop areas). The existing legislative framework has a moderate level of integration across jurisdictions. Each of the local documents analyzed had some provincial substance, but key provincial legislative documents were not cited consistently throughout. The existing legislative framework is moderately flexible. Notably, it provides a moderate level of flexibility for farm consolidation, which has become increasingly common in the province as a whole. At the same time, the Ontario Municipal Board (OMB) provides mechanisms to vet (and sometimes accommodate) public concerns over inflexibility.

In-line with provincial policy, specialty crop areas are given priority protection in the Town of Niagara-on-the-Lake and elsewhere in Niagara Region. A beneficial aspect of the local legislative framework is that non-agricultural uses are prohibited in specialty crop areas. As well, the Town of Niagara-on-the-Lake goes above and beyond provincial policy for surplus farm residence severances, by requiring that the properties involved be merged on title. This is to keep already small farm parcels from being further fragmented. In terms of issues, small lot agriculture/farmland fragmentation has been identified as a point of friction in the Town of Niagara-on-the-Lake.

Global competitiveness has a moderate presence in the local legislative and policy documents for agricultural land use planning in the Town of Niagara-on-the-Lake, and more broadly, the Niagara Region, and a moderate-high level of influence. Each of the local legislative and policy documents for agricultural land use planning in the Town of Niagara-on-the-Lake, and more broadly, in Niagara Region, reference farmland preservation in some way. This indicates that within the case study site, 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-moderate level of influence. This report ends with key conclusions.

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Abbreviations

CFFO	Christian Farmers Federation of Ontario
CLI	Canada Land Inventory
GGH	Greater Golden Horseshoe
GRNBLT	<i>Greenbelt Act</i>
NEP	Niagara Escarpment Plan
NIAESC	<i>Niagara Escarpment Planning and Development Act</i>
MDS	Minimum Distance Separation
OMB	Ontario Municipal Board
PA	<i>Planning Act</i>
PALS	Preservation of Agricultural Lands Society
PLACE2GROW	<i>Places to Grow Act</i>
PPS	Provincial Policy Statement

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 Niagara Region, 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.

For more information about the project, please visit the project website or contact Dr. David J. Connell, University of Northern British Columbia.
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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 co-ordinated 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.

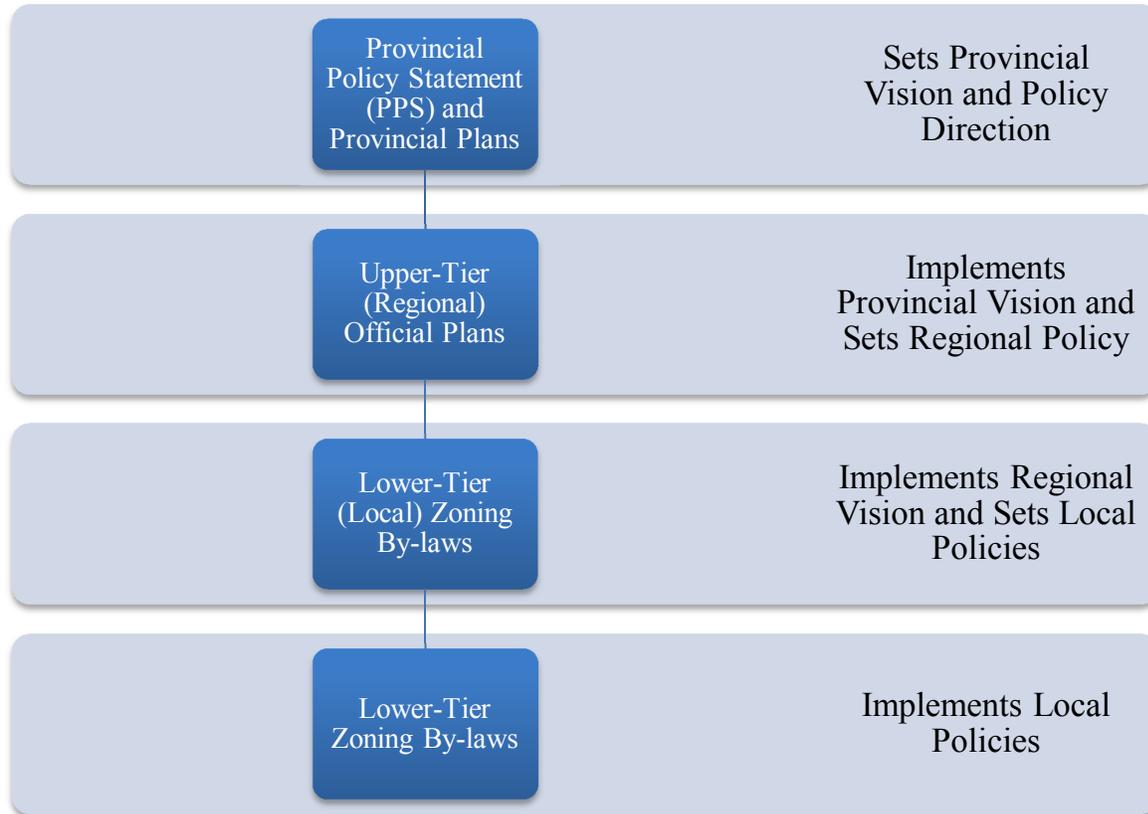
Acts of legislation, policy, and governance structures for agricultural land use planning in Ontario are quite stable. The *Planning Act* (R.S.O 1990, Chapter P.13) provides the foundational framework for a policy-led planning system that supports provincial goals. A fundamental section of the Act is ss. 2(b), which directs planning authorities¹ 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.

Section 3 of the *Planning Act* 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. 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 can count on and that the public is 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 severances in prime agricultural areas² in Ontario because upper-tier and lower-tier municipalities are required to be consistent with the PPS. Evan Acs, a Planner with the City of Port Colborne in Niagara Region, felt that current legislation for severances is a benefit of the framework, including current restrictions on creating new residential lots in agricultural areas (personal communication, April 30, 2014). 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 Government of Ontario (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).

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



The PPS is comprised of many policies and they are not intended to be interpreted individually; rather, the document is 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.

Certain municipalities in Ontario, such as the Town of Niagara-on-the-Lake, are subject to policies of provincial plans (e.g. the Greenbelt Plan). The Town of Niagara-on-the-Lake is unique in that the Greenbelt Plan Area (Figure 2), parts of the Niagara Escarpment Plan (NEP) Area (Figure 3), and the Greater Golden Horseshoe (GGH) Growth Plan Area (Figure 4) overlap

its land base. These plans build on the existing provincial policy framework established through the PPS. While the council of a municipality or another planning authority may differ in their interpretation of the policies found in provincial plans, 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.

Much of the Town of Niagara-on-the-Lake's land base is designated *Tender Fruit and Grape Lands* by the Province (Figure 5) under the *Greenbelt Act* (S.O. 2005, c.1). These lands comprise the *Niagara Peninsula Tender Fruit and Grape Area*, one of two specialty crop areas in the Greenbelt Plan Area (Ontario Ministry of Municipal Affairs and Housing, 2005). While the Greenbelt Plan contains many items to consider, one of the Plan's specific goals is to provide "Support for the Niagara Peninsula specialty crop area as a destination and centre of agriculture focused on the agri-food sector and agri-tourism related to grape and tender fruit production" (Ontario Ministry of Municipal Affairs and Housing, 2005, pg. 5). This goal is supported by policy that prohibits non-agricultural uses in specialty crop areas (Ontario Ministry of Municipal Affairs and Housing, 2005). The resultant firm urban boundaries in Niagara Region are a benefit of the current legislative framework (Mary-Lou Tanner, personal communication, May 12, 2014). This prohibitive policy minimises uncertainty by making a clear distinction about the type of use that is acceptable. A key informant – a Planner in Niagara Region – felt that the Greenbelt Plan benefits the legislative framework overall (James Doe, personal communication, May 5, 2014).

The NEP was prepared under the *Niagara Escarpment Planning and Development Act* (R.S.O. 1990, c. N.2) and applies to a thin band of land straddling the Town of Niagara-on-the-Lake's southernmost border with the City of Niagara Falls and to other lands within and beyond Niagara Region (Figure 3). One objective is to minimize the expectation of development beyond built-up areas in order to reduce conflicts with agriculture. Lands designated under the NEP as *Minor Urban Centres* and *Urban Areas* have to demonstrate that they have no other alternative but to expand onto agricultural lands (with the exclusion of expansion onto specialty crop areas, which is not allowed under any circumstance) (Niagara Escarpment Commission, 2005). This directive and prohibitive policy minimises uncertainty.

The Growth Plan for the GGH (2006) was prepared under the *Places to Grow Act* (S.O. 2005, c.13) and applies to lands within and beyond Niagara Region (Figure 4). According to the Ontario Ministry of Infrastructure (2006), the Growth Plan for the GGH "is a framework for implementing the Government of Ontario's vision for building stronger, prosperous communities by better managing growth [in the GGH]" (pg. 6). Within the Plan, the Ministry of Infrastructure (2006) recognizes that "Urban sprawl contributes to the...consumption of agricultural lands and other natural resources so critical to the future economy" (pg. 8). As such, the Growth Plan for the GGH attempts to manage growth through *intensification*, by directing *most* forms of development to *settlement areas* (development related to the management or use of natural resources is permitted outside of *settlement areas*), and by prohibiting the establishment of new *settlement areas* (Ontario Ministry of Infrastructure, 2006). This strong and directive policy minimises uncertainty by establishing rules about the way in which municipalities manage growth and development.

Figure 3. Niagara Escarpment Plan Area (Planning Ontario, 2013).



Figure 4. Greater Golden Horseshow Growth Plan Area (Ontario Ministry of Infrastructure, 2006).

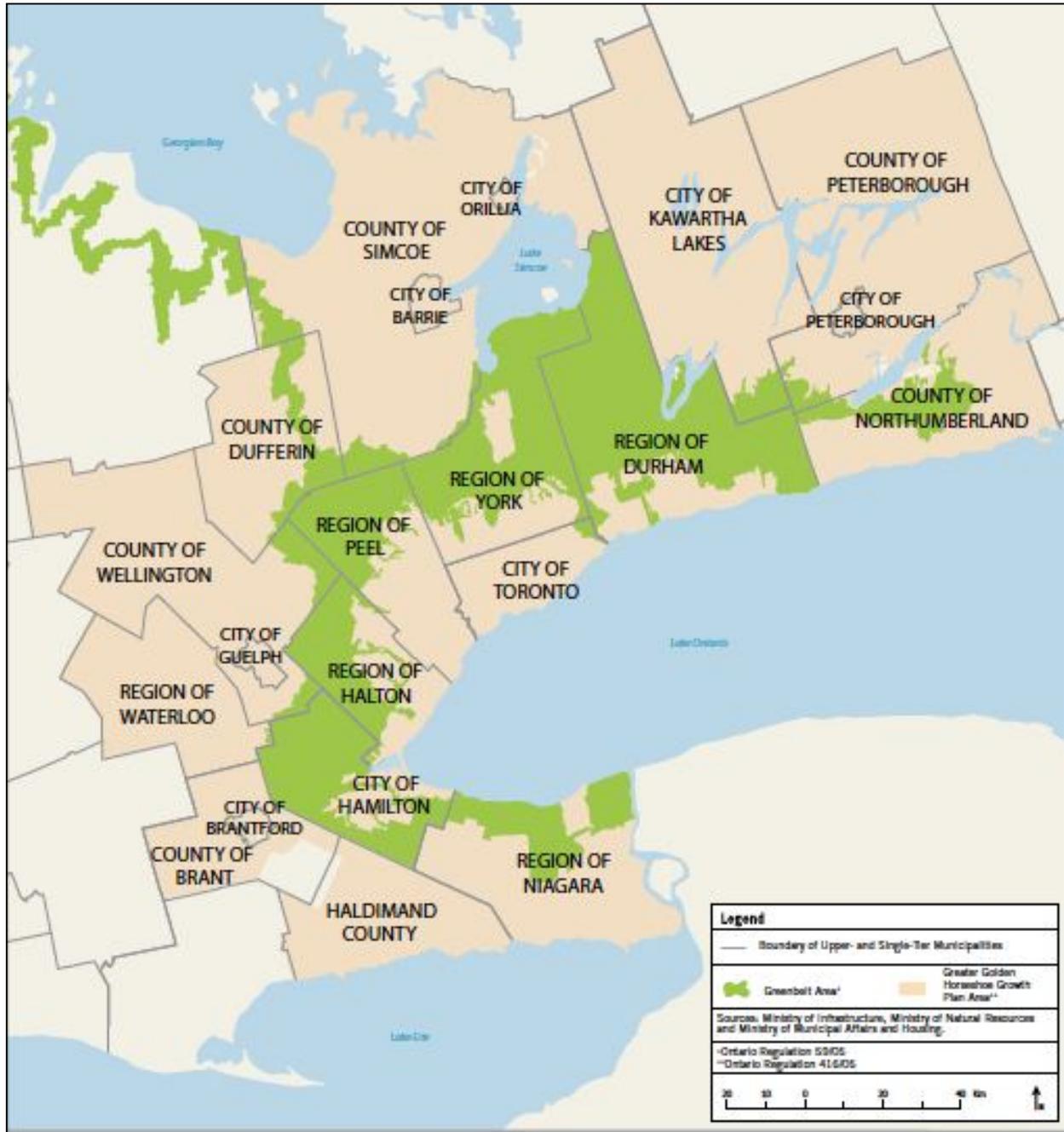
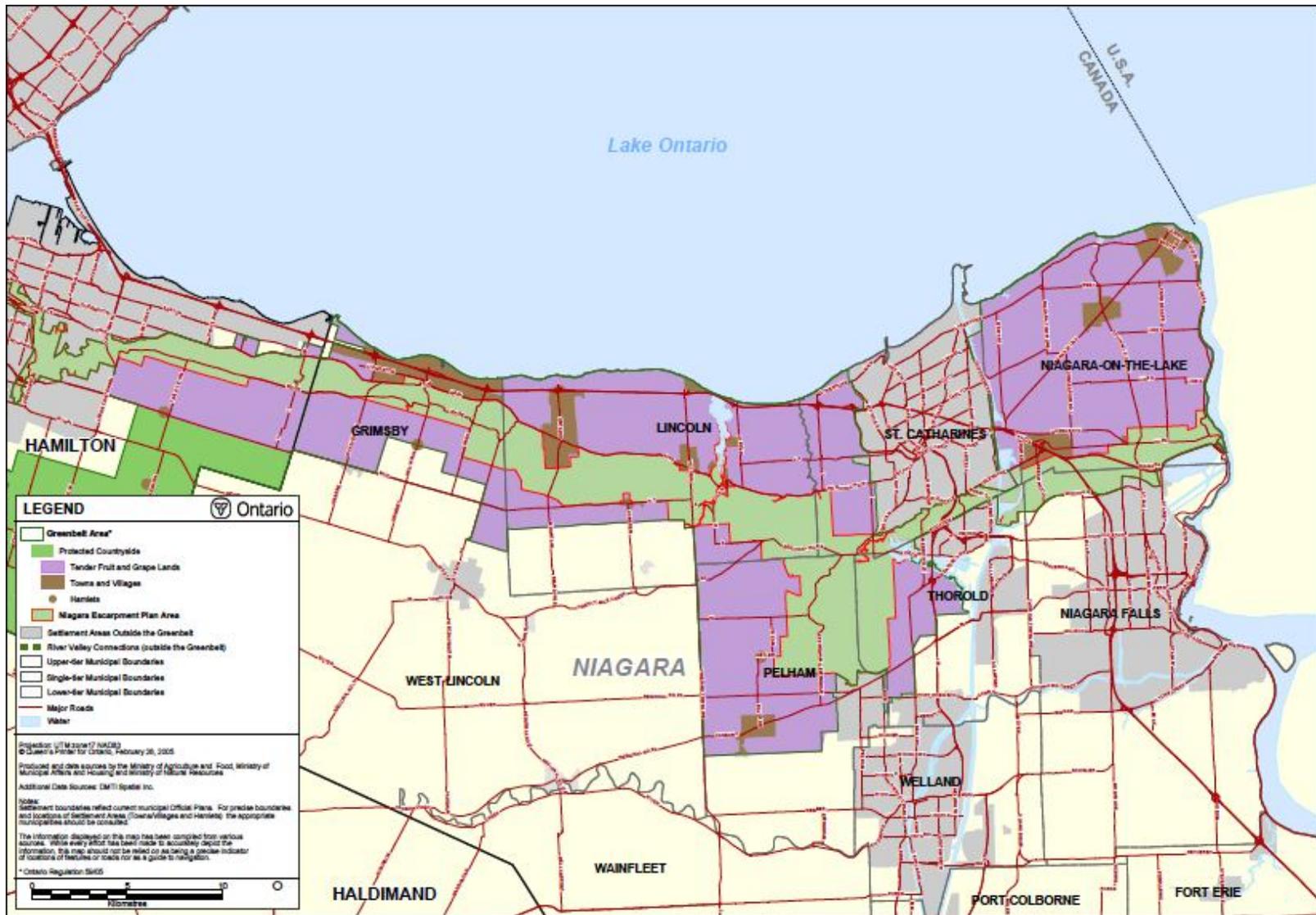


Figure 5. Niagara Peninsula Tender Fruit and Grape Area (Ontario Ministry of Municipal Affairs and Housing, 2005).



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). Provincial policy for surplus farm residence severances is arguably another weakness and this is especially the case in Niagara Region, where farms tend to be small. For example, if consent is granted for a surplus farm residence severance with 1.5 acres of land on a 10-acre farm, only 8.5 acres of farmland remain, which can be very valuable for agriculture and can be viably farmed (Jane E. Doe, personal communication, March 5, 2015). Evan Acs, a Planner with the City of Port Colborne in Niagara Region, felt that surplus farm residence severances fragment farmland and suggested that existing policy could be tweaked (personal communication, April 30, 2014).

Subsection 3(5) of the *Planning Act* requires that the decisions of councils and other approval authorities “shall be consistent with” the PPS and “shall conform with” provincial plans or “shall not conflict with them” as the case may be. This 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). A key informant – a Planner in Niagara Region – felt that it is important to have strong guidance at the provincial level:

“It takes a lot of the burden off the planner at the front counter when someone comes in and they want to have a severance that does not make sense because there is no policy to support it and we can lay that out very clearly as opposed to having to lead them on that it might be a possibility” (Jane E. Doe, personal communication, March 5, 2015).

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, and which conforms to any relevant provincial plans. 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.

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.
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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: is 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 re-inforced 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 Town of Niagara-on-the-Lake in Niagara Region, 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 Town of Niagara-on-the-Lake.

The case study of the Town of Niagara-on-the-Lake 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

The Town of Niagara-on-the-Lake, with a population of 15,400 in 2011, is located in the Regional Municipality of Niagara (henceforth known as Niagara Region), which is located between Lake Ontario and Lake Erie, against Ontario's southern border, which forms an international boundary between Canada and the United States, as shown in Figure 6. Niagara Region contains the major urban municipalities of St. Catharines (pop. 131,400) and Niagara Falls (pop. 82,997), along with ten others, totaling twelve lower-tier (local) municipalities (Statistics Canada, 2012). The population of the Town of Niagara-on-the-Lake comprises just 3.6% of Niagara Region's total population of 431,346 (Statistics Canada, 2012). 65.7% of the Region's population is between the ages of 15-65, with a median age of 44.1 years (Statistics Canada, 2012). In 2006, 87.9% of the Region's total population was classified as urban, with an average household income of \$54,497 (Niagara Region, 2014; Ontario Trillium Foundation, 2008). The Region's population is expected to grow by 17.8% over the next 20 years (Niagara Region, 2014). By 2031, regional estimates suggest that Niagara-on-the-Lake will grow by 47.4% to a total population of 22,700 (Town of Niagara-on-the-Lake, 2012). The majority of the population resides in one of the municipality's five primary settlement areas: Old Town Niagara, Virgil; St. Davids; Glendale; and Queenston (Town of Niagara-on-the-Lake, 2012).

The economy in the Niagara Region focuses on manufacturing, tourism, agri-business, and advanced technology (Niagara Economic Development Corporation, 2010). The food system connection to the economy is very strong in Niagara Region. The importance of agriculture to Niagara Region's economic stability is conveyed in this quotation:

For most industries in Niagara (including all components of the agricultural cluster), a one dollar increase in the demand for their output will translate into more than two dollars in output response across all linked industries in the economy... Every dollar of output from Niagara's agricultural cluster therefore stimulates a total impact in excess of \$2.00 in the Niagara economy (Walton, 2010, pg. 2).

Agricultural profile

In Niagara Region as a whole, the greenhouse sector has the highest economic impact, causing more than double the agricultural economic impact of the next three leading sectors (i.e. poultry, grapes and tender fruits) (Walton, 2010). Between 2001 and 2006, the economic impact of the agricultural sector in the Region grew by an astounding \$700 million (Walton, 2010).

Niagara Region reported gross farm receipts of \$725,831,453 in 2010 ranking fourth of all districts in Ontario (Statistics Canada, 2011). The Town of Niagara-on-the-Lake reported gross farm receipts of \$157,280,430 accounting for 22% of the Region's total gross farm receipts in 2010 ranking second behind the Town of Lincoln (Statistics Canada, 2011). The Town of Niagara-on-the-Lake considers its agricultural industry one of its greatest strengths (Town of

Figure 6. Niagara Region and the Town of Niagara-on-the-Lake.



Niagara-on-the-Lake, 2012). The majority of the land in the Region is classified as *prime agricultural land*; the northern portion of the region, including Niagara-on-the-Lake, has been classified as *unique specialty crop land* because of the combination of fertile soils and a unique climate that present opportunities to grow tender fruits and grapes (Town of Niagara-on-the-Lake, 2012). 78% of the farm parcels in the municipality are 25 acres or less and approximately 10% are less than 10 acres- farm operations often utilize multiple farm parcels that are not contiguous to one another (Town of Niagara-on-the-Lake, 2012). The majority of the municipality's farmland base is planted in grape and tender fruit crops, although some corn and soybeans are grown. As of 2012, the Town of Niagara-on-the-Lake had 46 greenhouse operations representing a total collective area of 421,367 m² in flower/plant and vegetable production (Town of Niagara-on-the-Lake, 2012). Within the Niagara-on-the-Lake agricultural sector, the nursery sector has the greatest economic impact, followed by the tender fruit, grape, cattle, hog, and greenhouse sectors (Town of Niagara-on-the-Lake, 2012). Agri-tourism in Niagara-on-the-Lake is a very important industry and the type of agriculture that is occurs in the municipality helps to strengthen that industry: wineries, farm markets, and fruit stands are important attractions (Town of Niagara-on-the-Lake, 2012).

Results

In this section we present the preliminary results for the case study of Town of Niagara-on-the-Lake. 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

In one of the first studies to bring attention to the issue of farmland loss in Canada, Ralph Krueger (1959) documented the loss of 1,800 acres of tender fruit lands due to urban sprawl in the Niagara Peninsula Fruitbelt. The study underscored the fragility of Ontario's farmland as a finite resource; the majority of the soil that was lost was the type required for successful peach production. Following Krueger's study in Niagara Region and several others elsewhere, farmland protection began to garner serious public attention in Ontario.

Under the *Regional Municipality of Niagara Act* (R.S.O. 1990, c. R. 13) Niagara Region was directed to create its first official plan, which was submitted in 1973. The plan designated urban expansion boundaries and these boundaries generated a provincial debate on the importance of farmland and its importance relative to urban development. In September 1975, the Province stated that the Region's urban areas were too large; the proposed boundary expansions would consume unique agricultural and CLI Class 1 lands (Niagara Region, 2011; Swart, 1978). In August 1976, Regional Council approved reductions to the proposed urban areas, but in February 1977, the Minister of Housing proposed further reductions (Niagara Region, 2011). In early 1978, Regional Council submitted some amended policies, which resulted in the Minister referring the questionable section of the Policy Plan to the Ontario Municipal Board (OMB) in June 1978; the proposed expansion area still removed more than 15% of Niagara's tender fruit and grape lands (Niagara Region, 2011; Swart, 1978).

The OMB broke the decision into two lengthy trials with developers and Regional Council supporting the proposed urban expansion and the Protection of Agricultural Land Society (PALS), the Christian Farmers Federation of Ontario (CFFO), and the Niagara Federation of Agriculture opposing the urban expansion boundaries (Swart, 1979). The first case from October 1978, to December 1978, focused on 2,100 acres of unique land surrounding Niagara Falls and Thorold that was slotted for urban expansion (Swart, 1979). After an eight-week hearing, the OMB ruled, "1,600 of those acres...had to revert back to the agricultural designation" (Niagara Region, 2011; Swart, 1979). The second case from November 1979, to November 1980, focused on 4,000 acres between the Niagara Escarpment and Lake Ontario, including the area around the community of Virgil, in the Town of Niagara-on-the-Lake (Niagara Region, 2011; Swart, 1979). The year-long hearing resulted in an OMB ruling in 1981 that directed 2,000 of those acres to be reverted to agricultural use only while allowing for the expansion of the St. Catharines urban boundary (The Globe and Mail, 1981). The policies that were created through this process have held, except when the Municipality of Pelham gained

OMB support to expand the community of Fonthill's urban boundary onto 500 acres of farmland with the support of Regional Council and against the recommendation of Regional staff (Reid, 2001). The public reaction to this move inspired the Greenbelt legislation and plan.

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).

When considering the legislative framework for the Town of Niagara-on-the-Lake and, more broadly, Niagara Region, 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 eight 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 (Table 1). Of central importance is the *Planning Act*, which gives the Ministry of Municipal Affairs and Housing the authority to issue policy statements on matters related to municipal planning that are of provincial interest, such as agricultural resources (R.S.O. 1990, c.13, ss. 3). Also, of central importance is the *Greenbelt Act*, which prescribes the objective: "to preserve agricultural land as a continuing commercial source of food and employment (S.O. 2005, c. 1, ss. 5[c]). Both the Provincial Policy Statement (PPS) and the Greenbelt Plan provide policy direction and guidance to regional municipalities like Niagara Region and local municipalities like the Town of Niagara-on-the-Lake. Any decision made by a planning authority under the *Planning Act* must be consistent with the Greenbelt Plan (*Greenbelt Act*, S.O. 2005, c.1, ss. 7[1]).

The *Niagara Escarpment Planning and Development Act* (R.S.O. 1990, c. N.2) is also of central importance; no municipality with jurisdiction in the NEP Area can have a zoning by-law in force and effect that conflicts with the NEP (ss. 13[1]). 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 indirectly protect farmland in Ontario by, for example, establishing setbacks between incompatible land uses. The legislative framework displayed in Table 1, is unique from the norm in that there are additional conformity tests between the Town of Niagara-on-the-Lake's official plan and zoning by-law and provincial legislation and plans; contingencies for conformity and conflict plans are specified in the applicable legislation and will not be described in detail here.

The Niagara Regional Policy Plan (2010) sets out a broad planning framework for the Town of Niagara-on-the-Lake and each of the remaining lower-tier municipalities within the geographical boundaries of the Region. Briefly, an official plan describes how land in a given municipality should be used. The *Planning Act* requires that all local official plans and zoning by-laws conform to the Regional Policy Plan. Briefly, a 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. Unlike areas elsewhere in Ontario that do not have the benefit of the Greenbelt Plan or the NEP, it may be that neither amendment is possible if the proposed use in the Town of Niagara-on-the-Lake does not conform to the above-mentioned plans.

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Table 1: Legislative Framework for the Town of Niagara-on-the-Lake, Niagara Region, Ontario

	POLICY	LEGISLATION	GOVERNANCE
PROVINCIAL	[PPS] Provincial Policy Statement (2014) Minimum Distance Separation Formulae	<i>Planning Act, R.S.O. 1990, c. P.13 Niagara Escarpment Planning and Development Act, R.S.O. 1990, c. N.2 Places to Grow Act, S.O. 2005, c. 13 Greenbelt Act, 2005, S.O. 2005, c. 1</i>	Ontario Municipal Board.
REQUIRED INTEGRATION	<p><i>Planning Act, R.S.O 1990, c. P.13, Part I, Section 5</i> Decisions shall be consistent with provincial policy statements and shall conform, or shall not conflict, with provincial plans, as the case may be.</p> <p><i>Planning Act, R.S.O 1990, c. P.13, Part I, Section 6. (2)</i> Ministries shall have regard for municipal planning policies.</p> <p>PPS (2014) Subsection 2.3.3.3 New land uses, including the creation of new lots, and new or expanding livestock facilities, shall comply with <i>minimum distance separation formulae</i>.</p> <p><i>Niagara Escarpment Planning and Development Act, R.S.O. 1990, c. N.2, Section 13. (1) (a) and (b)</i> no improvement, development, or undertaking to conflict with Niagara Escarpment Plan; no by-law to conflict with Niagara Escarpment Plan.</p> <p><i>Niagara Escarpment Planning and Development Act, R.S.O. 1990, c. N.2, Section 14</i> Niagara Escarpment Plan prevails when conflict arises between provisions of the Plan and any local plan, by-law, etc.</p> <p><i>Greenbelt Act, 2005, S.O. 2005, c. 1, Section 6. (2) (e)</i> the Greenbelt Plan may set out policies with respect areas designated as Protected Countryside, including policies prohibiting official plans and zoning by-laws containing provisions that relate to specific matters and are more restrictive than those provisions relating to such matters in the Greenbelt Plan.</p> <p><i>Greenbelt Act, 2005, S.O. 2005, c. 1, Section 7. (1)</i> decisions made under the <i>Planning Act</i> shall conform to with the Greenbelt Plan.</p> <p><i>Greenbelt Act, 2005, S.O. 2005, c. 1, Section 7. (2)- 7. (1)</i> does not apply to a policy statement issued under Section 3 of the <i>Planning Act</i>.</p> <p><i>Greenbelt Act, 2005, S.O. 2005, c. 1, Section 7. (3) (a) and (b)</i> no decision to conflict with the Greenbelt Plan; no by-law to conflict with the Greenbelt Plan.</p> <p><i>Greenbelt Act, 2005, S.O. 2005, c. 1, Section 9. (1)</i> Planning authorities within any areas designated as Protected Countryside in the Greenbelt Plan to amend every official plan to conform to the Greenbelt Plan.</p>		
REGIONAL	Niagara Region Agricultural Action Plan Niagara Region Local Food Action Plan	<i>Niagara Regional Policy Plan¹ Niagara Region Official Plan Amendment 2009-2: Sustainable Communities Policies</i>	Niagara Region Planning and Development Committee, Land Division Committee, and Agricultural Policy and Action Committee
REQUIRED INTEGRATION	<p><i>Planning Act, R.S.O 1990, c. P.13, Part I, Section 2</i> planning authorities shall have regard for provincial interest (e.g. protection of agricultural resources).</p> <p><i>Planning Act, R.S.O 1990, c. P.13, Part III, Section 24. (1)</i> public works and ZBLs to conform to OPs.</p> <p><i>Planning Act, R.S.O 1990, c. P.13, Part III, Section 27. (1)</i> amendments to lower-tier OPs shall conform to upper-tier OPs.</p>		
LOCAL		<i>Town of Niagara-on-the-Lake Official Plan Town of Niagara on-the-Lake Comprehensive Zoning By-law (By-law 4316-09)</i>	Town of Niagara on-the-Lake Planning and Development Committee ² , Committee of Adjustment, and Agricultural Advisory Committee.

¹ A new consolidation of the Niagara Regional Policy Plan (2010) - the Regional Official Plan (2014) - was released after the analysis.

² The Town of Niagara-on-the-Lake Planning and Development Committee no longer exists; Council is the approval authority for planning matters at the time of writing. Nonetheless, some documents included in this analysis reference the 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 Town of Niagara-on-the-Lake, and more broadly, Niagara Region, has a moderate to low ranking set of local legislative agricultural land use planning documents, although some components achieved a high ranking. 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).

Each document had a moderate-low ranking legislative context (Table 2). The Town of Niagara-on-the-Lake Official Plan (2013) contains brief statements comprised of at least one reference to the main provincial legislation or policy related to agricultural land use planning in Ontario (e.g. the *Planning Act*) with little context provided. For example, the Town of Niagara-on-the-Lake (2013) states in the plan, “The Council of the Corporation of Niagara-on-the-Lake has given careful consideration to the responsibilities afforded under the *Planning Act*, 1983, and has prepared this Official Plan as a formal statement of public policies” (pg. 1). The Town of Niagara-on-the-Lake’s zoning by-law contains the same level of detail. Niagara Region’s Policy Plan (2010) contains expanded statements that reference more than one of the main provincial legislation and policies with added context to the above. In one reference, the *Planning Act* is cited in a description of conformity requirements between the upper-tier official plan and the lower-tier official plan and zoning by-law. As well, the plan contains expanded statements that reference the Greenbelt Plan, the NEP, the *Niagara Escarpment Planning and Development Act*, and the Growth Plan for the GGH, as well as the PPS. It was established that these statements did not meet the criteria of comprehensiveness required to achieve a high ranking for this component.

Both the lower-tier and upper-tier official plans have low ranking background sections (Table 2). They each contained a very brief section describing the agriculture background of the municipality or region as the case may be. It was established that each plan did not contain elevated background information to achieve a moderate or high ranking for this component. The local zoning by-law contains no background. 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 plan policies and zoning by-laws in Ontario.

The lower-tier official plan ranked low in terms of a vision and the goals and objectives it affords for agriculture (Table 2); Section 7 (Agriculture) contains a subsection dedicated to goals/objectives, but contains no stated vision for agriculture. The Regional Policy Plan (2010) contains several goals/objectives that relate to agriculture. Amendment 2-2009 contains a vision for Niagara’s urban community that describes a desire to “maintain its valuable prime agricultural lands” (pg. 3). It was established that the documents did not exhibit the criteria

required for a high ranking in this component. The local zoning by-law contains no vision, goals, or objectives. 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 plan policies and zoning by-laws in Ontario.

The official plan at the lower-tier level ranked high in terms of the regulations component (Table 2). It contains a detailed section of agricultural land use regulations (i.e. more than five). The local zoning by-law contains a few regulations related to the Agricultural (A) Zone. The upper-tier official plan contains a detailed section of agricultural land use regulations (i.e. more than five) for a high ranking; the adoption date of this plan is unclear.

Both the lower-tier official plan and zoning by-law, as well as the upper-tier official plan, ranked high in terms of the maps component (Table 2). Each document contained agricultural land use maps showing designated agricultural areas, often in relation to other land uses. At the lower-tier level, maps are included as schedules to the official plan and zoning by-law. The upper-tier official plan contains an Agricultural Land Base Map depicting Unique Agricultural Areas, Good General Agricultural Areas, the approximate boundary of the Greenbelt Plan Area, the approximate boundary of the NEP Area, as well as Urban areas.

The lower-tier official plan and zoning by-law and the upper-tier official plan, on the whole, ranked moderate to low in terms of the integration they provide with respect to the legislative framework. As shown in Table 3, all three documents reference the PPS and the *Planning Act* with a low to moderate level of detail. The lower-tier official plan makes no reference to either the *Niagara Escarpment Planning and Development Act* or the *Greenbelt Act* specifically. It is noted however, that the plan makes reference to the plans in force and effect under this legislation (e.g. the Greenbelt Plan). The upper-tier official plan fails to reference the *Places to Grow Act*. 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 implemented locally. Document references to the applicable governance structures cited in the case study legislative framework (Table 1) were ranked as moderate, or in the case of the local zoning by-law, non-existent.

The upper-tier official plan ‘names’ the lower-tier official plan, but not in direct reference to agricultural land use planning (Table 4). Likewise, the lower-tier official plan contains a general reference to the upper-tier official plan: “This is the Official Plan for the Town of Niagara on-the-Lake. It is not intended to replace any Federal or Provincial Policy, the Regional Policy Plan or the Niagara Escarpment Plan, it is intended to enhance and interpret those documents as they apply to Niagara on-the-Lake” (Town of Niagara on-the-Lake, 2013, pg. 2). There is a general reference to the lower-tier official plan in the local zoning by-law: “The Town of Niagara-on-the-Lake Zoning By-law is needed to assist the Municipality to implement the objectives of the Official Plan” (Town of Niagara-on-the-Lake, 2009, pg. ii). There is no reference to the local zoning by-law in the upper-tier plan. In turn, the lower-tier official plan ‘names’ the local zoning by-law: “The zoning by-law may establish a minimum lot size for a farm” (Town of Niagara-on-the-Lake, 2013, pg. 4). Amendment 2-2009 to the upper-tier official plan is currently under appeal (Table 4).

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. Likewise, any revisions to provincial plans, such as any revisions stemming from periodic reviews of those plans, necessitate revisions to upper-tier and lower-tier official plans to bring them into conformity. The lower-tier plan has been adopted, the 2013 consolidation was used for this study. As well, the local zoning by-law has been adopted. The Town of Niagara-on-the-Lake Agricultural Zoning By-law was repealed in September 2014 and was not included in this analysis. As well, the local zoning by-law has been adopted. The date of adoption of the upper-tier official plan is unclear.

Local government policy documents

Two local government policy documents that were included in this analysis- the Regional Municipality of Niagara Agricultural Task Force Agricultural Action Plan and the Niagara Region Local Food Action Plan – both are considered aspirational policy for the purposes of this study. The former ranked low in terms of its legislative context with a reference to the PPS. The Niagara Region Local Food Action Plan contains no legislative context (Table 5). Both plans ranked low in terms of the agricultural background information they deliver (Table 5). Both plans contain a brief description of agricultural background in a single section with minimal statistics, historical context, etc. The Agricultural Action Plan contains a moderate ranking presentation of a vision, goals and objectives (Table 5). It states a number of “guiding principles” along with goals linked to actions for agriculture. The Local Food Action Plan contains a low ranking presentation of a vision, goals and objectives; a number of quasi-goals are cited throughout, but it lacks a specific vision. The Agricultural Action Plan ranked low in terms of the regulations component (Table 5). It contains several statements citing regulations (e.g. the *Nutrient Management Act*), which might arguably restrict agriculture or “work against” cooperative enterprises and value-added farm operations (Planscape, 2006, pg. 15). Neither plan contains maps.

The two plans ranked low in terms of the integration they provide with respect to the legislative framework (Table 6). The Agricultural Action Plan contains a reference to the PPS and the *Greenbelt Act*, noting that the former has “created challenges for those within it” (Planscape, 2006, pg. 5). References to the applicable governance structures cited in the case study legislative framework (Table 1) were ranked as low (Table 6). Neither plan is named in the upper-tier official plan (Table 7).

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Table 2. Contents of local agricultural land use legislative documents

	Legislative Context	Background	Vision, Goals, Objectives	Regulations (enforceable policies, procedures)	Maps
The Town of Niagara-On-The-Lake					
Niagara on-the-Lake Official Plan (2013)	✓	✓	✓	✓✓✓	✓✓✓
Town of Niagara on the Lake Comprehensive Zoning By-law (By-law 4316-09)	✓			✓✓	✓✓✓
Town of Niagara on the Lake Agricultural Zoning By-law (By-law 4316A-09).	REPEALED AS OF SEPTEMBER 15, 2014 (BY-LAW 4316BH-14) - NOT AVAILABLE ON WEBSITE				
Niagara Region					
Niagara Regional Policy Plan (2010)	✓✓	✓	✓✓	✓✓✓	✓✓✓
Niagara Regional Official Plan Amendment 2-2009: Sustainable Community Policies ¹					

Table 3. Breadth and depth of legislative context

	Legislative context					Land use planning tools	Governance	
	PPS (2014)	PA (1990)	NIAESC (1990)	PLACES2GROW (2005)	GRNBLT (2005)	MDS (2006)	Niagara Region Committees ¹	Town of Niagara-on-the-Lake Committees ²
The Town of Niagara-On-The-Lake								
Niagara on-the-Lake Official Plan (2013)	✓	✓		✓		✓✓✓	✓✓	✓✓
Town of Niagara on the Lake Comprehensive Zoning By-law (By-law 4316-09)	✓✓	✓	✓✓✓			✓✓✓		
Town of Niagara on the Lake Agricultural Zoning By-law (By-law 4316A-09).	REPEALED AS OF SEPTEMBER 15, 2014 (BY-LAW 4316BH-14) - NOT AVAILABLE ON WEBSITE							
Niagara Region								
Niagara Regional Policy Plan (2010)	✓	✓✓	✓	X	✓	✓✓✓	✓✓	✓
Niagara Regional Official Plan Amendment 2-2009: Sustainable Community Policies ³	✓	✓	X	X	✓	X	X	X

¹ Niagara Region Planning and Development Committee, Land Division Committee, and Agricultural Policy and Action Committee

² Town of Niagara-on-the-Lake Planning and Development Committee, Committee of Adjustment, and Agricultural Advisory Committee

³ These policies are intended to be read in combination with the Niagara Regional Policy Plan.

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Table 4. Status of local agricultural land use legislative documents

	In progress	Aspirational Received by Council	Enforceable		
			Comprehensive local land use area plan ¹		
			Named in plan	Led to revisions of plan	Adopted as by-law (sub-area plan)
The Town of Niagara-On-The-Lake					
Niagara on-the-Lake Official Plan (2013)	Yes		Yes	Yes	Yes
Town of Niagara on-the-Lake Comprehensive Zoning By-law (By-law 4316-09)			Yes	Yes	Yes
Town of Niagara on the Lake Agricultural Zoning By-law (By-law 4316A-09).	Yes	REPEALED AS OF SEPTEMBER 15, 2014 (BY-LAW 4316BH-14) - NOT AVAILABLE ON WEBSITE			
Niagara Region					
Niagara Regional Policy Plan (2010)			Yes	Yes	?
Niagara Regional Official Plan Amendment 2-2009: Sustainable Community Policies ²	Yes		Yes	Under Appeal	Under Appeal

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

Table 5. Contents of local land use policy documents

	Legislative Context	Background	Vision, Goals, Objectives	Regulations (enforceable policies, procedures)	Maps
Niagara Region					
Regional Municipality of Niagara Agricultural Task Force Agricultural Action Plan (2006) ¹	✓	✓	✓✓	✓	X
Niagara Region Local Food Action Plan (n.d.) ²	X	✓	✓	X	X

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

² For the purposes of this assessment, this document will be considered an aspirational policy.

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Table 6. Breadth and depth of legislative context: policy documents

Niagara Region	Legislative context (legislation and policies)					Land use planning tools	Governance	
	PPS (2014)	PA (1990)	NIAESC (1990)	PLACES 2GROW (2005)	GRNBLT (2005)	MDS (2006)	Niagara Region Committees ¹	Town of Niagara-on-the-Lake Committees ²
Regional Municipality of Niagara Agricultural Task Force Agricultural Action Plan (2006) ³	✓	X	X	X	✓	X	X	X
Niagara Region Local Food Action Plan (n.d.) ⁴	X	X	X	X	X	X	✓	X

¹ Niagara Region Planning and Development Committee, Land Division Committee, and Agricultural Policy and Action Committee.

² Town of Niagara-on-the-Lake Planning and Development Committee, Committee of Adjustment, and Agricultural Advisory Committee.

³ For the purposes of this assessment, this document will be considered an aspirational policy.

⁴ For the purposes of this assessment, this document will be considered an aspirational policy.

Table 7. Status of local agricultural land use policy documents

Niagara Region	In progress	Aspirational	Enforceable		
		Received by Council	Comprehensive local land use area plan ³		
			Named in plan	Led to revisions of plan	Adopted as by-law (sub-area plan)
Regional Municipality of Niagara Agricultural Task Force Agricultural Action Plan (2006) ¹		Yes	No	No	No
Niagara Region Local Food Action Plan (n.d.) ²		Yes	No	No	No

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

² For the purposes of this assessment, this document will be considered an aspirational policy.

³ Ontario, official plans at both the upper-tier (regional/county) and lower-tier (local) levels comprise the comprehensive local land use plans in any given area

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 Town of Niagara-on-the-Lake, and more broadly, from Niagara Region, 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 8, 11, and 14). Global competitiveness appears as part of a vision, goal, objective or recommendation in two of the seven documents (Table 8). For example, the upper-tier official plan contains the following objective of medium influence relating to global competitiveness: “To advocate and support government policies and programs, which promote the agricultural industry” (pg. 47). Global competitiveness appears as a driving issue or concern in three of the seven documents (Table 8). For example, the Agricultural Action Plan states: “Sectors of the [agricultural] industry are experiencing pressure from foreign competition and are vulnerable to increases in the value of the Canadian dollar” (Planscape, 2006, pg. 1). Global competitiveness appears in both the upper-tier and lower-tier official plans through policies that enable the consolidation of farms and farmland.

The policy regime of farmland preservation has a strong presence in the documents (Tables 9, 12, and 15). Farmland preservation appears as part of a vision, goal, objective or recommendation in four of seven documents (Table 9). For example, the upper-tier official plan contains the following statement:

The Regional Strategy recognizes the need for a balance between urban development and the conservation of natural resources. The urban area boundaries which are established here are a prime means of implementing this balance, and other strategic objectives, by: ...preventing urban development on inappropriate sites, thus contributing to the conservation of resources such as the Niagara Escarpment, aggregate areas, wetland sand the prime agricultural soils (Niagara Region, 2010, pg. 33).

Farmland preservation is a driving issue or concern in one document (Table 9) that states: “There is pressure for urban expansions, and urban-type uses and related infrastructure are encroaching

into agricultural areas” (Planscape, 2006, pg. 1). Farmland preservation has a strong presence in both the upper-tier and lower-tier official plans. For example, the following statement is found in the Official Plan for the Town of Niagara-on-the-Lake, an enforceable document: “Country Inns located outside urban boundaries shall not conflict with the broad objective of preserving Niagara-on-the-Lake’s agricultural lands” (Town of Niagara-on-the-Lake, 2013, pg. 55). The policy regime of farmland preservation also appeared as an action item in two documents. For example, the Agricultural Action Plan contains the following action item: “Request [the] formation of a Task Force with membership from Provincial ministries, Niagara Region, agricultural groups and preservationists, to explore tools to enhance long-term land preservation in the fruit belt” (Planscape, 2006, pg. 18).

The policy regime of food sovereignty has a moderate to high presence in the documents (Tables 10, 13, and 16). Food sovereignty appears as part of a vision, goal, objective or recommendation in two documents (Table 10). For example, a goal of the Agricultural Action Plan is to “[Protect] *the public interest by preserving the ability to have a sustainable home-grown food supply*” (Planscape, 2006, pg. 2, *emphasis in original*). Food sovereignty appears as a driving issue or concern in the Local Food Action Plan, which contains the following statement:

Recent food scare[s], agriculturally-related plant closures, environmental consciousness raising and rising transportation costs have all contributed to making local food a popular topic in the news. In Niagara, the closure of the Cadbury-Schweppes juice plant (2007) and the CanGro Canning Factory (2008) have been of particular concern for many producers and the community (Niagara Region, n.d., pg. 4).

Food sovereignty appears in regulations stated in the Official Plan for the Town of Niagara-on-the-Lake, an enforceable document (Table 10). For example, the following statement is found in the plan: “The production of wine from an Estate Winery shall be subject to the following criteria: a) all wines produced shall be made from predominately locally grown fruit” (Town of Niagara-on-the-Lake, 2013, pg. 108). The policy regime of food sovereignty has a very high presence in action items stated in the documents (Table 16). For example, the Local Food Action Plan, an aspirational document, states as one of its action items: “Increase consumer access to local food products” (Niagara Region, n.d., pg. 13).

Table 8. Analytical framework for policy regimes at local level: global competitiveness documents

		GLOBAL COMPETITIVENESS			
		Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items
Level of Influence	High Influence			<i>Niagara Region Regional Policy Plan Official Plan for the Town of Niagara-on-the-Lake</i>	
	Medium Influence	<i>Niagara Regional Policy Plan Regional Municipality of Niagara Agricultural Action Plan</i>	<i>Niagara Regional Policy Plan Regional Municipality of Niagara Agricultural Action Plan</i>		<i>Niagara Regional Policy Plan Regional Municipality of Niagara Agricultural Action Plan</i>
	Low Influence				

Table 9. Analytical framework for policy regimes at local level: farmland preservation documents

		FARMLAND PRESERVATION			
		Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items
Level of Influence	High Influence	<i>Niagara Regional Policy Plan Niagara Region Official Plan Amendment 2009-2: Sustainable Communities Policies Official Plan for the Town of Niagara-on-the-Lake</i>		<i>Niagara Regional Policy Plan Niagara Region Official Plan Amendment 2009-2: Sustainable Communities Policies Official Plan for the Town of Niagara-on-the-Lake</i>	<i>Niagara Regional Policy Plan</i>
	Medium Influence	<i>Regional Municipality of Niagara Agricultural Action Plan</i>	<i>Regional Municipality of Niagara Agricultural Action Plan</i>	<i>Niagara Regional Policy Plan Official Plan for the Town of Niagara-on-the-Lake</i>	<i>Regional Municipality of Niagara Agricultural Action Plan Niagara Region Local Food Action Plan</i>
	Low Influence				

Table 10. Analytical framework for policy regimes at local level: food sovereignty documents

		FOOD SOVEREIGNTY			
		Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items
Level of Influence	High Influence				<i>Niagara Region Official Plan Amendment 2009-2: Sustainable Communities Policies</i>
	Medium Influence	<i>Niagara Region Local Food Action Plan Regional Municipality of Niagara Agricultural Action Plan</i>	<i>Niagara Region Local Food Action Plan</i>	<i>Official Plan for the Town of Niagara-on-the-Lake</i>	<i>Niagara Region Local Food Action Plan</i>
	Low Influence				<i>Niagara Region Local Food Action Plan Regional Municipality of Niagara Agricultural Action Plan</i>

Table 11: Analytical framework for policy regime at local level: global competitiveness themes

		GLOBAL COMPETITIVENESS			
		Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items
Level of Influence	High Influence			Consolidation	
	Medium Influence	Support for Agricultural Industry	Economic Conditions Rapid Evolution of Agricultural Sector		Protection from Imports Economic Programs for Agriculture
	Low Influence				

Table 12: Analytical framework for policy regime at local level: farmland preservation themes

		FARMLAND PRESERVATION			
		Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items
Level of Influence	High Influence	Farmland protection Settlement Area Expansions Land Use Compatibility		Farmland Protection Land Use Compatibility Land Severance Settlement Area Expansions	Farmland Protection Amenity Value of Farmland
	Medium Influence	Farmland Protection	Urban Expansion		
	Low Influence				

Table 13: Analytical framework for policy regime at local level: food sovereignty themes

		FOOD SOVEREIGNTY			
		Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items
Level of Influence	High Influence				Local Food
	Medium Influence	Supportive Policy (for local food)	Agriculturally-related plant closures Rising transportation costs Local food Unsupportive Policy (for local food)	Local Fruit Production	Supportive Policy (for local food)
	Low Influence				

Table 14: Analytical framework for policy regimes at local level: frequency of global competitiveness

		GLOBAL COMPETITIVENESS			
		Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items
Level of Influence	High Influence	0	0	2	0
	Medium Influence	2	3	0	3
	Low Influence	0	0	0	0

Table 15: Analytical framework for policy regimes at local level: frequency of farmland preservation

		FARMLAND PRESERVATION			
		Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items
Level of Influence	High Influence	8	0	14	1
	Medium Influence	2	1	1	4
	Low Influence	0	0	0	0

Table 16: Analytical framework for policy regimes at local level: frequency of food sovereignty

		FOOD SOVEREIGNTY			
		Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items
Level of Influence	High Influence	0	0	0	1
	Medium Influence	2	3	2	7
	Low Influence	0	0	0	9

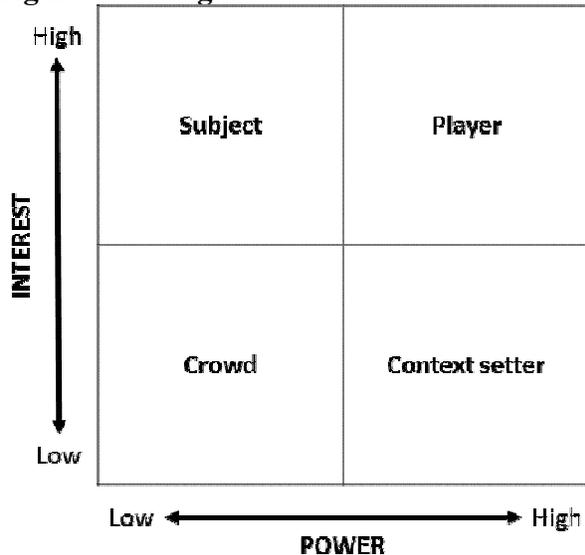
Stakeholder analysis

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 7):

- **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 7. Categories of stakeholders



Five primary stakeholders participate in and influence agricultural land use planning decisions in the Town of Niagara-on-the-Lake, and more broadly, in Niagara Region: the Friends of the Greenbelt Foundation, the Ontario Federation of Agriculture (OFA), the Christian Farmers Federation of Ontario (CFFO), the National Farmers Union of Ontario (NFU-O), and the Preservation of Agricultural Lands Society (PALS).

The Friends of the Greenbelt Foundation is a not-for-profit whose mandate is to “[promote and sustain] the Greenbelt as a beneficial, valuable, and permanent feature that enhances the quality of life for all residents of Ontario” (Friends of the Greenbelt Foundation,

2012, pg. 1). The Friends of the Greenbelt Foundation has an affiliation with each of the three policy regimes under study particularly farmland preservation and food sovereignty. According to the Friends of the Greenbelt Foundation (2012), it is committed to “promoting Greenbelt-grown food to residents, as well as the agri-food value chain; and establishing structural and permanent elements of a local food system in Ontario’s Greater Golden Horseshoe Region” (pg. 2).

The OFA is a provincial not-for-profit farm organization 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 chapters, the Niagara South Federation of Agriculture (NSFA) and the Niagara North Federation of Agriculture (NNFA) the OFA has political status in Niagara Region. The OFA, as a farm organization, retains specialist knowledge within its membership, which serves to broaden its influence over land use planning decisions in Niagara Region, 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 organization 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 organization. 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 organizations 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. The NFU-O, as a longstanding farm organization, retains specialist knowledge within its membership, which serves to broaden its influence over land use planning decisions in Niagara Region, 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).

The PALS is a not-for-profit lobby group that formed in 1976 following increasing concerns in Niagara Region about urban sprawl and the loss of agricultural soils, particularly fruit lands. With over 500 members, the PALS has "worked hard to preserve the unique fruit lands and the agricultural industry in Niagara and to promote food land preservation province and county-wide" (PALS, n.d.). PALS is affiliated with the policy regime of farmland preservation as demonstrated by the following statement:

There is indeed a compelling case to be made for the long-term protection of the remaining tender fruit lands [in Niagara], to ensure there is land to farm for future generations to come. It's no longer acceptable, or practical, to tinker at the edges, with investments in one program or another, and hope that the Greenbelt will protect these rare and threatened lands. This is nor a short-term issue and the opportunity to 'make history' is shrinking steadily. The government has nothing to lose, as the public has been and remains on side with saving fruit lands. People instinctively realize that these are very special lands- the best in North America, close to urban markets, and in these days of climate change and increasing concerns for water supplies given droughts in the US states, are well worth saving (PALS, 2014).

Table 17 demonstrates each stakeholder's level of influence over agricultural land use planning in the Town of Niagara-on-the-Lake, and more broadly, within Niagara Region. Four of the five 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. The PALS has an equal interest, but slightly more power relative to the other stakeholders.

Table 17. Stakeholder analysis: power-interest grid

INFLUENCE	High			
	Medium	<div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;"><i>Friends of the Greenbelt Foundation</i></div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;"><i>Ontario Federation of Agriculture</i></div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;">Christian Farmers Federation of Ontario</div> <div style="border: 1px solid black; padding: 2px;">National Farmers Union of Ontario</div>	<div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;">Preservation of Agricultural Lands</div> <div style="border: 1px solid black; padding: 2px;">Society</div>	
	Low			
		Low	Medium	High
		POWER		

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 Town of Niagara-on-the-Lake.

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 Town of Niagara-on-the-Lake, and more broadly, Niagara Region, has a moderate-highly stable legislative framework for agricultural land use planning. The Town of Niagara-on-the-Lake's legislative framework is well entrenched in policy at the upper-tier level. Policy in the Regional Policy Plan is based on clear, concise language that has proven to hold up in court challenge. The upper-tier plan aims to preserve agricultural lands and this objective is reinforced by supportive policy (Niagara Region, 2010). Priority protection is given to what the region considers "good tender fruit", "good grape lands" – which are equivalent to specialty crop lands – and "good agricultural lands" – equivalent to prime agricultural lands (Niagara Region, 2010, pg. 48). For example, in the Town of Niagara-on-the-Lake, a settlement area (or urban boundary expansion) cannot remove land from a specialty crop area, period (Town of Niagara on-the-Lake, 2013). From these two policy examples alone, it is evident that the legislative framework in the Town of Niagara-on-the-Lake, and more broadly, Niagara Region, is a framework that planners and the public can count on and know what the rules are. Regarding this last point, a key informant – an Planner in the Region – advised that planners often know what the rules are but farmers often do not: "The framework is there, and a lot of us are familiar with it, but not everyone," explained the informant (Jane E. Doe, personal communication, March 5, 2015).

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 Regional Policy Plan (2010) identifies a clear and definitive objective to preserve agricultural lands by giving priority protection to unique agricultural lands. This objective is

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 Official Plan for the Town of Niagara-on-the-Lake (2013) identifies a clear and definitive intent to protect prime agricultural land: “The policies of this Plan are directed towards preserving the agricultural land base particularly prime agricultural land. To this end, policies in the Plan do not permit land uses that are not related to the agricultural industry” (Town of Niagara-on-the-Lake, 2013, pg. 105). It is not surprising then, that a fundamental goal of the plan is “To consider the impact on agriculture as the primary guideline in evaluating development proposals in the agricultural areas” (Town of Niagara-on-the-Lake, 2013, pg. 106). Policies are relatively clear and unambiguous, which is indicative of a framework that serves to minimise uncertainty.

At the same time, the juncture of policy stemming from different levels of government (e.g. the Greenbelt Plan, the NEP, the Growth Plan for the GGH, the PPS, and upper and lower-tier plans) may, arguably, not serve to minimise uncertainty for the public about how the legislative framework will be used to make decisions. With that being said, a key informant – a Planner in Niagara Region – advised that the agricultural community in the Region is showing a lot of interest in provincial plan review (ongoing at the time of writing) and residents are trying to become more educated so that they can understand the plans and how they will be impacted by them (Jane E. Doe, personal communication, March 5, 2015). Certain policies that enable the exclusion of prime agricultural lands, or what the Region refers to as “good agricultural lands” for non agricultural uses subject to a range of conditions, such as, for example, that “There are no reasonable alternative locations...with lower priority agricultural lands” (Niagara Region, 2010, pgs. 48 and 51). While these added conditions are helpful, they do not remove the uncertainty of prime agricultural land being permanently lost to non-agricultural use in Niagara Region. A key informant – a Planner in Niagara Region – advised that this policy does not apply in the Town of Niagara on the Lake because of the ubiquity of specialty crop areas across its geography, which are afforded the highest priority for protection by the Province (Jane E. Doe, personal communication, March 5, 2015).

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 Town of Niagara-on-the-Lake, and more broadly, Niagara Region, has a moderate level of vertical integration. As an example, local policy provides a foundation for agriculture in the Town of Niagara-on-the-Lake by emphasizing that agriculture is the main land use permitted in lands designated for agriculture (Town of Niagara-on-the-Lake, 2013). This is supported by policy at the upper-tier level. However, some may 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 in the Town of Niagara-on-the-Lake and other local municipalities across the Region. A key informant – a Planner in Niagara Region – agreed with this assessment (Jane E. Doe, personal communication, March 5, 2015).

It is important to note that the Town of Niagara-on-the-Lake, as well as Niagara Region, cannot have an official plan or zoning by-law with provisions that are more restrictive than section 3.1 of the Greenbelt Plan that deals with agriculture, with the exception of policy for lot creation (Ontario Ministry of Municipal Affairs and Housing, 2005). In this regard, the lower-tier plan has a policy for lot creation that is more restrictive than both the Greenbelt Plan and the PPS, having to do specifically with surplus farm residence severances. The Province allows a surplus farm residence to be severed from a farm parcel when it is the result of farm consolidation (i.e. purchasing several farm parcels and consolidating them into a single farm operation). In the case of the Town of Niagara-on-the-Lake, policy in the lower-tier official plan speaks to consolidation of an adjoining property and they must merge to form a contiguous parcel. In other words, approval for a surplus farm residence severance can only be obtained when a *neighbouring* property is purchased and merged on title (Jane E. Doe, personal communication, March 5, 2015). Both the upper-tier and lower-tier plans incorporate enabling policies for, among other matters, improving economic conditions for the farmer, that are not closely linked to farmland protection *per se*, but go above and beyond provincial policy reflected in the PPS and provincial plans.

Each of the local documents analyzed had some provincial substance, but key provincial legislative documents were not cited consistently throughout those documents. Broader references to key provincial legislation would provide a stronger legislative agricultural component in the documents- the absent legislation varied by document. Both the upper-tier and lower-tier official plans cited the MDS guidelines and formulae- this is a key tool for agricultural land use planning in Ontario and is directed toward minimizing land use conflicts. The moderate level of integration in the documents demonstrates that some legislation and tools are being 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 Town of Niagara-on-the-Lake, and more broadly, Niagara Region, is moderately flexible. It provides a moderate 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 Niagara Region. 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. That being said, some may argue that the formulae are too inflexible.

Drawing on an action item in Niagara Region's Local Food Action Plan, it is evident that inflexibility is an issue in the Region: "Review and refine policies or practices (where possible) that hinder the production, processing or distribution of local foods" (Niagara Region, n.d., pg. 21). A number of action items are proposed to resolve the situation, including revising policies for on-farm value-added activities, and removing "red tape" where possible (Niagara Region, n.d., pg. 21). 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. 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. A key informant - a Planner in Niagara Region - agreed with this assessment, but noted that it can take several years to revise an official plan.

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 Town of Niagara-on-the-Lake, and more broadly, the Niagara Region, and a moderate-high level of influence (Tables 8, 11 and 14). A key informant - a Planner in Niagara Region - explained: "In terms of global competitiveness, we're dealing with the wine industry and they are competing globally and we have to keep that in mind when we are working with the wineries" (Jane E. Doe, personal communication, March 5, 2015). Mary Lou-Tanner, Director of Planning Services for Niagara Region also emphasized the significance of global competitiveness from the standpoint of wineries in the region (personal communication, May 12, 2014). 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. These policies, which certainly provide support for a certain style of farming, suggest that global competitiveness exerts a moderate-high level of influence over upper-tier and lower-tier agricultural land use planning decisions. At the same time, the analysis demonstrates that certain changes in agriculture that might be tied to global competitiveness, such as unsettled economic conditions in agriculture or the rapid evolution of the industry, are a concern.

Each of the local legislative and policy documents for agricultural land use planning in the Town of Niagara-on-the-Lake, and more broadly, in Niagara Region, reference farmland preservation in some way. This indicates that within the case study site, farmland preservation is an important consideration as part of the local land use planning process (Tables 9, 12 and 15). A key informant - a Planner in Niagara Region - felt that of the three policy regimes, farmland preservation has the greatest influence because it is clearly linked to land use planning.

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-moderate level of influence (Tables 10, 13 and 16). A key informant – a Planner in Niagara Region – is unsure to what extent it has influenced land use planning and suggested that planners perceive food sovereignty as being strongly connected to farmland preservation (Jane E. Doe, personal communication, March 5, 2015). Evan Acs, a Planner for the City of Port Colborne in Niagara Region, felt that food sovereignty isn't given much consideration in land use planning or legislation (personal communication, April 30, 2014).

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.

Farm parcels in the Town of Niagara-on-the-Lake, and elsewhere in Niagara Region, tend to be small by comparison to other areas of the province and this is indicative of the type of agriculture that is common in the area (e.g. grape and tender fruit production, greenhouse growing). This is especially the case in areas below the Niagara Escarpment (Mary-Lou Tanner, personal communication, May 12, 2014). Lands within specialty crop areas are subject to a 40-acre minimum lot size standard (Ontario Ministry of Municipal Affairs and Housing, 2005). This means that any farm parcel created on lands designated by the Greenbelt, as Tender Fruit and Grape Lands, must be at least 40 acres in size. Put another way, it means that a farm must be at least 80 acres in size before it can be subdivided into two independent farm parcels. According to one key informant, “to find an [80-acre] farm [in the Town of Niagara-on-the-Lake] and to have the opportunity to divide it into two 40-acre parcels is almost unheard of” (Jane E. Doe, personal communication, March 5, 2015). Evan Acs, a Planner with the City of Port Colborne in Niagara Region, confirmed that minimum lot size standards are a point of friction in the Region (personal communication, April 30, 2015). There are a lot of concerns with the existing minimum lot size standard of 40 acres in the Town of Niagara-on-the-Lake and there are arguments about making standards more lenient so that smaller farm parcels can be made available to young farmers. However, these arguments have to be balanced against the reality that there is a strong demand for rural estate lots. At the time of writing, there were plans to take a close look at the issue in Niagara Region (Jane E. Doe, personal communication, March 5, 2015).

Food sovereignty

The notion of food sovereignty appears to have emerged relatively early in Niagara Region, with calls for more supportive policy for local food emerging as early as 2006 in the Region's Agricultural Action Plan (food sovereignty itself is not cited *verbatim*). Food sovereignty has a

particularly strong presence in the Region’s Local Food Action Plan and its Agricultural Action Plan, which contained a number of statements (or actions) tied to food sovereignty, many of which are centered on bolstering support for local food. For example, the Local Food Action Plan calls for a refinement of existing policies (where possible) to make them more amiable to local food production, processing and distribution (Niagara Region, n.d.). Likewise, the Agricultural Action Plan calls for the establishment of a “Grown in Niagara” symbol to denote local food products in the Region (Planscape, 2006). 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 Niagara Region. A key informant – a Planner in Niagara Region – has been to several planning workshops and talks about food sovereignty, but confirmed that there has not been a lot change in terms of policy (Jane E. Doe, personal communication, March 5, 2015). 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 have only just begun to influence agricultural land use planning in Niagara Region.

Stakeholder analysis

The five primary stakeholders that participate in and influence agricultural land use planning decisions in the Town of Niagara-on-the-Lake, and more broadly, in Niagara Region, all have an interest in farmland preservation and food sovereignty. The Friends of the Greenbelt Foundation and the OFA have 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 with the PALS having the most power. In the Town of Niagara-on-the-Lake, steps are taken to integrate perspectives during the plan development stage. Multiple perspectives are considered against legislation and the best planning that the Town can offer. With the top down approach in Ontario, integrating multiple perspectives can be difficult (Jane E. Doe, personal communication, March 5, 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 Town of Niagara-on-the-Lake, Niagara Region, 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 Town of Niagara-on-the-Lake. The hierarchical structure of the framework has created a jurisdictional arrangement in Niagara that allows for a strong Region planning presence through its region-wide official plan, combined with opportunities for the Town of Niagara-on-the-Lake and other lower-tier municipalities to create their own land use plans. This framework grew out of early clashes of values in Niagara Region, beginning in the 1950s with an emergent concern about the loss of tender fruit lands, followed by a gradual hardening of provincial resolve in the form of the Foodland Guidelines in 1978. The battle over Niagara's sensitive agricultural soils culminated with a major OMB ruling in the early 1980s that essentially 'drew a line in the sand' beyond which further losses were deemed unacceptable. Successive local, regional and provincial policy has held that line with virtually no losses from the demarcated area over a time span now approaching 35 years. This historical narrative speaks to the strength and stability of nested policy and legislation for farmland protection in Niagara Region.
2. The protection of agricultural resources is a provincial interest stated in the *Planning Act*. While the region's residents have the right to appeal planning decisions to the Ontario Municipal Board (OMB) – a quasi judicial review board that retains the right to review and alter land use planning decisions – Niagara Region's approach to land use regulation is supported by a legislative framework that recognizes the need to protect farmland in the public interest.

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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

	Legislative Context (Provincial)	Background	Vision, Goals, Objectives	Local policies	Maps
0	None	None	None	None	None
✓	Brief statements that include at least one reference to the main provincial legislation or policy related to agricultural land use planning. Little too context provided other than perhaps a statement that acknowledges the local governments duty to uphold these acts and policies.	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.	Includes a vision, goal, or objective for agriculture but with minimal explanation or rationale.	One or two brief statements about agricultural land use policies, perhaps with little context.	Provides at least one (1) general land use map(s) with agricultural land use shown.
✓✓	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.	Includes multiple sections dedicated to information and statistics about agricultural background. May also reference an agricultural plan or report.	Includes a vision, goal, and objective for agriculture with a statement of explanation and some action items.	Several statements (three to five) about agricultural land use policy presented within local context. May also reference an agricultural plan.	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.
✓✓✓	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.	Comprehensive account of agricultural background . May also reference an agricultural plan or report.	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.	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.	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).

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Policy documents

	Legislative Context (Provincial)	Background	Vision, Goals, Objectives	Local Policies	Maps
	Same as above	Same as above	Same as above	Different	Same as above
0	None	None	None	None	None
✓	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.	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.	Includes a vision, goal, or objective for agriculture but with minimal explanation or rationale.	Several statements (three to five) about agricultural land use policy presented within local context.	Provides at least one (1) general land use map(s) with agricultural land use shown.
✓✓	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.	Includes multiple sections dedicated to information and statistics about agricultural background. May also reference an agricultural plan or report.	Includes a goof presentation of vision, goal, and objective for agriculture with a statement of explanation, a few recommendation items, and some action items.	Comprehensive section of agricultural land use policy statements (more than five).	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.
✓✓✓	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.	Comprehensive account of agricultural background. May also reference an agricultural plan or report.	Includes a detailed section on vision, goals, and objectives for agriculture with an extensive and detailed list of recommendations and/or action items.	Comprehensive agricultural plan. May also refer to background report.	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

		Placement (significance) within Document			
		Aims, Goals, Objectives	Mission, Vision, Mandate, Purpose	Driving issues, concerns	Action items
Level of influence	High influence	A clear, explicit statement as part of a short list (three to five) of items in an enforceable policy or regulation	A clear, explicit statement at the highest level of an enforceable policy or regulation		
	Medium influence	A clear, explicit statement as part of a short list (three to five) of items in an aspirational policy	A clear, explicit statement at the highest level of an aspirational policy	A clear, explicit statement as part of a short list (three to five) items in a policy	A clear, explicit statement as part of a short list (three to five) of items in a policy
	Low influence	A clear, explicit statement as part of a long list of items in an aspirational policy		A clear, explicit statement as part of a long list of items in an aspirational policy	A clear, explicit statement as part of a long list of items in a policy