



October 28, 2016

Kim Peters
Strategic Advisor
Ministry of Natural Resources and Forestry
Niagara Escarpment Commission
232 Guelph Street
Georgetown, Ontario L7G 4B1

Dear Ms. Peters,

*Re: EBR Registry Number 012-7228 - Amended Niagara Escarpment Plan, 2016
(part of the Coordinated Land Use Planning Review)*

The Beef Farmers of Ontario (BFO) appreciates the opportunity to provide comments on the proposed amendments to the Niagara Escarpment Plan. BFO represents the 19,000 beef producers across Ontario by advocating in the areas of policy planning, industry development and research, and domestic and export market development. The Niagara Escarpment Plan has an area that runs through Bruce, Dufferin, Grey, Simcoe, Halton, Peel and Niagara counties and regions, which are home to approximately 4,000 beef producers. Proposed amendments to the Niagara Escarpment Plan could have far-reaching consequences to the beef industry.

Of particular concern to BFO and its members is the proposed expansion of the Niagara Escarpment Plan's area. The Niagara Escarpment Commission has given notice that it wishes to add approximately 45,000 hectares (113,000 acres) to the Plan's existing area of 193,340 hectares (477,754 acres). BFO does not support this proposed expansion, which would be an increase to the Plan's area of more than 23%. In our view, any proposal to expand the Plan's area should be separate from the review and update of the Plan, and should only be considered after the review has been completed. At that point, a separate, comprehensive and fully open consultation with all affected property owners regarding potential expansion of the Plan's area should be undertaken so the proposal can be appropriately assessed on its own merit. The property owners deserve this consideration, and their support should be made a prerequisite before any lands are added to the Plan's area.

Further to this, BFO recommends that the Niagara Escarpment Commission provide a definition for "outlier", given the term is frequently used to describe the attributes of land identified for potential expansion of the Plan's area.

Moreover, BFO believes that the Plan's requirement for property owners to obtain a development permit, in addition to a building permit, is an unnecessary, costly and time-consuming duplication. In areas not subject to the Plan throughout the province, building permits are issued based on the application's conformity to the local official plan and zoning by-law, both of which are based on the land



use planning policies applicable in that municipality. The special planning policies deriving from the Greenbelt Plan, the Growth Plan for the Greater Golden Horseshoe and the Oak Ridges Moraine Conservation Plan are implemented at the local level, with no added bureaucracy and with the municipality as the sole approval agency for development. In contrast, the Niagara Escarpment Commission's role in development approval is duplicative and unnecessary, particularly given that municipalities are now required to maintain a current and approved official plan that fully conforms to the 2014 Provincial Policy Statement (PPS) and Ontario's geographically specific land use plans. The requirement to obtain a development permit from the Niagara Escarpment Commission simply adds red tape, costs and delays. While we recognize that removing this requirement would necessitate amending the *Niagara Escarpment Planning and Development Act*, we nevertheless believe that this duplication should be removed.

An important goal of the Coordinated Land Use Planning Review is to establish common language and terminology across the four plans. However, there is duplication of terminology in the Niagara Escarpment Plan, such as the inclusion of agriculture-related and on-farm diversified uses, as well as home occupations and home industries, as permitted uses. This duplicate terminology could lead to confusion between property owners, municipalities and the Niagara Escarpment Commission as they apply the Plan's policies. New terminology, such as on-farm diversified uses and agriculture-related uses, has been supported by the provincial government, with the expectation that the definitions would support agriculture and individual farmers' viability. BFO recommends that the Niagara Escarpment Commission adopt the new PPS-based terminology as they apply to the Plan's agricultural areas and properties.

Regarding specific aspects of the proposed Niagara Escarpment Plan, BFO has the following comments:

Escarpment Natural Areas

It is proposed that only existing agricultural uses, agriculture-related uses and on-farm diversified uses be permitted in Escarpment Natural Areas, though changes to the 2014 PPS dropped "existing" from its wording. Agricultural activities frequently adapt to new research, technologies and business strategies. Continued use of the phrase "existing uses" precludes adoption of new farming methods, crops or livestock, and could limit farmers in Escarpment Natural Areas to outdated or inefficient practices. BFO recommends that the word "existing" be removed in relation to agricultural uses, agriculture-related uses and on-farm diversified uses.

In regard to policies on New Lots (section 1.3.4), surplus dwelling severances are not permitted. It is BFO's recommendation that this option be provided to farmers who operate within Escarpment Natural Areas, so they are able to sever and sell a residence surplus to a farming operation. This should not include the requirement that the application for a surplus dwelling severance be completed within two years of acquiring the land, as is currently outlined in section 2.4.21. This requirement should be removed from the Plan, as no other provincial plan contains this restrictive provision.

Escarpment Protection Areas

As recommended for Escarpment Natural Areas, surplus dwelling severances should be permitted in Escarpment Protection Areas, again without the requirement to do so within two years.



Escarpment Rural Areas

The Plan permits “non-farm ponds”, but it is not clear if farm ponds are permitted within Escarpment Rural Areas. Farmers often require a pond as a source of water for irrigation, livestock or fire protection. This matter should be clarified, so that farm ponds are clearly identified as a permitted use within Escarpment Rural Areas.

Agriculture Policies

As per section 2.8.5, the Plan’s proposed agriculture policies, farm employers would be forced to house their staff in mobile or portable dwelling units – something that no other farm employer in Ontario has to do, as no other provincial plan contains such a restrictive provision. This requirement could discriminate against farm employees, and it is not clear what purpose this policy serves. Similar provisions that were in the Oak Ridges Moraine Conservation Plan have been dropped from its draft 2016 version. BFO recommends that this requirement be removed from the Plan.

Census data shows that Ontario lost 636,000 acres of farmland in the 5-year span from 2006 to 2011, with pastureland lost at a much higher rate than other farmland. BFO has serious concerns with the loss of farmland, especially pastureland. Given the anticipated population growth in Ontario and globally, added priority needs to be placed on the protection of farmland in order to maintain sufficient capacity for food production. Policies that actively deter economically viable agricultural uses, agriculture-related uses, agri-tourism uses and on-farm diversified uses have no place in the Niagara Escarpment Plan or its companion plans, and policies that hinder farm business viability and farmers’ ability to fully use their land for agricultural uses are unacceptable. On the other hand, policies that promote compact urban development through higher densities are welcomed. The four land use plans in the Coordinated Land Use Planning Review must strike a better balance between protection of farmland and non-agricultural development.

The Beef Farmers of Ontario would like to thank the Ministry of Natural Resources and Forestry and the Niagara Escarpment Commission for the opportunity to comment on the proposed amendments to the Niagara Escarpment Plan (as part of the Coordinated Land Use Planning Review). We would be pleased to answer any questions on the comments contained in this document, and we look forward to participating in further consultations on this important issue.

Sincerely,



Matt Bowman
President

cc: BFO Board of Directors
Ontario Federation of Agriculture

