

AGRICULTURAL SUB-COMMITTEE

REPORT ASC 2– 2007

Minutes of a meeting of the Agricultural Sub-Committee held in Committee Room 3, Regional Municipal Building, Thorold, Ontario on **Tuesday, July 24, 2007** commencing at 7:30 p.m.

ATTENDANCE

Committee:

Joe Schonberger	Niagara South Federation of Agriculture (President), ASC Chair
Brian Baty	Regional Councillor, ASC Vice Chair
Roger Miller	Niagara South Federation of Agriculture
Albert Witteveen	Niagara North Federation of Agriculture (President)
Arden Vaughn	Niagara North Federation of Agriculture
Rej Picard	Flowers Canada (Ontario)
Henry Swierenga	Ontario Federation of Agriculture

Staff:

David Farley	Regional Niagara Planning
Janice Emeneau	Regional Niagara Planning
Pat Busnello	Regional Niagara Planning, Committee Co-ordinator

Regrets:

Cathy Mous	Niagara North Federation of Agriculture
Robert Bator	Niagara North Federation of Agriculture
Barbara Henderson	Regional Councillor (Mayor, Township of Wainfleet)
Carol Pupo	Ministry of Agriculture, Food & Rural Affairs, Vineland Station

Pat Busnello passed on Mayor Barbara Henderson's regrets as she was unable to attend due to other commitments.

1. Minutes of Meeting ASC 1-2007

There was no discussion on or corrections to the minutes.

Moved by Rej Picard
Seconded by Albert Witteveen

That the minutes of Meeting ASC 1-2007 be accepted.

Carried

2. Request for Comments on Regional Policy Plan Amendment 5-2007 Proposed Wind Energy Policies

Janice Emeneau informed the Sub-Committee that on August 15, 2007 an Open House (6:00 p.m.) and Public Meeting (7:00 p.m.) for the proposed Amendment will be held in the Regional Council Chambers. Ms. Emeneau noted that the proposed policies have been circulated for comments and staff is seeking the Sub-Committee's input. The proposed policies have been developed in collaboration with the 12 local municipalities with the assistance of Jones Consulting, a firm with experience in preparing similar policies for the Municipality of Grey Highlands, the Town of the Blue Mountains, and Essex County and its local municipalities.

Ms. Emeneau indicated that the two principal reasons for preparing these policies are that the 2005 Provincial Policy Statement is very supportive of alternative energy and there is increasing demand from municipalities for a framework to address proposed wind energy development and from developers interested in wind energy projects. Ms. Emeneau provided a brief overview of the components of the proposed Amendment.

In response to a request from Albert Witteveen for clarification on where wind energy systems may be permitted, Ms. Emeneau indicated that medium scale systems are generally permitted throughout the Region, including Good General Agricultural Areas, and may be permitted in Unique Agricultural Areas if they support existing agricultural uses. Large scale individual systems may be allowed in both Good General and Unique Agricultural Areas if they support agricultural uses. Large scale multiple systems (i.e. wind farms) are not permitted in Unique Agricultural Areas but may be considered in Good General Agricultural Areas through an amendment to the Regional Policy Plan. Local municipalities will be responsible for regulating micro scale systems as well as small and medium scale systems in terms of location, height and other parameters.

Roger Miller questioned whether local by-laws would require building permits for wind energy turbines. David Farley indicated that he was not sure as this was not looked into as part of the work that was undertaken.

Albert Witteveen asked whether the proposed criteria in the Amendment were applied to the proposed Rankin wind farm project. Janice Emeneau indicated that the Rankin proposal was approved as a land use prior to the proposed policies but noted that the wind farm proposal went through the Environmental Assessment process.

Questions were raised with respect to the tax assessment of wind energy towers (i.e. individual systems on farms) and how larger ones will be assessed. Henry Swierenga indicated that based on a recent decision with respect to a case in Guelph, farm generating towers will remain assessed as agriculture. With regard to larger systems, Dave Farley indicated that staff will look into this and have the information available at the Open House/Public Meeting.

There was a brief discussion on setback requirements and the rationale for the setbacks (e.g. safety purposes).

Henry Swierenga noted his only concern is the possibility of uneven implementing policies and regulations at the local municipality level. Janice Emeneau reassured the Sub-Committee that all 12 municipalities participated in the preparation of the draft policies and that overall this framework was agreed to by all. Ms. Emeneau also noted that the consultant was asked to provide some guidelines for local municipalities to use.

3. Draft Letter to Minister of Agriculture, Food and Rural Affairs Regarding Assistance for Juice Grape Growers – For Discussion

David Farley noted that since the Sub-Committee's discussion at the last meeting on this matter, the Province has come out with the juice grape removal assistance program.

With regard to the need for replanting assistance (i.e. Grape Growers' requested replant program), Roger Miller commented that not all affected farmers can grow wine grapes due to the location of their farms and suggested that there should also be assistance provided for planting other crops. Mr. Miller also suggested that a message should also be sent to the Premier that the Greenbelt lands are not all suitable for grapes.

Arden Vaughn questioned the need for planting of more wine grapes as there is a glut on the world market and suggested that funding should also support the planting of other fruit. Albert Witteveen noted that he understands a business plan would be prepared as part of a replant request indicating the type of crop to be planted and the market for the proposed crop.

Several changes were made to the draft letter to clarify that a replant program is needed to assist farmers to replant affected vineyards with wine grapes "or a suitable alternative agricultural use" and to make reference to an "agricultural assistance program". A copy of the draft letter as revised is attached as Appendix I.

4. Further Consideration of Appointment to the Tree and Forest Conservation By-law Advisory Committee

Following a brief discussion, Rej Picard agreed to sit as the second Agricultural Sub-Committee representative on the Tree By-law Advisory Committee.

5. Enforcement of the Tree and Forest Conservation By-law (Delegation to the NPCA) – Niagara South Federation of Agriculture Letter to Regional Council

At the request of Joe Schonberger, staff circulated a copy of a two page chronology prepared by Mr. Schonberger with respect to the delegation of the Tree By-law enforcement function. A copy is attached as Appendix II for reference.

Councillor Brian Baty indicated that Niagara South Federation's letter, which was referred to the Planning Review Committee (PRC), was referred back to staff for additional information noting that the PRC could not respond based on the information that was available in Niagara South's letter and the minutes of the Tree By-law Advisory Committee (TBAC). Councillor Baty added that the intent in delegating the enforcement functions to the NPCA was to streamline and strengthen the process.

Joe Schonberger commented that in accepting the delegation the NPCA is recommending hiring a Forester, which was previously recommended by the TBAC.

Roger Miller expressed concern that the delegation was under consideration for some time and the TBAC was not formally consulted.

David Farley indicated that Councillor Debbie Zimmerman is arranging a stakeholder meeting to discuss transition matters and noted that the NPCA last year in considering the administration of the Tree By-law was looking at involving the TBAC. Joe Schonberger, however, commented that this has since changed as the NPCA is proposing to reduce the responsibilities and number of members of the TBAC.

Mr. Schonberger also expressed disappointment with the process to date and lack of input from the TBAC. Mr. Schonberger added that both the Niagara South Federation of Agriculture and the TBAC have indicated their opposition to the delegation.

Referring to additional correspondence he had available, Mr. Schonberger noted that the NPCA estimates it will cost about \$200,000 a year to carry out the Tree By-law enforcement function whereas he referred to an estimated cost of about \$50,000 for the Region's staff time.

Henry Swierenga asked whether the NPCA has requested an increase in its budget to carry out this role to which David Farley indicated that the NPCA is looking into the costs to carry out the delegation.

Councillor Brian Baty indicated that part of the consideration in delegating enforcement is to be able to respond when tree cutting usually occurs (i.e. during weekends).

Henry Swierenga noted that from his understanding one of the main concerns raised by the TBAC and the Federations was the process.

Joe Schonberger added that considerable time went into the preparation of the Tree By-law and he understood that the NPCA may be recommending revisions to the By-law.

6. Correspondence/News Items

There was some discussion or comments on several of the correspondence items as follows:

- PD 42-2007: The First Phase of Regulations Under the Clean Water Act

Henry Swierenga noted that recommendations for agricultural representation on the Niagara Source Protection Committee, which is relatively small with only 10 members, will be made shortly.

- PD 43-2007: Niagara-on-the-Lake request for coordinated review of Agri-tourism Policies

Albert Witteveen was hopeful that the Region and affected municipalities would be receptive to this request given the Greenbelt restrictions and felt that there are

opportunities for wineries to have bed & breakfast accommodations to expand the agri-tourism experience.

- “Prime Minister announces \$1 billion for Canadian farmers”

The Sub-Committee noted that this news is dated (March 2007) and, specifically, Henry Swierenga commented that “the rose is off the bloom” as the Federal government has recently indicated that it will not put any money into a proposed risk management plan.

- Minutes of the Regional Chair’s Agricultural Task Force: Meetings 1-2007 & 2-2007

Albert Witteveen, a member of the Agricultural Task Force (ATF), highlighted a number of items recommended/discussed by the ATF including the Task Force’s support for the Vineland Renaissance Project, endorsement for developing small and medium processors as a next priority from the Task Force’s Action Plan, which the ATF will be proceeding with, and development of a Niagara Brand. With regard to the latter, Mr. Witteveen noted that David Boese spoke to the ATF about branding the ‘Niagara Valley’ and suggested that there could be multiple brands. Rej Picard, who sits on the NEDC Board, indicated that branding is something that they are looking at as a priority Regional initiative.

Roger Miller thanked staff for compiling the various news articles, which he found to be very informative.

7. Other Business

(i) “911” Property Signs

Arden Vaughn referenced an article in the St. Catharines Standard regarding the green “911” property signs noting that St. Catharines properties do not have these signs and questioned whether the local municipality or the Region has responsibility for this matter. David Farley replied that staff will look into the matter.

(ii) Planning Function Review

Henry Swierenga asked for some feedback from Regional Planning staff on how the planning function review will impact staff. David Farley noted that the Memorandum of Understanding (MOU) addresses the approved changes set out in a CAO report, noting that local municipalities will assume responsibility for certain functions while the Region will focus more on policy and community integration matters.

Henry Swierenga asked whether there is any concern that there could be inconsistencies in planning from one municipality to the next noting the example of several years ago of a municipality attempting to prevent the construction of livestock operations through proposed zoning changes due to nutrient management concerns, which was subsequently addressed provincially through the Nutrient Management Act. Brian Baty responded noting that the MOU, which will only exist if all 12 municipalities are in agreement, addresses this concern. The MOU also recognizes differences between municipalities.

(iii) Niagara North Federation Barbeque

Arden Vaughn noted that Niagara North's recent "meet-and-greet" barbeque with area Regional, Provincial and Federal politicians, which was held at her farm this year and which provides an opportunity for farmers to communicate with political representatives, was not well attended with only approximately six or seven representatives. Ms. Vaughn wondered what could be done in the future to get a better response.

David Farley suggested that Niagara North send information to the Planning Department on future events, which would be placed on the Planning and Public Works Committee Agenda to advise Regional Councillors.

8. Next Meeting

The next meeting of the Sub-Committee is scheduled for September 4. Albert Witteveen requested as a topic for the next meeting a discussion on biodigesters (i.e. for electricity generation) and related issues such as storage noting that he recently had a discussion with Barry Friesen, Director Waste Management Services. This is seen as an upcoming issue and rather than react to future issues/problems Mr. Witteveen suggested that the Sub-Committee should be proactive. Henry Swierenga provided a contact with OMAFRA who is quite knowledgeable on this issue.

9. Adjournment

The meeting adjourned at 9:05 p.m.

Pat Busnello, MCIP, RPP
Sub-Committee Coordinator