



THE PRESERVATION OF
AGRICULTURAL LANDS
SOCIETY (PALS)

*Working to Protect the
Best Farmlands in Canada
Since 1976*

Spring 2024

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PRESIDENT'S LETTER

Dear PALS Supporters,

I am pleased to report that on January 22nd PALS challenged the Honourable Paul Calandra, Minister of Municipal Affairs and Housing, to act immediately to protect Niagara's very limited, at risk, Greenbelt grape and tender fruit lands, as promised by Premier Ford last September in a Greenbelt announcement in Niagara Falls.

Specifically, we requested that the Minister use his powers under the Planning Act to advise the Ontario Land Tribunal that a matter of provincial interest will be affected at an upcoming October 16th hearing on the City of St. Catharines and Niagara Regional Council approvals of Official Plan Amendments to allow an expansion of a non-agricultural use on Specialty Crop Lands. These Council decisions were made despite the strong recommendations of the City and Regional planners who advised that such approvals would be directly contrary to the Greenbelt Plan as well as both City and Regional Official Plans, all of which aim to permanently protect specialty crop lands.

In our letter to the Minister, PALS noted that "Specialty Crop Lands in Niagara are unique, irreplaceable and finite, comprising less than .004% of Canada's best farmland. Yet they have been experiencing a steady loss due to urbanization over several decades, with not quite one third of the original 35,000 acres of Tender Fruit land and one half of its original 35,000 acre of Grape land remaining. It is for this reason that Schedule 2 of the Greenbelt Plan specifically identifies and designates Specialty Crop Areas – Niagara Peninsula Tender Fruit and Grape Area- and sets out the highest level of policy protection of any land in the Greenbelt and indeed the entire province."

We haven't heard from the Minister yet and will be sending a strong reminder shortly asking him to intervene, not just to protect the current farm area at risk, but to prevent a precedent being set for other applications just waiting to add to the urban sprawl, and further loss of irreplaceable specialty crop lands to non agricultural uses.

We will keep you posted,

Doug Woodard, President



**Preservation of
Agricultural Land Society**

*Working to preserve
the best foodlands in Canada
for future generations*



DON'T MISS...

**"Why and How We Can Save
Our Precious Ontario Farmlands!"**

Moderator:

Victor Doyle, MCIP, RPP.



**At PALS 48th Annual General Meeting
Thursday April 25th, 7 pm on Zoom**

Featuring Speakers:



Martin Straathlof
Executive Director,
Ontario Farmland Trust



Michael Marcolongo
Environmental Defence
Yours To Protect Campaign



Max Hansgen
President
National Farmers Union, Ontario

To register for this meeting, email gracia.janes@bellnet.ca or call 905-468-2841

Recent Developments in Grimsby:

As of the time this PALS newsletter was being put together, the Province had still not responded to Grimsby's request to uphold its earlier action to remove all of Grimsby's lands north of the Niagara Escarpment from the Greenbelt. And, if the Province actually grants Grimsby's request all of the remaining tender fruit land in Grimsby between the Niagara Escarpment and Lake Ontario will have been put into an urban designation.

Grimsby debate shows need for agricultural easements to enhance zoning.

It should be remembered that even if the Province denies Grimsby's request, the future of these lands will again come up in a year's time because of the mandatory ten-year reviews of the Greenbelt Plan. The fragility of the Greenbelt is one of the reasons that PALS has lobbied for over thirty years for conservation easements to reinforce strong land use planning. For example, PALS led the way in the successful achievement of the 1995 NDP Provincial Niagara Tender Fruit Land program, which was cancelled 4 months later by the incoming Conservative Government.

For their part, in the 1980s when the future of the Grimsby fruit belt was being debated in Niagara Regional Plan consultations, farmers in the Grimsby area indicated that such assistance from the public purchase of a restricted covenant or agricultural easement, would help them remain in farming. As we worried at the time, this aid was not forthcoming and the land was sold to developers, who are now lobbying for Greenbelt removal, with the support of the Town of Grimsby.

Greenbelt Protects Niagara Water Supplies:

One little known aspect of the importance of the Greenbelt is its protection of Niagara Region's water supplies. This is based on a cutoff from the Welland Canal into a drinking water reservoir protected by a forest belt. The system uses Lake Gibson, subsequently created by Ontario Hydro, as an emergency backup supply.

The northern Niagara water supply system that was created around the time of Confederation, shortly after the harm caused by germs to public water sources was realized by scientists, has been under threat twice since PALS was formed in 1976. One was an attempt to urbanize lands south of the reservoir for a 1,750-acre urban expansion. Its defeat, through two OMB hearings, and a developer's appeal to Cabinet, was one of PALS most significant victories. Subsequently, PALS with the assistance of veteran member David Griffiths, protected the same area from a proposal to construct a school above it. PALS won a further victory for water security through achieving an extension of the Greenbelt from the cut off for the water channel at Allanburg (in Thorold), to the reservoir, located near Morningstar Mill in St. Catharines, in its 2015 Review.

RCMP Investigates Niagara Ministerial Zoning Order:

The RCMP still has not completed their investigations into the Province's temporary decision to reduce the Greenbelt. These investigations have been extended to a Ministerial Zoning Order (MZO) which resulted in the urbanization of good quality grape land in Niagara Falls immediately south of the Greenbelt boundaries.

The Ministerial Zoning Order there compounded the damage to the ecology of the Ten Mile Creek watershed, which is important for breeding amphibians. The decision, which could not be appealed by PALS to the Local Planning Appeals Tribunal, reversed an earlier Ontario Municipal Board (OMB) decision which affirmed PALS' and Jean Grandoni's case that these lands remain in agricultural designations in the Niagara Region and City of Niagara Falls Official Plan. At that time, an impressive team of agronomy and ecology expert witnesses, aided by lawyer David Donnelly, grounded our position. An attempt to reverse the OMB decision was subsequently defeated by PALS and Jean Grandoni through a decision of the Ontario Superior Court of Justice. Unfortunately, a decade later the findings of these experts, were nullified by the Regional approval of its 2023 Official Plan and a heavy handed Provincial process.

Province Reverses Surprise Urban Expansions in Niagara:

Nevertheless, in an encouraging move, after it restored the Niagara Greenbelt, the Provincial government reversed two urban expansions in Niagara. These involved about six hundred acres of land in agricultural designations. Half of these lands were located in Port Colborne, the rest in the City of Niagara Falls. Both urban expansions had earlier been rejected by regional and local planning staff, and for these reasons, were not formally voted on by the Niagara Regional Council. The Niagara Falls expansion, if it had been approved, would have brought the urban boundary right up against Jean Grandoni's family farm and urbanized lands that have been demonstrated to have capability for tender fruit growing (as testified by expert Dr. Ralph Kruger at an OMB hearing).

Niagara Falls Develops a New Official Plan:

PALS's searing experience with the creation of a new Niagara Regional Official Plan, (the old one had guided development from its completion in 1981 till 2023), show how challenging the creation of a new Official Plan for Niagara Falls is. It was recently launched and is scheduled to be completed in December 2024. PALS has asked for a three-year period to involve more ecological study and public engagement.

****Quotes from PALS brief to Niagara Falls Council:**

“In general, the new Niagara Regional Official Plan has a mixed legacy in terms of its impact on agriculture. It is an improvement in that it has prohibited nonfarm severances on 3,000 acres of Rural lands which are now designated as Prime Agricultural Land. This prohibits low density sprawl which would otherwise take place on large lots of at least 14 acres in order to permit servicing by septic tanks. It also prohibits a variety of industrial and commercial uses, some of which, such as open storage, are blights on the rural landscape. Protecting this landscape from eyesores is important for the Niagara Falls' economy, which is dependent on tourism. However, a negative feature was the approval of three urban boundary expansions, which were approved by the Niagara Regional Council over the objections of the Niagara Falls Planning Department, who stressed that the urban expansions would exacerbate rather than mitigate housing problems, which should be addressed through higher density development along transit corridors.”

Progress Report on Opposition to Walker Aggregates Quarry Proposal:

“In the past 14 months, there has been a continuous effort and resistance to the Uppers Quarry. We canvassed 2 Petitions throughout Niagara Falls including the Farmers' Market; wrote letters to Council, the ARA, Walker Aggregates & various government Ministries; were interviewed and articles have been published in newspapers & e-media; distributed flyers; participated in the Community Focus Group; joined the PALS Zoom Meetings (Preservation of Agricultural Lands Society), NWPA Zoom Meetings (Niagara Water Protection Alliance), and other Niagara Community Meetings.

As well, we made presentations to Niagara Region and Niagara Falls City Council; attended Niagara Falls Council Meetings and submitted 2 Resolutions to Council, to PAUSE quarry development. Following the December 2023 Auditor General's report on the Aggregate Industry, we sent a letter to the Niagara Falls Council, with documents in support of a Moratorium.

Then on February 6th, our Resolution was presented to Council for the City of Niagara Falls to join 20 Municipalities and 41 Associations who have signed a Request for a Moratorium on Aggregate Mining (which will subsequently be sent to the Ministry of Natural Resources and Forestry (NRF). Council stated it would be discussed at 'in-camera' meeting. Unfortunately, after a closed door meeting, on March 2024 Niagara Falls issued a press release stating they would take no position due to liability concerns.”

-Fernwood resident, Helen Cayer

ACROSS THE PROVINCE

Across the Province Urban Boundary Expansions Rolled Back:

The surprise reversals of the former Minister of Housing and Municipal Affairs Stephen Clark's urban boundary expansions by his replacement Paul Callandra, involved in total some 4,700 hectares of agriculturally zoned and designated land. (11,750 acres). In addition to Niagara Falls, Port Colborne and Fort Erie in Niagara, Clark's expansions were rolled back in the cities of Barrie, Belleville, Guelph, Hamilton, Ottawa, Peterborough and the regional governments of Halton, Peel, York, and Wellington. The Province gave the municipalities 45 days to request any reversals of Clark's expansions, and none did. Callandra's move was encouraged by widespread public outrage over the unrelated gutting of the Greenbelt.

(ACROSS THE PROVINCE, cont'd. on Page 4)

ACROSS THE PROVINCE

Ontario Farmland Trust Celebrates 20th Anniversary:

On March 21, 2024, the Ontario Farmland Trust celebrated its 20th anniversary with a conference in Elora Ontario. Over this period the Trust, through Agricultural (Conservation) Easements, has protected 2,600 acres of prime agricultural land in 24 properties. Many of these easements were donated by owners to ensure that their farms remained in agriculture in perpetuity and are not devoured by adjacent quarry operations.

At the conference the Trust announced its first fee simple donation of land, the Bourgeois Farm. It is named in honor of the couple who donated the property- Anne and Eugene Bourgeois. The trust will use the land to help a new farmer establish a farming operation. This 98-acre property in Simcoe County is also called the Brechin Bee farm.

The Trust's website notes that, "A large wetland" on the Brechin Bee farm "provides a home for beaver, turtles and many species of birds and Monarchs make use of the property for breeding and foraging." Here the Trust found that white-tailed deer, coyotes, moose and even black bears have all been observed using the farm to move around."

Also at the Farmland Trust forum, the Mayor of the Township of Central Wellington Township, Shawn Waters detailed his municipality's struggle to save 1,500 acres of prime agricultural land. He described how developers are attempting to have 2,500 acres put into urban zoning. Waters stressed how Township planning studies demonstrated that provincial housing objectives can be met on only 1,000 acres of urban expansion.

A presentation was made in a Focus Group about threats to farmland in Wilmot Township of Waterloo Region. Some 1,200 acres of farmland, which is a significant water recharge area is threatened by a possible change in zoning on farmland to permit urban use. Councilors and landowners have signed a Non-Disclosure Agreement which keeps what is being proposed secret.

In Memory of Don Alexander, Environmentalist and Strong PALS Supporter



Don Alexander was one of a small, but dedicated group of Regional Niagara Councillors, including the late Mel Swart, well known former NDP Member of Provincial Parliament, who made preserving Niagara's tender fruit and grape lands a priority during Niagara Region's formative years between 1972 and 1976. He was a strong PALS' supporter and helped us carry our fruit land preservationist campaign province-wide through his factual and evocative 1980's educational film, *Pick and Choose to Preserve Niagara Fruitlands*, and his direction of our 2018 video with the same title by Stacey Koudys and Jon Lepp. We miss his knowledge, spirit, advice and support very much.

QUOTABLES

National Farmers Union Ontario Letter to Regional Niagara Regional Planning Staff Re - 2022 Official Plan:

Dear Regional Staff,

I am sending this letter on behalf of the National Farmers Union – Ontario (NFU-O) in response to Staff Reports PDS 41-2021 and PDS 42-2021 to urge Regional Staff to oppose any urban boundary expansion that would result in the loss of prime farmland and to reimagine population growth through responsible densification rather than urban boundary expansion.

The NFU-O is an accredited farm organization representing thousands of sustainable family farmers in Ontario and has advocated for farm families across Ontario and Canada since 1969. The NFU-O believes that the family farm should be the primary unit of food production in Ontario. Members work together to achieve agricultural policies that ensure dignity and income security for farm families, while protecting and enhancing rural environments for current and future generations. The NFU-O collaborates locally, nationally and internationally to research, educate, and share effective solutions that lead to a better world for farm families and their communities. The Greater Golden Horseshoe (GGH) is home to one of North America's largest agricultural and agricultural-food clusters, with a unique diversity of primary farm production, food processing, food service, food distribution and retail that represents the fastest growing employment sector in Ontario.

Both the provincially protected farmland within the Greenbelt and 'unprotected' farmland composes a crucial resource at the centre of this massive economic sector, and once paved, this farmland will be lost forever. In 2018, the NFU-O and 14 other organizations in the agricultural sector called on the province to freeze all urban expansion and introduce firm, permanent municipal growth boundaries in the GGH to prevent the region's remaining farmland from being paved over and additional farming communities from being displaced. Contributing to the loss of Ontario's farmland undermines farmers' ability to grow food, new farmers' ability to access farmland, and threatens the food security of the province.

Furthermore, a City of Ottawa study showed that implementing responsible densification of urban areas would save municipalities \$603 per person. Alternatively, the type of low-density development proposed within Niagara Region, will cost the city \$465 per person as the cost to build and maintain infrastructure for roads, power and sewage will be greater than income generated by property taxes.

Focus should be placed on revitalization of existing infrastructure in under-populated rural hamlets and urban areas where responsible densification can take place. As proposed in section 2.2.2 in Chapter 2 of the draft Niagara Official Plan, taking advantage of existing transportation and civil infrastructure for intensification instead of expansion is a much more cost-effective means of handling population growth over time, and may lead to complete communities in areas that are typically underserved.

It is imperative to implement good land use plans that preserve prime farmland and create a strategy for responsible densification of urban areas. The projections in the drafted Official Plan for population growth and densification targets create a misleading picture of the need for urban boundary expansion. Furthermore, the existing densification targets are too low and should be raised.

The need to raise densification targets to create complete communities is exemplified in the July 8, 2021 letter from Alex Herlovite, Niagara Falls Director of Planning, Building and Development, that states it is necessary to increase densification targets in urban areas and cease projected development into greenfield areas in order to meet a demand for mixed income housing. Through the use of realistic population growth projections and increased densification targets it is clear that no urban boundary expansion is needed. Focus should be put into realization of equitable and responsible densification of existing built areas.

The majority of the agricultural areas proposed for redesignation and development are Class 2 and 3 soils, some of the best farmland in Ontario. For these reasons the NFU-O urges Niagara Regional Staff to re-envision a growth plan that puts complete communities, urban intensification, and local food production as the priority rather than urban boundary expansion that will lead to unsustainable urban growth.

Sincerely,
Don Ciparis

President, National Farmers Union – Ontario

**MEMBERSHIP, ORDERS OF EDUCATIONAL MATERIALS
AND DONATIONS**

NAME _____

ADDRESS _____

E-MAIL _____

I WOULD LIKE TO SUPPORT PALS BY:

Being a Member: \$5 Senior/Student _____ \$10 Individual _____ \$20 Family _____ \$40 group _____

Sponsoring a Blossom Walker \$ _____

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DVD Pick & Choose to Preserve Niagara Fruitlands @ \$20 (mail included) # _____ Cost \$ _____

Making a Charitable Donation of: \$ _____ Total Money Enclosed \$ _____

Make cheques payable to: PALS - Send to Box 1413 Niagara-on-the-Lake, Ontario L0S 1J0

Donations to PALS may also be made through Canada Helps at CanadaHelps.org or by e-transfer: for the payee, please use The Preservation of Agricultural Lands Society. For the recipient's email, use gracia.janes@bellnet.ca

May is blossom time in Niagara! (Photography by Natalia Shields)



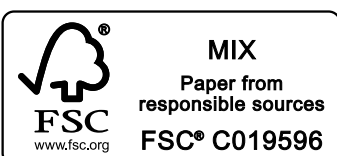
A Vineland peach orchard full of promising bloom



Cherry orchard in Pelham



PALS intrepid Board members Gracia Janes & Liisa Harju doing the Blossom Walk in 2023.



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