



THE PRESERVATION OF
AGRICULTURAL LANDS SOCIETY (PALS) *Winter 2022*

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

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PRESIDENT'S LETTER

Dear PALS Supporters,

The passage of Bill 23 the “More Homes Built Faster” Act by the Ontario Legislature on November 28th 2022, could well signal the end of good land use planning in Ontario, and will definitely put our Niagara Tender Fruit and Grape Lands at great risk from needless urban sprawl, something PALS hasn't experienced since our formation in 1976. If not challenged successfully by the huge public, professional and political outcry against it across the province, Bill 23, and the accompanying changes to the Greenbelt Plan, will most certainly lead to further erosion of the promised “permanent” protection for Niagara's Tender Fruit and Grape lands as well as thousands of acres of prime farmlands and valued ecosystems within the Greenbelt and elsewhere in Ontario.

Therefore, given that we are attempting to thwart the most regressive and potentially damaging legislation and policies Ontarians have seen in close to 50 years, this Winter 2022 Newsletter almost completely features PALS actions to date. These include our November 17th briefs to the Environment Registry of Ontario (ERO) regarding “Response to Bill 123 and Amendments to the Greenbelt Plan, the Greenbelt Area Boundary Regulation and the Oak Ridges Moraine” by PALS researcher Dr. John Bacher (PhD); our PALS November 21st letter to the Premier re: Bill 23; a November 21st Press release, and a subsequent December 1st article in the Niagara-on-the-Lake newspaper The LAKE Report.

We will continue to update you as this extremely worrisome Provincial Government land use planning unfolds. In the meantime let's keep up the pressure by writing to the Premier and Cabinet, our own Members of Provincial Parliament MPPs and the media.

Doug Woodard
PALS President

AROUND THE NIAGARA REGION



THE PRESERVATION OF AGRICULTURAL LANDS SOCIETY

Working to Protect the Best Farmlands in Canada since 1976

PALS, Box 1413 Niagara-on-the-Lake L0S 1J0

Premier Doug Ford
Legislative Buildings, Queens Park, Toronto

November 21st 2022

Dear Premier Ford,

The Preservation of Agricultural Lands Society (PALS) draws your attention to the significant threat that Bill 23 and accompanying policy changes will pose to Niagara's unique tender fruit and grape lands and the farm industry which provides healthy fruits to markets far and wide, is known worldwide for its wines, and plays a vital role in Niagara's tourism-based economy.

PALS has worked hard to protect these fruit lands for over 46 years. For instance, at the 1978-81 Regional Niagara Official Plan, Ontario Municipal Board (OMB) hearings, we managed to protect 3,400 acres of fruit land and were cited by the OMB Chairs as being the “sole” defenders of the land. In the subsequent 1985 Regional Official Plan, urban boundary, “permanence”, was promised, as well as infilling and intensification, along with redirection of growth to south Niagara and away from the climatically favoured Tender Fruit and Grape lands in the northern municipalities.

Additional fruit land protections were still needed though, due to continued OMB losses and other urban – use pressures that kept eating away at the tender fruit and grape land acreages, which had shrunk by 2/3 and 1/2 respectively since the Region's formation. Therefore, in 2005, and again in 2017, PALs, and farmland supporters across the province and country, lauded the Provincial Government's continued commitment to the permanence of Niagara fruit lands within the Greenbelt. (Cont'd. on pg. 2)

AROUND THE NIAGARA REGION, Cont'd.

(PALS Brief cont'd from pg. 1)

Your Government's shocking announcement to remove some of Niagara's fruit lands from the Greenbelt is a huge step back from permanent fruit land preservation in Niagara. If allowed, this Municipally unplanned and unrequested development on the two parcels of land in Grimsby, will set a precedent for future urban sprawl over Niagara fruit lands, and eventually eliminate the viability of the Niagara fruit belt.

To conclude, PALS draws your attention to our attached submissions to the Environmental Registry of Ontario (ERO) which request the withdrawal of Bill 23; that the Greenbelt boundaries be closed until the next 10 year plan review; and, that the principle of "permanence" for Niagara Fruit Lands boundaries be reaffirmed.

Douglas Woodard, PALS President

c.c. The Hon. Steven Clark, Minister of Municipal Affairs and Housing
The Hon. Lisa Thompson, Minister of Agriculture, Food and Rural Affairs
The Hon. Vic Fidel, Minister of Economic Development, Job Creation & Trade
The Hon. Neil Lumsden, Minister of Tourism
Sam Oosterhoff, PC MPP Niagara West
Peter Tabuns, Interim Leader New Democratic Party
Mike Schreiner, Leader of the Green Party
John Fraser, Interim leader of the Liberal Party
Jeff Burtch, NDP MPP Niagara South
Wayne Gates, NDP MPP Niagara Falls
Jenny Stevens, NDP MPP St. Catharines

PRESS RELEASE- for immediate release: November 21, 2022

The Preservation of Agricultural Lands Society calls out Premier Ford for sudden provincial policy leap backward that will make protection of Niagara's unique fruit land harder and harder, with the very possible "elimination of the viability of the Niagara fruit belt!" !

In a letter to the Premier today, PALS President Doug Woodard warned that Bill 23 "More Homes Built Faster act 2022", along with the planned "Amendments to the Greenbelt Plan," and the "Greenbelt Area Review", pose a dire threat to the best farmlands in Canada, Niagara's unique tender fruit and grape lands, and the farm industry which is a significant economic driver in Niagara.

According to PALS member, Gracia Janes, "Premier Ford's sudden determination to break an earlier promise to leave the permanently protected Greenbelt lands alone, by including market-based sprawl into fruit lands in Grimsby, is inexplicable! The Grimsby lands were not needed nor requested by Grimsby or the Region, and therefore, not in the proposed 2022-2052 Niagara Regional Official Plan. And in a detailed brief to Environmental Registry of Ontario (ERO) today, PALS researcher Dr. John Bacher (PhD) warns that this Provincial government land-grab, without proper consultation and planning, breaks a close to 50 year effort by farmland preservation supporters, and will lead to even greater land speculation and bit by bit, erosion of Niagara's remaining fruit lands.

THE LAKE REPORT December 1st, 2022

Ford's Greenbelt changes threaten Niagara farms, group warns.

Evan Loree,
Local Journalism Initiative
The Lake Report

A conservation group in Niagara-on-the-Lake is sounding the alarm over changes to the Greenbelt passed by the Doug Ford government. "It's uncalled for, and it's extraordinary," said Gracia Janes, a NOTL resident and treasurer of the Preservation of Agricultural Land Society (PALS). In total, Bill 23, the More Homes Built Faster Act, December 1, 2022, which was passed Monday by the Conservative party's majority in the Ontario legislature, will remove 7,400 acres of once-protected land from the greenbelt.

The government's changes also would add about 9,400 acres to the protected area. The changes to the Green-belt under the act do not directly impact any land in Niagara-on-the-Lake. They do, however, remove some lands now designated for tender fruit growth around Grimsby, according to the amendments posted on the government's environmental registry. (The Lake Report, cont'd on pg. 3)

AROUND THE REGION, Cont'd.

(The Lake Report, Cont'd.)

Prior to the bill's passage, PALS warned the provincial government, the changes "could trigger more removals, that could eliminate the viability of the Niagara fruit belt."

Janes worries that the move sets a dangerous precedent. "This is symbolic," she said, adding that "the pressure will be even more than it is right now, development-wise" the next time the use of tender fruit land comes under consideration.

According to a document outlining the group's concerns with the legislation, "The boundaries of Niagara's fruit belt lands are supposed to be permanent."

Tender fruit lands are used to grow peaches, cherries, plums, pears and grapes. Those fruits are essential to the economy of Niagara-on-the-Lake and to the wider region, but they only make up 0.004 per cent of Canada's entire land mass.

"It's a very small area compared with the rest of the farmlands in Ontario and Canada," Janes said. About 94 per cent of Ontario's grapes and 90 per cent of its peaches are grown in Niagara.

The Greenbelt was established in 2005 by Dalton McGuinty's Liberal government with the intention of reducing urban sprawl and protecting farmable lands from development, according to the Greenbelt Foundation's homepage. Sprawl is a concept city planners use to describe development that takes up a lot of land but has low population density. The legislation, tabled Oct. 25, drew heavy criticism from conservation authorities, agricultural advocates and city planners for violating the established Greenbelt principles.

"This is supposed to be for affordable housing, not sprawl. And what they've got is going to be sprawl," Janes said.

The preservation group Janes represents has been a forceful defender of the agricultural industry since its founding in 1976.

ACROSS THE PROVINCE

THE PRESERVATION OF AGRICULTURAL LANDS SOCIETY

Working to Protect the Best Farmlands in Canada since 1976

PALS Comments re: Proposed amendments to the Greenbelt Plan (ERO 019-6216), Greenbelt Area boundary regulation (ERO 019-6217), and Oak Ridges Moraine Conservation Plan (ERO 019-6218).

Dr. John Bacher (PhD) PALS Researcher 2022-11-17

The proposed revision of Greenbelt Boundaries, if implemented by the provincial government, would destroy the Greenbelt as a meaningful tool for good land use planning in Ontario. This is because it would violate two important principles that have made the Greenbelt since it was established in 2005, a good land use planning instrument.

One aspect of the Greenbelt as a good land use planning tool relates to the large area of Class One Agricultural land it protects. These Class One Lands for good general agricultural crops, are much better than other such lands in Canada because of their high heat units. The other is that it protects small but precious areas of speciality crop lands. These are located in the Niagara Fruit Belt and the Holland Marsh.

If the Greenbelt Plan is to remain an effective land use planning tool, any expansion of urban boundaries should wait another five years. It should be done as the previous review was carried out, as part of a co-ordinated review of provincial plans. Oddly, the largest area of prime land where an urban boundary expansion is proposed is adjacent to Duffin's Creek, which would, if approved, result in storm water pollution for this cold water stream which supports Brook Trout. This would undermine a key goal of the Rouge National Park.

Regarding Specialty Crop lands, two urban boundary expansions are on unique tender fruit land in the Town of Grimsby. If approved they would be in violation of the principle of the permanent protection of designated speciality crop lands, a component of the Greenbelt Plan, authorized through the provisions of the Greenbelt Act. They provide most of the land in Canada where foods from several fruit tree crops that are valuable for human health i.e. cherries, peaches, apricots, pears and plums are grown. This tender fruit growing has been historically concentrated in Niagara, since it has been demonstrated overtime, that cultivation in other

(PALS Comments re: Proposed amendments to the Greenbelt Plan, cont'd on pg. 4)

ACROSS THE PROVINCE, Cont'd.

(PALS Comments re: Proposed amendments to the Greenbelt Plan (ERO 019-6216), Greenbelt Area boundary regulation (ERO 019-6217), and Oak Ridges Moraine Conservation Plan (ERO 019-6218), cont'd. from pg.3)

areas, even in the small fruit belt in Essex County around the village of Harrow, are prone to higher rates of injury from cold temperatures and frost. And, while in theory it might be possible to expand grape production for food purposes such as table grapes and juices to other lands, this is unlikely since the Canadian grape industry is concentrated in Niagara.

In conclusion, the Greenbelt boundaries should be closed till the next 10 year plan review, and the principle of the permanence of the protection of Speciality Crop Land reaffirmed.



THE PRESERVATION OF AGRICULTURAL LANDS SOCIETY

Working to Protect the Best Farmlands in Canada since 1976

Response to Bill 23 More Homes Built Faster Act

November 17th, 2022

The Preservation of Agricultural Lands Society, (PALS) response to Bill 23, the 'More Homes Built Faster' Act 2022 is focused on the aspect of the legislation and recently announced Provincial Policy changes that will impact our core mandate, the protection of prime agricultural lands in Ontario, particularly the climatically favored Tender Fruit and Grape lands of Niagara.

1. Recently Announced Policy Changes Impacting Prime Farmland not found in Bill 23

Commenting on the proposed legislation is difficult insofar as the recently announced Provincial Policy changes are not part of the Bill 23, yet will have a tremendously detrimental impact on how planning to protect prime farmland and fruit lands in Ontario is carried out. The most significant of these will be the future consolidation of the Provincial Policy Statement (PPS) and the Growth Plan.

For the Preservation of Agricultural Lands Society, the most damaging change is the elimination of the basic premise of the current Growth Plan i.e. its more restrictive planning framework for urban expansions onto the Greenbelt in the Greater Toronto Area(GTA) and Niagara. Instead, going forward, the newly announced Growth Plan requirements for intensification, which currently are not part of the PPS, will prevail. Therefore, the proposed enlarged Growth Plan area, which has within it the best good general Class One to 4 prime farmland in Ontario, and the unique tender fruit and grape lands of Niagara in Grimsby, will fare severe pressures for urban expansion, all of it facilitated by Bill 23.

2. Elimination of Upper Tier Planning Act Approvals in GTA, Niagara and Waterloo, and Simcoe Counties.

Of all the changes actually proposed in Bill 123, the most disturbing is the elimination of the Planning Act approvals process for lower tier official plans within the GTA, Niagara and the regions of Waterloo and Simcoe County. This change will destroy what has been a central feature of land use planning in Ontario since the 1970s i.e. , that upper tier municipalities allocate urban growth to lower tier municipalities. This has been a core principle of the upper tier Niagara Regional Official Plan, which PALS is most familiar with, and has been critical to the protection of the tiny area of unique grape and tender fruit growing land in Niagara. It comprises the great majority of land in Canada suitable for the growing of peaches, apricots, cherries, plums, and pears. Although the expansion of grape lands is possible elsewhere, the industry for table grapes, juices and jellies is in Canada is concentrated here.

Before the creation of the Greenbelt in 2005, these rare and valuable fruit lands were protected only by the 1985 Niagara Regional Official Plan.

3. Proposed Changes to Greenbelt Make Revocation of Upper Tier Planning More Disturbing

Bill 23's proposed elimination of Upper Tier Planning is also very worrisome in so far as it will over-ride the protections of the Greenbelt Plan which were subject of very wide public consultation both in 2005 and 2015. What is the most troubling for PALS is that the Government has proposed urban zoning on part of the unique fruit belt area situated in the Town of Grimsby. This would destroy a key principle of the Greenbelt Plan, carried over from an Appendix in the 1984 Niagara Regional Official Plan, that the boundaries of

(Response to Bill 23 - More Homes Built Faster Act, Cont'd on pg. 5)

ACROSS THE PROVINCE, Cont'd.

(Response to Bill 23 - More Homes Built Faster Act, Cont'd.)

Niagara's fruit belt lands are supposed to be permanent. This change, if approved, could trigger more removals, that could eliminate the viability of the Niagara Fruit Belt.

In conclusion PALS recommends that Bill 123 be withdrawn. The legislation could introduce uncertainty which would encourage widespread land speculation in the unique and precious Niagara Fruit Belt, which has been protected by both the Regional Plan and the Green Belt for almost 40 years and is not only a source of tender fruit and grapes, but a key to farm viability and a significant economic driver in Niagara.

QUOTABLES

The Niagara District Council of Women
Established, 1918

Excerpts from Comments on PDS 17-2022 Niagara Regional Official Plan
Recommendation Staff Report June 23rd, 2022
-Gracia Janes, Past-President NDCW

By approving the new Regional Official Plan, Council will most certainly be making a leap thirty years into the future, following a Plan that favors unneeded development, based on the "market demand – sprawl" formula approach rather than strong protection of Carolinian ecosystems, prime farmlands and proven climatically – favoured potential tender fruit and grape lands, in this very unique part of Canada.

We note that the current Niagara Official Plan favours the preservation of tender fruit and grape lands and prime agricultural lands, southerly-directed growth, housing intensification, and a balanced approach to economic growth and agriculture, the latter being a significant employment driver, second to General Motors and its spin-off jobs at one time. This in turn, was intended to support farmers with the ability to help provide healthy food locally and to close-by urban markets, and further afield to the East Coast, and even west to Regina.

In stark contrast, the proposed new Official Plan is built on priority slogans, such as "a Healthy and Vibrant Community, Responsible Growth and Infrastructure Planning, and Sustainable and Engaging Government-e.g. successful relationships between all levels of government, and as one Regional Councillor noted, fails to strongly promote the Agriculture Industry and the farmers who make it succeed.

However the Niagara Federation of Agriculture said that it "feels that this is a large, cumulative amount of farmlands loss that will occur within a single policy decision, contrary to several provincial policies focused on protecting prime agricultural areas. Other alternatives for development should be considered in alignment with applicable policies."... "this land is finite and non-renewable-great care should be taken to make sure we have this resource for generations of farmers to come," intensification and farmland protection are 'two sides of the same coin-ambitious targets to intensify should translate to ambitious protection of farmland.'

These precautionary warnings and others, are echoed in a May 5th 2022 news article by Drew Spoelstra, President of the Ontario Federation of Agriculture. He wrote... "As we continue the trend of losing acreage every day, I think it's time we asked ourselves 'How do we plan on producing safe, sustainable food for a growing population if our farmers are losing the finite resources needed to grow and produce these commodities?' To back this up, he noted as other participants in the Regional Official Plan meetings have, "less than 5% of Ontario's land base can support agricultural production...and "New research also shows southwestern Ontario lost 72,000 acres of prime agricultural land to urban development between 1996 and 2016, the equivalent of 175 acres a day".

In Niagara, our tender fruit lands (being, along with the Okanagan in BC. and a small acreage in Essex County, less than .0004% of Canada's land mass) have been reduced by urbanization from 36,000 acres in 1974 to about 10,000 potential acres, with about 7,600 in production. And grape lands have been reduced to about 15,000 acres from 36,000 acres in 1974. More recently, fruit farmers are finding it increasingly difficult to find land to buy or even rent, and established wineries and individual farms are being impacted by non-farm rural uses, such as Barn events, so much so that the Golden Horseshoe Alliance is working on regulations that could stem the tide.

(Excerpts from Comments on PDS 17-2022, cont'd on pg. 6)

QUOTABLES, Cont'd.

(Excerpts from Comments on PDS 17-2022 Niagara Regional Official Plan Recommendation Staff Report, Cont'd from Pg. 5)

Conclusion

As noted in our initial brief, the Niagara District Council of Women for many years has been supportive of protecting this very special place in Canada, as it is part of the Carolinian zone, has the best and most economically viable fruit lands in Canada, as well as wonderfully productive prime farmlands, and of course, the many attributes of the Niagara Escarpment, which is a foundation for increased eco tourism. Niagara is favored by its potential to better withstand rapidly changing and increased weather events and produce healthy food close to urban markets. Our farm lands also are strong employment and tourism related economic drivers. Therefore we must place far more emphasis on farmland and natural heritage area protections now and in the years to come...”

P.S. In the final vote all but 1 of 30 Regional Councillors voted to accept the Staff Report presented that day, which will encourage urban development on prime farmlands and natural areas in West Lincoln, in precious natural areas in Fort Erie, and on climatically favoured fruit lands in Niagara Falls. And on November 4, the Minister of Housing and Municipal Affairs approved the new Regional Niagara Official Plan with additions of 4 more parcels of land, 2 on fruit lands in Grimsby, 2 on prime farmlands in Niagara Falls.



Winter Sunset Over a Fonthill Orchard

Photo - Natalia Shields

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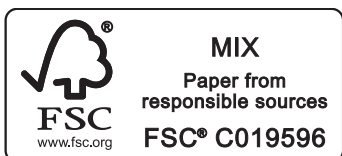
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