



---

ISSN 1180-5218

**Legislative Assembly  
of Ontario**

First Session, 38<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Première session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Wednesday 2 February 2005**

**Journal  
des débats  
(Hansard)**

**Mercredi 2 février 2005**

**Standing committee on  
general government**

Greenbelt Act, 2005

**Comité permanent des  
affaires gouvernementales**

Loi de 2005 sur  
la ceinture de verdure

Chair: Linda Jeffrey  
Clerk: Tonia Grannum

Présidente : Linda Jeffrey  
Greffière : Tonia Grannum

---

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

### **Copies of Hansard**

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

### **Exemplaires du Journal**

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.

---

Hansard Reporting and Interpretation Services  
Room 500, West Wing, Legislative Building  
111 Wellesley Street West, Queen's Park  
Toronto ON M7A 1A2  
Telephone 416-325-7400; fax 416-325-7430  
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation  
Salle 500, aile ouest, Édifice du Parlement  
111, rue Wellesley ouest, Queen's Park  
Toronto ON M7A 1A2  
Téléphone, 416-325-7400; télécopieur, 416-325-7430  
Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON  
GENERAL GOVERNMENT**

**COMITÉ PERMANENT DES  
AFFAIRES GOUVERNEMENTALES**

Wednesday 2 February 2005

Mercredi 2 février 2005

*The committee met at 1001 in the Peach King Centre Auditorium, Grimsby.*

**GREENBELT ACT, 2005**

**LOI DE 2005 SUR  
LA CEINTURE DE VERDURE**

Consideration of Bill 135, An Act to establish a greenbelt area and to make consequential amendments to the Niagara Escarpment Planning and Development Act, the Oak Ridges Moraine Conservation Act, 2001 and the Ontario Planning and Development Act, 1994 / Projet de loi 135, Loi établissant la zone de la ceinture de verdure et apportant des modifications corrélatives à la Loi sur la planification et l'aménagement de l'escarpement du Niagara, à la Loi de 2001 sur la conservation de la moraine d'Oak Ridges et à la Loi de 1994 sur la planification et l'aménagement du territoire de l'Ontario.

**The Chair (Mrs. Linda Jeffrey):** Good morning. The standing committee on general government is called to order. We're here today to resume public hearings on Bill 135, An Act to establish a greenbelt area and to make consequential amendments to the Niagara Escarpment Planning and Development Act, the Oak Ridges Moraine Conservation Act, 2001 and the Ontario Planning and Development Act, 1994.

I'd like to remind those in attendance that there should be no demonstrations of support for or against any comments made by any presenters or members of committee.

As well, I would like to caution the audience that while members enjoy parliamentary privilege and certain protections pursuant to the Legislative Assembly Act, it's unclear whether or not these privileges and protections extend to witnesses who appear before committees. For example, it may very well be that the testimony that you have given or are about to give could be used against you in a legal proceeding. I caution you to take this into consideration when making your comments, just as a warning.

**HAMILTON-HALTON  
HOME BUILDERS' ASSOCIATION**

**The Chair:** I'd like to welcome our first delegation, the Hamilton-Halton Home Builders' Association. Could they please come forward?

Good morning and welcome. Would you please identify for Hansard who will be speaking today, and the organization.

**Mr. Brad Duguid (Scarborough Centre):** On a point of order, Madam Chair: I notice that there are no members of the opposition here today. Are they aware? Are they in the building?

**The Chair:** They were made aware yesterday, and they likely had a shorter drive than I would imagine most of the members here today did. They were aware of the meeting time.

**Mr. Duguid:** I just noted that. I thought it was interesting.

**The Chair:** It is.

If you would identify yourselves for Hansard who will be speaking and the group that you speak for. When you begin, you will have 15 minutes.

**Mr. Anthony DeSantis Jr.:** Good morning. My name is Anthony DeSantis Jr. I'm president of the Hamilton-Halton Home Builders' Association. With me today are Mike Foley, our planning consultant, and Doug Duke, our executive officer. I will be answering questions, as will Doug and Mike, depending on what the questions are for.

**The Chair:** I just want to remind you that if you use all of your 15 minutes, then there won't be an opportunity for questions.

**Mr. DeSantis Jr.:** No problem. I will not take 15 minutes.

The Hamilton-Halton Home Builders' Association represents approximately 300 home builders, trades, suppliers and related businesses in the Hamilton-Halton region. In 2004, over 7,000 new homes were built by our members in and around the greater Golden Horseshoe.

Provincially, the housing industry contributed more than \$33 billion to the economy and created employment for over 300,000 people. This makes the home-building industry one of the largest employers in Ontario. The impact of the housing industry on the province's economy cannot be overstated, as approximately 20% of the price of every new home is the direct result of local, provincial and federal taxes imposed on the new homebuyer.

We not only build homes, but we also build communities and economic prosperity in the communities where we live, work and raise our families. Because home ownership and the community's built form is so integral to the make-up of our social fabric, any proposed changes

to the process through which housing is planned and built will profoundly affect our society as a whole. It is with this in mind that we provide our feedback regarding the government's proposed greenbelt legislation, Bill 135.

The biggest challenge facing the province is providing employment and housing opportunities to a population that is poised to increase by 3.7 million people by 2031. Approximately 200,000 of these people will call the Hamilton area home. The greenbelt legislation, as currently written, will have a devastating impact on our communities' ability to adequately manage the housing and employment needs of this growing population. This is compounded by the fact that there are lands currently proposed to be included inside the greenbelt in both Grimsby and Hamilton that are already serviced, have fragmented ownership and are contiguous with existing development areas. The province needs to take a serious look at the boundaries of the greenbelt plan and seek consultation with local stakeholders before it is finalized.

Although it would appear from the draft greenbelt map that there is plenty of land for future growth around Hamilton, the vast majority of these lands are within the Hamilton airport's noise contours and are therefore prohibited for residential development.

Hamilton has been, and continues to be, a leader in promoting sustainable development. According to the Urban Development Institute, the amalgamated city of Hamilton has the highest density of development in Ontario, at 23.8 units per hectare, even surpassing the development density of the amalgamated city of Toronto, at 23.5 units per hectare. Hamilton has developed at a density that is clearly consistent with the province's objectives of smart growth, and will continue to do so.

The problem with the province-wide mandate that 40% of all new growth must be accommodated within existing built area boundaries as required in the Places to Grow discussion papers is that it fails to recognize the existing densities of municipalities. The guidelines for cities like Hamilton and Toronto, for example, should not be the same as for communities that have developed at significantly lower densities, such as Oakville.

According to the Places to Grow discussion papers, the city of Hamilton will be required to accommodate an additional 80,000 people within its existing built boundary. Quite simply, this is not possible. A recent OMB decision regarding the urban boundary expansion in Hamilton concluded that only 6,500 units, or approximately 13,000 people, could be accommodated through intensification on existing brownfield sites—not 80,000, but 13,000. The implementation of the province's objective of accommodating 40% of the city's growth within the existing built boundary will destabilize existing neighbourhoods and strain the social fabric of the city.

The fact of the matter is that Hamilton is already putting the tools in place to manage future growth. Specifically, redevelopment in the city centre is taking hold, with over 1,000 units either approved or under construction in the downtown core. However, the pending imposition of a permanent greenbelt or urban

growth boundary will adversely impact our industry's ability to continue to accommodate and manage growth in a sustainable manner.

The major impact of the proposed greenbelt is the effect on housing affordability. Since the introduction of the proposed legislation, the cost of raw land in the greater Golden Horseshoe has increased by as much as 40%. This cost increase will directly impact the ability of first-time homebuyers to purchase a home, an opportunity that increases their financial equity and their standard of living.

However, the impact will be felt primarily by lower-income families, who have now been marginalized by the lack of affordable housing and the requirement to spend more household income on housing. According to the Vision 2020 annual sustainability indicators report, 16% of families in the city of Hamilton are considered low-income. The price of social housing is similarly affected, given the increase in costs and competition for land. We must ensure that the province fosters a planning environment that allows for flexibility, affordability and accessibility across a wide economic spectrum of society.

Recent research has shown that the imposition of an urban growth boundary and forced high-density requirements has a negative impact on the ability to manage traffic congestion. Contrary to popular belief, higher densities will not decrease the number of cars on the road but will only serve to put more cars in a smaller area, thus increasing congestion and pollution.

#### 1010

In the Hamilton context, highway traffic congestion is mainly caused by the net deficit of commuters out of Hamilton to find work. Over the last 30 years, Hamilton has gone from being a net importer of 7,400 commuters to a commuter deficit of over 23,000 commuters. Clearly, there is a need for more serviced employment lands within the city of Hamilton to provide more opportunities for people to work in the community in which they live. As part of the city of Hamilton's economic development initiative, the need for additional serviceable industrial land has been identified. The imposition of an urban growth boundary and the Places to Grow strategy will clearly have an adverse effect on the city's ability to reverse the commuter flow and ease traffic congestion.

The growth pressure on municipalities outside the urban growth boundary will increase significantly as well, as a result of the proposed greenbelt. This is called the leapfrog effect. These outlying municipalities have neither planned for nor have the capacity to accommodate this unexpected population growth resulting from the province's direction.

One of the main reasons that Hamilton and the GTA have both been able to accommodate growth is the ease of servicing capacity resulting from the proximity of Lake Ontario. Municipalities outside the proposed greenbelt currently rely on groundwater, rivers or minor lakes for their servicing strategies.

The imposition of this unpredicted growth will undoubtedly strain the financial ability of these municipi-

palities to deal with the need for increased hard and soft services. This is not just sewers and water, but also schools, hospitals, policing and fire protection. The strain of these increased growth pressures on the social fabric will ultimately affect the quality of life we are trying to achieve for future generations.

There is no evidence to support the premise that the imposition of an urban growth boundary will promote increased public transit use within municipalities. According to a study entitled *Urban Transit in Canada—Taking Stock*, prepared for Transport Canada in July 2001, although the absolute number of riders has increased over the years, the number of passenger trips per capita has not kept pace with population growth. It is not anticipated, even with large investments in transit, that work-related transit usage will significantly increase. Clearly, taxpayer dollars can be more efficiently spent in building infrastructure to support our growing population and providing employment and housing opportunities within the community.

The Hamilton-Halton Home Builders' Association believes in balanced growth—that is, growth which balances housing choice and the environment; long-term infrastructure requirements and the ability to pay for them; the need to implement controls and the need to provide affordable housing; and the need for transportation links and the resulting needs of the communities through which these links are planned.

In conclusion, it is our position that at the provincial level there is a need to provide a balanced approach to urban growth which recognizes the necessity for continued greenfield development, intensification of development in appropriate urban areas, brownfield redevelopment and the efficient use of infrastructure spending. It is the view of our association that the province must provide a policy environment that will allow for a wide choice of housing, affordability and a high-quality standard of living for future generations of Ontarians.

**The Chair:** Thank you. You've left about a minute and a half for each party, starting with Ms. Churley.

**Ms. Marilyn Churley (Toronto–Danforth):** Thank you very much for your presentation. You made a lot of points, and I can't get into all of them, but I wanted to have a better understanding of the leapfrog issue you raised and how that would impact on development in the Hamilton area.

**Mr. DeSantis Jr.:** It basically comes down to supply and demand. If someone is looking for an affordable single-family home in a new area, with the amount of land that is presently available in this area a first-time buyer may not be able to afford it. So they may decide to go to Brantford, leap-frogging the greenbelt, jumping over, and you'll get an increased demand in Brantford or other outlying areas, Caledonia or Paris, and you'll see those areas boom because they can provide a product that we know people prefer and can afford, but can't afford in this area.

**Ms. Churley:** So if the greenbelt were to go ahead, despite your problems with it, would you then suggest

that it should be expanded to deal with the fact that leapfrogging will happen?

**Mr. DeSantis Jr.:** If you expand it, the leap just goes further and you get people commuting even further—more highways to get to their jobs in the GTA, in Toronto, wherever they go to get to their work. So expanding the greenbelt isn't going to help it.

**The Chair:** The government side, Mr. Duguid.

**Mr. Duguid:** I actually enjoyed listening to your conclusion: It's your position that the provincial level needs to "provide a balanced approach to urban growth which recognizes the necessity for continued greenfield development, intensification of development in appropriate urban areas, brownfield redevelopment and the efficient use of infrastructure spending." I think that we on this side are in total agreement with that approach, and that's what the greenbelt is about: a balanced approach. We've set aside about 150 million acres of land for development.

I guess my question to you is, how much more do you think should be set aside? The studies we've seen and the people we have talked to have said we need about 75 million acres set aside for growth for the next 30 years and beyond. Do you think there needs to be more than that?

**Mr. DeSantis Jr.:** I think you have to look at this area specifically. You can't look at it as a whole, because this area has unique characteristics that may not apply when you're talking about Toronto, for instance. As I said, the land that has been left here—the majority of it, a great amount of it—is protected and cannot be used for residential development because it's under the airport corridor. Because of the noise contours, houses will not be able to be built there. Our concern is that in Hamilton specifically—the Hamilton CMA, they call it, through CMHC—there's not enough in this area. It may be OK for a few years, but if you're looking at a 10-year review, this community is going to come to a standstill and then the leapfrog effect may take hold.

**The Chair:** The official opposition, Mr. Hudak.

**Mr. Tim Hudak (Erie–Lincoln):** Thank you, gentlemen, for the presentation. I think you hit the nail on the head: There's a grave concern we are hearing at these hearings that the mapping exercise was done based more on political science than on environmental science. Here in Grimsby, at the west end, you mentioned land already serviced for development in Winona. I know my colleague Ms. Mossop has raised those concerns as well. Then there are areas that probably should be protected. We've heard about Boyd Park. We've heard about Parkview in Dundas and Marcy's Woods here in the peninsula.

What do you suggest as a remedy? Instead of using the Liberal campaign document for the boundaries, what's the best way of doing it? Should it be based on a third-party peer review, should there be an appeal mechanism, or do you trust the minister to get it right?

**Mr. DeSantis Jr.:** We haven't seen any economic studies done on how it's going to affect the ability of

people to buy a home. I haven't seen scientific studies on how this was determined. We've heard from farmers who have said they've protected land that's tender fruit land but nothing is growing on it. It hasn't protected the farmer. It seems to us that it has just been a random selection. At the one seminar we were in, they were using data from the late 1970s. So we're concerned about the way it's been implemented. We don't have all the details, and we think it has kind of been rushed to get it in.

**Mr. Hudak:** A remedy from here?

**Mr. DeSantis Jr.:** A remedy is to get these studies done. If it's a third party to look at it, that would be fantastic, but there definitely have to be further investigations and studies done on it.

**The Chair:** Thank you for your time this morning. We appreciate your being here.

### GRAPE GROWERS OF ONTARIO

**The Chair:** Our next delegation is the Grape Growers of Ontario. Good morning and welcome. Could you identify yourself and the organization you represent for Hansard. When you begin, you'll have 15 minutes.

**Mr. Ray Duc:** Madam Chair and committee, my name is Ray Duc. I have been the chairman of the Grape Growers of Ontario for the past two years. The Grape Growers of Ontario is an organization that represents 560 grape growers across Ontario.

I'd also like to acknowledge the local politicians who have been strong advocates of our voice: Jennifer Mossop; Kim Craitor, who has been very strong for us right from the beginning; Tim Hudak; Jim Bradley; and Peter Kormos.

From the time that Bill 135 was introduced, the Grape Growers of Ontario supported this vision of a greenbelt. It is truly a bold and visionary step, and, implemented properly, will create a lasting legacy for all Ontarians. This land base that we're preserving is critical for our industry to grow into the future, and I believe that it will grow. Right now, there's no room for growth; there's no market for growth. That's where we are now, but I believe that in the future there will be stronger demand for Ontario grapes.

**1020**

The grape industry is seen by some to be the jewel of agriculture in Ontario. The fact is that this jewel is hanging on a thin chain. The grape juice industry is in a crisis situation. Grapes for the production of juice represent 25% of our total production. A task force was struck to address the many pressures this segment of the industry is facing. These challenges include prices below the cost of production, a declining market which is controlled by U.S. interests, aging vineyards and aging processing plant. Next week we will meet with the federal and provincial ag. ministers to submit our final report on this segment of our industry. I hope that during your deliberations you take the time to read this task force document, which is entitled Towards a Secure Future.

In 2003, the wine grape crop was cut by half in one night by temperatures that dropped to below -20 degrees

Celsius. In 2004, temperatures again fell. Many sensitive varieties in low-lying vineyards were without a crop. During the nights of January 28 and 29, 2005—last week—minimum temperatures across the grape-growing region of Niagara were between -20 and -30 degrees Celsius. It is certain that significant damage has already occurred to next year's crop. Fans would help stabilize our crop, but the investment is large and we cannot absorb these additional costs while trying to compete in a global market. In this global market, our competition enjoys lower costs for labour, pesticides—everything is cheaper—more favourable weather and a myriad of government subsidies.

For many varieties, the prices we are receiving are below prices in 1996. When we get a normal winter and a good growing season, our vineyards will produce a crop that will exceed wineries' needs. We will be facing a surplus of wine grapes in Ontario, yet as we deal with this surplus, grapes by the boatload will come into Ontario from wine regions such as Chile. The wine will be blended in a 70-30 blend, 70% being the imported part of the bottle, and sold as the "Wines of Ontario."

The future of our industry is in the VQA segment. This segment must be promoted, and legitimacy must be brought back to the term "Wines of Ontario." VQA is 100% Ontario grapes. We see growth of this segment as critical so that there is demand for Ontario grapes. Right now, not even half our crop is going into VQA, and the rest is getting blended away. In Ontario, we can't compete against Chile; it's not possible. So we have to grow that VQA section through a promotion of VQA wine in stores, increased shelf space—many things can be done.

The LCBO and the whole beverage alcohol system in Ontario are going to be reviewed over the next several months. Let's use this opportunity to promote greenbelt products such as VQA wines. Australian and Chilean wines are doing just fine. Why do we promote them? Let's stop promoting agriculture on the other side of the world and see what needs to be done here.

My members are being asked to give up their land rights, including the right to retire on their own farms. These rights have tangible value, and yet no compensation in any form has been offered. If the government of Ontario is going to commit our lands to the production of food, then there must be a commitment to agriculture, and the depth of this commitment must be known before the bill becomes law.

Bill 135 states that agriculture should be the predominant land use within the greenbelt, but the bill has nothing to support this vision. Agriculture is a fragile industry. It will not be a viable land use without the support of all Ontarians. Until we see this support in place, we cannot support the greenbelt legislation. However, be assured that the Grape Growers of Ontario are committed to helping Bill 135 to be a success. We are convinced that the policies outlined in our submission to you today will help ensure the success of the greenbelt legislation.

How much time do I have left?

**The Chair:** Nine minutes. You're OK.

**Mr. Duc:** We have submitted a presentation to this committee. I would like to take just a few more minutes to highlight some of the points in it. I would like to stress that many of these things do not cost anything; they could be implemented with a pen and not a chequebook.

**Buy Ontario First:** We welcome the government's beverage and alcohol review. This is a great opportunity to support Ontario products. Buy Ontario First has to be foremost in government policy from this day forward if this legislation is going to work.

**Market development:** Currently, over 50% of our grapes are being purchased by two large processors. Government support is needed for new processors to be able to enter the market. If in the future there is a surplus of grapes, growers do not want to operate in an environment in which grapes are being dumped.

**Fair taxation:** Value-added is the way of the future. Many growers will step into wineries with their own investment, but they're going to need help to do this. Ontario's agriculture sector deserves to receive the same treatment as the Ministry of Finance provided to the maple sugar industry.

**Strengthening right-to-farm and trespass legislation:** This is critical also. We have to be able to do the things we need to do to be profitable and not be criticized or constantly fighting with other land uses in our area. The fans that I spoke of earlier are one example. They're going to be part of our future in the grape industry if we're going to be viable, and the complaints are already pouring in about the noise. We need the right to farm and we need the laws to back it up.

**Harmonization of pesticides:** This story is as old as the hills. We need to be in tune with the United States so we're competitive with them.

**Research:** Don Ziraldo is in the room; Don is starting an initiative to start a research foundation. He needs support from government. This has to go. We can't be a viable industry without research. We need to know what varieties and what clones will survive these winters if we're going to grow in the future. Ladybugs are a major threat. We need research done to know how to combat this pest.

**Niagara municipalities:** We're behind our municipalities. We need the infrastructure to be competitive worldwide. We need the mid-Peninsula corridor to take the pressure off our fruit lands.

There are some things in the greenbelt legislation in terms of severances. In Niagara, the legislation talks of being able to split a 100-acre farm in two and cultivate 50. There are no 100-acre farms in Niagara—very few. This is one reason why Niagara has to be treated differently than the rest of Ontario. It's unique. Farm sizes are smaller.

**Irrigation** is critical to the future of any agricultural area. In the States, in a dry area, the government comes in and digs ditches; they bring the army in to do what has to be done. This kind of thing isn't done in Ontario, yet we have to complete against them.

In conclusion, be assured that the Grape Growers of Ontario are committed to helping Ontario's greenbelt be a success. We are convinced that the policies outlined above in our report will ensure that success. It is important to note that most of the initiatives outlined will come at no cost to the government. We are convinced that they are balanced, reasonable recommendations that will create an extraordinary legacy for the people of Ontario in Niagara's microclimate and will not only ensure the viability of agriculture but will allow Niagara to take its rightful place in the world. It will create a legacy that your government and the people of Ontario will cherish for decades to come.

If I have any time, I'd be happy to take questions.

1030

**The Chair:** We have about a minute and a half for each party. From the government side, Mrs Van Bommel.

**Mrs. Maria Van Bommel (Lambton-Kent-Middlesex):** Thank you, Mr. Duc, for your presentation. Early on in your presentation you mentioned that the greenbelt legislation would prevent you from being able to retire on your farm. I don't see anything like that in the legislation at all, and I don't see anything like that in the plan, so how did you come upon the impression that you're not allowed to retire on your farm?

**Mr. Duc:** Prior to the legislation, we had the right to take a retirement lot, sever a lot on our farm and build a house on it.

**Mrs. Van Bommel:** So you're talking about a severance.

**Mr. Duc:** Yes. That is being taken away. For the grower who is planning his retirement, it's an additional cost to do this, because he must now buy a lot in town.

**Mrs. Van Bommel:** But it is permitted under the plan.

**Mr. Duc:** What is?

**Mrs. Van Bommel:** To take a severance.

**Mr. Duc:** Not a retirement severance.

**Mrs. Van Bommel:** OK. The size of the lot is what we're talking about, then.

**Mr. Duc:** Yes.

**Mrs. Van Bommel:** Regarding Buy Ontario First, we do have the Foodland Ontario program. From what you're saying, I take it that you feel that doesn't work for you as an industry.

**Mr. Duc:** Foodland Ontario is a fantastic program. It works very well for the products it's used with: tender fruit, peaches, vegetables. Why don't we put it on our grape juice labels, and a winery will want to use it? It's a great program, and it should be expanded.

**Mrs. Van Bommel:** So you really would like to see that program expanded.

**Mr. Duc:** And other policies that would encourage the use of Ontario product. Why can't it be used in all government institutions, such as schools, hospitals and government buildings? There should be no Washington apples in schools. Ontario apples should be in schools and hospitals.

**Mrs. Van Bommel:** I can certainly agree with you on that.

**The Chair:** Mr. Hudak, from the official opposition.

**Mr. Hudak:** Thanks, Ray, to you and the grape growers for this well-thought-out presentation. Thanks for your kind words too about the MPPs from all three parties. My friend Peter Kormos has also been a strong advocate for the grape growers and his constituents. As you probably know, he's sinking his teeth into the pit bull legislation, so to speak. Sorry for the bad pun. I know he wished he could be with us, but he's in Brantford for pit bulls.

I have a short, quick question and a long question for you.

You talked about increasing shelf space in the LCBO for VQA wines, which I fully support. Do you have a target that you think is reasonable for the government to achieve on shelf space for VQA wines?

**Mr. Duc:** We are working on a report that we'll submit within about two weeks. Right now, all I can say is "more."

**Mr. Hudak:** You raise a lot of very good and well-thought-out points about specifics that the government could bring forward as part of an agriculture strategy. In fact, their own task force, chaired by Mayor Maclsaac, said that they should have this hand in hand with the greenbelt legislation. Do you think it is a fair request, on behalf of farmers, that that agricultural plan should be on the table before they call this for a final vote in the Legislature?

**Mr. Duc:** I think it's critical. If they want the support of the farm organizations, they're going to have to come up with their commitment to agriculture. They're asking us for a commitment, so we're asking them for a commitment.

**Mr. Hudak:** The last—

**The Chair:** I'm sorry, but you have no time for a further question. Ms. Churley.

**Ms. Churley:** I don't know who drew the short end of the stick, but those of us who know him think Peter Kormos is more appropriate to deal with pit bull legislation than I.

**Mr. Duc:** Maybe he thought we'd bite harder.

**Ms. Churley:** I welcome your submission today. You did a very good job of pointing out many problems in the industry. As you know, I'm a former minister, and I was responsible in that area and worked very closely with the industry.

Your point about the government's review of the beverage and alcohol sector is a good one, because one of the notable absences in the terms of reference was exactly what you're talking about. As a publicly owned entity, it's a perfect opportunity to adopt Buy Ontario First, unlike if it were privatized. That's a great idea, and I'll be bringing that forward as one of the key mandates of this review.

She's probably going to say that don't have time because I spoke too long, but what percentage of Ontario wine could be supplied by the Grape Growers of Ontario at this point?

**Mr. Duc:** Half. That just off the top of my head, a ballpark figure.

**Ms. Churley:** So you just need some policy changes and you're ready to—

**Mr. Duc:** I'm very concerned about the growth. We haven't had a full crop for three years now. A full crop would produce a surplus. Legislation needs to be changed to address this on a graduated scale, over time.

**The Chair:** Thank you for your time this morning. We appreciate your being here.

#### PRESERVATION OF AGRICULTURAL LANDS SOCIETY

**The Chair:** Our next delegation is the Preservation of Agricultural Lands Society. Welcome, and good morning. Please identify yourself for Hansard, and the group you're speaking for. When you begin, you will have 15 minutes.

**Dr. John Bacher:** I'm Dr John Bacher. I'm a researcher with the Preservation of Agricultural Lands Society.

Before getting into my prepared remarks, I thought I would like to respond to some of the comments from the Hamilton home builders. A lot of these comments were quite disturbing, especially their claim that there is no connection between urban density, auto dependency and urban sprawl. It is almost a fundamental cornerstone of land use planning that these assumptions exist, and these are based on good studies.

The Hamilton speakers did not cite a specific city, at least from what I heard, but what has been well known by land use planning is the contrast between the cities of Vienna, Austria, and Phoenix, Arizona, two great, different municipalities in terms of density and automotive dependency, Phoenix having very low density and being very dependent on the automobile and Vienna having higher densities and generally the most efficient public transit system in the world.

In relation to their statements about home prices, I'm from the city of St. Catharines and have been quite engaged in its land use planning since I was 12 years old. We've had permanent urban boundaries since 1981 and there hasn't been this escalation of housing prices. Why is this? Because there was, adjacent to the city of St. Catharines, a very large area of surplus industrial land, known as the Glendale industrial park, which was redesignated to residential use. It's very common in North America for there to be four times as much industrial land as is reasonably needed, and over time these lands actually do get redesignated to residential because the landowner is in a type of zoning where the land is unmarketable if the land is vacant.

As I indicated, I wish to begin with the historical experience of land use planning in the past 10 years, which I think we have to understand is the real reason we're here today. One important development is the demise of the Niagara tender fruit land program in June 1995. This program would have provided for the purchase of restrictive covenants throughout the Niagara tender fruit growing area. This program would have



eased the financial difficulties of growers farming on the most expensive land for agricultural crops in Canada and protected the land in perpetuity.

Until 1996, the Planning Act had provided that there would be no expansion of urban settlements on to specialty crop land, without exception. These policies were intended to strengthen what was already there in the Niagara policy plan, which through appendix B provides that such boundaries, when adjacent to unique Niagara grape and tender fruit lands, should be considered permanent.

Following the weakening of the Planning Act, the OMB made the worst decision for the fate of the unique Niagara fruit lands since the policy plan was adopted in 1981. Ignoring the provisions of appendix B, it permitted a 550-acre expansion of the urban settlement area for the town of Pelham. This decision has been cited as justification for others who may wish to encroach upon the unique fruit land uses, especially in St. Catharines, and for some already allowed urban uses.

#### 1040

At the same time that the Planning Act was being gutted, the provincial government paradoxically moved to strengthen land use policies impacting on the Oak Ridges moraine. Key provisions of the new Oak Ridges Moraine Protection Act made it more difficult to expand urban boundaries of urban settlements within its borders. Most significantly, the act imposed a 10-year moratorium on such expansions.

The current situation shows the need to have planning provisions similar to those of the Oak Ridges Moraine Protection Act for other comparable unique and significant landscapes around the province. The 10-year moratorium for the moraine should also be applied to the comparably hydrologically significant Niagara Escarpment. The Niagara Escarpment, like the Oak Ridges moraine feature, is an important stream recharge and headwaters area.

The Niagara Escarpment Commission planning area is now facing several urban expansion requests. Likewise, the escarpment link lands—850 acres in the Burlington area close to the Niagara Escarpment—are facing strong pressures for urban expansion. One of the strongest features of the Greenbelt Act is that it will prevent urban expansions on to these agricultural areas that buffer the Niagara Escarpment.

The Niagara fruit belt, a much smaller area than the Niagara Escarpment, is also unique and threatened by urbanization. Like the escarpment, it needs special protections that are designed to prevent urban expansions forever. This is provided for in the greenbelt draft plan: strong protection that is provided to only one other agricultural area, the Holland Marsh.

The government is to be commended for its decision to restore the permanent protection for the Niagara fruit belt that was removed in 1995, with disastrous results. This protection is also provided in the draft provincial policy statement, which is expected to become part of the new Planning Act this spring.

The government deserves particular commendation for its decision in the draft greenbelt plan to extend the Niagara fruit belt area to include most of the shadow fruit belt south of the Niagara Escarpment. As Dr. Leonard Gertler's work for the Niagara Escarpment illustrates, this area is increasingly important for grape growing. One of our greatest achievements was in 1978, in persuading the Ontario Municipal Board to remove 1,200 acres of grape lands from the Thorold urban zoning boundary in this shadow fruit belt immediately south of Lake Gibson.

One important limitation of the greenbelt is that St. Catharines is the only large city in excess of 100,000 population where the greenbelt boundaries come up against an urban zoning boundary. All the other large municipalities—Hamilton, Richmond Hill, Brampton, Milton, Oshawa, Pickering—are allowed more than ample room for future urban expansions.

Other cities in the greenbelt should be restricted in the same manner as St. Catharines. This is because, as the work of the Neptis Foundation illustrates in comparing the existing urban growth boundary, there is more than enough land in this area to accommodate growth for the next 30 years. It's clear that what is projected would allow far too much development and that this land is better in terms of agricultural quality than the lands inside the proposed greenbelt.

We are aware that statements have been made that people disagree with the Neptis figures. We haven't seen any hard data to indicate where these figures are wrong. But when we look at these figures, what we see is that they're too conservative. They omit some lands such as quarries that are in urban boundaries, which, over time, will probably be redeveloped for urban use.

From our observation, what really gets left out in all these calculations of land supply is dry industrially zoned land, which is scattered all over the countryside. There has never been an actual attempt really to estimate what the capacity of brownfield sites is. What we get is a mapping of these sites, but we never really get how much housing is likely to be on these brownfield sites. It's just a total figure of how much there are out there.

The draft provincial policy statement is written in a fine way, but I think it would be better if it was just explicit that there not be any urban boundary expansions, because if you look at the methodology there, saying municipalities will have to have brownfield redevelopment, will have to achieve higher densities than what they have now—there wouldn't be any expansions. Why not just say it in the provincial policy statement in the Greenbelt Act and so forth?

Apart from making it more difficult to have an urban boundary expansion, I would consider the greenbelt legislation very weak legislation because, apart from this needed reform, the actual zoning is just what's already there in municipal plans and zoning bylaws and official plans.

What is most disturbing is—this isn't a major problem in Niagara, although it is an issue in Niagara-on-the-

Lake—that there are these areas of permissive rural zoning. This is really an unfortunate evolution of planning history in Ontario how this rural zoning comes about. A better name to call this would be the “zone of bad planning” because what it essentially says is that the countryside can be protected if it’s good agricultural land. If it’s not, you can have all sorts of severances unless essentially the public health authority says you can’t have the severance. It’s something that should not be permitted in just the greenbelt, these rural permissive zones, but not allowed in the province. One of the most disturbing aspects of the proposed plan is that it actually invites municipalities to expand this rural zone larger than currently exists, which I think would just invite a flood of applications for bad planning.

There’s another aspect of this. Even in areas that are supposedly protected as good general agricultural land in the official plan—

**The Chair:** Dr. Bacher, I don’t mean to interrupt your train of thought, but you only have a minute left.

**Dr. Bacher:** Thank you.

We encourage more programs for land stewardship, especially the revival of the Niagara tender fruit lands program. We wouldn’t like it just as it was in 1994 but, for the reasons that the speaker previous to me indicated, we think it should also be applied to grape lands.

**The Chair:** There isn’t enough time for any group to ask you any questions. Thank you for your delegation. We appreciate your being here today.

1050

#### MOUNTAIN ROAD WINE CO.

**The Chair:** Our next delegation is the Mountain Road Wine Co.

Good morning and welcome. Could you identify yourself and the company you represent, once you get yourself organized. When you begin, you will have 15 minutes. Should you use all your time, we won’t be able to ask you any questions, but if you don’t, we’ll get an opportunity to question you on your statement.

**Mr. Steve Kocsis:** Thank you. My name is Steve Kocsis. I’m a farmer, a winery owner. Madam Chairman and members of the committee, thank you for giving me the chance to speak to you about the proposed greenbelt legislation. I live in Beamsville and try to make a living as a fruit and grape farmer, in part on the same property that my parents purchased in 1958. I grew up on this farm and went to public and high school in Beamsville.

In 1981, I sold my business in Toronto and moved back to Beamsville so I could raise my children on a farm. I wanted to instill in my daughter and son a love of the land, to teach them to be stewards of the land, to enable them to cherish the privilege of watching budburst in the spring, to give them the chance to balance their lives with the sweet aromas of bloom in the vineyard, the joy of fruit ripening in the orchard, to provide them with the soul-soothing balm of grapes hanging heavy on the vine, gathering sugar from the autumn

sunlight. The proposed greenbelt legislation is threatening the continuation of our family farm.

The economic viability of grape farming has been slowly diminished over the past 10 years due to the power given through legislation to monopoly forces in the grape and wine industry. The two largest wineries, with their grandfathered retail outlets, enjoy a stranglehold, along with the LCBO, on marketing wine, the primary product of my land. The monopoly, granted in the wake of the free trade agreement, was set in place to help Ontario-grown grapes and wine. Both the monopolist corporations and the LCBO have betrayed the purpose of their privileged position in the marketplace and are advocating measures to the greenbelt review panel to protect their lucrative retail monopoly at the expense of the grape growers of Ontario.

By locking farmers into the narrow confines of being primary producers, they are protecting their retail monopoly profits and creating a culture of farmers as serfs on their own land. They, along with government, expect us to continue to produce product at below our cost of production to fuel their shareholder revenue and the overly burdensome government tax revenue extracted from the industry.

The Vincor/Andrés/Wine Council of Ontario agenda is to drive down the price of grapes and hence the price of land. Without the option of diversifying their farm operations to alternative income streams, the value of the land, the equity farmers have built up over generations, would disappear. The same corporate agenda resulted in a huge consolidation of vineyards in California, driving out the individual family farms and eventually a lot of the small wineries. It is a tried-and-true formula: drive down the price of the land, buy out the farmers at a pittance and return profits to the shareholders.

Seeing the inevitable trends, I chose to maintain the viability of my farm by starting a small winery. I had to struggle against the town of Lincoln, which was prepared to accept the Wine Council of Ontario recommendation for minimum size for farm wineries of 50 acres. It was a hard-fought struggle to convince the town that preventing the formation of small wineries was not in the best interests of the town of Lincoln. The region of Niagara, the Niagara Escarpment Commission and the province of Ontario, through its various ministries and regulatory agencies, cost me five years of my life and hundreds of thousands of dollars of debt before I could open a 500-square-foot retail wine shop on my farm.

The greenbelt legislation, as it is currently proposed, will be another wet blanket of bureaucracy trying to smother farm viability. Our only hope to stay afloat and keep the land productive and green is policies across various provincial ministries to enhance our economic viability.

Farmers need the freedom to develop their properties for value-added businesses, whether it be wineries, agritourism or on-farm processing and retail ventures. The minimum size proposal for farms to be 50 or 25 acres is way too high. The five acres of planted vineyard required

by the AGCO for a farm winery and retail shop should be the acreage requirement in the greenbelt legislation. The minimum requirement of \$12,000 gross production by the Ministry of Agriculture for farmer status should be the one reflected in the greenbelt legislation. The restriction of building size for an on-farm enterprise should be eliminated or raised to 5,000 square feet.

The red wine chosen for the Legislative Assembly dining room for this year comes from an 11.2-acre farm, made in a 3,200-square-foot building. Please do not stifle craft wineries by unworkable restrictions. The gross non-farm income limit for on-farm enterprise should be scrapped.

The greenbelt legislation has to work for farmers, not against them. The Ministry of Agriculture arbitrator that awarded over \$4 million to Vincor and Andrés at the expense of 550 grape growers has to be reminded of the objectives of the greenbelt plan. His pride in declaring that the cost of production is an irrelevant criterion in his decision has to be curbed.

The LCBO review process has to enhance the value of our Ontario grapes and wineries producing 100% Ontario-grown wine. Granting each farm winery two or three off-premise wine shop licences, as is done in many American border states, would go a long way to invigorate the grape and wine industry. Protecting the 300 grandfathered wine stores that sell imported blended Chilean wines and 600 LCBO stores that enthusiastically promote every import from around the world with Ontario taxpayer money, but only grudgingly allows access to a few Ontario wines, does not serve the proposed greenbelt objectives.

Please do not underestimate the long-term effects of the greenbelt legislation. The key to protecting the farmland is to provide economic viability to those who farm the land. The heavy hand of greenbelt legislation should not only reach on to my land, but it should play its cards at all provincial ministry tables and it should trump all ministries whose policies stifle farm viability.

Clean up your own house first before you come barging onto my property. Bring to heel the Farm Products Marketing Commission, consumer and commercial relations, the Alcohol and Gaming Commission of Ontario, the Liquor Control Board of Ontario, Environment, Finance, municipal assessment, the Niagara Escarpment Commission, regional government and municipal government. They all should be obligated to further the objectives of the greenbelt plan.

Do not put the burden on the shoulders of the farmer alone. Do not enrage us by bragging how this will not cost the urban voters a penny. Do not transfer the value of our farm equity into the hands of land speculators who have staked out their claim in the magical zone between urban boundaries and greenbelt boundaries.

Instead of drawing lines on a map without having set foot on the land, the greenbelt legislation should draw lines in every ministry and policy-making body and bureaucratic structure empowered by the provincial Legislature. Only then will you have done your job of

protecting the most precious resource we can pass on to the next generation: a land green and healthy and prosperous, supporting a vibrant and economically viable rural community, a community where people have the time and resources for their children and fellow rural citizens, a community that provides healthy and wholesome food for your table, grown and vinted in Ontario.

1100

**The Chair:** Thank you, sir. You've left two minutes for each party, beginning with the official opposition.

**Mr. Hudak:** Steve, thanks very much. You and I have had a good chance to talk about this personally in the past, and you bring forward today some of the passion and frustration that grape growers and small winery owners are feeling about this legislation. I think there's support of the principle, but if the government doesn't pony up funds to support the agriculture industry, grape growers and small municipalities, you bring forward relevant scepticism that it's going to work.

We've been waiting for the agriculture support plan for a long time. It's like waiting for the Maple Leafs to win the Cup. It's promised every year, but it doesn't seem to come through.

**Ms. Churley:** How far back, Tim?

**Mr. Hudak:** To 1967, if I'm right.

*Interjections.*

**Mr. Hudak:** Chair, they're eating into my time with their jokes over there.

VQA store legislation is before the Legislature, a private member's bill I have that is coming for debate in March to allow owners to cross-sell, and potentially for more licences for small owners. Do you think that's a good approach? Is that part of the equation? You talked about the grandfathered licences and how you're restricted. How would you resolve that issue?

**Mr. Kocsis:** I think the ownership of any new retail outlets should be vested in land-based wineries, so each existing winery and any proposed new wineries should have the opportunity to have off-site stores so they could tap the market that's being blocked to us by the current monopoly in wine retailing.

**Mr. Hudak:** If you want, you might also have some thoughts to share about the taxation system through the LCBO and the viability of that for small Ontario wineries.

**Mr. Kocsis:** Unfortunately, unless you're doing extremely large volumes, the profit margins provided by sale to the LCBO under their pricing structure are not viable. It's not only a question of access to shelf space but also of viable margins for small craft wineries that produce grapes in Ontario and make wine from 100% Ontario grapes.

**Mr. Hudak:** Do you think it's fair and reasonable—

**The Chair:** Mr. Hudak, your time will expire in about five seconds.

**Mr. Hudak:** —to ask for the government to come up with their agricultural support plan before passing this legislation?

**Mr. Kocsis:** I think that if it takes another two years before this greenbelt legislation is enacted, and that's

how long it takes for the government to revamp all its policies as they affect agriculture, they will do a lot more good for long-term viability and keeping the countryside green than to very hurriedly pass this legislation as it stands today.

**The Chair:** Ms. Churley, you have the next two minutes.

**Ms. Churley:** Are you a poet in your spare time?

**Mr. Kocsis:** I have a lot of time to reflect in my vineyard.

**Ms. Churley:** This is a very poetic submission. Thank you very much as well for outlining some of the problems you're facing. I wonder if you could, because of course there's not enough time—with or without the greenbelt, what are the main priorities that you need to see the government act on right away to help you and all the other farmers in your area remain viable?

**Mr. Kocsis:** I'm very disappointed that I couldn't continue being a primary producer, because my first love is grape farming, and I wish I could have maintained income support for my family from doing that. The biggest help to that would be to allow the growers—whether it be juice grapes or tender fruit—to somehow get, out of the marketplace, at least their cost of production and some sort of return on their labour and investment. As a primary producer, I don't know how that could be done. But certainly, if the government feels that this environmental greenbelt policy is a high enough priority and if there is enough political will, then all the other issues can be bent to at least produce viability on the farm. That would be the first thing.

Certainly the winery issue is a very narrow issue that affects the Niagara Peninsula. I have a large investment in it, both in time and effort and in hopes for my children to continue farming using the vehicle of a small winery to make it viable. There are many things that the government can do—and many things that the government can stop doing—to help us.

**The Chair:** From the government side, Mrs. Van Bommel.

**Mrs. Van Bommel:** You've been in the industry a long time, and you talk about the crisis. How long has this crisis in the wine industry been going on?

**Mr. Kocsis:** I think the genesis of the crisis was the free trade agreement. There were moves set afoot to revamp the production of Ontario grapes to higher quality grapes. At the same time, certain provisions were made for existing players in the market to have their retail stores grandfathered, with the objective of providing outlets for Ontario-grown product. Somehow that objective has been lost, but they have retained these very lucrative stores. The LCBO has expressed no moral or practical obligation to help the Ontario industry, and slowly we're coming under more and more price pressure from monopolistic forces that control—they're our biggest customer, because we can't develop other markets. They're forcing the price down below the cost of production.

**Mrs. Van Bommel:** So basically this has been going on for quite a long time—and the last team didn't do much to help the Maple Leafs win either.

**Mr. Kocsis:** I used to be a Maple Leafs fan; I couldn't understand how somebody from Beamsville could root for Montreal. I'm used to being on the losing side, and unfortunately, as a farmer, you take your licks from the weather and the politicians and the marketplace. I'm here before you to ask you to help us. I don't want to lay blame; I would like you to help us.

**Ms. Jennifer F. Mossop (Stoney Creek):** You made a brilliant submission and have really spoken well to the frustrations you've experienced. My concern, having been out in this area for some time, is that if we lift this moratorium and wait another two years, the indiscriminate paving over of what little tender fruit land remains will continue to the point where there won't be any land, and thus not much need for the farmer either. Is there a way we can do both?

**Mr. Kocsis:** Without getting into something too lengthy, I'll tell you that I farm 55 acres inside the urban boundary of Beamsville. The day this legislation was announced, I had a developer offering me \$130,000 an acre for my land, which was \$60,000 over the value of the land the day before the legislation was announced—I'm also a practising real estate broker dealing mostly in farm and country properties, so I know about values. The only reason I did not sell—and I had an opportunity to sell—is that I felt this legislation is transferring the equity of my neighbours on to lands that are inside the boundaries or within certain future developable boundaries, and I'm not going to profit by stealing the land of my neighbouring farmers.

The only thing that's keeping me from selling is my strong, passionate belief that one day my vineyard will be worth more as a vineyard than as subdivision land. I will work, my children will work and I hope my grandchildren will work to prove that to be true. If you look at land values in California, they are US\$150,000 an acre for productive vineyard. Up here we're at \$30,000 or \$40,000. I believe that if the government gives the industry a chance, we will be the Napa of the north. I'm taking a long-shot gamble and putting my life and my livelihood on it, but leave it to us to save the land and give us the tools to save the land. I will not stay on a piece of land that drives me into bankruptcy, but I will put everything I have into making a living for my children and to pass something on to them that's viable.

**The Chair:** Thank you for your delegation today. We appreciate your being here.

1110

AUSTIN KIRKBY

**The Chair:** Our next delegation is Austin Kirkby. Good morning. Could you identify yourself for Hansard? When you begin, you'll have 10 minutes.

**Ms. Austin Kirkby:** My name is Austin Kirkby. I'm a farmer; I've been farming since 1963. I'm also a muni-

cipal councillor for the town of Niagara-on-the-Lake; I've been one for—this is my 13th year.

Excuse the prop, but I brought a large map of our farm sizes to show you all that we are unique in our farm size for this area. These are just some pictures of the irrigation channels we have done and two ads from the Liquor Control Board. You can't see it, but up at the very top is our farm, fully planted with about eight and a half to nine acres of grapes.

Thank you for the opportunity to address you this morning concerning the proposed greenbelt legislation. I entered the municipal political field 13 years ago for the same reason I am here today: my overwhelming concern for the farmers and their economic viability. I am the current chair of the town's agriculture and irrigation committees.

Several years ago someone had a vision for Niagara: to create a Napa Valley in the north. Ladies and gentlemen, this is not Napa Valley. This area contains greenhouse, nursery, tender fruit and grape industries, cash crop and animal farms, and our farm parcels are much smaller in size. We should be recognized, supported and celebrated for what we are instead of being put into a position of fighting for our survival.

The greenbelt legislation permanently freezes our urban boundaries, without a commitment of compensation to the municipalities. Who will pay for costly infrastructure in the future if there is none? Someone has used a broad brush to preserve privately owned farmland and designate it as specialty cropland. Has science been used to support this and, if so, where is it? Where is the compensation to those farmland owners who will lose equity because of the loss of retirement lots?

The Niagara region, regional municipalities and farm organizations have all requested that a Niagara regional committee be included as a condition of the adoption of the greenbelt legislation to recognize the uniqueness of Niagara. The town of Niagara-on-the-Lake, in their previous submission, supported the request of the farm organizations that areas identified by them as affecting their economic viability should be addressed as a condition of the adoption of the legislation. I have attached a list. The town also addressed other concerns about how the proposed legislation could affect the ability to construct future farm irrigation projects. The town indicated that 10 years is too long to measure the effect of the legislation.

I would like to address three specific areas: farm size, irrigation costs and farm viability.

**Farm size:** Greenbelt restrictions for specialty cropland call for a minimum farm parcel size of 50 acres. I have included a map showing the farm parcels in Niagara-on-the-Lake. Over 78% of the farm parcels are 25 acres or less. Over 50 % of our wineries are on parcels of less than 25 acres. The Inniskillin winery was started on less than 20 acres by Donald Ziraldo.

Land values are high in Niagara, young family farmers can't afford the financial investment of such large farm parcels, and specialty crops can be profitable on smaller

acres. Imposing a 50-acre size on this area removes the ability of farmers to restructure their farms to what is common in the area. Is the intent to force family farmers off the land? The town of Niagara-on-the-Lake supports a 25-acre minimum size, which is still larger than the majority of the farm parcels there.

**Irrigation:** Over the past few years, 138 farmers in Niagara-on-the-Lake financially invested in an irrigation system. Growers pay an annual operating fee, including a portion of the cost of a town employee. They also pay an annual capital fee. Infrastructure, including pumps, pipes etc., paid for by the growers, is owned and operated by the town. Costs to the growers alone will have exceeded over \$1 million by 2009, probably close to \$2 million.

The new system has taken almost three years to complete, partly because of approvals needed from upper levels of government. During the ongoing construction of the newest addition to the irrigation system, extra costs were added when one resident from Niagara-on-the-Lake wrote to the Ministry of Culture and requested that additional archaeological work be done. Nothing of significance was found. I have enclosed a copy.

Additional costs have been downloaded to growers by the conservation authority to cover the cost for the maintenance of conservation dams, including insurance.

Drainage ditches are also used for irrigation. Farmers are also assessed a cost for maintenance of these drainage ditches. The provincial government increased our cost of maintaining these ditches by removing the drainage grant. Now members of the public want to restore the drainage ditches to fish habitat. These ditches would be dry most of the year if growers had not paid to introduce water for irrigation purposes.

The Ministry of the Environment is proposing water-taking fees "to cover the costs of processing, evaluating and issuing water permits. Fees will range from \$750 for straightforward new applications and renewals to \$3,000 for those that require detailed hydrogeological information. Most permits are valid for two to 10 years." These permits must be obtained by anyone taking more than a total of 50,000 litres of water a day. The town appealed these decisions and requested that agriculture be exempt. Why do individual farmers have to take out permits when the town already does this for the whole system? Farmers do not irrigate every year. Last year the system did not operate, due to weather conditions. This is just one example of how accumulated government regulations have a disastrous effect on agriculture.

Our family farmed for 87 years. For most of those years we planted and replanted our acreage to keep abreast of changing market demands. This substantial investment was further enhanced by two devastating hailstorms and severe drought.

Today we own only one farm, a 12-acre farm that has eight and a half acres planted. For the last two years we were paid less for these varieties than we received in 1997. In fact, for the last two years, growers received less than 1997 prices for many classes of grapes, even with a short crop. Could you exist on what you received in 1997?

If governments adopted and really supported a Buy Ontario First policy, we would sell more Ontario products like VQA wines. How much does Ontario contribute to help advertise wine from Australia, America, France, Chile, Italy, Sicily and Germany at the LCBO? If governments reduced taxes on wine, perhaps wineries could afford to pay growers more for domestic product. If governments adopted an increased Ontario grape content in wines, it might eliminate future grape surpluses. Wines from Napa Valley, Napa county or the state of California can contain no foreign content. If governments changed the labelling act on wine, consumers would really know what they are buying.

In July 2002, when Mr. Bradley first presented the idea of a permanent preserve, he urged the government “to preserve this unique agricultural treasure for future generations and to do so in a manner which is fair to farmers....” He also stated, “Ontario wines should be 100% Ontario grape, bar none. If there is even one grape from elsewhere in a bottle of so-called Ontario wine, then sorry, it’s not Ontario wine....”

Ladies and gentlemen, we are farmers because we believe in our industry and we take great pride in what we do. If our land is important enough to protect to feed the people of Ontario, then surely it is important to ensure the economic survival of those who grow that food. Areas that need to be addressed have been identified by farm organizations.

All politicians, regardless of party affiliation, who support this legislation must take on the responsibility of ensuring those areas are addressed in return for the preservation of this privately owned land. Remember, you can save the land, but without the farmer, what have you really saved? Dirt.

I would just like to take an opportunity to emphasize the frustration of growers. I was presented with this bottle of wine and I was told to give it to the Premier of Ontario. It’s a bottle of what’s supposed to be Ontario wine. It’s actually a bottle that was, I believe, for the promotion of the Canadian Olympic team. If anybody was buying it in the store, I’m sure they would think that it was 100% Ontario wine, and it is not. It could contain up to 70% or 90% foreign content. I would like that presented, by any one of you who would like to do that on our behalf, to the Premier of Ontario.

**Ms. Churley:** I’d be willing to.

**Ms. Kirkby:** Just very briefly, I’ve included three ads from the liquor control board. This one has 10 bottles: zero from Canada. That one has 10 bottles: one from Ontario. Eight bottles: two VQA, but neither of them is on the front. This is our frustration, and it is degrading to the industry.

Yes, I’ve spent a lot of time on the wine industry, because right now I’m a grape grower and I think a lot of our problems really are with the grape industry. But I implore you all, anyone who supports this legislation—I’ve taken the opportunity to include in your package more information than I have the time to present. I have also included a package from my husband, who has been

a member of a farm family that has farmed since 1911—not him, of course. But there is more information in his package. I implore you all, before you vote on this legislation, to read this information that we are all giving to you. It is most important.

**The Chair:** Thank you, Ms. Kirkby. You’ve exhausted your time with us this morning. We appreciate your being here, and your passion.

1120

#### FRIENDS OF RURAL COMMUNITIES AND THE ENVIRONMENT

**The Chair:** Our next delegation is Friends of Rural Communities and the Environment.

Good morning. Thank you for coming. Please identify yourself and the organization you represent for Hansard. When you begin you will have 15 minutes.

**Mr. Graham Flint:** My name is Graham Flint and I’m representing Friends of Rural Communities and the Environment, otherwise known as FORCE.

Good morning, everybody, Madam Chair, committee members and fellow citizens. First of all, I want to start by just thanking you for this opportunity to contribute to the next stage of this Greenbelt Act’s development. We also acknowledge that the greenbelt legislation is but one part of a series of initiatives to improve land uses, policies and procedures. Specifically, we refer to the Strong Communities (Planning Amendment) Act, the proposed revisions to the provincial policy statement, the pending source water protection legislation, the Places to Grow Act and the companion growth management plan, all of which are at various stages of development and public consultation. We feel that each of these separately and together will contribute to more sustainable development within the province.

As I’ve already introduced myself, I am here acting as the chair and spokesperson for Friends of Rural Communities and the Environment. We are a federally incorporated, not-for-profit citizens-based advocacy group with hundreds of supporters in the communities of Campbellville, rural Milton, Kilbride, Mountsberg, Freelon, and Carlisle. We were formed in June 2004 to protect our natural and built environments in the face of a proposed large-scale, below-the-water-table aggregate development.

We note up front that our organization is not anti-aggregate; it’s not anti-road. Indeed, we acknowledge the need for aggregate materials to support the growth of our infrastructure and economy, and we point out that our communities are already home to some of Ontario’s and Canada’s largest aggregate operations. We do, however, have significant issues with a current proposal that is in front of our communities, for substantive reasons.

We also believe that in addition to representing our communities throughout the resolution of that proposed application, we have a responsibility to promote good government; hence, we are taking advantage of this opportunity to provide input into the broader planning

reform processes and will hopefully improve the situation for all stakeholders in these types of situations.

We have two major themes behind our comments. They are ecology or conservation first, and certainty. We can look to the conservation community for the ecology-first or conservation-first principle. Encapsulated, it basically means that there should be no new or expanded development until a network of protected areas is reserved which reflects the natural regions affected by that proposed development. The Greenbelt Act and the greenbelt plan are an effort to achieve this principle.

Certainty is the second principle—certainty for the aggregate industry, certainty for local municipalities charged with implementing provincial policies and procedures, and certainty for the residents who make the decisions to call these communities their homes for their families and their businesses and are then impacted by the uncertainty that proposed developments and land use changes cause. An effective Greenbelt Act, greenbelt plan and transitional provisions will provide for greater certainty for all stakeholders.

FORCE supports the permanent greenbelt initiative, and the key attribute in that is a permanent greenbelt. We applaud the long-term vision being demonstrated by the legislation and we feel that it is long overdue. The greenbelt is not just about preservation of agricultural lands or natural features; it is about the health of the province and providing an area for sustainable economy growth.

Too often we hear the greenbelt debate being divided as pro-environmental or anti-development. We feel, frankly, that that polarization of this issue is both short-sighted and wrong. Protecting interconnected green spaces is an important legacy for us, our children and our children's children yet to come.

A healthy greenbelt can provide the economic environment where growth and development are possible. Smart growth needs to balance the use of the provincial landscape for growth with the protection of that same provincial landscape for the life-sustaining functions it provides. The Greenbelt Act is not a myopic view of the entire province, but rather a tool to reflect that we need to preserve some areas of our environmental landscape for those life-sustaining functions.

Aggregate developments, for instance, are permitted within the greenbelt, a recognition that aggregate is a necessary resource for our homes, roads, public infrastructure etc. But when you step back and look at the big picture, we see the proposed legislation and plan saying that in these specific areas we must take an ecology-first principle to achieve the balance we require. Any development in these protected areas must be prohibited or restricted in order to achieve a balance in the province overall. The increased protection for sensitive watersheds, provincially significant wetlands, significant woodlots and other natural features is very positive and necessary for the long-term health of our province, both ecologically and economically.

Let me turn my comments back to the issue of our local area, as we believe it is a microcosm of the broader

issue that's at hand here. The proposed development is located on a site within the Golden Horseshoe greenbelt area, part of the protected countryside, and is in fact designated as a natural heritage system and as such afforded the highest level of protection within the Greenbelt Act.

Groundwater quantity and quality issues are already significant in the area and the Amabel formation that is proposed to be mined is identified as both a highly susceptible and sensitive aquifer. Provincially significant wetlands, significant woodlots and several environmentally sensitive areas—ESAs—are present in and around the proposed site. The Bronte Creek headwaters and several tributaries are present. There are habitats for several significant species found on the site and it's a wintering area for local wildlife.

Several residential subdivisions surround and abut the site. Rural concession homes, schools and community centres all exist within a few kilometres. There is an active agricultural economy in the area and crops have been and continue to be taken from fields on the proposed site. The lands are currently zoned for agriculture and conservation management.

I ask you to imagine the community's shock when an application was announced and then formally submitted in September 2004 for a large-scale, below-the-established-water-table aggregate development. By production quantity, this site would be the eighth largest quarry in Canada. Its excavation depth puts it right through the aquifer servicing many areas, including the municipal wells for Carlisle, a community of over 3,000 people. We know provincially significant wetlands are important, and hence the designation. We know that healthy groundwater is critical. Unfortunately, recent history has shown the devastating effects that result if that healthy groundwater is violated. We know that protecting the headwaters is crucial for healthy streams and rivers, and we know that aggregate is important and required for our economic growth. But our local situation is a clear example of conflicting interests and incompatible, conflicting land uses.

The Greenbelt Act and companion plan take a major step toward resolving that conflict by establishing that, for these particular areas, hydrological and ecological integrity and the functions they provide must not be impacted. In short, it says that, for these areas, ecology must come first.

This brings me to the main focus of our remarks today; namely, how the Greenbelt Act will be applied in cases such as the one I've described. To start with, I think we need to take a step back and remember how this whole process was started. It was started by the issuing of a zoning order and then Bill 27, creating a protected greenbelt study area, and this was done in December 2003. These two instruments created a development moratorium in effect until December 2004, now extended to March of this year. So ideally, the greenbelt should exist as it was in December 2003.

What appears to be the major focus of that moratorium was the conversion of lands from rural to urban use, the

greatest source of sprawl that we have. Land uses that stayed in the rural context—namely, land uses that didn't change the land from rural to urban—were not impacted by the restrictions. Aggregate extraction is considered a rural land use.

Currently, the Greenbelt Act would only apply to rural applications made after the date the bill becomes successful. Rural land use applications made before the passage of the bill would not be subject to it or its regulations, yet they can dramatically change the landscape of the very lands the act is attempting to preserve.

It is understandable that a clean, go-forward policy is desirable, but we need to recognize the fact that there are some rural applications that have significant impact on the greenbelt and that they should be subject to its higher standards, particularly those standards dealing with hydrological and ecological integrity.

To return to our example, the aggregate proposal in our area was submitted in September 2004, with preliminary documentation just three months before the original December 16 date for the bill's passage. As the act is currently written, since the application was submitted before the act was passed, it would not be subject to the legislation. Without amendments to the bill or a public commitment to a transition regulation, we could possibly see a new major greenfield quarry, the eighth largest in Canada, being implemented within a natural heritage system of the protected countryside as one of the first developments within the greenbelt, and it would not even have been considered or reviewed subject to the new regulatory landscape; it would have been subject to the previous rules. We do not believe that this is the intent of the legislation.

#### 1130

FORCE's expectation, and we feel the expectation of the residents of this province, is that the greenbelt legislation, plan and policies will apply to the approval process for all future developments that have a significant risk of impacting the greenbelt areas, future developments being considered all those not currently approved. The options to achieve this could be in two ways: amendments to the act or regulations that go along with it.

In terms of amendments to the act, we could amend sections 22 to 24 so that the bill has an effective date back to December 16, 2003, when the process was initiated. We could also amend subsection 24(4), clauses (b) through (d), to sort of raise the bar of when we consider the commencement of a request as not simply the date the request was received, but when the request was actually decided upon by municipal council or whatever body is appropriate. We could also make amendments to those same sections, but limit the time period as being between December 2003 and the bill's passage. Finally, we could amend the sections such that applications for things like industrial or industrial extractive zoning changes could be subject to the rules. All those changes to the act would solve this problem.

We could also possibly pass prescriptive regulations. Some changes to the act may be required since these

restrictions would be retroactive, but we could put a general provision, similar to the elements of the Oak Ridges moraine, that says that matters or proceedings commenced before the bill's passage that involve sensitive hydrological or natural features should be subject to the act. Or we could scope it down and say particularly that these particular applications—in our case, a Lowndes Holdings zoning and bylaw request of the city—should conform to the policies of the Greenbelt Act.

With these changes, we feel that the legislation can fairly deal with these transitional land issues. These applications have the potential to significantly impact the greenbelt landscape. Failure to apply these greenbelt standards to these applications, in our opinion, would be failing in the first test of commitment to this legislation and failing in the principles of ecology first or certainty.

I thank you for the opportunity to address you with these comments. We are submitting them in writing as well. With whatever time I have left, I'd be more than willing to take questions.

**The Chair:** You have three minutes total remaining, so Ms. Churley, you'll begin the questioning.

**Ms. Churley:** Thank you very much for your presentation. You raised many issues of concern, but the one that hit me was the aggregate issue because it's something that I've been asking questions about in the Legislature and bringing up frequently, with no response yet. You may not be aware, but the expansion of existing aggregate operations is going to be allowed throughout the greenbelt, but the proposed Liberal government provincial policy statement significantly strengthens the industry's ability to grow on the greenbelt lands.

My question to you would be, although there are some minor restrictions, what are you asking the government to do specifically? Take it out of all natural areas within the greenbelt, or what? What is your main recommendation?

**Mr. Flint:** In our specific case, specifically about the issue that caused our group to be formed, we want the greenbelt rules, as the legislation currently is written, to apply. It's a transitional issue. In terms of the broader comments, frankly, there needs to be a balance between aggregate to grow our economy and to build our infrastructure and the preservation of these greenbelts. Our opinion is that a lot of these things need to be looked at on a case-by-case, site-by-site basis. A sweeping black and white, one way or the other, might be more negative than positive.

**The Chair:** The government side.

**Mrs. Van Bommel:** Thank you very much. I'm certainly glad to hear that you will be providing us with copies of your presentation because I'm quite interested in the recommendations that you've made. You've addressed the principles of the greenbelt legislation, but you haven't really talked about the size. Do you think that the greenbelt should be larger or do you think it should be reduced? How do you feel about the concept? It is a draft plan, but how do you feel about the concept?

**Mr. Flint:** To be honest, I don't think our group really has an opinion about the size of the greenbelt area,



specifically. I don't really feel prepared or have done the research to make a comment about that. It needs to be large-scale in size to support the ecology-first, conservation-first principle. As I frame that, it basically says that areas need to be set aside to reflect the environment that's being taken over by development, so whatever that balance works out to be by people who are wiser than I am, that would be the size we'd ask for. Certainly, though, the scale of the greenbelt that's on the table is encouraging to us.

**The Chair:** The official opposition.

**Mr. Hudak:** Thank you, Mr. Flint, for the detailed presentation. I look forward to the written submission as well.

There are two general comments I wanted to make. What we've heard at this committee and what I hear in my riding from farmers is that they find two things particularly galling: When there's a press release from the government saying that this legislation's going to protect farmland, they find that upsetting, and rightly so. It stops any zoning changes, but it's farmers that protect the farmland. It's not government; it's farmers, by their stewardship of the soil.

And when they see press releases that say that it will become a vast rural playground for people in the cities, that's galling as well, because there's a fundamental difference between agriculture and parkland.

Now, if you're friends of rural communities, are you also friends of farmers? Would you support an agricultural plan to make sure farmers continue to farm viably and get a fair price for their product?

**Mr. Flint:** Absolutely, and I can tell you that the Hamilton-Wentworth Federation of Agriculture group or committee is a big supporter of FORCE. We're actually working together on that issue. In my first meeting with them, as we were forming our alliance, I watched that debate go around the table of people who were looking forward to the economic gain of being able to sell their land, but also their role as stewards protecting it for future generations. It's a tough issue for that group to work with. But specifically, the Hamilton-Wentworth Federation of Agriculture is a big supporter of our concerns and would like to see the aggregate operation not approved.

**The Chair:** Thank you for coming today, Mr. Flint, and for your delegation.

#### DUFFERIN AGGREGATES, ST. LAWRENCE CEMENT

**The Chair:** The next group that will be speaking will be Dufferin Aggregates, St. Lawrence Cement.

Good morning. Could you identify yourself, and the group that you're speaking for, for Hansard? When you begin, you will have 15 minutes. Should you leave any time at the end, we'll be able to ask you questions.

**Mr. Bill Galloway:** Madam Chair and members of the committee, my name is Bill Galloway. I'm general manager of Dufferin Aggregates. We are an operating

unit of St. Lawrence Cement. I'm here speaking on behalf of the company. I'm very active in the Aggregate Producers' Association as a board member, and I'm also chairman of the Aggregate Resources Corp., but my remarks today are on behalf of Dufferin Aggregates.

I believe you have in front of you our presentation, so what I thought I would do is just leaf through it and draw my comments from some of the bullets on each page. What we're trying to do with this presentation today is to talk about aggregates as an important asset and resource within the greenbelt plan, and to provide the message that Ontario must manage and conserve all of its natural resources, including aggregate. There's great debate in the press today: Are we or are we not running out of aggregates? In the GTA west, in 2010, we are running out of aggregates—fact, not fiction. So I thought I would talk a little bit about that.

Significant environmental and economic consequences: What happens if you skip over the greenbelt? What are the costs to our communities?

We wanted to talk about recycling and substitutes. It's important that we conserve our resources, but recycling and substitutes are not a permanent fix for or a permanent replacement of primary aggregates.

What it is we're really saying here is that we think that in the original task force recommendations it was very clear that aggregates were part of the greenbelt. There was a balancing provision and a mechanism to make sure that we could protect all of our natural resources, including aggregate. At the end, hopefully we'll have some conclusions and recommendations that the government can move forward with.

As aggregates, we are the building block. We're a component of a \$30-billion construction industry—we're a necessary part of our infrastructure growth—that employs about 270,000 people.

We go where the geology is. That was predetermined by God; unfortunately, that creates an inherent conflict, and is one of the reasons why we're here today.

Not all aggregate is created equal. On page 2, there is a map that points out the Niagara Escarpment and the Oak Ridges moraine. The high-quality aggregate, both the crushed rock and the sand and gravel—those are the locations where this high-quality material comes from for our bridges, for our CN Towers, for our hospitals. It also shows on this map that Dufferin has a point of view, not only because we're located within the GTA, but you can see from the map that we're located well outside of the GTA as well.

**1140**

Our message must be that we have to manage and conserve all of Ontario's resources, aggregate being part of it. We're a very rich province. We look to our land uses not only for the food we grow but for the water we drink. We use our minerals every day, for our infrastructure and our economic growth.

When you look at our map, you see that our great rock and our great stone that we have built our economy on over the years are in exactly the same locations where we

have our natural heritage features. The Niagara Escarpment and the Oak Ridges moraine are the close-to-market sources for aggregate.

We're a temporary land use, and we believe that the government must manage and conserve all of the resources and provide the balance. The provincial policy statement that's outlined in the second-last bullet on page 5 says, "As much of the mineral aggregate resource as is realistically possible will be made available to supply mineral resource needs, as close to markets as possible." So close-to-market is vital. It's vital for the GTA, it's vital for our economy and it's vital for our renewal and the maintenance of our cities.

The second map really shows the sources and provides you with a perspective on what happens if you leapfrog the greenbelt, the distance it would take and what the cost would be of bringing aggregate from the Carden Plain, Grey-Bruce and north of the city.

It's a considerable cost when you recognize the fact, on page 7, that over the last 25 years there hasn't been one hard rock licence issued in the GTA west—not one. Over the last 12 years, there has only been one aggregate licence issued, period, in the GTA west, and that was dealing with sand and gravel. It takes over six years—closer to 10 years—to get a licence to allow you to extract. Just as we go about planning for electricity, infrastructure and protecting our natural resources, we have to go about planning for aggregate, because it is a fundamental use within our society. Right now we're not in a sustainable situation as an economy and as an industry, so we have to make sure that we have close-to-market supply available and we have the ability to get new licences.

The results of leapfrogging—you've heard a lot of these statistics before. They're backed up by papers that have been submitted to government. It talks about the congestion on the highways, the incremental truck trips. It really does a comparison and says that if we export the GTA aggregate problem to other municipalities, it's tantamount to doing the same thing as exporting garbage today, and we're desperately trying to find a solution for that. The GTA should be sustainable for as long as possible and not export either the problem or the taxes, the jobs, the economic viability that's within the existing municipalities in the GTA as a result of the aggregate business.

We also recognize that there are environmental costs. More trucks mean more consumption of fossil fuels and more greenhouse gases. We've already seen the impact of the scarcity in the GTA west as prices start to escalate. All of you, along with the municipalities, are actually paying for close to 50% of all of the aggregates that are used in the province.

When we talk about recycling, Ontario has been recognized as a leader in recycling. Is there enough? Should we be doing more conservation? Absolutely. Should we be looking for some alternatives for primary aggregate use, some substitutes? Absolutely. Because conservation is a very important part of the aggregate business.

One of the examples I've cited is Pearson airport. One of our sister companies is the largest road builder and one of the largest constructors of the GTAA airport expansion. We currently have 180,000 tonnes of material that was put underneath the last apron expansion directly as a result of recycling Terminal 1 and the parking structure. As you fly into Toronto, you'll see a massive pile of stone. That's 240,000 tonnes of stone, which we're proud to say has our Dufferin logo on it, that has been recycled and will be used in the further expansion of the Toronto airport.

We support recycling. We sold a million tonnes of product last year to our own internal customer for road building. In addition to that, they used half a million tonnes of recycled material in the roadwork and in their heavy construction jobs. So we would support additional recycling opportunities and we would be thrilled if we could get the permits to be able to do more recycling within our existing pits and quarries. Right now they're in yards scattered throughout the GTA, not only ours but also some of our customers' yards, again primarily the road builders. We're currently involved in a program in Halton region working with glass, trying to put glass into road base.

As a result of the task force, on page 10—our industry participated in it. There were balanced mechanisms within the task force report that allowed us to protect natural heritage and aggregate, to do the balancing, as the provincial policy statement allowed.

If you look at our industry, we're one of the most highly regulated industries in the province. It doesn't matter whether you talk about the ARA, the clean water act, air or dust, the level of monitoring that goes on within the aggregate industry is terrific. We applaud it. And we applaud the reporting we do, because it's all part of the public record, both the municipality and the province, so they see what we're doing. They have the facts as to whether you're a good operator or a bad operator, whether you're following your permits or you're not following your permits.

We feel balance is very important in looking after what we do as an industry and how important we are as part of our overall economy and the community.

Rehabilitation: I've got lots of opportunities to show you what rehabilitation we've done and what the industry has done. It's important to recognize that our rehabilitation can be part of the goals and objectives of the greenbelt. Dufferin, as a company, and the aggregate industry are not opposed to the greenbelt; what we're asking for is balance within the greenbelt, to protect our features, make aggregate available and do the right thing for the economy and the people of Ontario as a whole.

The key for us is, how can we work together? What we would like the government to do in our recommendations is to provide that balance within the greenbelt and to plan more positively for aggregates. We tend to see in the media—and I believe our earlier speaker just talked about the polarization. This is all about balance. It's all about making sure that we have an effective use for our

land. I believe all sectors have been saying the same thing.

I don't agree with the retroactivity. There is a set of rules in place. We should be following the set of rules that existed prior to the greenbelt legislation and the zoning order. When this is put in place, it will change the rules and we will operate under those new rules, whatever they happen to be. But fundamentally, the government has put the principle of fairness in play, put that language in the greenbelt draft plan, and that's how it should remain. We're not associated in any way, shape or form with the quarry that was talked about earlier, but do the science, do the balance. If it lives on its merits, it lives; if it dies on its merits, it dies. That's fundamentally what we agree to.

**1150**

When you look at the provincial interest, we agree the province should be controlling and planning for access for this scarce resource. We see that both ourselves as a company and the aggregate industry should be working with the government to ensure that the rules put in place in the greenbelt legislation around rehabilitation are built into the plan, are appropriate, and are consistent with the goals and objectives of the greenbelt.

I'd like to turn to some of the rehab pictures, very quickly. The map on page 12 talks about all the past quarries and pits. As you move to page 13, this is our existing Milton quarry. Normally, people don't show you pictures of our Milton quarry like this. We do have a mining face, but this is our rehabilitation, both in terms of our lake—all the features have been planted by our Boy Scout program.

**The Chair:** Mr. Galloway, you have one minute left.

**Mr. Galloway:** Thank you.

We've got 50,000-plus trees that have been planted. The ecology is seen on page 15 in terms of not only the physical features but also the habitat that animals and frogs have made their home. You can see that in the Golden Horseshoe, we have vine lands as the after-use of a quarry, tender fruit land, horse farm, agricultural uses. Again, there are wetlands. In the lower right-hand corner you'll see a picture of the escarpment, which is an old quarry.

That concludes my comments.

**The Chair:** Thank you for your time here today.

#### ONTARIO TENDER FRUIT PRODUCERS' MARKETING BOARD

**The Chair:** Our next delegation will be the Ontario Tender Fruit Producers' Marketing Board.

Good morning. Please identify yourself, and the group you're speaking for, for Hansard. When you begin, you'll have 15 minutes.

**Mr. Len Troup:** Good morning to you all. My name is Len Troup. I am the chairman of the Ontario Tender Fruit Producers' Marketing Board. I am one of the senior partners in a fairly large tender fruit operation down near Jordan. It's a family farm. We farm 300 acres of tender

fruit and we pack it and market it, so we play for real. The Greenbelt Act is something that we as individual growers and certainly as a marketing board are very concerned about.

We are concerned that it was brought forward as a land use issue and promoted as such, but it just cannot be dealt with strictly as a land use issue. I've been listening to the presentations by people from the grape industry and I'm going to echo a lot of what they've had to say, because agriculture is agriculture, when it gets right down to it. The crops are interchangeable, and over the years on these farms they have been changed many times. Sometimes a tender fruit grower today is a greenhouse operator or grape farmer tomorrow, and all sorts of other things. It is very important that it be understood that agriculture is not just one commodity or one facet of the thing. When we're dealing with the land issue, we're talking about primary agriculture. That's the heart of the whole thing.

I'm going to run through my presentation. I'd be really pleased to take some questions afterwards.

Thank you for this opportunity, especially as it impacts the tender fruit growers in Niagara. As chairman of this marketing board, I speak for about 600 growers in Ontario, probably 500 of which operate in Niagara and own land and do business in the proposed greenbelt.

Initially, we were told that the greenbelt was a land use issue, and discussion of the many and far-reaching business and financial implications to the farming community, that being the landowners, was rebuffed. Now, after almost one and a half years of discussion, debate and lobbying, we are finally dealing with the real issue, which is viability. This is what it's all about. This refers both to the municipalities trapped in the greenbelt and to the farming community, which is somehow expected to carry on, regardless of real and often government-imposed pressures.

Tender fruit growers continue to support the concept of preserving farmland. We've already been preserving it for 200 years, so I think we know how to do it. As long as the viability of our growers is entrenched in the legislation, we will support a greenbelt concept. Farmers have been and continue to be the primary stewards of the land and will continue to do so as long as it is viable. Remember, and everybody is going to say this: Save the farmer, and the farmer will save the land. Legislation will not save the land. It comes down to people, and if you don't deal with the whole issue, then you haven't dealt with anything.

We offer some ideas that would help make the greenbelt package—notice the word “package”; that's not just land use but the whole thing—more acceptable to the farming community, and I'm going to go through them.

One you've heard before: a Buy Ontario policy. This sounds so simple, but it doesn't happen. Practise what you preach. The Ontario government should institute a Buy Ontario First policy for government-operated institutions and for all government functions. It's just common sense. Many other countries and jurisdictions have long followed this practice.

Monitoring the price of farmland before and after greenbelt implementation: My growers are very concerned about potential devaluation. Government has indicated that they believe that the price of farmland would actually increase, not decrease. If this is really their opinion—once again, put your money where your mouth is—then they should not fear promising to compensate farmers for any devaluation to commercial farmers' land resulting from greenbelt implementation. Don't say it; put it in writing. We want to see it. Farmers are very concerned about their equity being eroded. Remember, these farms often have been privately owned for 50, 100, 200 years. To suddenly have the potential of devaluation of private property imposed on them is not a popular issue.

Fair taxation of value-added on-farm operations: This one we've been fighting with for years. The rest of Ontario agriculture deserves to receive the same treatment as the Ministry of Finance provided to the maple sugar industry. It's not rocket science; it's just a matter of doing it. Do not discourage farmers who initiate value-added operations on the farm and then find that they are taxed to death. If you want people to do these things but then you kill them with taxes, no one is going to do it. A fair resolution to this situation is long overdue. It has been in the courts for years. Just do it. If you can do a greenbelt in two years, surely you can do some of these simple things in two minutes.

Consideration for the lost right to retirement severances: People just blow by this, eh? This is a huge issue. In Niagara alone, it is estimated that the Greenbelt Act would wipe out \$50 million—this is just a wild figure, but if anything, it's conservative—in value if retirement severances are lost. This is a direct loss to farmers' equity—they had it; they don't have it any more—just with a piece of paper. Nobody seems to be concerned except the people who are losing it.

We're suggesting that you create an agricultural investment trust—nice words, but you know what I mean—equal to the total value of all unused potential retirement severances in the greenbelt to finance agricultural infrastructure over a 10-year period. Growers could then apply for funding to make farm improvements. This would be a meaningful reinvestment of this equity that is otherwise lost. It would be reinvested in the future viability of agriculture, equal to the sum wiped out by the elimination of those retirement severances. If you're going to take it away from the individuals, give it back to the industry. But don't just take it away and act like nothing happened.

#### 1200

Strengthening of right-to-farm and trespass legislation to ensure that farmers can continue to use normal production processes without harassment: an absolute must. I heard about the air-moving machines. They hardly get them up and people are already complaining about the noise. If people don't like it, they can move. This is an agricultural preserve, right? So agriculture must predominate. All these whiny, would-be country

livers can just pack up their horse and leave. The last thing we want is for them to be calling the shots. If it's agriculture, it's agriculture, and we need this in legislation. We're getting tired of this stuff.

Amendments to legislation to support and provide incentives for Ontario agriculture: The obvious one is the Wine Content Act, and I'm not going to go there, because you've all heard about it. What you have today is sheer nonsense. You've got an industry; protect it. I don't grow grapes, but I can't believe how bad this is.

Permits to take water: Here we are, many of us have been irrigating, taking water, doing things for years; we try to be environmentally correct. If they want us to be involved in record keeping and that type of stuff, fine, but here they come in and now they want \$750 for each permit. This is nothing but a money grab; this has nothing to do with anything else. That means if a farmer is drawing water out of 10 different locations, and I know farmers who do, the fee for the paperwork is \$7,500. I mean, are you helping agriculture or are you trying to put us out of business? This is another example of government nonsense, and it has to go.

Great Lakes Charter: This is an agreement between the states and provinces surrounding the Great Lakes about the usage of the water. This is probably a very good thing, but what we need is for agriculture to be exempt, because what we take out is eventually going back. We don't want somebody in Michigan telling us that we can't use the water here in Ontario. We just want to make sure it's addressed. I think it might be, but it's on the table.

Harmonization of pesticides with the US: This was promised with the free trade deal I think 14 years ago. In the tender fruit industry we lost 15% tariffs and a whole lot of stuff—we got nothing back—but they promised this harmonization of pesticides. Well, 14 years later they're still working on it; you know how it goes. Anyway, we're getting a little tired of it. This is a federal responsibility, and we understand that. But the province can have a lot of influence, and it's time they put a little pressure on to get this thing resolved.

Research: The research capabilities within Ontario and Canada, which were once world-class and cutting-edge, are being allowed to erode in the name of cost-cutting measures. Examples of this include the drastic downsizing at the horticultural research station at Vineland and the pending elimination of the current horticultural storage lab at the University of Guelph, where facilities are about to be eliminated as they are considered too costly to maintain. There must be a meaningful increase in the government's investment in research infrastructure and delivery capabilities. Successive Ontario governments—so nobody's off the hook on this one; I know you guys like to point fingers, but you all did it—have gutted the Vineland Research Centre. Don't hide under the table; you did it too. This must be reversed. You cannot keep cutting research and expect an industry to stay on top of things and be competitive in the world. Other countries are very heavy on research, and here in Ontario we've pretty well pulled the plug. We've got to get real.

We have a few Niagara-specific issues. The majority of Ontario prime tender fruit and grape lands are located in Niagara. We are unique; our crops are specific to Niagara. Growers here produce high-value crops on relatively small, high-valued lands. For these reasons, we believe that Niagara must in some ways be treated differently from the other areas of the proposed greenbelt. One size does not fit all.

First, the creation of a Niagara greenbelt advisory committee: This doesn't cost anybody any money. We are prepared to put our best people forward to give you good advice so that you just do it right the first time. We would really like you to do that. This would allow the people who own the land to have a say in the implementation and administration of greenbelt policies in Niagara.

The 25-acre minimum for a division of farmland within Niagara: You've heard it talked about already. It's just too obvious. We have small parcels of land. We have high-value crops. We have expensive land that people can't afford to purchase to get started. For all kinds of good reasons, that 25 is much more realistic than the 50, which is just impossible in Niagara.

Irrigation: I've heard it mentioned before. Here in Niagara, we really are going to have to get more and more into irrigation. It will be necessary to stay competitive in the world market. Remember, we are in open competition with the rest of the world. There are no barriers. Everybody in the world can dump their product here in Ontario. Farmers must be provided with the tools with which to remain viable. One of the most integral components is irrigation. Remaining competitive is the name of the game. Regional Niagara, in partnership with the tender fruit, grape and greenhouse industries, is currently conducting a feasibility study to determine the most appropriate system of delivering raw water for agricultural purposes. We have been told that this can be done but, to date, we have not received the cost estimates. This is something that really needs to happen, and I think it will, but in order to make it happen, the province and the federal government should be major partners in this project. We want a commitment that you'll be there when we need you.

**The Chair:** Mr. Troup, you only have a minute left.

**Mr. Troup:** OK. Taxation policies are going to affect the farmers as well as the municipalities, and we think that needs to be addressed. The problem of frozen boundaries and frozen sources of revenue will eventually impact the farmers, and we'll have higher taxes too.

Some of these proposals have a price tag, but many do not. For the greenbelt concept to succeed, these and other issues must be addressed. This issue is far too complex and there is too much at stake to be driven by a four-year political agenda. Take as much time as is needed to address these issues properly and get it right. There's a lot at stake here.

In summary, neither the urban municipalities locked in this greenbelt nor the farmers who own and care for these very special farmlands—and they are special—targeted by this legislation—and we know we're the target. "Greenbelt" is a nice word, but they were after Niagara,

and we know it. Anyway, we should not be required to pay the price for achieving a provincial objective. If society wants a greenbelt, then all of society can pay for it. That's nice and clear.

**The Chair:** We appreciate your being here today.

#### WINE COUNCIL OF ONTARIO

**The Chair:** Our next delegation will be the Wine Council of Ontario.

Welcome. Please identify yourself and the group you're speaking for. When you begin, you'll have 15 minutes.

**Ms. Linda Franklin:** I'm Linda Franklin. I'm with the Wine Council of Ontario. Thank you, folks. We appreciate this opportunity to come before you again today to reassert our industry's support for Bill 135, the Greenbelt Act.

I think the hearings today are particularly timely. I don't know how many of you have had a chance to review it, but Statistics Canada released a report yesterday documenting the fact that Canada's best agricultural land has, in their words, been devoured by urban expansion over the past three decades. The report, called *The Loss of Dependable Agricultural Land in Canada*, provides a pretty sobering reality check for anyone who thinks that this legislation should not go forward immediately. It demonstrates that in Ontario, in 2001, towns and cities occupied over 11% of our prime agricultural land. Meanwhile, the demand for land to be used in agriculture grew as the availability of this land decreased. According to Statistics Canada, the result is that farmers have had to bring lower-quality land into production to meet the demand for agricultural products. As StatsCan points out, lower-quality land is often unsuitable for stable, long-term agricultural production. Moreover, bringing poorer land into production may be environmentally harmful, as it's susceptible to erosion and requires greater use of fertilizers and pesticides.

#### 1210

The Statistics Canada report goes on to state that specialty croplands, such as those in the fruit belts of Niagara and the Okanagan Valley, where there is a land preserve, are particularly vulnerable to urban encroachment, as they have a limited ability to flourish in Canada. Given the importance of these crops to the local economy, Statistics Canada says that the loss of even one square kilometre of these lands is significant.

In the face of this devastating statistical report, it seems to us that the debate is over about whether or not the greenbelt is needed, and it's certainly not a political debate, I would argue. The time to act has come.

Many of you, I think, are familiar with the Wine Council of Ontario. We're a trade association. We represent 60 wineries in Ontario. In 2001, we released a 20-year strategic plan that calls for significant growth in the grape and wine industry. That growth will bring new jobs, new investment and increased revenue, but it's only possible if we're able to preserve these agricultural lands,

because for grape and tender fruit growers the combination of soil and climate that we find in Niagara is rare and irreplaceable.

This has been, we know, a difficult and emotional debate since one of our industry leaders, Donald Ziraldo, raised it several years ago. Today, however, I'm encouraged to see that the debate seems to have moved to a consideration of how best to ensure that the greenbelt works. This is where we believe the discussion should be focused, and we're pleased to offer the committee some thoughts today on sustainability.

We think it's important also that these lands be self-sustaining. If they're not, government has some pretty expensive choices to make, but we think it's quite reasonable to assume it's possible. We have examples in front of us, remember: Napa and British Columbia. There are many places in the world that have land preserves, and there's no evidence at all of anything except an increase in land values when agricultural preserves are put in place.

We spoke just last week to the former head of the grape growers of BC, who sat on their industry's commission when a greenbelt was put in several years ago in the Okanagan. He told us that his land, which lies entirely within the preserve, has increased 10-fold in value since that time. It's now worth \$100,000 an acre. Last year, Francis Ford Coppola paid \$300,000 an acre for land in the Napa Valley. Clearly, scarcity brings value, and that's what we believe will happen here.

Our challenge is to determine what needs to be put in place to help our area make the transitions needed to get to this result, and we'd like to share some of those ideas with you today.

We think, of course, that they have to be consumer-driven solutions, because at the end of the day, there's no point throwing money at us to make more products if nobody's going to buy them. So consumer-driven solutions, we believe, are the best way to go. We think one way to increase consumer interest in the products of the greenbelt is to bring more consumers here to visit. We have a lot of research in the wine industry over a number of years, and what it tells us is that when consumers come down to wine country, they become loyal consumers of our product. We believe that's going to be true across the piece. We believe that if you can bring consumers down to Niagara, show them what we do and what we produce and produce a marketing campaign that drives that message home, you'll get the results you're looking for.

In Niagara, winery tourism today delivers almost 750,000 tourists to wine country. They're also helping reshape Niagara's economy, which is also a good thing. We think, then, that the value of ancillary activities in the greenbelt, such as winery restaurants that source local ingredients, can't be underestimated in developing a model for the greenbelt that's sustainable long-term.

As well, we're working with the region of Niagara right now to develop an economic development plan to help make local communities more attractive so we can bring tourists down to visit wineries and then push them

out into the surrounding neighbourhoods and build tourism and economic development that way.

This is what happens in Napa. It has been very successful in turning their local towns into hubs for tourism. People come to the wineries and they go into the local towns, and those towns are full of terrific restaurants, terrific shops, bed and breakfast facilities and lots of experiential activity. All those things build a terrific local economy, powered by the wine industry, by agriculture and by tourism. We think all of that is possible here with some planning.

We believe, then, that it's important that the greenbelt legislation be clear that wineries are an agricultural use, that winery tourism and agri-tourism in general is defined as an agriculturally related use allowed in the specialty crop areas, and that reasonable expansions of these activities be allowed.

Others have talked about the crucial role of infrastructure in the greenbelt. We would agree. At the end of the day, the requirements to appropriately service tourism in wine country do bring specific challenges to rural communities. Their road networks, particularly those in Lincoln, must be much more extensive and maintained to a higher standard than would be normal in another rural area because of the tourism traffic they support.

As you know, a number of our greenbelt communities are concerned about their ability to maintain infrastructure, given the restrictions that will be put on municipal revenues of the greenbelt. Those communities have been working on ideas to address these issues that we think should be listened to carefully and acted upon, where practical, to make sure we help produce a sustainable tourism product here.

I talked a little bit before about the need to involve the consumer in what we're doing to drive interest, sales and viability in the greenbelt. I think our industry provides a pretty compelling case of what can be accomplished when you have a clear vision, a sound marketing strategy, sufficient funding to execute that strategy and a terrific product.

I think all of you are familiar with those sorts of supports around marketing for the wine industry, because subsequent governments—NDP, Liberal and Conservative—have been good supporters of the Ontario wine industry and its vision over time. As a result, the government has partnered with the industry over many years to develop and fund strong marketing campaigns that have enhanced consumer awareness of our wines and addressed perceptions that stood in the way of people buying our wines. The net result is that we're a healthier industry today for all of that. We couldn't compete, obviously, in our own market against foreign suppliers' heavily subsidized products without that kind of government support.

We believe this is common in agriculture today, and we firmly believe that any strategy for the preservation of agricultural land should be coupled with strong research and a sound, long-term government commitment to partner with agriculture on a marketing plan to build consumer awareness of their products and interest in buying

Ontario products. We would support the fruit growers around this issue of a Buy Ontario campaign. That makes sense to us as well.

For us, of course, VQA is the brand, but we do believe that Foodland Ontario provides another option. It has a strong brand awareness for consumers and we think it could provide a strong element of support for an enhanced marketing campaign. For example, just thinking outside the box, why not showcase fruits and vegetables that are in season when the liquor board does the Ontario wine promotion in September right around the time of the grape and wine festival? Why not allow tastings of domestic wines in grocery stores as part of a Foodland Ontario promotion for fruit and vegetables, combined with recipes? There are lots of things that we could do jointly to start to promote our products universally to consumers, and I think we will build interest.

For us, of course, the other key element is the Liquor Control Board of Ontario. We have a former minister of the liquor board with us today who spent a great deal of time and energy persuading the liquor board to be more friendly to the Ontario wine industry, and a lot of good programs were put in place that have made a real difference. It's been our experience, though, that even while these programs are successful, there's a constant need for government to remind the liquor board that support of the domestic wine industry is critical and is a government priority. The current government has just delivered \$10 million for our future marketing campaign, for which we're very grateful and believe it's very critical. Again, that money will be most successfully executed if the liquor board is also standing behind the domestic wine industry looking for ways to support it.

There's a lot going on with the liquor board right now. There's a current review ongoing of the liquor board. We will be offering, through the wine council, some suggestions and proposals to government to try to increase enhanced support of the liquor board, particularly for our smallest wineries. We're hoping that this panel will also take some of those ideas into account. In turn, we believe that greater level of support will help sustain the greenbelt over the long term.

Finally, we think that if we're going to continue to compete in our home market on any kind of level playing field, we have to find a way to make the series of domestic marketing funding supports permanent for the grape and wine industry. Ontario, as you know, is one of the top export destinations for wine-producing regions around the world, and the vast majority of these regions are heavily subsidized by their home governments. The support provided to the domestic wine industry to date has yielded real returns to the province, because when you sell a bottle of Ontario wine, it produces \$3.88 worth of economic benefit to the province. When you sell a bottle of imported wine, it has a 46-cent value to the provincial economy. The layering on of the greenbelt in that I think makes it more urgent and important that the domestic industry advance and succeed. So finding ways to produce support that's ongoing, that can be counted on, we think is very critical.

## 1220

We think there are a lot of ideas as well from the Ontario tender fruit producers that should be supported, and we'll just touch on a couple of them because they've dealt with it much more thoroughly than we can.

Research in particular is an area where government has to renew its focus. I think the tender fruit folks have spoken to that eloquently, but perhaps we can just give you an insight from our industry into why that's so important.

Throughout the world, the wine industry is heavily supported in research. Billions of dollars are made available, particularly in the European Union and the United States, to ensure the health of this industry. Often, that funding support takes the form of research. For example, in the last few years, tens of millions of dollars have been allocated by state and federal governments in the US to fight Pierce's disease and glassy-winged sharpshooters, two pretty serious threats to California vineyards. In contrast, when our industry was facing the challenge of a new pest in 2001, the Asian ladybug, we found ourselves largely on our own in trying to initiate and fund research. It's true what Mr. Troup was saying: Vineland research station, which used to be a terrific resource and would have been in the past for this kind of thing, simply doesn't have the legs any more to be able to do that. This contrast makes it very difficult to compete on the world stage and even in our home market.

To level the playing field, the government desperately needs to reinvest in research for our sector, both federally and provincially. We heard a few weeks ago at a research committee that virtually all of the research that the federal government funds in grape and wine right now is done in British Columbia out of Summerland research station. That's great. We think it's important for our colleagues, but their growing conditions are different from ours, their challenges are different from ours. Some of those research dollars from the federal government need to be repatriated to Ontario.

In addition, the University of Guelph, Niagara College and the Cool Climate Oenology and Viticulture Institute at Brock all have important roles to play in reinvigorating agricultural research, as does the Horticultural Research Institute of Ontario at Vineland. We think the value-added research initiative being developed by the Agricultural Research Institute of Ontario could provide a model for a provincial plan, and we hope that folks will look at that.

We also agree with the growers about the irrigation infrastructure needed. I don't think there's more that needs to be said on that, except that we think that's an excellent initiative that should be thought of. Frankly, if you're going to support agriculture moving forward and being made sustainable, infrastructure is a good way to look at it.

Finally, there's one suggestion that has been made regarding farm viability that our industry wouldn't support because we think it would deliver the opposite result. The Ontario Grape Growers' Marketing Board has argued that the best way to ensure the purchase of all the

grapes in the province would be to raise the domestic content requirements for blended wines labelled as being made from import and domestic content. Right now, our blended wines have at least 30% domestic content, and that requirement is unique in Ontario. Wine regions around the world make blended wines; none of them is required to put a specific content from a specific place in those blended wines. We derive domestic content through our appellation system, through the VQA. All of those wines are 100% domestic content. That's the future of our industry, we believe.

It sounds really easy, to increase the content in our blended wines, but what the marketing board doesn't talk about is that right now our legislated grape pricing system means that our wineries have to pay the exact same price for Chardonnay grapes that go into an \$8 bottle of blended wine as they pay for Chardonnay grapes that go into a \$25 premium wine. No other wine region in the world operates that way. We have been talking with the marketing board about that problem for six years now, but we're no closer to a solution.

**The Chair:** Ms. Franklin, you have one minute left to summarize.

**Ms. Franklin:** Thanks; no problem.

If our grape pricing system doesn't change, then changing the Wine Content Act would just force higher-priced grapes into low-cost wines. It would be the equivalent of asking the producers of Piat d'Or to put high-end grapes from Bordeaux into their wine and pay the same price as the Bordeaux producers producing a \$100 bottle of wine would pay for their grapes. I don't think you need to be an economist to know that that's not a recipe for financial viability anywhere.

The future of our industry, we believe, is not growing more low-cost grapes for our lowest-priced wines. Our future is in planting our scarce grape growing land with high-quality, high-value grapes destined for VQA wines. That's where we're going. That's where our future is.

We think that we can, as an industry, enhance the greenbelt. We're going to provide leadership in areas of development like quality advancement, environmental sustainability and the growth of premium wine production, and we think all of those things will help support the goals of the greenbelt and produce sound environmental stewardship within these critical lands.

With the ideas we've suggested today, we believe the greenbelt in Niagara can and will be economically successful, and we fully support the government in its plan to protect these lands for the future today.

**The Chair:** Thank you for your time. We appreciate your being here.

#### CITY OF BURLINGTON

**The Chair:** Our next delegation is the city of Burlington.

Good afternoon and welcome. Could you identify yourself and the organization you're speaking for. When you begin, you'll have 15 minutes.

**Mr. Bruce Krushelnicki:** Thank you very much. Chair and members of the standing committee, my name is Bruce Krushelnicki and I'm pleased to be afforded this opportunity to come before you today as director of the planning and building department for the city of Burlington to address you on Bill 135 and the proposed greenbelt plan. I have a suspicion that I may be the only thing that stands between you and your lunch, so I promise to be brief. If you find me reading this quickly, that'll be the reason.

**Mr. Lou Rinaldi (Northumberland):** Did you bring some?

**Mr. Krushelnicki:** I'm happy to join you, if you wish.

Bill 135 and the greenbelt plan are vitally important to the city of Burlington. The greenbelt comprises about one half of the land area of the city. The mayor and council of the city of Burlington are well-informed of both the bill and the draft plan and have authorized the planning department, following my report to them of the government's several initiatives, to be involved in the consultation efforts that have been organized as part of the deliberation on the bill and the draft greenbelt plan, including these committee deliberations.

I begin by commending the provincial government on its long overdue re-engagement in large-scale regional and provincial planning. The growth in the GTA and the greater Golden Horseshoe, of which we in Burlington are a part, has proceeded in a way that has made decisions regarding planning, transportation and infrastructure increasingly difficult. As a result of the growth that has taken place, the competition for land between housing, employment, agriculture, conservation and recreational needs, to name a few, has heightened the difficulty of making choices about development applications in municipalities within the regions surrounding Toronto. As a result, the GTA is faced with gridlock, infrastructure deterioration and serious problems coping with unbridled growth.

Burlington has taken a lead in making serious choices about its future that we consider to be in close step with those that the province is taking now. Our official plan promotes the idea that Burlington comprises both an urban and a rural character. This is reflected in a strong urban boundary policy in our official plan and that of the region of Halton that clearly separates areas of settlement along the southern tier from those north of the 403, Dundas Street and the 407, where rural, natural and agricultural areas are protected from development, especially on our escarpment lands.

Burlington also supports the principles of sustainable development, which recognize that quality of life and a healthy economy rely on a healthy environment. The draft greenbelt plan reinforces the city's plans and policies with additional protection for agricultural lands and natural areas, as well as corresponding rural lands. Through consultation with provincial staff, Burlington has offered its advice and assistance in drawing a greenbelt boundary through our community that will essentially follow the urban settlement boundary as established



in the city's official plan and that of the region through official plan amendment 2. There are a few specific locations where the boundary has required detailed attention, especially in the north Aldershot area, north of the 403, and in the east end near Bronte Creek. Based on the consultation with provincial staff, Burlington staff are confident that the location of the boundary in relation to existing and designated settlement areas will eventually be accurately set.

We were especially pleased to learn that, by operation of the bill in its present form, the lands that are part of the Niagara Escarpment plan amendment area—we call this NEPA 71; you may have heard of this previously—will be included in the Niagara Escarpment plan area and will therefore receive the protection of greenbelt legislation and the plan. Although this may seem to be a primarily local issue, as many of you will know, the NEPA 71 lands were slated, and have been slated, to be the subject of lengthy, complicated and potentially very costly joint board hearings, prompted by the challenges of several developers and land owners. This is now removed, and the city and other public authorities are effectively saved the expense of a potentially long and protracted hearing.

Indeed, the general effect of firmly supporting our official plan urban boundary policy, which we regard as a permanent boundary, with the greenbelt plan provisions is that it will save the city from several anticipated challenges to its urban boundaries by developers. The hearings that this issue could have caused are long and tiresome, not to mention expensive.

In this respect, we entirely support the provision that the greenbelt plan be in place without significant amendment for a period of 10 years. This is a reasonable planning horizon that balances permanence with change.

#### 1230

We also support the proposition that no net loss will be permitted to the area of the greenbelt and agree with the very limited opportunities for appeal.

We also understand that the lands that we refer to as the "gap" lands—and again, you may have heard of these from other participants; these are the lands along the north side of the 407 that were not placed in the escarpment plan—will eventually be in the greenbelt. Our preference has been that these lands will at some time be included in the escarpment plan area, and we are encouraged by their inclusion in the proposed greenbelt. In concert with the escarpment commission, we look forward to the time when the lands are governed by the policies of the escarpment plan.

The resources saved by not having to defend our plans from unnecessary hearings and private challenges at the edges of the urban area means that staff in my department can concentrate on the real challenges that we face now as planners, as we approach the build-out of our community.

These next steps are twofold.

The first is to take stock of the vast potential we have in more efficiently using lands that are now within our urban boundaries. These are serviced by infrastructure,

transit and transportation. For planners, the establishment of the greenbelt will force us to turn our attention to mustering our creative resources to the problems of infill, intensification and the redevelopment of brown- and greyfield sites so as to make the most of areas in which we have already made significant investments.

Secondly, we can now concentrate on policies to both protect and make wise use of the rural, agricultural and natural areas in our municipalities in ways that are consistent with maintaining their character and agricultural productivity, while enjoying the social benefits of open green space.

With respect to the protection afforded to the greenbelt area, we do have some concerns that we would like to convey to you from the city of Burlington. The first arises from the larger issue of the Niagara-GTA corridor, previously known as the mid-peninsula highway.

As you may know, the city of Burlington vigorously opposed attempts to scope the environmental assessment of that project. The corridor, in some versions, has the potential to make another highway crossing of the escarpment, and thus of the proposed greenbelt, in Burlington, depending on the EA process. The city's preference is that major transportation corridors and infrastructure do not traverse the key environmental features of the greenbelt and of the escarpment. Our reading of the bill and of the draft plan suggests that some strengthening of the language would assist in ensuring that important values will be protected during this process.

We are also concerned with the treatment of aggregate resources in the bill and in the plan. Burlington has considerable experience with aggregate extraction arising from existing operations and several forthcoming proposals. We understand the value of aggregate and the balance that the province is attempting to achieve in this commodity. However, we are concerned that the prohibition on municipalities' being more restrictive than the plan may place our existing policies in jeopardy—policies that have been formulated through lengthy processes involving consultation with both the public and the industry.

Along with our regional partners, we believe that we have been careful stewards of the rural area. Based on our experience, we have adopted stringent but necessary requirements for aggregate operations. We would hope that the greenbelt would not have the effect of lessening our ability to manage the impacts from aggregate operations in the interests of the citizens of Burlington.

Finally, it is not clear to us how conflicts between the various plans will be resolved. Our understanding and preference is that in any case of a conflict between greenbelt plan policies and local policies or regulations, the more stringent policies would prevail. There are instances where the greenbelt plan may provide what we regard as a minimum level of protection, a much-needed minimum. However, in cases where we feel compelled by good reason to be more restrictive inside and outside the greenbelt, we are hopeful that the law and the plan

will permit a higher level of local protection based on our own particular and locally determined needs.

Again, we are pleased to see the provincial government providing direction and support to the municipal level in the form of recent planning initiatives, including the greenbelt legislation, the Places to Grow initiative and the many other planning reforms. They are supportive of our own planning documents and will provide clarity and resolution in several areas that had the potential to be costly and uncertain for the city.

Subject to the concerns that we have mentioned, the greenbelt supports our own planning policies and challenges local planners and planning officials to rethink urban and suburban development and to focus on more efficient, more vibrant and more compact urban development forms in the future.

Thank you for this opportunity to come before you.

**The Chair:** You've left two minutes for each party, beginning with the government side.

**Mrs. Van Bommel:** Thank you for your presentation. I certainly want to add our thanks as well to Mayor MacIsaac for his leadership on the Greenbelt Task Force. It was very much appreciated.

**Mr. Krushelnicki:** I'm sure he would wish to extend his compliments to you, ma'am. Thank you.

**Mrs. Van Bommel:** Thank you. You're speaking about having adequate space within your urban boundaries for future growth. How much land do you currently have for that future growth, and how many years out do you think that will take you?

**Mr. Krushelnicki:** In terms of greenfield opportunities, we are now developing the last major opportunity that Burlington has within its serviced urban boundaries, in the northeast quadrant. This is known as the Alton village. It will accommodate about 8,000 people and 9,000 jobs on about 4,000 acres. Once that is filled, that's the end of our greenfield opportunities. We will have built out our community to the extent of our permanent urban boundary. That, we think, will happen in the next three to five or seven years.

**Mrs. Van Bommel:** And then you will move on to the brownfield, or are you going to work on that at the same time?

**Mr. Krushelnicki:** We're in the process of very seriously thinking about what it will be like when we have completed the development of our greenfields. There's a transition period toward that, but what it will mean to us is that we have to rethink what we, as planners, conceive of as an urban area and how we will develop and grow as an urban area. We may not grow in extent. We will have to increase densities. We'll have to make better use of infill sites. We'll have to look at brownfield and greyfield sites, as I mentioned, so we'll just make a much more intensive use of the city.

Our population projections for the planning horizon of 15 to 20 years are 180,000. Our present population is about 150,000, so in a sense, we're trying to locate 20,000 to 30,000 people within the existing urban boundaries. That will be an important challenge.

**The Chair:** For the official opposition, Mr. Hudak.

**Mr. Hudak:** Thank you, Chair. Mr. Yakabuski might have a question too.

Bruce, thank you for the presentation. I do mean this with respect, but one thing that greatly concerns me is the imbalance of power and influence. The only appeal mechanism in the legislation as it stands is through the minister himself. Mayor MacIsaac worked hard on this committee, and it looks like he got his way: You're generally satisfied with the mapping and the boundaries.

The mid-peninsula corridor, which you brought up as an example, has been thrown back to square one. We've tossed out four years of hard work, and now we're studying whether the highway is even needed in the first place. It seems elementary that the mid-peninsula corridor would support this government initiative by helping move development to the south and the west.

Other communities here—Lincoln, Grimsby, Thorold—have all brought concerns with the map, how they're being boxed in. They've brought forward concerns about a garbage dump and a cemetery being included as tender fruit land. Burlington made a good relationship and got their way. I don't think small towns here in Niagara are feeling the same way.

What makes it more difficult is that if there are regular hard-working farmers—many here in the audience—they're not going to have a chance to talk to Minister Gerretsen. They're not going to have a chance to go to the right fundraiser and get their appeal. There will be no mechanism for them to appeal their property in a fair, transparent and public manner. That's why we in the opposition are pushing hard for that fairness, for that day in court for people to say, "Show me that science. Show me why I'm in here," because there's no way they'll ever get their five minutes with the minister. There should be a fair and transparent appeal mechanism for fairness. It's easier for the big cities, but for the small towns and the farmers, we have great concerns about the fairness of this legislation.

**The Chair:** If you want to respond, you have 15 seconds.

**Mr. Krushelnicki:** I'm thankful for the comment. Thank you.

**The Chair:** Thank you for your delegation today. We appreciate you being here.

#### NIAGARA NORTH FEDERATION OF AGRICULTURE

**The Chair:** Our next delegation is the Niagara North Federation of Agriculture.

**Mr. Albert Witteveen:** Good afternoon, Madam Chair.

**The Chair:** Good afternoon. Thank you for coming.

**Mr. Witteveen:** Thank you for hosting today. My name is Albert Witteveen. I have been a full-time poultry farmer for the past 15 years. I basically make the majority of my living on the farm. I'm here on behalf of the Niagara North Federation of Agriculture. I'm also a

municipal councillor, outside of the greenbelt, in the township of West Lincoln, so I have different interests in this forum. But I will focus on why I'm here and who I'm representing.

The Niagara North Federation of Agriculture is an organization with over 1,100 family farms. The mandate of the federation is to promote and to protect agriculture in the Niagara Peninsula. Niagara offers the most diversified area of food production in all of Canada, and agriculture has proven to be the economic mainstay in Niagara.

1240

The directors of Niagara North have reviewed the proposed Greenbelt Act and would like to comment on the draft report.

The agricultural community of Niagara understands that we need to protect our agricultural land base, and we believe we have been team players in the implementation of many programs involving the protection of Niagara's agricultural industry.

Our directors work closely with Niagara region and have completed several studies, including *Securing a Legacy for Niagara's Agricultural Land: A Vision from One Voice*, and the *Regional Agricultural Economic Impact Study*.

The agriculture industry in Niagara generated in excess of \$511 million in gross farm receipts, \$400 million in direct sales, \$562 million in indirect sales and \$832 million in induced sales. Agriculture in Niagara had a \$1.8-billion effect on the Niagara economy. This is something to be proud of. It's here and it's working.

Should Niagara farmlands be protected? Definitely. Should the province of Ontario help protect the farmlands of Niagara through promotion programs, the development of infrastructure and the development of a made-in-Niagara policy? Definitely. Should the farmlands of Niagara arbitrarily be frozen under the greenbelt? Definitely not, unless the conditions listed below are incorporated into the act. Farmers are stewards of the land and will continue to protect the land, providing it remains a viable industry.

The vision of the Niagara North Federation of Agriculture is to produce an economically healthy, secure agricultural industry in Niagara that will encourage farm renewal through a new generation of producers. You can freeze the land but you cannot force people to farm it. It has to be mutually beneficial or the whole industry will die.

One of the visions of the Greenbelt Task Force is to sustain and nurture the region's agricultural sector. Their goal is to enhance quality of life by performing an array of functions across the region, including preserving viable agricultural land as a continuing commercial source of food and employment, recognizing the critical importance of the agriculture sector's prosperity to the regional economy. How will the quality of life be enhanced for food producers in Niagara if you dictate what they must produce on their land? Will there be compensation for those who cannot make their frozen land

viable? If the agricultural land is no longer viable, will it still be preserved? What rights will the farm owners have after their land is legislated? There are too many grey areas in this act that must be clarified before it is passed.

We challenge the government of Ontario to work with the farmers of Niagara. We have the experience and knowledge to make the farmland of Niagara very profitable, but we lack the resources and research needed to reach this peak. We are willing to work with the government in the development of programs that will enhance the agricultural community. Freezing land is a Band-Aid solution to a growing problem. If the government is serious about preserving viable agricultural lands, then help us to produce our products with pride and provide us with the tools to make this land productive and prosperous.

The Niagara North Federation of Agriculture requests that the following conditions be incorporated into the act:

—That the government establish a task force on the viability of agriculture in Ontario and that several Niagara farmers be invited to participate on this task force.

—That the task force complete a baseline assessment of the current viability of farms proposed to be included in the act and monitor the effects of the proposed act annually. This would include the fluctuation of land prices, tax assessments and interest rates.

—That eligible farmers who will lose the right to a retirement severance because of the proposed act be compensated.

—That the land protected under the act is properly defined with a definite boundary, not just land that is categorized as good grape growing land, and that this definition be science-based, not simply based on municipal boundaries.

—That land that is scientifically determined unviable not be included in the protection of the Greenbelt Act.

—That protected farms are able to follow the same best farm management practices that others throughout the province must follow, including the use of pesticides.

—That any and all land declared under the act be classified as vulnerable to road salt, therefore forcing municipalities, regions and the province to follow the code of practice for the environmental management of road salt.

—That research dollars be provided to the Vineland research station so that research can continue in Niagara. It is essential that we continue publicly funded research so that the farms of Niagara can continue to prosper.

—That the budget for Ontario's Ministry of Agriculture be increased to meet the demands of the agriculture sector. Extension services such as crop and livestock advisors, 4-H programs and advisory services have been severely downsized. Farmers must now rely on information and advice from the agricultural supply businesses.

—Irrigation rights must be protected and water taking for irrigation must remain a normal farming practice.

Agriculture must be exempt from the proposed permit to take water and the Great Lakes charter.

—A clear statement that farmlands are not open to public access.

—That there be no constraints on value-added commodities and agri-tourism.

—Consistent application of the Farming and Food Production Protection Act, including a clearly defined dispute resolution process.

—That the long-term economic viability of farm operations be ensured so that future generations can continue to farm the lands in Niagara.

—Municipalities must be compensated for the loss of revenue as a result of the Greenbelt Act.

The farmers of Niagara challenge all levels of government to buy Ontario. Support the farmer, and the farmer will support the economy.

The vision of the Niagara North Federation of Agriculture is to produce an economically healthy, secure agricultural industry in Niagara that will encourage farm renewal through a new generation of producers. This can only happen if the agricultural industry in Niagara remains viable.

As has been said many times today, protect the farmer, and the farmer will protect the land.

**The Chair:** Each party has two and a half minutes to speak. Our first speaker will be from the government side.

**Mrs. Van Bommel:** Thank you very much for your presentation. It's nice to see a fellow broiler producer.

In your presentation, you mentioned statistics about the loss of land in the Niagara area. On Monday, Stats Canada put out a report which says that Ontario has the worst record in terms of loss of farmland. You're saying that we are losing about 15%, and they're saying about 11%, on average. We're also being told that we're moving toward the need for more good farmland; that as farmers, we're actually looking for more farmland to use.

In terms of what has happened in the Niagara region, and as a broiler producer, can you tell me what has happened to broiler producers in this area, the numbers you had at one time and that you have now?

**Mr. Witteveen:** I believe that out of the economic impact study, the feather industry—we'll call them that, because that would include the turkeys, the eggs and the broilers—basically had value equivalent to the wine industry here in Niagara. I guess our greatest challenge is the minimum distance separation from our livestock buildings to the next-closest resident. That has been a challenge, somewhat of our own making. Requesting retirement lots will also encourage that type of conflict.

As a municipal councillor and as president of the federation for probably almost seven years now, I believe that the Niagara region planning department has done a very good job in Niagara, as far as planning goes. I believe that Niagara has been more restrictive in its planning process than other parts of Ontario and has recognized these areas of importance and has worked in a positive manner with the agricultural community. I also

sit on an agricultural subcommittee at the region so I can have input.

I hope that answers your question.

**Mrs. Van Bommel:** You mentioned committees, and your recommendations also talk about having farmers included on the advisory panel. What percentage of the advisory panel should farmers make up, and how would we select those farmers? Should they be selected based on where they come from or based on their commodities? How would we go about doing that?

1250

**Mr. Witteveen:** The common sense approach would be to have a diversified group of people. As to the number you were asking for, half of the committee, I believe, should be made up of farmers, because it should be who operates the land base. If the farmers operate 60% of the land base, then they should have that representation. I know, through political fields, it's usually representation by population, and that is where the agriculture community is always challenged. In West Lincoln, we're only 12,500 people. We are the largest land base in Niagara. We have one representative on a council of 30 people. That is one of the largest problems that the agriculture community faces throughout the whole province.

**Mrs. Van Bommel:** I understand.

**Mr. Witteveen:** We control—

**The Chair:** Thank you for the answer. The official opposition, Mr. Hudak.

**Mr. Hudak:** My colleague would like to ask a question, so I'll try to be brief.

First, thanks so much for the presentation. I think you're being humble, Albert. You're also a municipal councillor in West Lincoln and a member of the agricultural task force, so very broad advice, and I appreciate all the advice you've given me as your MPP.

A quick question back for you: The grape growers and tender fruit talked about taxation treatment similar to what's been granted recently to the maple sugar industry. Do you think that should be broadened?

Secondly, a comment on the Vanclief-Bedggood report: Specifically, they limit the size of value-operated operations on the farm in their report to 1,600 square feet in size and no more 4,500 hours annually for labour. Do you have any comments on that?

**Mr. Witteveen:** I guess I can speak with a little bit of experience, through you, Chair, to Mr. Hudak. I do have a small retail operation on my farm retailing poultry products and I am being taxed at a farm rate, so there is concern. If everybody is promoting value-added and I have taken that initiative, then I think that would be the assistance, and I guess the assistance through taxation policy would allow me to operate a value-added operation on my farm.

Limiting it to the retail size from the report, it seemed a little restrictive, considering my workweek probably is about 70 hours a week, in a combination of many things. It's very restrictive in requesting basically two people throughout the whole year. There are operations that

demand higher employment at certain times in the value-added. So I believe there is not enough flexibility to make that more palatable.

**Mr. Hudak:** Thank you.

**The Chair:** You have 30 seconds if you want to use it.

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** It seems to me that every time we've had a person from the agricultural industry speak to us, almost unanimously their concern is that if there are not viability support programs for farmers, the government can designate land any way it wants but there's not going to be anybody there farming it at some point in the not-too-distant future because it's simply not going to be profitable for them to do so. Would you feel that viability support programs have to be in concert with this bill, that we can't proceed with the implementation of this bill if those support programs are not in place?

**Mr. Witteveen:** I agree. Being from a supply-managed commodity, that is my support. I'm a business person. I'm not a second-generation farmer. I started farming 15 years ago as a business person seeing an opportunity. I also saw the viability in my industry, being supply management, to give me a cost of production and a return for my investment. That has made me an integral part of the social fabric of my rural community. I am viable. I shop locally. I support locally. If I'm not viable, then I leave. We lose an aspect of our social fabric in the rural economy. So viability plays a very key role.

**The Chair:** Ms. Churley, you have two and a half minutes.

**Ms. Churley:** Thank you very much for your presentation. I'm interested in some of your suggestions. They are similar to others that have been raised.

It seems to me that the greenbelt is just the tip of the iceberg in terms of a whole bunch of other pieces of legislation and government action that impacts on you, like the Nutrient Management Act, the Safe Drinking Water Act, the permits to take water, watersheds, source protection planning, this greenbelt, the rural plan, and I could go on and on. I think I could suggest that that's part of the problem. You feel impacted by those without the resources coming from government and proper consultation. That's one question.

Secondly, you talk about viability, and you have some suggestions. A task force is great, but at the same time there are some things the government should and can be doing right now with you; for instance, bringing back the Niagara tender fruit land program that our government brought in and that was taken away. Just as one example, would you like to see that brought back, along with some other immediate steps taken to help with that viability?

**Mr. Witteveen:** Just on the aspect of being inundated with many rules and regulations, I don't think we're opposed to it; we would just like it to be farmer-friendly. I'm doing on-farm food safety, and that is to show the public that we're doing due diligence to produce high-quality food for our consumers. I don't think farmers begrudge that. It just needs to be farmer-friendly on the aspect of rules and regulations, and a little bit slower

process so that we can feel we're a partner versus it being forced upon us.

On the tender fruit program that your government introduced, I believe there is interest in the agricultural community to bring that back. Some people want to be part of it. It should be a tool in our toolbox of choices about how we would like to see that farmland enter into the future. We don't have one tool to do our jobs; we like a toolbox full of tools, and that would help us. It would create the viability factor for agriculture.

**The Chair:** Thank you for your delegation today.

#### BRAD REIMER

**The Chair:** Our next speaker is Jackie Reimer.

**Mr. Brad Reimer:** I'm here on behalf of Jackie.

**The Chair:** OK. If you could identify yourself and give us your address, and when you begin, you'll have 10 minutes.

**Mr. Reimer:** Thank you. My name is Brad Reimer. I'm appearing here to speak on behalf of Jackie Reimer, who is currently working together with Joanne Cothran to protect the interests of the DiCecca family in Flamborough.

Honoured members of the Legislative Assembly of Ontario, we wish to thank you for the opportunity to speak at this meeting. I'm a little nervous, so I'm going to stick to my prepared comments for the most part, I think.

We are here to voice our grave concern regarding Bill 135, the Greenbelt Act, particularly as it concerns property in Waterdown owned by the DiCecca family. We admit that we are not here to advance or address any particular polemic or any broader polemic than this proposed legislation and how it impacts this one family. At the same time, we hope that it at least shines as an example of what even Mr. Hudak was referring to earlier, which is that there are a lot of people who aren't being heard or who hadn't been heard when this legislation was prepared. We'd like to add our voices to the many others that have expressed concerns about the, to our mind, autocratic manner in which Bill 135, the greenbelt protection act, is being forced upon the people of Ontario.

The properties owned by the DiCecca family fall within the bounds of concession 4, lots 12 and 13, east of Highway 6 and north of Parkside Drive, as shown on the attached draft greenbelt detailed map. I said for sectors 87 and 88; I apologize. It's just sector 88 on that map.

Under the proposed boundaries of the greenbelt protection act, a grave injustice is about to be forced upon the DiCecca family. These properties have been part of the DiCecca estate for four generations. I would like to add as a sidebar here that they did farm the land for over 80 years, initially with fruit and vegetables and more recently with sod and topsoil, but most of that was in the more picturesque and pastoral days of our past, before big business and factory farming rendered the smaller family farm less profitable, at least such that the current generation of DiCeccas are largely not farmers

any more; they've moved to the city to seek their fortunes elsewhere.

It has been for many years the intention of the older generation of DiCeccas—and the younger generation, for that matter—to develop this land for residential or commercial purposes in the near future, especially as this land is quite clearly strategically located to further the future development of Waterdown. If the proposed greenbelt boundaries are passed as legislation, the property will become drastically devalued, based on the average value of agricultural versus development land in this area.

In addition, there is clear evidence—information that perhaps was not available to the greenbelt committee when they established the proposed boundaries—to support the assertion that Waterdown should and has intended to put this land to urban use in the near future.

### 1300

First, the southern half of East Flamborough concession 4, lots 12 and 13—and this is the section from south of the recognized natural heritage system, running east to west through these properties, south to Parkside Drive—are the only lands adjacent to the north side of Parkside Drive between Centre Road and Highway 6 that are included in the greenbelt draft plan protected area. This discrepancy is unfair. One has only to view the greenbelt draft map for sector 87 to see how conspicuous and seemingly arbitrary the inclusion of these properties in the protected area appears. Removing this section from the protected area and designating it as future development land would square off the northwest corner of urban Waterdown.

Secondly, in the year 1995, the municipality of Flamborough approached the owners of East Flamborough concession 4, part-lot 12, designated as 63 Parkside Drive—this is a 97-acre tract of land—and offered to purchase their land. The owners declined the offer at the time because the amount offered was very low relative to what they felt the land was worth in the near future and what the value of development land in that area is. It has also come to light that in 2001 the OMB sent applications to landowners in that part of Waterdown to request inclusion in future development plans, but due to some miscommunication or bias, the DiCeccas or the co-tenants of lots 12 and 13 did not receive that application.

The next paragraph in my presentation talks about how the city of Hamilton's long-range planning and design has at least hinted that these properties are in the greenbelt plan because they have not been serviced with water and sewer lines. They also told us that there are transportation issues, that that area is not very accessible, but this just doesn't make any sense, really, because there is water and sewer running right up to those properties, both east and west, and the properties are right on the corner of a major crossroads, namely Highway 6 and Parkside Drive, so that doesn't seem right.

Finally, it has come to light that the preferred route for the proposed mid-peninsula highway runs immediately to the north of the DiCecca properties and may even cut

across the borders of these properties. So it's reasonable to expect that, if that highway was ever to be built, the property falling between the mid-peninsula highway down to the urban boundaries of Waterdown would be imminent development land.

East Flamborough concession 4, lots 12 and 13, is directly across the street from the new development already occurring in Waterdown. This land was included—and I think this is my main point now—in the area protected by the greenbelt plan without soliciting any feedback or permission from the DiCecca family. We wonder how it could be, in a democratic system of government, that legitimate, taxpaying landowners have absolutely no part in a decision-making process that will ultimately lead to drastic restrictions in the use of their land and an unthinkable reduction in property values.

We request that these properties be excluded from the greenbelt. In fact, we already appeared at the city of Hamilton town planning meeting on December 7, 2004, and formally requested that those properties be added to report PD04172(a), appendix B, as proposed land to remove from the greenbelt. Our request was duly noted and added to that report. Appendix B of that report proposes trade-offs within the inner boundaries of the draft greenbelt plan in and around Hamilton, and addition of this relatively small trade-off would not significantly change the balance of the trade-off proposed in that report. From what I could tell in that Hamilton town planning meeting, Hamilton didn't sound too happy about the proposed boundaries either and is feeling a little strangled by it all. A lot of the development land in Hamilton that is available is apparently on the path that they can't really develop because of the noise from the airport or whatever.

In any case, we are continuing to appeal to all levels of government, insisting that this matter be resolved in a manner satisfactory to the landowners involved. We urge the members of this standing committee to recognize the DiCecca case as part of the growing body of evidence that Bill 135, the Greenbelt Act, has been drafted without even a modicum of input from the many Ontario residents who will be affected by it. It is perplexing that our provincial government is attempting to fast-track a piece of legislation that is so important and has such sweeping ramifications.

I'm not trying to be a smart aleck, but there were a number of other people today who have drawn parallels with what's going on in California, so I have a parallel of my own. I think they're spending more time weeding through potential jurors for the pending trial of the self-proclaimed king of pop, Michael Jackson, than what the Ministry of Municipal Affairs and Housing spent doing public consultations for this legislation. Somehow, it just doesn't seem—

*Interjections.*

**Ms. Churley:** You've got them fighting now.

**Mr. Reimer:** Yes. We just think that a lot more people need to be heard. I was being facetious, obviously, but in that case they have this beautiful mechanism

whereby they make sure that complete objectivity is maintained and public accountability is the main issue and everything, but it doesn't seem like there's been any public accountability here at all. At least, when I say "public," I mean people who are going to be directly affected. Thousands upon thousands of people who are going to be affected by this had no voice whatsoever before the legislation was drafted.

In closing and in particular, we believe that the Greenbelt Act must consider not only the future generations of Ontario residents, but also the rights and interests of the current generation.

If I have a couple more minutes, I just want to reflect on what the current generation really wants out of this. I get this vibe that there's been this constant lumping of people like the DiCeccas into the same category as the speculators, who want to just buy this land and then make a big profit off it; probably not even buying it with their own money necessarily but just making a big profit on it. The DiCeccas, while they want to make a profit on their land, don't have a right to do that or whatever.

The current generation of DiCeccas were farmers. Mostly all that's left are just matriarchs. The husbands have all passed on. Even the husbands—my father-in-law is a great example. He was a farmer in Ontario and farmed his land his entire life with courage and conviction. There's a proverb that says, "The wise man leaves an inheritance for his children's children," and that's really all he wants to do. He wants to leave something of meaning to his children's children. When he says "something of meaning," I don't think he means a nice park where they can go and look at all the nice trees and say, "Yeah, that used to be our farm." What he means is that he wants to pass something substantial on to them so they can educate their children, pay for their houses, pay their bills and things like that.

**The Chair:** Mr. Reimer, you have 10 seconds left.

**Mr. Reimer:** I'm sorry, 15 minutes goes by so quickly. I thank you for your time and for listening to me.

**The Chair:** Thank you very much for your delegation.

#### TOWN OF GRIMSBY

**The Chair:** The last delegation before we break will be the town of Grimsby.

**Mr. Bob Bentley:** Good afternoon, Madam Chair, and thank you very much, committee members, for allowing me the opportunity to speak. Seeing as how I'm the last person before your lunch break, I'll try not to keep you too long. I would also note that my presentation here is just a summary of the written document or the full presentation that each of you is going to be given, and there's enough for the members of the committee.

It should also be noted that we recognize that this is important legislation for which the time has come, and it is with this importance in mind that we bring to the committee's attention the areas that we feel require further considered review.

As you know from previous reports such as Places to Grow, over the next 30 years a significant number of residents are going to be moving into Ontario. A large percentage of these people will settle in the greater Golden Horseshoe region, which is one of the fastest-growing areas in North America and is the economic engine of Canada. We need to make sure that we can accommodate this growth and make it work.

A great many of these people will want to call Grimsby home, as we are the gateway to Niagara, which has proven to be a location of choice for many people. Our principal concern in Grimsby is that the legislation, when enacted, not be entrenched with a broad-brush approach, as is presently contained in the Greenbelt Act.

Our growth within the current urban area will now result in a supply of land that will expire in three to four years. Bill 135 will effectively stop the town of Grimsby from designating any additional urban land to accommodate growth, despite the fact that over 20 years ago we serviced our urban expansion. With the advent of the greenbelt plan, all lands outside the current urban boundary will be (1) Niagara Escarpment lands, which are protected by the Niagara Escarpment Planning and Development Act; (2) designated as protected countryside; or (3) tender fruit and grape lands in the greenbelt plan.

The Niagara Escarpment legislation governs a large area of land within this municipality and, while we do not always agree with the policies, landowners as well as the municipality at least have a vehicle by which to appeal for review, provided they undertake to supply a statement of justification for the amendment, accompanied by research material, reports, plans and the like that were used in preparation of the amendment. A vehicle such as this in the greenbelt legislation would, at the very least, put an onus on the landowner and the municipality to prove that the lands the province wishes to protect are, or are not, suitable for tender fruit and grapes.

#### 1310

I must point out that the designated areas in Grimsby do not even allow a review, as contemplated by the legislation. Therefore, we have no place to grow. Our concentration for review provisions would be the area west of Casablanca Boulevard and north of Regional Road 81. This area is serviced by municipal water and sewers and is critical to our drainage plans. The area now encompasses over 200 homes, an elementary school, a sports complex and commercial lands. In addition, the parcels presumed to be tender fruit land are small, non-contiguous parcels, thus not allowing what would be considered viable farmland.

We are aware of site-specific studies by respected viticulture experts who have concluded that the lands proposed to be frozen are not viable vineyards. We also have environment study reports prepared for the Ministry of Transportation of Ontario acknowledging that fruit farms adjacent to the QEW are adversely affected by salt being used as a de-icing agent on the highway. It would seem reasonable that considerate review, based on already constructed infrastructure and reports that in-

dicating the land is not viable—that it become at the very least an area subject to site-specific review in the legislation. We would advocate that considerate study is required, and therefore agree with the proposals of the original Greenbelt Task Force, which recommended that key agricultural lands be identified for protection using science, including considering the criteria and methodology of the LEAR system—the agricultural land evaluation area review—consideration of socio-economic factors such as fragmentation, urban/suburban encroachments and related factors that affect feasibility and viability of farming.

We feel that the area west of Casablanca and north of Regional Road 81 is in keeping with the provincial directive of smart growth by optimizing the use of existing infrastructure, identifying strategic infrastructure investments to support urban growth and development in the greater Golden Horseshoe while protecting the environment and identifying how to pay for infrastructure investments.

The pressure of losing the opportunity to expand the western boundary of the urban area of the town also causes us considerable concern, as the town on its own has a general height restriction of four storeys, to allow vistas of the escarpment that everybody has treasured over the years. To intensify within the existing community, as advocated through the greenbelt plan, will destroy the small-town aura that presently exists here.

The no-growth scenario that will result from this plan will have significant financial implications on the town of Grimsby and the region of Niagara. We feel that economic impact is an important consideration that must be carefully contemplated by the government if it is going to freeze out all growth options in this community. As well, the province must be prepared to provide ongoing financial compensation if necessary.

Again, I want to thank you very much. I asked for five to 10 minutes and just wanted to give you a brief overview. The rest of our detailed presentation is at your place.

**The Chair:** We were generous and gave you 15, so if you'd like to talk some more, you can. You still have just over nine minutes to talk.

**Mr. Bentley:** I appreciate that, Madam Chair, but the purpose of my being here today is that I wasn't sure anybody was listening. I've actually had an audience with the minister on two separate occasions personally and with representatives from his office. I made a presentation at the original Greenbelt Task Force. That resulted in my losing another 6,500 acres of land. So I'm not sure that making presentations is a good thing. That's why it was important for me to be here today just to make sure—

**Ms. Churley:** You took a big risk.

**Mr. Bentley:** I did take a big risk, yes.

I want to make sure, if you people are the ones who are reviewing this or making the recommendations, that you know what this actually does to the town of Grimsby. This is the single largest thing that is ever going to hit this town and what it will do to it ongoing if

we cannot afford to maintain our infrastructure which we've already put into the ground. If you're not planning to pay us for that infrastructure or replace the topsoil that the province took a number of years ago and sold around the province, we're sort of at a loss. I was hoping that you would be kind enough to allow me the time. As I told Jennifer Mossop and also Tim Hudak, I'm not sure who gets to make the decisions. Hopefully you are the people who do. I'd be open for any questions.

**The Chair:** We have almost three minutes for each party, starting with the official opposition.

**Mr. Hudak:** Thank you, Mayor Bentley, for an excellent presentation and for all the background material.

At the start, I'd just like to thank all members of the committee for wanting to hear from the mayor of Grimsby and making this possible today. Thanks for hosting us, as well, in this fine municipality.

You make an excellent point. To credit Minister Gerretsen, his staff are all here. They met with Grimsby and they're working hard. The problem I have is that I don't have confidence that the politicians are the right ones to make these mapping decisions. Quite frankly, it's behind closed doors. You referenced the LEAR studies, for example, which have not been made public so you could actually see how the science hits the soil, so to speak.

One thing we've heard at the committee that I feel is a proper approach is some sort of review, whether a peer review or a tribunal that would be science-based, so that the municipality of Grimsby or a farmer in the Grimsby or Beamsville area could have his or her day in court, so to speak, in a clear and transparent process outside of government. What do you think of that sort of approach?

**Mr. Bentley:** I think that would be at least a positive step for sure, because I heard comments that didn't please me when I was with the minister—it didn't come from him but from some of his planning staff—questioning the judgment of our town planners or our view of the viability of the land, when we actually have studies that show it's not viable in some areas. When I hear those comments, I don't really have a lot of trust in it either, and that's why I haven't slept a lot in the last couple of weeks.

I have a number of farmers who have presented their year-end receipts over the last five to 10 years on exactly what the crops are bearing plus what it costs them, and they cannot make a living. I think it would certainly be a positive move to have a review process similar to the Niagara Escarpment Commission, as I mention in here. At least you have an impartial audience that is charged with protecting the environment, and you have to present your case based on fact. I think that's where this should be.

**Mr. Hudak:** You've also been a strong advocate for taxpayers in the sense that if Grimsby is frozen, you're concerned about how you're going to pay for future services in the municipality. Do you want to reinforce that point with the committee?

**Mr. Bentley:** Yes. We have a large seniors population and, as you see, I always say the sun always shines in



Grimsby. It is a temperate climate because of our location with the escarpment and the lake, and it is a little bit warmer. That's why the tender fruit across the region actually flourishes down here. With an increasing population of seniors on fixed incomes and a depleting supply base that's going to be gone in three years, our children, let alone the seniors, won't be able to afford to buy a house in this municipality. They just won't be able to afford it in order for us to try to keep the infrastructure in the ground: the roadways, the water and everything else that's currently there. We wouldn't be able to keep up without increasing taxes more than the price of inflation, because development charges alone don't cut it.

**The Chair:** Ms. Churley, you have three minutes.

**Ms. Churley:** Thank you very much. I'm glad you had an opportunity to come and speak to us today. I was shocked when I found out you weren't on the list, so we're happy that you were available to come and give us your concerns today.

The Wine Council of Ontario made a presentation earlier. Were you here for that?

**Mr. Bentley:** I came in just as Ms. Franklin finished.

**Ms. Churley:** Generally, they're supportive of the greenbelt and are looking for a lot, as most presenters, whether for or against today, are looking for—farm aid and other policy changes to help keep farms viable.

Given that some are calling for this to happen right away—as has been pointed out, Statistics Canada just released a document saying that Canada's best agricultural land is disappearing, and I think Ontario was singled out as being the worst—I'm wondering how you reconcile the municipality in your case. I think you've made some very good points, and others have as well. But then there are others who really want to overdevelop the land—I'm not going to single out any municipalities. So there's the need for overall provincial oversight to protect our prime agricultural land. How do you reconcile wanting, I guess, some special case for you and then dealing with the rest of the province?

**Mr. Bentley:** I guess I would go back about 50 years to when the QEW was actually placed where it is. It was originally scheduled to go above the escarpment. All the tender fruit land is below the escarpment, but the farmers wanted to have an opportunity to get their product to market, and it was built below the escarpment. When that happened, it basically cut Grimsby in half.

**Ms. Churley:** Yes, that's true.

**Mr. Bentley:** We traded off a service road to get north-south access so that half of our municipality could get to the other half across the QEW. When that happened, I think a lot of things changed in the municipality—I was not in government at the time.

**Ms. Churley:** You're kidding.

**Mr. Bentley:** No.

As a municipality we agree with the greenbelt; we agree with the intent of the greenbelt. We just don't agree with the mapping of it. When I see presentations by the wine council or by food and ag. or by the farmers, we need to have—and out of this I hope there is—a concerted effort on all of their parts to co-operate with each

other. If the wine council doesn't support the grape growers, then it doesn't work. If the government doesn't support the farmers and the product with shelf space and those kinds of things in the LCBO, then it doesn't work. We can't do it individually. When I looked at the original list of speakers and I was not on there, I was not pleased. You've probably all read my e-mail as to why I wasn't pleased. It was because of just that: I saw a lot of individual people. There was an agricultural task force in Niagara that put a proposal forward. It identified the benefits of it. It identified things they could do working together, not individually. I think it's a collaborative thing, but we're sort of the result of growth within the province.

**1320**

**The Chair:** The government side. Mr. Duguid, you have three minutes.

**Mr. Duguid:** Your Worship, thank you for being here today. It was good. We met in the original consultations. Thank you for allowing us to hold this here in your fine city. I'd rather be playing hockey in your arena, I've got to tell you, than sitting here—

**Mr. Bentley:** Did you bring your skates?

**Mr. Duguid:** —but I'm still enjoying it, nonetheless.

I want to assure you that, yes, the minister has been out himself and toured. I think Jennifer Mossop has brought him out on a couple of occasions to tour the lands you're referring to. We are actively looking at it. All the ministry officials have been out there. We've brought in scientists from Guelph to take a look at the mapping, and we are looking at fine-tuning the mapping. That's what the plan is about. Today before us, of course, is the legislation, the framework. We're still working on the plan right now.

Just so you know and your community knows, you have had a very significant impact in terms of getting us moving on these issues. I can assure you that we plan to address all the concerns you have raised in one way or another.

I just want to pass it on to my colleague.

**Mrs. Van Bommel:** Thank you very much. Thank you also for hosting this in your community. Just coming in, I certainly understand the concept of the four storeys. It is a beautiful sight as you come down toward this centre. I certainly enjoyed that.

You talked in your responses about the cost of infrastructure. One of the things I think can be said is that the cost of infrastructure is an issue for all municipalities in Ontario. The downloading that municipalities suffered has caused them to fall behind in infrastructure, and it's becoming more and more costly to do that. I really don't need to tell you—I'm sure you're quite aware—but one of the things we have done as a government is work with our federal counterparts to come up with the Canada-Ontario municipal rural infrastructure fund, which we lovingly call COMRIF. That is intended to help with exactly that particular issue. As I say, it's not just an issue here in Grimsby; it's an issue throughout the entire province. Smaller communities especially have had to try to keep up with the cost of infrastructure in their com-

munities and have struggled to do that since the downloading occurred. I'm sure your municipality will be applying, if it hasn't already.

**Mr. Bentley:** Could I respond, Madam Chair?

**The Chair:** You have 30 seconds, if you want to.

**Mr. Bentley:** Good. You'll see right next door that this recent addition was just completed and the timing of the COMRIF program is probably three years late—

**Mr. Rinaldi:** They were here then.

**Mr. Bentley:** Yes. We haven't forgiven Mr Hudak's government for the \$18-million shortfall we've got because of the downloading when I was on regional council. As a region, I know we're short. However, that's a separate issue.

Dealing with the COMRIF grant, there's supposedly money in there for recreation, for libraries. Our population is 3,000 too many to apply for the 20,000 limit for the library, which we've just opened to the tune of \$5.7 million, I think. This building here was already under construction because of need in the community, and it's \$5.2 million. So we've missed those by a year. I don't know if we can go back retroactively, but I'd certainly love to do that, because right now that's the infrastructure we're going to have to pay for for the next 15 to 20 years, and if you've frozen my municipality, we're in trouble.

**Mrs. Van Bommel:** I'm sure you have some other projects you'd like to put forward.

**The Chair:** Thank you, Mayor Bentley. Your time has expired. We appreciate that you were able to come today.

Mayor Bentley's delegation is the last we have before our break. We will reconvene at 2:15.

*The committee recessed from 1325 to 1416.*

**The Chair:** Could I ask you to sit down, please. We're going to resume hearings on Bill 135, An Act to establish a greenbelt area and to make consequential amendments to the Niagara Escarpment Planning and Development Act, the Oak Ridges Moraine Conservation Act, 2001 and the Ontario Planning and Development Act, 1994.

I'd like to remind those in attendance that there should be no demonstrations of support for or against any comments made by presenters or members of the committee.

As well, I'd like to caution the witnesses. While members enjoy parliamentary privileges and certain protections pursuant to the Legislative Assembly Act, it is unclear whether or not these privileges and protections extend to witnesses who appear before committees. For example, it may very well be that the testimony you have given or are about to give could be used against you in a legal proceeding. I caution you to take this into consideration when making your comments.

Could I ask anybody who has a cellphone with them this afternoon to please put it on vibrate so that it doesn't disturb any of the delegations.

#### TOWN OF NIAGARA-ON-THE-LAKE

**The Chair:** Our first delegation this afternoon is Gary Burroughs, Lord Mayor of the town of Niagara-on-the-Lake.

Mayor Burroughs, if you would identify yourself for Hansard and the organization you represent, and when you begin, you'll have 15 minutes.

**Mr. Gary Burroughs:** Thank you, Madam Chair. My name is Gary Burroughs and I am Lord Mayor of the town of Niagara-on-the-Lake.

Many of you know the town of Niagara-on-the-Lake for our history as the first capital of Upper Canada and for many other firsts, which include the first library, agricultural society, land boards, taverns and the many other amenities that define Ontario society that were developed in Niagara-on-the-Lake. Our clock tower and the beauty of our town are well known throughout Ontario and indeed around the world.

Today, the town of Niagara-on-the-Lake encompasses an area of approximately 50 square miles, much of it comprised of rich agricultural lands, which support its tender fruit industry, horticulture, viticulture and agri-tourism, including 21 wineries. More than 50% of our 13,661 residents live in the rural area, many depending on agriculture. Tourism and agri-tourism, major economic factors in our community, have grown because of the beauty, serenity and heritage values of our town, and today, over three million visitors come annually to enjoy the peaceful, historic ambiance of the town, the Shaw Festival and the surrounding orchards and vineyards.

Niagara-on-the-Lake is, for the large part, a rural farm community dependent on grapes, tender fruit and agri-tourism, and for this reason has been generally following the greenbelt objectives since the 1970s through our own planning policies.

At this time, I would like to thank Minister Gerretsen and his staff for meeting directly with council and for taking the time and effort to fully understand our concerns. It is clear to our council that the ministry does appreciate and has noted the items that we brought to its attention.

The town of Niagara-on-the-Lake is supportive of the vision of the greenbelt draft plan, which provides for a diverse range of rural communities, agriculture, tourism, recreation and resource uses; gives permanent protection to the natural systems that sustain ecological and human health and that form the environmental framework around which major urbanization in south-central Ontario will be organized; and supports agriculture as the predominant land use.

To effectively support agriculture, we must also support farm viability, which includes the farm, the farmer and the municipality. I know that Niagara-on-the-Lake councillor Austin Kirkby has spoken to the panel earlier today and expanded on the importance of this issue, as well as providing practical suggestions on how this might be accomplished. The Ontario Tender Fruit Producers' Marketing Board has also submitted a discussion paper which addresses this important issue.

As I stated earlier, we are supportive of the principles of the greenbelt plan. However, before it is implemented, there need to be some refinements, and we appreciate the opportunity to provide you with our observations and suggestions.

**Mapping and boundaries:** The current boundaries of the plan encompass areas that were not intended to be included and exclude some areas that should be included. It is important that the boundaries of the plan be carefully defined to accurately capture existing urban settlements, environment areas, and actual areas of good tender fruit and good grape lands, which must be determined with sound scientific data. The region of Niagara has already compiled this information for the Niagara Peninsula, and I am sure they would be more than happy to provide any information that you would deem helpful.

Specific to Niagara-on-the-Lake, the existing urban boundaries for our urban centres require some minor adjustments to address situations where the location of the boundary does not make practical sense, and it is important that a mechanism be established to allow for such minor adjustments.

The existing mapping contained within the plan also identifies some of the man-made drainage ditches as fish habitats, which negatively impacts on farmlands by requiring significant setbacks. Municipal irrigation and drainage systems and accessory buildings should be considered municipal infrastructure required to support local agriculture, and therefore should not be subject to the buffer requirements that are appropriate for natural heritage systems.

**Parcel size:** The town of Niagara-on-the-Lake is entirely within the specialty crop designated area, and the greenbelt plan identifies a minimum farm parcel of 50 acres within such designated areas. As can be seen by our map here, 92% of farm parcels in Niagara-on-the-Lake are smaller than 50 acres, and 78% of the farm parcels are 25 acres or less. Over 50% of our existing wineries are on parcels of less than 25 acres. While these are a lot of percentages, it is clear that specialty crops do not require large acreages, and many of the smaller family farms cannot afford the financial investments of such large farm parcels. The council of the town of Niagara-on-the-Lake respectfully requests that the minimum farm parcel be reduced to 25 acres for Niagara-on-the-Lake.

**Financial viability:** The proposed greenbelt legislation has the potential of creating, over the longer term, some significant financial challenges for municipalities located entirely within the greenbelt area. Fortunately, there already exists a model to address these challenges.

The community reinvestment fund, CRF, is composed of adjustments for the farm tax rebate, municipal support grants and our share of the region of Niagara's net local service realignment. The farm tax calculation within the CRF provides specific data on each community. The financial impact for any greenbelt community can then be established using consistent, objective and measurable criteria. We recommend that the term "greenbelt community" be included as an active program within the CRF financial model. The additional CRF grant amount to a greenbelt community would be determined by pro-rating the financial impact of the greenbelt plan over a 30-year period. This is consistent with the province's Places to Grow document, which establishes a 30-year planning horizon for any growth management plan.

**Local advisory committees:** The full impact of the proposed legislation will not be completely known until well after the legislation has been implemented. It is therefore very important that an effective review and feedback system be implemented to address unforeseen negative impacts in a timely manner and to enhance sections which are working well. We recommend that local advisory committees be established to meet annually to provide reports to the minister on the impact and effectiveness of the legislation and to provide recommendations on suggested solutions. We would be most pleased to assist in establishing terms of reference for such committees.

In closing, I would like to provide some further suggestions that will assist in protecting our prime agricultural lands and the continued viability of those who farm the lands.

**The mid-peninsula corridor and Highway 406:** The completion of a mid-peninsula transportation corridor will help to protect the tender fruit and grape lands in Niagara. The increasing volume of traffic on the QEW already negatively impacts Niagara's prime agricultural lands, and any widening of the QEW corridor will significantly increase this negative impact. Both the completion of the mid-peninsula corridor and the expansion of Highway 406 south to Port Colborne are necessary to relieve pressure and to encourage development south of the existing prime agricultural lands.

**Pesticide harmonization:** Challenges exist for both tender fruit and grape growing in the registration of necessary pesticides. Because of the relatively small size of our market, the provincial and federal governments need to take the lead to ensure that the supply of necessary pesticides, mostly from the United States, is both available and up to current standards.

**Vineland research station:** It is very important that the province reinstate its investment in and commitment to the quality research done in our area. In a year when as many as 300,000 peach trees may have to be removed due to plum pox virus, it is obvious that viability may well be dependent on continued research and development programs.

**LCBO:** We believe the government should be playing a major role in supporting the grape growers and the wineries through shelf space and other creative promotions through LCBO outlets, at least in the greenbelt areas. This has to be a concentrated effort, including a review of current store personnel bonusing procedures. Buy Ontario must become the rule for all levels of government and, while not specific to the LCBO, government should review and update the wine content rules.

**Irrigation water:** The provincial government must play an increasing role in both the accessing and financing of water for agricultural purposes. Niagara-on-the-Lake, with its private member's bill, has converted many drainage ditches for use with irrigation water, and the supply of this water must be protected.

**Zero salt replacement:** As we strive to protect the viability of farmland in the greenbelt, we must consider

all remedies available to replace salt with products that do not negatively impact our agricultural lands. While the additional cost of using appropriate salt-free materials on our roadways may seem small, it should be the responsibility of the entire province to pay for the protection of our farmlands.

This concludes my presentation. Thank you for your attention and the opportunity to speak.

1430

**The Chair:** Thank you, Mayor Burroughs. We have about a minute each, beginning with Ms. Churley.

**Ms. Churley:** Thank you very much for your presentation. I don't know if you were here this morning, but there was a lot of talk about the LCBO, the fact that it's doing a review, which is a perfect opportunity to review some of the things you're talking about, and we'll be pushing for that. It's also another good reason that I think it should stay in public hands, because if it is privatized in any way, that would eliminate that opportunity.

I wanted to ask you, because it's one of my pet peeves, about salt. I know you mentioned a lot of things, and I support you on that. What kind of harm it is causing to your—

**Mr. Burroughs:** In Niagara-on-the-Lake, we are in the process of preparing a voluntary salt plan. We do restrict, on roads owned by the municipality, to a blend of 15% salt-to-sand ratio. However, the region, which also has roads in our community, has their roads to a higher standard, which means more bare, more salt. The damage is consistent and quite visible to both vineyards and tender fruit. You can see the die-off as we move out from the roadways.

There is a product now, called something-Zero; I don't have the exact name—

**Ms. Churley:** Yes, I've heard of it too. I know what you're talking about.

**Mr. Burroughs:** I would love the region to use that on their roads, and we would try to use it. But it is an additional expense, at a time when we're struggling with budgets. That's why I'm suggesting the province might help out.

**The Chair:** From the government side, Mrs. Van Bommel.

**Mrs. Van Bommel:** Thank you for your presentation. Certainly Niagara-on-the-Lake is particularly attractive. I visit it annually with friends of mine. We go up into the Niagara region for the wine tours, and we certainly enjoy at least one day in Niagara-on-the-Lake.

You mentioned local advisory committees. I asked a presenter this morning the same question, but I'd like to hear from you what you think the composition of an advisory committee should be. How many should there be, in what percentages should certain groups be represented, and who should be on it?

**Mr. Burroughs:** I think there should be good representation; I don't have a number. It should include some politicians, but more people involved in agriculture. The politicians can bring the political side to an issue and try and understand the needs of the province when we're

bringing anything forward. But I think a wide representation, and only one committee for the entire Niagara region, for example, not individual municipalities: We'd never get anything done.

**The Chair:** For the official opposition, Mr. Hudak.

**Mr. Hudak:** Thank you, Your Worship, for an excellent presentation. In fact, the advisory panel is not even mandatory in the legislation. We certainly think it should be, and we'll be looking at an amendment to bring one forward for Niagara as well, which is so directly impacted by this legislation. Actually, you addressed very well the four fatal flaws that we've brought up: the lack of a farm plan; the lack of an infrastructure plan to go with it, like the mid-peninsula and the 406; support for greenbelt municipalities, as well as making sure this is science-based.

You've done some homework here and actually come up with a formula for a greenbelt community. How would you calculate the difference between what they should be receiving under the CRF as opposed to what they will receive if there's not this designation?

**Mr. Burroughs:** That's a very good question that I was hoping somebody would ask. We've done the calculation. When it was changed in 1999, a portion is allowed, because the farming community used to pay the municipality and then the province would pay the farmer. The difference in that is included in our CRF funding, and the portion that Niagara-on-the-Lake gets, in current calculations, is \$191,000 that relates to the farm rebate. Based on the actual calculations for last year, it would be \$262,000. We only get 17 cents on the dollar in our municipality. However, you can take that forward. The regional portion that's paid by Niagara-on-the-Lake only is just under \$1 million that the region does not get because of this change in program. Even if you took off the education formula in the original calculation, it would only be about 25%. So it's still about three quarters of a million dollars that the region does not get because of Niagara-on-the-Lake and the farm tax.

It's very easy to calculate. Being an accountant, I like to be able to get something to apply: What would the project cost, how do we calculate it, and how are we consistent? We've done it in Niagara-on-the-Lake, and those are numbers that can be expanded.

We would also suggest that because it's only a \$70,000 difference for the municipality, there might be a multiplier effect of three, four or five that would make it a reasonable number.

**The Chair:** Thank you, Mayor Burroughs. Thank you very much for your delegation. We appreciate your being here today.

#### TOWN OF LINCOLN

**The Chair:** Our next delegation is the town of Lincoln.

Good afternoon and welcome. Thank you for coming.

**Mr. Bill Hodgson:** Good afternoon. Thank you very much for allowing us to make a presentation once again to the committee.

**The Chair:** If you could identify yourself and the group you're speaking for, when you begin, you'll have 15 minutes.

**Mr. Hodgson:** My name is Bill Hodgson and I'm the mayor of the town of Lincoln. I guess it's not quite a year ago that I was able to speak to the whole committee. Since that time, I've had a wonderful opportunity to speak to the Chair and several of the members. This is an ongoing work in progress, and I understand that.

My handout today is the package that our town prepared, which is quite detailed, with commentary that we have forwarded to the ministry in order to make comments and suggestions that we think are useful and helpful in terms of the greenbelt plan. Today, however, there's a single, double-sided sheet that I wanted to speak to, which addresses the act specifically and the enabling legislation. I'm trying to be as helpful as possible. The sheet is short. From my point of view, I think it's sweet. It actually asks for one definition and 40 words to be added to the act. I actually believe that with that brief modification, many of the issues that have been raised and repeatedly brought up through all of these very lengthy consultations can be addressed.

I think acts are intended to be precise. They're intended to deliver on the hope and the promise that the act is intended to achieve. I hope you will take that sheet back. I don't expect to have a sudden and dramatic switch in people's views; however, I hope you will have the opportunity, as you continue with your deliberations in moving the act forward, to be able to deal with each of those 40 words and the one definition.

I'll draw your attention to it. It's just presented in the order in which the act is organized. What I'm asking is that you add to the definitions and interpretations in this act one definition, and that is "greenbelt community." The definition reads: "'Greenbelt community' means a municipality in which urban area boundary adjustments are either completely or largely restricted by the greenbelt plan established under section 6."

It really speaks to the issue that there are consequences for the limiting of growth opportunities that is a consequence of the implementation of this act, and I would just ask that it be considered. Actually, I'm not all that crazy about making up definitions, but we truly need to have "greenbelt community" defined and embedded in the act.

**1440**

I'm not going to go over, word for word, the other suggestions, but I'm going to try to provide a bit of context for it; I know our time here is really short. No one involved in the greenbelt file over the last year of consultations, that I'm aware of, has said that the viability of agriculture is peripheral or unimportant to the success of the greenbelt, so I'm asking you to please reference it in the act. I don't see it anywhere. In fact, on the back of your page you'll notice that I'm suggesting

that you add to subsection 6(2), "The greenbelt plan may set out policies with respect to the areas ... including policies to support the long-term viability of agriculture in the greenbelt." It doesn't mean spending any money; it just tells all of the people involved in the farm business in the greenbelt that we need to address it one way or another, and there is a multitude of tools provided in the act for the minister to actually address the issue.

In the past year, I've had discussions about the idea of greenbelt communities with ministers, with the chair of this committee, I think, and members of the committee, and as far as I understand, when they hear about the unique circumstances of government-created permanent small towns in the Golden Horseshoe and about the fiscal and economic development challenges of these towns, everyone has acknowledged that the case is substantive and real. So I guess I'm here today to ask you to please reference them in the act.

You'll notice that I'd like to try to extend the objective under subsection 5(b). The original objective reads, "to sustain the countryside and rural communities." I simply want an acknowledgement of the reality, and the reality is that it should then read, "to sustain the countryside, rural and small-town communities," because those towns are involved here, and I think it's important that we preserve them. So please reference them in the act.

The principles of transparency and accountability are the expectation of the people of Ontario, and it is the responsibility of this committee to ensure that these principles are embedded in this legislation.

I'm going to revert for a moment to my old role in the education field. We used to drive taxpayers' coalition members crazy in the education system because we would advertise free adult education. We used to have, apparently, free use of the gymnasiums. Well, I think we were set straight. It simply never was true, because it wasn't free; we just didn't acknowledge who was paying for what. That has been deemed, I believe, over the last several years to be an unacceptable practice by the people of Ontario. Well, after all of these hearings, after all of the presenters, I think we all know that there is no such thing as a free greenbelt either. It's the responsibility of this committee to enable the public to know that.

Just with these 40 words, by changing a word like "may" into "shall," we know then that it will be done, that it will be acknowledged. There's not much heavy stuff here, it doesn't commit much, but it does commit to the principle of looking at the costs attached to the greenbelt.

As a community—I'm speaking now for the town of Lincoln, and I think it extends to quite a few municipalities that are involved in the greenbelt—we are still very uncertain about the extent to which others understand—in some cases, whether they care to understand—the nature of our greenbelt town, the nature of farming in Niagara and the nature of our vision for the future.

I'm asking you today, with these 40 words, to replace just a bit of the uncertainty for the people who live and work and operate businesses here with assurances that

the past year of consultations has been useful. The current minister and his personal staff, this committee and everyone involved on this file have worked very hard to understand what I'm referring to here. I know they have, and it's much appreciated. We are spending extra time to understand.

However, unlike greenbelts, ministers, governments and even ministry staff with the responsibility for the greenbelt file are not permanent. All of this work to understand that greenbelt communities are important and have special challenges presented by this act, and all of the work that has been done to establish that the viability of agriculture and the nature of agriculture in the greenbelt are special and critical to a successful greenbelt could be lost. It's also fundamentally unfair to the people who have worked so hard to have to start all over at square one if the players change. So here I am, asking you today, once again, to enshrine, embed in the act just an acknowledgement that these concepts are important and crucial to the success of the greenbelt.

Today, we are talking about enabling legislation, and I'm asking you to enable our farmers to feel that their business is more secure in the greenbelt than outside of it and not simply more tied up in regulation. That's a big leap that they're going to make, and they can only make it when they have the assurance that all the hard work they've done to express the intricacies of their business in an economic world is somehow embedded in the legislation.

I'm asking you to enable the mayors of the greenbelt communities to tell our residents that the government of Ontario acknowledges that this legislation can have an effect, that it can possibly have the effect of disrupting local, long-term fiscal planning for infrastructure renewal. You've heard it; it has been documented in the thick document that we presented to the ministry. We've made suggestions, as did the Lord Mayor of Niagara-on-the-Lake, regarding how you might address that, but what we would like to have is some acknowledgement that issues do exist.

There are also issues about escalating market value assessment increases, disrupting demographic trends and putting pressure on existing facilities and services, and on and on and on; you could just go on. But that doesn't have to be your focus; we just want you to acknowledge that these things exist and will exist with the implementation.

Also, there are the administrative costs of implementing the greenbelt. Municipalities and, I think, most people are really quite pleased that we're not talking about the development here of a huge bureaucracy. I think there's great wisdom in that. However, that doesn't mean that the costs of administering aren't there. I don't think these are huge costs, but somehow they need to be taken into account.

1450

Finally, I am asking you, through one definition and 40 words, to enable all of the people of Ontario to have a meaningful way to contribute to a successful greenbelt. I

am absolutely convinced that the vast majority of Ontarians think a greenbelt is a great idea. I just think that everyone should have an opportunity to understand—that this is where the transparency comes in—that there are some costs attached. It's worth it. I think it actually enhances the value of the greenbelt, enhances the idea of extending the greenbelt some day and using it as an effective growth management tool. But people won't put any value on it if they're not investing in it.

I'm going to leave my presentation there. Once again, I would ask that the committee at least take an opportunity, some time in the future before the act is moved forward, to perhaps go over those few suggestions I've made. I appreciate the time here today.

**The Chair:** Mayor Hodgson, you've left about 30 seconds for each party, beginning with the government.

**Mrs. Van Bommel:** Thank you very much, Mayor Hodgson, for a very well-thought-out presentation. You talk about policies that would support the long-term viability of greenbelt communities, and also, in a separate clause, you denote the long-term viability of agriculture. What kinds of policies would be included in that? Do you have any concept of what things should be included in those policies?

**Mr. Hodgson:** Rather than me going through the long list, I think you're going to have presenters today, and maybe you have already, who are involved directly in the industry, and they're going to express to you a number of areas.

My suggestion here really is not to commit to any specific expenditure, any specific plan. Rather than having the word directing that the minister "may," I want it to say that the minister "shall" coordinate the activities of a number of ministries. I don't think it's necessary for me to provide more details of the nature because, quite simply, this minister, through coordinating—once compelled to coordinate, by the way. It's interesting. In the last few weeks I've had ministers express surprise about what might or might not be in the COMRIF grant, for example. I know how big government is and I know how difficult it is to coordinate action. But a greenbelt involves so many layers, and this is the way it's described by the ministry staff.

**The Chair:** The official opposition for 30 seconds.

**Mr. Hudak:** Thank you, Your Worship. I think this is an excellent, very thoughtful and very passionately delivered presentation. I'm proud to have you as one of the mayors in my riding. Good job.

I want to say to you that we will bring forward amendments very much like this. We'll check the legal language. Hopefully, we'll have support from members opposite, who are saying it's a great idea.

Perhaps through you, Chair, to members of the municipal affairs staff, for information purposes when we bring this amendment forward, could we have a list of the populations of the lower-tier municipalities that are included in the greenbelt area, and the approximate proportion of their land in the greenbelt area, as well as the proportion of the land in the specialty fruit area? That

would help us define what a greenbelt community is and how it should be treated.

Thank you, sir. Well done.

**The Chair:** Ms. Churley?

**Ms. Churley:** Thank you very much for your very thoughtful and helpful presentation to the committee today. Because there's no time, I just want to tell you that I have a whole package of amendments, hoping to improve on the greenbelt, some of which you raised today. One in particular I want to tell you about is that I intend to move an amendment that includes a reference to farm viability within the greenbelt. I think that will become a pretty major part of the discussion as we move forward with this.

**The Chair:** Thank you very much, sir.

#### NIAGARA GATEWAY ESTATES

**The Chair:** Our next delegation is the Niagara Gateway Estates.

Welcome. If you could identify yourself and any of the others who will be speaking today and the group that you represent, when you begin you'll have 15 minutes.

**Mr. Ron Kanter:** Thank you very much, Madam Chair and members of the committee. With me are Greg Hynde, a land use planner, and George Markovich, one of the owners of Niagara Gateway Estates. It's owned by a number of family groups who live in the area, primarily in the Stoney Creek riding, some in the Brantford area, where I was born. They are with me to answer any questions, but I will be making the presentation.

**The Chair:** And you are?

**Mr. Kanter:** My name is Ron Kanter.

The lands we are talking about are shown in a brief that is about to be distributed to members. When you get it, please turn to page 2. Part of the Niagara Gateway Estates is occupied by an auto wrecking yard. It's known as Bamford and Lampman Auto Wreckers. Part of the land is vacant. The topsoil was removed some years ago. It is surrounded by residential and commercial development: to the north and east, by serviced residential subdivisions; to the south, by a commercial car dealership, a motel and an RV storage yard. So this is not a pristine greenfield site; rather, this is an urban pocket. This is really the hole in the middle of an urban pocket.

We are requesting that your committee give consideration to exempting this land or that you recommend to the minister that he exempt this land from the greenbelt designation, as you can do in section 3 of the legislation you're looking at, and we're doing that for five reasons.

First, and most clearly, I don't think the government intended to designate an operating auto wrecking yard as part of the greenbelt. It doesn't make a lot of sense. We are asking that the government exempt this site from the greenbelt. Second, an exemption would be consistent with the objectives of the greenbelt plan. Third, it would utilize the existing service capacity in the area. Fourth, it would respect Grimsby council's position. Finally, it would recognize the fact that our application was submitted well in advance of any of the greenbelt legislation.

I do want to draw your attention in a little more detail to the auto wrecking yard shown on the left side of schedule 2. We've also provided some pictures of an auto wrecking yard. I don't know how many of you have had the pleasure of walking through such a facility. We've initially provided them in black and white; subsequently, I think they have a little more impact in colour. If you take a look at photos 1 or 2 or perhaps 9, they show the staining and contamination on the site. The concern is not just the current situation but the potential for leakage to nearby creeks. It's not just what you can see; it's also what you can't see. The applicants have retained experts to do studies, and the phase 2 studies show that the soil currently exceeds the maximum limits allowed by the Ministry of the Environment for residential parkland use.

You might ask, "What does all this have to do with the greenbelt designation?" Well, our applicants have submitted a plan to remove the auto wrecking yard, remediate the auto wrecking yard to residential or parkland quality, and develop some housing on the site. Of course, they could not do this unless it was totally remediated. If the lands were to be designated as greenbelt, the existing use could continue and expand.

Secondly, we have looked at the agricultural potential for the site. As I've said, the topsoil has been removed. A study has been done by a gentleman with a lot of degrees; I hope I have them all right. He has a B.Sc. in agriculture and an M.Sc., he's an agricultural engineer, and he also has a bachelor of education. I think I left the bachelor of education off the list of degrees in this document. He says very clearly that the soils do not have the capacity to support either tender fruit production or premium vinifera grape production. Exempting the lands from the greenbelt will guarantee that the current brownfield site will be eliminated and cleaned up, resulting in a cleaner environment for the gateway.

This site—and I think I neglected to mention it before—is at the very gateway. It's the first site in Niagara region and the town of Grimsby on Regional Road 81. Hamilton is to the immediate west, and then the Niagara-Grimsby border. This is the very first thing people see. We talk about a gateway to Niagara. The first thing they see is the fence around an auto wrecking yard, with the cars and trucks kind of poking up over the fence. That's literally what they're greeted with.

#### 1500

The other aspect of this site, which perhaps people are not aware of, is the fact that the site is currently serviced, that is, services can be extended from the residential subdivision to the east. It is our understanding that Niagara region, which is responsible for the water and sewer main in this area, has recently upgraded. They've spent a considerable amount of money to upgrade the trunk water main to service the west end of Grimsby. I notice that there are schools, soccer clubs and various municipal facilities there in addition to hard services, but the region has provided water and also sewage. They've decommissioned the lagoon where some sewage was formerly dumped; they've upgraded pumping stations;

they've upgraded the sewage treatment plant. Our clients have retained consultants who advise that there's sufficient capacity to provide municipal water and sewers, and the region of Niagara agrees. I know that the government—not necessarily the Ministry of Municipal Affairs, but Public Infrastructure Renewal—has emphasized the importance of redeveloping brownfield sites using existing infrastructure.

The fourth point: This application has the support of the town of Grimsby. The council specifically supported the development of this site in May 2004. When they did so, an article appeared in the local newspaper. It's attached to schedule 3 of our brief. As you may be aware, development is not always greeted with open arms, but I think the tenor or tone of the report was very positive. An auto wrecker's site will become a subdivision; cleanup costs will be the responsibility of the developer. I think this was viewed generally with favour. There were the usual concerns about traffic and parking and that kind of thing, but by and large this application to develop the site was viewed favourably by local residents.

Lastly, the applications were made a long time ago. They started with Mr. Hynde in 1998. An official plan amendment was made for most of the site in December 2001. Applications for an OPA and rezoning and plans of subdivision—all those land use things that land use lawyers and planners do—were completed in November 2003. In other words, we are asking that, if for no other reason—although I think there are many other reasons—this application be exempt from the greenbelt plan because of its grandfather status.

In conclusion, Madam Chair and members of the committee—I said I had five points—we would ask you to ask the minister to look at this site. Because of the particular characteristics of the site—the fact that there's an auto wrecking site on part of it—there's no other cultural capacity. It doesn't really take an expert to tell you that you're never going to grow grapes or tender fruit on this site. It doesn't meet the criteria to be put into the greenbelt plan. It should stay out. As a result of staying out, our clients have undertaken to remove the auto wrecking yard, clean it up and make it a much more attractive and environmentally sound site. I know you've got a difficult task in considering many sites. It's one of the few cases I can think of where I believe that exempting the site from the greenbelt will make it greener than putting it in.

Those are my comments, Madam Chair, and I will certainly take questions if there's any time.

**The Chair:** We have about two minutes for each party, beginning with the official opposition.

**Mr. Yakabuski:** Thank you very much for your presentation and for joining us today. When the minister spoke to us the other day, he talked about all the good science that was used to map this greenbelt area. I guess when they were flying over this area, all those cars must have been painted green that day or something, because I just can't imagine how they could have missed it. We're just saying that this is another example of how there's

such flawed planning involved here. This was all about polling, not planning; about politics, not protection and people.

This is why we think there's an absolute necessity to have a proper appeal mechanism in place so that these kinds of concerns can be addressed, because what you've raised today—clearly, I don't think the average person envisioning a greenbelt would see an auto wrecking yard as being a component of that greenbelt. Do you think that one of the absolutely necessary amendments we need is an appeal mechanism in place so that issues like this can be dealt with?

**Mr. Kanter:** Mr. Yakabuski, I was once on your side of the table, in a situation where I could look at big-picture items. Someone told me that the difference between a member of the Legislature and a lawyer was as follows: A member of the Legislature has to know a little bit about a whole lot of things, and a lawyer has to know a whole lot of stuff about a little site. I'm here to talk about this site. I believe this site meets all the criteria to be exempt. I can understand that there are going to be some larger issues you're dealing with. It may well be there are other sites where appeal mechanisms would be appropriate, but my purpose in coming before you today is to really deal with this site, which I think, clearly, should be exempt.

**Mr. Yakabuski:** Thank you very much.

**Ms. Churley:** Thank you very much, Mr. Kanter. It's nice to see you again.

**Mr. Kanter:** It's nice to see you.

**Ms. Churley:** I've got to tell you, that's pretty ugly. I think it reinforces the need for greenbelt legislation, that it's perhaps coming a decade or so too late. You have this in the middle of the Niagara area. Is this the only wrecking yard within the greenbelt boundaries?

**Mr. Kanter:** I am not aware of any others. Again, I'm retained by this group, which has one. When you look at the maps of the greenbelt presentation for the greenbelt plan, this all looks nice and green. Unfortunately, on the ground it's not always that way. This is one of those cases where the existing situation is not attractive.

**Ms. Churley:** It's created this.

**Mr. Kanter:** This has resulted, and we suggest that it should be cleaned up and it should be exempt.

**Ms. Churley:** You're absolutely convinced it can't be remediated, are you?

**Mr. Kanter:** Well, we're suggesting that the best way to remediate it would be to exempt it and—

**Ms. Churley:** To build on it. But to bring it back to farmland—no way?

**Mr. Kanter:** We're absolutely convinced, and experts concur, that it is not suitable for cropland and I think it would be difficult to farm it because of the removal of the topsoil and the climatic and other things identified by Mr. Ker. But, in addition, the fact that there has been an operating auto wrecking site next door, it is not a top priority. As the expert said, this is probably one of the last sites in the Niagara region that anyone would consider growing crops because of the combination of



reasons, including but not limited to the auto wrecking site.

**The Chair:** For the government side, Mr. Duguid.

**Mr. Duguid:** I want to welcome Mr. Kanter here as a former member of the Legislature. He served with distinction not too long ago, from 1985 to 1990, if I recall.

**Mr. Kanter:** From 1987 to 1990.

**Mr. Duguid:** From 1987 to 1990, and doing a good job in the private sector now.

I believe the proposal that you have before us is before the OMB now, so I don't want to comment anything specific about it. But I understand you have approached staff on this, that our Ministry of Agriculture and Food staff are actively reviewing it. I want to thank you for bringing that forward.

As you know, today we are here to discuss the framework, which is the legislation. The plan is a draft plan that's been put out precisely to give people such as yourselves the opportunity to come forward and help us fine-tune the mapping. I think that's what this is all about. So I want to give you an assurance that we are seriously looking at what you presented to us and what you have presented to us before today. We'll give you the assurance that we'll do everything we can to make sure it's appropriately dealt with.

**Mr. Kanter:** I don't know if that was a question, but if it was, I will certainly confirm that we've requested and been given an opportunity to meet with staff—as well as at the political level. We are certainly pursuing all of the avenues, including the political one, because I think it's important that members be aware of the situations that arise.

**The Chair:** Thank you for your delegation today.

#### REGIONAL MUNICIPALITY OF NIAGARA

**The Chair:** Our next presenter is the regional municipality of Niagara.

Good afternoon. Could you introduce yourself and who else will be speaking this afternoon, for the purposes of Hansard. When you begin you'll have 15 minutes.

**Mr. Peter Partington:** My name is Peter Partington. I'm the chair of the regional municipality of Niagara. With me is former chair and regional councillor, Debbie Zimmerman, the chair of our agricultural task force. We'll be splitting the presentation.

Chair and members of the committee, thank you for the opportunity to make a presentation on the regional municipality of Niagara's views on the proposed greenbelt legislation and plan.

In Niagara, as you know, the central issue is the tender fruit and grape areas. These areas are of provincial and even national significance. Communities within the greenbelt, from Durham in the east to Hamilton in the west, contain sufficient contiguous lands for 25 years of urban expansion. It is only in Niagara that urban communities have been completely cut off from future urban expansion in order to protect these special agricultural areas.

#### 1510

Regional Niagara has been a strong supporter of protecting the tender fruit and grape areas, as exemplified by its policy plan's vision for future development and conservation. These areas, however, are more than a local responsibility and need tangible provincial support for the land, the farmers and the communities. Also, there is a need to enable development in the southern part of Niagara, outside the greenbelt.

Regional council has been closely involved in discussions of the proposed greenbelt plan and legislation. Although generally supportive of the objectives, various issues have been identified that need to be further addressed. The remainder of this presentation will focus on those items.

The first issue is the need to support the tender fruit and grape industry. Regional council's view is that the best way to preserve the land is to preserve the farmer, and to that end they suggested that the province strengthen right-to-farm legislation, re-establish the research capability in the Vineland research station, initiate a major marketing initiative to encourage people to adopt a Buy Ontario First approach, provide raw water for agricultural irrigation, financial assistance through agricultural easements, and re-consideration of the re-assessment of value-added agricultural operations such as cherry pitting or fruit freezing on farms. In all, it is proposed that a financial package be provided to support the farmers affected by the plan and legislation. Councillor Debbie Zimmerman, chair of the regional chairman's agricultural task force, will address this topic more fully.

In keeping with the above comments, two specific changes are proposed to section 5, the objectives of the act. In order to recognize the importance of a viable agricultural industry, objective 5(d) should be revised to read:

“(d) to recognize the critical importance of the agricultural sector by supporting an agricultural investment fund, right-to-farm legislation, and marketing and land use policies for a viable agricultural industry.”

A new objective should be added to recognize the significance of the tender fruit and grape areas:

“To recognize the special significance of the Niagara Peninsula tender fruit and grape areas through policies and programs.”

Second, we need support for the urban communities whose boundaries have been frozen. These communities still need improvements to their services, both hard and soft, which will have to occur in the context of limited growth. To offset the effect of reduced assessment growth, it is suggested that the province provide financial assistance and other tools to these communities to enable infilling, brownfields development and infrastructure renewal. In this regard, a new objective is proposed as follows:

“To enable urban development within urban areas of greenbelt communities.”

With regard to the content of the plan, section 6, two additional policy areas need to be identified: Policies to

enable the viability of the agricultural industry and to facilitate development within the greenbelt communities' urban areas, as well as an implementation section, including an integrated set of programs to implement the greenbelt objectives.

Third, regional Niagara has adopted a go-south approach. This will involve services to enable growth to occur away from the greenbelt area, together with items such as the extension of Highway 406 and the provision of the Niagara-GTA trade corridor. The Ministry of Transportation has initiated the development of terms of reference for the trade corridor, and it's Niagara's preference that this move ahead as quickly as possible. Furthermore, the extension of Highway 406 should be commenced in the immediate future.

Fourth, consideration should be made to reducing the extent of the greenbelt by moving the southern boundary farther north to conform with the regional plan's identification of good tender fruit and grape areas. As well, from an administrative standpoint, the province should use the same boundaries for urban areas as does the regional plan. We are pleased that the provision has been maintained to allow the severance of surplus farm dwellings. I should mention, as has been before, that there is some concern about the 50-acre minimum lot size in the greenbelt, which some view as being too large for a specialty crop area such as we have in Niagara. Instead, a 25-acre minimum is recommended.

Fifth, because of the significance of the greenbelt for Niagara, regional council has supported the provision of a specific greenbelt advisory committee for Niagara so that the interests and special concerns of the farming community and urban centres can be represented.

Finally, it is proposed that another administrative layer not be created to implement this. The recommendation is that the greenbelt plan and legislation be implemented through the existing municipal planning system.

Thus, in short, regional council is generally supportive of the intent of the greenbelt but has a number of proposals which in our view would improve the legislation and plan. Most importantly, we think it should be accompanied by a financial assistance package to assist the farming industry and to reduce the effects of the urban growth freeze on the local tax base.

Thank you for the opportunity to address you on these important matters, and I look forward to a cooperative approach toward the implementation of the greenbelt legislation.

**Ms. Debbie Zimmerman:** First of all, welcome to Grimsby. It is the community I represent, so I am delighted that you are here today to listen to many of the individuals who are present. I, too, like some other members of the general public, presented over a year ago to this task force. I guess at that time it was still a process in the works. I want to take you back just a little bit because I think you need some history on this.

In the year 2002, when Jim Bradley attended an economic summit for the region of Niagara, it was proposed at that time that there would be an agricultural

preserve, and actually the legislation was introduced in the House. The government changed and we, as the region of Niagara—at that time I was the chair—took it upon ourselves to create the agricultural task force for the region of Niagara, which in 2002 began looking in earnest at what potentially could have come out of what was termed an agricultural preserve. I am so glad that you have changed the name to “greenbelt.” We do not see our farmers being held in glass jars to be looked at from afar. We think “preserve” really wasn't the appropriate term, so we're delighted that you've changed the name.

That task force has been in existence as an agricultural task force, which includes many of the people you've heard today—the mayors from the municipalities—and we have worked diligently to provide what we think is the best advice on greenbelt policy as you move forward for the future. We believe there should be a legacy for Ontarians for the future, but we think you need to do some things before you implement that legacy so it's something we can all be proud of.

The task force developed a report titled *Securing a Legacy for Niagara's Agricultural Land: A Vision From One Voice*. If you haven't seen it, I would charge the ministry staff to make sure you do. I can assure you that the Minister of Municipal Affairs and his staff have been working with us on this and we thank them and congratulate them for listening to us, but they should provide you with that document. This document was received by the agricultural advisory team. It has been referenced as being advanced, comprehensive and can act as a foundation for greenbelt policy and direction for the future.

In Niagara—and you've heard it over and over again today—greenbelt is tied directly to the economic success of our agricultural base. We have identified a previous document, which was an agricultural impact study done by the region of Niagara, which showed that agriculture is a \$1.8-billion economic engine for this region. We cannot toy with that. It is part of our success.

We believe there must be economic tools and other investments to create a lasting legacy. You've heard about some of them today. I want to talk about a few of these things. We believe there has to be a concurrent economic plan as part of this legislation.

I want to talk about just a little thing—and I'll give you an illustration how provincial policy has such a huge impact on our local community and can have a negative impact if not treated appropriately. In the late 1990s, \$4.8 million was removed from municipal coffers because of the agricultural land tax rebate program. This number has grown successively each year. That is lost revenue to the municipalities. We have been living with the downside of that decision and we continue to live with the downside of that decision. It has been referenced as an improvement in the CRF; we believe it needs to go further.

**1520**

For the past two years we flagged these economic problems; we flagged them both to this government and

to previous governments. We offer solutions; we are not prepared to sit here today without offering solutions, because we believe that if the greenbelt is successful, agricultural communities will continue to be successful. We have a legacy here in Niagara of being good stewards of this unique agricultural land base.

I'm going to move on to the initiatives. I'm sure you have questions, and I'd like to leave time for that.

Section 15 of Bill 135 should be amended to include a Niagara-specific greenbelt advisory committee. You've heard that before. Our task force supports that. We believe that it should be made up of agriculturally supported commodities and municipal councillors, and we believe that it should be reviewed annually and be Niagara-specific.

The task force recommends to the province of Ontario that there should be a Niagara agricultural investment fund of \$125 million created. We believe that this would support the value-adds for our communities, irrigation, agriculturally related municipal infrastructure upgrades, municipal infrastructure upgrades, a Buy Ontario program and food processing plants, while recognizing the loss of severance investments that many of our agricultural communities are without. We believe that you need to consider what they now have lost. The task force recommends that \$50 million be set aside for Vineland research. This valuable, important part of our infrastructure was removed under the previous government. We want the reinvestment here.

The delineation of the greenbelt boundaries needs to be reviewed and based on good science, particularly here in Grimsby. We have a hamlet in the south that we were preparing to develop to take the pressure off our lands, and that has now been included in the greenbelt. We think that is not fair and not right. You've just heard from former member Mr. Kanter, now a solicitor, talking about the west end. That was also slated for development prior to the greenbelt. We have a smart growth strategy for the region of Niagara that is providing incentives to improve these lands, such as those that are former brownfields. We hope you will review these boundaries, with a consideration to truly reflect what is happening.

You heard earlier in the day that temperatures of -30 degrees are affecting our croplands. Make sure you've got the science behind you to truly identify our speciality croplands. Many of them are in the greenbelt and they are not specialty croplands. We believe that the extent of the greenbelt should be reduced to conform to the good tender fruit and grape lands as identified in the regional policy plan. Some of those lands, particularly in the south, should be identified as rural. They are not speciality croplands.

I want to note that, first of all, in the region of Niagara we are proud of the things we have done, we are proud of our future and we are proud of our agricultural community. We have been restrained many times by previous governments and other legislation, but we do not want to be confined, as we believe there are opportunities before us. We have implemented redevelopment initiatives

through smart growth, and we are providing opportunities within our urban areas to redevelop certain brownfields. Unfortunately, the greenbelt directions do not acknowledge the reality of what is happening in our communities across Niagara.

We support as well the strengthening of agriculturally related legislation and the provision of tax incentives to processors who use 100% Ontario-grown product. We also believe that you should consider establishing an agricultural easement program. We believe that was a valuable program. It never saw the light of day, unfortunately, but you should look at that.

**The Chair:** Can you summarize? You have a minute left.

**Ms. Zimmerman:** Thank you. I'm going to sum up very quickly, because I'm sure you would like to ask some questions.

We want to see a successful greenbelt. All the details are in our report to you. I hope you will take everything that has been said today by the people in this area, particularly those people who are in the agricultural sector, and ensure that they have a future—so not only for us, but for all of Ontario. Thank you very much.

**The Chair:** Thank you. Unfortunately, 28 seconds is all you have left, which won't allow anybody to ask—

**Ms. Zimmerman:** I apologize.

**The Chair:** That's OK. We're happy that you're here and we appreciate your presentation. Thank you very, very much.

#### PUDDICOMBE ESTATE FARMS AND WINERY

**The Chair:** Our next delegation will be from Puddicombe Estate Farms and Winery. Good afternoon and welcome.

**Mr. Murray Puddicombe:** Good afternoon.

**The Chair:** If you could identify yourself and the organization you're speaking for, and when you do begin—when the hubbub in the room settles—I'll give you 15 minutes. If you use all of it, then we won't be able to ask you any questions; if you leave some time, we'll be sure to ask you some questions.

**Mr. Puddicombe:** OK. Thank you very much. I see the stopwatch is running, is it?

**The Chair:** Not yet. Not until you've introduced yourself. Then I do it.

**Mr. Puddicombe:** Murray Puddicombe, representing Puddicombe Farms and Puddicombe Estate Wineries. We're located within the Hamilton region, just on the border with Niagara.

Madam Chair, committee members, I appreciate the opportunity to voice my concerns regarding the proposed greenbelt plan as it affects my immediate area and others in Ontario.

I'm representing a family that has been farming on the same site for over 200 years. I'm a graduate of the University of Guelph, with 35 years of agriculture experience on over 300 acres of grape and tender fruit ground. I

represent the seventh generation at the same location, and have two children—actually, I have four, but two of them are over 20 years of age and are showing an interest in continuing the legacy in some facet of agriculture on our farming enterprise.

The premise of the greenbelt plan is to identify where urbanization is or is not to occur in order to provide a permanent agricultural and environmental protection area. Of course, there are many types of agricultural, environmental, recreational and tourism areas to be addressed within this plan.

I applaud, and I think a lot of people do, the intent of this plan; however, the implementation should be based on, as you indicate, a combination of the best science available, existing and future patterns of urbanization, and local knowledge and advice. It is clear to many of us here that these criteria were not adhered to in the drafting of this plan in its present form.

In regard to our immediate area below the escarpment, from Casablanca Boulevard in Grimsby on the east, Fruitland Road, Stoney Creek, on the west, Highway 8 on the south, and the QEW, Barton Street or Lake Ontario on the north, it's actually on the little map on the back that I just photocopied out of the plan. It's a quite segmented area close to Lake Ontario in the centre of the map.

Members of this committee, you have no doubt heard from the city of Hamilton, the town of Grimsby—I did hear them—Niagara and Lincoln as to why this area should be excluded from the plan. I agree with a lot of their points and will point out why this area should not be deemed a prime tender fruit or grape production area. They've given you all the other types of reasons, but I think that as a farmer, as a grower who has been on the sites, I maybe know a little bit more of what they're like than others.

Currently, there are fewer than six fruit growers making their living from the farms in this particular area. There also exist, naturally, a handful of part-time hobby farmers who obtain off-farm income in order to survive on the farm. Most of the farm owners are over 50 years old, with 75% of them being over 70. These figures parallel the nation's age statistics for farmers, which indicate that the younger generation is not returning to agriculture due to small family farm size, an ever-shrinking net return, uncontrollable input costs, and stagnant or decreasing sales revenues per unit of produce.

The people who own many of these small land-holdings in this area have worked both on and off the farm to make their living and now, upon reaching retirement age, are looking at their land investment as a source of income to carry them through the next 10 to 20 years. Many of these small holdings are surrounded by or in close proximity to residential or non-agricultural properties, making it almost impossible for someone to link these many small holdings together to form a viable operation. The fact that urbanization already exists throughout the area is a major deterrent to sustaining a viable agricultural presence. We have all heard of the

friction that exists between urban and farming communities when it comes to wildlife control—bird bangers—effects of spray drift both from the urban to the farm, like 2,4-D on the lawns and this type of thing affecting the vineyards, or from the farm to the urban, be it insecticides or fungicides, the operation of farm equipment at all times of the day, and possibly green-houses lighting up the sky. The urban dwellers do not appreciate the fact that our farms are our backyards, and continue to trespass on foot, bicycle, motorcycle and, this time of year, snowmobile.

#### 1530

When it comes to buying a piece of property to locate a business—any business—and maximize its potential, the phrase “location, location, location” comes to mind. The area in question here, by and large, definitely does not exhibit an advantageous site potential in order to maintain a viable grape or tender fruit operation.

From a soil perspective, over 75% of this area is of a clay type. You heard, two or three presenters before me, that there's a car reclamation area in it. That happens to be right across from our farm, as a matter of fact, and I know for a fact that definitely that soil is not good. It's slow to drain and exhibits low crop yield potential. The only water source is municipal, which is extremely costly, as the price has risen 2.5 times in the last 10 years. To be viable, today's fruit grower needs a low-cost water source to obtain potential crop yields similar to our competitors in other jurisdictions in Ontario, North America and indeed the world, as it is truly a global business we are in today.

There also exist a large number of sites which exhibit poor air drainage as indicated by the plant damage incurred as the result of recent spring and fall frosts and the low temperatures incurred in the winters of 1981, 1993, 1994, 2003 and 2004 and, of course, just recently this last week.

The properties north of the CNR tracks between Kelson Avenue and Fifty Road are a prime example of poor air and water drainage. The presence of the South Service Road, being at the north, with a level above the adjoining fields of 3.5 feet on the west and 4.5 feet on the east, acts as a barrier to the continuous airflow draining from the south to the north, thus causing large frost pockets in the adjoining fields. The presence of the continuous traffic flow on the QEW also obstructs the natural air drainage by acting as a wind curtain, similar to those one would find in a factory or a food processing building, which is meant to keep out flies. It's the same principle. The turbulent air generated by the traffic inhibits the natural flow from the south to the north, therefore creating your frost pockets. We have seen the effects personally of this air flow problem over the last 20 years as our plantings of *Vinifera* grapes and peaches have been devastated time and time again at the north end of our property. The *Labrusca* varieties seem to fare a little better, but these are not the types presently being demanded by our expanding wine industry.

Adding to the problems in this area is the effect of road salt damage due to drift from the South Service

Road and QEW. This has caused extreme damage to our peach and Vinifera vines that are located within 150 feet of the roadways.

The fact that 15% of the area between Kelson and Fifty Road is actively growing grapes or tender fruit is a testimony to the fact that this area is not a prime location for growing crops.

In summary, I feel that the acreage that's currently within the plan area between Casablanca Boulevard and Fruitland Road that has been designated grape and tender fruit should be removed from the plan, as it does not lend itself to sustaining farming operations that can be viable in today's or a future marketplace. Please do not attempt to force this area to be farmed, because it won't be. It will remain, as it has been for the last 50 years, a brown zone. It's been like that ever since I've been walking around. Let us all put a concerted effort into growing our crops in areas that indeed hold the best attributes for the type of fruit crops that will ensure that growers will survive in the years to come.

Your vision to support agriculture as a predominant land use is excellent. Then properly identify the areas available for viable, sustainable farming. This process definitely should take more time than was allotted by those preparing the plan. The area must be of sufficient size, exhibit the proper soil and climatic conditions, and have a favourable market condition in order to entice growers to invest significant time and capital to make your and their vision possible.

To a large extent, the areas already within the NEC control plan, and many areas to the east of here, such as Beamsville, Vineland, Jordan, and of course Niagara-on-the-Lake, contain ground that enables long-term grape and tender fruit production. The production levels attainable on these lands are significantly higher than those we experience in the Grimsby/Stoney Creek area, due largely to the facts I have mentioned.

Section 4.6, page 25, on lot creation refers to a minor lot adjustment "provided it does not create a separate lot for a residential dwelling" and that the resulting parcels are at least 50 acres in size. This may be fine in a field crop area, where average farm sizes are 200 to 500 acres. Yes, many of today's farms are over 100 acres in this area, but they are made up of several properties acquired as our operations have grown.

The fact that there are, in this particular area, many five- to 25-acre farms held by individual owners who are at or near retirement age and whose children do not wish to continue farming these small properties, as they cannot sustain themselves, brings forth a problem of the ability of one or more prospective growers assembling a viable tract of land, possibly next to their existing holdings. The fact that the process would create numerous house lots plus a viable entity is not permitted within the plan in its current form.

Section 3.2.2 on page 10 refers to a "full range of existing normal farm practices and agricultural, agricultural-related and secondary uses." In light of the tourism studies conducted over the last five years within

the Golden Horseshoe area, which show a dramatic potential increase in the visitor numbers, I feel that it would be very prudent to include agri-tourism venues, farm stay lodging, estate wineries and other agriculture-related businesses within this plan. I feel it is essential to our long-term survival to be able to diversify from this true sense of the word "farming," as those who came before us have used. Tourism may well be a major driving force to this economy in this region in the very near future.

Section 5.5 on page 28, plan review: A period of 10 years is much too long. There should be an ongoing evaluation and policy modification process that ensures that the policies and boundaries fairly reflect the needs of all facets of society and are not static or irrelevant. As it now exists, some of the lands designated as grape and tender fruit or prime agricultural are definitely not so.

The fact that an amendment cannot reduce the total greenbelt area is ridiculous. Nothing should be written in stone, and this plan should allow for modifications similar to what exists in the NEC plan process. The greenbelt seemed to have been created in a backward fashion. It was frozen and then we had the hearings, instead of having the hearings and then coming up with a plan. It should have been done somewhat similar to what the NEC plan underwent, with lengthy public hearings and studies in order to establish a framework that enables all parties to work within it. The freezing of any potential development or changes within the proposed plan area is criminal. You cannot hold in limbo the lives of those most affected by this plan. You must reach some type of framework in the near future and maintain an ongoing review process, including stakeholder representatives on the review panel.

The members of the agricultural advisory team recommend that the government freeze the plan area for future generations without compensating the landowners. This is ridiculous. In some cases, the current land values could drop from \$150,000 an acre to \$15,000 an acre with the stroke of a pen. The effect on mortgages and other equity-related matters is tremendous. How is it fair to those who invested in the land and have been working their whole life while counting on selling their home and small holdings to provide funds for their retirement years? Other jurisdictions in various states in the U.S. and countries in Europe have established similar land preserves but realized that the government has to fairly compensate those affected landowners. The provincial government has already compensated developers who held land within the Oak Ridges moraine area by giving them publicly owned lands elsewhere. Fair is fair.

Please take the time to listen to the public concerns expressed and make the boundaries and policies realistic. It is not fair to force the farmers of today and of the future to be tied to a constantly evolving industry on land that may only yield marginal profits. The plan policy in its current form does nothing to entice future generations to enter the farming industry as a career choice.

Thank you very much.

**The Chair:** Mr. Puddicombe, you've only left a minute and a half, which means we only have 30 seconds each. Ms. Churley, you begin.

**Ms. Churley:** There's no time to ask you my questions in 30 seconds.

**Mr. Puddicombe:** Sorry.

**Ms. Churley:** No, that's fine. I listened with interest. Thank you for your presentation.

**Mr. Puddicombe:** You're welcome.

**The Chair:** A government representative? Mrs. Van Bommel.

**Mrs. Van Bommel:** Just very quickly, I've been wanting to ask this question all day, because people keep talking about how, rather than being 50-acre parcels, farms could be down to 25 acres. Yet in your presentation you talk about the problems that farmers experience with their practices and having non-farm people living near them. Are you not concerned that if you have 25-acre pieces, people will simply make them into estate lots and build their houses in the middle of them and create problems for you as you try to farm around that?

1540

**Mr. Puddicombe:** What I'm concerned with is the fact that they may be even smaller 10-acre lots, which currently exist to the west of us, right along highway 8, for example, and they have all the property in the back. What I would envision seeing is the house lots be separated off. The people don't need this land. Somebody would assemble the land that's behind them into a larger quantity of property, viable for agriculture. It is farmable. I'm saying this may be between the NEC land, or in any other jurisdiction as well. But with the way it presently exists, you can't do that because you're creating a house lot plus maybe five, 10 or 15 acres. The fact that other people want to see the minimum size as 25 acres is a start, I guess. It's up to the jurisdictions to come in to play as to where the house would be, if that's your concern. I'm looking at it strictly from agriculture.

**Mrs. Van Bommel:** I'm just concerned about conflict between farmer and—

**The Chair:** I have to go to the official opposition.

**Mr. Yakubuski:** Thank you very much, Mr. Puddicombe, for joining us here today and thank you for attending the open house in Milton with Ted Chudleigh, Ted Arnott and Mr. Hudak.

It just seems that what we see more and more is that the government, because of politics and polling, is just interested in, "Let's just get this done," as opposed to getting it right. Your situation is a good example of that, and we're seeing more and more of those all the time, where the effects of this legislation on individual landowners have not been taken into consideration at all. We appreciate you joining us today to bring that to our attention. Thank you.

**The Chair:** Thank you, Mr. Puddicombe.

Our next delegation is Mike Burda. Is Mr. Burda here? Mr. Burda isn't here. This is the last call for Mr. Burda.

## CHRISTIAN FARMERS FEDERATION OF ONTARIO

**The Chair:** We'll move on to our next delegation, the Christian Farmers Federation of Ontario.

Welcome. Good afternoon. If you could identify the individuals who will be speaking today and the organization that you speak for. When you begin, you'll have 15 minutes. If you use all of your time, we won't be able to ask questions, but if you don't, that's OK too.

**Mr. John Kikkert:** Thank you for this opportunity. My name is John Kikkert, president of the Christian Farmers Federation for the third year, enjoying the work. We represent farmers throughout Ontario from 22 districts, approximately 5,000 members that we directly are involved with and working for each day. With me also is Elbert van Donkersgoed, our policy strategy adviser, and he will do the main part of the speaking, so I'll just do a little bit of an introduction, and then I'll let Elbert lead you through on the key points that our presentation involves.

The Christian Farmers Federation of Ontario has concluded that there is much for us to applaud in the present spate of proposed provincial guidance to manage urban sprawl, enable the future of food production and protect our natural heritage. However, the combined programs miss the mark in a number of important ways. I'd like to call upon Elbert to lead that discussion.

**Mr. Elbert van Donkersgoed:** Thank you, John. Thank you, ladies and gentlemen, for hearing us this afternoon. The Christian Farmers Federation's historical perspective on land use has been one of wanting to protect the best farmland for the business of farming. So we have brought to the issue of land use planning and urban encroachment and those issues the perspective of the business of farming, more so than the perspective of a landowner. It's our view that we need the best land for agriculture in order for agriculture to be strong in Ontario. As a result of that, historically we've been willing, for example, to give up the notion that just because you own a countryside property you automatically have a right to a severance. We've been on the side of encouraging municipalities to change those severance bylaws for decades because they undermine the business of farming.

So it's not a surprise that we bring a business-of-farming perspective to this particular issue of the greenbelt. The comments that we have to make are focused on the greenbelt, but we're also going to make some comments on some of the other things that are happening—the Places to Grow and the new policy statement under the Planning Act—because we think these things are a package deal and if we don't do them well as a package deal, agriculture will fall between the cracks.

The first point we want to make is about permanency. From you folks in the Legislature, we seek a sense of permanency for both agriculture and for cities. Whether we do that by drawing permanent boundaries around the best farmland or permanent boundaries around cities, one

way or the other, we want some permanency. So we see some strengths in this enabling legislation in that we're beginning on permanency, at least with specialty cropland and with the Holland Marsh. That's a beginning. But it's our view that, whether it's here in the greenbelt or elsewhere, you should give permanency to all prime agricultural land in this province because we need all of it if we're going to be successful in the business of farming for the long run.

So part of the weakness in this legislation, as far as we're concerned, is that you're only giving permanency to specialty cropland and the Holland Marsh. We badly need it for all of agriculture. Who else would draw to your attention the fact that you're leaving out a whole lot of the best farmland in the greater Golden Horseshoe in the land that has the line drawn around it as greenbelt and our cities on the west end of Lake Ontario? There's some 175,000 acres that you're leaving out with this particular bill.

On average, especially once you take out the specialty cropland and the Holland Marsh, the land you're leaving out is of significantly better quality than the farmland you're protecting in the greenbelt. It troubles us deeply that the approach of the greenbelt is to protect the mediocre-quality farmland, once we get beyond specialty crop and Holland Marsh, and leave many acres of some of our best, prime land, which in all likelihood is going to be subject to urban encroachment or become part of that continuous network of urban communities that is growing around the west end of Lake Ontario.

We want to point out that 18% of our farmland in Ontario is already gone; 11% of that disappeared in the last 50 years. As far as we're concerned, we cannot stay on that pattern. We have to put the brakes on putting our cities on the best-quality farmland.

Similarly, to us there's no point in saying that we're greenbelting something and then not being absolutely ironclad that we're going to keep urban infrastructure out of there. We would rather see a smaller greenbelt and have it be an ironclad greenbelt. If you do a big greenbelt but then continue to allow gravel extraction and 400-series highways and an airport and dumps in the greenbelt—we're saying don't give us a greenbelt and then do that to it. Give us an ironclad guarantee that we've got a greenbelt so that we've got real permanency. Because we need permanency to do our planning, our business of farming for the long term. We can't make the investments in farming, our families can't make those investments, if we don't have permanency.

The other observation I would like to make is that by leaving out some of the best lands in the greater Golden Horseshoe area, you are driving agriculture on to the poorer-quality land, and it will be hard for us to make a living on poorer-quality land.

The second point we want to make is about the choice of language in the bill, which talks about "protected countryside." We're not totally uncomfortable with using the words "protected countryside," but we really want to talk about a productive protected countryside, because

we need both farmland and farm business policies. We would also like to suggest that whatever policies are going to work for the greenbelt are really policies that we want across Ontario in the provincial policy statement under the Planning Act. We need a new set of approaches to how the business of farming is going to function in the future. It's clear to us that there's going to be a clear distinction between countryside development and urban development.

#### 1550

We define countryside, productive countryside, broadly, not just primary agriculture production. As you no doubt know, if all we do with the countryside is produce raw materials, they're no longer highly valued in our economy. We have to do a lot more than produce raw materials, and that includes in this greenbelt. This greenbelt has to be doing a lot more than raw material production, because those things are of modest value in today's economy. So we badly need a broad notion of what the protected, productive countryside economy is going to look like down the road.

We have a caution: If we don't do it right, the chances are good that the greenbelt will be 100-acre farms with million-dollar homes and commuters to the city on them. If we can't do productive economic activities in the countryside, someone else will buy the 100-acre farms and just turn them into great places to live without significant economic activity. You only need to drive along some of the side roads or concessions of Puslinch township, in the closest piece of Wellington county to this area, to see what can happen in terms of 100-acre farms being modified into a whole different kind of countryside. If we don't vigorously, consciously build the countryside economy in the greenbelt, it will just become a private bedroom for those of us who are very well-heeled.

The third point we want to make is that how cities develop is also key to what kind of encroachment is going to happen on farmland. We are very strongly onside and are encouraged that there is a lot of talk about changing the way that cities develop. We endorse the idea of population density targets for cities, higher brownfield development and urban redevelopment. We urge you to significantly up those numbers. Transit-friendly development, outcome-based planning—in other words, we support "be consistent with."

However, for us, slowing down urban sprawl is not enough. Some of these policies will slow down urban sprawl, but we think you should be breaking the pattern of sprawl, of a continuous network of urban communities. For that, we need a different approach in terms of networks of greenbelts, perhaps smaller ones much closer to our cities.

Fourthly, we want to mention the fact that there's a clash of cultures in the countryside, and the greenbelt is just one piece of it. There is an urban regulatory approach that is happening, whereas in the countryside we're used to a self-help culture. There's a whole range of things. Attached to my notes is one of the policy statements

we've adopted, in which we're willing to say fairly strong things like, it's high time we do more with land use planning, but we're ready to have you repeal the Nutrient Management Act, and we're not very fond of where we're headed with risk assessments of three or more different kinds. Our own commitment as a farm community is to do environmental farm plans; now we have risk assessment with nutrient management, and we're going to get another kind of risk assessment with source water protection. We're eager to rethink all of that. We think that is an absolute necessity, that the path we're on right now with the regulatory approach fundamentally flies in the face of the self-help culture the countryside has.

The final point we want to make is that the economy of the protected countryside can't work if you expect that it can be had for free. We have to talk about the money, about how we're going to get financially functioning protected countryside. From our point of view, greenbelt will make the expectation of environmental services a requirement. We need to talk about how to pay for environmental services. Some of you may be using the language of "alternative land use services" or "ecological services." We're not stuck on what language to use. Our view is that we need to have a constructive approach and a detailed approach to starting to pay for environmental services as part of the economics of the protected countryside.

We are on the page of saying that we have to, in the future, have whole-farm, annual environmental payments. We have a policy document—it's attached here—making its way through our policy structure within CFFO in which we're saying that this province should urgently strike a task force on how to do environmental payments, both for the greenbelt and for the broader countryside, because we think what we design for the greenbelt really belongs in much of the productive countryside of Ontario.

Those are our five key messages for you about this piece of legislation.

**The Chair:** Thank you, gentlemen. You've left about a minute for each party to ask you a question, beginning with the government.

**Mrs. Van Bommel:** Thank you very much for your very well-thought-out presentation. I'm certainly intrigued by the whole-farm annual environmental payments proposal you have. I see you grinning, Albert; you probably already know what I'm going to ask. How would this work in terms of our international commitments on trade and tariff, WTO, GATT, NAFTA, the whole series?

**Mr. van Donkersgoed:** As far as I'm concerned they're all quite permissible under current agreements, because they should be green bucks. This should be green money.

**Mrs. Van Bommel:** So we wouldn't have any problems in doing this?

**Mr. van Donkersgoed:** We should not have, because certainly Europe is using this extensively, and the Americans have their own form of environmental payments.

**The Chair:** The next speaker is the official opposition.

**Mr. Hudak:** Thank you, gentlemen. Another of my constituents: Mr. Kikkert, good seeing you. Thank you for the well-researched presentation on the environmental payments as policy. We have certainly heard over and over again at this committee that if you want to preserve farmland, you have to preserve the farmer. Many good ideas have come forward here today from yourselves and from the other groups before you. The great concern I have, quite frankly, is that the Minister of Agriculture has deserted the field. It has been over a year since we were promised some sort of farm framework. Their own task force called for it.

We're contemplating an amendment that would somehow bind the Minister of Agriculture to bring something forward before this legislation becomes law. We think it's one of the most essential pieces. I don't know where you stand on this, but I'll ask this question again: Is it fair and reasonable to ask that the government bring forward a farm viability plan before they ask that this legislation be brought into law?

**Mr. van Donkersgoed:** The farm viability question, all by itself, is enormous, because it deals both with the marketplace and with how we manage the land. I would say that it would be very helpful if there was a firm commitment from the Legislature that we're going to do a task force on environmental payments, on the economics of greenbelt services that you are now expecting with this legislation. I think it's fair game to tackle that piece.

To tackle the total problem of farm viability at a certain point becomes a matter of the structure of the marketplace. We have learned in the last year and a half, ever since mad cow disease, that consumers continue to pay well but that it doesn't get down to farmers. The structure of the marketplace has caused some significant problems.

I wouldn't link all of farm viability to this particular legislation, but I would encourage you to say that it's high time the Legislature tackled the whole marketplace issue as well, because we've got structural problems in how the marketplace works.

**Ms. Churley:** Thank you very much for your presentation. Your comments about loss of prime farmland reflects—I'm sure you're quite aware of the Stats Canada report that came out.

**Mr. van Donkersgoed:** That's where that 11% comes from: the most recent report.

**Ms. Churley:** Right, and it's quite alarming. You mention now that, except for the specialty crops in Holland Marsh, there's actually less prime farmland protected within the existing boundaries of the greenbelt than mediocre land. Where are you talking about? What has been left out? Looking at the map, is it that choker around? Perhaps you could describe it.

**Mr. van Donkersgoed:** Most of the maps have a whitish colour between the greenbelt and the purple of the already committed urban development areas. That's some 175,000 acres.



**Ms. Churley:** And that's some of the best?

**Mr. van Donkersgoed:** On balance, that is better-quality land than is being protected in the greenbelt; I would say significantly better-quality land than the lands inside the greenbelt. A good number of the greenbelt lands are immediately adjacent to the Niagara Escarpment or to the Oak Ridges moraine, and those tend to be on the modest side for agriculture, but once you get some distance away from either the Niagara Escarpment or the Oak Ridges moraine, you have some of the best farmland in this province. I'll pick on the town of Caledon plain as an example. It's a beautiful piece of prime farmland and it's not in the greenbelt.

1600

**Ms. Churley:** So your recommendation, and of course I'll be putting forward amendments to this effect, is that this land be included.

**Mr. Van Donkersgoed:** We need the best land in, and if you shrink it elsewhere—we're not so set on having this big a thing. We would prefer to see real greenbelts closer to the city, accessible to urban transit, but absolutely, permanently, ironclad and protecting the best land. We're not so sure you need to protect a lot of poor-quality farmland. You might want to do so for natural resource reasons; that's fair game.

**Ms. Churley:** That's what I was going to say some of that land is for, because it's environmentally sensitive.

**Mr. Van Donkersgoed:** But don't then say it's for agriculture. You don't need to protect the mediocre-quality land for agriculture, because we can't take our \$300,000-combines there and expect to make the payments.

**Ms. Churley:** But you would agree that it should be protected if it's environmentally sensitive land, for that reason.

**Mr. Van Donkersgoed:** You need to protect some of the environmentally sensitive land, but I'm not sure you need to protect a million acres for environmentally sensitive purposes.

**The Chair:** Thank you very much for your delegation today. We appreciate you coming.

#### HOWARD STAFF

**The Chair:** Our next delegation is Howard Staff.

Good afternoon, and welcome. If you could identify yourself and give us your address. When you begin, you will have 10 minutes.

**Mr. Howard Staff:** Thank you, Madam Chairman and members of the Legislature for this committee. First of all, I must apologize; I'm just getting to be computer literate and there are a couple of mistakes in my presentation. It is Bill 135, not Bill 136, and I did leave out a word. We'll blame the computer. I think it typed the wrong number.

I'm Howard Staff, and my address is in St. Catharines, but I live near Jordan. I'm the sixth or seventh generation on the family farm, depending on how you count it. You

can read what I've done for the community and worked at in the last few years.

The Staff family has been farming in the Niagara area for over a century and three quarters; not as long as Mr. Puddicombe's, but we're trying. We farm on the edge of the escarpment near Jordan, and for over 100 of those years the principal crop has been grapes. To a lesser extent, we've had beef cattle, grains, apples, and pumpkins for Halloween carving.

As a seventh-generation representative of the family, I feel that I am in the position to say that we've had a long-term commitment to the agriculture of this province. Having said that, I've taken a peek over the garden fence and have a few observations about what the future might hold for the continuance of our family's legacy. This is in regard to this bill that is before us.

As a result of the free trade agreement during the late 1980s, we had to remove slightly under half of our acreage, which at that time was 1,000 acres in grapes, and those were devoted to wine. The bulk of those acres, being on the top of the escarpment, were devoted to the lower-end or inexpensive wines, and it was a policy of this government that we should have to stop producing those grapes. In other words, I had grapes ready to go to market on one morning, and the next morning it was illegal to make wine out of them. With that, we were left with approximately 500 acres of grapes, most of them in the juice industry, and to a lesser extent in the table wine industry. I give you this as a background of how we got to where we are now. A lot of the grapes that were taken out we now farm in cash crops, and most of those crops are going to market in today's economy at under the cost of production.

I take particular interest in knowing that my family has only grown grapes for 100 years in this area, so I have a comment to make on the mapping that was provided for our area when it came to what was good grape and tender fruit land. Whoever drew that map did not use proper criteria. That map needs peer review. No one has ever been able to tell me who drew it or why it was drawn in those particular places. Peer review.

I fail to see the need to implement this kind of legislation when very comprehensive plans are in place by both the municipal and regional levels. These plans were crafted to reflect local needs and conditions and ultimately received the provincial seal of approval. Do you not have any faith in this process? That's really what was the backbone of our municipal plans.

I can't see how rules that were designed and implemented by government are changing to reflect a view that is not consistent with long-standing, established criteria. In changing criteria, as outlined in many of the proposed regulations to this act, you are in fact putting your hand in my pocket and removing money that I had a great deal of difficulty making in the first place. An example: retirement lots. It's only a small item, but as my retirement is on the horizon, I need to take from my savings another \$150,000 to \$200,000 to fund a house for my wife and I. With the depressed state of returns of most

commodities, which are being sent to market at below the cost of production, I'm burning my ancestors' equity in that farm. I'm using it up at a rate that cannot be sustained. I'm hamstrung if I want to change to some other kind of venture by the 1,500-square-foot rule for accessory buildings and the cap put on the amount of outside labour I can hire. It puts me in a very vulnerable position.

One of the few bright spots in our area has been farm wineries and greenhouses. Does the Ontario government want to destroy any prospect in the greenbelt of value-added? I maintain that a winery should be allowed, at a minimum, 25,000 square feet—that is a modest-sized winery; if any of you have been to Henry of Pelham, Henry of Pelham is about that size—or 200,000 square feet for a greenhouse. That is the bare minimum for getting by with greenhouses, yet in the green plan as proposed, I'm limited to 1,500 square feet.

The report written by Mr. Vanclief and Mr. Bedggood is laughable in many areas. I fail to see any benefit to agriculture with this kind of regulation, when the stated purpose is to help agriculture. Let's be honest. Society wants to drive into the country and see cows in the pasture or blossoms on the trees in the spring. Are we being legislated as a tourist or sightseeing area at no cost to society? It's my belief that this is the case.

What is starting to emerge are the hiking trails proposed in a recent document intercepted by agricultural people. In this report by the Ministry of Tourism and Recreation, they're discussing a new trail system linking the Bruce Trail and the Lakeshore Trail along all the main watercourses in the Niagara area. This will go hand in hand with the greenbelt when it's proclaimed. This proposal only cements my contention that this legislation is aimed at more than preserving the farm. How do I prevent people from using my property when crop protection materials are being applied? With a great many people using the proposed system, it can only lead to more problems. In my own case, we have excluded the Bruce Trail from our farm—almost one mile—for over 20 years because no mechanism is in place to prevent anyone from suing me, even though I have no say in who traverses the property.

As a sideline, someone tried to sue me because a family member passed away from a heart attack on the property while following the trail. I had complete vulnerability on that, even though the person happened to be over 80 and died of natural causes. But they were on my property, so I must have had something to do with it.

Also, it's my belief that we are being hoodwinked on this issue in the name of environmental concerns, when the real winners appear to be a few large corporations who pay what they want for our crops—for example, grapes—even though we are already selling at below the cost of production. Some processors have already made overtures that, as growers, we have to accept the prices being offered, as the greenbelt will freeze us to production of this crop. If this is the case, would you please change the name of the legislation and call us in agri-

culture what we really are: “peons”? If you all remember your grade 9 history or you have read Shakespeare, you'll know what I'm talking about. My family fled the countries that harboured this treatment over 200 years ago and came to this country to prosper, it appears now, for naught.

**1610**

I talked earlier about peeking over the garden fence, and these are my observations.

Farms will become weekend retreats, with one or two acres of grass and the rest reverting to bush. This is already happening. I just spent six years on the Niagara Escarpment Commission, and I witnessed, from one end to the other, at least 20 farms a year disappearing out of agriculture simply because there's one house, which is the weekend retreat, and they're not renting the farm out to the local farmers.

My retirement is seriously affected, not only for myself but also for my children and my children's children.

The economic viability of the affected area must be of the utmost importance and not glossed over by a report that did little, if anything, to address economic reforms in the province.

If passed in its present form, liability matters of people using a trail system must be addressed first.

The study on the viability of agriculture missed the point entirely. The only real asset that we have in agriculture has to be our land and our ability to finance our operations. A huge cloud has now been placed over this, with financial institutions now becoming gun-shy.

**The Chair:** Mr. Staff, you have about 40 seconds left.

**Mr. Staff:** Thank you. Establish a working committee comprised of people from end to end within the proposed greenbelt, with at least 50% full-time farmers—and I emphasize full-time—participating. Leaving the nuances of this area to the bureaucrats, with a 10-year review, is preposterous.

The largest hurdles facing grape growers are LCBO pricing and stocking policies that are designed only for provincial profit. Why not keep all the jobs at home and not export them? Also, food processors have to be doubly aware that we have a quality product.

Last, our ability to farm and provide food and fibre for this province must be enhanced, not through a number of acts that are being proclaimed all at once. We have this coming down: the Nutrient Management Act, the source water, the trails initiatives, the greenbelt. It makes me feel like the oven mitt in the Arby's commercial where he's working like anything and all of a sudden he stops and says, “When will it ever end?”

Please—I have said this before—don't make me a peon.

**The Chair:** Thank you, Mr. Staff. We appreciate your delegation. Unfortunately, you've exhausted your time. Thank you very much for being here.

**Mr. Staff:** I can take some of the fellow's who didn't show, if you want.

**The Chair:** No. Thank you very much. Thank you for coming.

## ONTARIO FRUIT AND VEGETABLE GROWERS' ASSOCIATION

**The Chair:** Our next delegation is the Ontario Fruit and Vegetable Growers' Association.

Good afternoon, and welcome. Please identify yourself and the group you speak for. When you do begin, you will have 15 minutes.

**Mr. Art Smith:** Thank you. Good afternoon. My name is Art Smith. I'm a former resident of this area. I grew grapes for some 20-odd years. I'm the former chairman of the Grape Growers of Ontario, former CEO of that same organization, and currently the CEO of the Ontario Fruit and Vegetable Growers' Association.

I'm grateful for the opportunity to discuss the province's greenbelt legislation with you today, because I believe its impact is being greatly underestimated, not just by the government but by society at large.

Speaking on behalf of the association's more than 7,500 fruit and vegetable growers throughout this province, I can tell you that the legislation has some good to it, but it also has some inherent dangers that need to be recognized for what they are: economic detractions from an industry that is overall the number two driving engine within this province. In reality, these costs need to be recognized for what they are, real, rather than speculative, and the industry hopes that the government realizes that the costs being integrated on to the backs of farmers are, and will continue to be, costs that should be borne by society at large. It is the farmer—a price-taker rather than a price-setter—who is most dramatically and negatively impacted by this legislation, and the government must look at all costs surrounding this issue.

Saving the land for agricultural use is commendable, but the land is without value if agriculture itself is not preserved, and therein lies the inherent danger. Preserving the land without preserving the industry leads to a conundrum that, if it is not resolved very soon, will reflect very poorly on this government and indeed on the future residents of Ontario. But you've heard that already.

You've heard from farm organizations throughout the province and from within the suggested greenbelt area about the ramifications and impact of this legislation on agriculture and the farmers, who, despite all odds, continue to provide Ontario citizens with the safest, most nutritious and highest-quality food in the world.

You have heard that farm values in the protected greenbelt area will plummet, but have you heard that housing prices in the urban areas will go up, that traffic congestion will get worse, and that this act will create even greater economic disparity amongst the residents of this province?

To the above question, I would like to cite a couple of comments from the Fraser Institute, a national think tank that is a third-party, arbitrary body that has no financial gain from legislation enacted in any province, particularly here in Ontario.

According to a report entitled *Myths about Urban Growth and the Toronto "Greenbelt,"* writer Wendell

Cox indicates that "the anti-growth agenda"—which is what this legislation really is—"conflicts with other important public policy objectives such as maintaining and expanding household and regional prosperity, sustaining personal and civic freedoms, and reducing the incidence of poverty.

Growth of urban land areas, Cox continues, is a worldwide phenomenon. But in his executive summary, which you have been given, the main reasons cited, primarily by the government, for the growth of urban land areas are erroneous. I won't delve into each and every point, but there are a couple that I would like to highlight for your attention.

Cox cites the case being made about the loss of agricultural land, often indicated as a primary reason for the greenbelt. In his report, Cox indicates, "The growth of urban land areas is charged with consuming an inordinate amount of agricultural land, thereby threatening the food supply. Reduction in agricultural land, however, is due to increased agricultural efficiency, not scarcity of land."

It follows closely with the idea that the greenbelt will eliminate the consumption of open space. "It is claimed that urban land area growth consumes large amounts of open space. However, as indicated above, more productive agriculture has returned far more land to open space than has been consumed by urbanization. (This is not to suggest that environmentally sensitive or otherwise special land should not be conserved in reasonable amounts.)"

Cox concludes with a couple of very strong points. One is that urban land growth is found to be "a benign, and potentially beneficial development, while anti-growth policy is found to threaten prosperity and retard social mobility, at the same time it increases traffic congestion and air pollution."

All of these issues are ones that the act is supposed to address. You can see the flaws in the argument when it's brought to your attention by an outside source rather than those, such as ourselves, who are often too close to the fight.

His strongest argument is that the "most important effect of the proposed greenbelt will be to increase the price of housing, making it more difficult for families with lower income to enter the economic mainstream and could lead to greater economic disparities. At the same time, it can be expected that the already serious traffic congestion will become much worse due to the failure to provide sufficient new roadway capacity to handle demand and the inability of any feasible system of public transit to reduce traffic congestion materially."

This 87-page report can be found by going to the Fraser Institute Web site at [www.fraserinstitute.ca](http://www.fraserinstitute.ca). It details point by point, with much more clarity than I, the argument against legislation such as the Greenbelt Act.

### 1620

If the government decides to proceed with the greenbelt legislation—and it appears that it will—there are several things we, as an agricultural industry, require.

Farmers have been, and will continue to be, the stewards of the land. I originally indicated that preserving farmland is great so long as the farmer is also saved. One takes care of the other. Sustainability within this sector will ensure that the government's goal of a green space will be achieved and, more so, it will provide tremendous benefits to society.

Horticulture is at the front line when it comes to the benefits derived from diet. A stable intake of fruits and vegetables, more than the recommended five to 10 servings per day, could lead to a healthy reduction in the health care budget that currently swallows more than half of the provincial budget, and continues to grow. Not only are we the caretakers of the land the government so desperately wants to preserve, but we are also the future for healthier Ontarians.

Ladies and gentlemen, this is not about partisan politics. It's not about pitting one party's agenda or legislation against another, as the divide would seem to indicate. It's about what's right for all parties concerned, and that includes hearing from the voice of farmers throughout this greenbelt area. When references are made to the Napa Valley, as has been the case, it indicates to me a clear lack of understanding or care for the needs of the farming community. And this legislation impacts far more than farmers; attending the various public meetings, as I have, however, would not show that. Nor has the mainstream media allowed for fair representation either. But that is not our fight. Balance and fairness is, and balance and fairness, ladies and gentlemen, are contradictory terms within this legislation.

We want our farmland preserved, but only if society at large is willing to come to terms with what the agricultural industry contributes. That is especially crucial right now when our industry as a whole continues to reel under chronic, massive debt and flounders in the marketplace due to a lack of firm government policy that chooses Ontario first. If you advocate it, if the government of the day pushes a buy-Ontario policy, then, again, the goals of society meet the needs of the ever-decreasing farming community.

If this legislation passes, look at the economic results. Monitor the price of farmland before and after the act is enabled and not just in the short term. What will the ramifications be three years down the road? What about five years? Agriculture is not a quick sector. Our crops are not just planted one year and removed immediately after. We are a time-sensitive industry with long-range plans put into place for a reason. When it takes five to seven years before a viable crop can be garnered from grapes or tender fruit, we learn as farmers to be patient. We are asking the same from the government—patience. We ask that the government commit itself to the business of agriculture, that it take the time to get this act right. This act needs to be based on good science and planning principles and practices, not just political promises.

Ladies and gentlemen, we must do what the farmers in Niagara do: We must be patient. We must explore the truth, learn from the truth and then do it right. After all,

good legislation always needs to be done right. It needs to address everyone's needs, and that would mean the nearly six million people who are not at these meetings and consultations. It is these people, unaware of what and how this legislation will impact upon them, whose voice should still be sought. Their silence has been deafening. Are they aware that their dreams of personal movement from the city or the suburbs, or even rural, will be hampered or blocked because of legislation enacted today? Since that appears to be the case, what answer will you have regarding their future dreams and aspirations?

There are a number of other issues that could be talked about as well, but the Greenbelt Act is about land planning, not revamping the agricultural sector. It's about ensuring green space for future generations. It's about saving farmland, not about saving farmers. But if we don't save the farmers today, where will the expertise come from tomorrow? Society does not give farmers credit for their expertise, yet we have some of the best, most advanced farmers in the world right here in Ontario. If we lose their expertise, agriculture in this province will never recover.

We want to be part of the future, but, more importantly, we want to be active in the present, not a faint memory for residents of this province that once upon a time grew some of the finest fruits and vegetables in the world.

Ladies and gentlemen, growers cannot be expected to shoulder the costs alone. Government and society must be active participants if this greenbelt is to meet the expectations of society. We must create a link in the minds of consumers between what they buy in the grocery store and any benefits of the preservation of agricultural land. If we fail to do this, if government fails to actively participate and commit to saving the farmer and if society fails to support the Ontario producer, then those fields of dreams will in fact become fields of weeds and this dream for some will be lost forever.

Members of the panel, thank you for the opportunity to speak to you today and I ask that you please consider these points when you re-enter your deliberations.

**The Chair:** Thank you, Mr. Smith. You've given each party about 30 seconds, beginning with the official opposition.

**Mr. Smith:** That's good timing.

**Mr. Hudak:** Well done. A great presentation, well researched and obviously very well thought out beforehand, which we've come to expect from you in your previous capacity and your current capacity. So thank you for the food for thought for the committee.

**Ms. Churley:** Thank you very much for your presentation. I don't have time to get into it, but I recommend as well as the reports you've cited today—I find some of the conclusions absolutely bizarre: For instance, the suggestion about the relationship between curbing urban growth and traffic congestion, that curbing urban growth increases traffic congestion. I would suggest that you read this report, which actually makes it very clear that

higher levels of density are required to make transit more flexible, and actually low density is what creates this fall. With the higher density, you get an opportunity—

**Mr. Smith:** I think what I said was—

**Ms. Churley:** I'm sorry to interrupt, I've got 30 seconds, but there's a counter-argument to that in many reports, and this is one of them that just came out from the Ontario College of Family Physicians.

**Mr. Smith:** I'm sure they know a lot about urban sprawl.

**Ms. Churley:** They do. I'm just suggesting that there are other studies that would be really important to read in terms of urban sprawl and the link between smog and public transportation and all those kinds of things, as well as the Stats Canada report that just came out around prime farmland being eaten up by sprawl.

**Mrs. Van Bommel:** I have to join Ms. Churley as well. I'm just dumbfounded. The comment that the reduction in agricultural land is due to increased agricultural efficiency and not scarcity of land is in direct contradiction to what StatsCan's science has found out. They're saying that Ontario is the worst offender in terms of losing prime agricultural land to urban sprawl. It also says that we have had a one-fifth increase in the need for farmland and that we've already lost 11% of that land. So I don't understand. To me, what you're saying here is a total contradiction of what we're seeing in the science from StatsCan.

**Mr. Smith:** That is a direct quote out of the Fraser Institute's report on urban growth in the greenbelt. Those are not my words; those are words from the Fraser Institute.

**Mrs. Van Bommel:** But obviously you support those words.

**Mr. Smith:** Absolutely.

**The Chair:** Thank you, Mr. Smith. We appreciate your being here today.

1630

#### NIAGARA ECONOMIC AND TOURISM CORP.

**The Chair:** Our next delegation is the Niagara Economic and Tourism Corp. Good afternoon. Thank you for coming. When the hubbub subsides, you can introduce yourself.

**Ms. Churley:** Sorry.

**The Chair:** They're getting a little excited. It's late in the afternoon. Please introduce yourself and the organization you speak for, and when you do begin, you will have 15 minutes.

**Mr. Patrick Gedge:** Thank you very much. My name is Patrick Gedge and I'm CEO of the Niagara Economic and Tourism Corp., the economic development agency of Niagara. I'd like to thank the standing committee on the Greenbelt Act for the opportunity to speak today and provide feedback that will help the government of Ontario to successfully implement the greenbelt legacy for the province.

I do totally admire your stamina today as you've gone through this.

**Mr. Hudak:** Entertain us, Patrick.

**Mr. Gedge:** Yes, I'll entertain you.

I will not be addressing specific or technical aspects of the legislation. There are many other groups and individuals here today who can very capably address these issues, particularly as they affect the \$1.8-billion agricultural industry in Niagara. We could not agree more with the remarks made earlier today by regional chair Peter Partington and regional councillor Debbie Zimmerman. I will take a more strategic and holistic approach in order to frame the economic context of the legislation and perhaps some of the unintended consequences to Niagara.

To be clear, the Niagara Economic and Tourism Corp. and its private/public board of directors supports the establishment of the greenbelt in Ontario.

Let me now address the economic context for Niagara. Compared to the overall provincial economy, the Niagara economy over the past 10 years has experienced lower than average GDP growth, lower than average population growth, lower than average income growth of its residents and an outflow of its youth.

Historically, our primary economic driver has been manufacturing, and just like the rest of Canada and North America, the manufacturing industry has been shrinking, as have jobs. At their peak, manufacturing industries in Niagara employed over 40,000 workers and were distributed over many industry sectors. Manufacturing was a relatively stable sector that underpinned the regional economy, gave it a high degree of predictability and provided workers with above-average wages. In recent years, however, a number of larger Niagara manufacturing companies have experienced major layoffs or closures. Employment in manufacturing has fallen to less than 30,000 as of 2004. The manufacturing landscape has become much more volatile and uncertain, with direct impacts on the broader regional economy.

During the same period of time, the tourism industry grew substantially, until 9/11 and then SARS. Tourism in Niagara has not recovered from these events and, frankly, it will take a number of years to regain the past momentum. Tourism really does help to diversify the economy, but it is not a substitute for higher-paying 12-month jobs that can be generated by other sectors.

Opportunities for growth and prosperity in Niagara have been severely limited due in part to these economic changes.

To address these issues proactively, the regional municipality of Niagara and the Niagara Economic and Tourism Corp. are currently developing an economic growth strategy for Niagara that will build on our strength, further diversify our economy and minimize the impact of cyclical businesses. But we cannot do it alone. The province of Ontario, through its policies and programs, needs to be a full partner in systematically addressing the economic issues and priorities of Niagara. This leads me to today's focus on the greenbelt plan.

The greenbelt plan will provide another economic constraint to Niagara and its ability to grow and prosper in the future. Ideally, we would have wished that, along with this draft legislation, the government provided an economic impact analysis and opportunity cost estimate related to its effect on the economy and on municipal revenue. It seems odd that a major public policy decision is being made without such an analysis.

The NETC is not asking the provincial government for favourable economic treatment. It is asking for a level playing field in order to be able to fairly compete provincially, nationally and internationally. It is asking for a set of provincial policies and targeted investments that will allow the region to compete effectively in the marketplace. It certainly asks that Niagara be recognized more prominently in Ontario's plans for the future, not relegated as a secondary or tertiary area for growth and investment. With a level playing field, Niagara has the track record, the expertise and the entrepreneurial spirit to succeed and prosper.

So what will help create a level playing field and enable Niagara to compete?

First, recognize that the greenbelt legislation will constrain the ability of the agricultural economy and local municipalities to grow, both geographically and in wealth creation. With that recognition, create or refine existing policies and programs that will provide alternative revenue sources to the agricultural sector and communities whose urban boundaries are effectively frozen. For example, fund incentive programs that will lead to downtown revitalization, brownfields development and infrastructure renewal. These investments would be consistent with principles articulated in the discussion paper *Places to Grow: A Growth Plan for the Greater Golden Horseshoe*.

If it's difficult being an MPP, think about the joy you would have being a mayor along the greenbelt, whether of Lincoln, Grimsby, Niagara-on-the-Lake or St. Catharines, facing the issues they now have to face.

Secondly, invest in initiatives, such as Niagara Economic and Tourism Corp.'s proposed agribusiness marketing program, which would increase investment into agribusiness, develop new tourism product, and drive more high-yield tourists around Niagara as part of a comprehensive growth plan.

These are straightforward, achievable initiatives that would help offset the economic impact of the greenbelt legislation, particularly in the northern tier of the region.

Regardless of these initiatives, Niagara can only increase its competitiveness and prosperity if other parts of the region are opened up for business. To help enable these opportunities, there need to be economic and transportation corridors established north and south, and east and west, over and above the existing QEW. Without these provincial transportation and related infrastructure investments, Niagara cannot attract the number and the quality of businesses and sustainable jobs needed for a healthy economy.

In the short term, extend highway 406 to Welland and, ideally, Port Colbourne, opening up that economic

corridor. As has been mentioned a number of times, in the longer term, the GTA-Niagara trade corridor has to be made a provincial priority and accelerated with all the means available to us. The impact of this economic conduit connecting two national economies must not be understated or minimized by the province. The economic impact of gridlock at Niagara's international border crossings and on the QEW reduces Ontario's and Canada's economic growth prospects with every passing month.

Both of these actions will diversify traffic from the greenbelt areas and open up non-greenbelt and additional smart growth areas. By doing this, you not only help Niagara be competitive but, as importantly, it facilitates the growth that inevitably will take place in the GTA and along the entire 401 corridor, be it Brampton, Hamilton or London.

In summary, let me connect the dots. The Niagara economy is not performing as strongly as it should and, frankly, as strongly as the province needs. In the *Places to Grow* discussion paper, Niagara is not identified as a high priority for provincial investment, which will further hinder Niagara's and Ontario's ability to generate new jobs and attract new business. Finally, the greenbelt legislation will add further economic constraints on the ability of Niagara to prosper.

Taken as a whole, Niagara and the province need to establish ways to identify joint policy, program and investment priorities with the goal of creating sustainable growth and enhanced prosperity. It's in all our interest.

Thank you very much for your kind attention.

1640

**The Chair:** Thank you. You've given us about a minute and a half each, beginning with Ms. Churley.

**Ms. Churley:** Thank you. I won't ask you about the Fraser Institute.

**Mr. Gedge:** Thank you very much.

**Ms. Churley:** I wanted to ask you, however—it is getting late in the day. This is a very balanced approach and I appreciate your coming to discuss the issues that face your town and municipality. But I just can't help but ask, because you're talking about tourism, what you think of the Minister of Tourism's latest tourism plan to get rid of our beloved trillium and also some of his other ideas. Seriously, there are some moves afoot, just on that level, that were just announced. He's trying to change the image. I presume that you might think that's OK, but you need these programs to be put in place, the kinds of things you're talking about today, as well as some of the more, I suppose, on-the-surface things.

**Mr. Gedge:** Actually, it might be more fun talking about the Fraser Institute. In terms of tourism marketing, I would just make this comment: What's important is what ultimately works with the consumer. What's important is, what will drive consumers to want to come to Ontario and what will drive them to want to stay here longer than they would normally think about staying? Because that's the new revenue that you're trying to bring into the economy, over and above the existing

revenue that's recycled when we simply travel around the province. Regardless of the emotionality attached to certain icons or representations of the province, I think it's really key that you drive it right down to the consumer and do what works with the consumer over the long term. At the end of the day, you want to get a very strong return on investment on your tourism dollar, and part of doing that is doing what really works with the consumer.

**The Chair:** Our next speaker is Mrs. Van Bommel.

**Mrs. Van Bommel:** Thank you for a very well-presented presentation. I certainly was struck by the comment that "Niagara in the last 10 years has experienced a lower than average GDP growth, lower than average population growth, lower than average income growth and an outflow of its youth." That sounds very much like what's happening in all of rural Ontario. Like I say, it strikes me, because I have to confess that I had never really thought that this area, being so close to Toronto, would experience much the same problems as are experienced in my part of the province.

You mentioned providing "alternative revenue sources to the agricultural sector and communities whose urban boundaries are effectively frozen." That's your terminology. Could you expand on that particular comment? What do you see as alternative sources of revenue?

**Mr. Gedge:** First of all, in terms of the economy of Niagara, I think it is important that people have a common understanding of the economy and the drivers of the economy, because there are a lot of perceptions about Niagara that are not necessarily accurate. You know, we're thought of very much as a tourism economy, not really as a mixed economy. Obviously, we are blessed by the fact that we have a global icon and that certainly adds to our economic activity, but it isn't a solution to our economic activity by itself. We certainly want to attract new investment into Niagara over the short and longer term.

Some of the programs we'd identify: First of all, if the greenbelt takes place and in effect freezes certain levels of development and activity that can take place, I think we have a strong case for actually going out and marketing strong agribusiness, agri-tourism and eco-tourism in the area, because it is in fact a unique area in Canada and, frankly, a unique area in North America. With the proper product development and proper marketing, I think we can start to increase the level of tourism dollars that would come to all parts of Niagara, not just one or two parts of Niagara.

**The Chair:** The official opposition?

**Mr. Hudak:** Patrick, great presentation. I've had a chance to walk through these concepts before. One thing that I think is important and that you're getting across in a much politer manner than I will is that there's a resentment in Niagara that when this legislation is spun out, it's going to turn us into a great, vast, green playground at the foot of the GTA. It's certainly not what we aspire to be. We want to preserve important areas and we want to support farming, but we need to think about

growth and job creation in this area, about having smooth and efficient transportation corridors to get people and goods to market safely and efficiently. The restrictions that it looks like this legislation is going to impose on agriculture are very significant, and without compensation. I'm not even talking about selling the land but about limiting the size of buildings and structures, limiting distances from natural features and such, without any compensation for the farmer. You put this point very politely.

But what we should learn from this is that this will be a constraint on growth in Niagara unless those other pieces come forward: a support plan for our farmers, a transportation plan and assistance for greenbelt municipalities. I thank you for reinforcing those points.

**Mr. Gedge:** Thank you very much.

**The Chair:** Thank you for your time.

#### MARY LOU GARR

**The Chair:** Our next speaker is Mary Lou Garr. Good afternoon and welcome. Thank you for being here. Please identify yourself and your address for Hansard. When you begin, you'll have 10 minutes.

**Ms. Mary Lou Garr:** Thank you, Madam Chair and members of the committee. My name is Mary Lou Garr. I'm a lifelong resident of Niagara. My husband and I have farmed in Grimsby for 30 years. Our son has now purchased the farm from us. I'm passionate about agriculture, and to that end, I've spent 25 years or so in local, provincial and national agriculture organizations. Last year, I was selected to be the agriculture representative on the Greenbelt Task Force, and I spent six months with 12 other individuals crafting recommendations for the government to try to ensure success for the greenbelt and meet the needs of the various sectors in it. We hoped to create a legacy for the future, but I think Bill 135 in its current form is fundamentally flawed, not by what's in it but by what isn't in it.

From the beginning, the focus was on preserving the land. I believed and constantly tried to make the point that the success of the greenbelt was inextricably linked with the success of the agricultural industry within it, the working landscape that makes the area green. At the very first task force meeting, I pointed out the folly of preserving the land for farming while doing nothing to economically sustain the industry that used that land. Those points I made are still being voiced at this very hearing, one full year later, but with an even higher level of anger, mostly created by fear: fear of the existing bleak agricultural financial situation, fear of powerful processors who seek low-priced commodities, and fear of loss of equity in our properties, for which we struggled and sacrificed. Agriculture is today a fragile economy being hit with more and more costs to comply with government regulations with less and less income. In a time of crisis, creating a greenbelt only adds to that uncertainty.

Farmers don't feel responsible for urban sprawl, but others seem to believe we are. Some members of the

committee and one government bureaucrat presented the view that farmers were angry about the greenbelt because we would not be able to sell our land to developers for millions of dollars. I suspect that mindset was much broader than in those few people. If so, it was a flippant dismissal of some legitimate concerns.

Unfortunately, if this bill only protects the land resource without providing for the economic sustainability of the farm family resource on that land, then the greenbelt won't be about saving the land for food production at all but simply creating a panoramic landscape for the benefit of the urban public. This government needs to decide what kind of greenbelt it wants.

If farm economic sustainability is not achievable—and some must think it isn't or they wouldn't be so reluctant to address the problem—then when farmers in the greenbelt exit the business, who will buy the farms? I see two markets: corporate farm enterprises that get bigger and bigger, using the economy of scale, and the estate housing market. People with money will not be deterred from building their dream homes in the country, despite a prohibition on available severances. The greenbelt will become a prestige area, and farms for sale will be the ideal spot for that dream home. In either case, corporate farming or estate housing, the missing piece will be the farm family businesses, which were supposed to be preserved by the greenbelt.

In the draft greenbelt plan, one of the primary goals under the rural communities section was to sustain the character of the countryside and rural communities. I believe that having fewer farms and farm families goes a long way to defeat that goal.

#### 1650

The Greenbelt Task Force, on which I sat, recognized that reality early. However, solving the issue became a futile exercise of one ministry passing the buck to another and no one taking responsibility for helping solve the problem. So our task force's solution was to make a well-thought-out recommendation that a provincial task force on agriculture be created to develop agriculture policies that will ensure a viable agriculture industry across the greenbelt, comprised of a base of stakeholders, led by the Ministry of Agriculture, with membership from the Ministries of Finance, Municipal Affairs, Natural Resources, Environment, Consumer and Business Services, federal departments and others. That was our recommendation.

My biggest disappointment in this whole process has been the Ministry of Agriculture. Instead of following our advice, the Ministry of Agriculture chose to create another consultation opportunity with an agriculture advisory team and then limited its mandate to essentially land use issues, again failing to appreciate the economic needs of those the ministry is supposed to represent. The agriculture team's final report even acknowledged the problem. They stated that "The complexity and diversity within the ag. industry necessitates that many other government ministries must work in concert with Agriculture and Food to achieve solutions," and stated those same ministries that we had stated.

Land use control is not the key to the success of the greenbelt. If the purpose of a greenbelt is to preserve agricultural land as part of ensuring a safe and secure food supply, if it is to link that land with environmental stewardship that enhances the environmental health of the area, if it is to maintain healthy, sustained rural communities, then farm families can't be left on their own to make the greenbelt work for society.

The failure of Bill 135 is in its lack of attention to implementation beyond administration. I would like to see in Bill 135 specific provision for an agriculture working group or task force, whatever you want to call it, like our task force recommended, to include farm stakeholders and all ministries involved in the economic sustainability of agriculture. They need to look at where they want agriculture to be in 10 years, how we're going to get there and what tools we need to do that. Every farmer knows that farm viability is not exclusively linked to having a land base. Anyone with common sense knows that.

The farm organizations have done a lot of work on what they know are the fundamental agricultural needs, and you've heard many of them today. Some are legislative changes, some are infrastructure changes and some are investments in environmental initiatives. A perfect fit for greenbelt would be the sort of environmental payments that the Christian Farmers were talking about at this table.

Work has been done, but what is needed is a forum where these issues can be dealt with, and that forum could be enshrined in Bill 135, along with a mandate for it and some powers. An agriculture working group created by Bill 135 could create a plan for the future of agriculture in the greenbelt, could help write the regulations as they apply to agriculture so they make sense for agriculture, and could also have the power to influence government policy and develop fiscal measures to be used within the greenbelt.

I believe the main factor preventing government from acting on this will be fear of what it might cost. I was told often through this process on the task force, "There just isn't any money, Mary Lou." Well, agriculture knows all about that. I would urge the government to take their vision beyond freezing the land into landscape. View this as an investment in agriculture and the rural economy. I don't subscribe to the view that something this important to society should be gained at no cost to society, especially when it requires co-operation and balancing of interests.

Some parts of Bill 135 demonstrate that progress can be made. A commitment is made in it to strengthen the Farm Practices Protection Act and the Trespass Act, and both things were asked for. And to give credit where credit is due to the government, provision is made in there for surplus farm dwelling severances, which was absolutely critical to the farm community, and we thank you for that consideration. But these are all land use issues once again.

Because our industry overlaps so many other ministries, the only way to make further progress is to have a



task force or agriculture working group enshrined in the legislation. You may believe the proposed Greenbelt Advisory Council will be adequate, but let me assure you, one or two voices on an advisory council, however persuasive, will be no more effective than was one voice on the Greenbelt Task Force. Since uncertainties breed fear and mistrust, you need to provide confidence that the government will seriously address the needs of the greenbelt agriculture community by legislating the establishment of a working group that should have been already there over the past year as this legislation was developed, if the Ministry of Agriculture had listened.

I will fiercely defend the need to maintain the family farm in the greenbelt. They are the unit that has preserved the land to date, and they are the most effective unit to undertake environmental stewardship, to produce food, to value-add to the economy and to direct-market to urban consumers. I believe the family farm is the face of greenbelt, but they cannot do it by themselves. I urge you to put the piece into Bill 135 that will prevent failure: Make provision for an agriculture task force or working group, set it to work and give it the power to make things happen.

**The Chair:** Ms. Garr, you have about 50 seconds left.

**Ms. Garr:** Governments are elected to make decisions, but such broad policy developed without the support of the primary stakeholders in its success will be a poor legacy for me as a task force member and for you as a government.

**The Chair:** Thank you for your presentation. We appreciate your being here today.

**Mrs. Van Bommel:** Is there a possibility of getting a copy of your presentation, Ms. Garr?

**Ms. Garr:** It's not in any shape to be looked at. Yes, I can send it.

**Mr. Hudak:** She could e-mail it, though.

**The Chair:** If you could provide that, we would be grateful.

#### AMC REAL ESTATE MANAGEMENT AND SERVICES CORP.

**The Chair:** Our next presentation is AMC Real Estate Management and Services Corp.

Good afternoon. Thank you for being here. Please identify yourself and the organization you're speaking for, and when you begin, you'll have 15 minutes.

**Mr. Antonio Maggio:** Good afternoon. My name is Antonio Maggio. I am the president of AMC Real Estate Management and Services Corp.

Madam Chair and committee members, first of all, I wish to congratulate this government for its sound vision in the proposed greenbelt plan. As I understand it, the purpose of the plan is to identify and protect, among other things, other prime agricultural land with soil types 1, 2 and 3, and the Niagara Peninsula tender fruit and grape lands.

Today, my submissions are directed toward the lands located within the town of Grimsby, and in particular, an

existing hamlet located at the intersection of Kemp Road and Mountain Road. I am a property owner of approximately 25 acres of land that is located in part of lot 7, concession 4, with the civic address of 67-69 Kemp Road East. The property is currently improved with two semi dwellings and a barn and is located east of the intersection of Kemp Road and Mountain Road, highlighted in blue in appendix A. The area surrounding the intersection of Kemp Road and Mountain Road is identified as a hamlet area in the local official plan. The mapping of the greenbelt plan should be corrected to identify the existing hamlet in this area.

The lands in and around the hamlet have been identified as Toledo class 4 soil by the Ontario Ministry of Agriculture and Food, foodland preservation branch. Attached is a letter to Mr. Wyehopen, with his permission, as appendix B. Toledo class 4 soil is marginal for sustained use for common field crops, in the opinion of M.S. Kingston of the soil management branch, Ontario Ministry of Agriculture and Food, and E.W. Presant, land resource centre, research branch, of Agriculture Canada, in *The Soils of the Regional Municipality of Niagara*, Volume 1, 1989.

Section 3.4.3 of the draft plan addresses policies for hamlets. Such policies as currently written allow for infill development and intensification, along with the minor rounding out of hamlet boundaries at the time of municipal conformity, all in keeping with the environmental capacity of providing sewage and water services and subject to municipal official policies.

#### 1700

The local municipality initiated a growth management study process prior to December 2003. As part of this study, a report was released on May 27, 2004, in which the area surrounding this hamlet was identified as a potential community area. My land is located within this potential community area. In addition, the municipality has not yet completed its study for the potential community area.

Therefore, we believe that it would be appropriate to identify this hamlet area, as outlined in the town's growth management study—see attached appendix A—south-of-the-escarpment potential community area, as a special policy area within the greenbelt plan and maps. It is appropriate to allow for the completion of the study process and implementing documents which would formally address the limits of the settlement boundary.

Thank you for this opportunity to make this submission to this committee. I hope the committee will take the opportunity to correct the Kemp Road hamlet to all the stakeholders' satisfaction.

**The Chair:** Thank you very much. You've allowed three minutes for each party, beginning with the official opposition.

**Mr. Hudak:** Mr. Maggio, thank you very much for your presentation. I know Mayor Bentley and council have brought this issue forward with respect to the Kemp Road hamlet. Sadly, yours is but one of many, many problems that we've found with the mapping exercise.

I've been carrying around this box with me of all the presentations we've had, and pretty well everyone has some concern about what's been left out that should be in, or what's in that should be out. The fundamental concern is whether the science that was used was more political science than real environmental science.

In fact, you cite here a couple of studies by the ministry itself that indicated that you had class 4 soil. You wonder about an exercise that leaves class 1 wide open for development and some class 4 land—I mean, we had another Grimsby farmer that came forward to talk about his land being salted away from road salt. He'll never be able to sell that property for agricultural production. You wonder why those are included.

That's why we have been pushing an amendment—I hope my colleagues will support it—as we've heard time and time again, that there should be a third-party review process and peer review of the science to make sure we have it right. Another suggestion would be an appeal mechanism. When the Niagara Escarpment Plan was brought forward, there was an appeal mechanism where you could go, based on the science, and have a very fair and transparent hearing, your fair day in court. Because while the minister has met with some people, like the mayor of Burlington, he can't meet with everybody.

Anyway, I've dragged on for a little bit. What do you think of the notion of an appeal process based on science or a third-party review of the science behind the plan?

**Mr. Maggio:** I would say that cases like the Kemp Road hamlet have to be dealt with. If there is no other avenue, sure, an appeal process where anybody, any owner can go to address all these discrepancies.

The hamlet there is class 4, which is rural. It has nothing to do with land that is very sensitive or anything like that. Economically, if you cannot do anything else, you will stay there forever without any benefit, with no societal benefit from it. That's unfortunate.

**Mr. Hudak:** Do you think it should go the other way as well? If people bring forward a piece of sensitive property—I don't know if you know Marcy's Woods, at the other end of my riding, or Parkview in Dundas; Boyd Park has been brought forward—do you think it should work both ways, that people should be able to bring suggestions—

**Mr. Maggio:** Absolutely. I agree with the notion that very good agricultural land, or even agricultural land that has been taken completely out of the equation, should be included. Land which cannot be farmed, which would be sitting there without any economic benefit, should be excluded whether it is on this map or not, or if it's not on this map, we should do something, a process to put it on this map so the town of Grimsby has any place to go. I see the town of Grimsby being completely isolated in this process.

**Ms. Churley:** Thank you very much for your presentation. I don't have any questions. I just take it that you will be working with the Liberals to try to address this issue.

**Mr. Jean-Marc Lalonde (Glengarry–Prescott–Russell):** Thank you, Mr. Maggio, for taking the time to

come and address your concerns. As you know, this greenbelt plan is made especially for protecting the farmland and also our water sources.

We listened to the concerns of Mayor Bentley this afternoon. Looking at his presentation, are your 27 acres part of the concern he's looking for, that they should be excluded from this greenbelt plan?

**Mr. Maggio:** Honestly, I don't know exactly what the mayor's concerns are, because I wasn't here. I cannot answer that question.

**Mr. Lalonde:** At the present time, what is around that property you own?

**Mr. Maggio:** There is only a hamlet. There is a business just next to it. There is a rental business next to my land. In front of it, there are two farmhouses. This is part of the hamlet, as far as we understand. But the hamlet is not there. If you look at your map, there is no hamlet whatsoever. It has completely disappeared, like it never existed. It is in the official plan.

**Mr. Lalonde:** How is it identified in the actual official plan?

**Mr. Maggio:** Just a circle; it doesn't have any perimeters.

**Mr. Lalonde:** Has it been identified as farmland?

**Mr. Maggio:** No, it's been identified as rural land.

**Mr. Lalonde:** They also stated this afternoon that 75% of the land in the area is made of clay.

**Mr. Maggio:** That's class 4, yes.

**Mr. Lalonde:** Also clay in your area.

**Mr. Maggio:** Yes, class 4, very bad drainage. You cannot cultivate anything on this.

**Mr. Lalonde:** Those are my questions. Thank you.

**The Chair:** Thank you, sir, for your delegation. We appreciate your time.

STEVE FERNICK

**The Chair:** Our last delegation is Mr. Steve Fernick.

Good afternoon, welcome. Please identify yourself and the location you come from. When you begin, you'll have 10 minutes.

**Mr. Steve Fernick:** Well, I'll be short. Probably a lot of what I'm going to say you've heard. My name is Steve Fernick. I live in Grimsby. I'm a landowner, a farmer. My brother and I own seven farms ranging from 4.5 acres to 88 acres, two being in Lincoln below the escarpment, one in Stoney Creek and four in Grimsby. Out of the seven farms, we have owned four of them more than 35 years.

I am supportive of the greenbelt, provided that it is planned and implemented properly, is practical, uses common sense, and is customized to the needs of specific areas, especially those in Niagara and east Wentworth county. It is important that government recognize that the Niagara region is unique as it relates to agriculture and related lands. A one-size-fits-all approach will not work for Niagara, nor for the rest of the province.

1710

When drafting the final greenbelt legislation, Bill 135, the government must clearly understand what it is trying to protect. The farmer must be protected and, in turn, the farmer will protect the land and the greenbelt. Farmers have been preserving these lands for more than a century.

Farms within the greenbelt are privately owned, and the government must recognize this fact. In Niagara, with the greenbelt, we have lost our retirement lots. I was raised and have lived on a farm since I was born. Living on a farm was my choice because I like living in the country. In the near future, I will be retiring, and I will be forced to move to town, where there are nine or more houses per acre. The greenbelt draft plan outlines allowances for severances of 100 acres. How many grape and tender fruit farmers between Hamilton and Niagara-on-the-Lake have 100 acres? Consideration should be made for our lost rights to retirement severances.

In addition to limiting a farmer's ability to sever land, the greenbelt plan limits farm businesses that are secondary to agriculture. For example, the proposed greenbelt plan outlines the following: (a) The farmer can put up a 1,600 square-foot building, which is 40 by 40. Should I want to build a winery, how many acres of my grapes can I process? (b) The farmer can allow 4,500 hours annually of employee work time. That's not enough.

When reading over the proposed greenbelt plan, I noticed some discrepancies. In draft schedule 2 of the proposed greenbelt plan, it failed to show Kemp Road and Grassie hamlet in Grimsby. In addition, in Grimsby and Wentworth East, the proposed greenbelt south boundary is Mud Street and Young Street, which is Townline Road. Without a doubt, this area was not fully studied by government officials, as it is claimed that this area is good vinifera grape land and good tender fruit land. The south greenbelt boundary should follow the south escarpment commission boundary or Elm Tree Road in Grimsby and Green Mountain Road in Wentworth East and be based on environmental science. The government must reconsider the greenbelt boundary south of the escarpment and redesignate it from specialty crop lands to rural lands.

Please find attached a letter from the Ministry of Agriculture department dated 2002 stating that our soil is class 4, Toledo. The letter also states that the soil is not good for growing grapes and that it is in a very frost-prone area. The Niagara soil book and maps confirm the same and state that this land is Toledo soil and is not good for growing grapes, fruit or most other types of crops.

Wentworth East, south Young Street going north to the Niagara Escarpment south boundary, and Highway 20 being the west boundary, going east to Wentworth East boundary: The soil map of Wentworth county, soil report 32, indicates that 95% of the soil is Haldimand soil and Lincoln soil.

Toledo, Haldimand and Lincoln soil are suitable to grow peaches, cherries or vinifera grapes. Although some

labrusca grapes are planted in this area, at best, growers receive less than a 50% crop.

Above the escarpment, soils are imperfect and poorly drained. In addition, above the escarpment, there is an increase in mean annual temperature, resulting in a shorter frost-free season. In the winter of 2002-03, grapes froze, including those in Niagara-on-the-Lake, and there is no way we can compete with Niagara-on-the-Lake.

Please find attached excerpts from the Wentworth county soil book on climate, Haldimand and Lincoln soil series; excerpts from the regional municipality of Niagara soil book on Haldimand and Lincoln soil series; and two maps. In an area two square miles by four square miles, there are only five farms left growing grapes, and in the same area, 18 vineyards have been removed or abandoned. This holds true for the rest of the area. I would request that someone make a visit to the area. I would be pleased to accompany them to see for themselves before the decision is final.

The growers are asking the government to give farmers the tools to be profitable. Some of the tools needed are: changing the Wine Content and Labelling Act; promoting Ontario VQA wines; implementing a Buy Ontario First policy; and promoting public awareness.

Farm viability has to be ensured if the greenbelt is to be protected, and a commitment to compensate growers for any loss in land value must be made, as there is a fear that farm values will decline.

I would like to thank the local members of the provincial government—Jennifer Mossop, Kim Craitor, Tim Hudak and Peter Kormos—and Minister John Gerretsen for listening to us and for the keen interest they have shown in our concerns. I would like to thank you for the opportunity to speak to you today about the proposed greenbelt legislation and its impact on growers in Niagara and Wentworth East.

**The Chair:** Thank you, Mr. Fernick. You've given each party about 45 seconds to ask you a question, starting with Ms. Churley.

**Ms. Churley:** Well, you're last but not least. Thank you very much for ending today's session on a very personal note. It's always good to hear from people who are personally affected. I'm sure we'll be taking your particular issue up with the government. That's about all I have to say, because there is no more time, but thank you.

**Mr. Fernick:** Thank you.

**Mr. Rinaldi:** Thanks very much, Mr. Fernick. It's great that you're here and it's great that you bring your own personal experience beyond the industry perspective.

Just a couple of things. We've heard over and over again, probably a hundred times, and we'll probably hear it some more tomorrow that the general support is there for the greenbelt, but with a lot of conditions attached. Because we need to work on those conditions—I think all governments have been committed to helping the industry—we have to start somewhere, because something's been neglected. Would you agree that we need to

get moving on this and, yes, work with you and the industry Ontario those?

**Mr. Fernick:** You've definitely got to get started, but you've definitely got to work with us.

**Mr. Rinaldi:** If I may, the other thing I want to clear up—

**The Chair:** It had better be a really short question.

**Mr. Rinaldi:** Well, just a statement, if I may, Chair. The statement about the size of buildings: That's certainly not in the plan, about the 1,600 square-foot limit; none of that is in the bill. It was a recommendation by the task force, but it's not entrenched. Actually, the legislation allows for auxiliary buildings to derive other activities on that piece of property. It's there.

**Mr. Fernick:** Well, that's good.

**Mr. Hudak:** Mr. Fernick, thank you very much. Thank you for the kind words. I know Peter Kormos would appreciate that too. He's been a strong advocate for the grape growers and his constituents who are impacted.

I'm not as dismissive of the Bedgood-Vanclief report, because that's the only thing the government has brought forward so far on how to help agriculture. But in many ways, as you cite in your report, it's actually going to hinder people in the greenbelt area.

I want to say thanks for bringing your particular report forward, because it is science-based. You have some science that you cite, previous studies by the Ministry of

Agriculture, which I think reinforces the point that we should have a more honest, open and transparent tribunal to make these decisions, as opposed to relying on politicians, the minister of the day.

It's my last chance to say a few words. I just want to say thanks to Mr. Fernick and to all the farmers who are here today. Not everybody could come before the committee. I hate to recognize anyone in particular, but Mary Lou Garr has done an outstanding job as a voice for agriculture. She's a constituent of mine from West Lincoln. I want to thank Mary Lou for her outstanding efforts as part of the Greenbelt Task Force.

Thank you, sir.

**Mr. Fernick:** Somewhere in the transition, there was something lost on the good tender fruit land and the good grape land, because the people who had input into it drew the boundaries on commercial grapes, and in the presentations in November, it was turned around as vinifera grapes; also, for tender fruit, it was pears and plums, not cherries or peaches.

**The Chair:** Thank you, Mr. Fernick. We appreciate your being here.

Committee, this brings us to the close of our hearings this day. Thank you to all the witnesses, the MPPs and the ministry staff for their participation in the hearing. Our committee stands adjourned until 10 a.m. tomorrow morning, February 3, in Toronto, in committee room 1.

*The committee adjourned at 1720.*





## **STANDING COMMITTEE ON GENERAL GOVERNMENT**

### **Chair / Présidente**

Mrs. Linda Jeffrey (Brampton Centre / Brampton-Centre L)

### **Vice-Chair / Vice-Président**

Mr. Vic Dhillon (Brampton West–Mississauga / Brampton-Ouest–Mississauga L)

Ms. Marilyn Churley (Toronto–Danforth ND)

Mr. Vic Dhillon (Brampton West–Mississauga / Brampton-Ouest–Mississauga L)

Mr. Brad Duguid (Scarborough Centre / Scarborough-Centre L)

Mrs. Linda Jeffrey (Brampton Centre / Brampton-Centre L)

Mr. Jean-Marc Lalonde (Glengarry–Prescott–Russell L)

Ms. Deborah Matthews (London North Centre / London-Centre-Nord L)

Mr. Jerry J. Ouellette (Oshawa PC)

Mr. Lou Rinaldi (Northumberland L)

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke PC)

### **Substitutions / Membres remplaçants**

Mr. Tim Hudak (Erie–Lincoln PC)

Ms. Jennifer F. Mossop (Stoney Creek L)

Mrs. Maria Van Bommel (Lambton–Kent–Middlesex L)

### **Clerk / Greffière**

Ms. Tonia Grannum

### **Staff / Personnel**

Mr. Jerry Richmond, research officer  
Research and Information Services

## CONTENTS

Wednesday 2 February 2005

<b>Greenbelt Act, 2005, Bill 135, Mr. Gerretsen / Loi de 2005 sur la ceinture de verdure,</b> projet de loi 135, M. Gerretsen .....	G-701
Hamilton-Halton Home Builders' Association..... Mr. Anthony DeSantis Jr.	G-701
Grape Growers of Ontario..... Mr. Ray Duc	G-704
Preservation of Agricultural Lands Society .....	G-706
Dr. John Bacher	
Mountain Road Wine Co. ....	G-708
Mr. Steve Kocsis	
Ms. Austin Kirkby.....	G-710
Friends of Rural Communities and the Environment.....	G-712
Mr. Graham Flint	
Dufferin Aggregates, St. Lawrence Cement.....	G-715
Mr. Bill Galloway	
Ontario Tender Fruit Producers' Marketing Board.....	G-717
Mr. Len Troup	
Wine Council of Ontario .....	G-719
Ms. Linda Franklin	
City of Burlington.....	G-722
Mr. Bruce Krushelnicki	
Niagara North Federation of Agriculture.....	G-724
Mr. Albert Witteveen	
Mr. Brad Reimer .....	G-727
Town of Grimsby .....	G-729
Mr. Bob Bentley	
Town of Niagara-on-the-Lake .....	G-732
Mr. Gary Burroughs	
Town of Lincoln.....	G-734
Mr. Bill Hodgson	
Niagara Gateway Estates.....	G-737
Mr. Ron Kanter	
Regional Municipality of Niagara .....	G-739
Mr. Peter Partington	
Ms. Debbie Zimmerman	
Puddicombe Estate Farms and Winery .....	G-741
Mr. Murray Puddicombe	
Christian Farmers Federation of Ontario .....	G-744
Mr. John Kikkert	
Mr. Elbert van Donkersgoed	
Mr. Howard Staff .....	G-747
Ontario Fruit and Vegetable Growers' Association .....	G-749
Mr. Art Smith	
Niagara Economic and Tourism Corp.....	G-751
Mr. Patrick Gedge	
Ms. Mary Lou Garr .....	G-753
AMC Real Estate Management and Services Corp.....	G-755
Mr. Antonio Maggio	
Mr. Steve Fernick.....	G-756