

May 30, 2019

Ms. Lorraine Dooley  
Ministry of Tourism, Culture and Sport  
401 Bay Street, Suite 1800  
Toronto, ON  
M7A 0A7

Dear Ms. Dooley;

**RE: ERO 019-0021 Bill 108 – (Schedule 11) - the proposed More Homes, More Choices Act, 2019: Amendments to the Ontario Heritage Act**

The Ontario Federation of Agriculture (OFA) is Canada's largest voluntary general farm organization, representing more than 38,000 farm family businesses across Ontario. These farm businesses form the backbone of a robust food system and rural communities with the potential to drive the Ontario economy forward.

Ontario's prime agricultural land, the upon land on which we depend for safe, affordable food, fibre and fuel is a shrinking resource. Although Ontario covers a vast land area, less than 5% of the province is capable of supporting farming. Between the 2011 and 2016 censuses, the area being farmed declined from 12,668,200 acres to 12,348,500 acres, equal to 175 acres per day, each day, for the five-year period. Given the projected population growth in Ontario, Canada and globally, we cannot afford to continue to lose our valuable agricultural land.

Environmental Registry posting 019-0021 proposes to establish in regulation principles to be considered by municipalities when making decisions under Parts IV or V of the Act, to establish mandatory requirements in regulation for the content of designation by-laws and to require notice to property owners once their property is listed and to enable them to object to the municipal council. OFA supports all of these proposals. Clear principles to guide municipal decisions are key to maintaining the integrity of designations. Prescribing the content of designation by-laws, requiring notice to property owners and the right to present one's objections to designation to council are positive moves. Although we will expand on this later in our submission, OFA recommends that agricultural buildings as well as agricultural landscapes be exempt from heritage designations.

Although not specifically addressed in ERO 019-0021, efforts to designate farm buildings, usually bank barns, as heritage buildings, along with efforts to designate agricultural landscapes as "heritage landscapes" are troubling for Ontario's farmers. Agriculture in Ontario has changed substantially over the last half century. Farms have become specialized with respect to the crops and/or livestock they produce. On farms no longer raising livestock, barns are redundant. On today's livestock and/or poultry farms, traditional bank barns are obsolete. The building needs of 21<sup>st</sup> century livestock and/or poultry farms have evolved. Efforts to designate these old structures

as “heritage buildings” poses an unfair burden on Ontario farm businesses. Unless constantly maintained at the farmer’s cost, old buildings will eventually collapse. Getting liability insurance for older barns is expensive, and some farm property insurance providers refuse to insure them. Forcing farmers to shoulder the costs and obligations of buildings that serve no day-to-day farm purpose is excessive. The OFA recommends that the Ministry of Tourism, Culture and Sport further amend the Ontario Heritage Act to exempt non-residential farm buildings from designation under the Act.

In addition, we know of some municipalities that have endeavoured to include the broader viewscape or landscape around a structure proposed for designation, to include the farmlands and fields beyond the designated property’s boundaries. Agriculture in Ontario is a very diverse activity. Over 200 different crops (grains, fruits, vegetables) and different types of livestock and poultry are grown or raised on Ontario farms. The farm buildings and structures need ed to raise or grow these farm products is constantly changing. In response to changing market opportunities, farm businesses may commence or cease the production of specific crops or livestock. Designating an agricultural landscape as a “heritage landscape”, while well-meaning, traps farmers who are subject to this designation. This designation could block farm businesses from new crop, livestock or poultry opportunities. The OFA recommends that the Ministry of Tourism, Culture and Sport further amend the Ontario Heritage Act to exempt agricultural landscapes from designation under the Act.

While we have no objections to designating a specific building, and the property it occupies as a property of cultural heritage value or interest, we are concerned because some municipalities have endeavoured to somehow “link” a specific property with a building of cultural heritage value or interest on it to the broader surrounding agricultural lands. The proponents have provided no acceptable rationale for such a linkage. Those farming the surrounding agricultural lands are rightly concerned by the implications of this, specifically its implications on normal farm practices and on a farmer’s ability to change the crops grown or livestock raised.

The Ontario Federation of Agriculture welcomes this opportunity to provide its agricultural perspective on the proposed amendments to the Ontario Heritage Act, and we look forward to the amended Act exempting agricultural buildings and landscapes from designation.

Sincerely,



Keith Currie  
President

KC/pj

cc: The Honourable Michael A. Tibollo, Minister of Tourism, Culture and Sport  
The Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs  
OFA Board of Directors