



Agriculture Matters: A Guide for Municipal Councillors and Staff

The purpose of this Guide is to provide an overview of issues affecting farm businesses today, as well as identifying opportunities for local communities to support this untapped, and sometimes undervalued, economic sector. It is available electronically at ofa.on.ca/GrowAg.

Farming is a unique sector which aims to grow plants and animals under environmental conditions that are rarely under a farmer's control. The variable timing of planting season, the length and intensity of the growing season, as well as economic and political factors can intensify the challenges associated with operating a farm business. Farmers are willing to engage with municipalities on topics affecting the sector, however, any outreach should consider the time of year and should engage farmers early and often throughout the process.

The Ontario Federation of Agriculture (OFA)'s 51 County and Regional Federations offer strong, grassroots leadership, and should be your first point of contact when addressing municipal issues affecting agricultural businesses in your community.

Producing Prosperity in Ontario

Ontario's agriculture and agri-food sectors are leading economic drivers for the province, contributing over \$47 billion in GDP and employing over 750,000 Ontarians. OFA's policy initiative, Producing Prosperity in Ontario, calls for greater investment in Ontario's agri-food sector and rural communities as an effective strategy to deliver economic growth and prosperity for all Ontarians.

Distributing economic development will create new jobs, enable new affordable housing options, improve food security, and contribute to environmental stewardship. When we invest in our small communities, we improve the physical and social infrastructure in rural Ontario; generating new opportunities to work and live in communities across the province. This is beneficial for rural Ontario and alleviates the growth pressure in our urban communities.

The Ontario Federation of Agriculture (OFA) proudly represents more than 38,000 farm family members across Ontario, supporting our members and the agri-food industry on issues, legislation and regulations governed by all levels of government. OFA works to ensure the agri-food sector and our rural communities are included, consulted, and considered in any new and changing legislation that impacts the sustainability of our farm businesses. We are the leading agricultural advocate for Ontario farmers, businesses, and communities.

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Land Use Planning and Economic Development

Agricultural Representation in Municipal Governance

What's the issue for municipalities?

- Programs and policies developed by councillors and administered by municipal staff with limited knowledge of modern agriculture can inadvertently adversely affect farmers and their operations.

Why does it matter to farmers?

- Farmers are facing greater challenges when influencing local decision-making, as an increasing number of citizens have a limited understanding of agriculture.
- Municipal councillors listen to the concerns of their constituents. Since farmers are a minority, their voices may not be heard. As an integral part of our local economy, environmental sustainability, and food security, we must include the views of farmers to ensure farms are represented to remain viable and financially sustainable.
- The intensifying responsibilities of councillors today make the role a full-time job. Consequently, fewer farmers can make the necessary commitment to this role, limiting their capacity to bring their voices to the table.

How can you help?

- Engage with your farm community early and often. This can occur through public meetings, local County Federation meetings, or inviting representatives to speak at Council meetings.
- Consult with farmers on policies and programs that may affect their farm business operations, such as new roads, bridges, and traffic circles that may impede the transportation of modern farm equipment.
- Some municipalities have an Agricultural Advisory Committee established to advise councillors and staff on local policies that affect agriculture. After discussing with the local County Federation, consider the benefits of creating an [Agricultural Advisory Committee](#) to encourage regular discussion and information sharing.
- Ensure that all meetings and consultations consider the schedules of farm businesses. Planting season and harvesting season (in particular, the months of May, October, and November) are exceptionally busy and farmers may not be able to attend meetings. Flexible hours (e.g., beyond 9:00 a.m. to 5:00 p.m.) and online (e.g., webinars) can also help alleviate the timing pressures.

Resources

- [OFA's Guide and Checklist to Support Agricultural Growth in Your Municipality](#)
- [AFIO Directory: Examples of Agricultural Advisory Committee Terms of Reference](#)

Municipal Official Plans

What's the issue for municipalities?

- Ontario municipalities must have an Official Plan. The Official Plan describes your local township, county, region, district or city government's policies on how land in your community will be used, and where future development will go. It is prepared with local citizen input and helps ensure that future growth and development will meet the needs of the community, in an orderly manner. In some cases, municipalities might be in the process of developing or reviewing their Official Plan. Periodic review of the municipal Official Plan is obligatory.
- As outlined in the Planning Act, municipal Official Plans and Zoning by-laws "shall be consistent with" the [Provincial Policy Statement \(PPS\)](#). The PPS provides policy direction to municipalities on matters of provincial interest related to land use planning and development.
- The Greenbelt Plan, Niagara Escarpment Plan, Oak Ridges Moraine Conservation Plan, A Place to Grow: Growth Plan for the Greater Golden Horseshoe, and the Lake Simcoe Protection Plan dictate specific land use policies for municipalities subject to one or more of these Plans.

Why does it matter to farmers?

- The municipal Official Plan identifies areas in the municipality set aside for agricultural, residential, industrial, commercial, recreational, and institutional uses. Large contiguous tracts of land protected and designated for agricultural, agriculture-related, and on-farm diversified uses are necessary for farming and the agri-food network to prosper into the long-term.
- Non-agricultural land uses located within lands designated for agriculture can negatively impact the ability of surrounding agricultural operations to expand or to introduce new agricultural activities, particularly through mandated separation distances imposed by the province's Minimum Distance Separation (MDS) formulae.
- Farmers face challenges completing their day-to-day work when dealing with complaints, traffic, and other issues related to non-compatible uses encroaching on ag areas (e.g. residential uses).

How can you help?

- Ensure you recognize the challenges associated with development pressures on or near agricultural lands. Encourage your municipality to require an [Agricultural Impact Assessment](#) for non-agricultural development within or abutting/adjacent to prime agricultural areas.
- Strike a balance between competing interests for land uses. Economic development is often seen as directly tied to urban growth and more jobs. However, agriculture and its related industries also create and retain jobs, in addition to many other public benefits. Consider how we will feed our growing population on a municipal, provincial, national, and global scale.

Resources

- [OFA's Consolidated Agricultural Land Use Policy](#)
- [OMAFRA's Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas](#)
- [OMAFRA's Minimum Distance Separation \(MDS\) Document](#)
- [OMAFRA's Implementation Procedures for the Ag System in Ontario's Greater Golden Horseshoe](#)
- [OMAFRA's Draft Agricultural Impact Assessment Guidance Document](#)

Comprehensive Zoning By-Laws

What's the issue for municipalities?

- Municipal governments have the responsibility to develop Comprehensive Zoning by-laws to implement Official Plans for their areas. These two documents set out the general allocations for land use, the types of activities allowed within each designation or zone, as well as the as of right permissions to develop on the land (e.g., types of on-farm diversification that can occur and at what size and scale).
- While Official Plans outline which areas within the municipality will be designated agricultural, residential, industrial, commercial, recreational, or institutional uses, Zoning by-laws focus on specifics, such as how lands within each major designation will be used, where buildings and structures can be located on each parcel of land (setbacks from roads and lot lines), the types and sizes of buildings permitted, lot sizes and dimensions, and parking requirements.

Why does it matter to farmers?

- The municipality's policies on growth and development and its Zoning by-laws affect farmers by determining what they can build, where, and when. For example, as of right uses appropriate for agriculture mean a farmer can go ahead and apply for a building permit to build a new barn, bunkhouse, or farm market, without having to endure lengthy and costly Zoning by-law Amendment applications which are open to appeal.
- Agriculture products and production practices are constantly changing and evolving. Zoning by-laws should be up to date to reflect the current realities of farming and avoid the need for a Zoning by-law Amendment.
- On-farm diversification (e.g., food processing, retail farm markets, farm weddings, etc.) is growing in Ontario as farmers look for new revenue streams and consumers are increasingly interested in where their food comes from. Provisions in the Zoning by-law that balance farmland preservation with opportunities to undertake diversified income-generating activities will help farmers remain viable in the long term.

How can you help?

- When establishing and updating Comprehensive Zoning by-laws and Official Plans, consult with your agricultural community to reduce red tape (think 'green tape') and avoid unnecessary hurdles.
- Ensure Municipal Official Plans and Zoning by-laws have clearly defined permitted uses in each zone which reflect the needs of agriculture in your community and consider compatibility with neighbouring uses to support these farm ventures in their success.

Resources

- [OFA's Consolidated Agricultural Land Use Policy](#)
- [OMAFRA's Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas](#)
- [OMAFRA's Minimum Distance Separation \(MDS\) Document](#)
- [AFIO Directory: Comprehensive Zoning By-laws](#)

Farming and Food Production Protection Act and Municipal By-Laws

What's the issue for municipalities?

- Municipalities need to carefully consider the scope of by-laws that could negatively impact normal farm practices, ideally by consulting with an Agricultural Advisory Committee or a County Federation of Agriculture.

Why does it matter to farmers?

- The [Farming and Food Production Protection Act](#) (Ontario's "right to farm" law) provides a mechanism for farmers, either individually or in a group, to have a local by-law reviewed if they believe that the by-law unduly restricts a normal farm practice.
- Examples include animal control by-laws which limit farmers' ability to use livestock guardian dogs, or noise control/nuisance by-laws which affect noisy agricultural activities.
- Section 6 of the *Farming and Food Production Protection Act* enables a farmer or group of farmers to apply to the Board should they believe that a municipal by-law (current or future) unduly restricts a normal farm practice. The onus is on the applicant(s) to prove that the by-law unduly restricts agriculture, and that the practice in question is normal for the area.
- If the Board determines that the by-law does restrict a normal farm practice, then it can grant the applicant(s) an exemption from the by-law. However, if the Board determines that the by-law does not restrict a normal farm practice, the applicant(s) must comply with the by-law.
- Non-farming neighbours may not understand normal farm practices, and may object to odour, noise, dust, flies, smoke, light, and vibration as nuisances, which are otherwise realities of farming. This may result in negative interactions or neighbourly disputes.

How can you help?

- Ensure Municipal by-laws are clear about their applications to agriculture and exemptions for normal farm practices. Recognize that Ontario agriculture in the 21st century is a complex and constantly evolving industry and what is a normal farm practice today, may not be tomorrow.
- Learn about evolving farm practices and promote awareness amongst non-farming neighbours about the realities of living near farms and the significance of agriculture to the area to try to build understanding and avoid complaints.

Resources

- [OFA's Consolidated Agricultural Land Use Policy](#)
- [OMAFRA's Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas](#)
- [Past Decisions of the Normal Farm Practices Protection Board](#)
- [The Citizen's Guide to the Normal Farm Practices Protection Board](#)
- [OMAFRA webpage on Normal Farm Practices](#)

Municipal Tree By-laws

What's the issue for municipalities?

- Tree cover across Ontario is declining, particularly in southern Ontario, and municipalities endeavour to maintain a degree of tree cover throughout their landscapes.
- A local municipality may choose to enact a tree by-law (as per the [Municipal Act's section 135 – Tree by-laws](#)), to prohibit or regulate the destruction or injuring of trees in woodlands (one hectare of more in area) designated in the by-law.
- As many agricultural activities involve working with and potentially altering trees or forested areas, municipalities should consider outlining provisions or exemptions for farmers in their by-laws, which do not hinder normal farm practices.

Why does it matter to farmers?

- Municipal tree by-laws may unduly impact the ability of a farmer to run or alter their operation, or maintain their property in a way that is conducive to agriculture.

How can you help?

- Municipalities that choose to enact a tree by-law should incorporate an agricultural exemption for:
 - destruction of trees during the pursuit of normal farm practices, e.g., for farm forestry/woodlot purposes, and/or where trees are impeding the passage of agricultural equipment along an existing laneway that is either within or along the edge of a woodland, or preventing encroachment of woodlands on productive agricultural resources.
 - “land previously cleared and used for agricultural purposes, which has become overgrown with young (less than 10 years old) early successional tree species (e.g., Sumac, Hawthorne, Apple, Scots Pine, Poplar, White Birch, Ash) and the land is intended to be used again as part of an agricultural operation (defined as land eligible for a Farm Business Registration Number);” and
 - a linear windbreak or hedgerow or a bona fide tree nursery that is being actively managed and harvested for the purposes of which it was planted.

Resources

- [Municipal Act Section 135 – Tree by-laws](#)
- [OMAFRA's Call Before You Cut! webpage](#)

Minister's Zoning Orders

What's the issue for municipalities?

- Ontario municipalities have access to a resource called the Minister's Zoning Order (MZO) or the Community Infrastructure and Housing Accelerator (CIHA), both of which are features of the Planning Act that allow the Minister of Municipal Affairs and Housing to grant planning approvals exempt from regular planning process. In April 2021, a [change to the Planning Act](#) provides that MZOs outside of the Greenbelt do not have to be consistent with the Provincial Policy Statement (PPS), which places them outside of the scope of the mitigation hierarchy.
- The Province of Ontario has recently seen an increase in the number of MZOs granted for development, including multiple MZOs used to rezone farmland for urban development.
- The Minister has consistently indicated that MZOs will not be granted without the request being made and endorsed at the municipal level. New changes to the Planning Act on April 17, 2022 now make this endorsement a legal requirement.
- In some cases, municipalities might see the ability to request an MZO for a zoning change as a favourable alternative to undergoing other planning processes. However, the short-sighted use of these tools can often come with a loss of public confidence and unpredictable consequences for communities.

Why does it matter to farmers?

- Ontario's arable land supply is becoming ever more finite. This correlates with a rise in land prices that can make the business of farming less viable, since commodity prices fluctuate and do not always cover the cost of stewarding lands.
- The problem is exacerbated when MZOs are used to re-designate farmland for non-agricultural development. It can reduce the land supply that is available and viable for food production. High land cost is particularly an issue for new or beginning farmers.
- These issues can make selling the farm the most economically viable option for farm families, which compounds the problem even further. The lack of public input or engagement and the inability to appeal the MZO decision removes the element of public interest from the process.

How can you help?

- Ensure you have read the resource provided below to understand OFA's perspective. Recognize the challenges associated with the use of MZOs to re-zone farmland and avoid their use in your municipality. Try to understand what is driving the request.
- Strike a balance between competing interests for land uses. Economic development is often seen as directly tied to urban growth and more jobs. However, agriculture and its related industries also create and retain jobs, in addition to many other public benefits. Consider how we will feed our growing population on a municipal, provincial, national, and global scale.

Resources

- [OFA's Submission on Minister's Zoning Orders](#)
- [OFA's Consolidated Agricultural Land Use Policy](#)
- [OFA's Submission on the Community Infrastructure and Housing Accelerator](#)

Rural Economic Development

What's the issue for municipalities?

- Policies that support the economic well-being of rural businesses and residents support the broader regional economy. Availability and access to health care services, rural schools, affordable energy, broadband internet and transportation infrastructure are all essential for rural economic development.
- Municipalities tend to offer economic development programs and incentives in urban areas to develop their downtowns and support businesses (e.g., downtown revitalization or business improvement areas), however, rural support is often lacking.
- Rural municipalities are increasingly engaging in economic development initiatives. An economic development strategy may be commissioned to assist with identifying key sectors to target for growth and guide initiatives undertaken by the municipality.

Why does it matter to farmers?

- Economic development initiatives tend to favour industries such as manufacturing, energy or retail while overlooking the economic opportunities in the agri-food sector. Farmers need continued support to provide food, fibre and fuel to Ontario's economy.
- Rural areas may not be given the resources and support needed to retain and expand their operations. There is a growing importance to support economic prosperity of rural and agricultural businesses through financial incentives and reduced costs.

How can you help?

- Reduce the financial burden by exempting farm structures from development charges.
- Support rural infrastructure projects and apply for municipal infrastructure funding.
- Municipalities can implement Community Improvement Plans (CIP) that encourage private investment, renew infrastructure, and waive development fees. Provide incentives for on-farm diversification by developing an agricultural/rural-specific CIP.
- Business retention and expansion studies (BR+E) can focus specifically on agriculture and food to determine specific needs and opportunities within the sector. An agri-food BR+E can be particularly useful for determining whether specific infrastructure is needed (e.g., grain elevator, freezer storage facilities, distribution centres, etc.) or specific cluster development (e.g., craft beer and hops industry growth).

Resources

- [AFIO Directory: Examples of municipal/regional Economic Development Strategies](#)
- [AFIO Directory: Examples of rural/agricultural Community Improvement Plans](#)
- [AFIO Directory: Examples of BR+E studies for agriculture and food](#)

Community and Regional Food Planning

What's the issue for municipalities?

- Community and regional food planning strengthens the relationships between producers, processors, distributors, and consumers of food. While some municipalities may not see their role, there are many instances where local governments can help their communities stay healthy by supporting policies and programs that facilitate the consumption of locally produced foods.
- Agri-food products that are produced and available locally will support healthy communities, provide job opportunities, and diversify the economy. Local produce is fresher and reconnects consumers with how food is produced.

Why does it matter to farmers?

- Supporting local food means supporting local farmers. Increasing opportunities for farmers to sell and market their products contributes to the viability of their farm business. It also helps consumers understand modern agriculture and increases public trust and engagement with the food system.
- A municipality can implement policies that either assist or hinder opportunities to market local agricultural products within the community. Even with the best intentions, local by-laws can impact the ability of farmers to access, and market directly to, consumers.

How can you help?

- In 2013, Ontario enacted the [Local Food Act](#) to help foster successful local food economies and systems, help increase awareness and diversity of local food, and develop new markets for local food. Municipalities can develop and promote activities to celebrate during Local Food Week in June and Ontario Agriculture Week in October.
- OFA launched the [Always in Season project](#) to assist municipalities in celebrating and supporting agriculture and the local agri-food sector. Visit the Always in Season website for tools and resources to support your community.
- Municipal governments have a responsibility to citizens to incorporate community and regional food planning into their policies. Planning for food can take the form of Official Plans that protect and enhance the agri-food network, local by-laws that do not restrict the development of local food systems, zoning to allow for farmers markets and other marketing opportunities, and activities that strengthen community food security and local economic development.

Resources

- [OFA's Always in Season Project](#)
- [OMAFRA's Agriculture Systems Portal](#)
- [AFIO Directory: Examples of Food Policy Council Terms of Reference](#)
- [AFIO Directory: Examples of Local Food Promotional Brochures and Maps](#)
- [AFIO Directory: How-To Guides and Toolkits for Agriculture and Food](#)

On-farm Diversified Uses

What's the issue for municipalities?

- On-farm Diversified Uses (OFDUs) are identified in the [Provincial Policy Statement \(PPS\)](#) as one of three uses permitted in Ontario's prime agricultural areas, which are intended to support agriculture as the primary use in agricultural areas while providing agricultural operations with opportunities to diversify revenue streams and remain viable.
- The [OMAFRA Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas](#) ('Guidelines') set out five criteria that a proposal must meet to qualify as an OFDU to balance farmland preservation and economic development objectives.
- Municipalities must implement OFDU policies through Official Plans, Zoning By-laws, and other municipal planning procedures.
- While the Guidelines clarify the interpretation of PPS policies and provide examples of OFDU policies and procedures for municipalities, inconsistencies exist in how municipalities interpret and implement the Guidelines, creating barriers to establishing legal OFDUs in prime agricultural and rural areas.

Why does it matter to farmers?

- While some farmers find the process to establish OFDUs easy, others face costly and time-consuming obstacles, such as Official Plan or Zoning By-law Amendments, or cost-prohibitive policies which are not appropriate for agriculture, such as development charges and urbanized site plan control.
- Complex municipal processes make it difficult for farm businesses to be aware of the proper steps needed for OFDUs, creating potential conflict with municipal authorities and neighbours.
- On-farm diversification opportunities are critical to farm economic viability and succession planning while supporting rural economic development.

How can you help?

- Use the criteria and guidance for OFDUs laid out in the Guidelines to design municipal policies and procedures that work for farmers diversifying their businesses. Include as of right provisions in your Official Plan and Zoning By-law that permit OFDUs at an appropriate size and scale. Ensure that built development, such as requirements for Site Plan Control, is compatible with the agricultural nature of the area.
- Have a pre-submission consultation meeting with all applicants to lay out fees, timelines, and requirements for the OFDU planning application. Scale back fees and requirements for OFDUs (e.g., development charges, engineered drawings, studies, application fees, site plan control) where appropriate and feasible.

Resources

- [OFA Consolidated Agricultural Land Use Policy](#)
- [OMAFRA's Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas](#)

On-Farm Housing for Agriculture Workers

What's the issue for municipalities?

- Labour housing provides on-farm accommodation for seasonal agriculture workers when additional employment is required for agricultural production. Housing needs can be context-specific and are often dictated by the commodity type. Primarily seen in horticulture and greenhouse production for workers under the Seasonal Agricultural Worker Program (SAWP), labour needs vary across the province. This housing can range from simple repurposing of surplus houses to larger bunkhouse accommodations.
- Farmers employing workers through the Seasonal Agricultural Worker Program (SAWP) and the Ag Stream under the Temporary Foreign Worker Program (TFWP) are contractually required to provide approved worker housing during their time in Canada.
- Municipalities need to develop policies and zoning regulations to ensure that on-farm housing is compatible with the rural landscape and that it minimizes impacts on agricultural lands. If overly restrictive, these policies and zoning regulations may stifle agricultural production and economic growth.

Why does it matter to farmers?

- Housing for farm workers is an agricultural land use. It is an essential component of farm production – without labour to plant, tend and harvest crops, agricultural production does not occur. Modern farm operations can be of various sizes and employ significant numbers of workers depending on the scale of operations and crops grown.
- The number of workers, the number of residences, or the size of workers' residences on a farm should reflect the labour needs of the farm to produce and grow. Policies should provide flexibility to give workers more space and ensure that comfort and safety (both physical and psychological) are maintained. Arbitrarily restricting workers' housing may result in employers seeking housing off-farm, which increases the demand and subsequently the cost of housing in the domestic housing market.

How can you help?

- Ensure municipal Zoning by-laws are consistent with the Provincial Policy Statement (PPS) which defines Agricultural uses to include associated on-farm buildings and structures, including accommodation for full-time farm labour when the size and nature of the operation requires additional employment.
- Recognize that Ontario's seasonal agricultural workforce is an essential component of the agri-food value chain, it is vital that farm employers are able to access and house the number workers their operations require.
- Consult with local farm employers to understand their housing needs and to develop land use policies that have the flexibility for Ontario's farmers to construct safe and quality accommodations for farmworkers, while maintaining the long-term protection of agricultural land.

Resources

- [Seasonal Farm Worker Housing Guidelines](#)
- [OMAFRA's Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas](#)
- [OMAFRA's Minimum Distance Separation \(MDS\) Guidance](#)

Natural Heritage Systems

What's the issue for municipalities?

- Per the Provincial Policy Statement, Natural Heritage Systems (NHS) are a provincial interest that municipalities are responsible for identifying, preserving, and protecting.
- NHS protection policies focus on the protection of significant wetlands, significant coastal wetlands, significant woodlands, significant valleylands, significant wildlife habitat, significant areas of natural and scientific interest and the habitats of endangered and threatened species.
- Municipal land use planning documents must account for both Agricultural and NHS policies and ensure that agricultural uses, agriculture-related uses, and on-farm diversified uses are preserved and protected in agricultural areas when planning for Natural Heritage Systems.
- Even though the PPS dictates that natural heritage features and areas must be protected for the long term, it also states that nothing in the Natural Heritage PPS Policies (Section 2.1) are intended to limit the ability of agricultural uses to continue.

Why does it matter to farmers?

- NHS mapped on properties may designate manmade features as 'natural heritage' (e.g., a planted windbreak mapped as a woodlot, or a drainage pond mapped as a wetland). These inaccurately mapped features add restrictions that limit plans to expand or change operations.
- NHS provisions can be a barrier to economic opportunities where property enhancements such as storage or processing facilities are limited due to setback requirements or cost-prohibitive environmental impact studies.

How can you help?

- Recognize that agricultural lands and activities are equally as worthy of protection as NHS features, and that NHS is not intended to limit the ability of agricultural uses to continue. Provide farmers with the opportunity to review NHS mapping before it is included in the Official Plan to ensure accuracy of the NHS features worthy of protection.
- Develop a clear online portal or mail out fact sheet to provide step-by-step guidance for farmers looking to understand what land use designations are on their lot and the provisions that apply to them. Provide clarity on what the setbacks from NES features are for each kind of feature and what the definitions are for those features that would be considered significant. Scale back fees and streamline requirements (e.g., environmental impact studies) for farmers looking to expand or alter farm operations in the NHS.

Resources

- [OFA Consolidated Agricultural Land Use Policy](#)
- [OMAFRA Summary of the Agricultural System and Natural Heritage System Policies in Ontario's Provincial Plans](#)

Municipal Finance

Municipal Farm Property Tax Ratio

What's the issue for municipalities?

- The Municipal Property Assessment Corporation (MPAC) is responsible for the assessment and classification of property. However, municipalities set property tax rates and upper/single-tier municipalities determine local tax burden through their tax ratio policy.
- Farm residences, plus a minimum one acre of land, are taxed at the municipality's residential tax rate. However, farmland and outbuildings that are eligible for the Farm Property Class Tax Rate Program are taxed at no more than 25% of the residential property tax rate. Upper and single-tier municipalities have the authority to set the farm property tax ratio below 25%.

Why does it matter to farmers?

- Property assessments for the 2022 and 2023 property tax years will continue to be based on January 1, 2016 current values. In MPAC's province-wide 2016 property reassessment, farmland assessment increases have greatly outpaced the residential assessment increases in most municipalities. Consequentially, the farm class is carrying a larger share of the total municipal tax burden. Therefore, a reduction in the municipal farm property tax ratio (below 25 percent of the residential property tax rate) should be considered.
- Collecting an increasing portion of the municipal budget from the farm property class is inappropriate where the revenue is allocated to finance municipal services for developed areas (e.g., sidewalks, street lighting). Taxes collected from farmland should reflect the minimal municipal services required by farm land and buildings.
- The farm property tax rate only applies to farmland and farm buildings that have been classified by MPAC into the farm property class. The farm residence and one acre remain in the residential property class and are taxed at the residential property tax rate. Therefore, farmers pay residential property taxes like other homeowners.

How can you help?

- Support reducing the farm property tax ratio to ensure that the percentage of municipal tax revenue from the farm property class remains consistent with previous years.

Resources

- [OFA's webpage on Taxation](#)
- [MPAC's webpage on Understanding Your Assessment](#)

Taxation of On-Farm Value Added Activities

What's the issue for municipalities?

- The Fair Assessment System in Ontario classifies properties, and each class is taxed at a different rate. This has resulted in some buildings located on farms being classified and taxed at full commercial or industrial rates. These rates are inappropriate in cases where the building is used for activities necessary to store or distribute the primary agricultural product or commodity.
- In addition, buildings used to conduct on-farm value-added activities, such as small-scale processing, retail or agri-tourism should be encouraged and not discouraged by excessive property taxes. The OFA defines value-added activities as an extension of the farming operation by taking a marketable farm commodity produced on land owned or controlled through rental, lease and/or sharecropping arrangements by the same farmer or farmers and increasing its value by further preparing it, and/or storing it, and/or selling it directly to the consumer.
- Since 2018, single-tier and upper-tier municipal councils may pass a by-law opting to have two subclasses for small-scale on-farm business apply in their municipality. Effective January 2022, the Government of Ontario introduced O.Reg. 828/21, a second optional subclass for both the industrial and commercial subclasses to provide further support to small-scale on-farm businesses. The new legislation allows municipalities to increase the threshold of eligible assessment to which the reduced tax rate applies from \$50,000 to \$100,000. In municipalities that adopt these optional property subclasses, the maximum assessed value of land that is eligible for inclusion in the first and second subclasses for small-scale on-farm business for the industrial property class and the first and second subclasses for small-scale on-farm business for the commercial property class is \$100,000. The qualifying commercial and industrial portions are eligible to receive a tax rate that is 75% lower than the local commercial/industrial tax rates. Properties with an assessed value of greater than \$1,000,000 will not be eligible for these new optional property tax subclasses.

Why does it matter to farmers?

- Farm buildings that are used for activities necessary to get their primary agricultural products to market should not be considered commercial or industrial uses. Farm buildings that are used for small-scale value-added agriculture should be encouraged to support business diversification and product enhancement on the farm.
- Commercial and industrial property tax classes are considerably higher than farmland property tax classes and can unduly restrict farm business ventures.

How can you help?

- Support the adoption of small-scale on-farm business subclasses for industrial and commercial property classes in single-tier and upper-tier municipalities.
- Encourage on-farm, value-added activities that enhance agricultural offerings in a community to create jobs and stimulate the rural economy.

Resources

- [OFA's webpage on Taxation](#)
- [MPAC website: Qualifying for Farm Tax Incentive Programs](#)

Development Charges on New Farm Buildings

What's the issue for municipalities?

- Municipal governments can levy municipal development charges on new residential and non-residential buildings and structures to cover the capital costs associated with increased demand for municipal services that result from growth-related development. These capital costs can include acquiring and improving land and buildings, infrastructure for water and sewer services, and new equipment and buildings required to maintain emergency services.
- Although the [Development Charges Act](#) provides municipalities with the ability to apply such charges to agricultural buildings and structures, most municipalities have chosen to exempt agricultural buildings and structures from municipal development charges.
- However, subsequent by-laws may omit the existing exemptions for agricultural buildings and structures unless farmers and municipal councillors are vigilant.

Why does it matter to farmers?

- Development charges are in place to fund services related to growth, which brings more people to a municipality (e.g., higher local population, more employment). Since the construction of most new farm buildings does not increase the need for services as a commercial or industrial business would, development charges should not apply to farm buildings and structures. If they do, farmers are bearing more than their share of the municipality's additional capital expenditures.
- If one municipality applies development charges to agricultural buildings and structures while a neighbouring municipality does not, an inter-regional inequity is created. About 90 percent of municipalities with development charges by-laws do not apply the charges to farm buildings and structures.
- Standardizing the application of development charges to agriculture through a province-wide exemption would prevent farmers from facing inequitable treatment in a minority of municipalities. The OFA believes that the *Development Charges Act* should be amended to provide a statutory exemption to farm animal housing and other farm buildings/structures from all development charges to ensure equitable treatment of farms in all Ontario municipalities.

How can you help?

- Determine whether development charges apply to agricultural structures in your municipality and consider amending these charges.
- Support OFA's position that all new farm buildings in Ontario should be exempt from development charges.

Resources

- [OFA's submission on the Development Charges Act](#)

Environment and Animal Welfare **Nutrient Management and Pesticides**

What's the issue for municipalities?

- The [Nutrient Management Act \(NMA\)](#) and the [Pesticides Act](#) both contain language placing regulatory control firmly in the domain of the provincial government. Specifically, in the case of the NMA section 61(1) states: A regulation supersedes a by-law of a municipality as a provision in that by-law if the by-law or provision addresses the same subject matter as the regulation.
- Similarly, section 7.1(5) of the *Pesticides Act* states: A municipal by-law is inoperative if it addresses the use, sale, offer for sale or transfer of a pesticide that may be used for a cosmetic purpose.

Why does it matter to farmers?

- The OFA lobbied for, and supports, the above provisions on the basis that it is preferable to have provincial legislation and regulations governing pesticides and land-applied nutrients rather than a patchwork of inconsistent municipal by-laws.

How can you help?

- Where necessary, repeal existing by-laws that deal with either pesticides or land-applied nutrients.

Resources

- [OMAFRA's webpage on Nutrient Management Act](#)
- [OMAFRA's webpage on Using Pesticides in Ontario](#)

Noxious Weed Control

What's the issue for municipalities?

- The [Weed Control Act](#) is meant to provide relief from the spread of noxious weeds. The Act requires every person in possession of land adjacent to agricultural land to “destroy all noxious weeds on it”. The province has designated a number of plants as noxious weeds, including giant hog weed. Municipalities may add additional weeds to the provincial list for local enforcement.
- There are three levels of weed inspectors: lower tier (if applicable) appointed locally, upper tier (county, region or district) appointed regionally, and a provincial inspector appointed by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA).
- A landowner concerned about weeds on neighbouring lands should contact their municipal clerk, asking for the weed inspector. The local municipal clerk should always be the first point of contact, regardless of whether the weed problem occurs at the municipal, county or provincial levels. The clerk should contact the appropriate inspector.
- Any person (landowners, municipalities, provincially owned land, MTO properties, conservation authorities, former railway rights-of-way, etc.) in possession of land where noxious weeds are present and negatively impacting agricultural lands, are responsible for controlling them, including any associated costs.
- A weed inspector who finds noxious weeds or weed seeds can order the person in possession of the land to destroy them within seven days (excluding weekends). An order to destroy weeds can be appealed to the chief inspector. In turn, the decision of the chief inspector can be appealed to Divisional Court.
- If a landowner fails to obey an order to destroy, the municipality can destroy the weeds and bill the owner for the cost. Ultimately, if the bill is not paid, it is added to the property tax bill as taxes owing.

Why does it matter to farmers?

- Weed control on and adjacent to agricultural land improves crop yields and reduces a farmer's need to undertake costly on-farm weed control when not controlled by the municipality or their neighbours.

How can you help?

- Ensure that municipal properties, including parks, recreational trails and road allowances adjacent to agricultural lands are kept weed-free.
- Commit to ensuring that municipal weed inspectors keep all properties adjacent to agricultural lands weed-free.

Resources

- [OMAFRA's webpage on Noxious Weeds in Ontario](#)

Predation and Wildlife Management

What's the issue for municipalities?

- We all enjoy seeing wildlife, but when their numbers increase to the point where they cannot survive without turning to agricultural crops, livestock or poultry for food, then farmers look for help. Wildlife damage costs Ontario farmers approximately \$41 million per year.
- Some municipalities have passed municipal “no discharge of firearms” by-laws. These by-laws can negatively impact farmers by closing the municipality to hunting and predator control, leading to increased wildlife damage to crops, livestock or poultry. Other municipalities have passed by-laws to permit Sunday gun hunting, during the normal open season, for deer, wild turkey, etc., to provide more hunting opportunities.

Why does it matter to farmers?

- The *Ontario Wildlife Damage Compensation Program* provides limited compensation to farmers for wildlife damage to livestock, killed or injured by predators. Farmers who have had livestock or poultry killed or injured by a predator should contact their municipal clerk and ask for the Municipal Investigator. Municipalities are required under the *Ontario Wildlife Damage Compensation Program* to appoint one or more Municipal Investigators. Predation by dogs is addressed under the *Protection of Livestock and Poultry from Dogs Act*.
- There is **no** government program that compensates for wildlife damages to crops, orchards, vineyards, etc.
- Section 31 of the [Fish and Wildlife Conservation Act](#) authorizes anyone to harass, capture or kill wildlife on their own land that is damaging, or is about to damage, their property. These provisions apply to all wildlife, including wild turkeys and beaver, except for endangered or threatened species and moose, caribou, elk or white-tailed deer. MNRF does issue authorizations to farmers facing crop damage by deer or elk. Farmers and other property owners can take reasonable action to protect their property - including crops, livestock or poultry - from predation.

How can you help?

- An apparent first response to agricultural damage by wildlife is to allow hunting during open seasons. Pass a by-law to permit Sunday gun hunting during the normal open season for deer, wild turkey, etc. In some instances, trapping may be a viable solution.
- Develop a municipal program to compensate licensed hunters or trappers who remove nuisance coyotes preying on livestock or poultry.
- Only apply “no discharge of firearms” by-laws in urban areas within your municipality.

Resources

- [OMAFRA's webpage on Predation and Wildlife Damage](#)

Livestock Guardian Dogs

What's the issue for municipalities?

- Livestock Guardian Dogs (LGDs) provide protection to livestock by patrolling pastures, marking the perimeter of their territory, and bark, run at, or try to intimidate any threats to the livestock they are protecting.
- Municipal by-laws can prevent or negatively impact Ontario's livestock farmers from using LGDs to provide protection to livestock against predation. By-laws should carefully consider the role of LGDs and the service they provide.

Why does it matter to farmers?

- Problem predators are an increasing challenge and cost for Ontario livestock farmers requiring considerable effort and resources on the farm of farmers. The financial cost of predation not only costs farmers, it also costs Ontario taxpayers.
- Livestock guardian animals are one of the most common forms of predation prevention control used by Ontario livestock farmers. These include LGDs, donkeys, and llamas, with LGDs being the most popular choice.
- There are instances when municipal by-laws hinder the efficient use of LGDs on farming operations as the by-laws are intended primarily for dogs kept for companionship, breeding, or non-working purposes.

How can you help?

- Add definition of Livestock Guardian Dogs and herding dogs to by-laws.
 - "Livestock Guardian Dog" be defined as a dog that works and/or lives with domestic farm animals to protect them while repelling predators and is used exclusively for that purpose.
 - "Herding Dog" means a dog that has been trained and is actively being used in a bona fide farming operation for the purposes of controlling livestock on the farm.
- Exempt LGDs and herding dogs from annual license fees to decrease potential significant cost for livestock producers.
- Exempt LGDs and herding dogs being actively used in farming practices from the requirement for dogs to wear a collar and tag, provided that the owner uses an alternative means of identification.
- Allow persons to keep more than three dogs at a premise without obtaining a kennel license, providing they meet certain agricultural criteria such as keeping livestock, agricultural or rural land zoning, and that the dogs are LDGs and/or herding dogs.
- Exempt LGDs and herding dogs from barking restrictions if actively engaged in guarding livestock against predators.

Resources

- [OMAFRA's Fact Sheet on Livestock Guardian Dogs](#)

Provincial Animal Welfare Services (PAWS) Act

What's the issue for municipalities?

- On January 1st, 2020, the *Provincial Animal Welfare Services (PAWS) Act* came into effect for the province of Ontario.
- The new legislation introduced a provincially funded animal welfare enforcement model, headed by a Chief Animal Welfare Inspector and one or more deputies. The new model has the strongest penalties in Canada for people who commit cruelty offences.
- One hundred provincial inspectors provide province-wide coverage for animal distress and cruelty investigations. These inspectors are subject to a code of conduct and specialized training.
- The legislation empowers others, beyond inspectors, to act when an animal is in imminent risk of serious injury or death when it is left in a hot car.
- Transitional regulations have been put in place to ensure animals are protected while long-term regulations are being developed. During this time, Provincial inspectors will work with local police, veterinarians, agriculture commodities, and local humane societies to ensure animals remain protected. Development of regulations remain ongoing.
- For more information, please visit [Ontario's animal welfare webpage](#).

Why does it matter to farmers?

- Ontario farm families care about their animals. Farm animal and equine owners uphold high standards of care in alignment with accepted codes of practice and normal farming activities.
- Ontario farm animal owners and caregivers ensure the health and welfare of farm animals through compliance with the provisions outlined in the PAWS Act.

How can you help?

- Keep informed about the [Provincial Animal Welfare Services Act](#).
- Promote the toll-free number for the Ontario Animal Protection Call Centre to report concerns about animal distress or abuse: 1-833-9-ANIMAL (264625); Call centre is available 24 hours a day, seven days a week.

Resources

- [OFA's webpage on Farm Animal Care](#)
- [Ontario's animal welfare webpage](#)

Farm Trespass

What's the issue for municipalities?

- Trespassing on farm properties continues to be an ongoing concern for many farmers across the province. Farmers often deal with off-road vehicles (e.g., ATVs, dirt bikes, and snowmobiles) and rural trail hikers roaming on farm property.
- Ontario's snowmobile trail network spans more than 30,000 kilometres across the province and includes agreements with 18,000 landowners. Trail systems benefit the economy. It is important to remember that there would be no continuous trail network without farmers and rural landowners.
- Trespass by people and vehicles can damage farm property and crops. Farmland is private property; anyone entering without legal authority or permission from the occupier is trespassing.

Why does it matter to farmers?

- Increased incidents of on-farm trespassing by persons and vehicles can have detrimental effects on crops, land and farmer livelihood. These incidents jeopardize the health and nutrients of the soil and crops.
- Fences, irrigation systems and other obstacles utilized in farming operations can cause serious harm to trespassers. Farmers are concerned about being found liable for injuries as a result of these obstacles.

How can you help?

- Develop relationships and facilitate communication between farmers, rural landowners, and recreational vehicle clubs.
- Educate the public on the potential effects of trespassing on farm and rural land.
- Know and understand the rights and obligations under the *Trespass to Property Act*, *Occupiers' Liability Act*, *Off-Road Vehicles Act*, and *Motorized Snow Vehicles Act*.

Resources

- OFA's webpage on [Trespass and Occupiers' Liability](#)

Security from Trespass and Protecting Food Safety Act

What's the issue for municipalities?

- Increasingly, trespassers and animal activists are illegally entering property, barns and buildings, seizing private property and threatening the health and safety of the farm, agri- food employees, livestock and crops. This causes significant disruptions to the entire agri- food sector, especially for livestock farmers and livestock transporters.
- Enacted in December 2020, the *Security from Trespass and Protecting Food Safety Act, 2020* protects farms, farmers, agri-food employees, and the safety of the entire food value chain by addressing the ongoing threat of unwanted trespassing and activists.
- The new legislation provides a balanced approach to protect farms, families, livestock and food safety, while recognizing a citizen's right to protest. The Act recognizes the importance of minimizing animal stress and reducing the potential of spreading disease.

Why does it matter to farmers?

- Increased incidents of on-farm trespass and barn invasions puts the health and welfare of animals and ultimately the entire food supply at risk by breaching biosecurity protocols.
- These incidents distress farmers, their families and employees, and threaten the health of livestock and crops when activists breach biosecurity protocols.
- Ontario farmers follow strict codes of conduct to ensure the health, safety and welfare of all farm animals.
- The *Security from Trespass and Protecting Food Safety Act* ensures farm businesses have a legal standing to protect Ontario farms, agri-employees, livestock, crops and ultimately the entire food supply from intruders.

How can you help?

- Become familiar with the [Security from Trespass and Protecting Food Safety Act](#) and [O. Reg. 701/20](#).
- Communicate with municipal and provincial police about the importance of protecting farms and farmers from trespass and activists, and the provisions under the *Act* and corresponding regulations.
- Educate the public about the risks associated with on-farm and in-barn trespass, and the importance of the *Security from Trespass and Protecting Food Safety Act*.

Resources

- [OFA's webpage on the Security from Trespass and Protecting Food Safety Act](#)
- [About Bill 156 website](#)
- [Animal Protection Zone FAQ](#)
- [Animal Protection Zone Decision Tree](#)

Drainage

What's the issue for municipalities?

- Under the [Drainage Act](#), landowners requiring drainage to remove excess water, thereby making their land more productive, can petition their council for a drain. If the petition is valid, Council appoints an engineer to prepare a report. The engineer's report describes the work to be done, including an estimate of the overall cost of the project, and a schedule showing each landowner's estimated share of the project's costs. The municipality implements the engineer's report by enacting a by-law. A portion of the costs of construction, maintenance or repairs allocated to properties classed as "agriculture" for property tax purposes are reduced through a grant from the Ontario Ministry of Agriculture Food and Rural Affairs (OMAFRA). The municipality is responsible to ensure the continued maintenance of these drains.
- The municipality is also responsible for employing a Drainage Superintendent. The Drainage Superintendent initiates, supervises and assists in the construction, maintenance and repairs of municipal drains under the Act. The costs to employ the Drainage Superintendent are partially paid through an annual grant from OMAFRA.
- The [Tile Drainage Act](#) provides loans to farmers to construct tile drainage systems on their farms. Loans are limited to 75% of the cost of the work to be done, to a maximum of \$50,000 per farmer, per year. Repayment is through ten (10) annual installments, often collected concurrently with the property taxes. The funds for tile loans are provided by OMAFRA but are distributed to farmers by their local municipality. To be eligible for a tile drainage loan, the farmer must employ an OMAFRA-licensed contractor to do the requisite work.

Why does it matter to farmers?

- The ability to safely and efficiently remove excess water from one's fields enables the farmer to achieve higher crop yields while also reducing rutting and soil compaction.

How can you help?

- Understand your role and responsibilities under both the *Drainage Act* and *Tile Drainage Act* related to agricultural land drainage.
- Non-farm developments adjacent to farmland (e.g., residential, industrial, commercial, recreational or institutional) often entail sizable site grading, which can change natural drainage patterns. Drainage problems can be created at the newly created site, adjacent farms, or both. Ensure that changes in land use require an engineered drainage plan to ensure that adjacent properties are not negatively impacted by drainage.

Resources

- [OMAFRA's webpage on Drainage](#)
- [OFA's webpage on Water and Drainage](#)

Water

What's the issue for municipalities?

- Municipal Council must ensure that municipal drinking water is safe, that proper testing is performed at regular intervals, and that regularly scheduled maintenance is performed on structural components. Additional roles of municipalities under the [Clean Water Act \(CWA\)](#) include the implementation of a Source Protection Plan (SPP) for every source of municipal drinking water, be it surface water or groundwater.
- The CWA aims to protect the sources of water that are drawn into a municipal water system for distribution to those who are serviced by the municipal water system.
- Once an SPP is approved, it is the role of the municipality to implement the plan in its Wellhead Protection Areas (groundwater systems) and Intake Protection Zones (surface water systems). To assist in this endeavour, municipalities will be expected to employ and direct Risk Management Officials and Risk Management Inspectors to work with farmers and other landowners on the development and implementation of Risk Management Plans that are tailored to the properties that they own and manage.

Why does it matter to farmers?

- Increased scrutiny is being placed on any activities which may impact water quality, including agricultural practices. Given that farms are often located in well-head recharge areas and along rivers and lakes which provide the source of a municipality's drinking water, agriculture will be faced with restrictions on farming practices. Farmers are rural residents who require potable water for their families and their operations, however they will also need to provide safeguards for the public's benefit.
- One major concern for the OFA is the cost of compliance for those farmers who are required to change their management practices as a result of the SPPs.
- Another concern is that Risk Management Officials and Inspectors will not be knowledgeable about agricultural practices. OFA encourages all areas of the province to use the [Farm Source Water Protection Framework](#) developing Risk Management Plans on farms that have been identified with practices deemed to be significant threats.

How can you help?

- Provide funding for farmers required to incur capital costs, and/or management costs, and/or ongoing maintenance costs to protect a municipal drinking water supply.
- Encourage Risk Management Officials/Inspectors to use the Farm Source Water Protection Framework when developing Risk Management Plans on farm operations.

Resources

- [OFA's webpage on Water and Drainage](#)
- [OMAFRA's webpage on Water](#)
- [Farm Source Water Protection Framework](#)

Municipal Climate Change Action/Adaptation Plans

What is the issue for municipalities?

- The climate is changing in Canada and around the world. This is evidenced by rising global temperatures, more frequent extreme weather events, and unpredictable changes to precipitation cycles.
- Recognizing the vulnerability to livelihoods and assets, municipalities are engaging their administration and community stakeholders to address local climate change issues by developing Climate Change Action and/or Adaptation Plans. Some plans are general to the whole community, and other are specific to agricultural adaptation and resiliency.

Why does it matter to farmers?

- Agricultural production has always required farmers to continuously adapt to seasonal variability and changing growing conditions. In some areas of Ontario, climate change is resulting in seasonal variability that falls outside of established norms, causing disruptions to farm production.
- Most farmers operate at the forefront of climate change and may be the first members of the community to suffer from potential impacts.
- As managers of the carbon and nitrogen cycles, farmers can play a key role in local climate resiliency through the implementation of best/beneficial management practices (BMPs).

How can you help?

- Most farmers in Ontario operate in a highly competitive, global marketplace where margins are low, risks are high, and there is little to no opportunity for producers to affect the price that they receive for their products. Adapting farm operations to the potential impacts of climate change may take significant financial and time commitments.
- Ensure that all administration and stakeholders are aware of the capacity of farmers to make significant changes to their operations by making informed and realistic recommendations.
- Involve farmers meaningfully in discussions by consulting with the local agricultural advisory board. If an advisory board does not exist, consider forming a farmer-led agriculture sector taskforce to propose adaptation strategies.
- Understand that the impacts of climate change will be felt differently across agricultural sectors and ensure that program options are flexible and reflective of that diversity.
- Schedule engagement efforts to recognize the seasonal nature of agricultural production and the availability of farmers to participate during the year.

Resources

- [OFA's webpage on Climate Change](#)

Energy and Waste **Electricity**

What is the issue for municipalities?

- All utilities in Ontario are regulated by the Ontario Energy Board. The role of the municipal councils differs for those areas served by a Local Distribution Company, such as Hydro One, and a Municipal Utility Company.

1) In places served through a municipal utility

The municipality owns the electricity distribution system. They are responsible for ensuring electricity service, including quality of service, such as issues with uncontrolled ground current. The municipality is responsible to ensure that landowners are fairly treated in easement and right-of-way contracts.

2) In municipalities served by either a private company or a Local Distribution Company (LDC)

The role of the municipal council is limited where the municipality does not have ownership of the utility. Council may be called upon to work politically to ensure their constituents receive quality service and the municipality may intervene in utility rate hearings to encourage better rates and/or service.

Why does it matter to farmers?

- Electricity is a crucial service for farm and business development.

How can you help?

- Identify how you will address concerns about unacceptable level of service, maintenance, or repair, and how you will ensure rural delivery charges remain aligned with lower urban delivery charges.
- Consider how you will ensure that your residents have adequate energy capacity, efficiency measures and demand management assistance.

Resources

- [OFA's webpage on Understanding Service Types for Hydro One Customers](#)
- [OFA's webpage on Uncontrolled Electricity](#)
- [OFA's webpage on Land Easements and Acquisitions Under Infrastructure Projects](#)

Natural Gas and Renewable Natural Gas

What is the issue for municipalities?

- Natural gas distribution, where it is available, is provided almost entirely by private firms (e.g., Union Gas or Enbridge). However, these private firms hold a municipal franchise provided to them by the local government to provide service in the area.
- In many rural areas, no natural gas distribution service is provided. As a result, rural residents pay more for energy than their urban counterparts. Historically, to heat a three- bedroom home with natural gas costs \$1,500 per year compared to electric heat costs of \$4,600 and propane heat costs of almost \$4,100.
- Municipalities without natural gas service are less attractive for business development and are a missed opportunity for rural prosperity.

Why does it matter to farmers?

- Energy is one of the largest inputs on farms, and a significant cost to rural residents and local business owners. If natural gas was available across the province, it could save Ontario farmers, business owners and rural residents over \$1 billion in annual energy costs.
- New rural gas pipeline infrastructure will also enable rural agricultural communities to produce clean biogas and renewable natural gas for pipeline delivery.

How can you help?

- Undertake a project to bring gas service to, or expand, natural gas service into the rural community.
- Consider a municipal agricultural project to produce renewable natural gas.
- Support local improvement by-laws for natural gas service.

Resources

- [OFA's webpage on Natural Gas Infrastructure](#)
- [OFA's webpage on Energy Costs and Availability](#)
- [OFA's website Grow Rural Ontario](#)

Community Energy and Emissions Planning

What is the issue for municipalities?

- Through the Municipal Energy Plan Program, municipalities can get funding to develop a plan that will help your community:
 - improve energy efficiency;
 - reduce energy consumption and greenhouse gas emissions;
 - study the impact of future growth on energy needs; and
 - foster renewable energy production and economic development.
- Previous attempts to build rural power generation incentivized large, industrial-scaled facilities attached to high-voltage transmission grids. These large renewable procurements were sited based on available high-voltage capacity, with no input from local municipalities.

Why does it matter to farmers?

- OFA believes Rural Community Energy Projects will put power generation where it is needed and will consider energy policy in alignment with Climate Change, rural economic development, waste management and agricultural objectives. There are many opportunities in Ontario where incentivized local and small-scale energy solutions will help rural Ontario grow.
- Rural Ontario needs access to local energy systems where communities have a say in facility location, design, construction, ownership and management. Developing community energy systems fosters rural economic development and helps communities reduce carbon emissions while creating jobs and delivering reliable local power.

How can you help?

- Take part in regional energy planning and engage your local farm community.
- Eliminate the barriers between electricity, natural gas and other sources of energy and move towards more integrated and longer-term planning.

Resources

- [OFA's webpage on Rural Community Energy Plans](#)
- [Ontario's Municipal Energy Plan Program](#)
- [Independent Electricity System Operator \(IESO\) webpage on Regional Planning](#)
- [Association of Municipalities of Ontario \(AMO\) webpage on Advocacy](#)

Alternative Energy Opportunities on Farms

What is the issue for municipalities?

- Alternative energy use promotes conservation and local generation while decreasing transmission costs and greenhouse gas emissions and can provide new revenue sources for municipalities. Alternative energy opportunities on farms include; biogas (fuel from farm waste residues), wind power, solar heat, solar electric, and co-generation or combined heat and power.
- Affordable and sustainable energy is critical to the prosperity of our communities. Energy from farms can help power farms and Ontario while improving our environment. It is mutually beneficial for farmers, the private sector and government.
- Rural renewable power should be viewed as a critical contributor to rural economic development and a new foundation for Ontario's farms.

Why does it matter to farmers?

- Energy opportunities can add several million dollars in annual farm income in the short term, and between \$1 and \$2 billion annually in the long term, with over \$200 million added each year to the farm 'take home' income. This would do a great deal for the stability of Ontario farms.
- OFA believes solar power on roof tops and close to areas of use is an excellent innovation. However, industrial-scale solar and wind facilities on farmland is a detrimental use of farmland and should be discouraged.

How can you help?

- Support local generation projects to meet local needs; reducing transmission of power over long distances, creating local jobs, and contributing to a stable energy system.

Resources

- [OFA's webpage on Alternative Energy Opportunities on Farms](#)
- [Association of Municipalities of Ontario \(AMO\) webpage on Advocacy](#)

Waste Resource Management

What is the issue for municipalities?

- Ontario generates 11.6 million tonnes of waste per year. The Ministry of Environment, Conservation and Parks (MECP) Discussion Paper on Reducing Litter and Waste in Our Communities builds on the actions outlined in the Made-in-Ontario Environment Plan to reduce and divert food and organic waste by developing guidance to help municipalities, businesses and institutions meet targets.
- Right now, municipalities are responsible for operating and maintaining recycling and waste management services used by the public, and for planning to meet future needs. Municipalities with greater than 5,000 people must operate recycling programs that meet provincial standards and are also required to implement composting programs. Smaller communities struggle to participate in recycling and collection of leaf and yard waste, as mandated for larger municipalities.
- Municipal governments play a pivotal role in ensuring residential waste is properly managed for the health of our communities and our environment. As Ontario transitions away from municipal tax dollar funded waste management to Producer Pay platforms, starting in 2023, municipal governments will be actively involved to ensure the transition serves local constituents in a consistent and transparent manner.

Why does it matter to farmers?

- Over the next 15 years, Ontario's existing landfill capacity will be largely exhausted. Rural Ontario needs an integrated waste management system that incorporates strong diversion, reuse, and recycling components. Agricultural product packaging and organic waste needs an integrated approach using best management practices and guidelines throughout the supply chain instead of imposed prescriptive regulations.
- When available, Ontario farmers participate in recycling programs that involve the recycling of pesticide and fertilizer containers, feed, seed and pesticide bags, plastic bale wrap and many other items used on the farm.
- It is important that regulations expand recycling programs for pesticide and fertilizer containers, feed, seed and pesticide bags, plastic bale wrap and many other items used on the farm. OFA believes legislation should also ensure farmers do not bear any unfair responsibility in eliminating waste.

How can you help?

- Expand recycling programs to include items used on the farm. Expanding resource recovery opportunities should be a municipal priority, as waste streams cannot occur if infrastructure or opportunities for diversion do not exist.
- Enable local composting opportunities.
- Enable by-laws to allow local landfills to transition to waste management processing facilities and in smaller communities, to transition to waste transfer stations.

Resources

- [OFA's webpage for Waste Resource Management](#)
- [MECP's Waste Management page](#)

Food and Organic Waste

What's the issue for municipalities?

- Every year Ontarians divert 1.4 million tonnes of food and organic waste from landfill streams, and yet 2.2 million tonnes are sent for disposal. Residential and Industrial, Commercial, and Institutional (IC&I) sectors represent 86% of food and organic waste generated; 10% from agriculture; and 4% during distribution.
- Municipalities that process food and organic waste need to support technology and innovation to recover compostable products and packaging. Special considerations are needed for rural, northern, and remote communities. Community size and geographic distribution present unique issues under existing organic waste resource recovery legislation. Municipalities need to pursue regional recovery capacity approaches including economy of scale waste processing.
- Municipalities need to plan for the management and beneficial use of biosolids, enhanced biosolids processing technologies and co-management practices that support volume minimization and nutrient recovery.

Why does it matter to farmers?

- Agriculture is a key part of the food and organic waste circuit. Aside from manure that is reinvested into soils as fertilizer, farms do not produce a significant amount of waste, but agriculture must be part of food and organic waste discussions to address unique considerations and solutions for urban and rural Ontario.
- Agriculture is integral to the final stages of the food and organic waste resource circuit and an important partner in the distribution of composts and other food waste.
- The Ontario [Community Food Program Donation Tax Credit for Farmers](#), in addition to the charitable donation tax credit, assists eligible farmers in donating agricultural products to eligible community food programs in Ontario (e.g., food banks).

How can you help?

- Develop regional solutions through partnerships among municipalities, industry and communities. Community-based solutions such as organic waste processing infrastructure, small-scale composting, small-scale biogas and biomass energy generation facilities for rural, northern and remote areas will reduce food waste.
- Food waste that cannot be diverted for food consumption and animal feed should be diverted to composting, aerobic or anaerobic digestion. Partner with the agricultural community to strategically site regional anaerobic digesters with the dual purpose of final stage organic waste consumption, and production of low or net-zero energy.

Resources

- [OFA's webpage on Food Waste](#)
- [MECP's Discussion Paper on Reducing Litter and Waste in Our Communities](#)
- [OFA's submission regarding MECP's discussion paper: Reducing Litter and Waste](#)

Infrastructure and Social Services

Roads, Bridges and Traffic Circles

What is the issue for municipalities?

- Over time, farm equipment has grown larger. As farms have grown in size, the need to move equipment on the roads, from farm-to-farm, has also grown.
- In some areas, road maintenance and repairs have resulted in the travelled portion of the road being raised and the shoulders reduced in width. There also may be a significant drop off at the edge of the pavement. Safety barriers on approaches to bridges can effectively reduce road width too.
- Traffic circles need to be designed to safely accommodate large farm equipment, particularly in rural areas where farm equipment regularly use the roads.

Why does it matter to farmers?

- Improperly designed infrastructure can be a significant problem for farmers. Farm vehicles and equipment are often wider, taller, and longer than any other vehicle travelling on the road. Farmers depend on well-planned, safe, and accessible roadways to conduct business.
- Roads, bridges, and traffic circles that are too narrow to permit farm equipment to pass through force the farmer to make lengthy and costly detours.
- In the worst-case scenario, the municipality has to redesign and rebuild the road, bridge or traffic circle to enable farm equipment to pass through.

How can you help?

- Consult with farmers and the local Federation of Agriculture. Farm vehicles should be considered at every point of infrastructure planning.
- Incorporate modifications to curbs and the radius of the traffic circle to allow the movement of farm equipment through traffic circles.

Resources

- [OFA's Farm Implements on the Road Fact Sheet](#)
- [OFA's Viewpoint: OFA addressing four roadway issues with MTO](#)

Cost Of Community Services Studies

What's the issue for municipalities?

- Cost of Community Services (COCS) studies break a municipality's land base into several distinct categories and allocate all municipal revenues and expenditures to these land use categories.
- COCS studies are “snap shots in time” of each land use's fiscal impact on a municipality in a particular year.
- COCS studies can help municipalities in developing local fiscal and land use policies.
- COCS studies also identify policy items that can help strengthen the fiscal health of rural municipalities, which is a key pillar of OFA's Producing Prosperity campaign.

Why does it matter to farmers?

- COCS studies were initially developed by the American Farmland Trust to make the fiscal case for why municipalities should champion the preservation of farmland and embrace smart development.
- COCS studies have consistently found that farmland brings in more revenue to a municipality than it demands in services.
- In addition to the economic and environmental benefits of farmland, COCS show that developing farmland will not necessarily be a positive for municipal budgets.

How can you help?

- Municipal council can pass a motion to host a COCS study locally and for municipal staff to work with OFA for data collection and interpretation required to conduct a COCS study.
- For more information, please contact OFA's Senior Policy Analyst Ben Le Fort at ben.lefort@ofa.on.ca

Resources

- [OFA's Viewpoint: OFA case studies illustrate economic and environmental benefits of farmland](#)
- [American Farmland Trust's Cost of Community Services Studies information page](#)

Abandoned or Former Railway Rights-of-Way

What is the issue for municipalities?

- When a railway company discontinues use of one of its lines, it is first offered for sale or lease to another railway company for continued operation. If no interested parties come forward, the right-of-way is simultaneously offered to the three levels of government (federal, provincial, municipal) at its salvage value. If there is no government interest, the railway company is free to dispose of the property by offering it first to the abutting landowners, and finally to any interested buyer.

Why does it matter to farmers?

- Some abandoned or former railway rights-of-way were acquired by the provincial government or individual municipalities, either for some future use as a utility or transportation corridor, or for recreational trail purposes.
- In the event that one of the three levels of government does acquire the right-of-way for some future use, it is OFA's position that the adjacent landowners should be given the first right to lease the land on an interim basis. Unfortunately, this rarely occurs. More often, it is trail groups, sometimes with the cooperation of the local municipality, who obtain the property. This can pose a major challenge for adjacent farmers as matters previously taken care of by the railway (fencing, farm crossings, weed control, drainage and policing) must now be addressed.
- The key issue for farmers whose property is either adjacent to, or bisected by, a former railway right-of-way is fencing. When the right-of-way was an active railway, 100% of the costs associated with fence construction or maintenance were borne by the railway. Under Ontario's [Line Fences Act](#), whoever acquires former railway rights-of-way takes on responsibility for 100% of the costs associated with fence construction or maintenance where the abutting land is "agricultural." Unfortunately, a number of municipalities who have acquired former railway rights-of-way fail to fulfil their statutory fencing obligations. In addition to fencing, farmers with a former railway right-of-way through or adjacent to their farm also face problems with trespass, vandalism, farm crossing conflicts, drain maintenance, farm practices, predator control, weed control, or dogs running at large.

How can you help?

- Maintain farm crossings that enable the farmer to access land on the opposite side of the right-of-way land that would otherwise be landlocked.
- Ensure that the full responsibility for the construction, maintenance and repairs of the fences along former railway rights-of-way are fulfilled by the municipality upon acquiring former railway rights-of-way.

Resources

- [OFA's webpage on Abandoned Railway Rights-of-Way](#)
- [OFA's webpage on Line Fences and the Law in Ontario](#)
- [OFA's Rails-to-Trails Concerns of Adjacent Property Owners](#)
- [Ontario's Line Fences Act](#)

Land Ambulance and Farm 911 Signs

What is the issue for municipalities?

- All upper-tier municipalities and designated delivery agents are responsible for the delivery and costs of land ambulance services in their area. The Ministry of Health and Long-Term Care will ensure that minimum standards are maintained and will continue to license and certify the services and staff for land ambulance services.
- Centralized ambulance dispatch means that ambulances will likely travel outside of the municipality that they are from. Agreements will have to be made between municipalities to determine how to pay for this cross-over of boundaries.
- Not all rural property entrances have signage. Each municipality has their own process and fee associated with obtaining a civic address. It is the discretion of each individual municipality which entrances meet code requirements and will therefore be permitted to have a civic address attached to it. We promote that all farm field entrances be maintained so that should there be an incident, emergency vehicles are able to use the entrance. Furthermore, signs should be visible from all directions, so that first responders are able to clearly identify the number.

Why does it matter to farmers?

- All Ontario residents require, and should be provided with, access to adequate emergency services, regardless of where they live and who provides their service. This includes the agricultural community and rural residents.
- Farm accidents can occur in the most remote locations, making it difficult for first responders to easily locate the situation. Unfortunately, not all rural property entrances have signage. In the event of an emergency, no one should have to wait helplessly for first responders to find them. Time is everything, and a civic address at the entrance to a vacant farm field could make all the difference.

How can you help?

- Ensure that rural areas have adequate emergency services.
- Offer Farm 911 signs as a service to your community and encourage rural landowners to use the service. Contact Farm 911 (The Emily Project) for more information.
- Develop resources to inform property owners how to contact emergency services efficiently.

Resources

- [Farm 911 \(The Emily Project\)](#)
- [Association of Municipalities of Ontario \(AMO\) webpage on the Ambulance Act](#)
- [AFIO Directory: Examples of Municipal Farm 911 Sign Request Forms](#)

Broadband Internet

What's the issue for municipalities?

- Reliable internet access is the norm in urban Ontario but continues to be a problem in many rural areas of the province, often only a few kilometres from major cities. Access to high-speed internet in rural and remote areas is an ongoing challenge.
- The Canadian Radio-television and Telecommunications Commission (CRTC) has ruled that broadband internet is considered a basic telecommunications service for all Canadians. The CRTC set targets for internet service providers to offer customers in all parts of the country download speeds of at least 50 megabits per second (Mbps) and upload speeds of at least 10 Mbps, and to also offer the option of unlimited data.

Why does it matter to farmers?

- Reliable, high-speed broadband internet service is as vital to modern farm businesses as electricity and telephone service. Farmers rely on the internet for information to make timely business decisions, operate sophisticated precision agricultural technologies, facilitate marketing of farm products, access continuing education and farm management information, and participate in the global digital economy.
- Two out of three Ontario farmers surveyed have unreliable internet connection, according to a 2020 survey of more than 1,200 OFA members. Farmers overwhelmingly reported that a reliable internet connection is more important than ever to the functioning of their businesses and this connectivity demand is outpacing supply. More than 50% of respondents believed better internet access would boost their bottom line by opening opportunities for domestic and international markets, and keeping pace with new innovations, technology and overall competitiveness. Similarly, over 50% reported they have delayed or declined to invest in new farm technologies that could help their business as a result of the poor internet connections.
- OFA believes that rather than setting speed targets, Internet Service Providers (ISPs) must adopt a Minimum Customer Service Standard that will ensure that farmers and rural residents can receive the level of reliable internet service they need, at a price competitive with their urban counterparts.

How can you help?

- Initiate projects to expand broadband internet into rural areas to meet the current and future needs of rural residents. Find ways to accelerate the municipal approvals processes for broadband internet infrastructure projects in rural areas.
- Conduct research into where there are underserved areas in your community.
- Support regional initiatives such as the [South Western Integrated Fibre Technology \(SWIFT\) Network](#) and [Eastern Ontario Regional Network \(EORN\)](#).

Resources

- [OFA's webpage on Broadband Internet](#)
- [CRTC's webpage on Closing the Digital Divide](#)

Rural Child Care

What is the issue for municipalities?

- Municipal involvement in child care is mandatory. Municipalities are responsible for providing partial funding to child care programs and managing the delivery of child care programs/services. They are required to develop local child care plans, enter into service agreements with child care providers, and manage the fee subsidy program. These programs operate within a framework of provincial legislation, regulations, standards, and policies.

Why does it matter to farmers?

- There is a need for flexible, accessible, affordable, and high-quality child care in rural areas, particularly for families working in agriculture. The demand for child care is increasing among farm families, as both parents are required to devote more of their energy to full-time work on the farm or working off the farm to supplement family income.
- Typical child care services fail to address the unique character of rural areas, including:
 - seasonal fluctuations in the demand for child care;
 - a scattered population with relatively few users for any one type of service; o limited public transportation and travelling long distances; and
 - the need for child care at the home of the child in cases where both parents work full- or part-time on farm operations.

How can you help?

- There is no one model of service delivery that will fit the needs of every rural community. Instead, what is required are community-based programs that offer a range of services to meet the fluctuating needs of rural families, and which are coordinated with other children and family programs (e.g., recreation, school-based).
- Services could include: drop-in centres, kid camps, on-farm day-care, licensed private home day care, extended hour day-care centres, toy libraries, child care registries, mobile resource centres, and support for informal care-givers.
- Ensure municipal, provincial, and federal programs are coordinated at the local level to address farm and rural family needs.

Resources

- [OFA's webpage on Child Care](#)

Rural Schools and School Trustees

What is the issue for municipalities?

- Ontario is facing an alarming trend of rural school closures. Schools provide so much more than a place for learning – they are home to community social events, local sports, and service and community groups.
- Every four years, voters across Ontario decide who will represent their interests and lead their communities by electing school trustees to Ontario's school boards. Municipalities are responsible for conducting the election.
- The role of school trustees is to make local policy consistent with both provincial policy and local realities and administer the funding received from the province for their schools. School trustees are responsible for determining the number, size and location of schools; building, equipping and furnishing schools; and providing education programs that meet the needs of the school community.
- Many of Ontario's school board districts cover a number of municipalities, resulting in boards with low-population areas, such as rural areas, within their jurisdiction.
- While School boards may save money, the costs to rural citizens is irreversible; not to mention the potential impact on the education of our children.

Why does it matter to farmers?

- To keep farm families on the farm and maintain their substantial contributions to the economy, farmers require access to a variety of affordable services and infrastructure; including schools.
- Schools play a multi-purpose role in many rural communities. Not only are they the place where children spend a large portion of their days being educated, but they provide children's playgrounds, adult learning centres, child care centres, community centres, recreational facilities, and meeting halls. Without such facilities available, it becomes difficult to maintain a viable population and economic base in rural areas.

How can you help?

- Support a moratorium on rural school closures until the challenges can be addressed.
- Engage with community organizations that are advocating to keep rural schools open.
- Become a champion for rural schools and support limiting the bus commute for rural students.

Resources

- [OFA's webpage on Education](#)
- [OFA commentary Schools, communities and businesses as co-dependents](#)
- [Ontario's webpage for Trustee Elections](#)

OFA Resources

Issues Database

OFA produces fact sheets, submissions for government consultations, commentaries and other publications for issues affecting Ontario farmers. Visit ofa.on.ca/issues for additional materials to support the agricultural sector in your community.

Resources Database

OFA has an extensive resource library for municipalities to access issues-based fact sheets, submissions and correspondence, policy positions, webinars, resolutions, archives, and additional information. Visit ofa.on.ca/resources to begin searching for information to learn more about OFA's stance and perspective on a particular issue.

Growing Agriculture in Your Community

OFA has developed several resources for municipalities to support their agri-food community. Visit ofa.on.ca/GrowAg to view and download these resources.

Agri-Food Initiatives Ontario Directory

The Agri-Food Initiatives Ontario (AFIO) Directory is an online, public resource of initiatives, tools and projects to highlight best practices and improve information sharing across the province. The AFIO Directory helps inspire communities in the early stages and showcases hundreds of successful projects already underway. Visit ofa.on.ca/GrowAg to view and download resources from the Directory.

Guide and Checklist to Support Agricultural Growth in Your Municipality

OFA has developed an easy-to-use checklist for municipal staff, politicians and community leaders aspiring to foster a more agriculture-friendly community. Visit ofa.on.ca/GrowAg to view and download resources.

Agriculture Economic Development and Planning Community of Practice

Interested in engaging with your peers across the province to discuss agri-food issues? The *Agriculture Economic Development and Planning Community of Practice* is a collaboration between the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) and OFA to encourage information sharing of timely issues facing the Ontario agri-food sector. The free, online webinars provide a forum for engagement, discussion and learning. To sign up for the email list, visit ofa.on.ca/CommunityofPractice.

Conclusion

We all have a role to play in the continued prosperity of Ontario's agriculture and food sector. For nearly 50,000 farmers across our province, agriculture is their livelihood, their home, and their community. Ensuring we can continue to feed the province with healthy, high-quality food means ensuring our farmers are supported.

For additional resources, or an electronic version of this Guide, please visit OFA's webpage *Growing Agriculture in Your Community*: ofa.on.ca/GrowAg.

Thank you for your leadership and commitment to our community.