

## AGM Resolutions

---

Both the Ontario Not-for-Profit Corporations Act (ONCA) and the Ontario Corporations Act (“OCA”) identify resolutions affecting membership rights as requiring a 2/3 majority.

### **OCA**

**130 (1)** *The directors of a corporation may pass by-laws providing for,*  
(a) *the division of its members into groups that are composed of territorial groups, common interest groups or both territorial and common interest groups;*  
(2) *No by-law passed under subsection (1) is effective until it has been confirmed by **at least two-thirds of the votes cast** at a general meeting of the members duly called for considering the by-law.*

### **ONCA**

**103 (1)** *A **special resolution** of the members is required to make any amendment to the articles of a corporation to,*

(f) *divide any class or group of members into two or more classes or groups and fix the rights and conditions of each class or group;*

Although s.130 of the OCA refers to member approval of a by-law passed **by the directors**, and s.103 of the ONCA refers to an amendment to the **Articles**, neither of which directly applies to the case at hand, the legislative intent is clear that any resolution affecting fundamental membership rights must be approved by a 2/3 majority.

**The first two resolutions that that membership will consider require 2/3 majority of votes cast by delegates to be considered Carried.**

### **1. Leeds Membership Residency \*Requires 2/3 majority to be Carried.**

**WHEREAS** the nature of land ownership and agriculture has evolved from the early days of family farming, it may be the case that principal residence and farm property are not the same anymore; and

**WHEREAS** OFA takes the members money and does not tell them that they are not eligible to run for PAC or a delegate to OFA’s AGM in the county they chose; and

**WHEREAS** farmers should have the option of choosing the county where they would like to have their membership in, provided they farm in the county; and

**WHEREAS** this same type of resolution passed by the delegates at the 2021 OFA AGM. Yet the board decided not to follow the wishes of the delegates,

**THEREFORE BE IT RESOLVED THAT** the Ontario Federation of Agriculture’s By-Law subsection 5.1 (Membership Eligibility) be amended to add “Members, if they so choose, have the right at any time to designate their Region as long as they farm or carry-on business in that Region, or the closest Region thereto. A Member’s chosen designated Region shall be considered the Region in which they reside for all OFA membership rights, privileges and obligations”, and

**FURTHER BE IT RESOLVED THAT** this resolution passing would be binding on the OFA board.

Note: [See Appendix 1 for background information.](#)

**2. Leeds  
AGM Resolution Accountability \*Requires 2/3 majority to be Carried**

**WHEREAS** OFA convention delegates are elected at regional meetings to attend the OFA's annual general meeting, and

**WHEREAS** OFA convention delegates debate and consider each resolution presented at OFA's annual general meetings and bring forward the views and perspectives of the OFA's grassroots membership before exercising their voting rights, and

**WHEREAS** the OFA Board have established a resolution policy that makes AGM approved resolutions non-binding on the Board and thereby allowing the Board to decide on all AGM resolutions as they so choose regardless of whether they pose any liability or not to OFA or its directors,

**THEREFORE BE IT RESOLVED THAT** the Ontario Federation of Agriculture's By-Law section 9 (Annual General Meetings) be amended to add "Notwithstanding the Board's resolution policy, a resolution approved by voting Members at an Annual General meeting shall be binding on the Board, unless the Board determines the resolution exposes the corporation to undue financial burden, reputational damage, and/or legal liability", and

**FURTHER BE IT RESOLVED THAT** the Board revise their resolution policy to include the obligation for the Board to advise OFA convention delegates of any approved Annual General meeting resolution that the Board has chosen not to adopt along with the rationale for the Board's decision, within two months after the Annual General meeting at which the resolution was approved by delegates.

Note: [See Appendix 2 for background information.](#)

**3. Algoma Federation Resolution  
Wild Turkey Hunting**

**WHEREAS** wild turkeys were locally extinct in Ontario and reintroduced in 1984; and

**WHEREAS** wild turkey populations are now large enough to sustain spring hunting seasons in 90 wildlife management units & sub-units and fall hunting seasons in 54 of those WMU's; and

**WHEREAS** the Ministry of Natural Resources & Forestry added an additional seven new fall turkey seasons in 2022; and

**WHEREAS** wild turkeys are causing significant crop damage and crop loss; and

**WHEREAS** the Wild Turkey Management Plan for Ontario doesn't provide the necessary framework to establish new spring seasons and established criteria for fall seasons may not be suitable,

**THEREFORE BE IT RESOLVED THAT** the Ontario Federation of Agriculture work with the Ontario Federation of Anglers and Hunters and the Ministry of Natural Resources and Forestry to ensure that wild turkey sightings are adequately measured and that existing hunting metrics (limits) be reviewed, and

**FURTHER BE IT RESOLVED THAT** the OFA lobby the appropriate government agencies to further open fall hunting seasons for wild turkey in wildlife management units that currently only have a spring hunt and increase the tag limits for wild turkey hunting.

Note: [See Appendix 3 for background information.](#)

#### **4. Algoma Health Care Workers**

**WHEREAS** the burdens on Ontario's health care system have been exacerbated recently, and health care workers across the province are leaving the profession due to high levels of stress, pressure, and workload; and

**WHEREAS** Ontario could see unprecedented health care staff shortages of more than 50,000 workers over the next few years; and

**WHEREAS** access to health care is an important pillar of rural economic development; and

**WHEREAS** OFA advocates for strong and vibrant communities with the infrastructure to support growth,

**THEREFORE BE IT RESOLVED THAT** the Ontario Federation of Agriculture lobby the Ontario government to act more quickly and decisively in filling staffing gaps within the provincial health care system, and

**FURTHER BE IT RESOLVED THAT** the OFA work with other provincial health care stakeholders in supporting legislation, tools, and activities to improve access to health care

#### **5. Algoma/Cochrane/Manitoulin/North-Shore/Temiskaming/West Nipissing/Sudbury East Spot Loss Compensation Resolution**

**WHEREAS** the Ontario Federation of Agriculture found that the total economic damage incurred by Ontario crop producers because of wildlife damage was over \$265 million in 2018, up significantly from 2009; and

**WHEREAS** farmers in Ontario continue to deal with wildlife, such as sandhill cranes, that lack effective mitigation tools and farmers across the province continue to absorb the value of spot loss due to wildlife; and

**WHEREAS** provinces such as Manitoba & Saskatchewan offer wildlife damage to crop compensation for migratory waterfowl and big game,

**THEREFORE BE IT RESOLVED THAT** the Ontario Federation of Agriculture work with the Ontario Soil & Crop Improvement Association and other stakeholders to fully quantify crop losses

and investigate the viability and potential for a spot loss compensation program for wildlife damage to crops, and

**FURTHER BE IT RESOLVED THAT** the OFA strongly advocate and pressure the provincial government for a spot loss compensation program for wildlife damage to crops.

**6. Arnprior  
Hybrid Meeting Model**

**WHEREAS** travel remains a significant barrier to the engagement of OFA members from across the province. The province of Ontario extends to over 1.076 M kilometres. Cost of travel, accommodations and most significantly the time it takes away from other important farm duties leaves most OFA members not in a position to engage with the OFA directly. If the OFA is to remain relevant and for its membership to be engaged, the OFA needs to consider adopting a hybrid meeting model for all meetings going forward. In this model, meetings like the AGM, Committee and other related OFA meetings are made accessible to OFA members from across the province. Hybrid in this case refers to in person and remote access to the identified meeting. Hybrid and face to face video communications have become front and centre during the pandemic. It has accelerated the adoption of these technologies across all sectors of business. This resolution is to propose the OFA embrace this everchanging technology landscape in effort to improve engagement and connectivity to its members across this vast province,

**THEREFORE BE IT RESOLVED THAT** the Ontario Federation of Agriculture as of March 1, 2023 offers a hybrid meeting model for all of its key meetings. AGM, PAC and other committee meetings. Included in this change would be the ability to Vote if the meeting presented such opportunity, and

**FURTHER BE IT RESOLVED THAT** over the next 3 months, the OFA will review its physical facilities and make any appropriate technology changes to support the effective delivery of meetings in a hybrid model.

**7. Cochrane  
Release of Crown Land**

**WHEREAS** the loss of farmland within the province amounts to 319 acres per day, impacting food security and food prosperity; and

**WHEREAS** some of those losses could be offset using land across Northern Ontario; and

**WHEREAS** more than 95% of Northern Ontario is crown land which includes land that reverted back to the crown after being settled, farmed and patented; and

**WHEREAS** the Ministry of Natural Resources is legally obligated to consult with First Nations, other stakeholders and the farmers who have been unable to access crown land,

**THEREFORE BE IT RESOLVED THAT** the Ontario Federation of Agriculture advocate for and work with the government and other stakeholders to develop agricultural policies and processes for the timely release of crown land for agricultural purposes, in a sustainable manner that is accessible to individual farmers.

**8. Elgin  
Inclusion of Farm Employees in the Farmer Wellness Initiative Program Services**

**WHEREAS** Ontario now provides a mental health phone line connecting mental health professionals with farmers known as the Farmers Wellness initiative; and

**WHEREAS** a farmer, the farmer's spouse, and the farmer's children above the age of 13 are all eligible for these free services; and

**WHEREAS** employees of farmers are not eligible to access the program services, yet may be impacted by similar stressors while working in the agricultural industry,

**THEREFORE BE IT RESOLVED THAT** the Ontario Federation of Agriculture lobby the Ontario government to extend the eligibility to include farm employees.

**9. Elgin  
Implement an Agricultural System Approach and Conduct Agricultural Impact Assessments for All Non-Agricultural Land Use Acquisitions in Ontario**

**WHEREAS** agricultural land is experiencing pressures of urban development through Minister's Zoning Orders (MZOs); and

**WHEREAS** all levels of government are directing more housing development; and

**WHEREAS** the Provincial Policy Statement ensures Agricultural Impact Assessments be included for all agricultural land in the Greenbelt; and

**WHEREAS** OFA has been engaging government and the broader community in the Home Grown campaign,

**THEREFORE BE IT RESOLVED THAT** the Ontario Federation of Agriculture lobby the provincial government to ensure that an Agricultural System Approach be implemented, and Agricultural Impact Assessments be conducted for all agricultural land acquisitions for the purpose of conversion to non-agricultural land use in Ontario.

[Note: See Appendix 5 for background information.](#)

**10. Elgin  
Recognizing the Historical Provision of Environmental Goods and Services by Ontario Farmers**

**WHEREAS** Ontario Farmers have been leaders in providing Environmental Goods and Services such as clean air, clean water, and balanced soils; and

**WHEREAS** Ontario Farmers have led in the adoption of Best Management Practices (BMPs) such as No-Till, Strip Till, Buffer Strips, and Grassed Waterways etc.; and

**WHEREAS** Ontario has been a leader in creating the Environmental Farm Plan and adoption of beneficial BMPs; and

**WHEREAS** all too often Government programs intentionally exclude early adopters,

**THEREFORE BE IT RESOLVED THAT** the Ontario Federation of Agriculture work with CFA to ensure that the newly announced \$250 million Environmental Goods and Services Program, beginning with Sustainable Canadian Agricultural Partnership (SCAP) in April 2023, provide payments to producers who already adopted many of these Best Management Practices and include producers who already adopted these best practices prior to the implementation date.

**11. Elgin  
PR campaign on the benefits of Fertilizer use**

**WHEREAS** the OFA has a very successful farmland preservation campaign known as Home Grown; and

**WHEREAS** the efforts of the Home Grown campaign were targeted towards elected officials, the media, and the general public; and

**WHEREAS** farmers' utilization of fertilizers has never been more difficult nor more expensive as it is now and going forward,

**THEREFORE BE IT RESOLVED THAT** the Ontario Federation of Agriculture consult with Grain Farmers of Ontario and other commodity associations to develop a new campaign extolling the need and benefits of fertilizers aimed at elected representatives, the media, and the general public.

**12. Glengarry  
Elimination of LCBO Markup and Wine Levy on the Direct Delivery of 100% Ontario Non-VQA wine to a licensee**

**WHEREAS** Non-Vintner Quality Alliance ("Non-VQA") wineries that sell 100% Ontario wine directly to a licensee (e.g., local restaurant) are subject to a Liquor Control Board of Ontario ("LCBO") Mark-up and Wine Levy that are not imposed on a VQA direct delivery sale to a licensee; and

**WHEREAS** this results in significantly increased charges and reduced revenue for non-VQA wineries and effectively bars the direct sale of 100% Ontario Non-VQA wine to local licensees; and

**WHEREAS** the resulting impact limits the development of local agri-tourism, diversification, and partnerships; and

**WHEREAS** the LCBO has the discretion to apply and remove the Mark-up and Wine Levy on the direct delivery of 100% Ontario Non-VQA wine to a licensee; and

**WHEREAS** the removal of the LCBO Mark-up and Wine Levy on the direct delivery of 100% Ontario Non-VQA wine to a licensee would not require legislative amendments,

**THEREFORE BE IT RESOLVED** that the Ontario Federation of Agriculture ("OFA") lobby the Ministry of Finance and LCBO to eliminate the LCBO Mark-up and Wine Levy imposed on the direct delivery of 100% Ontario Non-VQA wine to a licensee; and

**FURTHER BE IT RESOLVED THAT** OFA request that the Minister of Finance, Minister of Agriculture, Food and Rural Affairs, Minister of Economic Development, Job Creation and Trade, Minister of Red Tape Reduction, and Minister of Tourism, Culture and Sport support the elimination of the LCBO Mark-up and Wine Levy imposed on the direct delivery of 100% Ontario Non-VQA wine to a licensee.

Note: [See Appendix 4 for background information.](#)

**13. Grenville  
Increase Canadian Fertilizer Production**

**WHEREAS** Ontario farmers rely heavily on foreign fertilizer imports:

**WHEREAS** nitrogen fertilizer was at one time produced at the Invista Industrial Park in Maitland, Augusta Township, Ontario; and

**WHEREAS** producing fertilizer locally can provide good paying jobs for Ontarians, and reduce the dependency on fertilizer imports; and

**WHEREAS** the Invista Industrial Park is located nearby the Port of Johnstown with its transportation capabilities for bulk shipment, and Invista has access to both rail and road (highway 401),

**THEREFORE BE IT RESOLVED THAT** the Ontario Federation of Agriculture recommend to both the Ontario government and the Federal government that they enable the return of fertilizer production at the Industrial Park located in Augusta Township, Ontario.

**14. Grey  
Tree Planting on Prime Farmland**

**WHEREAS** Ontario is losing 319 acres of farmland every day; and

**WHEREAS** we want to protect farmland for future generations; and

**WHEREAS** prime farmland (classes 1, 2, 3 and 4) are being planted with trees and this land needs to be protected for production of food, fuel, fibre, and pasture lands; and

**WHEREAS** over time, provincial and municipal-level policies for protection of natural heritage systems and natural heritage features may be applied to planted forest; and

**WHEREAS** these natural heritage policies limit agricultural activities and building development and expansion of farm operations, thereby pushing farm building development into existing farm fields; and

**WHEREAS**, trees and forests can be planted on prime agricultural lands for production (e.g., tree farms, nurseries, maple syrup) and farm-related utility purposes (e.g., windbreaks and shelterbelts); and

**WHEREAS** municipalities may regulate tree conservation (i.e., planting, cutting, etc.) under the Municipal Act,

**THEREFORE BE IT RESOLVED** that the Ontario Federation of Agriculture develop a position to discourage tree planting on prime farmland (classes 1, 2, 3, and 4) for amenity purposes, and

**FURTHER BE IT RESOLVED THAT** OFA develop resources to support municipalities' design of municipal tree by-laws which protect agricultural land and enable long-term farming activities.

**15. Kawartha Lakes/Haliburton  
OFA Annual General Meeting**

**WHEREAS** the OFA holds their Annual General Meeting (AGM) in November and the county federations are required to hold their meeting and submit information prior to this meeting; and

**WHEREAS** OFA is meant to represent the farmers of Ontario; and

**WHEREAS** fall is one of the busiest times of year with harvest,

**THEREFORE BE IT RESOLVED THAT** the Ontario Federation of Agriculture Board of Directors move their AGM to the winter months with enough lead time to allow county federations to also hold their AGMs in the winter. A suggestion of February is made.

**16. Kawartha Lakes/Haliburton  
Surcharge on New Residences**

**WHEREAS** all three levels of our government system here in our great jurisdictions in Ontario "Federal, Provincial and Municipal" are proudly puffing out their chests and declaring they are going to build housing. This is well received by the majority of the citizens; and

**WHEREAS** all these homes require land to be built upon as farmers we see this as destruction of farmland. Be it individual houses placed randomly in a field or multi-unit complexes created when urban municipalities annex large blocks of farmland. We as farmers struggle to compensate for this by improving less productive lands which require infrastructure upgrades. Drains to improve drainage, roads to take produce further distances to market etc.

**THEREFORE BE IT RESOLVED THAT** the Ontario Federation of Agriculture lobby the Ontario government to enable a municipality to levy an additional \$1,000 charge on each new residence built to go towards funding the cost of new and/or upgrades to drainage systems and municipal road infrastructure needed to serve areas of less productive lands being brought into food production to replace existing productive farmland lost to urban development.

**17. Lambton  
Spray Drift**

**WHEREAS** agriculture is very diverse across Ontario and all farmers deserve to farm in their own way subject to Normal Farm Practices; and

**WHEREAS** pesticides are an important tool for effective crop production, but when used incorrectly or off-label can have devastating effects on neighbouring properties,

**THEREFORE BE IT RESOLVED THAT** that the Ontario Federation of Agriculture lobby the Ontario Government to enhance education on the effects of spray drift on different crops and how to avoid drift as part of the Ontario Pesticide Education Program, and



**FURTHER BE IT RESOLVED THAT** the Ontario Federation of Agriculture lobby the Ontario Government to create an easier conduit to report and record issues of spray drift, and that such tracking lead to identification of, and consequences for, applicators causing chronic spray drift, and

**FURTHER BE IT RESOLVED THAT** the Ontario Federation of Agriculture lobby the Pest Management Regulatory Agency of Health Canada for consistency of information across approved labels and technical or promotional materials prepared by pesticide manufacturers and registrants.

**18. Leeds  
New Farmer Recruitment**

**WHEREAS** the OFA has been campaigning to draw awareness to the loss of agricultural land to urban development; and

**WHEREAS** this a complex problem which has many contributing factors. One factor is a net reduction in the number of farmers in Ontario, which is in part due to a lack of new farmers entering the industry; and

**WHEREAS** the 2021 statistics Canada census indicated that the average age of farmers has risen and is now 56 years old, median age 58, and over 60 percent of farmers are over 55, this has risen nearly 6 percent in the last 5 years; and

**WHEREAS** this is clear indication of a recruitment problem towards agriculture; and

**WHEREAS** old methods of recruiting are no longer reliable and there must be a new approach to attracting the youth community. A paradigm shift in how land is acquired, managed, and farmed may be required to reverse an aging trend in the agriculture sector and ensure the future of food security,

**THEREFORE BE IT RESOLVED THAT** OFA will conduct dedicated, academically supported, analysis on how to attract a new generation of farmers and to look at what incentives and ensuring policy changes are required to allow for the industry to be open for opportunity for those 30 and under. This could include incentives to existing or retiring farmers to transition their land and agribusiness to first generation farmers when there is no viable family succession plan.

**19. Middlesex  
Federal Electoral Boundaries**

**WHEREAS** the Federal Electoral Boundaries Commission's Riding redistribution proposal splits many larger counties up among 3 or more electoral districts resulting in a fragmentation of representation; and

**WHEREAS** the current electoral district distribution minimizes the number of districts any one City or County is represented by, often only one district more than population would dictate; and

**WHEREAS** Fragmentation of representation within existing and established communities complicates the work of maintaining strong communities that our local Federations, local levels of Government, and OFA Membership at large do,

**THEREFORE BE IT RESOLVED THAT** the Ontario Federation of Agriculture support the position that Municipalities should not be split between more than one electoral district unless the population of the municipality itself exceeds the target threshold for riding population, and

**FURTHER BE IT RESOLVED THAT** the OFA support the position that Counties should be fragmented into as few electoral districts as is possible.

**20. Middlesex  
Fertilizer Tariff Issue**

**WHEREAS** the OFA purports to be the leading agricultural advocate for Ontario farmers, their farm businesses and their communities; and

**WHEREAS** the fertilizer tariff issues and the 30% emissions targets have caused significant hardship to Ontario Farmers, farm businesses and their communities; and

**WHEREAS** the OFA's tactic for dealing with this significant issue has been to maintain our seat at the table; and

**WHEREAS** maintaining a seat at the table is only valuable if you have something significant to say and the OFA has not clearly articulated to membership how it's current strategy tangibly benefits Ontario Agriculture,

**THEREFORE BE IT RESOLVED THAT** the Ontario Federation of Agriculture Board communicate to OFA Membership why they deserve membership's trust in their current strategy.

**21. Niagara  
European Foul Brood**

**WHEREAS** Ontario beekeepers have been challenged over the past few years with high mortality rates; and

**WHEREAS** Ontario beekeepers practice due diligence and best management practices while complying with the Ontario Ministry of Agriculture, Food and Rural Affairs to obtain permits and licenses; and

**WHEREAS** the Ontario Ministry of Agriculture, Food and Rural Affairs have increased hive inspections to include inspections during the months of September and October 2022, citing the need to document the condition of hives heading into the winter months; and

**WHEREAS** these inspections resulted in burn orders for many hives due to visual confirmation, not scientific testing of European Foul Brood, which is treatable,

**THEREFORE BE IT RESOLVED THAT** the Ontario Federation of Agriculture (OFA) work with the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) and the Ontario Beekeepers Association (OBA) to develop best management practices for beekeepers in the hope of decreasing the effects of European Foul Brood (EFB), and

**FURTHER BE RESOLVED THAT** the OFA work with OMAFRA and the OBA in developing a policy that includes recommendations and science-based testing of hives before burn orders are delivered to beekeepers perceived to be struggling with EFB.

**22. Niagara  
OMAFRA Boardrooms and Halls**

**WHEREAS** ag stakeholders, organizations and commodity groups struggle both financially and with low morale because of COVID, and

**WHEREAS** these stakeholders, organizations and groups are now beginning to positively move forward with face-to-face meetings and events increasing morale and enthusiasm; and

**WHEREAS** these organizations and groups are now facing the challenge of finding meeting space that is economically feasible such as Ontario Ministry of Agriculture board and meeting rooms as they have used in the past,

**THEREFORE BE IT RESOLVED THAT** the Ontario Federation of Agriculture work with the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) and Infrastructure Ontario to develop a policy allowing agriculture stakeholders, organization and commodity groups the use of board rooms and halls in OMAFRA offices and buildings.

**23. Ottawa  
Aid for Navan-Sarsfield Farmers**

**WHEREAS** the world is experiencing more than normal severe weather events and Ontario suffered from one of these events (Derecho) this summer in a swath across the province, some areas hit more severely than others; and

**WHEREAS** Ottawa members and other farmers and landowners that were affected have not been able to get assistance from their insurance companies, due to lack of coverage for many reasons, one being lack of adjusters due to COVID, and a failure of Municipal and Provincial Governments to apply for or approve disaster assistance in the Ottawa area unlike Uxbridge, which was affected by the same event; and

**WHEREAS** the press has reported that the City of Ottawa is getting assistance for Ottawa Hydro's increased costs, help for tree cleanup due to the event and a rumored 80 million plus to bail out the mismanaged O.C. Transit system,

**THEREFORE BE IT RESOLVED THAT** the Ontario Federation of Agriculture work with the proper levels of Gov't MMAH, OMAFRA, the Premiers office and any other necessary agency that could help get financial assistance for everyone affected by this storm for losses not covered by insurance, and

**FURTHER IT BE RESOLVED THAT** OFA work with the same Government Departments to develop a clear and concise set of rules for disaster assistance for future events to alleviate the stress and unpredictability and what appears to be discriminatory rules or political interference when one area qualifies for assistance and others don't which were affected by the same event!

**24. Perth  
Agricorp's Customer Service**

**WHEREAS** Agricorp administers the Farm Business Registration program and the Farm Property Tax Class Rate program and the AgriSuite of programs; and

**WHEREAS** Agricorp's mission is to provide financial and risk management programs for the farmers of Ontario and empower employees to deliver a trusted customer experience; and

**WHEREAS** there have been serious complaints of inconsistent levels of service from members,

**THEREFORE BE IT RESOLVED THAT** the Ontario Federation of Agriculture request the Province to review Agricorp's customer service and ability to service Ontario Farmers effectively and promptly.

**25. Perth  
Board Level Leadership Training**

**WHEREAS** Perth County Federation of Agriculture feels strong leaders build strong organizations; and

**WHEREAS** good leadership training leads to strong leaders and good governance,

**THEREFORE BE IT RESOLVED THAT** the Ontario Federation of Agriculture prepare a board level leadership training and development policy to ensure continued success into the future.

**26. Perth  
Cellular Reception**

**WHEREAS** rural fixed telephone lines are increasingly being switched to cellular phone options; and

**WHEREAS** technology is rapidly moving towards 5G and further advancements; and

**WHEREAS** many areas do not currently have reliable 3G connectivity; and

**WHEREAS** emergency services and business require reliable communications connectivity,

**THEREFORE BE IT RESOLVED THAT** the Ontario Federation of Agriculture lobby appropriate organizations to determine causes of unreliable cellular reception in rural Ontario and seek potential solutions to improve cellular connectivity in rural areas, and

**FURTHER BE IT RESOLVED THAT** OFA submit a complaint to Canadian Radio-Television Telecommunications Commission on current cellular connectivity issues.

**27. Wellington  
PMRA**

**WHEREAS** getting timely approval of safer, lower cost, more efficacious pesticides at the federal Pest Management Review Agency (PMRA) has been an ongoing problem; and

**WHEREAS** the latest incidence of this problem is PMRA's tardy and lackluster response to allowing spray drone application for pesticides which PMRA has already approved in Canada for ground and conventional aircraft application; and

**WHEREAS** drone application safety is recognized as essentially equivalent to conventional aircraft application in Asia and the US; and

**WHEREAS** the US EPA approval of drone application was based on the deemed essential environmental and public safety equivalence of drone and aircraft application; and

**WHEREAS** PMRA has stated that pending the conducting of separate drone safety tests for each chemical and the inclusion of a separate Canadian label claim regarding same, drone application is not permitted in Canada; and

**WHEREAS** this labelling requirement is financially prohibitive in Canada's small market and PMRA has itself indicated no plans to conduct such safety tests,

**THEREFORE BE IT RESOLVED THAT** the Ontario Federation of Agriculture (OFA) lobby PMRA, Agriculture Canada, and the federal Minister of Agriculture to expedite the approval of drone application of pesticides by harmonizing labelling procedures respecting drone applications where the pesticide involved is already approved for ground and aircraft application in Canada and where drone application is permitted by EPA in the US.

**Information provided by the Board of Directors on Membership Residency resolution**

- A similar resolution was carried at the 2021 AGM and was carefully considered at the Board, at Governance Committee and again at the Board level including the original resolution, and supporting material provided by Leeds County Federation. The Board feels strongly in the value of regional representation, and in the value of that representation residing in the region they represent. In addition to regional representation, there are three positions on the OFA board which are available for anyone to fill, regardless of residency. The decision not to adopt the resolution was not taken lightly but in the best interest of all members of the OFA.
- The resolution overreaches and impedes the Board's ability govern the affairs of the corporation.
- The resolution does not take into consideration the higher level of accountability of an OFA director.

At OFA's 2021 AGM, a delegate from Leeds County moved the following resolution which subsequently carried:

“That the Ontario Federation of Agriculture (OFA) Board of Directors amend OFA's By-laws to allow on OFA Member the option to designate the OFA Region where they farm or carry on business, or the closest Region thereto, instead of remaining assigned to the Region in which they reside, and

That the OFA Board of Directors enact an amended By-law to enable an OFA Member to designate their OFA Region before the Annual Regional Meetings are held in 2022.”

The Board took significant efforts to carefully consider the request, the reasons behind it and what is best for the organization. The Board reviewed the resolution and discussed both the merits and concerns arising from such a change to the OFA By-laws. At the request of the Board, the Leeds County Federation of Agriculture provided supporting documentation which was reviewed and discussed by the Board's Governance Committee. OFA also sought legal opinion on the matter.

The Board decided not to move forward with a By-law amendment to allow an OFA Member the option to designate a Region and continues to believe that decision is in the best interests of the OFA membership.

**1. The resolution overreaches and impedes the Board's ability govern the affairs of the corporation**

Legislation governing not-for-profit corporations such as the OFA has historically recognized the right of boards of directors to draft and amend their own governance By-law. This regime recognizes that directors develop an in-depth knowledge of what is necessary in a By-law for the maintenance and support of good governance, both at the board and membership level, as a result of performing the duties of their office within the By-law rules they adopt.

Amendments to a By-law have always required the confirmation of the members, as a check and balance against any changes that the members would view as not being in the best interests of

the organization, but the drafting and preliminary approval has been the responsibility of the Board of Directors.

The OFA Resolution Policy provides that resolutions initiated by a member are non-binding on the Board. The intent is to provide a mechanism for member input and direction, which the Board can then review with benefit of time, additional information, research and analysis, and the opportunity to fully consult on the implications of implementation, in a way that is not possible at an AGM.

This resolution seeks to overturn this balance, and would in future allow members to pass resolutions, including By-law amendments, which would be binding on the Board. Such member-initiated changes would be brought forward without the benefit of the Board's working understanding of its By-law, policies and processes, in the absence of staff expertise and corporate knowledge, and without review by OFA legal counsel, who advise on issues of statutory compliance.

Binding the Board of Directors to adopt this resolution would be inconsistent with OFA's current Resolution Policy and would impede on the Board's ability to ensure that any By-law amendments are well thought out, and consistent with other By-law provisions.

## **2. The resolution does not take into consideration OFA Director accountability**

The Board supports OFA's longstanding and more measured approach to OFA governance. The Board believes By-law amendments are best developed, considered and passed by the Board and then ratified by AGM delegates to provide that check and balance.

In addition to the resolution analysis that the Board conducts and reviews prior to implementation and the strategic lens that the Board applies to each resolution proposed by the membership, each director has entered into a Code of Conduct, Conflict of Interest, and Oath of Confidentiality as part of their Director's role in representing OFA to government, to members, stakeholders and the general public. This puts a higher degree of accountability and liability on OFA directors that isn't placed on membership who vote on a resolution at an AGM.

### Information provided by the Board of Directors on AGM Resolution Accountability resolution

- The Board carefully considers the direction and advice of AGM delegates and communicates its decisions as per the current OFA Resolution Policy. The Board also takes great effort to report back to the originator of the resolutions as well as the membership at large on the activities of the board in support of the resolutions.
- The resolution overreaches and impedes the Board's ability govern the affairs of the corporation.
- The resolution does not take into consideration the higher level of accountability of an OFA director

#### **1. The Board considers the direction and advice of AGM delegates and communicates its decisions as per the current OFA Resolution Policy**

Directors attend the AGM and take note of the discussion and vote outcome on AGM resolutions. The Board acknowledges that resolutions are submitted with the desire to secure OFA's support. As per the current OFA Resolution Policy, OFA advises those submitting a resolution in writing of Board decisions on their resolution as well as providing on going reporting on actions. A full report is provided at the following AGM of activities on the carried resolutions. OFA Directors and staff are also available to provide updates to local federations upon request regarding a particular issue or resolution status.

#### **2. The resolution overreaches and impedes the Board's ability govern the affairs of the corporation**

Legislation governing not-for-profit corporations such as the OFA has historically recognized the right of boards of directors to draft and amend as appropriate, their own governance By-law. This regime recognizes that directors develop an in-depth knowledge of what is necessary in a By-law for the maintenance and support of good governance, both at the board and membership level, as a result of performing the duties of their office within the By-law rules they adopt.

Amendments to a By-law have always required the confirmation of the members, as a check and balance against any changes that the members would view as not being in the best interests of the organization, but the drafting and preliminary approval has been the responsibility of the Board of Directors.

The OFA Resolution Policy provides that resolutions initiated by a member are non-binding on the Board. The intent is to provide a mechanism for member input and direction, which the Board can then review with benefit of time, additional information, research and analysis, and the opportunity to fully consult on the implications of implementation, in a way that is not possible at an AGM.



This resolution seeks to overturn this balance, and would in future allow members to pass resolutions, including By-law amendments, which would be binding on the Board. Such member-initiated changes would be brought forward without the benefit of the Board's working understanding of its By-law, policies and processes, in the absence of staff expertise and corporate knowledge, and without review by OFA legal counsel, who advise on issues of statutory compliance.

### **3. The resolution does not take into consideration OFA Director accountability**

In addition to the resolution analysis that the Board conducts and reviews prior to implementation, and the strategic lens that the Board applies to each resolution proposed by the membership, each director has entered into a Code of Conduct, Conflict of Interest, and Oath of Confidentiality as part of their Director's role in representing OFA to government, to members, stakeholders and the general public. This puts a higher degree of accountability and liability on OFA directors that isn't placed on membership who vote on a resolution at an AGM.

## Algoma – Wild Turkey Hunting

## Appendix 3

WMU's Northern Ontario – Spring Wild turkey hunt:

April 25- May 31

(one per tag)

36 Thessalon

42 Massey

45 St. Josephs Island

46 Parry Sound

47 Powassan

48 Mattawa

49 Parry Sound

50 South River

53 Bracebridge/Gravenhurst

-ask to review need for a fall wild turkey season in these WMU's (Oct 11 – Oct 23; Oct 1- Oct 23)

+ increase tag limits (one per)

Unfortunately, the *Wild Turkey Management Plan for Ontario* lags behind the times. The Plan is now 14 years old and doesn't provide the necessary framework to establish new spring seasons anymore. In the past, spring seasons used to be opened based on turkey sightings as reported on the deer harvest survey. But as any deer hunter knows, the number of turkeys seen is no longer part of the deer survey.

The management plan states that a spring season would be considered if there was an estimate of 200 birds based on observations and that the population is increasing based on hunter reports.

Re-establishing a question about turkeys seen in big game harvest reports could allow us to open up units for turkey hunting opportunities across the province. Hunters provide the data and hunters should be able to reap the rewards of potential new seasons that arise from those reports.

Wild turkeys were extirpated (locally extinct) from Ontario as a result of habitat loss and over-hunting. Reintroduction efforts began in 1984.

spring seasons in 90 WMUs and sub-units. In addition, a total of 54 of those WMUs and sub-units have turkey populations sustainable enough to support fall seasons.

The ministry has added seven new fall turkey seasons (WMUs 60, 63, 69, 70, 74, 75 and 86). Improved information from hunter reporting indicates populations in these WMUs are robust and meet the criteria in Ontario's turkey management plan to support fall turkey hunting opportunities. See the Wild Turkey section (p.82) for details.

The population of turkeys flourished and by 2008, the MNR determined all criteria needed were met to arrange a spring hunting season for Wildlife Management Unit (WMU) 45 on St. Joseph Island.

with more wild turkeys being sighted on Manitoulin and other neighbouring areas, the Ontario Federation of Anglers and Hunters (OFAH) intends to raise the issue of a possible hunt season on the Island for the birds to the Ministry of Natural Resources and Forestry (MNR).

Ontario's first wild turkey seasons opened in 1987 in just two Wildlife Management Units (WMUs) and now we have spring seasons in 90 WMUs and sub-units. In addition, a total of 54 of those WMUs and sub-units have turkey populations sustainable enough to support fall seasons.

The Ministry of Northern Development, Mines, Natural Resources, and Forestry (NDMNRF) determines a turkey population is large enough to open a fall season when the following criteria are met:

- **spring turkey harvests within the management unit is equal to or greater than 200 birds in each of the preceding three consecutive years, or three out of four years; or**
- **harvest density in a WMU is equal to or greater than 0.4 turkeys/km<sup>2</sup> of turkey habitat for 3 consecutive years.**

Both metrics for opening a fall season rely on harvest data that is only collected through hunter reporting. This is why hunter reports are so important to wildlife management — not only does it give us data on population trends, but it can also help to expand hunting opportunities.

**Glengarry – Elimination of LCBO Markup and Wine Levy on the Direct Delivery of 100% Ontario Non-VQA wine to a licensee**

**Appendix 4**

**BRIEFING NOTE**



**Ontario Artisan Wineries**

July 17, 2022

**Elimination of the Liquor Control Board of Ontario (“LCBO”) “Mark-up” and “Wine Levy” imposed on the direct delivery of 100% Ontario Non-Vintner Quality Alliance (“Non-VQA”) wine to a licensee.**

**Background**

The wine industry in Ontario is comprised of Non-VQA and VQA wines that are highly regulated by federal and provincial legislation, regulations, and policy regimes.

Ontario Artisan Wineries/Vignobles Artisanaux de l’Ontario is a newly formed non-profit association representing small artisan wineries from across the province that sell 100% Ontario Non-VQA wines.

Ontario Artisan Wineries produce wine in small quantities (e.g., less than 2000 cases) from 100% Ontario grapes using traditional minimal intervention winemaking practices which results in wines that have unique characteristic that are different each vintage.

The LCBO imposes a Mark-up and a Wine Levy on the direct delivery of 100% Ontario Non-VQA wine that are **not** imposed on the direct delivery of VQA wine to a licensee.

The sample LCBO Calculator form (Attachment 1, completed July 17, 2022) and below table on the sale of a \$20.00 bottle of 100% Ontario wine shows that a **VQA** Direct Delivery to a Licensee results in **80%** revenue to the VQA winery (and **14%** to the Province) while a **Non-VQA** Direct Delivery to a Licensee results in **53%** revenue to the Non-VQA winery (and **41%** to the Province).

Direct Delivery to a Licensee	Non-VQA Wine		VQA Wine	
	Revenue %	Revenue	Revenue %	Revenue
Bottle Price		\$20		\$20
Provincial fees	41%	\$8.20	14%	\$2.80
Winery Revenue	53%	\$10.60	80%	\$16.00

When selling 100% Ontario wine directly to a licensee the Non-VQA winery receives **27% less** revenue and pays **27% more** in provincial charges which is a serious disadvantage and unsustainable.

In the example sale of \$20.00 bottle of wine, the difference in revenue distribution arises from the fact that the Direct Delivery to a Licensee of 100% Ontario Non-VQA wine is subjected to a LCBO Mark-up (\$6.6707) and a Wine Levy (\$1.2150) which are **not** imposed on the Direct Delivery of VQA wine to a Licensee.

Due to the punitive charges imposed by the LCBO, Ontario Artisan Wineries cannot sell 100% Ontario wine to local licensees such as restaurants and event venues which is having a significant adverse impact on not only small artisan wineries but also restricting local agri-tourism and rural areas that need economic diversification and development.

For multiple reasons, members of Ontario Artisan Wineries do not aspire to become part of the “VQA model” and/or LCBO as it does not recognize or accommodate the realities of small artisan wine producers.

Further, like many businesses, Ontario artisan wineries are being confronted with 100-300% increases in the costs of materials (e.g., bottles), severe labour shortages, and supply chain issues.

### **Policy Option**

The LCBO Mark-up and Wine Levy imposed on the direct delivery of 100% Ontario Non-VQA wine to a licensee arise from the “natural rights” provision in subsection 4(1) of the *Liquor Control Board of Ontario Act*, S.O. 2019, which gives the LCBO “the capacity, rights and powers of a natural person for the purposes of carrying out its objects.”

Thus, the imposition of the Mark-up and Wine Levy on the direct delivery of 100% Ontario Non-VQA wine to a licensee is based on a discretionary **policy** decision by LCBO and can be changed, and it does **not** require legislative amendment(s).

The LCBO Mark-up and Wine Levy wine cannot be justified when dealing with 100% Ontario grapes/wine and it is wholly inconsistent with supporting local agri-tourism businesses.

**Ontario Artisan Wineries are seeking the elimination of the LCBO Mark-up and Wine Levy imposed on the direct delivery of 100% Ontario Non-VQA wine to a licensee.**

# Attachment 1: LCBO Calculator



Wine = Blank, Sparkling = S, Fortified = F, Cider = D, Creams & Flavoured = M, Light wine <7% = L	
100% ON = Blank, <100% ON = CC	
WRS=Blank, Wine Boutique=B	
Bottle Size (L)	0.750
Alcohol Content %	12.5%
Bottles per Selling Unit	1
Retail selling price (including deposit)	\$20.00
Minimum Retail Price Check	Ok

	WRS	LCBO	VQA Direct Delivery to Licensee	Non VQA Direct Delivery to Licensee	Non VQA Tied House
<b>Selling Price</b>	<b>20.00</b>	<b>20.00</b>	<b>18.02</b>	<b>18.02</b>	<b>18.02</b>
Container Deposit	0.20	0.20	0.20	0.20	0.20
H.S.T.	2.28	2.28	2.05	2.05	2.05
<b>Net Licensee Price</b>			<b>15.77</b>	<b>15.77</b>	<b>15.77</b>
10% Discount			1.75	1.75	1.75
<b>Basic Price</b>	<b>17.52</b>	<b>17.52</b>	<b>17.52</b>	<b>17.52</b>	<b>17.52</b>
Basic Tax/LCBO Admin Fee	0.9898		0.9898		
Environmental Tax/Fee	0.0893	0.0893	0.0893	0.0893	0.0893
Bottle Tax/Levy	0.2175	0.2175	0.2175	0.2175	0.2175
LCBO Wine Levy		1.2150		<b>1.2150</b>	1.2150
LCBO Mark-up		6.6707		<b>6.6707</b>	6.6707
<b>Total Landed Cost</b>	<b>16.2256</b>	<b>9.3296</b>	<b>16.2256</b>	<b>9.3296</b>	<b>9.3296</b>
Federal Excise Tax	0	0	0	0	0
Supplier Quote		<b>9.3296</b>	<b>16.2256</b>	<b>9.3296</b>	<b>9.3296</b>

	WRS	LCBO	VQA Direct Delivery to Licensee <sup>1</sup>	Non VQA Direct Delivery to Licensee	Non VQA Tied House <sup>2</sup>
<b>Revenue Distribution \$<sup>3</sup></b>					
Winery <sup>3</sup>	16.23	9.33	<b>14.87</b>	<b>9.00</b>	11.20
Provincial <sup>4</sup>	2.70	9.59	<b>2.56</b>	<b>8.38</b>	5.83
Federal <sup>5</sup>	0.88	0.88	<b>0.39</b>	<b>0.29</b>	0.79
Container Deposit	0.20	0.20	<b>0.20</b>	<b>0.20</b>	0.20
<b>Total</b>	<b>20.00</b>	<b>20.00</b>	<b>18.02</b>	<b>18.00</b>	18.02

	WRS	LCBO	VQA Direct Delivery to Licensee <sup>1</sup>	Non VQA Direct Delivery to Licensee	Non VQA Tied House <sup>2</sup>
<b>Revenue Distribution %<sup>3</sup></b>					
Winery <sup>3</sup>	81%	47%	<b>80%</b>	<b>52%</b>	62%
Provincial <sup>4</sup>	13%	48%	<b>14%</b>	<b>42%</b>	32%
Federal <sup>5</sup>	4%	4%	<b>4%</b>	<b>4%</b>	4%
Container Deposit	1%	1%	<b>1%</b>	<b>1%</b>	1%

Pricing Components	Rate	Metric
Table Mark-up	71.5%	ad valorem
Light Wine <7% Mark-up	64.6%	ad valorem
Fortified <=20% Mark-up	65.5%	ad valorem
Cream & Flavoured/Fortified >20% Mark-up	114.0%	ad valorem
Cooler/Cider Mark-up	60.0%	ad valorem
Bulk Cider Mark-up	46.4%	ad valorem
Wine Levy	\$ 1.62	per litre
Bottle Tax/Levy	\$ 0.29	per litre
Cooler/Cider Bottle Tax/Levy	\$ 0.28	per litre
Environmental Tax/Fee	\$ 0.0893	per container
Container Deposit >100 mL and <=630 mL	\$ 0.10	per container
Container Deposit >630 mL	\$ 0.20	per container
WRS Basic Tax (100% ON)/LCBO Admin Fee (VQA DD)	6.1%	ad valorem
WRS Basic Tax (<100% ON)	15.1%	ad valorem
Wine Boutique Basic Tax (100% ON)	9.6%	ad valorem
Wine Boutique Tax (<100% ON)	22.6%	ad valorem
Licensee Markup	0.0%	ad valorem
HST (GST Portion)	5.0%	ad valorem
HST (PST Portion)	8.0%	ad valorem
Non-Refillable Charge	4.0%	ad valorem
Bulk Cider MRP	\$ 3.051	per litre
Cooler/Cider MRP (<4.1% alcohol by volume)	\$ 3.779	per litre
Cooler/Cider MRP (4.1% & <=4.9% alcohol by volume)	\$ 3.834	per litre
Cooler/Cider MRP (4.9% & <=5.6% alcohol by volume)	\$ 3.935	per litre
Cooler/Cider MRP (5.6% - 7% litres of absolute alcohol)	\$ 73.065	per litre
Excise >7% alcohol by volume	\$ 0.688	per litre
Excise >1.2% and <=7% alcohol by volume	\$ 0.330	per litre
Excise <=1.2% alcohol by volume	\$ 0.022	per litre

Revenue distribution may not add to 100% due to rounding.

On VQA Direct Delivery, there is an unassigned amount paid to the winery, which is calculated at \$0.1567 per litre and is deducted from the remittance to the LCBO.

As been separated into GST (5%) and ORST (8%).

Revenue distribution for VQA Tied House is the same as VQA DD.

On VQA Tied House sales, there is an additional 10% discount (which is 10% of the basic price) afforded to the winery, which is deducted from the remittance to the LCBO.

## Appendix 5

### Elgin – Implement an Agricultural System Approach and conduct Agricultural Impact Assessments for all non-agricultural land use acquisitions in Ontario

**Elgin County** has seen unprecedented Class 1 agricultural land disappearing in 2022:

- 800 acres of farmland covertly bought by the City of St. Thomas.
- a land swap approved in a small township for development of over 250 homes on Class 1 Farmland next to tender fruit farms.
- Increasing numbers of land severances, and larger severances for surplus farm dwellings, are occurring

**Elgin County and the City of St Thomas** do not conduct Agricultural Impact Assessments.

If we use OFA's calculations of 319 acres of farmland disappearing daily in Ontario and applied that to just Elgin County, we would lose all our farms in just over 3 years!

#### **OMAFRA's definitions of Agricultural System Approach and Agricultural Impact Assessments:**

The **Agricultural System Approach**, unique in North America, supports both the protection of farmland and the viability of the agri-food sector. An Agricultural System is comprised of two components:

- o An **agricultural land base** consisting of prime agricultural areas, including specialty crop areas, and rural lands that together create a continuous productive land base for agriculture, and
- o An **agri-food network** that includes infrastructure, services, and assets, important to the viability of the agri-food sector.

The four provincial plans (**Greenbelt Plan, A Place to Grow: Growth Plan for the Greater Golden Horseshoe, Niagara Escarpment Plan, and Oak Ridges Moraine Conservation Plan**) require the implementation of an agricultural system approach, including recognition of the agri-food network. See details in the **Implementation Procedures for the Agricultural System in Ontario's Greater Golden Horseshoe**.

OMAFRA identified the agricultural land base consistently across the Greater Golden Horseshoe. Municipalities are now refining this mapping before incorporating it into their official plans.

The **Provincial Policy Statement** (PPS) encourages planning authorities to use an Agricultural System Approach as a best practice to support a thriving agri-food sector. To do this, a continuous land base for agriculture (i.e., prime agricultural areas and rural lands in agriculture) would be identified, as well as elements of the agri-food network.

An **Agricultural Impact Assessment** is defined in the Greenbelt Plan and A Place to Grow as:

- A study that evaluates the potential impacts of non-agricultural development on agricultural operations and the agricultural system, and recommends ways to avoid or, if avoidance is not possible, minimize and mitigate adverse impacts