

June 17, 2024

The Honourable Doug Downey
Attorney General of Ontario
McMurtry-Scott Building 11th Floor,
720 Bay Street
Toronto, ON
M7A 2S9

Dear Attorney General Downey,

RE: The Ontario Expropriations Act, R.S.O. 1990, c.E. 26

The Ontario Federation of Agriculture (“OFA”) is the largest general farm organization in Ontario, proudly representing more than 38,000 farm family members. OFA has a strong voice for our members and the agri-food sector on issues, legislation and regulations administered by all levels of government. We are passionate and dedicated to ensuring that the agri-food sector and rural communities are considered and consulted with, on legislation that impacts the continued sustainability, growth and viability of our farm businesses.

Ontario farmland is some of the most productive land in Canada, and ensuring prime agricultural areas remain in farm production is critical to sustaining a vibrant agri-food sector. The province’s agri-food strategy, Grow Ontario, aims to strengthen the agri-food sector, support economic growth, and ensure an efficient, reliable, and responsible food supply. Grow Ontario drives farmers to meet an ambitious growth strategy, allowing the agri-food sector to drive the economy forward.

Ontario’s agri-food strategy is based on the Province’s belief in the importance of:

- promoting Ontario products, food and technology, supporting our agri-food sector,
- taking action to be a world leader in research and innovation, and
- celebrating all the hardworking people who have secured great jobs throughout the supply chain.

There are significant pressures and demands to take farmland out of production for the benefit of other uses. We take this opportunity to highlight concerns about the continued loss of productive farmland and the detrimental impacts of the expropriations process on our members resulting in the loss of Ontario’s valuable farmland. While land acquisition consultants representing the various public authorities are directed to secure the property rights in a timely manner, they should also ensure that they act within the legislation designed to also protect the landowner and try to avoid expropriation of our valuable farmland resources.

Expropriation of farmland in particular has some unique aspects that must be considered in addition to regulatory requirements for residential expropriation. Farmland is not only the residency for Ontario's farm families, often multi-generational farmsteads, but also their place of business.

- The acquisition offers presented to landowners **must be fair** and take into consideration both the resulting value of the acquired property based on the land's final end-use as well as the costs associated with the relocation of the farming business which is becoming increasingly more difficult.
- The **availability of farmland of similar productivity** in the local area must be considered to enable individual farmers to continue their businesses.
- The process of obtaining other suitable farmland also takes longer than would otherwise be warranted for residential acquisitions. For livestock farm businesses, operators may need **additional lead time** to secure feed sources, to ensure proper care of relocated livestock, or to properly align animal life cycles with the relocation.

OFA supports regulations that provide additional time in the expropriation process of farmland to ensure farmers can, and are able to, secure alternative locations and afforded time to make necessary preparations prior to allowing expropriation of farmlands to proceed.

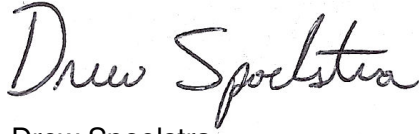
OFA requests legislative amendments to **require an Agricultural Impact Assessment (AIA)** be conducted prior to initiating an expropriation process in an agricultural farming area, to ensure the sustainability of Ontario's individual farmers and agricultural sector, and to ensure impacts are mitigated.

OFA is formally requesting that the Attorney General work collaboratively with the other Ontario Ministries, institutions, and municipalities, to confirm that proper consideration is given to the uniqueness of these farming operations when such lands are being subject to an expropriation process.

The combined demand on Ontario's finite farmland, needed to expand housing and employment lands, transportation infrastructure, and rural energy systems, exponentially increases the rate of loss of our valuable farmland. OFA is eager to work with the office of the Attorney General to address the unique challenges farmers face during expropriations for non-agricultural activities moving forward to protect and enhance our agriculturally based economy generating \$48 billion annually to Ontario's GDP.

A significant number of the Province's population depends on agriculture for its livelihood and its continued economic viability.

Sincerely,



Drew Spoelstra
President

cc: Honourable Rob Flack, Minister of Farming, Food & Agribusiness
minister.omafra@ontario.ca
Honourable Lisa Thompson, Minister of Rural Affairs Lisa.Thompson@pc.ola.org
Tara Barry, Chief of Staff to the Minister of Farming, Food & Agribusiness
tara.barry@ontario.ca
Patrick Schertzer, Chief of Staff to the Attorney General, Patrick.Schertzer@ontario.ca
Patrick Sackville, Chief of Staff to the Premier, Patrick.Sackville@ontario.ca
OFA Board of Directors