



City of Hamilton
Agriculture and Rural Affairs
Advisory Committee

Meeting #: 18-002
Date: February 26, 2018
Time: 7:00 p.m.
Location: Ancaster Fairgrounds
630 Trinity Road
Ancaster

Lauri Leduc, Legislative Coordinator (905) 546-2424 ext. 4102

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1. APPROVAL OF AGENDA	
(Added Items, if applicable, will be noted with *)	
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12. PRIVATE AND CONFIDENTIAL

13. ADJOURNMENT



Hamilton

Agriculture and Rural Affairs Advisory Committee

MINUTES 17-003

Monday, September 25, 2017

7:00 p.m.

Glanbrook Municipal Service Centre

4280 Binbrook Road, Binbrook

Present: Councillors B. Johnson, R. Pasuta and J. Partridge
A. Spoelstra (Chair), D. Smith (Vice Chair), P. Krakar,
C. McMaster, J. Medeiros, N. Mills, R. Shuker, K. Smith and
G. Smuk

**Absent
with Regrets:** Councillor Ferguson – City Business
W. Galloway, J. Mantel, A. Sinclair and M. Switzer

Absent: R. Saccomano

FOR THE INFORMATION OF THE COMMITTEE:

(a) APPROVAL OF THE AGENDA (Item 1)

The Committee Clerk advised that there were no changes to the agenda.

(K. Smith/Switzer)

That the agenda for the September 25, 2017 meeting of the Agriculture and Rural Affairs Advisory Committee, be approved.

CARRIED

(b) DECLARATIONS OF INTERESTS (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)

(i) June 26, 2017 (Item 3.1)

Roy Shuker requested that the following correction to the wording of Item (e)(i), respecting Rural Ditching and Maintenance and Cross Culvert Replacement, be made:

Committee members felt this equipment would cause damage because it operates like a snowblower and throws dirt and stones ~~into the air~~ onto agricultural land.

The Committee Clerk will ensure that this correction is made.

(Shuker/K. Smith)

That the minutes of the June 26, 2017 meeting of the Agriculture and Rural Affairs Advisory Committee be approved, as amended.

CARRIED

(d) CONSENT ITEMS (Item 5)

- (i) Correspondence from the Presidents of the Niagara North, Hamilton-Wentworth, Niagara South, Brant County, Norfolk, Haldimand and Halton Region Federations of Agriculture requesting the Council to pass a resolution to endorse provincial public investment for natural gas expansion (endorsed by City Council at its meeting held on September 14, 2017 referred to the Agriculture and Rural Affairs Advisory Committee for information) (Item 5.1)**

(B. Johnson/Shuker)

That the Correspondence from the Presidents of the Niagara North, Hamilton-Wentworth, Niagara South, Brant County, Norfolk, Haldimand and Halton Region Federations of Agriculture requesting the Council to pass a resolution to endorse provincial public investment for natural gas expansion, be received.

CARRIED

(e) PRESENTATIONS (Item 7)

- (i) Brian Hughes, Manager of Capital Rehabilitation and Technical Operations, Roads and Maintenance Section of the Public Works Department, respecting Rural Ditching and Maintenance and Cross Culvert Replacement (Item 7.1)**

Brian Hughes, Manager of Capital Rehabilitation and Technical Operations, Roads and Maintenance Section of the Public Works Department, addressed the Committee respecting Rural Ditching and Maintenance and Cross Culvert Replacement with the aid of a PowerPoint presentation. A copy of the presentation is available through the City Clerk's Office.

The presentation included, but was not limited to, the following information:

- Overview of the Capital Rehabilitation and Technical Operations Section
- Areas of Expertise
 - Drainage
 - Structural
 - Materials
 - Asphalt and Concrete
- Cross Culvert Replacement Program
 - Minimize working footprint/isolating the work area
 - Performing work in dry conditions/forecast monitoring
 - Erosion and Sediment Control Measures
 - Restore Disturbed Surfaces
- Rural Ditching Program – Working Practices
 - Incorporate a flat bottom
 - Limit works adjacent to regulated watercourses
 - Restoration seeding/sodding (in select locations)
 - Erosion and Sediment Control Measures
- Future Considerations
 - Equipment and Methods
 - Re-lining culverts
 - Ditching/Excavation versus In-place
 - Maintenance Needs Review

(Smuk/Pasuta)

That the presentation respecting Rural Ditching and Maintenance and Cross Culvert Replacement, be received.

CARRIED

(ii) Jeremy Getson, Manager of Construction and Growth, Hamilton Halton District, Union Gas, respecting the Province of Ontario Natural Gas Grant Program (Item 7.2)

Mr. Jeremy Getson, Manager of Construction and Growth, Hamilton Halton District, Union Gas, addressed the Committee respecting the Province of Ontario Natural Gas Grant Program with the aid of a PowerPoint presentation. A copy of the presentation is available through the City Clerk's Office.

Mr. Getson was joined by Mr. Jeff Wesley, Manager of Municipal Relations for Union Gas, in making the presentation.

The presentation included, but was not limited to, the following:

- Business Profile of Union Gas and Overview of the Hamilton/Halton District
- Overview of the Hamilton Distribution System
- Benefits of Natural Gas and a Cost Comparison
- Description of the Ontario Energy Board
- Ontario's Natural Gas Grant Program and Details about the Sheffield Submission
 - \$70 million available to municipalities, First Nations and unincorporated areas for community expansion
 - Applications are submitted by the natural gas distributor
 - A preliminary design and costing has been submitted for the Sheffield project
 - Hamilton Council has supported the application
 - The application was submitted in July and Union Gas is awaiting the decision

(Shuker/K. Smith)

That the presentation from Union Gas respecting the Province of Ontario Natural Gas Grant Program, be received.

CARRIED

(iii) Joanne Hickey-Evans, Manager, Policy Planning and Zoning By-law Reform, respecting the July 2017 Draft Agricultural System Implementation Plan Procedures and Mapping proposed by the Province of Ontario (Item 7.3)

Ms. Joanne Hickey-Evans addressed the Committee respecting the July 2017 Draft Agricultural System Implementation Plan Procedures and Mapping proposed by the Province of Ontario with the aid of a PowerPoint presentation. A copy of the presentation is available through the City Clerk's Office. Ms. Hickey-Evans was joined by Eric Yemen, GIS Technician in the Zoning By-law Reform Section, in making the presentation.

The presentation included, but was not limited to, the following information:

- Context and Background
 - Provincial Plans are to establish an Agricultural System comprised of an agricultural land base, rural areas and an agri-food network to support the agricultural community
 - To establish a consistent agricultural land base for all municipalities
- What is LEAR (Land Evaluation Area Review)
 - A mathematical method to identify prime agricultural areas
 - LE= soil classification and AR= factors that affect agriculture

- Each land unit is given a score based on the soil and the prescience of factors; land with high scores are identified as prime agricultural areas
- How Provincial LEAR compares to the City's Rural Hamilton Official Plan: an additional 12,000 hectares have been identified as prime agricultural areas by the Province
- The City's comments to the Province about the draft plan:
 - Rural Lands are an important part of an Agricultural System
 - All agricultural lands in the City, including Specialty Crops, need to be evaluated
 - There is a need to designate and zone open spaces appropriately

(Shuker/Smuk)

That the presentation respecting the July 2017 Draft Agricultural System Implementation Plan Procedures and Mapping proposed by the Province of Ontario, be received.

CARRIED

(f) GENERAL INFORMATION/OTHER BUSINESS (Item 11)

(i) Councillor Judi Partridge respecting the Mayor's Intelligent Community Forum Task Force with an Update on Rural Community Internet and Bandwidth Expansion (Item 11.1)

Councillor Partridge provided the Committee with an update about the work of the Mayor's Intelligent Community Task Force. She encouraged Committee members and others in the community to take an internet speed test so that the broadband and infrastructure assets and needs of the City can be identified.

(ii) Memorandum from Tony Fallis, Manager of Election and Print, respecting an Update on the Ward Boundary issue (Item 11.2)

The memorandum respecting an Update on the Ward Boundary issue was not provided so Councillors B. Johnson, R. Pasuta and J. Partridge provided a verbal update about the matter.

The Councillors reported there is an appeal before the Ontario Municipal Board (OMB) to the Ward Boundary By-law enacted by Council. Until the matter is deal with by the OMB, there are no updates to provide. Hearings for the appeal begin on October 19th, 2017 in Stoney Creek. On October 24th, members of the public can address the OMB about the Ward Boundary appeal.

(iii) Ontario Farm Family Award (Added Item 11.3)

Vice-Chair Smith congratulated Chair Drew Spoelstra for being one of 2017 BMO Ontario Farm Family Award Recipients. The award was recently presented to him at the International Plowing Match.

(g) ADJOURNMENT (Item 12)

(Shuker/Pasuta)

That, there being no further business the meeting be adjourned at 9:12 p.m.

CARRIED

Respectfully submitted,

Dale Smith, Vice-Chair,
Agriculture and Rural Affairs
Advisory Committee

Lauri Leduc
Legislative Coordinator
Office of the City Clerk



Hamilton

Agriculture and Rural Affairs Advisory Committee

MEETING NOTES 18-001

Monday, January 29, 2018

7:00 p.m.

**Ancaster Fairgrounds, Rooms A & B
630 Trinity Road, Ancaster**

-
- Present:** Councillors L. Ferguson and R. Pasuta
A. Spoelstra (Chair), C. McMaster, A. Sinclair, G. Smuk and
M. Switzer
- Also Present:** Councillor A. VanderBeek
- Absent
With Regrets:** Councillors B. Johnson and J. Partridge
W. Galloway, P. Krakar, J. Mantel, J. Medeiros, N. Mills,
R. Shuker, D. Smith (Vice Chair) and K. Smith
- Absent:** R. Saccomano
-

Due to inclement weather quorum was not achieved. The Committee agreed to proceed with the meeting in order to permit the presenters to address the Committee.

FOR THE INFORMATION OF THE COMMITTEE:

- (a) **DELEGATIONS (Item 6)**
- (i) **The Green Organic Dutchman Holdings Limited respecting the Legal, Medical Cannabis Industry and the City's Zoning regulation (referred to the Committee by the Planning Committee on October 31, 2017) (Item 6.1)**
 - (ii) **Beleave Inc. respecting the Legal, Medical Cannabis Industry and the City's Zoning regulation (referred to the Committee by the Planning Committee on October 31, 2017) (Item 6.2)**

Representatives from The Green Organic Dutchman and Beleave were in attendance and addressed the Committee about the issue of the Legal, Medical Cannabis Industry.

Mary-Lynne Howell and Ian Wilms with The Green Organic Dutchman and Gordon Harvey and Bill Panagiotakopoulos with Beleave, provided the Committee with an overview of their companies, their operations and the medical cannabis industry.

The presenters also answered questions from the Committee. They were joined in the presentation by representatives from the Ontario Ministry of Agriculture and Rural Affairs.

As quorum was not present and a motion was unable to be brought forward. The issue of the medical cannabis industry will be brought forward at a future meeting.

(b) PRESENTATIONS (Item 7)

(i) Joel Porter, Farm and Food Care Organization, respecting plans for their annual Breakfast on the Farm Event taking place on June 23rd at Cranston Farms (Item 7.1)

Joel Porter, with the Farm and Food Care Organization, addressed the Committee about the group's annual Breakfast on the Farm Event taking place on June 23rd at Cranston Farms in Ancaster. Mr. Porter explained the mission and mandate of the Farm and Food Care Organization.

Mr. Porter indicated that this is the first time the Breakfast on the Farm Event is being held in the Hamilton-area. He noted that it is an important event which draws up to 2000 people and has over 150 volunteers. Mr. Porter requested that the City of Hamilton consider sponsoring the Breakfast on the Farm Event.

The Committee was in agreement with the sponsorship request. The Chair and the Committee Clerk will work on drafting a motion to facilitate the request.

(f) DISCUSSION ITEMS (Item 8)

(i) Correspondence from R. J. Simpson, Chief Fire Prevention Officer, Hamilton Fire Department, respecting Burn Permits (Item 8.1)

A general discussion took place regarding the issuing of Burn Permits. The policy of allowing only the landowner, and not the tenant, to apply for a Burn Permit was seen as problematic.

This matter will be brought forward at the next meeting for further discussion.

(ii) Correspondence from Nancy Michie, Administrator Clerk-Treasurer, Municipality of Morris-Turnberry, requesting support for the

Municipality of Morris-Turnberry's Council resolution respecting Tenanted Farm Tax properties being changed to the Residential Tax Class (referred to the Committee at the November 8, 2017 meeting of Council) (Item 8.2)

Time did not permit a discussion on the above noted correspondence. The matter will be brought forward at the next meeting.

(g) ADJOURNMENT (Item 12)

The meeting concluded at 9:02 p.m.

Respectfully submitted,

Drew Spoelstra, Chair
Agriculture and Rural Affairs
Advisory Committee

Lauri Leduc
Legislative Coordinator
Office of the City Clerk

From: [Morris, Brian](#)
To: [Leduc, Lauri](#)
Subject: FW: Meeting of the Agriculture and Rural Affairs Advisory Committee
Date: January-17-18 9:22:41 AM

Hi Lauri. Please see below. Let me know if you require anything further.

Thanks,

BM

From: Simpson, Robert (Bob)
Sent: January-17-18 9:21 AM
To: Morris, Brian
Cc: DeBoer, Peter; Levstek, Francine
Subject: RE: Meeting of the Agriculture and Rural Affairs Advisory Committee

Good morning, Brian.

I believe I can respond to this inquiry on an information basis only.

Open air burn permits can be issued to any rental property (in the rural-designated areas) with the submission of a letter from the land owner indicating they are aware that open air burning will be taking place at the property. And Drew is correct in that the onus for compliance with the bylaw falls upon the occupant, more specifically the person(s) named on the burn permit. The reason we need the owner's awareness is that if there are billings or invoices issued due to bylaw contraventions and they go unpaid, the monies may be transferred to the tax roll for the property.

If there is confusion or lack of awareness on the part of any person issuing the permit, we (Hamilton Fire) can deal with that aspect very easily.

Any farmer, or rural property occupant, can contact the Fire Prevention Bureau to report these issues, including the location (i.e. Municipal service centre) where they were applying for the permit, and we will clear up the matter.

Are you aware if this matter was the result of dealing with a municipal service centre? If so, I will have the Fire Safety Officer who manages the burn permits program make the necessary contacts to ensure that service centre staff are fully aware of the necessary information.

Hope that this information is of benefit to the advisory committee.

If this is the only issue that needs clarification, then I believe that Hamilton Fire's attendance at the Jan 29th meeting will not be required.

Please contact me if you need anything else.

R. J. Simpson
Chief Fire Prevention Officer

Hamilton Fire Department
Fire Prevention Bureau
55 King William Street, 2nd Floor
Hamilton, Ontario L8R 1A2
Ph: (905) 546-2424 ext. 7762
Fax: (905) 546-4566

“Protect and Promote Quality of Life and Public Safety”

From: Morris, Brian
Sent: January-17-18 08:35
To: Simpson, Robert (Bob)
Subject: FW: Meeting of the Agriculture and Rural Affairs Advisory Committee

Hi Bob. Please see the email below. I am the staff liaison for the Ag. & Rural Affairs Advisory Committee and the Chair of the Committee has asked to have someone from Hamilton Fire Department in attendance to speak on the issue of burn permits for rented farm land as per below. Can you let me know who the correct person to request this too would be?

The meeting is scheduled for Monday January 29th from 7pm-9pm at the Ancaster Fair Grounds.

Thanks in advance.

Brian Morris, MAES, EcD, CEcD
Business Development Consultant
Economic Development Division
Planning and Economic Development, City of Hamilton
71 Main Street West, 7th Floor
Hamilton, Ontario, L8P 4Y5

Phone: 905-546-2424 ext. 5602
Cell: 905-979-0028
www.investinhamilton.ca

From: Leduc, Lauri
Sent: January-16-18 4:04 PM
To: Morris, Brian
Subject: FW: Meeting of the Agriculture and Rural Affairs Advisory Committee

Hey Brian,

Do you know who I would contact to come and speak to the issue of burn permits (as requested by Drew below)?

Lauri

From: DREW [<mailto:drewsfarm1@hotmail.com>]
Sent: January-16-18 11:44 AM
To: Leduc, Lauri
Subject: Re: Meeting of the Agriculture and Rural Affairs Advisory Committee

Hi again Lauri. Not knowing what the agenda looks like or if there's time but there has been a nagging issue in the rural area when it comes to acquiring burn permit for individual farms.

Currently farmers need to apply with the city and pay 10\$ for a permit for each farm property they own. The issue that we are having is with rented land. Tenant farmers occasionally need to clean up brush and falling trees and haven't been able to get permits for land they rent and some land owners prefer not to be bothered with it. The city hasn't accepted letters from land owners allowing tenants to burn or acquire a permit. The onus would fall back on the permit holder anyway if there was an issue so it shouldn't matter if it we're the farmer or land owner. Is there someone that could discuss this with the committee for this or the next meeting. I'm not sure if it needs to go as far as the fire department or just an in house administrator of the permit system.

Thanks
Drew

Sent from my iPhone

On Jan 11, 2018, at 9:41 AM, Leduc, Lauri <Lauri.Leduc@hamilton.ca> wrote:

Hi Drew,

Since you have the list it would easier if you send it out.

I'll have a draft to you on Monday or Tuesday and my goal is to have the final version out by Friday.

Lauri

From: DREW [<mailto:drewsfarm1@hotmail.com>]
Sent: January-10-18 8:03 PM
To: Leduc, Lauri
Subject: Re: Meeting of the Agriculture and Rural Affairs Advisory Committee

Hi Lauri. I have a list of emails of rural landowners that are interested in attending our meeting on the marijuana issue. Would it be best if I forwarded them an agenda or you do?

Thanks
Drew

Sent from my iPhone

On Jan 9, 2018, at 10:55 AM, Leduc, Lauri <Lauri.Leduc@hamilton.ca> wrote:

When: January-29-18 7:00 PM-9:00 PM (UTC-05:00) Eastern Time (US & Canada).

Where: Ancaster Fairgrounds

~~*~*~*~*~*~*~*~*

Hi everyone,

The location for the meeting has been determined. It will be held at the Ancaster Fairgrounds building.

Lauri

<mime-attachment.ics>

MUNICIPALITY OF MORRIS-TURNBERRY

P.O. Box 310, 41342 Morris Road, Brussels, Ontario N0G 1H0

Tel: 519-887-6137 ext. 21 Fax: 519-887-6424 Email: nmichie@morristorynberry.ca



Nancy Michie
Administrator Clerk-Treasurer

October 17,2017

Re: Resolution concerning the Tenanted Farm Tax Class properties being changed to the Residential Tax Class

Motion: 553-2017 Moved by John Smuck Seconded by Dorothy Kelly

Whereas, MPAC conducts ongoing reviews to ensure properties are accurately assessed and corrections are made where necessary. A review of a property could be triggered from ongoing data verification, updated tenant information, sales investigations, building permits and severances which may result in changes to the valuation or classification of a property. This could include wooded acreage on a farm property;

And Whereas, MPAC recently changed the assessment classifications on properties with portions of land tenanted for farming. MPAC is responsible for assessing and classifying all properties in Ontario in accordance with the *Assessment Act* and regulations established by the Government of Ontario. All properties in Ontario are continuously reviewed as part of the MPAC valuation process to ensure accurate information is used in determining our assessed values and tax classifications;

And Whereas, MPAC has stated: Under the *Assessment Act*, all properties are classified according to their use, and Ontario Regulation 282/98 sets out how various property uses are classified. By default, farm properties are classified in the residential property class in accordance with section 3(1)2 of Ontario Regulation 282/98 of the *Assessment Act*. Farm properties that meet the eligibility requirements will have farmland and associated outbuildings placed in the farm property class and are taxed at up to 25% of the municipal residential tax rate. An application for inclusion in the Farm Property Class Tax Rate Program must be approved by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA).

Under the *Assessment Act*, all properties are classified according to their use. If a portion (or portions) of a farm property is used for non-farm purposes, the portion is valued and classified according to its use. This is to ensure that the appropriate value and tax class is applied to the various uses of the property;

And Whereas, MPAC has assessed non-tillable acreage that is **rented to tenants** as residential. MPAC has explained that this is a correction under the *Assessment Act*/Ontario Regulation 282/98 with properties being assessed according to their use. They explained that it was a review of the Farm Forestry Exemption Class that prompted this action;

And Whereas, Most of these non-tillage acres cannot be built upon, or generate any revenues. However, they do provide benefit to the wider community as woodlots, wetlands, streams. Therefore taxing at the higher residential ratio appears unfair;

And Whereas, many properties have resulted in a substantial increase in property taxes due to this assessment class shift, an example being, with the tax billing increase of 572%. Tax increases to this magnitude are unacceptable. This process will force retired farmers to share crop to avoid the tax increases or it will cause land rent to increase to cover the increased taxes. That will create a burden on the property owner and the tenant farmers;

And Whereas, MPAC did not advise the municipalities of these corrections or the impact that it may have on taxation write-offs going forward, as MPAC reviews appeals on these changes;

Now Therefore, The Council of the Municipality of Morris-Turnberry hereby requests that MPAC conduct a review on the effects of the tax class shift from farm land to residential;

And that MPAC act immediately on applications for reconsideration for the 2018 tax year and where possible for the 2017 year;

And that MPAC advise the municipalities prior to any future tax class shifts or mass property assessment corrections;

And that the Province of Ontario review Regulation 282/98 under the Assessment Act, in respect to the property tax classification of non-tillage acres;

And that this resolution be circulated to Premier Kathleen Wynne, Minister of Finance, MPAC and the Association of Municipalities of Ontario and all Ontario municipalities.

Disposition Carried

Thank you

Yours truly,



Nancy Michie