



City of Hamilton
Agriculture and Rural Affairs
Advisory Committee

Meeting #: 19-004
Date: September 9, 2019
Time: 7:00 p.m.
Location: Rooms A & B, Ancaster Fairgrounds
630 Trinity Road
Ancaster

Alicia Davenport, Legislative Coordinator (905) 546-2424 ext. 2729

	Pages
1. CEREMONIAL ACTIVITIES	
2. APPROVAL OF AGENDA (Added Items, if applicable, will be noted with *)	
3. DECLARATIONS OF INTEREST	
4. APPROVAL OF MINUTES OF PREVIOUS MEETING	
4.1 June 3, 2019	3
5. COMMUNICATIONS	
5.1 Correspondence from the Rural Opportunity & Investment Coalition (ROI) respecting Support for the Creation of a \$150 Million Capital Pool for Investment in Rural and Northern Ontario Recommendation: Be endorsed.	6
6. DELEGATION REQUESTS	
6.1 Sara Epp, University of Guelph, respecting a Research Project on the Value of Agricultural Advisory Committees (for today's meeting)	8
7. CONSENT ITEMS	

8. PUBLIC HEARINGS / DELEGATIONS
9. STAFF PRESENTATIONS
10. DISCUSSION ITEMS
 - 10.1 Review of the Terms of Reference (deferred from the June 3, 2019 meeting) (no copy)
 - 10.1.a Revised Terms of Reference - Agriculture & Rural Affairs Advisory Committee (PED19173) (Wards 9, 10, 11, 12, 13 and 15) 42
 - 10.2 Corporate Climate Change Task Force Request - Information Update 91
 - 10.3 Draft Rural Site Alteration By-law Proposal 95
11. MOTIONS
12. NOTICES OF MOTION
13. GENERAL INFORMATION / OTHER BUSINESS
14. PRIVATE AND CONFIDENTIAL
15. ADJOURNMENT



Hamilton

Agriculture and Rural Affairs Advisory Committee

MINUTES 19-003

Monday, June 3, 2019

7:00 p.m.

Council Chambers, Glanbrook Municipal Service Centre

4280 Binbrook Road, Binbrook

Present: Councillors B. Clark, L. Ferguson, B. Johnson, and A. VanderBeek

A. Spoelstra (Chair), D. Smith (Vice-Chair), J. Groen, C. McMaster, J. Mantel, N. Mills, A. Payne, R. Pearce, R. Shuker, G. Smuk, and M. Switzer

Absent

With Regrets: P. Krakar and C. Roberts

Also Present: H. Swierenga

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 1)

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

(Switzer/McMaster)

That the agenda for the June 3, 2019 meeting of the Agriculture and Rural Affairs Advisory Committee be approved, as presented.

CARRIED

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

(i) March 18, 2019 (Item 4.1)

(Smith/McMaster)

That the Minutes of the March 18, 2019 meeting of the Agriculture and Rural Affairs Advisory Committee be approved, as presented.

CARRIED

(ii) May 13, 2019 (Item 4.2)**(Switzer/Payne)**

That the Minutes of the May 13, 2019 meeting of the Agriculture and Rural Affairs Advisory Committee be approved, as presented.

CARRIED**(c) DELEGATION REQUESTS (Item 6)****(i) Ian Graham, National Farmers Union Ontario Local 351, respecting Formation of a Working Group to Study the Effects of Climate Change on Farm Production and the Role Farms Can Play to Help the City Meet its Greenhouse Gas Emission Reduction Goals (for a future meeting) (Item 6.1)****(Smith/Switzer)**

That the delegation request, submitted by Ian Graham, National Farmers Union Ontario Local 351, respecting Formation of a Working Group to Study the Effects of Climate Change on Farm Production and the Role Farms Can Play to Help the City Meet its Greenhouse Gas Emission Reduction Goals, be approved for a future meeting.

CARRIED

As the delegate was present, the Committee permitted Mr. Graham to delegate at this meeting respecting the Formation of a Working Group to Study the Effects of Climate Change on Farm Production and the Role Farms Can Play to Help the City Meet its Greenhouse Gas Emission Reduction Goals, which resulted in the following:

(McMaster/Mills)

That staff be directed to inquire as to whether the effects of climate change on agriculture and the role of agriculture in supporting the City of Hamilton in reducing Greenhouse Gas (GHG) emissions will be considered in the findings of the Corporate Climate Change Task Force in their upcoming report back to the Board of Health (see Item 3 of Board of Health Report 19-003, a Motion respecting Accelerating and Prioritizing Climate Action in Response to the Climate Emergency for reference) in order to determine whether a Working Group of the Agriculture and Rural Affairs Advisory Committee is required to address this issue.

CARRIED**(d) DISCUSSION ITEMS (Item 10)****(i) Review of the Revised Draft Site Alteration By-law Proposal (Item 10.1)**

Due to its time sensitivity, the following was considered at the June 4, 2019

Planning Committee meeting:

(Smith/Shuker)

That Staff be requested to develop a rural fill by-law to stop illegal fill movement while minimizing the impact on normal farm practices.

CARRIED

(ii) Review of Terms of Reference (Item 10.2)

(Clark/Mantel)

That Item 10.2, respecting a Review of the Terms of Reference, be deferred to a future meeting of the Agriculture & Rural Affairs Advisory Committee.

CARRIED

(e) ADJOURNMENT (Item 15)

(Groen/McMaster)

That the meeting of the Agriculture & Rural Affairs Advisory Committee be adjourned at 8:56 p.m.

CARRIED

Respectfully submitted,

Andrew Spoelstra, Chair
Agriculture and Rural Affairs
Advisory Committee

Alicia Davenport
Legislative Coordinator
Office of the City Clerk



Rural Opportunity & Investment Coalition

5.1

Dear Members of the Agriculture and Rural Affairs Advisory Committee,

On behalf of the Rural Opportunity & Investment Coalition (ROI), I am writing to request your support for our initiative to support rural job creation.

As you know, small businesses in rural Ontario have been hurt by over regulation, lending constraints and a lack of access to capital that has resulted in a sharp decline in opportunities and investments in rural communities.

ROI is building a coalition of rural mayors, economic development staff, chambers of commerce and government caucus members to champion the creation of a rural investment tax credit (RITC) that will support rural job creation.

The ROI coalition brings together Advantage Capital, Enhanced Capital and Stonehenge Capital, three industry-leading investment firms focused on providing capital to businesses located in historically underserved markets. **Together these firms plan to create a \$150 million capital pool for investment in rural and northern Ontario.**

The proposed rural investment tax credit would replace the government practice of picking “winners” and “losers” through grants, with a tax credit that would reward investors that achieve well-defined conditions for investment and job creation in a timely manner.

The RITC would emulate the success of similar rural investment incentive programs that have been introduced in multiple US states in recent years.

Through the program, rural growth funds would work closely with local community banks to help businesses buy equipment, upgrade facilities, invest in training or make other improvements needed to expand, grow jobs and strengthen the local economy. The rural investment tax credit:

- Prioritizes the creation and retention of quality jobs in important growth industries and rural communities, further driving the Ontario economy forward
- Promotes private sector investment, ensuring a pro-growth, independent program to create high quality jobs and benefits small businesses
- Encourages workforce development and on-the-job training, helping businesses compete in a tight labour market
- Has the benefit of retaining youth populations in rural communities by creating good employment opportunities that would otherwise not exist
- Contains important safeguards to protect the province and its taxpayers, including an independent economic impact analysis that demonstrates a positive return on investment, along with job creation requirements and profit-sharing.

This investment tax credit is a fair, responsible and sustainable way to strengthen small businesses, communities and people across Ontario that need a lift – particularly in rural communities – while boosting our province’s economic competitiveness and creating jobs.



Rural Opportunity & Investment Coalition

By creating a thoughtful investment incentive program, Ontario has an opportunity to attract small business investment and venture funds that will spur investments in communities like yours. In order to achieve our initiative and promote economic development in your region, we are asking for a letter of support that we will be sharing with the Provincial Government. Many regions and organizations in rural and northern Ontario have already done so. In order to ensure our message is strong and diverse, we need as much support as possible.

We are asking that you kindly sign a letter of support and return it to us so we can deliver it to Queen's Park.

Please do not hesitate to reach out with any questions or concerns. We look forward to hearing back from you.

All the best,

Enhanced Capital, Advantage Capital and Stonehenge Capital

6.1

Form: Request to Speak to Committee of Council

Submitted on Tuesday, June 18, 2019 - 6:55 am

==Committee Requested==

Committee: Advisory/Sub-Committee

Name of Sub-Committee: Agriculture & Rural Affairs
Advisory Committee

==Requestor Information==

Name of Individual: Sara Epp

Name of Organization: University of Guelph

Contact Number: [REDACTED]

Email Address: sepp@uoguelph.ca

Mailing Address:

[REDACTED]

Reason(s) for delegation request: I would like to give a presentation on a recently completed research project on the value of Agricultural Advisory Committees.

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No

AGRICULTURAL ADVISORY COMMITTEES (AAC) – CASE STUDIES AND LESSONS LEARNED

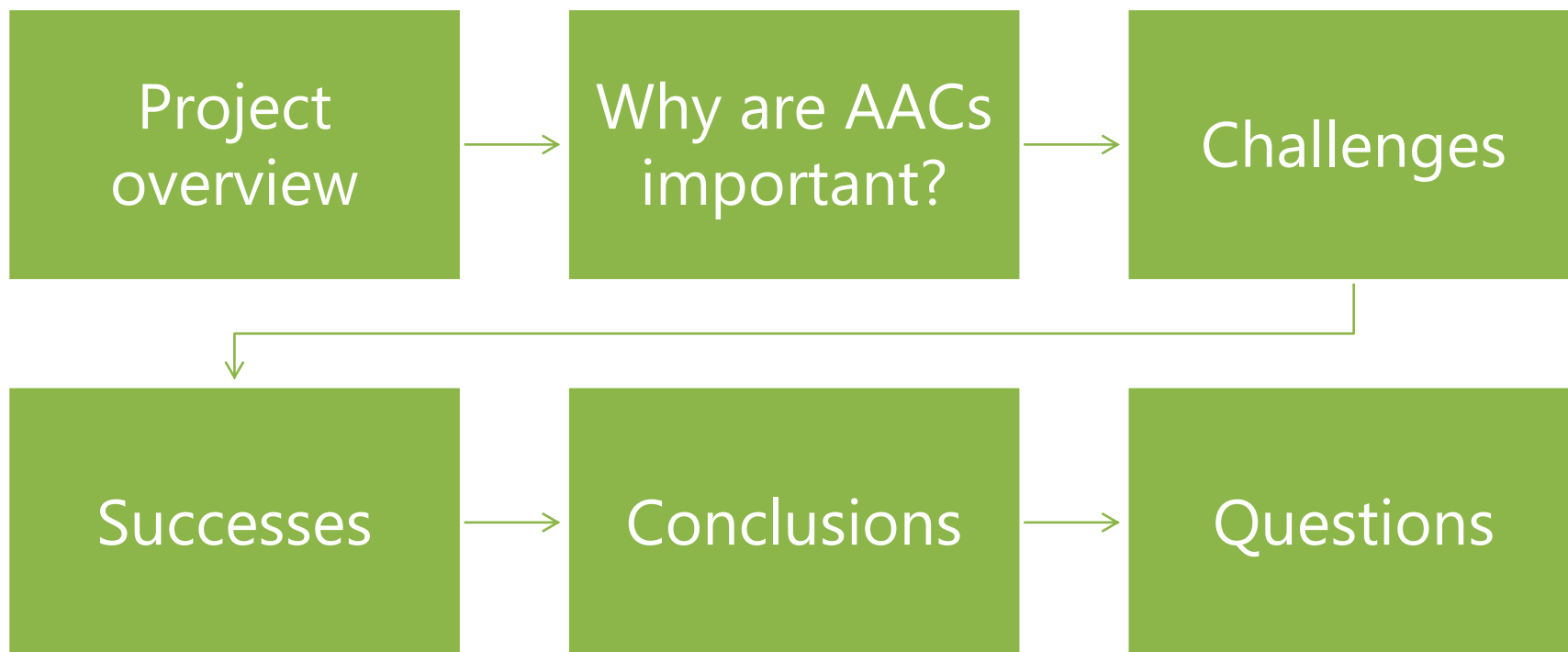
PRESENTATION TO HAMILTON AGRICULTURE AND RURAL AFFAIRS COMMITTEE

Sara Epp
September 9, 2019

UNIVERSITY
of GUELPH

Design it. Plan it.
Create a Better Planet.

School of Environmental Design and Rural Development



OUTLINE

PROJECT OVERVIEW



Supported by the Golden Horseshoe Food and Farming Alliance and Friends of the Greenbelt Foundation



Participants included Councillors, farmers and municipal staff from across the Golden Horseshoe



Reviewed terms of reference, committee agendas, meeting minutes and work plans



WHY ARE AGRICULTURAL ADVISORY COMMITTEES IMPORTANT?



IMPORTANCE

Role

- Most direct connection between policy decisions and the farming community
- Opportunity for revision based on impacts to farmers/farm sector
- Potential to elevate the voice of the farm community

Education

- Council
- Staff
- And more broadly

WHAT ARE SOME
CHALLENGES WITH
AGRICULTURAL
ADVISORY
COMMITTEES?

CHALLENGES



Terms of Reference and mandate

LESSON LEARNED

A detailed Terms of Reference is necessary and, at a minimum, should include a mandate, membership, meeting frequency, and reporting structure

CHALLENGES



Terms of Reference and mandate



Membership

	Farmers/ Farm Org	Council Reps	Residents	Youth	Total
Durham	13	1	3	-	17
Halton	10	2	4	1	17
Hamilton	8	2	4	-	14
Niagara	9	6	-	-	15
Peel	6	3	3	1	13
York	5	1	1	-	7

MEMBERSHIP BY AAC

LESSON LEARNED

It is important that young farmers be part of the Committee and explicitly incorporated into the Terms of Reference

CHALLENGES



Terms of Reference and mandate



Membership



Meeting structure

Meeting Frequency

Monthly

Quarterly

Region

Durham*, Halton, Hamilton*

Niagara, Peel, York

LESSON LEARNED

Effective meetings require
a clear agenda with
substantive content

LESSON LEARNED

Meeting times should accommodate the agricultural sector's unique work schedule

CHALLENGES

 Terms of Reference and mandate

 Membership

 Meeting structure

 Role of committee

LESSON LEARNED

Committee members
should feel empowered
and supported in their
advisory roles

LESSON LEARNED

The work of the AAC is given greater profile and importance when reporting directly to council

CHALLENGES



Terms of Reference and mandate



Membership



Meeting structure



Role of committee



Bias

LESSON LEARNED

Personal and industry bias
cannot influence decision
making

CHALLENGES

 Terms of Reference and mandate

 Membership

 Meeting structure

 Role of committee

 Bias

 Knowledge, understanding and competencies

LESSON LEARNED

Dedicated and supportive staff are imperative to the success of the committee

LESSON LEARNED

Agriculture makes significant contributions to local economies and economic development staff need to be part of the AAC

WHAT ARE SOME
SUCCESSSES WITH
AGRICULTURAL
ADVISORY
COMMITTEES?

SUCCESSSES

Evidence-based success

- Changes to policy
- Greater understanding/awareness of agriculture

LESSON LEARNED

Work plans are a guiding document that contribute to an AAC's success

SUCCESSSES

Evidence-based success

- Changes to policy
- Greater understanding/awareness of agriculture

Agricultural champions and clear leadership

- Role of council and chair is critical

LESSON LEARNED

Councillors assigned to the committee should be champions of rural and agricultural issues and be prepared to educate Council

LESSON LEARNED

The success of the Committee is dependent on a Chair that has the skills to effectively guide and manage the committee

SUCCESSSES

Evidence-based success

- Changes to policy
- Greater understanding/awareness of agriculture

Agricultural champions and clear leadership

- Role of council and chair is critical

Increased profile of AAC

- Consultation
- Recognition

LESSON LEARNED

Annual reports should be presented to Council to demonstrate the work the AAC has completed, reinforcing the value of the Committee

CONCLUDING
THOUGHTS:
OPPORTUNITIES FOR
AGRICULTURAL
ADVISORY
COMMITTEES

Need to understand
the impacts of
municipal decisions
on the farm sector

AACs provide a
critical voice for the
farm community

Maintaining
momentum is
tough

Flexibility must be
encouraged

Allies/champions
are necessary

CONCLUSION

QUESTIONS?

- Thank you!
- Contact details:
 - Sara Epp – sepp@uoguelph.ca

10.1(a)

Hamilton

INFORMATION REPORT

TO:	Chair and Members, Agriculture & Rural Affairs Advisory Committee
COMMITTEE DATE:	September 9, 2019
SUBJECT/REPORT NO:	Revised Terms of Reference - Agriculture & Rural Affairs Advisory Committee (PED19173) (Wards 9, 10, 11, 12, 13 and 15)
WARD(S) AFFECTED:	Wards 9, 10, 11, 12, 13 and 15
PREPARED BY:	Brian Morris (905) 546-2424 Ext. 5602 Joanne Hickey-Evans (905) 546-2424 Ext. 1282
SUBMITTED BY:	Glen Norton Director, Economic Development Planning and Economic Development Department
SIGNATURE:	

COUNCIL DIRECTION

Not Applicable.

INFORMATION

Following Amalgamation, Hamilton City Council formed The Agriculture & Rural Affairs Advisory Committee in late 2001 to provide advice to Council on matters related to agricultural and rural affairs. Subsequently, the Agriculture & Rural Affairs Advisory Committee Terms of Reference (TOR) were first established by Council on August 14, 2002 via Item 19 of Committee of the Whole Report 02-029 (see attached Appendix "A" for original Terms of Reference of the Agricultural Advisory Committee). Much has changed in agriculture, rural Hamilton and the City in general since that time. However, with the exception of the reporting structure, the TOR for the Committee have largely remained unchanged. While the Committee, and much of the mandate, remains as relevant today as when the Committee was first struck, the terms of reference should be updated to reflect the present state of affairs.

Coincidentally, a recent report published by the Friends of the Greenbelt Foundation and the Golden Horseshoe Food and Farming Alliance titled "Agricultural Advisory

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

SUBJECT: Revised Terms of Reference - Agriculture & Rural Affairs Advisory Committee (PED19173) (Wards 9, 10, 11, 12, 13 and 15) - Page 2 of 2

Committees - Recognizing the Value of Agriculture in the Golden Horseshoe” (refer to Appendix “B” of Report PED19173) provides a timely examination of Agriculture Advisory Committees across the Golden Horseshoe and a best practice review for consideration.

Drawing on the lessons learned from the above-noted report, as well as a review of other TOR for similar communities outside of the Golden Horseshoe region in Ontario and the historic context of Hamilton’s Agriculture Advisory Committee, staff have drafted a revised TOR for the Agriculture and Rural Affairs Advisory Committee for its review, consideration and input (Appendix “C” to Report PED19173). Despite some changes to reflect Hamilton’s current non-urban environment, the intent is to continue to provide a forum for advice, consultation and direction to Council and staff on matters pertinent to agriculture and rural citizenry.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” – Planning and Development Volunteer Co-ordinating Committee 02-001 – Original Terms of Reference for the Agricultural Advisory Committee

Appendix “B” – Agricultural Advisory Committees - Recognizing the Value of Agriculture in the Golden Horseshoe

Appendix “C” – Draft Revised Terms of Reference for the Agriculture & Rural Affairs Advisory Committee

BM:dt

**CITY WIDE
IMPLICATIONS**

CITY OF HAMILTON

**FINANCE AND CORPORATE SERVICES
Office of the City Clerk**

Report to: Mayor and Members Committee of the Whole	Submitted by: Councillor F. D'Amico, Chairman, Transportation, Operations & Environment/ Planning and Development Volunteer Co-ordinating Committee
Date: July 30, 2002	Prepared by: Ida Bedioui 546-4605

**SUBJECT: Transportation, Operations and Environment/Planning and
Development Volunteer Co-ordinating Committee
(Report 02-001)(City Wide)**

RECOMMENDATION:

**a) Terms of Reference for the Citizen Committees within the umbrella of the
Transportation, Operations and Environment/Planning and Development
Volunteer Co-ordinating Committee**

That the Terms of Reference for the following Citizen Committees within the umbrella of the Transportation, Operations and Environment/Planning and Development Volunteer Co-ordinating Committee, (attached hereto as Appendix A to F), be approved;

- i) Hamilton Cycling Committee
- ii) Dundas and Flamborough Environmental Advisory Committee
- iii) Keep Hamilton Clean Committee/Stoney Creek Citizens Leading for Environmental Action in Reducing, Reusing and Recycling Committee (CLEAR³)
- iv) Ainslie Wood Westdale Secondary Plan Executive Committee and Team (ASPECT)
- v) Agricultural and Rural Affairs Advisory Committee
- vi) Central Hamilton Advisory Committee (CHAC)

**SUBJECT: Transportation, Operations and Environment/Planning and
 Development Volunteer Co-ordinating Committee
 Report 02-001 (City Wide) - Page 2 of 5**

**b) Ainslie Wood Westdale Secondary Plan Executive Committee and Team
 (ASPECT) – Appointment of Members**

That the following be appointed as members of the Ainslie Wood Westdale Secondary Plan Executive Committee and Team (ASPECT) for a term to expire November 30, 2003:

Name	Organization	Member Status
Rick Grigg, Chairperson	McMaster Area Task Force Implementation Committee - MATRIC	Primary
Phyllis Tresidder	Ainslie Wood Westdale Community Association - AWWCA	Primary
Michael Bordin	Ainslie Wood Westdale Community Association - AWWCA	Alternate
Linda Axford	McMaster University - Planner	Primary
Andrea Farquar	McMaster University - Public Relations	Alternate
Councillor Marvin Caplan	Councillor, Ward 1	Primary
Dale Brown	Executive Assistant, Ward 1 Councillor	Alternate
Shelagh Snider	Westdale B.I.A.	Primary
John Garbe	Westdale B.I.A.	Alternate
David Simpson	Westdale B.I.A.	
Mary Pocius	Westdale B.I.A.	
Stephanie Michelle	McMaster Area Task Force Implementation Committee - MATRIC	Primary

**SUBJECT: Transportation, Operations and Environment/Planning and
 Development Volunteer Co-ordinating Committee
 Report 02-001 (City Wide) - Page 3 of 5**

Name	Organization	Member Status
Barry Bender	McMaster Area Task Force Implementation Committee - MATRIC	Primary
Dale Parayeski	MATRIC (PACCR)	Primary
Adam Spence	McMaster Students Union, VP Education – MSU	Primary
Evan Mackintosh	McMaster Students Union, President – MSU	Alternate
Peter Topalovic	Society of Off Campus Students – SOCS	Primary
Jim Campbell	Columbia International College	Priimary
Richard Court, Director of Engineering and Develop.	McMaster Medical Centre - MUMC	Primary
2 representatiaves – TBA	Industry (e.g., AllanCandy)	Primary
2 representataives – TBA	Landlords	Primary

c) Ancaster Village Core Advisory Committee – Appointment of Members

That the following citizens be appointed as members of the Ancaster Village Core Advisory Committee for a term to expire November 30, 2003:

- Art Bowes (Chairman)
- Peter Walton
- Frank Venema
- Allan Beattie
- Frances Cheyne
- Brad Kuhn
- Walter Buchko
- Mark Del Cantero
- Geoff Walker
- Scott Rastin
- Gerry Fabri
- Tony Cipolla
- Councillor Murray Ferguson (as per the terms of reference)

**SUBJECT: Transportation, Operations and Environment/Planning and Development Volunteer Co-ordinating Committee
Report 02-001 (City Wide) - Page 4 of 5**

d) Agriculture and Rural Affairs Volunteer Committee – Appointment of Members

That the following citizens be appointed as members of the Agriculture and Rural Affairs Volunteer Committee for a term to expire November 30, 2003:

Roy Shuker (Chair)
Robert Pasuta
Philip Krakar
Dale Smith
Ralph Kikkert
Marjorie Tregunno
Jamie Wood
Barbara Oldfield
Kathy Smith
Robert Murphy
Nancy Mills
Melvin Switzer
Carl Loewith

Note: As per the terms and conditions, two of the four Councillors from Wards 11 (Dave Mitchell), 12 (Murray Ferguson), 14 (Dave Braden), and 15 (Margaret McCarthy) will attend the meetings of the Agriculture and Rural Affairs Volunteer Committee as non-voting members on a rotating basis.

Councillor F. D'Amico, Chairman

EXECUTIVE SUMMARY:

Not applicable.

BACKGROUND:

The Transportation, Operations and Environment/Planning and Development Volunteer Co-ordinating Committee (TOEPDVCC) was established by resolution of Council and is inclusive of the following citizen committees:

- Hamilton Cycling Committee
- Dundas and Flamborough Environmental Advisory Committee

**SUBJECT: Transportation, Operations and Environment/Planning and
Development Volunteer Co-ordinating Committee
Report 02-001 (City Wide) - Page 5 of 5**

- Keep Hamilton Clean Committee/Stoney Creek Citizens Leading for Environmental Action in Reducing, Reusing and Recycling Committee (CLEAR³)
- Ainslie Wood Westdale Secondary Plan Executive Committee and Team (ASPECT)
- Agricultural and Rural Affairs Advisory Committee
- Central Hamilton Advisory Committee (CHAC)
- Ancaster Village Core Advisory Committee.

TOEPD is composed of eleven members of Council and the Chairs, or their designates, of each of the Citizen Committees. This Committee met on June 11, 2002 to review the Terms of Reference for all Volunteer Co-ordinating Committees, in addition to reviewing and approving the Terms of Reference for each of the Citizen Committees (attached hereto as Appendix A to F). The Terms of Reference for the Ancaster Village Core Advisory Committee require some minor amendments, and will be brought back to the Committee of the Whole for approval at a later date. Minutes of the TOEPD meeting of June 11, 2002 are retained in the Office of the City Clerk, and can be made available upon request.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Not applicable.

POLICIES AFFECTING PROPOSAL:

Not applicable.

Agricultural Advisory Committee

Terms of Reference

Mandate:

1. To serve as a community forum for the exchange of information and provide advice to the City of Hamilton on all agricultural and rural affairs matters.
2. To represent the interests of Hamilton's agricultural industry, farm families and non-farm rural residents before City Council.
3. To review and provide input to Council and City Departments on studies, plans, by-laws and proposed projects that have an impact on agricultural or natural resource businesses and the rural citizens who derive their livelihood from such businesses.
4. To serve as the Tree Committee, as set forth in the Hamilton-Wentworth Woodland Conservation By-law, to make recommendations to Council on Minor Exception tree cutting applications.
5. To serve as an advisory committee on nutrient management issues.
6. At the request of Council, to provide a forum for the review and resolution of rural land use and farm management disputes.
7. At the request of Council, to provide input and assistance to rural land stewardship programs or projects which are proposed by the City, other agencies and community groups.

Reporting Relationship:

The Agricultural Advisory Committee will report quarterly to Council through its membership on the "Planning Affairs" Advisory Committee panel.

The Agricultural Advisory Committee will report to Council through the General Manager of Planning and Development on matters specifically referred to it by Council or in its role at the Tree Committee.

Membership & Terms:

The Agricultural Advisory Committee shall be comprised of:

- Three (3) members appointed by the Hamilton-Wentworth Federation of Agriculture;
- One (1) member appointed by the Hamilton Christian Farmers Association;
- One (1) member appointed by the Hamilton-Wentworth Women's Institute;
- One (1) member appointed by the Agricultural Societies;
- Two (2) Members appointed by the Soil and Crop Improvement Association;
- Four (4) "At Large" members appointed by Council
- Two (2) councilors (non-voting) appointed by Council from Wards 11, 12, 14 or 15

Except for the first appointments commencing in January 2002, "at large" and ward councilor members shall be appointed for a three year term. No member of the Agricultural Advisory Committee shall be re-appointed for a continuous term that exceeds Nine (9) years.

At the first meeting following the appointment of members or the first meeting following a municipal election. the persons appointed shall select from amongst the membership of the Agricultural Advisory Committee, one person to serve as Chair, one person to serve as Vice Chair and one person to serve as Secretary.

The Chair of the Agricultural Advisory Committee shall be a member of the "Planning Affairs" Advisory Committee panel. Alternatively, the Chair may appoint the Vice Chair, any other member of the Agricultural Advisory Committee, to serve in his/her place as a member of such "Planning Affairs" Advisory Committee panel.

Committee Support:

1. The Agricultural Advisory Committee shall be provided with appropriate meeting space in facilities owned and managed by the City of Hamilton for regularly scheduled meetings.
2. The Agricultural Advisory Committee shall be granted an annual budget sufficient to cover agenda and minute preparation, normal duplicating costs and mailing costs to be disbursed to the Secretary of the Committee in support of its regularly scheduled meetings.
3. The Agricultural Advisory Committee may request the General Manager of a City Department to have members of City staff attend their regularly scheduled meetings to answer questions or make presentations that the Committee and the General Manager consider to be relevant to the Committee's mandate.



Possibility grows here.

Friends of the Greenbelt Foundation

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Toronto, ON M4Y 1Z9

(416) 960-0001

www.greenbelt.ca

May 23, 2019

Brian Morris
Business Development Consultant
Hamilton Economic Development Office
Hamilton City Hall
71 Main Street West
Hamilton, Ontario
L8P 4Y5


Dear Mr. Morris,

We are pleased to share with you three of our recently completed reports that may be of interest:

1. "Agriculture Trends and Updates: Understanding the Greenbelt's Unique Advantages" identifies changes in the Greenbelt's agricultural economy between 2011 and 2016. The data show that at just 6.1% of Ontario's farmland, the Greenbelt accounts for 53% of Ontario's fruit acreage and 11% of Ontario's vegetable acreage. Agriculture in the Greenbelt makes a significant contribution to Ontario's economy: farms in the Greenbelt have slightly higher revenues per farm than in the rest of Ontario, with 68% higher revenues per acre.
2. "Greenbelt Farmers: Sustaining Soil Health" documents the diverse experiences of 14 Greenbelt farmers who have implemented a variety of practices to improve the health of their soils, helping to ensure the long-term viability of farming in the region.
3. "Agricultural Advisory Committees: Recognizing the Value of Agriculture in the Golden Horseshoe" examines the structure, challenges, and successes of Agricultural Advisory Committees (AACs). It highlights a number of lessons learned that may be useful for existing AACs, as well as municipalities interested in establishing an AAC.

Together, these reports showcase the strength of the Greenbelt's agricultural economy and the efforts of farmers and municipalities who help to keep it vibrant. We hope they will be useful in your work and we encourage you to share them with your colleagues and networks.

Kind regards,



Kathy Macpherson
Vice President
Research & Policy



Agricultural Advisory Committees: Recognizing the Value of Agriculture in the Golden Horseshoe

Sara Epp, PhD

December 2018



Possibility grows here.

GOLDEN HORSESHOE
FOOD AND FARMING
ALLIANCE



Working in partnership for a vibrant food and farming cluster

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Table of Contents

Introduction	3
Methodology	4
Findings	4
Terms of Reference	4
Committee Mandate	5
Membership	9
Reporting Structure	14
Meetings: Agendas, Minutes and Outcomes	15
Conclusion	19
Appendix 1: Niagara Region Agricultural Policy and Action Committee Terms of Reference...	21
Appendix 2: Halton Agricultural Advisory (HAAC) Terms of Reference.....	26
Appendix 3: Halton Agricultural Advisory Committee (HAAC) Reporting Structure	27
Appendix 4: Durham Agricultural Advisory Committee (AAC) January 2018 Meeting Agenda and Minutes	28

Introduction

The decisions of local and regional Councils have direct and immediate impacts on the short and long-term viability of agriculture. While farmers make up less than two percent of the provincial population and their political influence may be limited, Agricultural Advisory Committees (AAC)¹ can provide an agricultural lens to local policies, plans, and processes. Generally, an AAC is an advisory Committee formed by Council with a mandate to identify agricultural issues and opportunities to enhance the sector. These Committees can have a broad membership, including farmers, residents, industry groups, farm organizations, and Councillors, with regional staff as ex-officio members fulfilling a liaison role. While all AACs provide important knowledge and expertise, their structure, role, and experiences vary.

This report presents research that was conducted with AACs within the Greenbelt/Golden Horseshoe (Durham, Halton, Niagara, Peel, and York Regions and the City of Hamilton). This research was supported by the Friends of the Greenbelt Foundation and the Golden Horseshoe Food and Farming Alliance. The goal of this research is to understand the role of regional AACs, including their value, challenges, and successes.

This report reviews the structure of AACs, their mandates, membership, and general experiences. Throughout the report, lessons will be provided based on the experiences of Committee members, with specific regional examples highlighted. These lessons are applicable to AACs within the Golden Horseshoe; however, the lessons presented here are also applicable across the province and can be utilized by existing AACs, as well as regions/counties interested in establishing an AAC.

¹ It should be noted that across the Golden Horseshoe, the title of each Committee varied. For example, Niagara Region's Committee was called the Agricultural Policy and Action Committee, while in York Region, the Committee was called the Agricultural Advisory and Liaison Group. For consistency, this report refers to all Committees as an Agricultural Advisory Committee or AAC and does not differentiate based on their individual titles.

Methodology

The data for this report were collected through semi-structured interviews and document analysis. Interviews were conducted with staff, Councillors, farmers, and other AAC members from Durham, Halton, Niagara, Peel, and York Regions and the City of Hamilton. Data were also collected from Clarington, a lower-tier municipality in Durham Region that has an AAC. Data collection began in August 2018 and was completed in December 2018. In total, 18 interviews were completed. Interviews were conducted over the phone and lasted an average of 60 minutes.

Document analysis included the review of Committee agendas, meeting minutes, Terms of References, work plans, and other related material. Much of this information was available through regional websites. When unavailable online, requests were made through appropriate regional staff for digital copies of these documents.

It should be noted that information in this report is current as of Fall 2018.

Findings

Terms of Reference

Every AAC in this study had a Terms of Reference (TOR) as a foundational guiding document. The TOR provided members with a clear understanding of their Committee's structure, relationship to staff, and their roles and responsibilities. While the TORs varied in detail and length, at a minimum each included the following components:

- Mandate
- Membership
- Meeting schedule
- Staff support
- Reporting structure

Every AAC's TOR was adopted by Council. For most AACs, the TOR was reviewed/ revised annually or every four years following municipal elections.

A TOR provides essential structure and guidance for Council, staff, and Committee members. In some Regions, TORs are quite detailed, providing additional information regarding the history of the AAC, its goals or objectives, and guidance on work plans. Information related to subcommittees, resources, absenteeism, work plans, and annual reports was also noted. This level of detail provides valuable information and a framework for new and returning Committee members. The TORs from Niagara and Halton Regions are included in Appendices 1 and 2 to demonstrate the differences in level of detail between regional AACs.

Given the important function of a TOR, it should go beyond the minimum components listed above. A more detailed TOR can be invaluable to new Committee members, as well as those interested in the AAC but unsure of the Committee's purpose, structure, and operation. Interested members of the public that have never participated on a regional Committee will benefit from clear information regarding expectations, staff responsibilities, and proper conduct of Committee members.

LESSON LEARNED

A detailed Terms of Reference is necessary and, at a minimum, should include a mandate, membership, meeting frequency, and reporting structure.

Committee Mandate

Every AAC within this study included a mandate or purpose in their TORs. Typically, these specified that the AAC was a volunteer Committee with the primary responsibility of advising the Region on matters related to agriculture and, in some instances, food and rural affairs. The main role of the AAC was usually discussed, with details regarding areas of concern, responsibilities, and designation of work. For example, within Hamilton's and Peel's mandates, it was noted that the Committee would be responsible for educating the public and improving

public awareness of agricultural and rural issues. In general, most mandates noted a broad range of activities, goals, and purpose statements outlining how the AAC would fulfill their mandate. Figure 1 provides the mandate for York Region’s Agricultural Advisory Liaison Group.

Figure 1: Mandate for York Region's Agricultural Advisory Liaison Group

The mandate of the Agricultural Advisory Liaison Group is to provide advice and expertise to Council and staff regarding agriculture, food, and rural issues in York Region.

This mandate will be fulfilled by:

- a) Soliciting issues and concerns of York Region’s farming industry, agricultural organizations, community groups and rural citizenry and making recommendations to Regional Council as necessary
- b) Providing input on how agricultural and rural issues can be incorporated into goals, objectives, and policies in the review of Official Plans
- c) Advising or assisting Regional Council on implementation of Regional and local municipal Official Plan policies and programs
- d) Providing a forum for the exchange of information on agricultural and rural issues and initiatives and advising Regional Council and staff on potential concerns
- e) Encouraging public awareness and education regarding agricultural and rural issues, including urban agricultural practices
- f) Providing recommendations for tools to ensure agricultural land is available for growing and producing local food and other agricultural products that are accessible to York Region residents and neighbouring communities
- g) Reviewing studies, plans and proposals referred by Regional Council or staff and providing comments on agricultural and rural impacts
- h) Providing comments and recommendations on legislation, programs and funding from Provincial departments and other agencies that affect agricultural and rural issues in York Region

A clear understanding of the AAC’s function, including activities and assignment of responsibility, is imperative for an effective AAC. For some Committees, especially those with a long history in their Region, their scope has narrowed over time to become more effective and efficient. Halton Region’s AAC, for example, has existed for approximately 40 years and, over time, its function and purpose have been simplified to better utilize the expertise of the Committee. Niagara Region has experienced similar transformations in form and function, as the Agricultural Task Force, a separate Committee with a similar focus, was combined with the existing AAC. The merging of these two Committees eliminated the redundancy of two

agricultural Committees that required similar staff resources and agricultural representatives. In both regions, the mandates of the AACs were formalized and their focus narrowed to reviewing the impacts of policy and other regional initiatives on the agricultural industry. The Committee's ability to be impactful is attributed to the narrow mandate, as the Committee can focus their efforts and accomplish their goals. A broader mandate may result in too much work or confusion for an AAC and result in a Committee that is unable to accomplish their mandate.

The mandate for each AAC consistently included the review of policies and their impact on agriculture and rural areas. For most regions, these policies included updates to Official Plans and Zoning By-laws, as well as provincial policies related to source water protection, the agricultural system, and agricultural diversification strategies, among others. These policies have the potential to significantly impact agricultural areas and the insights provided by AACs were viewed as invaluable. It is important to note that the ability to comment on such policies before their implementation empowered many Committee members and strengthened the role and importance of the AAC within each region. Appendix 4 depicts the reporting structure for Halton's AAC, including who brings review requests to the committee and how the committee's comments are relayed to Council.

LESSON LEARNED

Committee members should feel empowered and supported in their advisory roles.

Many of the regional AACs were also mandated to expressly include economic development. In Niagara Region, for example, the AAC connects agriculture and the agri-food industry with economic development and health agendas. As part of their mandate, the Committee updates a variety of regional studies, including the Agricultural and Economic Impact Study, Agricultural Action Plan, and Local Food Action Plan. This reflects the recognition of the significant economic contributions of agriculture within the region and a clear expectation that consideration for economic development be undertaken by the Committee. It is interesting to note that economic development has been deliberately excluded from Peel Region's AAC

mandate, as it is considered a lower-tier area of responsibility. At the upper-tier, economic development is supported through complementary policies and programs, such as through the delivery of the *Grown in Peel* local farm guide. While Peel Region's TOR enables the AAC to comment on economic development matters brought before the Committee, the development, resourcing and implementation of an economic strategy is beyond the Committee's scope. Considering the linkages between agriculture and economic development, aspects of economic development should be included within an AAC's mandate and must be considered when reviewing policies and other mandated topics.

Finally, some AACs also included education and outreach as part of their mandate. Halton and Durham both host annual farm tours for regional staff, Councillors, and other stakeholders. The goal of these tours was to engage an audience with limited exposure to agriculture. In both regions, Committee members noted that these tours were well attended and that participants appreciated learning about agricultural challenges and opportunities at the farm level. While the work and time required to plan these tours was significant, they were viewed as imperative for educating regional Council and staff, given their limited exposure to the realities of farming. Regions that did not include education or outreach as part of their AAC's mandate noted the value of such endeavours and the possibility of exploring these opportunities in the future.

SUCCESS STORY

Traffic circles are becoming a common feature in road design within southern Ontario. Their impact on agriculture is not, however, often considered. In Halton Region and Durham Region, engineering staff consulted with the AAC in order to understand the impact of traffic circles on the farming community. The AAC explained the difficulty for large pieces of farm equipment to manoeuvre a traffic circle with traditional curbs. Based on this input, traffic circles that could accommodate large pieces of farm equipment were designed and installed. Without this consultation, the traffic circles may not have accommodated farm equipment, thus significantly impeding agricultural activities.

Membership

The size of AACs varied across the Golden Horseshoe, ranging from 13 to 17 people with the exception of York Region, which had a Committee consisting of 7 people. Typically, membership consisted of farmers/farm organizations, Councillors, residents, and, in some cases, youth. For each AAC, staff were assigned to provide support to Committees as ex-officio, non-voting representatives. Membership by Committee is summarized in Table 1.

Table 1: Membership by Agricultural Advisory Committee in the Golden Horseshoe, as specified in the Terms of Reference

	Farmers/ Farm Organizations	Councillors	Residents	Youth	Total
Durham	13	1	3	-	17
Halton	10	2	4	1	17
Hamilton	8	2	4	-	14
Niagara	9	6	-	-	15
Peel	6	3	3	1	13
York	5	1	1	-	7

Most of the AACs did not differentiate between farmers and farm organizations. Therefore, these members have been combined into a single column in the table above. With most Committees, representatives from a variety of farm organizations and agricultural sectors were listed within the TOR. In every region, at least one member from the Ontario Federation of Agriculture regional chapter was listed as a member. The remaining farm-related positions were industry specific and varied by region. For example, in Halton, the equine industry was a member, while Hamilton and Peel included membership for the local Soil and Crop Improvement Association. In Niagara, membership was more diverse, and included a variety of industry groups including the grape, greenhouse, cash crop, and poultry sectors, as well as non-farmers including researchers, food processors, and land preservationists. While Durham Region did not list specific sectors, the TOR stated that 13 members must be farmers.

SUCCESS STORY

A critical component to success for an AAC is Committee membership. Durham Region's AAC has been successful due to the commitment from Committee members that are well-respected within the industry. The knowledge and expertise of these members enables them to effectively review agricultural issues/topics and provide comments to staff and Council that are viewed as credible. Without this level of expertise, the value of the AAC may be diminished and integrity of their work questioned.

In general, each of the AAC's memberships closely aligned with the composition stated in their TOR. Committee demographics were similar across the Golden Horseshoe, as the farming membership was generally older and consistent with or, in some situations, above provincial averages. The farming population continues to age, and younger representation is not always available or possible. Engagement with younger members of the agricultural industry is necessary for the long-term viability of AACs. Only two committees, Halton and Peel, included youth membership in their TOR, but neither currently had a youth member. Both Committees had sought youth participants but were unable to maintain a youth member. Historically, Durham Region has included a youth member in their TOR but due to an inability to fill this position, it was ultimately removed from the current TOR. This lack of participation was attributed to many aspects, including the timing of meetings and travel distance to meetings. Depending on the age of the participant, they may be in school during meeting times or unable to find appropriate transportation to the meeting. These logistical details were deemed to be significant barriers to youth participation, however, no solutions were proposed. There was an interest amongst the other regions to engage with youth farmers, but no formal actions are planned. Given the aging farming community, engagement with younger farmers should be encouraged across the Golden Horseshoe. Young farmers offer new and diverse insights into the future of agriculture and greater effort to recruit this demographic is needed.

LESSON LEARNED

It is important that young farmers be part of the Committee and explicitly incorporated into the Terms of Reference.

Challenges regarding agricultural representation were apparent in some regions. It was noted that members who were appointed as farm organization representatives, including industry groups, often acted in self-interest and reviewed agricultural issues only through the lens of their industry. Such members were criticized for failing to consider the entire agricultural sector and were challenged to broaden their analysis during meetings. When industry and organization representatives acted in self-interest, the value and function of the Committee was eroded. Similar challenges were also noted with members of Council, given their elected position and need to please their constituents. In such instances, the role of the chair was imperative as they encouraged neutrality and professionalism. The chair also limited the influence of personal and industry bias in any decisions the Committee made. While the opinions of Council members and industry are important, as members of an AAC, personal and political bias should not be allowed to influence decision making.

LESSON LEARNED

Personal and industry bias should not influence decision making.

Appropriate Council representation was considered imperative to the success of an AAC. Within each region, the Councillor(s) assigned to the AAC were generally from rural communities and had an understanding of the agricultural sector and rural areas. Many Councillors were long-standing members of the AAC and had substantial knowledge on both agriculture and the mandate of the Committee. For some Committee members, these

Councillors were viewed as the champion for the AAC and, more generally, agriculture, as they were able to educate other Councillors as well as the general public on issues related to agriculture.

SUCCESS STORY

Given Peel Region's proximity to Toronto and limited rural lands, the prominence of the AAC was surprisingly high when compared to Regions with larger agricultural areas. The AAC in Peel has received strong support by Councillors from the urban communities of Brampton and Mississauga, in addition to the considerably more rural community of Caledon. Both urban and rural Councillors in Peel understand the importance of the AAC and agriculture within the region. This broad support from Council has strengthened the AAC by empowering Committee members and the work they do to support the agricultural sector across the region.

As agricultural and rural areas continue to decrease in size and urban populations continue to increase, political representation of the farming community is becoming increasingly important. The understanding of agricultural issues and the role of agriculture within each region is strengthened by Council representation on the AAC. These Councillors were often viewed as vital to the long-term viability of the Committee.

LESSON LEARNED

Councillors assigned to the Committee should be champions of rural and agricultural issues and be prepared to educate Council.

While not formally noted in each TOR as a member of the Committee, staff liaisons are imperative for a successful AAC. Each Committee had at least one staff member that assisted with logistical details, such as setting agendas, taking minutes, and disseminating information. Most Committees had a representative from the planning department, which was useful given the Committees' review of planning policies and practices. Some Committees also had staff

representation from economic development departments reflecting a recognition of agriculture's economic contributions, which was viewed positively by Committee members. Depending on issues or topics, other staff members, such as engineering staff, building department staff, and roads department staff, were invited to meetings to provide information on new policies, solicit advice from Committee members on new developments, or simply to gain a broader understanding of agriculture within the region. While such participation varied by region and these additional staff representatives did not attend meetings regularly, their participation was viewed favourably, as it provided opportunities to educate other regional departments and AAC members.

LESSON LEARNED

Dedicated and supportive staff are imperative to the success of the Committee.

While the size and composition of each AAC varied, dedicated Committee members were viewed as essential to the success of each Committee. For some regions, Committee members have served on the AAC for consecutive Council terms. These Committee members assisted in the transition between Council terms and often held educational roles, informing new members of the formalities and nuances of the Committee. It is important to note, however, that new members should also receive formal training, which includes an overview of how policies are created and the process for Council approval. Regardless of how long a Committee member has participated, all members were appreciated for their knowledge, passion, and commitment to the success of the agricultural sector. The commitment of each Committee member was considered foundational to the success of the AAC and agricultural industry.

LESSON LEARNED

Agriculture makes significant contributions to local economies and economic development staff need to be part of the AAC.

SUCCESS STORY

Documents such as the Official Plan and Zoning By-law guide the long-term development of a community. When Hamilton was creating a Rural Official Plan and Zoning By-law, it was recognized that input from the agricultural sector was critical. Hamilton's AAC provided significant feedback regarding the impacts of the draft policies, and recommended revisions that would be more appropriate and supportive of the farming sector. While this review sparked debate within the AAC, the final Rural Official Plan and Zoning By-law were amended to reflect the recommendations of the AAC, a demonstration of the value of this Committee in understanding the unique challenges related to planning within rural and agricultural communities.

Reporting Structure

Within each TOR, the reporting structure for the AACs was clearly defined. Some AACs were considered a subcommittee of other regional Committees (typically planning or economic development Committees), while others reported directly to staff or Council. The reporting structure provided Committee members a clear understanding of the process for advising the Council and/or staff.

Some participants noted frustrations regarding the reporting structure, believing that the AAC was simply a Subcommittee that lacked influence and authority. They felt that a hierarchical reporting structure diminished the AAC's power and their sense of importance. The mandate for every region clearly laid out the reporting structure and noted if the AAC was a subcommittee; however, some Committee members felt that a hierarchical reporting structure diminished the AAC's power and their sense of importance. AACs that were considered Subcommittees, or those that reported directly to planning staff, were viewed as less impactful

and limited in their ability to initiate change. As was noted by one Committee member, an AAC that reports only to the planning department and never to Council lacks power and influence.

LESSON LEARNED

The work of the AAC is given greater profile and importance when reporting directly to Council.

While most of the AACs report to planning staff or other Committees, some are also asked to report directly to Council or present updates, report on action items, or provide general information on new initiatives. Committee members that have interacted directly with Council felt empowered in their role. These individuals also believed that the work of the AAC was given greater profile and importance when reporting to directly to Council. While empowerment of individual members is important, permitting the AAC to present reports, work plans, or action items directly to Council may increase the prominence of the AAC and increase awareness among Councillors. Considering that most Councillors are removed from rural communities and the agricultural sector, increasing the profile of the AAC can educate Council and promote the value of agriculture within the region.

Meetings: Agendas, Minutes and Outcomes

The greatest diversity amongst the Committees was the organization, frequency, and duration of meetings. All meetings and agendas were arranged by regional staff. Typically, agendas followed a consistent format. As an example, the agenda and minutes from Durham's AAC meeting in January 2018 are included in Appendices 3 and 4. Requests to add items to a meeting agenda were made through staff and arose due to topical issues or areas of interest. For most AACs, both agendas and meeting minutes were available online, which allowed non-Committee members access. As these meetings are open to the public, all agendas and minutes should be available online for transparency and to educate and inform non-Committee members on regional issues related to agriculture.

LESSON LEARNED

Meeting times should accommodate the agricultural sector’s unique work schedule.

As outlined in Table 2, meeting frequency varied by region, with some Committees meeting monthly and others meeting quarterly. Some Committees, such as Niagara, met during the day, while others, such as Halton, met in the evening. In all cases, meetings were scheduled based on the availability of the farmer members. In Durham and Hamilton, meetings in July and August were not scheduled due to farming schedules. In Halton, evening meetings were scheduled later during the spring and summer to accommodate farmers. This flexibility in scheduling was beneficial to farmer members, as it allowed them to participate during busy seasons; however, flexibility in meeting schedules did not encourage youth participation on any Committee. Based on current membership, attendance issues were not noted by any Committee and the accommodations with scheduling of meetings may explain high levels of participation.

Table 2: Meeting Frequency by Region

Region	Meeting Frequency
Durham	Monthly (no meeting in July or August)
Halton	Monthly
Hamilton	Monthly (no meeting in July, August and December)
Niagara	Quarterly
Peel	Quarterly
York	Quarterly and at the call of the Chair

In reviewing Committee agendas and minutes, it is clear that a variety of topics were discussed at each meeting, including the review of regional and provincial policies, such as agricultural systems mapping and Official Plan policies. A range of topics specific to each region were discussed, such as surplus farm dwellings, cannabis production, irrigation systems, climate change, road design, road safety, and work with local conservation authorities, among others.

Committee members noted that some topics have been controversial, resulting in debates between Committee members; however, in each instance, the chair was able to encourage the Committee to focus on the issue and provide unbiased feedback. For many AACs, discussions related to the cannabis industry have been contentious given personal beliefs, but Chairs were able to refocus discussions to policy development and away from personal convictions by reminding Committee members of their role. In such instances, the success of the Committee is dependent on a chair that has the skills to effectively guide and manage the Committee. With more non-traditional approaches and as urban growth pressures increase, sensitive or controversial topics are likely to come up more often. AACs must work through these issues and provide advice to staff and Council that is not influenced by narrow industry-specific perspectives.

LESSON LEARNED

The success of the Committee is dependent on a Chair that has the skills to effectively guide and manage the Committee.

Regardless of meeting frequency, it is important for meetings to have a purpose and clear direction. For Committees that meet monthly, there is a risk that meetings do not have sufficient content and/or become repetitive. Committees that meet less frequently, on the other hand, are at risk of stagnation and an inability to keep issues moving forward. In both instances, an engaged staff and a proactive Committee can ensure that action items move forward and meetings are meaningful. Imperative to this is the creation of a work plan.

LESSON LEARNED

Effective meetings require a clear agenda with substantive content.

The majority of AACs in the Golden Horseshoe use a work plan to guide the work of the Committee with areas of priority and action items for completion during the year. These work

plans helped focus each Committee and provided tangible projects to undertake. Work plans were approved by Council and a report on progress was presented at the end of the year. Committees that did not use a work plan still provided yearly reports on their progress. Work plans were seen as a guiding document that contributed to an AAC's success. When developing a work plan, consideration must be given to availability of staff and budget. York Region's AAC, for example, recommended the hiring of a new staff member with a primary focus on agriculture based on a consultant's report. The report, including that recommendation, was brought before Council who approved the creation of a new position. In Niagara Region, while the items in the action plan were completed, many items required budget approval, which delayed progress.

LESSON LEARNED

Work plans are a guiding document that contribute to an AAC's success.

SUCCESS STORY

For the Niagara Region AAC, having a clear work plan with achievable action items was important. In 2006, an agricultural action plan with key actions for encouraging long-term economic viability in agriculture was created. By 2013, every action item in the plan had been addressed by the Committee, either conceptually through feasibility studies or on the ground, such as re-establishing the Vineland Research Station. The action plan provided a clear guide for the Committee, with achievable outcomes. Given the success of this approach, an updated action plan was developed in 2016 to guide the present Committee.

Work plans helped establish the value of each AAC. Committees shared their progress as well as project completion, further demonstrating their importance. Providing updates to Council on the progress of the Committee, outcomes of major projects, and an overview of future initiatives is important. These updates can highlight Committee successes, unique projects, and areas of concern. In doing so, AACs educate Council on the work they conduct and the

importance of agriculture, which is necessary given that the agricultural sector has limited representation on regional Councils across the Golden Horseshoe. If possible, year-end reports should be presented directly to Council by the chair of the AAC or their designate and not through staff. This will empower Committee members, improve engagement with Council, and increase the profile of the AAC beyond the staff level.

LESSON LEARNED

Annual reports should be presented to Council to demonstrate the work the AAC has completed, reinforcing the value of the Committee.

Conclusion

Across the Golden Horseshoe, the agriculture and the agri-food industry provides significant economic benefits. Challenges associated with a rapidly urbanizing population, development of agricultural land, and decline in the political representation of farmers has resulted in a lack of understanding of rural and agricultural issues. At the regional level, AACs provide an opportunity to review municipal policies and processes through an agricultural and rural lens. Few Councillors understand or fully appreciate the challenges facing agriculture and the impacts of municipal policies on this industry. As such, AACs fulfill an important role that must be respected and supported. These Committees offer immense insight and should be valued and supported by residents, staff, and Council.

This study sought to understand how AACs function across the Golden Horseshoe and provide lessons from the experiences of staff, Councillors, farmers, and other AAC members. These insights can be summarized into the following lessons:

1. A detailed Terms of Reference is necessary and, at a minimum, should include a mandate, membership, meeting frequency, and reporting structure.
2. Committee members should feel empowered and supported in their advisory roles

3. It is important that young farmers be part of the Committee and explicitly incorporated into the Terms of Reference.
4. Personal and industry bias cannot influence decision making.
5. Councillors assigned to the Committee should be champions of rural and agricultural issues and be prepared to educate Council.
6. Dedicated and supportive staff are imperative to the success of the Committee
7. Agriculture makes significant contributions to local economies and economic development staff need to be part of the AAC.
8. The work of the AAC is given greater profile and importance when reporting directly to council.
9. Meeting times should accommodate the agricultural sector's unique work schedule.
10. The success of the Committee is dependent on a Chair that has the skills to effectively guide and manage the Committee .
11. Effective meetings require a clear agenda with substantive content.
12. Work plans are a guiding document that contribute to an AAC's success.
13. Annual reports should be presented to Council to demonstrate the work the AAC has completed, reinforcing the value of the Committee.

Appendix 1: Niagara Region Agricultural Policy and Action Committee Terms of Reference

Agricultural Policy and Action Committee Terms Of Reference



[Overview](#) · [Past Agenda/Minutes](#) · Terms of Reference

Preamble

The Agricultural Policy & Action Committee (APAC) was formed in 2013 as a result of a direction from Regional Council to amalgamate the Agricultural Sub-Committee and the Regional Chair's Agricultural Task Force. The Agricultural Sub-Committee was established in 1972 for the purposes of creating support programs through the two federations of agriculture to promote the agricultural industry in the Niagara Region and to provide input into planning issues that could have an impact on the agricultural industry. The Regional Chair's Agricultural Task Force was formed in 2002 to identify and take action on major blockades to the long-term viability of agriculture and to influence positive changes in agriculture-related policy at all levels of government. The amalgamation of the two committees into the Agricultural Policy & Action Committee provides the opportunity to recognize and align the work of both committees, and to recognize the critical primacy of agriculture in the Niagara Region in terms of both public policy and demonstrable actions.

Mandate

The Agricultural Policy & Action Committee (APAC) is an advisory body established by the Niagara Region in accordance with the following Terms of Reference. The Committee has been established to advise Regional Council on issues that impact the agricultural industry and support Regional Council, reporting through the Integrated Community Planning Committee, by initiating, developing, implementing and participating in actions and strategies needed to advance the agricultural industry and preserve the agricultural land base throughout the Niagara Region.

Goals/Purpose

- Initiate, develop, implement and participate in strategies to advance the agricultural industry and preserve the Agricultural land base in the Niagara Region
- Update, as necessary, and carry out the tasks contained within the Agricultural Action Plan
- Act as a continuing liaison committee to further the interests of and promote the agricultural industry of

the Niagara Region

- Provide input on planning-related matters that could have an impact on the agricultural industry
- Provide a link between the agricultural industry, the Agri-Food industry, and the economic development and health agendas
- Examples of specific work projects include, but are not limited to, the following: updating the agricultural & economic impact study, overseeing and updating the Agricultural Action Plan and the Local Food Action Plan, raw water for irrigation, tax policy, etc.

Reporting Structure

The APAC will report to Regional Council through the Integrated Community Planning Committee.

Work Plan

The APAC will provide guidance to staff in the development of an annual work plan identifying the specific initiatives and activities to be undertaken within each of the areas of focus, inclusive of budget needs, to further guide decision-making and resource management.

Membership

Membership for the APAC shall not exceed a maximum of 15 members with the majority of members being from the agricultural sector (primary producers).

Membership for the APAC shall include:

- At least one (1) Representative as appointed by the Niagara North Federation of Agriculture
- At least one (1) Representative as appointed by the Niagara South Federation of Agriculture
- Up to **six (6)** Regional Council Representatives as appointed by Regional Council

Depending on the priority issues outlined in the APAC's work plan, the remainder of the membership should target membership from across the Niagara Region, throughout the value chain, from a range of commodities and sectors related to the agricultural industry. Membership or participation with either the Niagara North or Niagara South Federation of Agriculture is considered an asset.

The remainder of the membership may target but is not limited to the following commodity/interest groups:

- Tender Fruit Industry

- Research Sector
- Dealer/Shipper Industry
- Grape Industry
- Meat/Food Processing Industry
- Greenhouse Industry
- Land Preservation and Environmental Protection Sector
- Nursery & Landscape Industry
- Cash Crop Industry
- Poultry Industry
- Livestock Industry

The term of membership shall be four years, concurrent with Regional Council's elected term of office, and the membership shall be approved by Council in accordance with membership requirements in the Terms of Reference. Current Committee members shall indicate their desire to be reappointed to the Committee no later than the December meeting prior to the change in Council.

All attempts will be made to stay within the guideline composition; however, if the applications received or the qualifications of applicants do not fully address the guideline composition criteria, the most capable and qualified applicants will be recommended for appointment to fulfill the membership composition.

The call for membership shall be made by invitation circulated to local agricultural stakeholders

Chair & Vice Chair

A Chair and Vice Chair will be elected from Committee members on a biannual basis at the first meeting of the New Year to preside over meetings and Committee business. The Chair of the Committee shall be a Regional Councillor. The Vice Chair of the Committee shall be a stakeholder member.

Working Groups

To fulfill its mandate and accomplish its goals, the APAC will establish working groups to deal with specific issues or projects. The working groups will meet, as needed, to review specific issues referred to them by the APAC and otherwise complete their assigned tasks.

Working groups are considered to be time-limited, project specific sub-committees of the APAC in that they are convened to accomplish a specific task (or tasks) in a narrowly defined time period.

Working groups must be comprised of at least two members of the APAC and may include community

members and other individuals with relevant knowledge and expertise. Local municipal participation should be sought depending on the nature of the work being undertaken.

Working groups shall be chaired where possible by a voting member of the APAC and shall provide regular updates to the APAC regarding recommendations on assigned projects. Minutes of the meetings of the working group shall be recorded and submitted to the APAC for proper directing through the approval process. Working groups may meet at a time and place as decided by the members of the working group.

Some examples of projects to be undertaken by the APAC Working Group(s) include: raw water for irrigation, review of the Province's Greenbelt Plan, conduct an in-depth review of provincial policy, guide the creation of a Rural Community Improvement Plan, and guide technological studies.

Resources

The Integrated Community Planning Department is the designated lead department regarding resource support for the APAC; however, the Committee also has access to the technical expertise of staff from other Regional departments as may be required. It is recognized that staff time and the level of participation will be dependent on other departmental priorities as determined by senior management and/or Regional Council. As required, additional resources may be sought. Additional resourcing may be required for projects with senior levels of government.

The Committee shall receive administrative support from the Office of the Regional Clerk for meeting and agenda management.

Meetings

A meeting schedule following a quarterly cycle shall be set for the APAC. The schedule will be circulated to the members for approval each year. Should a time sensitive matter arise, the APAC may meet at the call of the Chair.

The APAC meetings will be held at Regional Headquarters at a time as determined by the members. Subject to requirements under the Procedural By-law, a meeting may be held in alternate location. All meetings will be open to the public.

Meetings shall be governed by the Region's Procedural By-law, being a by-law to govern the calling, place and proceedings of the meetings of Council and its Committees, as may be amended from time-to-time. This includes rules surrounding quorum.

A schedule setting the due dates for materials to be included on the agenda will be circulated to each member pending adoption of a meeting schedule or the scheduling of a meeting date.

Absenteeism

Members, who miss three unauthorized consecutive meetings, shall be deemed to have resigned from the Committee and will be notified of this in writing by the Committee Chair.

Amendments To The Terms Of Reference:

The Terms of Reference should be reviewed and refined at a minimum of every four years to ensure that they remain current and meaningful.

Proposals to amend the Terms of Reference shall require the approval of a majority of the members present. Proposed amendments to the Terms of Reference shall be submitted to Regional Council for approval through the Integrated Community Planning Committee and shall take effect only upon the approval of Council.

Appendix 2: Halton Agricultural Advisory (HAAC) Terms of Reference

The Halton Agricultural Advisory Committee advises and assists the Region in its effort to develop and maintain a permanently secure, economically viable agricultural industry as an important component of Halton's economic base.

Specific activities include:

- Advising Regional Council, through the Planning and Public Works Standing Committee, on matters affecting agriculture in Halton.
- Representing Halton's agricultural industry, its farmers, farm organizations and agricultural farm support industries.
- Soliciting and co-ordinating the interests and concerns of Halton's agricultural industry, its farmers, farm organizations and agricultural farm support industries and communicate those interests and concerns to Halton Regional Council.
- Informing individuals, groups and businesses of Regional agricultural goals, objectives and policies.
- Recommending studies necessary to help resolve agricultural problems and/or improve agricultural conditions.
- Reviewing studies, plans, and proposals as may be referred to the Committee and commenting on their agricultural impact.
- Recommending alternative solutions, approaches and plans for the development and maintenance of agriculture in Halton, within the scope of the mandate, responsibilities and financial capabilities of the Region.
- Advising and assisting the Region in the implementation of Halton's agricultural goals, objectives and policies.

Composition

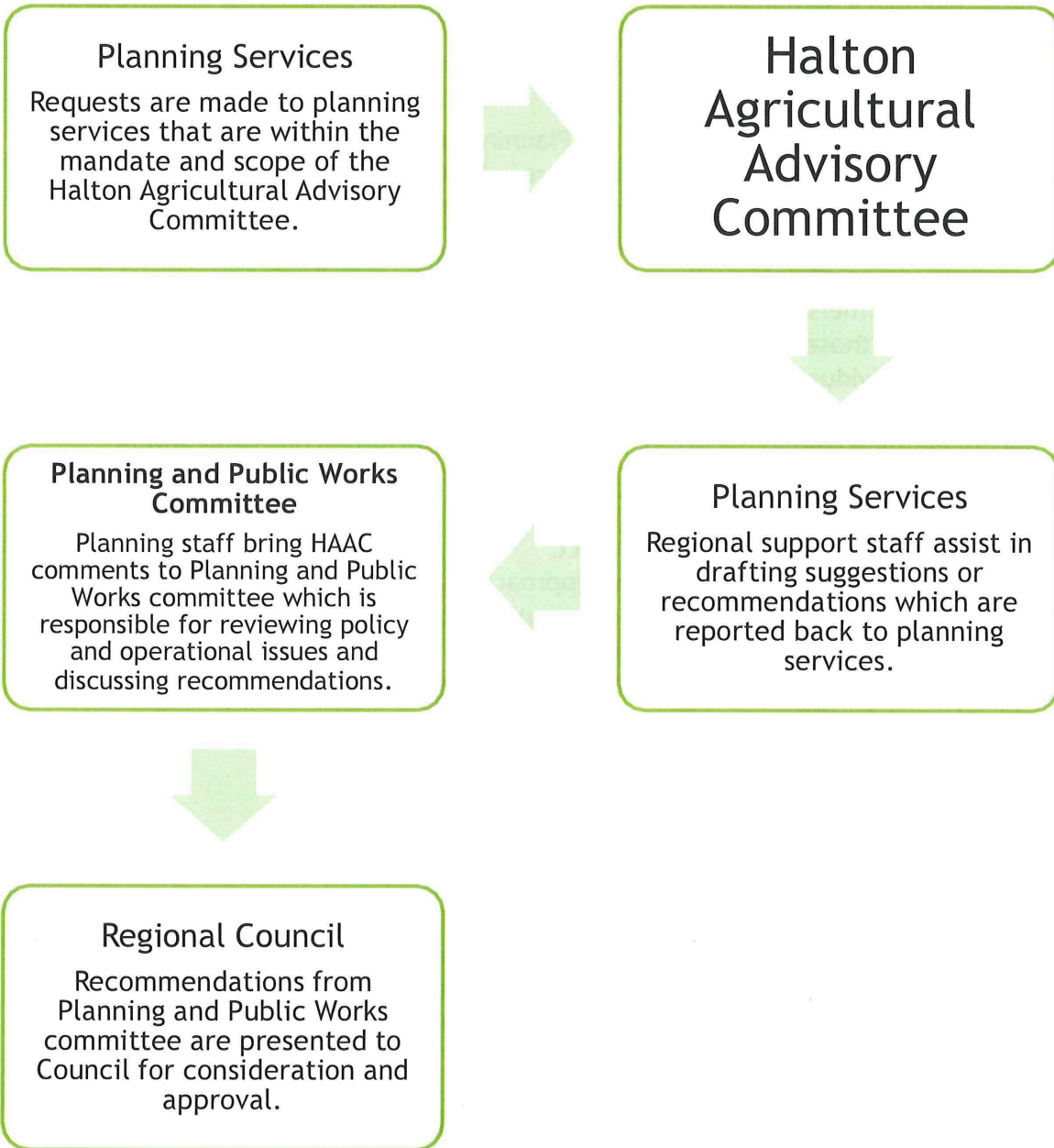
The Committee includes:

- 2 Regional Councillors, at least one of whom is from the Planning and Public Works Committee
- A maximum of 4 representatives from the Halton Federation of Agriculture
- 1 representative each from the following agricultural organizations:
 - Halton Soil and Crop Improvement Association
 - Halton Wentworth Fruit and Vegetable Growers Association
 - Halton Peel Cattlemen's Association
 - Halton Junior Farmers
 - Landscape Ontario Horticultural Trades Association
- 2 citizen members selected from the equine section in Halton
- Between 2 - 4 citizen members of the agricultural community at large

Frequency of Meetings

- First Tuesday of each month

Appendix 3: Halton Agricultural Advisory Committee (HAAC) Reporting Structure



Appendix 4: Durham Agricultural Advisory Committee (AAC) January 2018
Meeting Agenda and Minutes



The Regional Municipality of Durham

Durham Agricultural Advisory Committee Agenda

Tuesday, January 16, 2018

7:30 PM

**Meeting Room 1-B
Regional Municipality of Durham Headquarters
605 Rossland Road East, Whitby**

Notice to Individuals Regarding the Collection, Use and Disclosure of Personal Information:

Written correspondence submitted in paper copy or electronically to Regional Council or Committees, including personal information such as home address, telephone number and email address, will become part of the public record. It will be collected and maintained for the purposes of creating a record and may be available to the general public pursuant to the Municipal Act, 2001 and any other relevant Acts. References in oral submissions made by delegations will also become part of the public record. Questions about this collection of information should be addressed to the Regional Clerk - Director of Legislative Services, Corporate Services Department.

- 1. Election of Officers for 2018**
- 2. Adoption of Minutes**
 - A) Durham Agricultural Advisory Committee meeting held on December 5, 2017 (Attachment 1)
- 3. Declarations of Interest**
- 4. Presentation**

Heather McMillan, Durham Workforce Authority, Local Employment Planning Council (LEPC) Update
- 5. Discussion Items**
 - A) Scan of Municipal Sign By-laws – Provisions for Agricultural Operations
 - B) Climate Change Agricultural Task Force Update
 - C) Joint Workshop with DEAC Update – Z. Cohoon
 - D) 2018 DAAC Farm Tour
 - E) Rural and Agricultural Economic Development Update – N. Rutherford

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 2548.

- 6. Information Items**
 - A) Durham Agricultural Advisory Committee 2017 Annual Report and 2018 Workplan (2018-COW-7) **(Attachment 2)**
 - B) Solid Waste Management Servicing and Financing Study, Re: Bale Wrap (2018-COW-11) **(Attachment 3)**

- 7. Other Business**

- 8. Date of Next Meeting**
February 13, 2018

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 2097.

The Regional Municipality of Durham
MINUTES
DURHAM AGRICULTURAL ADVISORY COMMITTEE

January 16, 2018

A regular meeting of the Durham Agricultural Advisory Committee was held on Tuesday, January 16, 2018 in Boardroom 1-B, Regional Municipality of Durham Headquarters, 605 Rossland Road East, Whitby at 7:30 PM

Present: E. Bowman, Clarington
Z. Cohoon, Federation of Agriculture, Chair
J. Henderson, Oshawa
B. Howsam, Member at Large
K. Kemp, Scugog, attended the meeting at 7:32 PM
K. Kennedy, Member at Large
G. O'Connor, Regional Councillor
F. Puterbough, Member at Large, Vice-Chair
D. Risebrough, Member at Large
H. Schillings, Whitby
B. Smith, Uxbridge
G. Taylor, Pickering, attended the meeting at 8:20 PM
T. Watpool, Brock, Vice-Chair

Absent: I. Bacon, Member at Large
D. Bath, Member at Large
B. Winter, Ajax

Staff Present: K. Kilbourne, Project Planner, Department of Planning and Economic Development
N. Prasad, Committee Clerk, Corporate Services – Legislative Services

1. Election of Officers for 2018

K. Kilbourne called for nominations for the position of Chair of the Durham Agricultural Advisory Committee.

Moved by Councillor O'Connor, Seconded by E. Bowman,
That Z. Cohoon be nominated for the position of Chair of the Durham Agricultural Advisory Committee.

Moved by E. Bowman, Seconded by F. Puterbough,
That nominations be closed.

CARRIED

Durham Agricultural Advisory Committee
January 16, 2018

Page 2 of 6

K. Kilbourne asked if Z. Cohoon wished to stand. Z. Cohoon indicated he would stand.

Z. Cohoon was acclaimed as the Chair of the Durham Agricultural Advisory Committee.

K. Kilbourne called for nominations for the two Vice-Chair positions of the Durham Agricultural Advisory Committee.

Moved by Councillor O'Connor, Seconded by H. Schillings,
That F. Puterbough and T. Watpool be nominated for the positions of first and second Vice-Chairs, respectively, of the Durham Agricultural Advisory Committee.

Moved by D. Risebrough, Seconded by K. Kemp,
That nominations be closed.

CARRIED

K. Kilbourne asked if F. Puterbough and T. Watpool wished to stand. F. Puterbough and T. Watpool indicated they would stand.

F. Puterbough and T. Watpool were acclaimed as the first and second Vice-Chairs, respectively, of the Durham Agricultural Advisory Committee.

Z. Cohoon, Chair, assumed the Chair for the remainder of the meeting.

2. Adoption of Minutes

Moved by F. Puterbough, Seconded by K. Kennedy,
That the minutes of the Durham Agricultural Advisory Committee meeting held on December 5, 2017 be adopted.

CARRIED

3. Declarations of Interest

There were no declarations of interest.

4. Presentation

A) Heather McMillan, Durham Workforce Authority, Local Employment Planning Council (LEPC) Update

H. McMillan provided a PowerPoint Presentation regarding the Durham Workforce Authority.

Durham Agricultural Advisory Committee
January 16, 2018

Page 2 of 6

K. Kilbourne asked if Z. Cohoon wished to stand. Z. Cohoon indicated he would stand.

Z. Cohoon was acclaimed as the Chair of the Durham Agricultural Advisory Committee.

K. Kilbourne called for nominations for the two Vice-Chair positions of the Durham Agricultural Advisory Committee.

Moved by Councillor O'Connor, Seconded by H. Schillings,
That F. Puterbough and T. Watpool be nominated for the positions of first and second Vice-Chairs, respectively, of the Durham Agricultural Advisory Committee.

Moved by D. Risebrough, Seconded by K. Kemp,
That nominations be closed.

CARRIED

K. Kilbourne asked if F. Puterbough and T. Watpool wished to stand. F. Puterbough and T. Watpool indicated they would stand.

F. Puterbough and T. Watpool were acclaimed as the first and second Vice-Chairs, respectively, of the Durham Agricultural Advisory Committee.

Z. Cohoon, Chair, assumed the Chair for the remainder of the meeting.

2. Adoption of Minutes

Moved by F. Puterbough, Seconded by K. Kennedy,
That the minutes of the Durham Agricultural Advisory Committee meeting held on December 5, 2017 be adopted.

CARRIED

3. Declarations of Interest

There were no declarations of interest.

4. Presentation

A) Heather McMillan, Durham Workforce Authority, Local Employment Planning Council (LEPC) Update

H. McMillan provided a PowerPoint Presentation regarding the Durham Workforce Authority.

Durham Agricultural Advisory Committee
January 16, 2018

Page 4 of 6

C) Joint Workshop with DEAC Update

Z. Cohoon advised that a subcommittee meeting was held on January 16, 2018. He advised that invitations and agendas for the Agriculture-Environment Climate Change Symposium have been sent out and that the meeting is being held at the Scugog Community Recreation Centre in Port Perry, on February 9, 2018.

D) 2018 DAAC Farm Tour

It was the consensus of the committee that Z. Cohoon, D. Risebrough, K. Kemp, F. Puterbough, and B. Smith form a subcommittee to discuss further details regarding the Tour. Discussion ensued with regards to the 2018 DAAC Farm Tour and possible locations, themes, and inclusion of all aspects of the agricultural service and supporting industries. Possible dates were discussed and it was the consensus of the committee that September 13, 2018 should be tentatively booked as the date for the Farm Tour.

E) Rural and Agricultural Economic Development Update

K. Kilbourne provided the following update on behalf of N. Rutherford, Manager, Agriculture and Rural Affairs, Department of Planning and Economic Development:

- The official media release announcing the Local Food Business Retention and Expansion Project was released on January 15, 2018. Volunteers are needed to conduct business interviews which are scheduled to start the week of February 26, 2018 as well as participants.
- Farms at Work is hosting a Farmland: Using it, Losing it & Protecting it workshop on February 1, 2018 in Millbrook. Speakers include: W. Caldwell, University of Guelph; P. Learnmonth, Farms at Work; K. Enders, Ontario Farmland Trust; and OMAFRA representatives.
- There are two Ontario Soil and Crop Workshops being held at Region of Durham headquarters as follows: Growing Your Farm Profits (January 31, February 8 and 14, 2018) and Food Safety (February 21 and 28, 2018). K. Kilbourne will provide the registration link.
- The City of Kawartha Lakes is hosting an Unraveling the Red Tape: Food Regulations and On-Farm Building/Planning By-laws Workshop on January 26, 2018 in Little Britain. K. Kilbourne will provide the registration link.

Durham Agricultural Advisory Committee
January 16, 2018

Page 5 of 6

- The Agri-Food Management Institute's Bon Appetite – Food Business Conference is scheduled for February 8 to 10, 2018 at the Best Western Plus Cobourg Inn and Convention Centre. K. Kilbourne will provide the registration link.

6. **Information Items**

A) Durham Agricultural Advisory Committee 2017 Annual Report and 2018 Workplan (2018-COW-7)

A copy of Report #2018-COW-7 of the Commissioner of Planning and Economic Development regarding Durham Agricultural Advisory Committee 2017 Annual Report and 2018 Workplan was provided as Attachment #2 to the Agenda. Councillor O'Connor thanked Z. Cohoon for his knowledge and expertise as demonstrated at his annual update at the January 10, 2018 Committee of the Whole meeting.

B) Solid Waste Management Servicing and Financing Study, Re: Bale Wrap (2018-COW-11)

A copy of Report #2018-COW-11 of the Commissioners of Finance and Works regarding the 2018 Solid Waste Management Servicing and Financing Study was provided as Attachment #3 to the Agenda. K. Kilbourne stated that Report #2018-COW-11 speaks to changes related to the collection of bale wrap at municipal waste disposal facilities. She advised that there will be a staff member from the Works Department at the next meeting to provide further information.

7. **Other Business**

A) Declarations of Interest Forms

Councillor O'Connor advised that there is a new Declarations of Interest Form that was approved at the December 13, 2018 Regional Council meeting. It was discussed that the form has to be submitted when a declaration of interest is made at a meeting.

B) DEAC Environmental Achievement Awards

K. Kilbourne advised that nominations for the DEAC Environmental Achievement Awards are due by March 2, 2018 and that copies of the nomination form will be provided by email.

8. **Date of Next Meeting**

The next regular meeting of the Durham Agricultural Advisory Committee will be held on Tuesday, February 13, 2018 starting at 7:30 PM in Boardroom 1-B, Level 1, 605 Rossland Road East, Whitby.

Durham Agricultural Advisory Committee
January 16, 2018

Page 6 of 6

9. **Adjournment**

Moved by D. Risebrough, Seconded by G. Taylor,
That the meeting be adjourned.
CARRIED

The meeting adjourned at 8:50 PM

Z. Cohoon, Chair, Durham
Agricultural Advisory Committee

N. Prasad, Committee Clerk

AGRICULTURE AND RURAL AFFAIRS ADVISORY COMMITTEE

TERMS OF REFERENCE (DRAFT)

MANDATE

The Agriculture and Rural Affairs Advisory Committee (ARAAC) is a volunteer Advisory Committee established by City Council in accordance with these adopted Terms of Reference. The ARAAC will provide input to Council and City staff on issues that impact agriculture and rural communities, and act as the liaison between those communities and Council, helping to preserve, maintain and advance an economically viable agriculture base in the City of Hamilton.

SCOPE OF ACTIVITIES

The ARAAC's scope of activities, as it relates to their mandate, are as follows:

- To solicit and coordinate the interests and concerns of Hamilton's farming industry, agricultural organizations, farm families and non-farm rural residents, presenting recommendations before City Council as necessary;
- To serve as a community forum for the exchange of information on agricultural and rural affairs matters and encourage public awareness and education of agricultural and rural issues;
- To review and provide advice on federal, provincial and municipal strategies, policies, studies, plans, by-laws and proposal related to agriculture and rural affairs;
- To provide advice on agricultural and rural affairs matters, as they arise, at the request of Council or staff; and,
- To serve as the Tree By-Law Committee, as set forth in By-law No. R00-054, the Regional Municipality of Hamilton-Wentworth Woodland Conservation By-law, for the purpose of hearing applicants who are refused a permit for minor exception, and recommending whether the permit should be issued or denied with or without terms and conditions.

REPORTING STRUCTURE

The Agriculture and Rural Affairs Advisory Committee reports to City Council, through the Planning Committee.

COMPOSITION & TERMS

The Agriculture and Rural Affairs Advisory Committee shall be comprised of up to 19 voting members and up to five key stakeholders/advisors (non-voting) as follows:

Voting Members:

- Three members appointed by the Hamilton-Wentworth Federation of Agriculture;
- One member appointed by the Wentworth-Brant Christian Farmers Association;

Approved by Council on [INSERT DATE]

- One member appointed by the Hamilton-Wentworth Women’s Institute;
- One rotating member appointed by the Agricultural Societies (Rockton, Binbrook and Ancaster);
- Two members appointed by the Wentworth Soil & Crop Improvement Association;
- Up to five citizen members appointed by Council; and,
- Up to six Councillors appointed by Council from Wards 9, 10, 11, 12, 13, and/or 15.

Key Stakeholders/Advisors (Non-voting Members):

- The Member Service Representative for Zone 5 from the Ontario Federation of Agriculture;
- One staff representative from the Ontario Ministry of Agriculture, Food and Rural Affairs;
- One member appointed by farmers markets in Hamilton;
- One member appointed from the Chamber of Commerce (Flamborough, Stoney Creek, Hamilton); and,
- One member appointed from the Wentworth Junior Farmers Association.

Quorum shall be a half of the voting membership rounded up to the nearest whole number. Non-voting members are not counted in determining the number required for quorum or in determining whether or not quorum is present.

Volunteer citizen members of the ARAAC will be selected as per the City of Hamilton’s Policy respecting the Appointment of Citizens to the City’s Agencies, Boards, Commissions, Advisory (Volunteer) Committees and Sub-Committees for the Term of Council (4 years) or until such time as a successor is appointed by Council.

A Chair and Vice-Chair of the ARAAC shall be elected for the Term of Council (4 years) or until such time as a successor is appointed.

COMMITTEE SUPPORT

The following resources will be made available to the Agriculture and Rural Affairs Advisory Committee:

- The City Clerk’s Division will provide legislative support and be responsible for the administrative costs of operating the Committee meetings;
- City staff liaison(s) from the Economic Development Division and Planning Division; and,
- The Committee may request information or support from other City Divisions and Departments or experts in the field to assist in formulating appropriate decisions and recommendations.

MEETINGS AND GENERAL INFORMATION

Meetings shall be held at the call of the Chair at an appropriate meeting space and time. Regular meetings will not be scheduled during the months of July, August or December,

Approved by Council on [INSERT DATE]


but special meetings may be called during these months.

The Terms of Reference shall be reviewed by the Committee within each Term of Council.

10.2



INFORMATION UPDATE

TO:	Agriculture and Rural Affairs Advisory Committee
DATE:	September 9, 2019
SUBJECT:	Corporate Climate Change Task Force Request
WARD(S) AFFECTED:	City Wide
SUBMITTED BY:	Trevor Imhoff, Chair Corporate Climate Change Task Force Senior Project Manager – Healthy Environments Division Healthy and Safe Communities Department City of Hamilton
SIGNATURE:	

The purpose of this Information Update is to inform the Agriculture and Rural Affairs Advisory Committee on the direction of the Corporate Climate Change Task Force (CCCTF). It was requested the CCCTF provide an update on whether it would be including the investigation of the effects of climate change on agriculture and the role of agriculture in supporting the City of Hamilton in reducing its Green House Gas (GHG) emissions in it's corporate-wide climate change adaptation and mitigation work plan.

As the Agriculture and Rural Affairs Advisory Committee is well-aware, Agriculture contributes approximately \$1 billion to the Hamilton economy¹. Furthermore, 79% of Hamilton's land mass, or approximately 219,504 acres is considered rural and agriculture represents the backbone to rural life².

GHG Emissions from Agriculture

In 2018 the City of Hamilton through the Bay Area Climate Change partnership between Mohawk College and City of Burlington retained Sustainability Solutions Group, a leading consulting firm in GHG emissions inventory and forecasting to undertake an updated GHG inventory for both Hamilton and Burlington as well as to create a forecast model using their patented CityInSight model. This model is capable of generating future GHG emission scenarios based on low carbon scenarios. This type of forecasting is essential to prioritize actions that will have the most impact on reducing GHG emissions.

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OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

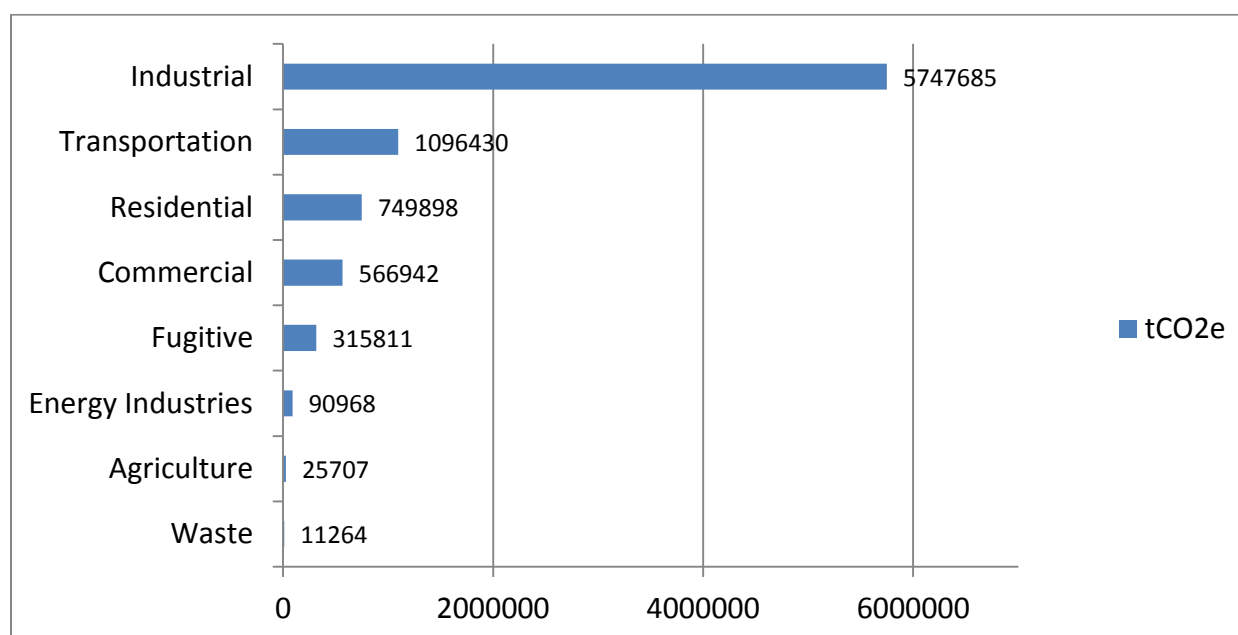
OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

SUBJECT: Corporate Climate Change Task Force Request Consideration (City Wide) - Page 2 of 4

The agriculture sector was excluded in Hamilton's GHG emissions inventory due to its small emissions contribution. However the City of Hamilton reports annually on GHG emissions by sector and includes agriculture into that analysis.

The City of Hamilton utilizes data from the Federal National Inventory Report and Statistics Canada in order to calculate GHG emissions from the agricultural sector in Hamilton. The estimated GHG emissions from agriculture for the 2016 inventory year were approximately 25,707 tCO₂e. Figure 1.0 below is a bar-graph showing total GHG emissions by sector for the City of Hamilton.

Figure 1.0 GHG Emissions by Sector for City of Hamilton, 2016



According to Sustainability Solutions Group GHG emissions inventory for 2016 Hamilton's emissions was estimated at 8,578,998 tonnes carbon dioxide equivalent (tCO₂e)³. Adding agriculture to this, Hamilton's total GHG emissions is approximately 8,604,704 tCO₂e.

Therefore it is estimated that agriculture represents approximately 0.3% of total emissions in Hamilton. Hamilton is a unique City with an intense industrial core, however even if you exclude industry from the calculation, agriculture still represents less than 1.0% of total GHG emissions.

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SUBJECT: Corporate Climate Change Task Force Request Consideration (City Wide) - Page 3 of 4

Climate Change Impacts

Climate change represents both opportunities and threats to the agriculture sector. Climate change will impact not only the ability to grow crops, but the distribution chain and transport side of the agriculture sector as well. It is projected that longer growing seasons may represent an opportunity for the agriculture sector here in Canada, however future local impacts caused by climate change are projected to include:

- An annual increase in temperatures of approximately 1.5°C in the 2020s, 3.0°C in the 2050s, and 4.8°C in the 2080s
- Changes in precipitation with annual precipitation days of 118 increasing to 126 days in the 2020s, 132 days in the 2050s, and 137 days in the 2080s.
- Intensity, duration, and frequency of extreme weather events, such as heavy rain events, ice storms
- An increase in the frequency of heat days (>30°C) and warm nights of 20 days in the 2020s, 33 days in the 2050s, and 48 days in the 2080s.

These impacts are projected to worsen because of climate change. Climate adaptation is a priority area for the CCCTF and it is expected the agricultural sector will be consulted through the process of creating a city-wide climate adaptation plan in addition to the existing consultation City staff have had with the agricultural community.

Local Food Production and Carbon Sequestration

The CCCTF does recognize the importance of food choices and the reduction in individual consumers' carbon footprint by making the choice to eat local. However, this is very difficult to measure and education/awareness through other avenues including the *Food Strategy* and *Eat Local Hamilton Map* would be a better way to engage citizens and promote local food production.

The CCCTF also recognizes the potential role agricultural lands have in sequestering carbon. It will be important that we all recognize the role the natural environment including forests, grasslands, wetlands and agriculture have in sequestering carbon and stormwater management. Potential carbon sequestration is a very scientific area of research and therefore would be more suited to be led by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA).

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SUBJECT: Corporate Climate Change Task Force Request Consideration (City Wide) - Page 4 of 4

Conclusion

The agricultural sector contributes a very small amount in regards to GHG emissions. However, because of the land mass and contribution of the agricultural sector to Hamilton's economy, it will be important that the agricultural community be consulted throughout the climate adaptation planning process. Other than this consultation it is not expected that any additional research or work plans would be created through the Corporate Climate Change Task Force.

City staff responsible for Hamilton's Food Strategy has indicated an opportunity to undertake a roundtable discussion at Hamilton's Food Strategy Forum in November 2019. There may be an opportunity for the creation of a community working group following the Food Strategy Forum dedicated to the agricultural sector that can collaborate/advise with the Corporate Climate Change Task Force, as well as advocate on behalf of the agricultural sector to other climate change related groups including the Bay Area Climate Change Office at Mohawk College. Key stakeholders including OMAFRA, Ontario Federation of Agriculture and local farm associations would be invited to partake in the Forum and discuss the connections between agriculture, local food production and climate change.

This would help to ensure the agricultural voice is heard through the climate adaptation process and help to provide additional expertise to ensure the agricultural community continues to remain prosperous in the face of a changing climate and a main economic factor in the City of Hamilton.

References

¹Invest In Hamilton.(2019).Hamilton Agribusiness and Food processing. Retrieved from: <https://investinhamilton.ca/industries/agri-business-and-food-processing/>

²City of Hamilton.(2019).Hamilton Agriculture Profile and Economic Impact Report. Retrieved from: <https://pub-hamilton.escribemeetings.com/filestream.ashx?DocumentId=183010>

³Sustainability Solutions Group.(2018).Hamilton and Burlington Low-Carbon Scenario and Technical Report 2016 to 2050. Retrieved from: <https://pub-hamilton.escribemeetings.com/filestream.ashx?DocumentId=195803>

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Notes re Revision 3:

- Added agricultural operations to exception for stockpiling in section 6
- Moved section 12 re exceptions to section 7
- Clarification to undisturbed strip in pool installation (section 7(1)(b))
- Added exceptions applicable to Rural area in section 7(2)
- Clarified appeal provision (section 18)

Authority: Item ,
Report
CM:

Bill No.

**CITY OF HAMILTON
BY-LAW NO.**

WHEREAS the *Municipal Act, 2001*, particularly section 142, authorizes the City of Hamilton to pass by-laws respecting these matters; and

~~**WHEREAS** ; and,~~

~~**WHEREAS**.~~

WHEREAS Council deems it necessary to enact this by-law for the purposes set out in section 2 of this by-law.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

Short Title

- 1 This By-law may be cited as the Site Alteration By-law.

Purposes

- 2 The purposes of this By-law are,
 - (a) to control and regulate site alteration on lands within the City of Hamilton;
 - (b) to ensure site alteration is undertaken for necessary or beneficial purposes, not primarily for financial gain;
 - (c) to minimize adverse impacts on infrastructure, environment and community in respect of site alteration undertakings; and
 - (d) to promote and protect agricultural resources.

Definitions

- 3 In this By-law:

“agricultural operation” has the same meaning as under the *Farming and Food Production Protection Act, 1998*, which is, for ease of reference, an agricultural, aquacultural, horticultural or silvicultural operation that is carried on in the expectation of gain or reward;

“building” has the same meaning as under the *Building Code Act, 1992*;

“City” means the City of Hamilton;

“Director” means the Senior Director of Growth Management or designate;

“fill” means earth or rock fill or material of a similar nature;

“land” includes land covered by water;

“normal farm practice” has the same meaning as under the *Farming and Food Production Protection Act, 1998*, which is, for ease of reference, a practice that,

(a) is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances, or

(b) makes use of innovative technology in a manner consistent with proper advanced farm management practices;

“qualified person” has the same meaning as in section 5 of Ontario Regulation 153/04;

“Rural Area” means all lands within the City of Hamilton except those designated as “Urban Area” on Schedule “D” to the Rural Hamilton Official Plan;

“topsoil” means those horizons in a soil profile, commonly known as the “O” and the “A” horizons, containing organic material and includes deposits of partially decomposed organic matter such as peat;

Application

4 The provisions of this By-law regarding “site alteration” apply to all land within the City of Hamilton in respect of,

- (a) excavating, depositing or stockpiling fill or topsoil,
- (b) removing topsoil, and
- (c) altering the grade of land.

Statutory Exemptions

5 (1) This By-law does not apply to site alteration undertaken,

- (a) as a condition to the approval of or a condition of or a requirement of any of the following, imposed after December 31, 2002 pursuant to the *Planning Act*:
 - (i) a site plan or site plan agreement under section 41;
 - (ii) a plan of subdivision or a subdivision agreement under section 51;
 - (iii) a consent under section 53;
 - (iv) a development permit or agreement under a regulation made under section 70.2;
- (b) by a transmitter or distributor, as those terms are defined in section 2 of the *Electricity Act, 1998*, for the purpose of constructing and maintaining a transmission system or a distribution system, as those terms are defined in that section;
- (c) on land described in a licence for a pit or quarry or a permit for a wayside pit or wayside quarry issued under the *Aggregate Resources Act*;
- (d) on land in order to lawfully establish and operate or enlarge any pit or quarry on land;

- (i) that has not been designated under the *Aggregate Resources Act* or a predecessor of that Act, and
- (ii) on which a pit or quarry is a permitted land use under a by-law passed under section 34 of the *Planning Act*,
- (e) as an incidental part of drain construction under the *Drainage Act* or the *Tile Drainage Act*, or
- (f) as part of the use, operation, establishment, alteration, enlargement or extension of a waste disposal site within the meaning of Part V of the *Environmental Protection Act*.

Normal Farm Practices

(2) Subject to subsection (3), this By-law does not apply to the removal of topsoil as an incidental part of a normal farm practice including such removal as an incidental part of sod-farming, greenhouse operations and nurseries for horticultural products undertaken as a permitted or legal non-conforming use of land.

Removal of Topsoil

(3) The removal of topsoil as an incidental part of a normal farm practice does not include the removal of topsoil for sale, exchange or other disposition.

Stockpiling for Agricultural or Commercial Operations

6 (1) Despite subsection 11(1), this By-law does not prohibit or require a site alteration permit for the stockpiling of fill or topsoil on land for sale or exchange or use as an incidental part of an agricultural or commercial operation undertaken as a permitted ~~or legal non-conforming~~ use of the land, provided that any such stockpiles,

- (a) are used, depleted and refreshed on a continuous basis during periods when the stockpiles are actively in use in the agricultural or commercial operation;
- (b) are removed and the existing grade restored while the agricultural or commercial operation is suspended or during periods when the stockpiles are not actively in use in the agricultural or commercial operation; and
- (c) no stockpile remains substantially unchanged for longer than 6 months.

Existing Commercial Stockpiles

(2) Subsection (1) applies to stockpiles existing on the date this By-law comes into force that were exempt from the requirement for a permit pursuant to section 3.14 of By-law No. 03-126.

Exceptions from Permit Requirement

7 (1) Despite subsection 11(1), no permit is required for site alteration undertaken,

- (a) for the purposes of lawn maintenance, landscaping or gardening, provided that:
 - (i) the depth of fill deposited on the site does not exceed 15 centimetres at any location;
 - (ii) there is no change in the location, direction or rate of drainage to neighbouring properties; and
 - (iii) there is no change or blockage of any swale.
- (b) for the installation of a pool where a permit has been issued pursuant to By-law No. 16-184, provided that:
 - (i) any previously approved grading plan is maintained or if there is no previously approved grading plan applicable to the property, a minimum 60-

centimetre strip of undisturbed ground remains along the rear and side property lines within the rear yard; and

(i)(ii) any retaining walls are limited to 0.5 metres in height, measured from existing ground elevations.

(c) incidental to the construction of a building for which a building permit has been issued by the Chief Building Official, provided that the accompanying application provides sufficient information for the Chief Building Official to determine that such site alteration conforms with this By-law.

Rural Area Exceptions from Permit Requirement

(2) Despite subsection 11(1), no permit is required for site alteration undertaken in the Rural Area,

(a) for the purposes of improving site drainage or soil quality provided that:

(i) the site alteration involves a maximum of 500 cubic metres of fill or topsoil, which may include imported fill or topsoil;

(ii) the Director is notified of the intended site alteration at least 48 hours in advance of commencing site alteration; and

(iii) this exception may be used only once with respect to a property, and otherwise a permit is required.

(b) for the purposes of dredging existing ponds provided that:

(i) the surface area of the existing pond is not increased;

(ii) the depth of the existing pond is not increased beyond its original depth; and

(iii) where possible, dredged fill is deposited on the same property without altering existing drainage patterns, and piles or berms of dredged fill are not created adjacent to the pond.

(c) for the purpose of maintaining existing granular driveways, roads, farm field access roads, or parking areas with appropriate imported granular material including native granular, recycled aggregate, recycled asphalt or recycled concrete provided that previously existing grades are being re-instated.

City Undertakings

78 (1) Subject to subsection (2), this By-law does not apply to site alteration undertaken by the City or a local board of the City on lands owned by the City or local board.

Receiving Site

(2) Where the City or a local board of the City deposits fill on a site not owned by the City or local board, the owner of the site shall be required to obtain a site alteration permit in accordance with this By-law.

No Permit Granted for *Planning Act* Applications

89 No site alteration permit shall be issued for a site which is the subject of or included within any outstanding application to the City for any of the approvals listed in clause 5(1)(a) on the date of application for a site alteration permit.

Prohibitions and Permit Requirements

Consent of Owner

910 No person shall undertake site alteration or cause site alteration to be undertaken except with the consent of the owner of the site.

Permit Required

~~4011~~ (1) No person shall undertake site alteration or cause site alteration to be undertaken unless a site alteration permit has been issued to undertake such site alteration.

Permit Application

(2) An owner of a site, or a person with the consent of an owner of a site, may apply to the Director for a site alteration permit to undertake site alteration on the site in accordance with section 14 or 15.

Issuance of Permits

(3) The Director shall not issue a site alteration permit unless,

- (a) the application is complete;
- (b) the applicant, and any other required parties, have entered into a site alteration agreement required by section 19;
- (c) the applicant has paid all fees required by section 20;
- (d) the applicant has provided security required by section 21; and
- (e) the Director is satisfied the proposed site alteration will be undertaken in accordance with this By-law.

Criteria

(4) In considering whether to issue a site alteration permit, the Director shall have regard to,

- (a) whether the primary use of the site is the depositing of fill on the site;
- (b) whether the proposed site alteration is necessary for the purpose identified in the application;
- (c) whether the proposed site alteration is part of a normal farm practice;
- (d) whether the proposed site alteration is likely to be completed within the term of the site alteration permit;
- (e) any effects on ground and surface water resources;
- (f) any effects on drainage;
- (g) if the use of the site is residential, whether the proposed site alteration complies with the City's Lot Grading Policy, Criteria and Standards;
- (h) any effects on agricultural resources;
- (i) any effects on the environment;
- (j) any planning and land use considerations;
- (k) any effects on nearby communities;
- (l) any comments provided by external bodies or agencies;
- (m) the suitability of the proposed erosion and sediment control measures;
- (n) the suitability of the proposed construction site control and security measures;
- (o) the final grading and rehabilitation plans for the site;
- (p) the main haulage routes and proposed truck traffic to and from the site;

- (q) the quality of the fill proposed to be transported to the site from any other source site or moved from one area of the site to another;
- (r) the applicant's history of compliance with this By-law or similar By-laws of other municipalities or similar Acts; and
- (s) such other matters as are considered appropriate.

Reasons

(5) If an application is refused, the Director shall provide written reasons for the refusal.

Revocation

(6) The Director may revoke a site alteration permit if,

- (a) it was issued on false or incorrect information;
- (b) it was issued in error; or
- (c) a provision of this By-law has not been complied with.

Notice of Change

(7) No person shall make or cause a material change to be made to a plan, specification, document or other information on the basis of which a permit was issued without notifying, filing details with and obtaining the authorization of the Director.

Prohibition

(8) No person shall undertake site alteration or cause site alteration to be undertaken except in accordance with the plans, specifications, documents and any other information on the basis of which a permit was issued or any changes to them authorized by the Director.

Commenting Agencies

[4412](#) The Director may circulate an application for comment by such external bodies or agencies as the Director determines to be necessary.

Compliance with Other Law

[4213](#) The issuance of a site alteration permit or an exception from the permit requirements pursuant to this By-law does not relieve a person from compliance with any other applicable legislation, regulations or permit requirements, including the requirements of the Niagara Escarpment Commission or a conservation authority.

Site Alteration Permit Applications

Minor Agricultural Application Requirements

[4314](#) (1) This section applies to an application for a site alteration permit for a site alteration proposal involving a maximum of 500 cubic metres of fill or topsoil for a site where an agricultural operation is carried on and the proposed site alteration is part of a normal farm practice, other than as described in subsection 5(2).

(2) An application for a site alteration permit pursuant to this section shall contain:

- (a) the address, legal description and registered owner of the site;
- (b) the area of the site in hectares;
- (c) up-to-date contact details of the owner of the site, and of the applicant, if not the owner of the site;
- (d) the past, current and intended future uses of the site;
- (e) the purpose of the proposed site alteration;

- (f) the volume of soil involved in the proposed site alteration in cubic metres;
- (g) intended start date and completion date for the proposed site alteration;
- (h) an approximate sketch of the site showing:
 - (i) the property lines;
 - (ii) such dimensions and absolute or relative elevations as are required to permit the Director to determine whether to issue a site alteration permit;
 - (iii) buildings and other structures including retaining walls;
 - (iv) highways, driveways and paths;
 - (v) easements and rights-of-way;
 - (vi) above- and below-ground private, municipal or utility infrastructure including the size and invert elevations of drainage swales, ditches, pipes and culverts;
 - (vii) bodies of water and watercourses;
 - (viii) wetlands and floodplains;
 - (ix) Conservation Authority regulation boundaries;
 - (x) trees measuring 150 mm or greater in diameter at breast height including species;
 - (xi) vegetation masses by canopy outline;
- (i) design details and specifications for any proposed retaining walls;
- (j) design details and specifications for any proposed drainage or stormwater management systems;
- (k) if required by the Director, in a form satisfactory to the Director,
 - (i) an excess soil management plan prepared by a qualified person,
 - (ii) a dust management plan,
 - (iii) an erosion and sediment control plan,
 - (iv) a groundwater management plan,
 - (v) a stormwater management plan,
 - (vi) a traffic management plan; and
- (l) any other information, plans or studies the Director requires to determine whether the site alteration proposal complies with this By-law.
- (m) the contact details of the farmer responsible for the agricultural operation;
- (n) a statement of nature of the agricultural operation;
- (o) the farm business registration number of the agricultural operation or proof of membership in an accredited farm organization;
- (p) a description of the normal farm practice;
- (q) any plans or evidence supporting the normal farm practice that the applicant wishes to rely upon, including the qualifications of any person providing such plans or evidence;

- (r) if the proposed site alteration on a site involves fill being transported to the site from any other source site, a statement from the farmer responsible for the agricultural operation or a qualified person that the fill to be transported to the site is suitable for use at the site; and
- (s) the proposed haul routes, daily truck volume and hours of operation of truck traffic to and from the site.

(3) If an application pursuant to this section is refused, an applicant may reapply pursuant to the requirements of section 15.

General Application Requirements

4415 (1) This section applies to all applications other than those to which section 14 applies.

(2) An application for a site alteration permit pursuant to this section shall contain:

- (a) the address, legal description and registered owner of the site;
- (b) the area of the site in hectares;
- (c) up-to-date contact details of the owner of the site, and of the applicant, if not the owner of the site;
- (d) the past, current and intended future uses of the site;
- (e) the purpose of the proposed site alteration;
- (f) the volume of soil involved in the proposed site alteration in cubic metres;
- (g) intended start date and completion date for the proposed site alteration;
- (h) a control plan of the site and the area within 30 metres of the property lines of the site drawn to scale, prepared by a licenced surveyor, professional engineer or professional geoscientist, showing the property lines and all existing and proposed:
 - (i) elevation contours at 0.5 metre intervals or less;
 - (ii) spot elevations at 15 metre intervals along the property lines;
 - (iii) predominant native soil types;
 - (iv) buildings and other structures including retaining walls;
 - (v) highways, driveways and paths;
 - (vi) impermeable surfaces;
 - (vii) easements and rights-of-way;
 - (viii) above- and below-ground private, municipal or utility infrastructure including the size and invert elevations of drainage swales, ditches, pipes and culverts;
 - (ix) bodies of water and watercourses;
 - (x) wetlands and floodplains;
 - (xi) Conservation Authority regulation boundaries;
 - (xii) trees measuring 150 mm or greater in diameter at breast height including species;
 - (xiii) vegetation masses by canopy outline;

- (xiv) tree protection measures;
- (xv) erosion and sediment control measures;
- (xvi) construction site control and security measures;
- (xvii) locations of site alteration including temporary stockpiles, specifying the volumes, source and type of fill involved;
- (xviii) final ground covering;
- (i) design details and specifications for any proposed retaining walls;
- (j) design details and specifications for any proposed drainage or stormwater management systems;
- (k) if required by the Director, in a form satisfactory to the Director,
 - (i) an excess soil management plan prepared by a qualified person,
 - (ii) a dust management plan,
 - (iii) an erosion and sediment control plan,
 - (iv) a groundwater management plan,
 - (v) a stormwater management plan,
 - (vi) a traffic management plan; and
- (l) any other information, plans or studies the Director requires to determine whether the site alteration proposal complies with this By-law.

Transportation of Excess Soil

(3) If the proposed site alteration on a site involves fill being transported to the site from any other source site, the application shall contain:

- (a) the address and legal description of each source site;
- (b) a statement of the nature of the project on each source site that is generating the fill to be transported to the site;
- (c) the volume of fill to be transported to the site from each source site;
- (d) the contact details for the person responsible for the project on each source site;
- (e) the past uses of each source site;
- (f) a copy of the detailed sampling and analysis plan for all fill excavated from each source site, and confirmation from a qualified person retained by the registered owner of the source site stating that the fill to be transported to the site is suitable for use at the site;
- (g) a letter from the registered owner of the source site confirming (a) to (f);
- (h) the contact details of a person from the municipality in which the source site is located who has knowledge of any past uses of the source site and who is able to provide information with respect to Records of Site Condition of the source site; and
- (i) the proposed haul routes, daily truck volume and hours of operation of truck traffic to and from the site.

Site Alteration as Normal Farm Practice

(4) If an application for a site alteration permit is made for a site where an agricultural operation is carried on or is intended to be carried on and the proposed site alteration is part of a normal farm practice, other than as described in subsection 5(2), the application shall contain:

- (a) the contact details of the farmer responsible for the agricultural operation;
- (b) a statement of nature of the agricultural operation;
- (c) the farm business registration number of the agricultural operation or proof of membership in an accredited farm organization;
- (d) a description of the normal farm practice; and
- (e) any plans or evidence supporting the normal farm practice, including the qualifications of any person providing such plans or evidence.

Waiver of Application Requirements

~~15~~16 Despite section 15, the Director may waive any application requirement the Director determines to be unnecessary in the circumstances of the proposed site alteration.

Application Form

~~16~~17 An application shall be made in such form as may be determined by the Director from time to time.

Appeal for Normal Farm Practices

~~17~~18 (1) Where section 14 or subsection 15(4) applies, if the Director refuses to issue a site alteration permit, the applicant may appeal the refusal to the Planning Committee or any successor Committee by requesting an appeal in writing to the Clerk within 30 days of being notified of the refusal.

(2) Upon receipt of a written request for an appeal, the Clerk shall:

- (a) schedule a hearing of the appeal before the Committee;
- (b) give the applicant notice of the appeal date at least 7 days prior to the hearing date; and
- (c) give notice of the request for an appeal to the Director, who shall forward the complete application and reasons for refusal to the Clerk for distribution to the Committee.

(3) If the applicant does not attend the appointed time and place for the appeal, the appeal may proceed in the absence of the applicant and the applicant shall not be entitled to further notice in the proceeding.

~~(3)~~(4) On an appeal, the Committee has all the powers and duties of the Director in considering whether to issue a site alteration permit to the applicant.

(5) The applicant shall not be entitled to a further hearing on the matter before Council.

~~(4)~~(6) The decision of the Committee, once confirmed by Council, is final and binding.

Fee, Security and Agreement

Site Alteration Agreement

~~18~~19 Prior to the issuance of a site alteration permit, the Director may require the applicant, registered owner of the site, and such other persons as the Director deems appropriate to enter into a site alteration agreement with the City, which may be registered on title to the site, which agreement may address any of the matters relevant to this By-

law, including indemnification of the City and insurance, and the Director is authorized to enter such agreement.

Application Fee

~~1920~~ (1) The Director shall determine the application fee to be paid by the applicant in accordance with Schedule "A".

Fee Where Contravention

(2) Where an applicant applies for a site alteration permit for a site where site alteration has occurred in contravention of this By-law, the application fee to be paid by the applicant shall be twice the amount otherwise payable, subject to the discretion of the Director.

Security

~~2021~~ (1) An applicant shall provide financial security to the City to ensure compliance with this By-law, including to ensure:

- (a) maintenance of construction site control and security measures;
- (b) remediate fouling or damage to municipal roads and other infrastructure; and
- (c) rehabilitation and restoration of the site to a condition consistent with this By-law.

Amount of Security

(2) The Director shall determine the amount of the security to be provided to the City by the applicant in accordance with Schedule "B", which shall remain in effect until released in accordance with subsection (5).

Form of Security

(3) Security shall be provided in cash or an irrevocable letter of credit issued by a financial institution or equivalent in a form satisfactory to the City Solicitor.

Drawing Upon Security

(4) The City may draw upon the security to remedy any breach of this By-law, including a breach of the terms of an issued site alteration permit or a site alteration agreement with the City, and the for payment of any costs set out in section 35.

Release of Security

- (5) The City shall not release the security until,
- (a) site alteration is complete in accordance with the site alteration permit;
 - (b) if applicable, the permit holder has provided a certificate of compliance prepared by the person who prepared the control plan required by clause 15(2)(h), or a person of equivalent qualifications, confirming that site alteration has been completed in accordance with the approved control plan; and
 - (c) the City has carried out a final inspection of the site, and the Director is satisfied that the site alteration is in accordance with this By-law, the site alteration permit and the site alteration agreement, if applicable.

Compliance Letter

~~2422~~ Upon paying any applicable fee, a permit holder may obtain a letter from the Director confirming that a final inspection has been carried out and the Director is satisfied that the site alteration is in accordance with this By-law, the site alteration permit and the site alteration agreement, if applicable.

Site Alteration Undertakings

Public Notice

2223 (1) At least 14 days prior to commencing site alteration pursuant to an issued site alteration permit, the permit holder shall provide written notice, at the permit holder's expense, of the approved site alteration undertaking to neighbouring property owners likely to be impacted by the site alteration undertaking in a form approved by the Director.

Same

(2) Prior to commencing site alteration pursuant to an issued site alteration permit, the permit holder shall provide certification to the Director that subsection (1) has been complied with, including a list of the addresses or a map showing the properties where the written notice has been delivered.

Pre-Construction Meeting for General Application

2324 (1) No person shall undertake site alteration pursuant to a site alteration permit to which section 15 applies without first participating in pre-construction meeting with Growth Management Division staff and obtaining the approval of the Director to commence site alteration.

Notification for Minor Agricultural Application

(2) No person shall undertake site alteration pursuant to site alteration permit to which section 14 applies without first notifying the Director 48 hours in advance of commencing site alteration

General Conditions

2425 No person shall undertake site alteration or cause site alteration to be undertaken except in accordance with the following conditions:

- (a) no fill deposited on the site shall contain garbage, asphalt, glass, plastic, metals, petroleum products, putrescible material, soluble or decomposable chemical substances, or similar materials;
- (b) no fill transported to the site from any other source site or moved from one area of the site to another shall exceed the soil quality standards determined in accordance with section 27;
- (c) topsoil shall be removed and stockpiled on the site from all areas likely to be disturbed by any other site alteration, and shall be replaced on the site to the extent practicable;
- (d) the permit holder shall maintain such written or electronic records of fill transported to the site from any other source site as the Director may require;
- (e) fill transported to the site from any other source site or moved from one area of the site to another shall be finally placed in accordance with the approved control plan within 14 days of being deposited or moved, except as stockpiled in accordance with the approved control plan;
- (f) fill deposited on the site shall be compacted in accordance with good engineering practices;
- (g) site alteration shall not cause adverse impacts, on the site or any other lands, on any of the following:
 - (i) surface water drainage;
 - (ii) groundwater or a water source intended for agricultural use or human consumption;
 - (iii) bodies of water or watercourses;

- (iv) private, municipal or utility infrastructure;
 - (v) buildings or other structures;
 - (vi) trees or vegetation;
 - (vii) wildlife;
 - (viii) agricultural production;
- (h) no site alteration shall be undertaken:
- (i) on any Saturday, Sunday, or statutory holiday;
 - (ii) using highways to transport fill to or from the site except those highways approved as a haul route by the Director, and in accordance with Traffic By-law No. 01-215;
 - (iii) in contravention of the Noise By-law No. 11-285;
 - (iv) at any time when a wind warning issued by Environment Canada is in effect for the area of the site; or
 - (v) during or within 48 hours of the site receiving 15 mm or more of precipitation within a 24-hour period.

Potential Contamination

[2526](#) (1) If, at any time, any person performing site alteration, or an employee, agent or contractor of a person performing site alteration makes an observation of the site or any fill being excavated, moved, transported or deposited on the site, including any visual or olfactory observation, that the fill may be affected by contaminants, the site alteration shall stop immediately.

Notice to Director

(2) The permit holder shall immediately notify the Director if there has been an observation described in subsection (1).

Remediation

(3) The permit holder shall take steps to remove and remediate the potentially contaminated fill to the satisfaction of the Director.

Prohibition

(4) No person shall resume site alteration until authorized by the Director.

Soil Quality Standards

[2627](#) The soil quality standards referred to in clause 25(b) shall be the standards set out in Table 1 of the Soil, Ground Water and Sediment Standards, referenced in O. Reg. 153/04, as applicable to the use of the site described in the permit application unless the applicant submits an excess soil management plan prepared by a qualified person and demonstrates to the satisfaction of the Director that a less stringent standard is appropriate.

Additional Conditions

[2728](#) (1) In addition to the general conditions set out in section 25, the Director may impose such conditions to the issuance of a permit as in the Director's opinion are reasonable to ensure compliance with this By-law.

Variance of Conditions

(2) The Director may vary any of the conditions set out in section 25 provided that the general intent of this By-law is still met.

Restoration Upon Revocation or Incompleteness

2829 If a permit is revoked by the Director or the permit holder is unable to or determines not to complete the approved site alteration proposal, the permit holder shall promptly restore the site to a condition consistent with this By-law to the satisfaction of the Director.

Permit Expiry

2930 (1) A site alteration permit shall be valid for a period of 2 years from the date of issuance.

Permit Renewal

(2) A site alteration permit may be renewed for a period of 2 years upon application within 90 days of the date of expiry.

Not Transferrable

(3) A site alteration permit is issued for a particular site and is not transferrable to another site.

Deemed Revocation

(4) A site alteration permit shall be deemed to be revoked upon the transfer of ownership of the site unless the new owner provides a written undertaking to comply with all of the terms of the site alteration permit, including assuming any agreement executed by the former owner, and the requirement to provide security.

Administration and Enforcement

Administration

3031 This By-law shall be administered and enforced by the Director, who may designate inspectors for the purposes of this By-law from time to time.

Experts and Consultants

3132 The Director may engage such persons possessing special or expert knowledge, including legal counsel, that the Director requires to

- (a) evaluate or peer review a site alteration permit application;
- (b) provide advice as to any matter relevant to a site alteration permit application, site alteration permit or site alteration agreement;
- (c) perform inspections, testing or sampling required to enforce this By-law;
- (d) provide advice or project management with respect to work carried out by the City pursuant to subsection 34(3)0; or
- (e) otherwise enforce this By-law.

Entry on Land

3233 (1) An inspector may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not any of the following are being complied with:

- (a) this By-law;
- (b) a condition of a site alteration permit;
- (c) an order under the *Municipal Act, 2001* or this By-law;
- (d) a site alteration agreement.

Inspection Powers

(2) An inspector carrying out an inspection under subsection (1) may:

- (a) require the production for inspection of documents or things relevant to the inspection;
- (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
- (c) require information from any person concerning a matter related to the inspection; and
- (d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

Biosecurity Practices

(3) An inspector or other person entering upon land where an agricultural operation occurs shall observe appropriate biosecurity practices.

Orders

3334 (1) An inspector who is satisfied that a contravention of this By-law has occurred may make one or more orders requiring any person who contravened the By-law,

- (a) to discontinue the contravening activity, or
- (b) to do work to correct the contravention.

Immediate Effect

(2) An order under subsection (1) may take immediate effect.

Remedial Action

(3) If a person fails to comply with an order under subsection (1), the Director or persons acting upon the Director's instructions may enter on land at any reasonable time to do the things required by the order at the person's expense.

Recovery of Costs

3435 The City may recover any of the following costs by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes:

- (a) its actual costs plus 15% for administration and staff costs plus interest at the rate of 15% per year to engage persons possessing special or expert knowledge pursuant to section 32;
- (b) its actual costs plus 50% for project management, administration and staff costs plus interest at the rate of 15% per year for work performed by the City pursuant to subsection 34(3).

Offences and Penalties

Offence

3536 (1) Any person other than a corporation who contravenes any provision of this By-law or an order made under this By-law is guilty of an offence and on conviction is liable to a maximum fine of \$10,000 for a first offence, and \$25,000 for a subsequent offence.

Officers and Directors

(2) Any officer or director who knowingly concurs in the contravention of this By-law or an order made under this By-law is guilty of an offence and on conviction is liable to a maximum fine of \$10,000 for a first offence and \$25,000 for a subsequent offence.

Corporations

(3) Any corporation which contravenes any provision of this By-law or an order made under this By-law is guilty of an offence and on conviction is liable to a fine of \$50,000 for a first offence and \$100,000 for any subsequent offence.

Economic Advantage

(4) In addition, if any person convicted of an offence under this By-law has gained economic advantage from the contravention of the By-law, they are liable to a special fine equal to the economic advantage gained.

Continuing Offence

[3637](#) Each day or a part of a day that a contravention of this By-law continues is deemed to be a separate offence.

Administrative Penalties

[3738](#) In the alternative to a charge for the offences described in section 36, an inspector may issue an administrative penalty notice for any contravention of this By-law.

Administrative Provisions

Severability

[3839](#) In the event that any provision or part of a provision in this By-law is found to be invalid or unenforceable then the particular provision or part thereof shall be deemed to be severed from the remainder of the By-law and all other provisions or parts thereof shall remain in full force and effect and shall be valid and enforceable to the fullest extent permitted by law.

Administrative Penalty Table

[3940](#) Administrative Penalty By-law No. 17-225 is amended by adding Table X:

TABLE X: BY-LAW NO. [XX-XXX] NAME				
ITEM	COLUMN 1 DESIGNATED BY-LAW & SECTION	COLUMN 2 SHORT FORM WORDING	COLUMN 3 EARLY PAYMENT	COLUMN 4 SET PENALTY
1	19-XXX			
2	19-XXX			
3	19-XXX			
4	19-XXX			
5	19-XXX			
6	19-XXX			

Transition

[4041](#) (1) Despite section 43, the provisions of By-law No. 03-126, as amended, continue to apply to a permit issued pursuant to that By-law.

No Renewals

(2) The Director shall not grant any extensions or renewals of permits issued under By-law No. 03-126.

Schedules

[4142](#) (1) The following Schedules are attached to and form part of this By-law:

- (a) Schedule “A” – Site Alteration Permit Application Fees
- (b) Schedule “B” – Financial Security

(2) Schedule “A” and any other fees arising from this By-law may be amended by Council through the City’s User Fees and Charges By-law from time to time.

(3) Schedule “B” may be revised by the Director.

Repeal

[4243](#) City of Hamilton By-law No. 03-126, as amended, is repealed.

Coming Into Force

[4344](#) This By-law comes into force on [the day it is passed OR DATE].

PASSED this _____ , _____

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

DRAFT

Schedule "A" to By-law No. 19-XXX
Site Alteration Permit Application Fees

Item	Fee	Fee Basis

DRAFT

Schedule "B" to By-law No. 19-XXX**Financial Security**

Place a security deposit to be used by the City as in accordance with Section X of the Agreement, which amount is calculated to be the sum of 50% of the value earthworks and 100% of the value of restoration of the lands affected by earthworks

Item	Amount	Basis

DRAFT