

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

1ST SESSION, 43RD LEGISLATURE, ONTARIO
1 CHARLES III, 2023

Bill 62

**An Act to provide for the development of a farmland and arable land strategy
and an advisory committee on farmland and arable land**

Ms B. Brady

Private Member's Bill

1st Reading February 21, 2023

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

The Bill enacts the *Farmland and Arable Land Strategy Act, 2023*.

The Act requires the Minister of Agriculture, Food and Rural Affairs to develop a strategic action plan that aims to protect Ontario's farmland and arable land from development, aggregate mining and the effects of fluctuating commodity prices and the availability of vacant land. The Minister is required to engage in consultations when developing the strategy and must prepare a report setting out the strategy within nine months after the Act receives Royal Assent.

The Act also establishes the Farmland and Arable Land Advisory Committee whose mandate is to provide advice and recommendations to the Minister that aim to prevent further land degradation in order to protect farmland and arable land for generations to come and ensure short-term and long-term food security for Ontario. The Act provides for the composition of the Committee. Members of the Committee are to be selected by a committee of members of the Legislative Assembly. The Committee is required to provide a report of its findings, advice and recommendations to the Minister at least every six months. The Minister is required to, in turn, table each report in the Legislative Assembly.

An Act to provide for the development of a farmland and arable land strategy and an advisory committee on farmland and arable land

Preamble

Land use planning affects our daily lives. Ontario's farmland and arable land is an essential resource for the sustainability and security of our food systems, environment and local economies. The sustainability of farmland, arable land and the agricultural industry depends on the availability and quality of land. Over half (52 per cent) of Canada's prime soils (Type 1 soils) are in Ontario. At the same time, less than five per cent of Ontario's landscape is arable land, with the best of it often located next to large cities.

Farmland and arable land is productive, valuable and essential but most importantly it is finite and non-renewable. This is an important consideration in the face of increasing pressure to develop housing in Ontario.

According to the most recent census data, Ontario is losing more than 319 acres of arable land each day. While there are various reasons for this, including the development of power grid battery storage sites and solar farms, the principal cause is development and aggregate mining.

As the Government of Ontario continues with its target to create 1.5 million new homes in Ontario, it is vital to put in place policies that will protect Ontario's farmers and their land, as well as Ontario's food security, both now and in the future.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Definitions

1 In this Act,

"arable land" means land that is or is capable of being cultivated, including pasture land and cropland; ("terres arables")

"Committee" means the Farmland and Arable Land Advisory Committee established under section 3; ("Comité")

"Minister" means the Minister of Agriculture, Food and Rural Affairs or such other member of the executive council to whom the responsibility for the administration of this Act is assigned under the *Executive Council Act*. ("ministre")

Farmland and Arable Land Strategy

2 (1) The Minister shall develop a strategic action plan that aims to protect Ontario's farmland and arable land from development, aggregate mining and the effects of fluctuating commodity prices and the availability of vacant land.

Consultation

(2) When developing the strategy, the Minister shall consult with relevant stakeholders including the farming community, land use planners, municipal partners and the outdoors community.

Timeline for development

(3) No later than nine months after the day this Act receives Royal Assent, the Minister shall ensure that,

- (a) a report is prepared that sets out the strategic action plan; and
- (b) the report is published on a website of the Government of Ontario and a copy provided to the Committee.

Committee

3 (1) An advisory committee is established known in English as the "Farmland and Arable Land Advisory Committee" and in French as the "Comité consultatif des terres agricoles et des terres arables".

Mandate of the Committee

(2) The Committee shall provide advice and recommendations to the Minister that aim to prevent further land degradation in order to protect farmland and arable land for generations to come and ensure short-term and long-term food security for Ontario.

Same

(3) In fulfilling its mandate, the Committee shall,

- (a) review Ontario land use policy, current and past legislation and municipal by-laws respecting land use, farming best practices and tax policies that relate to Ontario's farmland and arable land; and
- (b) take into account the strategic action plan prepared by the Minister in preparing its advice and recommendations.

Selection committee

(4) The members of the Committee shall be selected by a selection committee composed of up to seven members of the Legislative Assembly, of whom two must be government members, two must be opposition members, one must be a member of another party, if applicable, and up to two may be independent members, if applicable.

Composition

(5) The Committee shall be composed of an odd number of members that is no more than 11, and the members of the Committee must be representative of the farming community, the real estate industry, the outdoors community and any other community or industry that the selection committee thinks appropriate.

Reporting

(6) The Committee shall, at least every six months, prepare a report of its findings, advice and recommendations and provide it to the Minister.

Report to Assembly

(7) The Minister shall, as soon as reasonably possible after receiving a report from the Committee, table the report in the Legislative Assembly.

Commencement

4 This Act comes into force on the day it receives Royal Assent.

Short title

5 The short title of this Act is the *Farmland and Arable Land Strategy Act, 2023*.