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ONTARIO FARMLAND TRUST FARMLAND CONSERVATION INITIATIVES

The Planning and Economic Development Committee recommends the adoption of the recommendations contained in the following report, April 7, 2006, from the Commissioner of Planning and Development Services:

1. RECOMMENDATIONS

It is recommended that:

1. Regional Council support the Ontario Farmland Trust's farmland conservation initiatives as outlined in the Township of King's February 13, 2006 Council Resolution.
2. The Regional Clerk circulate this report to the Minister of Agriculture and Food, the Minister of Municipal Affairs and Housing, the Ontario Farmland Trust, the Ontario Federation of Agriculture, the GTA Regions and Local Municipalities.

2. PURPOSE

At its meeting of February 13, 2006, Council of the Township of King received a deputation by representatives of the Ontario Federation of Agriculture and the Ontario Farmland Trust calling for new legislation to enable the preservation of agricultural land. The purpose of this report is to support the Township of King's February 13, 2006 Council Resolution (*Attachment 1*) addressing the need to expand the Federal Ecological Gifts Program.

3. BACKGROUND

3.1 Ontario Farmland Trust

The Ontario Farmland Trust (OFT) is a non-profit, non-government organization that has been established to work with farmers, rural communities and other interested parties to promote the protection of farmland in the province of Ontario. The Trust is legislated under the Conservation Land Act and the Ontario Heritage Act. The Trust's mandate is to protect agricultural lands through purchase, donation and bequest of land in fee simple or conservation easements, which qualify under the Federal Income Tax Act. However, these do not qualify for the Federal Ecological Gift Program under the Income Tax Act at this time.

3.1.1 Federal Ecological Gifts Program

The Ecological Gifts Program was established in 1995 by Environment Canada and is administered in cooperation with Federal, Provincial and Municipal governments and non-government partners. The program ensures that land, which is donated (fee simple or easement), is protected in perpetuity by certifying land donations as ecological gifts. Environment Canada certifies the ecological sensitivity of the land, the fair market value of the property and that the recipient is qualified to receive the land donation. The donation is then certified as an ecological gift under the Federal Income Tax Act. Private and corporate landowners who donate land, a conservation easement or a covenant through the Ecological Gifts Program, can receive a tax receipt for the value of the donation which can be used against 100% of their annual income. (*Environment Canada, Ecological Gifts, November 2001*).

A wide range of land qualifies for the Eco-Gifts Program, which includes lands designated as Provincially Significant Wetlands, Areas of Natural and Scientific Interest, areas that contain rare threatened and endangered species among other designated ecological lands. Other qualifying lands include features that require additional justification through supporting studies. Agricultural lands, however, are not included in the criteria which determine qualification.

4. ANALYSIS AND OPTIONS

The Regional Official Plan supports a healthy and viable agricultural industry as an essential element of the Region's economy. The direction of the OFT, with respect to farmland conservation initiatives, is consistent with Regional Official Plan objectives.

4.1 Township of King Resolution

At its meeting of February 13, 2006 Council of the Township of King received a deputation by representatives of the Ontario Federation of Agriculture and the Ontario Farmland Trust calling for new legislation to enable the preservation of agricultural land.

In summary, Township Council Resolution (*Attachment 1*) supports the current efforts of the OFT in regards to:

1. The federal and provincial governments being urged to amend their Income Tax Acts to provide the same benefits to donors of farmland for which donors of ecologically sensitive lands now qualify.
2. The federal and provincial governments being requested to consider other farmland conservation incentives to ensure that farmland remains in agriculture.

The King Council Resolution was very supportive of the OFT's efforts to have the Eco-Gifts Program extended to a "Farmland Gifts Program".

OFT's request for new federal and provincial initiatives is consistent with recommendations in the GTA – Agricultural Action Plan, as outlined below.

4.1.1 GTA – Agricultural Action Plan

In September 2005, Regional Council endorsed the GTA-Agricultural Action Plan. The intent of the Action Plan is to identify how to keep the GTA agricultural industry competitive in the face of economic, land use and environmental pressures. The Action Plan provides practical strategic Action Items to be advanced and implemented by key agricultural interests.

Action Item #32, of the GTA-Agricultural Action Plan, “encourages the Ontario Farmland Trust to develop programs, identify securement mechanisms (including financial) and obtain support from the province, municipal Councils and agricultural organizations.” In supporting the Township of King's Council Resolution, the Region supports Item #32 of the GTA-Agricultural Action Plan.

4.2 Consultations

As requested by the York Region Planning and Economic Development Committee on April 5, 2006, the York Region Agricultural Advisory Liaison Group considered at their meeting on April 14, 2006 the Township of King's Council Resolution dated February 13, 2006. The York Region Agricultural Advisory Liaison Group received and endorsed the Resolution. They also requested that the Ontario Farmland Trust attend a future meeting of the Advisory Group to review and discuss the Trust's objectives and program management.

5. FINANCIAL IMPLICATIONS

There are no direct financial implications associated with this report as there are no actions or resources required from the Region. The Region is not committing to the securement of agricultural lands or to providing funding for securement initiatives.

6. LOCAL MUNICIPAL IMPACT

Local municipalities are important partners in implementing agricultural strategies. All lower tier municipalities have been forwarded the Township of King's Council Resolution urging their support for the farmland conservation initiatives, as outlined by the OFT.

7. CONCLUSION

The agricultural industry contributes significantly to the economy and quality of life in York Region. Agricultural areas make York Region a desirable place to live by

contributing to the local food supply and providing recreational, environmental, educational and heritage opportunities. In supporting the Township of King's February 13, 2006 Council Resolution, encouraging Federal and Provincial governments to consider farmland conservation initiatives, Region of York Council is providing potentially a greater opportunity for agricultural lands to be available for future generations.

The Senior Management Group has reviewed this report.

(The attachment referred to in this clause is included with this report.)