

Agricultural Land Use Planning in Canada

Case Study of RCM of Haut-Richelieu

FINAL REPORT

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Executive Summary

In this report we present the preliminary results of a case study of agricultural land use planning for the RCM of Haut-Richelieu, which is located in southwestern Québec. The case study of the RCM of Haut-Richelieu involved an assessment of the breadth and quality of the legislative framework that governs agricultural land use planning, including policies, legislation, and governance. The case study also involved an assessment of the political context within which agricultural land use planning takes place and decisions are made. This part of the assessment included documentation and analysis of three policy regimes: farmland preservation, global competitiveness, and food sovereignty. A policy regime refers to the combination of issues, ideas, interests, actors, and institutions that are involved in formulating policy and for governing once policies are devised.

The aim of the case study is to contribute to three areas of knowledge. The case study lends insight to the state of agricultural land use planning in the RCM of Haut-Richelieu. It contributes to an understanding of the state of agricultural land use planning in Québec. Finally, the case study is part of a broader national project to identify principles and beneficial practices that represent land use planning solutions that protect farmland.

Overall, the legislative framework for protecting farmland within the RCM of Haut-Richelieu is strong. Using the four principles as the criteria for evaluating the qualities of the legislative framework in the RCM of Haut-Richelieu, we found that the RCM has a strong set of local government legislation documents. Notably, the 2007 urban plan of the municipality of Sainte-Anne-de Sabrevois is a very comprehensive document that guides agricultural land use planning decisions, notwithstanding the fact that the land use and development plan of the RCM and urban plans of municipalities should integrate the LPTAA, the LAU and the Orientations Gouvernementales du MAMOT. The LPTAA overrides any other plans and planning policies. This policy ensures the protection of the agricultural land, and to some extent, a stability in terms of agricultural land use planning. It is mainly this stability that characterizes the development of agricultural land in Québec, and therefore in the RCM of Haut-Richelieu. Indeed, the RCM and its municipalities do not have much power over agricultural zoning in their own territory. Thus, and when it comes to farmland preservation, uncertainties are minimized rendering it difficult to design a flexible local governance mechanism, in a context where important decisions regarding the agricultural land are taken by the CPTAQ (although the Province can substitute itself for the Commission at any time for the benefit of the 'greater good'). However, the CPTAQ (and the government) can be flexible in several exceptions (see section: Strength of Quebec's provincial legislative framework). In addition, the RCM of Haut-Richelieu has the responsibility to preserve the natural environment within its own agricultural land. That is how the RCM of Haut-Richelieu can go beyond the minimum criteria set out especially by the LPTAA.

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Abbreviations

CCA	Agricultural Advisory Committee
CLD	Centre local de développement
CLI	Canada Land Inventory
CMM	Metropolitan Community of Montréal
CPTAQ	Commission de la protection du territoire agricole du Québec
LAU	Act respecting land use planning and development
LPTAA	Act respecting the preservation of agricultural land and agricultural activities
MAMOT	Ministère des Affaires municipales et de l'Occupation du territoire
MAPAQ	Ministère de l'Agriculture, des Pêcheries et de l'Alimentation du Québec
PDZA	Plan de développement de la zone agricole
PMAD	Plan métropolitain d'aménagement et de développement
RCM	Regional county municipality
SAR	Schéma d'aménagement révisé
UPA	Union des producteurs agricoles du Québec

About the project

The national project is a three-year study to identify principles and beneficial practices that represent integrated land use planning solutions that protect farmland in Canada. We have three objectives related to this purpose:

1. To undertake case studies to fill strategic gaps in our understanding of how agricultural land use planning policies and processes at a local level protect farmland while also integrating public priorities across jurisdictions.
2. To analyse three inter-related policy regimes within Canada's agri-food system: the long-standing policy regimes of global competitiveness and farmland preservation; and the nascent regime of food sovereignty. The aim is to understand how these three policy regimes influence agricultural land use planning at local, provincial, and national levels of policy. A policy regime and its changes refer to the combination of issues, ideas, interests, actors and institutions that are involved.
3. To mobilise knowledge gained from the research by hosting a series of regional workshops across Canada. Workshop results will culminate in a national forum to formulate policy recommendations for protecting farmland.

The relation between agriculture, food, and social priorities is connected to the society we want and the place of food and farmers within it. Historically, the decline in the economic and social role of agriculture has accompanied a significant loss and degradation of the agricultural land base. This trend appears to be reversing. The growth of the local food movement, as evident by the increasing number of farmers markets and citizen-based initiatives like community gardens and local food councils, has been the forerunner of recent calls at the national level for a Canada-wide food policy. Although drastic policy changes are not likely to happen immediately at the national level, changes are already occurring at local and regional levels, with all of Canada's major metropolitan regions having launched food plans and policy councils (Vancouver, Calgary, Toronto, Ottawa and Montreal). These changes suggest that the place of agriculture and food within Canadian society has shifted to be much more aligned with public priorities.

Sorting out relations between agriculture, food, and society falls, in part, within the domain of land use planning because every act of producing and consuming food has impacts on the land base. Yet, in spite of forty years of farmland protection policies, the agricultural land base still faces growing pressures from urban development and the pursuit of other economic priorities, with few indications that this trend will be significantly curtailed. Will this trend be halted if Canada adopts a national food policy that gave citizens more influence over domestic food supplies? If Canada adopted such a policy, do governments have the ability to protect the agricultural land base in order to support these new public priorities?

Unlike the urban centres of BC where the greatest pressures on farmland are from urban development, some pressure on agricultural lands in northern BC comes from the development of natural resources, such as forestry and oil and gas. The Site C dam is another source of pressure. Likewise, most of the studies to examine the effectiveness of farmland protection policies have focused on the pressures from urban development. Recognising that the results of these studies are not fully transferable to northern BC, this project aims to assess the state of agricultural land use planning in this area of the province.

We anticipate that the greatest potential benefit of the research is to make a positive contribution to the development of agricultural land use plans, planning processes, and policies in northern BC to protect farmland and promote farming as the highest and best use of these lands. Our assessment will be of benefit to land use decision makers, planning practitioners, to non-government organisations, industry groups, farmer organisations, farmers, and the general public.

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Principles for guiding agricultural land use planning

An agricultural land use planning legislative framework provides the context and constraints for what local governments must and can do to protect their agricultural lands. An effective framework of policies, legislation, and governance structures presents an opportunity for local governments, which can then choose how much they want to take advantage of this opportunity. Within this context it is helpful to be able to assess the quality of an agricultural land use planning framework and understand how well it works and why. For this purpose we have identified the following four principles, which are described below:

- Maximise stability
- Minimise uncertainty
- Integrate across jurisdictions
- Accommodate flexibility

The concepts of stability and uncertainty must be understood with a view of the world as unpredictable and essentially unknowable. This contrasts with a rationale view of the world as something that we can understand fully – if only we had all of the right data and the ability to process the information. This worldview of an open future presents challenges because planning, by its very function, is focused on making a desirable future a visible part of today's land use decision-making processes (Connell, 2009). The aim of planning is not to predict the future or claim to be all-knowing but to envision a desirable future with the information available. The functions of planning are to maximise what we can know about the future and to minimise what we do not know, thereby establishing a domain of understanding within which to make the best possible land use decisions in the present. This leads to the first two principles of agricultural land use planning.

Maximise stability

Something that is stable is difficult to topple; it stands strong and cannot be easily moved. Likewise, a stable legislative framework for protecting farmland is one that is not easily changed at the whim of shifting political interests; it is well-entrenched in acts of legislation, policy, and governance structures that are based on clear, concise language, and can hold up to court challenges. It is something that people can count on to secure the land base for agriculture and to know what the rules are. In this sense, a measure of stability is a measure of the thing itself – the legislative framework – as it is written in its present form. Thus, stability is a critical measure of the strength of an agricultural land use planning framework.

Minimise uncertainty

In addition to maximising the stability of a legislative framework through clear rules and regulations we must also consider how the framework will be implemented and applied to land use decisions. People want to know they can rely on these rules and regulations to be applied consistently and to know how it will be applied under different circumstances. In this sense, people want not only a stable land base for agriculture but also a legislative framework that provides some certainty about how it will be used to make agricultural land use decisions. However, what we do not know is boundless so we must accept that we cannot eliminate uncertainty. What governments can do is to minimise uncertainty by eliminating loop-holes, ambiguous language, and open-ended conditions. Perhaps more importantly, uncertainty can be minimised through consistent interpretations and applications of the legislative framework. In this sense, a measure of uncertainty is a future-oriented measure of expectations about how the legislative framework will be applied to land use decisions. Thus, the presence of uncertainty is a critical measure of the weakness of an agricultural land use planning framework.

Integrate across jurisdictions

Integrating policies and priorities across jurisdictions is a foundation for building cohesion across provincial, regional, and local governments. This principle of integration can be viewed as a “policy thread” that weaves together traditional areas of responsibility (Smith, 1998). One can also think of integration as a formal “linkage” between policies that provides consistency among them. Such formal linkages can come in the form of a provincial policy that requires a lower-level policy “to be consistent with” provincial statements. The aim of such vertical mechanisms is to ensure that lower-level policies are set within the context of broader public priorities. The same principle of integration applies horizontally, too, so that plans and strategies are coordinated and consistent across local governments. In order to successfully integrate policies across jurisdictions there must be sufficient details about the legislative context that guides and constrains local government plans and strategies.

Accommodate flexibility

Creating an effective legislative framework is an act of balance without being too stable so that it cannot be changed when needed or too strict so that it cannot be applied in a range of

circumstances. Thus, flexibility is necessary in order to moderate the restrictive effects of maximising stability and minimising uncertainty. The principle is to enable decision-makers to accommodate a controlled level of flexibility without compromising the primary functions of the legislative framework to provide stability and reduce uncertainty. The means to accommodate flexibility is typically done through governance mechanisms, such as quasi-judicial provincial commissions, advisory committees, and application processes.

Strength of Québec's provincial legislative framework

Québec's legislative framework is very strong. In 1978, and in the context of rapid economic development, speculation on land, fragmentation of the land, and non-agricultural use development, the agricultural land protection law, the second in Canada, was created in Québec, an Act respecting the protection of agricultural land (LPTAA). The main objective of this Act is to:

“ [...] secure a lasting territorial basis for the practice of agriculture, and to promote, in keeping with the concept of sustainable development, the preservation and development of agricultural activities and enterprises in the agricultural zones established by the regime” (LPTAA, Art. 1.1).

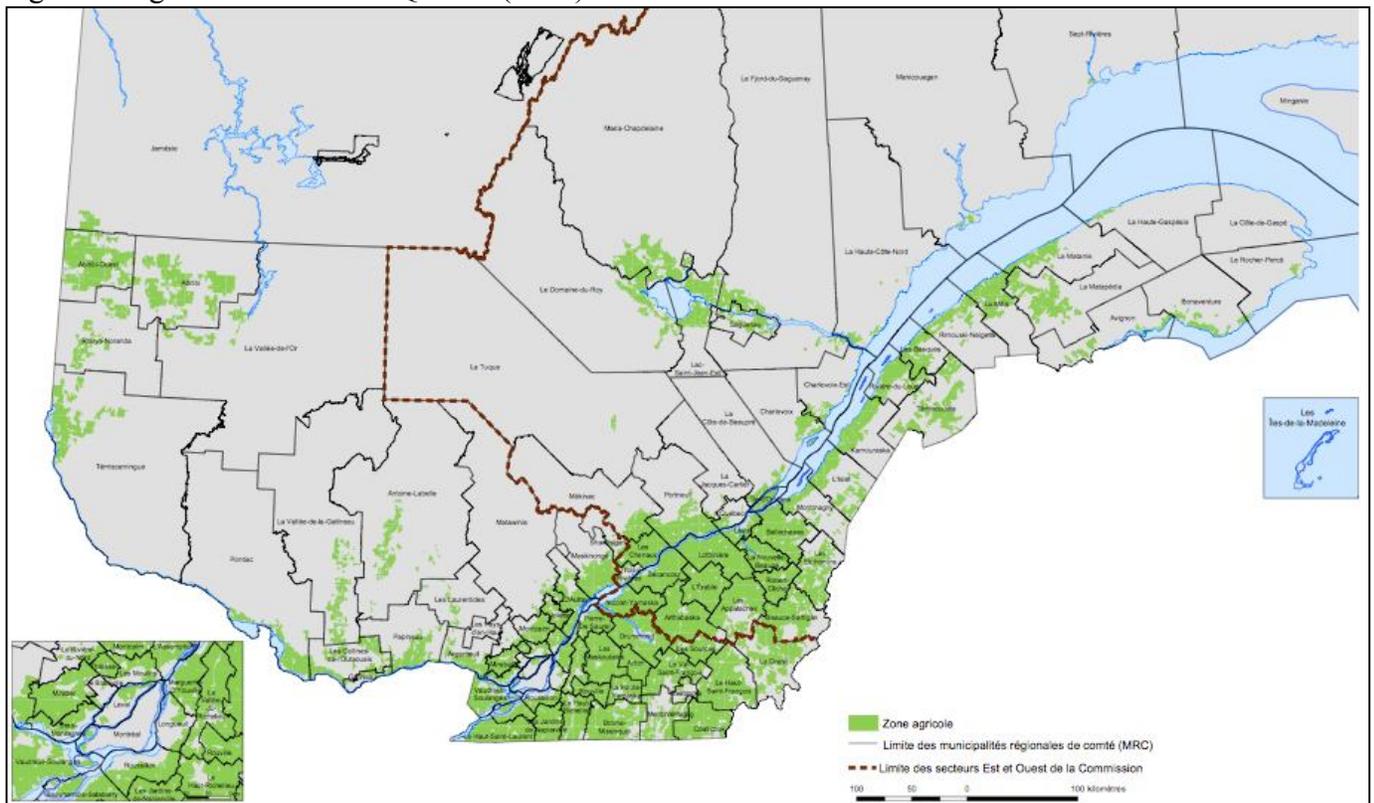
Since then, this Act is the cornerstone of agricultural land use in Quebec. Indeed, the LPTAA maximizes stability of agricultural land use planning for many reasons: it is difficult to topple; it is well-entrenched in acts of legislation, policy, and governance structures that are based on clear, concise language, and can hold up to court challenge; amongst other points. Although the LPTAA has provided various opportunities for acquired rights, it usually requires a series of prohibitions such as:

- a) The use of land for purposes other than agriculture (residential, institutional, commercial, industrial) (Art. 26);
- b) Cut the maple sugar bush in (with the exception of forestry holdings, selection or thinning) and the use of a sugar bush for a purpose other than the maple (Art 27);
- c) Subdivision (Art. 29);
- d) The disposition (sale or gift) of a lot if the owner retains a right of ownership over a contiguous lot (Art. 29);
- e) Topsoil removal (Art. 70) (CPTAQ, 2007; LPTAA, 2013).

Since its creation, the LPTAA has been managed by the *Commission de protection du territoire agricole du Québec* (CPTAQ). The Commission is an autonomous, decision-making organisation exerting a socio-economic role of regulation. By applying criteria set out in the Act, the Commission decides each application on its merits. Hence, the regime is based on the administrative discretion of the Commission (although the Province can substitute itself for the Commission at any time for the benefit of the ‘greater good’) (LPTAA, Art. 96ⁱ). The most important criterion is found in section 3 of the Actⁱⁱ, whose only function is to “secure the preservation of the agricultural land of Québec”. The Act has a priority over all other general or special laws. Therefore, all other criteria mentioned in the Act are always viewed by the

Commission. Also and since the Supreme Court has once reminded lower court judges that the Act is also interested in the reclamation of land having agricultural potential, besides the protection of existing cultivated land, the courts cannot, without the Commission, decide that land is not suited for agriculture and so remove it from the Act when that land has been intentionally included in an agricultural zone or region. Moreover, the Act applies a brake to the wasting of agricultural lands which merely amount to 2% (an area of 63,500 square kilometers) of Quebec's territory (Figure 1). It is noteworthy that the total surface area of the agricultural zone has remained the same since the creation of the Commission (with additions and exclusions cancelling each other out).

Figure 1: Agricultural Zone in Québec (2013)



Source : CPTAQ. (2013). *Rapport annuel de gestion 2012-2013* [Format PDF]. Repéré à http://www.cptaq.gouv.qc.ca/fileadmin/fr/publications/publications/rannuel/rap_annuel2012-2013/contenu/pdf/rapport1.pdf

As a planning policy, agricultural land protection has been kept out of the hands of regional and local planning authorities, through the Act of municipal powers, established under the Act respecting land use planning and development (LAU). In fact and since the implication of the MAPAQ in the treatment of land use planning in 1984, the LPTAA is entered first by force by the legislative framework for the protection of agricultural land and then it is supplemented by provisions of the LAU. The LPTAA takes precedence over the LAU (LPTAA, Art. 98ⁱⁱⁱ). Hence, unlike the latter, which simply sets out the framework rules of the planning process while leaving the content of planning policies to locally elected officials, the LPTAA creates a control regime with a single-minded objective^{iv} and concentrates all powers under the

Commission, which has a total control over the agricultural zone (except of course for the Province, as noted above).

Established by the LAU, the government guidelines (or les Orientations Gouvernementales in French) are the responsibility of MAMOT. They illustrate the problems which municipalities, metropolitan communities and RCM face (MAMOT, 2005 and 2001b). These Government guidelines must be considered in the guidelines of the land use and development plans (“dans les orientations des schémas d’aménagement”) of the RCM. Regarding the issue of the protection of agricultural land and agricultural activities, the main orientation of the MAMOT is to:

Plan the agricultural land use and development while giving the priority to agricultural land and activities, in accordance with the peculiarities of the environment, so as to promote, in a perspective of sustainable, the economic development of regions (MAMOT, 2005: 7).

The RCM land use and development plans must comply with the different orientations of MAMOT such as major development orientations, land allocations, normative provisions for odor management in agricultural areas and management of hog breeding units. First, the broad guidelines serve to indicate the general development objectives of the RCM. Then the major land uses are used to clearly indicate how the soil will be used on the RCM.

Overall, the MAMOT's responsibility is to determine the guidelines for land use. In case an RCM or municipality refuses to comply with the opinion of a responsible minister, the MAMOT has the power to change the land use and development plans of the RCM or the urban plans of the municipalities.

In the context of globalization, Québec's agriculture would probably be unrecognizable in the absence of such farmland protections schemes. The competitiveness of the agri-food sector is in the same situation too. Although there is no law or anticipated planning policy for global competitiveness, it would be difficult to envision a prosperous future for the agricultural sector without the legal protection of high agricultural potential land. In addition, in the near future, the intention of the government and metropolitan communities to densify development only in the urban area/white area (“zone blanche” in French) will undoubtedly be beneficial for the strength of the Québec's agricultural sector. From 1978 to 1983, the CPTAQ negotiated the limits of the agricultural area of Québec with municipalities and the *Union des producteurs agricoles* (UPA). In 1987, the Commission began a process of revision of the agricultural zone, in order to ensure harmonization between the limits of agricultural land and the first generation of development plans of the RCM (RCM created by LAU in 1979) (CMM, 2012a : 4). This revision was completed in 1992. Thus, the legislation shows a good level of integration across jurisdictions, since RCMs may, upon renewal of their development plan (or metropolitan plan management and development), send a request to the CPTAQ to revise the boundaries of the agricultural area included in their territory^v.

In 1996, significant amendments to the LPTAA helped to ensure greater protection of agricultural land and agricultural activities, while allowing flexibility in the application of different provisions. The objective was to increase the consideration of regional characteristics, including increasing the role of RCM in the development of agricultural territories. Indeed, LPTAA was first thought based (in 1978) on the agricultural context in the Montreal area and

was not necessarily compatible with the reality of the more remote areas. This is partly why the LPTAA has long been considered, by municipalities and RCMs, as a barrier to development (CPTAQ, 2001a and 2001b; CPTAQ, 2007).

Although the LPTAA ensures some stability of agricultural land and agricultural activities in Quebec, the fact remains that the CPTAQ may, under the LPTAA, modulate several restrictive effects of the law, without compromising the principle of stability, in order to create a legislative framework tailored to regionals and local characteristics and exceptions (so it accommodate flexibility). Indeed, Article 62 of the LPTAA states: “the commission may authorize, on such conditions as it may determine, the use, for purposes other than agriculture, the subdivision, the alienation, the inclusion or the exclusion of a lot or the cutting of maple trees. In rendering a decision, giving its advice or issuing a permit on a matter referred to it, the commission shall take into consideration:

1. The soil capability of the lot and of the neighbouring lots;
2. The possible uses of the lot for agricultural purposes;
3. The consequences of an authorization on existing agricultural activities and their development, and on the possible agricultural use of neighbouring lots, in particular having regard to the standards aimed at reducing the inconvenience caused by odours resulting from agricultural activities [...];
4. The restrictions and effects resulting from the application of the Acts and the regulations, in particular those relating to the environment and, more particularly, with respect to livestock operations;
5. The availability of other sites where farming restrictions would be eliminated or reduced, in particular where the application concerns a lot included in a census agglomeration or a census metropolitan area [...];
6. The homogeneity of the farming community and farming operations;
7. The impact on the preservation of water and soil resources in the territory of the local municipality and in the region;
8. The establishment of land holdings having an area sufficient for farming activities;
9. The impact on the economic development of the region upon proof submitted by a municipality, community, public body or agency providing public utility services;
10. The socioeconomic conditions necessary for the viability of a community where justified by the low population density of the region” (LPTAA, Art. 62).

To the extent that the laws are clear (especially in their functioning), strong (while being adapted to the different regional contexts) and explicitly promote the protection of agricultural land and agricultural activities, we are able to think that the Québec’s legislative framework minimizes, to some extent, uncertainties or gray areas. However, we must accept that it is always difficult to assess (or even eliminate) uncertainties regarding agricultural land use planning.

Since 2013, food sovereignty policy is used to integrate the concept of food sovereignty in the planning of Quebec’s farmland. Indeed, this policy states that food sovereignty can hardly exist without the preservation of the agricultural land for future generations. However, the application of this policy is still vague in the sense that it will take a few years to assess its real impact on the development of agricultural land.

Political context and policy regimes

To understand how political contexts and multiple public priorities influence agricultural land use planning in Canada, and to what extent it has already had an impact, we will examine the interaction of three current policy regimes: global competitiveness, farmland preservation, and food sovereignty. A policy regime and its changes refer to the combination of issues, ideas, interests, actors and institutions that are involved. Actors of agricultural policy regimes include a wide range of interests represented by citizens, all levels of government, local organisations, professional organisations representing producers, farmers and ranchers themselves, unions, industry trade associations and environmental groups, among others. In Canada, the two policy regimes of global competitiveness and farmland preservation have influenced policies for several decades. The recent emergence of food sovereignty as a policy regime reflects growing public concerns about the security and safety of Canada's domestic food supply, and may have significant implications for Canada's global competitiveness and the conservation and use of agricultural land. In this section we described each of these three policy regimes. A description of the criteria we used to determine the level of influence of each policy regime is provided in the appendix.

Global competitiveness

A policy regime of global competitiveness has strengthened over the past forty years at both the national and provincial levels, usually in the context of pressures on industry viability in the face of freer trade. An interest in global competitiveness often requires policies and strategies to successfully integrate activities into the global economy. A recent report on competitiveness by the House of Commons Standing Committee on Agriculture and Agri-Food focused on access to new markets, barriers to trade, food safety and product labelling, and market concentration within sectors. Input to this report was provided by national and regional commodity trade associations, meat and other food processors, transportation associations, and policy institutes, among others. Scholars in this field, such as Grace Skogstad, have noted that, although the membership of the agri-food policy community in Canada is strong individually, the community is nationally fragmented and organisationally divided, as national policies do not always serve all members or geographic regions equally. For example, export-oriented policies may promote the export of raw food products at the risk of higher prices for domestic food processors. Such policies also have regional differences, where policies may benefit one region (food processing in central Canada) to the disadvantage of food producers in another region (food producers in the prairies). Notwithstanding these internal challenges, the competitiveness policy regime continues to strengthen, as evident in the Growing Forward 2 (GF2) policy framework announced on September 14, 2012.

Key ideas from GF2:

- Competitiveness and Market Growth: The sector needs to continually increase productivity, to reduce costs and to respond to consumer demands, such as for high-value products with specific attributes. Competitiveness also means increasing our share of domestic and international markets.

- The key drivers are:
 - o Innovation: The sector adopts and implements new technologies and innovations, creating and using knowledge to develop new products, technologies and business management practices that drive down costs, increase productivity and respond to consumer demands.
 - o Institutional and Physical Infrastructure: Effective rules, regulations, standards, organizations, and physical infrastructure allow firms to operate and markets to function efficiently for a profitable sector and the well-being of Canadians.
- Competing on cost: One factor in assessing the competitiveness of Canadian agriculture and agri-food sector is how cost-efficient Canadian agricultural producers, manufacturers and exporters are in relation to competitor suppliers. This is influenced by a number of factors, including natural resource availability and use, input prices, labour availability and cost, and scale of operation.
- Innovation is critical for improved cost competitiveness. Innovation can lead to improved productivity and reduced costs. However, despite significant agricultural research, the sector could be more effective in applying knowledge and innovating along the supply chain.
- Focus on the role of innovation for productivity growth and the ongoing efforts to access emerging growth markets.
- Continual innovation and adaptation has contributed to increased yields and the creation of new products and production methods
- Increased trade, globalization of supply chains, and more exacting consumer demands have increased the importance of rules, regulations, and other market infrastructure
- Additional industry capacity and infrastructure investments, such as information and communication technologies, will be required to enable producers, processors, buyers, and government agencies to adjust effectively to new food safety regulations and buyer assurance standards.
- Bilateral and multilateral trade agreements and trade promotion efforts are essential.

Food sovereignty

For our purposes, food sovereignty is a broad term that focusses on the right of citizens to have greater control over its food supply. The term encompasses food security and food safety. Food security is concerned about the availability, accessibility, and affordability of food.

While the control of food supplies were among the earliest drivers of nation-building and human settlements, food sovereignty, as defined by the International Planning Committee for Food Sovereignty, is about the right of peoples to define, protect and regulate domestic agricultural production and land policies that promote safe, healthy and ecologically sustainable food production that is culturally appropriate. Within Canada, the growth of the local food movement, as evident by the increasing number of farmers' markets and citizen-based initiatives like community gardens and local food councils, has been the forerunner of recent calls for citizens having greater control over national agri-food policies. The National Farmers Union, Canadian Federation of Agriculture, and Food Secure Canada are some of the national actors calling for changes. Adopting agri-food policies that promote greater food sovereignty could easily reach into people's daily lives, with economic, social and environmental implications,

both positive and negative. Such policy will be regarded quite differently depending on a person's values and priorities, and where agriculture fits among them.

Farmland preservation

Different terms are used in this policy regime including farmland conservation, farmland preservation, and farmland protection. For our project we will use farmland protection and farmland preservation in two specific ways:

- Farmland protection: a narrower term that we will use to refer specifically to land use planning policies that aim to *protect* farmland so that it is available for farm uses; we will use farmland protection in relation to the contents of a legislative framework.
- Farmland preservation: is a broader term that concerns all aspects of policies related to farmland including policies that not only protect farmland but are also concerned with soil and landscape conservation ... ; can be synonymous with farmland conservation; we will refer to all that is related to farmland preservation as a policy regime.

As a policy regime, preserving farmland first garnered serious public attention in Canada in the early 1970s with most provincial and local jurisdictions having some form of legislation or guidelines in place by the end of the 1970s. The historical development of farmland policies in Canada were accompanied by a wide range of economic, environmental, and social issues that were associated with and re-inforced tensions among different land uses, such as residential, commercial, industrial, and natural resource development.

Correspondingly, motivations for preserving farmland are influenced by factors such as food production, market value for land, environmental issues, and amenity value of rural landscapes, agrarian ideals and land use conflicts on the urban fringe. In spite of efforts over the past forty years, Canada has experienced a continual loss of prime farmland across the country. The issue is especially acute in Ontario, which contains the country's largest supply of prime agricultural lands, but concerns for the preservation of farmland exist across the country, albeit to varying degrees. But it is also acute in other jurisdictions due to a much more limited and declining agricultural land base, such as in British Columbia and Quebec.

Concern about the loss and fragmentation of farmland continues to be an issue in the face of continued urban sprawl and alienation of farmland (i.e., farmland that is not being farmed or no longer suitable for farming). These issues often lead to further problems, such as conflicts or tension with residential, recreational, infrastructure, and industrial land uses. Loss of farmland is often associated with concerns about the supply of local food and, increasingly, it is concerned with "land grabbing" through foreign or out-of-province ownership of land.

Introduction

Purpose and scope of case study

In this report we present the results of a case study of agricultural land use planning in the RCM of Haut-Richelieu, which is located in southwestern Québec. This case study contributes to three areas of knowledge. The case study is part of a national project to identify principles and beneficial practices that represent land use planning solutions that protect farmland. For our purposes, the case study contributes to an understanding of the state of agricultural land use planning in northern British Columbia, where farmland protection faces particular pressures from natural resource developments. Finally, the case study lends insight to the state of agricultural land use planning in the RCM of Haut-Richelieu.

The case study of the RCM of Haut-Richelieu involved an assessment of the breadth and quality of the legislative framework that governs agricultural land use planning, including the documentation of policies, legislation, and governance structures and a detailed analysis of the contents of these documents. The case study also involved an assessment of the political context within which agricultural land use planning processes are completed and decisions are made. Our assessment of the political context included documentation and analysis of three policy regimes: farmland preservation, global competitiveness, and food sovereignty (see the appendix for a description of each policy regime).

Methods

Legislative framework:

The methods used to complete the preliminary assessment involved several activities:

- Document agricultural land use planning legislative framework:
The legislative framework consists of policies, legislation (and by-laws), and governance structures related to agricultural land use planning at local, regional (or upper-tier), and provincial levels of government. The policies and legislation were identified as enforceable, aspirational, or enabling. Refer to the appendix for definitions of these and other terms.
- Content analysis of legislative framework documents:
After identifying the relevant documents the next step was to analyse the level of detail of each document's contents. The aim of the content analysis is to assess the breadth and quality of the legislative framework.

Political context:

- Policy regimes
We analysed the contents of documents with regard for the presence and importance of policy regimes. The documents included those identified in the legislative framework. The aim is to assess the extent to which agricultural land use planning accommodates the three

policy regimes, influences land use decisions, and encompasses a comprehensive view of food systems planning, activities, and issues.

Overview of site

The regional county municipality of Haut-Richelieu (or Upper Richelieu) is located in southwestern Québec and more precisely in the Montérégie region. Because of the importance of agriculture in this region, it was split into two parts, namely the East and West Montérégie. Located in the lowlands of St-Lawrence and being part of the southern region of the Centraide of Greater Montréal area, the RCM of Haut-Richelieu is one of the six regional county municipalities that compose the Montérégie West (Figure 2). In the south, it borders the United States. The total surface area of the RCM of Haut-Richelieu is about 996 km² with a total of around 117 050 inhabitants in 2013. This total number of population has increased 14% since 2001 (ISQ, Population Census 2001 and 2013). The RCM of Haut-Richelieu has 14 subdivisions/ municipalities. Protected by the agricultural zoning law in Québec, the permanent agricultural zone represents 90% of its territory (Figure 3). The RCM of Haut-Richelieu is more rural than peri-urban. Saint-Jean-sur-Richelieu is the only peri-urban municipality. Hence, the headquarters of the RCM of Haut-Richelieu is in Saint-Jean-sur-Richelieu (the capital city of the RCM of Haut-Richelieu) and it is named for the Richelieu River which runs south-north through it.

In general, rural communities are at disadvantage compared to urban or peri-urban areas mainly for two reasons: i.e. (1) many services may disappear, and hence population, in rural municipalities as residents are migrating toward urban and peri-urban areas; and (2) public transportation and access to nearby services is limited in rural areas. In addition and despite the fact that the RCM of Haut-Richelieu is not located in the Metropolitan Community of Montréal, the strong population growth will result in the RCM's economic development opportunity for agricultural businesses and food processing. But it also will be a challenge in terms of the preservation of agricultural land, particularly in areas along the A-35 to its completion.

Furthermore and besides the designated agricultural and urban lands, the RCM has several competing land uses, which include national and provincial parks, a regional airport in Saint-Jean-sur-Richelieu, controlled harvesting zone, provincial wildlife habitats (e.g. heronry, muskrat habitat, important water bird habitat), Migratory Birds Sanctuaries (MBS), outfitters, Area protected by the Fondation de la Faune du Québec, wildlife reserve and wildlife refuges, historical museums, industrial park, Saint-Jean bus terminal, bike trail, agro-tourism, projected wind projects mainly in the municipality of Saint-Blaise-sur-Richelieu and the municipality of Saint-Valentin.

This RCM does not yet have a development plan for the agricultural activities in its agricultural zones or reserves (PDZA). It was selected as one of the case studies because it will allow the team to investigate why the pattern of involvement of the RCM and other actors has not been similar to that of the RCM of Roussillon, also located in southwestern Québec.

Agricultural profile

Relatively cool and humid climate conditions in Québec's agricultural areas are favorable to forage crops and cereals such as wheat, barley, oats and rye, which explains to an extent the importance of dairy production. Land dedicated to crops that are more reliant on heat, such as corn and soybeans, tends to be concentrated in the southern parts of Québec. The fertile plain on both sides of the Richelieu River is suitable for the cultivation of corn, grain and oilseeds. The Montérégie Region is considered to be the most intensive agricultural region in Québec because of the rich valley of the St. Lawrence, giving it about 500 000 hectares of arable land (Bryant *et al.*, 2011). According to the Canada Land Inventory (CLI), the soils are of category 1, 2 and 3. Most of the territory is covered with clay soil, originating from fluvial sediments on either side of the main rivers that cross the region, namely the St. Lawrence River, the Richelieu River and the Yamaska River. The soil categories 1 and 2 are the most preferable for agriculture and are predominant in Montérégie West, and hence in the RCM of Haut-Richelieu. Farming in the RCM of Haut-Richelieu is fairly diversified - 50% crop production and 50% animal production. Cereal and oilseed production are the main agricultural activities in the RCM of Haut-Richelieu, representing 39% of all the agricultural activities in the RCM. Also, cattle farming occupies a prominent place in the RCM of Haut-Richelieu, representing 20% of all the agricultural activities in the RCM. When it comes to crop production, corn and soybean are mainly grown in the RCM of Haut-Richelieu, accounting for 33 626 hectares (or 31%), and 14,569 hectares (or 23% of the area of the crop) of Montérégie West respectively. Despite competing land uses, an analysis of land use in Montérégie West reveals that most of the land is cultivated (or cropland). Indeed, in 2011, the area of cultivated land alone represented 97% of all agricultural land in Montérégie West. For the same period and within the Montérégie West, it is the RCM of Le Haut-Richelieu that has the largest area of cropland (Statistics Canada, Agricultural Census 2013).

The legal status of farms has also evolved over time. Individual and family farms are disappearing to make way for the incorporation of companies associated with several interrelated units, with or without a written contract. This is demonstrated by the downward trend in the number of individual sole proprietorship farms whose numbers have dropped from 2,355 in 1991 to 1,382 in 2006 to 1,222 in 2011, in the Montérégie West. In fact, the size of farms in the Montérégie West was still marked in 2011 by the predominance of small and medium sized farms with an area of between 10 and 399 acres. However and in the RCM of Haut-Richelieu, between 7% and 8% of farms range in size between 760 and 1119 acres (Statistics Canada, Agricultural Census 2013).

Figure 1: The RCM of Haut-Richelieu, Montérégie West (represented in Orange)

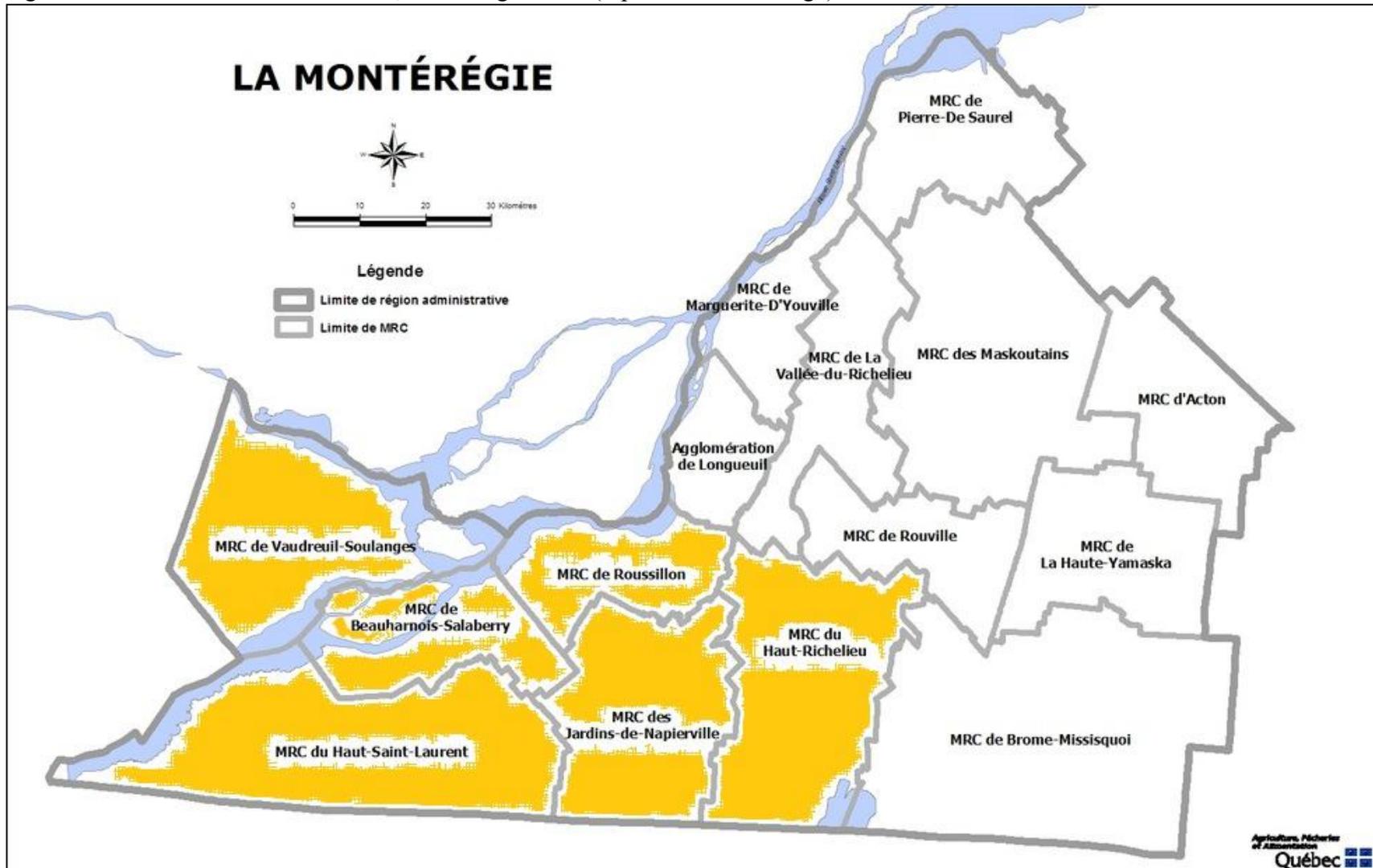


Figure 2: Agricultural Land Reserve in the RCM of Haut-Richelieu



Results

In this section we present the preliminary results for the case study of the RCM of Haut-Richelieu. We begin with the results of our assessment of the legislative framework of the case study site within the context of regional and provincial policies and legislation. We then present the results of the content analyses of local government policies and legislation followed by the results of the political context, which includes our assessment of the influence of the three policy regimes (farmland preservation, food sovereignty, and global competitiveness). We discuss the significance of these results in the following section.

State of agricultural land use planning

In the RCM of Haut-Richelieu, agricultural lands are concentrated in the east. However, this polarization does not remove the intrinsic value of farmland, which is found on 90% of the territory of the RCM and which is protected by the Act respecting the preservation of agricultural land and agricultural activities (Schéma d'aménagement, 2004). If we look at the concept of durability (*pérennité*) of the agricultural zone through the concept of the number of licenses (inclusion / exclusion) granted by the Commission to preserve agricultural land in Québec (CPTAQ), we find that since the revision of the boundaries of the agricultural zone (for the period 1987-1992)^{vi} until 2014, the Commission has authorized inclusion in the permanent agricultural area of 29 hectares and exclusion from the permanent agricultural zone of 64 hectares.

Thus, over a period of 27 years, the Commission has authorized a change in the boundaries of the agricultural area for the territory of RCM of Haut-Richelieu for a net removal area of 35 hectares. For an area of over 93,410 hectares, a small area (35 hectares) seems insignificant (accounting 0.037% of the total surface area of the permanent agricultural zone). Moreover, this change regarding the limits of the permanent agricultural zone (through inclusions and exclusions) is still in favour of the agricultural zone. From this perspective, we can conclude the stability of the permanent agricultural zone for the period 1987-2014, and that the decisions of the Commission will have no significant effect on the permanence and durability of the permanent agricultural zone if it stays the same - with inclusions and exclusions cancelling each other out.

Legislative framework

The legislative framework consists of policies, regulations, and governance structures related to agricultural land use planning at local, regional, and provincial levels of government. Policy documents were identified as enforceable, aspirational, or enabling (refer to the appended glossary for definitions of these and other terms).

The RCM of Haut-Richelieu has some influential legislation and policy documents (Table 1). At the regional level, the RCM of Haut-Richelieu must mainly comply with the 2004 Schéma d'aménagement (land use and development plan). This document was created to guide planning decisions for all municipalities within the RCM of Haut-Richelieu. The RCM of Haut-

Richelieu has endorsed the strategy or plan in compliance with the Act respecting land use planning and development (LAU). Following the approval of the land use development plan by the Ministry of Municipal Affairs and Land Occupancy (MAMOT), the RCM must ensure that the planning regulations of each municipality are consistent thereto. It is important to note here that the RCM must meet several guidelines (or Orientations Gouvernementales in French) established by the by the Ministry of Municipal Affairs and Land Occupancy (MAMOT). The land use and development plan for the RCM of Haut-Richelieu came into force (or adopted as by-law) June 25, 2004. Its supplementary document, Part 3, sets out the regulations to be taken into account by the planning regulations of the municipalities whose territory is included within the RCM. Le Plan de caractérisation du territoire et des activités agricoles (2003) is a regional aspirational document that applies to the RCM of Haut-Richelieu. It is not adopted as a by-law; it is just implicitly named in le Schéma d'aménagement (2004) of the RCM of Haut-Richelieu. Part 3 of the land use and development plan of the RCM of Haut-Richelieu («le document complémentaire») has a section on 'la caractérisation du territoire visé par le plan de gestion' (the characterisation of the territory targeted by the management plan (implicitly named though).

At the local level, the RCM of Haut-Richelieu has also some important documents relevant to agricultural land use planning. Following the entry into force of the land use and development plan, municipalities have two years to comply with it. Therefore, each municipality within the RCM of Haut-Richelieu has to develop its own urban plan (or "plan d'urbanisme" in French). They have an obligation to incorporate the substantive provisions of the supplementary document in their own planning instruments and to identify in their local territory respective areas of assignment, the territories of interest, areas of stress, ... found in Part 3 of the land use and development plan of the RCM of Haut-Richelieu (provisions relating to land use and urban planning). The zoning bylaws are also important enforceable legislation documents. They are the key tools for the implementation of the choices and decisions concerning the community's future development that appear in the urban plan and the land use and development plan.

The municipality of Sainte-Anne-de-Sabrevois was chosen because it is the most advanced one in relation to efforts to protect its farmland through land use planning, as reflected in its urban plan. However and unfortunately, its urban zoning by-law is not accessible online.

Table 1: Legislative Framework for the RCM of Haut-Richelieu

	POLICY	LEGISLATION	GOVERNANCE
PROVINCIAL	Politique de Souveraineté alimentaire (2013) Orientations gouvernementales du MAMROT (2001 et 2005)	<i>LPTAA : Loi sur la protection du territoire et des activités agricoles (1978)</i> <i>LATANR : Loi sur l'acquisition de terres agricoles par des non-résidents (1979)</i> <i>LAU : Loi sur l'aménagement et l'urbanisme (1979)</i>	CPTAQ : Commission de protection du territoire agricole du Québec
REQUIRED INTEGRATION			
REGIONAL	Plan de caractérisation du territoire et des activités agricoles (2003)	Schéma d'aménagement	CCA : Comité consultatif agricole
REQUIRED INTEGRATION			
LOCAL		<i>Plan d'Urbanisme de Sainte-Anne-de-Sabrevois</i>	

Acts (provincial laws), bylaws (local government laws, e.g., official municipal plan) [italicised]

Enforceable policy, regulations pursuant to acts [bold]

Aspirational policy at all levels [plain text]

Content analysis of documents

After documenting the legislative framework we assessed the contents of the documents. The results of this content analysis reflect the breadth and quality of the legislative framework. For this we used a three-point (check mark) scale indicating different levels of detail from minimal (✓) to moderate (✓✓) to high (✓✓✓). The criteria we used for this part of the assessment are included in Appendix: Criteria for Evaluating Content of Legislative Framework.

Local government legislation documents

As evident in Table 2, the RCM of Haut-Richelieu has a strong set of local government legislation documents. Notably, the 2007 urban plan of the municipality of Sainte-Anne-de-Sabrevois is a very comprehensive document that guides agricultural land use planning decisions. Overall, it received a high rating in all identified categories due to its detailed references to provincial legislation, its role in meeting objectives set by the regional planning authority, and relationship to other local land use planning tools (Table 3). The document is also very specific about how it is implemented across and within multiple jurisdictions and refers to detailed agricultural maps (Table 3).

The legislative documents of the RCM of Haut-Richelieu refer almost exclusively to the Act respecting the preservation of agricultural land and activities (LPTAA), the Act respecting land use and development (LAU), and the Orientations Gouvernementales (Table 3). However, the urban plan of the municipality of Sainte-Anne-de-Sabrevois does not make reference to the Orientations Gouvernementales. At the same time, the 2004 Schéma d'aménagement is another strong legislative document, as evident in Table 2. It scored very well in all identified categories. It makes reference to other regional and local plans. Also, the document has a relatively integrated legislative context as it refers to the Act respecting the preservation of agricultural land and activities (LPTAA), the Act respecting land use and development plan (LAU), and the Orientations Gouvernementales (Table 3).

It must be noted that the 2004 Schéma d'aménagement of the RCM of Haut-Richelieu and the 2007 urban plan of the municipality of Sainte-Anne-de-Sabrevois are referenced in their own revised version, and eventually have led to revisions of the plan. As a result, they are considered enforceable legislative documents.

Local government policy documents

The Plan de Caractérisation du territoire et des Activités Agricoles (Septembre 2003) is the only (and perhaps the strongest) policy document (Table 5). The document has a relatively integrated legislative context as it refers to the Act respecting the preservation of agricultural land and activities (LPTAA), the Act respecting land use and development (LAU), and the Orientations Gouvernementales (Table 6). It is an aspirational policy document because it is implicitly named in the Land Use and Development Plan of the RCM of Haut-Richelieu (2004) and because it is not adopted as a by-law nor revised (Table 6).

Table 2. Contents of local agricultural land use legislative documents

	Legislative Context	Background	Vision, Goals, Objectives	Regulations (enforceable policies, procedures)	Maps
Schéma d'aménagement (2004)	✓✓(a)	✓✓✓(b)	✓✓✓(c)	✓✓✓(d)	✓✓✓(e)
Urban Plan of Sainte-Anne-de-Sabrevois (400-2007)	✓✓✓(f)	✓✓✓(b)	✓✓✓(c)	✓✓✓(d)	✓✓✓(e)

Notes:

- (a) Contains brief statements that reference the *Loi de l'aménagement et l'urbanisme*. An explanatory note contains expanded statements that add context by outlining how the schéma d'aménagement et le plan d'urbanisme (along with the Zoning By-law) 'fit' in the local context.
- (b) Some (two or more) detailed sections dedicated to agricultural background information, along with a section on 'findings and driving issues' and agricultural statistics in tables and/or in text, as well as background information on other land uses. For example, the municipality of Sainte-Anne-de-Sabrevois provides agricultural details on its different roads/addresses.
- (c) Contains a stand-alone section on agriculture with a main orientation or vision, findings and driving issues, and objectives for agriculture in relation with other land uses, along with means of implementation.
- (d) Contains justifications and statements related to enforceable policies and procedures (enforced through zoning By-law). [Concerning le Schéma d'aménagement: Part 2 shows the provisions for land use and urban planning. Provincial legislations are referenced throughout (amongst *Loi sur la protection des terres et activités agricoles*, *Loi de l'aménagement et l'urbanisme*). And more specifically, it makes reference to the necessary articles relative to each legislation or policy. Part 3 (the supplementary document) sets out the regulations to be taken into account by the planning regulations of the municipalities whose territory is included within the RCM]. Moreover, le plan d'urbanisme de la ville de Saint-Jean-sur-Richelieu contains maps on the location of some regulations enforced through zoning By-law.
- (e) Contains maps showing the location of the municipality, the agricultural zoning, the agricultural buffer zone as well as other types of land use (conservation areas, phases of residential development, parks and green spaces, current and projected transport networks, etc...) and the location of other regulations enforced through zoning By-law in the municipality of Saint-Jean-sur-Richelieu for example.
- (f) Contains a detailed stand-alone section on legislative context. For instance, le plan d'urbanisme de Sainte-Anne-de-Sabrevois contains an extract highlighting the main details of the Schéma d'aménagement of the RCM of Haut-Richelieu.

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Table 3. Breadth and depth of legislative context

	Legislative context (legislation and policies)			Land Use Planning Tools	Governance	
	LPTAA ¹	LAU ²	Orientations Gouvernementales	Separation Distances	CPTAQ ³	CCA
Schéma d'aménagement	✓✓✓(a)	✓✓✓(a)	✓✓✓(a)	✓✓✓(b)	✓✓✓(c)	
Urban Plan of Sainte-Anne-de-Sabrevois	✓✓✓(a)	✓✓(d)				

Notes:

¹ Loi sur la protection des terres et des activités agricoles

² Loi sur l'aménagement et l'urbanisme

- (a) Legislations and policies are cited throughout. Makes reference to the necessary articles relative to each legislation or policy.
- (b) Application des distances séparatrices contenues aux orientations gouvernementales.
- (c) Mentioned throughout.
- (d) Contains a general statement citing the Plan's relationship with legislations and policies.

Table 4. Contents of local land use policy documents

	Legislative Context	Background	Vision, Goals, Objectives	Regulations (enforceable policies, procedures)	Maps
Plan de Caractérisation du territoire et des Activités Agricoles (Septembre 2003)	✓✓✓(a)	✓✓✓(b)	✓(c)	✓✓✓(d)	

Notes:

- (a) It includes explicit references to provincial legislation or policy that affects agricultural land use planning.
- (b) Some (two or more) detailed sections dedicated to agricultural background information, along with a section on 'findings and driving issues' and agricultural statistics in tables and/or in text, as well as background information on other land uses. For example, the municipality of Sainte-Anne-de-Sabrevois provides agricultural details on its different roads/addresses.
- (c) General objectives found in just one statement.
- (d) A stand-alone chapter as an inventory of the different laws and regulations applicable to agricultural lands and activities, along with their articles and definitions.

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Table 5. Breadth and depth of legislative context: policy documents

	Legislative context (legislation and policies)			Land Use Planning Tools	Governance	
	LPTAA ¹	LAU ²	Orientations Gouvernementales	Separation Distances	CPTAQ ³	CCA
Plan de Caractérisation du territoire et des Activités Agricoles (Septembre 2003)	✓✓✓(a)	✓✓✓(a)	✓✓✓(a)	✓✓✓(b)		

Notes:

¹ Loi sur la protection des terres et des activités agricoles

² Loi sur l'aménagement et l'urbanisme

³ Commission de protection des terres et des activités agricoles

(a) Legislations and policies are cited throughout. Makes reference to the necessary articles relative to each legislation or policy.

(b) Application des distances séparatrices contenues aux orientations gouvernementales.

Table 6. Status of local agricultural land use policy documents

	In progress	Aspirational	Enforceable		
		Received by Council	Schéma d'aménagement		
			Named in plan	Led to revisions of plan	Adopted as by-law (sub-area plan)
Plan de Caractérisation du territoire et des Activités Agricoles (Septembre 2003)		✓ (a)			

Notes:

*In Québec, official plans at both the RCM (regional/county) and municipality (local) levels comprise the comprehensive local land use plans in any given area

(a) The supplementary document of the Schéma d'aménagement has a section on 'la caractérisation du territoire visé par le plan de gestion', in which the Plan de Caractérisation du territoire et des Activités Agricoles (Septembre 2003) is implicitly named. Also, it is not adopted as a by-law.

Policy regimes

The two policy regimes of farmland preservation and global competitiveness have influenced agricultural land use policy and legislation for over forty years. Food sovereignty, and its associated concerns with food security and demand for local food, is a nascent policy regime that has been influencing agricultural land use planning more recently. Within this context, the aim of our analysis was to assess how issues, ideas, interests/actors and institutions associated with the three policy regimes influence local agricultural planning processes, including decisions about zoning, official plans, boundary adjustments, land division and servicing, and, as well, to assess the extent to which agricultural land use planning encompasses a comprehensive view of food systems planning, activities, and issues.

To complete the assessment of the presence and importance of the policy regimes we examined the documents that comprise the legislative framework. Presence and importance were measured as a function of both the level of influence of words, concepts, and statements that appear in the documents and of the placement of these words, concepts, and statements within each document. The criteria for measuring the policy regime statements are presented in Appendix: Criteria for determining level of influence of policy regimes.

For the RCM of Haut-Richelieu, the majority of legislative and policy documents focus on the farmland preservation policy regime (Table 8). In particular, the 2003 Plan de Caractérisation du territoire et des Activités Agricoles, the 2004 Schéma d'aménagement and the urban plan of the municipality of Saint-Anne-de-Sabrevois. According to Table 14, there are 53 high influence statements for farmland preservation. These documents focus on vision, goals, objectives, and recommendations that emphasise the protection of agricultural lands and a decrease in urban-rural conflicts. For instance, agricultural objectives in the Schéma d'aménagement (2004) ensures the durability/continuity (*pérennité*) of the agricultural land in order to guarantee the priority to agricultural activities while promoting the consolidation of existing urbanized areas. In addition to these themes, their regulations refer to the allowed uses within the agricultural land and to provisions related to odor management in the agricultural area (referred to as (minimal) separation distance) (Table 11).

Regarding global competitiveness, the 2004 Land Use and Development Plan is the only document (Table 8) that has 3 medium influence statements (Table 13) on driving issues related to global market competition (Table 10). It recognizes that while globalisation can be an opportunity, it can be a threat to agriculture as well. This document has medium statements due to vague language and lack of detail in its driving issues.

Furthermore and when it comes to food sovereignty, the 2003 Plan de Caractérisation du territoire et des Activités Agricoles is the only document (Table 9) that has medium influence statements. According to Table 15, there are three medium influence statements for food sovereignty. The document focuses on vision, goals, objectives, and recommendations that encourage local purchase (Table 12).

Table 7: Analytical framework for policy regimes at local level: global competitiveness documents

		GLOBAL COMPETITIVENESS			
		Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items
Level of Influence	High Influence				
	Medium Influence		Schéma d'aménagement (2004)		
	Low Influence				

Table 8. Analytical framework for policy regimes at local level: farmland preservation documents

		FARMLAND PRESERVATION			
		Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items
Level of Influence	High Influence	Plan de Caractérisation (2003) Urban Plan Sainte-Anne-de-Sabrevois	Schéma d'aménagement (2004) Plan de Caractérisation (2003) Urban Plan Sainet-Anne-de-Sabrevois	Schéma d'aménagement (2004) Urban Plan Sainte-Anne-de-Sabrevois	
	Medium Influence	Plan de Caractérisation (2003)	Plan de Caractérisation (2003)	Plan de Caractérisation (2003)	
	Low Influence				

Table 9. Analytical framework for policy regimes at local level: food sovereignty documents

		FOOD SOVEREIGNTY			
		Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items
Level of Influence	High Influence				
	Medium Influence	Plan de Caractérisation (2003)	Plan de Caractérisation (2003)		
	Low Influence				

Table 10: Analytical framework for policy regime at local level: global competitiveness themes

		GLOBAL COMPETITIVENESS			
		Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items
Level of Influence	High Influence				
	Medium Influence		Global market competition		
	Low Influence				

Table 11: Analytical framework for policy regime at local level: farmland preservation themes

		FARMLAND PRESERVATION			
		Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items
Level of Influence	High Influence	Farmland protection Land Use Computability Consolidation	Land Use compatibility Consolidation	Separation Distances	
	Medium Influence	Land Use compatibility Consolidation	Land use compatibility	Separation Distances	
	Low Influence				

Table 12: Analytical framework for policy regime at local level: food sovereignty themes

		FOOD SOVEREIGNTY			
		Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items
Level of Influence	High Influence				
	Medium Influence	Local Food	Local Food		
	Low Influence				

Table 13: Analytical framework for policy regimes at local level: frequency of global competitiveness

		GLOBAL COMPETITIVENESS			
		Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items
Level of Influence	High Influence				
	Medium Influence		3		
	Low Influence				

Table 14: Analytical framework for policy regimes at local level: frequency of farmland preservation

		FARMLAND PRESERVATION			
		Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items
Level of Influence	High Influence	31	10	12	
	Medium Influence	2	1	1	
	Low Influence				

Table 15: Analytical framework for policy regimes at local level: frequency of food sovereignty

		FOOD SOVEREIGNTY			
		Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items
Level of Influence	High Influence				
	Medium Influence	2	1		
	Low Influence				

Discussion

Our overall aim for the project is to identify principles and beneficial practices that represent land use planning solutions that protect farmland. As a step toward this final aim we identified four principles that guided our analysis: maximise stability, minimise uncertainty, integrate across jurisdictions; and accommodate flexibility. In this section we discuss the strength of the legislative framework for the RCM of Haut-Richelieu.

Maximise stability

A stable legislative framework for protecting farmland is one that is not easily changed at the whim of shifting political interests; it is well-entrenched in acts of legislation, policy, and governance structures that are based on clear, concise language, and can hold up to court challenge. A key element of stability is a clear statement of purpose regarding farmland protection among the primary goals and objectives within each enforceable document. Thus, stability is a critical measure of the strength of an agricultural land use planning framework.

The RCM of Haut-Richelieu has a very strong legislative framework. Especially the urban plan of the municipality of Sainte-Anne-de-Sabrevois and the 2004 Land Use and Development Plan, which are enforceable pieces of legislation that clearly reference agricultural land use planning and farmland protection at the regional and local level. Unfortunately and though respecting the LPTAA (and the CPTAQ), these documents do not provide up-to-date legislative framework that guides the agricultural land use planning decisions in the RCM of Haut-Richelieu.

Initially/legally and since the 2004 Land Use and Development Plan is not up to-date, any land use license (or inclusion or exclusion) should be prohibited. However, this is not the case given the recent number of licenses listed in the section ‘State of Agricultural land use planning’.

Minimise uncertainty

The presence of uncertainty, typically introduced via ambiguous language, exceptions or gaps, is a critical measure of the weakness of an agricultural land use planning framework. Thus, in addition to maximizing the stability of a legislative framework through enforceable policies, people want to know they can rely on these rules and regulations to be applied consistently under different circumstances.

For the RCM of Haut-Richelieu along with its municipalities, the documents of land use planning minimize uncertainties by their clear language. For instance, the majority of the enforceable policy documents have high influence statements regarding farmland preservation. This clarity (of word choice) illustrates the fact that the various laws and development policies, such as the LPTAA, the LAU and the Orientations Gouvernementales of MAMOT have a strong influence on land use planning. In fact, the stability of the agricultural land development, controlled by the LPTAA and the CPTAQ, necessarily causes a reduction of uncertainty.

Integrate across jurisdictions

Integrating policies and priorities across jurisdictions is a foundation for building cohesion across provincial, regional, and local governments. One can also think of integration as a formal “linkage” that provides consistency among them. In order to successfully integrate policies across jurisdictions there must be sufficient details about the legislative context that guides and constrains local government plans and strategies. By this measure of integration, we found that verall, the legislative framework of the RCM of Haut-Richelieu is vertically well integrated with other legislation. Most local documents focus on the integration at the regional level while referring to provincial legislation. As previously stated, all local and regional documents have to respect the LPTAA, the LAU and the Orientations Gouvernementales of MAMOT. So it is basically a descendant (or top-down) integration. A good example of this integration is that the revised land use and development plan is accompanied, in accordance with the articles 7.1 and 7.1.1 of the Act respecting land use and development, with an action plan along with a document indicating the approximate costs of various equipment and proposed inter-municipal infrastructure. The content of the action plan is linked with the guidelines and objectives of the land use and development plan. The action plan plans the implementation of the land use and development plan by specifying the different stages of implementation and the different participants (municipalities, government agencies, Ministers and representatives of the government and other actors can participate in the implementation process).

Although the LPTAA creates a control regime with a single-minded objective and concentrates all powers under the Commission (CPTAQ), the RCMs have multiple powers of intervention in the development of the agricultural area within their territory. In the province of Québec, municipalities which are grouped into regional county municipalities (RCMs), assume a strategic role in the definition and implementation of environmental protection measures. Under various laws and regulations, the RCMs have multiple powers of intervention in the development of the agricultural area within their territory. If the primary objective is the development of agricultural activity, then the RCMs have a responsibility to reconcile this objective with the preservation of the natural environment, which respects the main purpose of the Act:

[...] d’assurer la pérennité d’une base territoriale pour la pratique de l’agriculture et de favoriser, dans une perspective de développement durable, la protection et le développement des activités et des entreprises agricoles dans les zones agricoles dont il prévoit l’établissement (LPTAA, art. 1.1).

In other words, despite the fact that it is subject to review by the government, municipal activity occurs in more ways than one as the key element of the environmental response in the agricultural zone (or ‘Green Zone’). Therefore, in a perspective of subsidiarity and efficiency related to the proximity of this level of government, a certain RCM can adapt within its own territory the legal limits defined by the various and numerous provincial regulations and policies. However, as these define a fairly uniform minimum framework, municipalities also have flexibility to innovate and go beyond the basic rules prescribed in order to take into account the specificities of their territory and environments to protect. The result of these actions is a potential diversity of rules governing agricultural practices across regions. As for the RCM of Haut-Richelieu, it is the

most important initiative when it comes to the protection of the green zone against shoreline erosion (Les initiatives réglementaires municipales de protection environnementale en milieu agricole au Québec, 2009).

Regarding horizontal integration, the Plan de Caractérisation du territoire et des Activités Agricoles (Septembre 2003) contains a vague statement on how it fits in the local context : « L'initiative de la Ville s'inscrit également dans une démarche plus large de révision du schéma d'aménagement de la MRC du Haut-Richelieu et d'adoption de réglementations locales harmonisées. » (Vague statement!). However, it does make an explicit reference or provide evidence on the integration of the Orientations Gouvernementales in the Land Use and Development (another example of top-down integration).

Accommodate flexibility

Creating an effective legislative framework is an act of balance, without being too stable that it cannot be changed when needed or too strict that it cannot be applied in a range of circumstances. Thus, flexibility is necessary in order to moderate the restrictive effects of maximising stability and minimising uncertainty. The means to accommodate flexibility is typically done through governance mechanisms.

As stated before, in 1996, significant amendments to the LPTAA helped to ensure greater protection of agricultural land and agricultural activities, while allowing flexibility in the application of different provisions. The objective was to increase the consideration of regional characteristics, including increasing the role of RCM in the development of agricultural territories. Indeed, LPTAA was first thought based (in 1978) on the agricultural context in the Montreal area and was not necessarily compatible with the reality of the more remote areas. This is partly why the LPTAA has long been considered, by municipalities and RCMs, as a barrier to development (CPTAQ, 2001a and 2001b; CPTAQ, 2007).

Although the LPTAA allows to ensure some stability of agricultural land and agricultural activities in Quebec, the fact remains that the CPTAQ may, under the LPTAA, modulate several restrictive effects of the law, without compromising the principle of stability, in order to create a legislative framework tailored to regionals and local characteristics and exceptions (so it accommodates flexibility). Indeed, Article 62 of the LPTAA states: “the commission may authorize, on such conditions as it may determine, the use, for purposes other than agriculture, the subdivision, the alienation, the inclusion or the exclusion of a lot or the cutting of maple trees. In rendering a decision, giving its advice or issuing a permit on a matter referred to it, the commission shall take into consideration:

1. The soil capability of the lot and of the neighbouring lots;
2. The possible uses of the lot for agricultural purposes;
3. The consequences of an authorization on existing agricultural activities and their development, and on the possible agricultural use of neighbouring lots, in particular having regard to the standards aimed at reducing the inconvenience caused by odours resulting from agricultural activities [...];

4. The restrictions and effects resulting from the application of the Acts and the regulations, in particular those relating to the environment and, more particularly, with respect to livestock operations;
5. The availability of other sites where farming restrictions would be eliminated or reduced, in particular where the application concerns a lot included in a census agglomeration or a census metropolitan area [...];
6. The homogeneity of the farming community and farming operations;
7. The impact on the preservation of water and soil resources in the territory of the local municipality and in the region;
8. The establishment of land holdings having an area sufficient for farming activities;
9. The impact on the economic development of the region upon proof submitted by a municipality, community, public body or agency providing public utility services;
10. The socioeconomic conditions necessary for the viability of a community where justified by the low population density of the region” (LPTAA, Art. 62).

In addition to the above four principles, we also discuss issues that have come up in our project that we believe deserve specific attention: the influence of policy regimes, small-lot agriculture/fragmentation of farmland; and foreign (out-of-province) ownership of agricultural land alienation of farmland.

Influence of policy regimes

The presence of the three policy regimes in planning documents is, itself, a proof of their influence on the development of agricultural land in the RCM of Haut-Richelieu. According to Tables 14, 15 and 16, agricultural land use planning is mostly affected by farmland preservation then followed equally by global competitiveness and food sovereignty.

For the RCM of Haut-Richelieu, the majority of legislative and policy documents focus on the farmland preservation policy regime (Table 9), particularly, the 2003 Plan de Caractérisation du territoire et des Activités Agricoles, the 2004 Schéma d'aménagement and the urban plan of the municipality of Saint-Anne-de-Sabrevois. According to Table 15, there are 53 high influence statements for farmland preservation. These documents focus on vision, goals, objectives, and recommendations that emphasise the protection of agricultural lands and a decrease in urban-rural conflicts. For instance, agricultural objectives in the Schéma d'aménagement (2004) ensures the durability/continuity (*pérennité*) of the agricultural land in order to guarantee the priority to agricultural activities while promoting the consolidation of existing urbanized areas. In addition to these themes, their regulations refer to the allowed uses within the agricultural land and to provisions related to odor management in the agricultural area (referred to as (minimal) separation distance) (Table 12).

Regarding global competitiveness, the 2004 Land Use and Development Plan is the only document that has 3 medium influence statements on driving issues related to global market competition. It recognizes that while globalisation can be an opportunity, it can be a threat to agriculture as well. This document has medium level statements due to vague language and lack of detail in its driving issues.

Furthermore and when it comes to food sovereignty, the 2003 Plan de Caractérisation du territoire et des Activités Agricoles is the only document that has medium influence statements. The document focuses on vision, goals, objectives, and recommendations that encourage local purchase.

In Québec, only the food sovereignty Policy (MAPAQ, 2013) explicitly addresses the inclusion of food sovereignty in land use planning policies and this is not yet integrated into the land use and development plan of the RCM of Haut-Richelieu, neither into its supplementary document, and into the urban plans. However, food sovereignty is a concept increasingly evoked by the different actors in the territory and the influence of this policy could, in the near future, influence the development of agricultural land. The 2003 Plan de Caractérisation du territoire et des Activités Agricoles has already discussed this policy. It contains medium influence statements. As previously stated in regards to this policy, there are 3 medium influence statements for food sovereignty. The document focuses on vision, goals, objectives, and recommendations that encourage local purchase, awareness initiatives and local food production incentives.

It is interesting to note here that despite the fact that the food sovereignty policy was adopted in 2013, it was mentioned in earlier documents on agricultural land use planning (i.e., the 2003 Plan de Caractérisation du territoire et des Activités Agricoles of the RCM of Haut-Richelieu).

Small-lot agriculture/farmland fragmentation

The combined issue of small-lot agriculture and fragmentation of the land base centres on what appears to be a growing awareness of food sovereignty. Much of this interest in small-lot agriculture is associated with new farmers and their need for affordable land that is reasonably close to population centres. What makes the demand for small-lot agriculture particularly important is that there is often little room within farmland protection legislative frameworks to accommodate smaller lots. The main reason is that sub-dividing into smaller lots is in direct conflict with the over-riding goal to not fragment the land base. The primary land use planning tool for preventing fragmentation is maintaining large minimum lot sizes. Thus, small lots and farmland protection appear to be often in direct opposition.

The farmland fragmentation in the RCM happened prior to the establishment of the LPTAA. The legislative framework of the RCM of Haut-Richelieu recognizes that the fragmentation from the unstructured residential blocks (*îlots déstructurés*) within the agricultural area is a threat to agriculture:

[...] une déstructuration de la zone agricole qui est de nature à accélérer la dévitalisation du milieu rural et à avoir un impact sur la viabilité des noyaux villageois ainsi que sur les possibilités de développement et d'adaptation des entreprises agricoles à long terme (Schéma d'aménagement, 2004, p. 33).

Therefore, in this regard and to ultimately decrease urban-rural conflict, the main objective of the land use and development plan of the RCM is to consolidate unstructured islands, characterized by the concentration of non-agricultural uses, in order to avoid any extension thereof. In

addition, the 2003 Plan de caractérisation du territoire et des activités agricoles recommends producing a collective demand from the local actors under section 59 of the LPTAA, which can exclude certain areas (i.e. unstructured islands), mainly of non-agricultural use, within the permanent agricultural land.

Foreign (out-of-province) ownership of agricultural land

The CPTAQ is responsible for enforcing the Act on the acquisition of agricultural land by non-residents (LATANR). In 1979, the government adopted the Act on the acquisition of agricultural land by non-residents to discourage the purchase of agricultural land by foreigners for the purpose of land speculation (LATANR, 2015; Gendron M., 2013). This law was also intended to keep a collective agricultural heritage and promote the establishment of domestic farmers and thus counter the phenomenon of hoarding farmland for purposes other than agriculture (Debailleul and Meloche, 2013; UPA, 2013). When someone wished to acquire agricultural land, s/he was to reside in Québec at least 36 months during the 48 months preceding or following the acquisition of land, in addition to obtaining Canadian citizenship during those 48 months. The law provides new analytical criteria for applications for authorization of acquisition of agricultural land by individuals who do not intend to settle in Québec. According to Article 16, the CPTAQ should consider: a) the intended use; b) the impact of this acquisition on the price of agricultural land in the region; c) the effects of the acquisition or the intended use on regional development; d) the development of products and underutilized agricultural land; and e) the impact on land use (Gendron, 2013: 4). Furthermore and with regard to the total area of agricultural land purchased by non-residents granted by the CPTAQ, the law provides an annual quota of 1,000 hectares per year for all of Québec. However, any additional demand is assessed by the Commission.

Conclusion

To conclude, it is crucial to see which principles and practices within the agricultural land use planning legislative framework are the most beneficial for protecting farmland. Despite not having a PDZA, the RCM of Haut-Richelieu has been very successful in protecting its farmland from a variety of competing land uses due to a strong legislative framework and historic focus on farmland preservation. Its legislative framework is stable, minimising uncertainty. Its integration, especially vertical integration, with other legislation is quite detailed, making it a very strong framework that influences agricultural land use planning decisions in the area. In addition, the emphasis of the RCM of Haut-Richelieu on farmland preservation has contributed highly to the quantity of farmland available in its jurisdiction. Due to competing land uses and interests, the RCM of Haut-Richelieu recognised that agriculture was a foundational aspect of its economy and required detailed goals, objectives, and regulations to maintain it.

Like most developed countries, Québec focuses primarily on agricultural land use planning, especially on the issue of the protection of agricultural land and agricultural activities, by maximizing the conservation of the agricultural land and promoting multifunctionality of agriculture (OECD, 2009: 51-60). The LPTAA, the LAU, and the Orientations Gouvernementales du MAMOT are the main laws and policies that protect Québec's farmland. In particular, the introduction of the LPTAA and CPTAQ appear, since 1978, as the best way to ensure the durability (or the continuity) of the agricultural land and agricultural activities. Indeed, the majority of the agricultural planning documents, at the regional and local level, are focused on this central issue. As a result, stability is the guiding principle in regard to the agricultural land use. Other principles are secondary.

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Appendix: Glossary

Policy:

A formal statement of intent; principles, rules, or guidelines that are designed to determine or influence major decisions or actions and all activities that fall within the domain of the policy.

Enforceable policy:

Policy with clear statements of intent to enforce (often with penalty for failing to follow the policy)

Aspirational policy:

Policy without clear statements of intent to enforce (often with penalty for failing to follow the policy); a broad statement about desired outcomes, objectives, or activities

Enabling policy:

Policy with clear statements of intent to implement a policy (e.g., provide resources)

Policy regime:

A policy regime and its changes refer to the combination of issues, ideas, interests, actors and institutions that are involved.

Legislation:

A law (or Order in Council) enacted by a legislature or governing body; can have many purposes: to regulate, to authorize, to proscribe, to provide (funds), to sanction, to grant, to declare or to restrict.

By-law (bylaw):

Local laws established by municipalities as regulated by the provincial government. Note: for our purposes, a by-law is considered part of legislation.

Regulation (pursuant to Act):

Is a form of legislation (law) designed with the intent to regulate; a rule or law designed to control or govern conduct; creates, limits, constrains a right, creates or limits a duty, or allocates a responsibility.

Governance:

Methods, systems, or processes of governing; the act of implementing policy and legislation. For our purposes we are concerned with groups (e.g., commissions, advisory committees) that have the authority to apply, review, or enforce policy and legislation specific to agricultural land use planning.

Appendix: Criteria for Evaluating Content of Legislative Framework

Legislation documents

	Legislative Context (Provincial)	Background	Vision, Goals, Objectives	Local policies	Maps
0	None	None	None	None	None
✓	Brief statements that include at least one reference to the main provincial legislation or policy related to agricultural land use planning. Little too context provided other than perhaps a statement that acknowledges the local governments duty to uphold these acts and policies.	Very brief description of agriculture background. This may include a minimal section or statistics on historical context, background and issues, and demographics on agriculture/farming.	Includes a vision, goal, or objective for agriculture but with minimal explanation or rationale.	One or two brief statements about agricultural land use policies, perhaps with little context.	Provides at least one (1) general land use map(s) with agricultural land use shown.
✓✓	Expanded statements that reference more than one of the main provincial legislation and policies and provides added context to the above. Multiple statements that outline how provincial legislation and policies “fit” in the local context.	Includes multiple sections dedicated to information and statistics about agricultural background. May also reference an agricultural plan or report.	Includes a vision, goal, and objective for agriculture with a statement of explanation and some action items.	Several statements (three to five) about agricultural land use policy presented within local context. May also reference an agricultural plan.	Provides at least one (1) general land use map(s) showing agricultural land uses and at least one (1) agriculture specific map showing designated agricultural land.
✓✓✓	Comprehensive that outlines how provincial legislation and policies “fit” in the local context.. May include diagrams to help establish thread of consistency among different levels of government.	Comprehensive account of agricultural background . May also reference an agricultural plan or report.	Includes a detailed section on vision, goals, and objectives for agriculture that outlines a rationale and action items. May also document relations with other land uses and local priorities.	Detailed section of agricultural land use policy statements (more than five) or agricultural sub-area plan adopted as by-law. May also reference an agricultural plan.	Provides two (2) or more agricultural land use maps including a map showing designated agricultural land. May also include Other maps to illustrate specific issues or policies (future areas of study, development permit areas, current land tenure).

Policy documents

	Legislative Context (Provincial)	Background	Vision, Goals, Objectives	Local Policies	Maps
	Same as above	Same as above	Same as above	Different	Same as above
0	None	None	None	None	None
✓	Brief statements that include at least one reference to the main provincial legislation or policy related to agricultural land use planning. Little to no context provided other than perhaps a statement that acknowledges the local governments duty to uphold these acts and policies.	Very brief description of agriculture background. This may include a minimal section or statistics on historical context, background and issues, and demographics on agriculture/farming.	Includes a vision, goal, or objective for agriculture but with minimal explanation or rationale.	Several statements (three to five) about agricultural land use policy presented within local context.	Provides at least one (1) general land use map(s) with agricultural land use shown.
✓✓	Expanded statements that references more than one of the main and policies and provides added context to the above. Multiple statements that outline how provincial legislation and policies “fit” in the local context.	Includes multiple sections dedicated to information and statistics about agricultural background. May also reference an agricultural plan or report.	Includes a goof presentation of vision, goal, and objective for agriculture with a statement of explanation, a few recommendation items, and some action items.	Comprehensive section of agricultural land use policy statements (more than five).	Provides at least one (1) general land use map(s) showing agricultural land uses and at least one (1) agriculture specific map showing designated agricultural land.
✓✓✓	Comprehensive that outlines how provincial legislation and policies “fit” in the local context.. May include diagrams to help establish thread of consistency among different levels of government.	Comprehensive account of agricultural background. May also reference an agricultural plan or report.	Includes a detailed section on vision, goals, and objectives for agriculture with an extensive and detailed list of recommendations and/or action items.	Comprehensive agricultural plan. May also refer to background report.	Provides two (2) or more agricultural land use maps including a map showing designated agricultural land. May also include Other maps to illustrate specific issues or policies (future areas of study, development permit areas, current land tenure).

Appendix: Criteria for determining level of influence of policy regimes

		Placement (significance) within Document			
		Aims, Goals, Objectives	Mission, Vision, Mandate, Purpose	Driving issues, concerns	Action items
Level of influence	High influence	A clear, explicit statement as part of a short list (three to five) of items in an enforceable policy or regulation	A clear, explicit statement at the highest level of an enforceable policy or regulation		
	Medium influence	A clear, explicit statement as part of a short list (three to five) of items in an aspirational policy	A clear, explicit statement at the highest level of an aspirational policy	A clear, explicit statement as part of a short list (three to five) items in a policy	A clear, explicit statement as part of a short list (three to five) of items in a policy
	Low influence	A clear, explicit statement as part of a long list of items in an aspirational policy		A clear, explicit statement as part of a long list of items in an aspirational policy	A clear, explicit statement as part of a long list of items in a policy

ⁱ “The Government may by written notice to the commission withdraw a matter from its jurisdiction. Where the Government avails itself of the powers conferred on it by this section, the commission must remit to it a copy of the record and notify in writing the interested persons that the matter has been withdrawn from the jurisdiction of the commission. The Government is then seized of the matter with the same powers as those of the commission and renders its decision after obtaining the advice of the commission” (LPTAA, Art. 96).

ⁱⁱ “It is the function of the commission to secure the preservation of the agricultural land of Québec. For that purpose, it is commissioned

- (a) to decide on applications for authorization submitted to it pursuant to the Act in respect of the use, subdivision or alienation of a lot and applications for the inclusion or exclusion of a lot in or from an agricultural zone;
- (b) to issue the operating permits required for the removal of topsoil, in accordance with Division V;
- (c) to describe, in cooperation with the local municipality, the agricultural zone in the territory of that local municipality;
- (d) to issue a notice in any other case where a matter must be referred to it pursuant to the Act;
- (e) to supervise the administration of this Act.

The commission may sue and be sued before the courts for purposes of the carrying out this Act” (LPTAA, Art. 3).

ⁱⁱⁱ “This Act prevails over any inconsistent provision of a general law or special Act applicable to a community, or to a municipality” (LPTAA, Art. 98).

^{iv} “[...] to secure a lasting territorial basis for the practice of agriculture, and to promote, in keeping with the concept of sustainable development, the preservation and development of agricultural activities and enterprises in the agricultural zones established by the regime” (LPTAA, Art. 1.1).

^v “69.1. A regional county municipality [RCM] or a community [the CMM per example] that undertakes to elaborate an RCM land use and development plan or a metropolitan land use and development plan may apply for the review of the agricultural zone.

The commission [CPTAQ], within 30 days from the receipt of the motion, shall send a notice to the regional county municipality or the community concerned, stating its intention to reach an agreement with such municipality or community upon its revised agricultural zone plan, within 180 days from the sending of the notice.

The commission may, where it is authorized to do so by the Government, send to a regional county municipality or a community the notice provided for in the second paragraph if the latter has not applied for a review of the agricultural zone to the commission at the expiry of a six-month period from the date of adoption of the RCM land use and development plan or the metropolitan land use and development plan or from the date of expiry of the time limit prescribed by law for the adoption of the plan if it has not been adopted [...].

69.2. If there is agreement between the regional county municipality or the community and the commission, the latter shall prepare a revised agricultural zone plan of the territory of the local municipality together with a memorandum of agreement.

Failing agreement, the commission shall prepare the revised plan, where such is the case, taking into account the representations made to it [...].

69.4. The regional county municipality or the community shall, when an agricultural zone is reviewed pursuant to this division, take the necessary measures to make the limits of the agricultural zones provided in the RCM land use and development plan or the metropolitan land use and development plan coincide with the limits of the zones reviewed pursuant to this division and also to prevent the urbanization perimeters from encroaching on agricultural zones” (LPTAA, Art. 69.1, 69.2 et 69.4).

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^{vi} Areas included or excluded by decision since the entry into force of the Decree for the revised agricultural zone for each RCM or communities have been the subject of a notice to the officer of the registrar. Boundaries Revisions of the permanent agricultural zone took place between 1987 and 1992.