

AGRICULTURAL LAND USE PLANNING IN NOVA SCOTIA:
A CASE STUDY OF KINGS COUNTY

by

Lindsay Clowes

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ABSTRACT

As part of an ongoing national research project, this thesis examines the nascent policy regime of food sovereignty, along with global competitiveness and farmland preservation, to gain a better understanding of their influence at the Municipal and Provincial levels of government in Kings County, Nova Scotia. Considering ongoing policy shifts at the Federal, Provincial, and Municipal levels of government, analysis of the Kings County legislative framework exposed the strengths and weaknesses of current policy and legislation in place. The results suggest that conflicting stakeholder opinions, lack of Provincial policy implementation across Municipalities, and inconsistent decisions being made at the Municipal level threaten the future of farmland preservation. Results also indicate that a disconnection between the land base and food sovereignty provides a dilemma for local and Provincial planners. Together, these issues pose a problem for future sustainability of Nova Scotia's food sovereignty.

LIST OF ABBREVIATIONS AND SYMBOLS USED

AAFC	Department of Agriculture and Agri-Food Canada
AFHRC	Atlantic Food and Horticulture Research Centre
AFSC	Antigonish Food Security Council
APA	American Planning Association
AVFT	Annapolis Valley Farmland Trust
DMA	Department of Municipal Affairs
FSC	Food Secure Canada
GF2	Growing Forward 2
KCFA	Kings County Federation of Agriculture
LUB	Land Use Bylaw
MCK	Municipality of the County of Kings
MGA 1998	Municipal Government Act
MPS	Municipal Planning Strategy
NF2	No Farms No Food
NSDA	Nova Scotia Department of Agriculture
NSFA	Nova Scotia Federation of Agriculture
NSYFA	Nova Scotia Young Farmers Association
OMKN	Ontario Municipal Knowledge Network
PA	Planning Act
PAC	Planning Advisory Committee
SPI	Statement of Provincial Interest
SPLUBC	Summary of Potential Land Use Bylaw Changes

GLOSSARY¹

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

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.

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

¹ Connell, D.J. (2014). *Agricultural land use planning in Canada: A study of principles and beneficial practices for integrating public priorities for agriculture and food across jurisdictions*. Application for Social Sciences and Humanities Research Council of Canada grant

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

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Chapter 1: Introduction

1.1 Agricultural Land Use Planning

Farmland preservation has been prominent in North American planning strategies since the 1970s (Furuseth, 1987). Policy implementation regarding land use planning was seen as early as 1956 in the state of Maryland, U.S.A. (Furuseth, 1987). Between 1960 and 1980, Provincial and State governments began to “respond to the issue of farmland preservation with a variety of measures” (Furuseth & Pierce, 1982, p. 191). In the late 1970s, Nova Scotia responded to farmland protection using ‘differential tax assessment’ and ‘centralized land use policy’ measures (Furuseth & Pierce, 1982, p. 194). In Canada, policy shifts have occurred in large metropolitan areas, including Vancouver, Calgary, Toronto, Ottawa and Montreal. These areas of Canada have all launched food plans and policy Councils (Connell, 2014). Much like past policy shifts towards farmland preservation, Food Secure Canada (FSC) points to new policy shifts occurring towards food sovereignty, “as the majority of political parties have called for a national food policy” (FSC, 2015). FSC also attributes the implementation of the Growing Forward 2 (GF2) Agricultural Policy Framework, the Canadian Federation of Agriculture’s (CFA) National Food Strategy, the Conference Board of Canada’s Centre for Food in Canada, and a new report on agricultural policy released by the Canadian Agri-food Policy Institute as shifts towards a better food policy.

Today, farmland preservation is increasingly important as development pressures expand, threatening the future of agricultural land and thus the future of our food source. The question therefore remains, do we have the policies in place to ensure its protection?

And more importantly, do planners have the skills to make decisions to protect, preserve, and enhance our food system?

Agricultural land use planning is, most simply put, the management of land and resources (Ontario Ministry of Municipal Affairs and Housing, 2015). Land use planning uses zoning by-laws to restrict non-farm-related development and protect agricultural land specifically for agricultural purposes. The effects of restricting alternate uses of agricultural land can be seen as negative or positive depending on the view of the stakeholder. When zoning land specifically for agricultural purposes, other potential land uses, although possibly more profitable, are limited.

Increased population growth affects agricultural land through accelerated loss and reduced potential for production (Francis et al., 2012). Between the years of 1971 and 2001 in Canada, “urbanization consumed about 15,200 square kilometres of surrounding land. This area, almost three times the size of Prince Edward Island, represented an increase of 96 percent in urban land over the period” (Hoffman, Filoso, & Schofield, 2005). Losses of agricultural land have been attributed to “encroachment by urbanization, transport corridors, restrictions on land use for livestock to protect groundwater, and alienation of land for parks and recreation” (Bucknell & Pearson, 2006, p. 22). These uses provide an “immediate value” to converted land (Francis et al., 2012, p. 9) that is not seen as attainable through agricultural land use. The encroachment of infrastructure and other uses on agricultural land causes pressure on government entities with regard to cases of development versus land protection for agricultural activities (Bucknell & Pearson, 2006). With these concerns come community and stakeholder pressures to implement policy to actively protect agricultural land.

Differing stakeholder opinions cause conflict among farmers, community members, prospective developers, and Provincial and Municipal employees when questions arise over the use of land. Bucknell & Pearson (2006) identify land use as a “matter of public debate and public policy” (p.22). Implementation of a strong policy or legislative framework may help reduce conflict over land use by defining priorities for specific parcels of land, and guiding the decision making process. However, even when strong policies are in place, by-law amendments often make it possible for land to be re-zoned for alternate uses. This would also appear to be the case in the Municipality of the County of Kings (hereafter Kings County), Nova Scotia as discussed below.

In light of the difficulties in protecting agricultural land in Canada, a nation-wide study is being conducted to “critically examine how the changing role and value of agriculture within Canadian society today might affect agricultural land use planning within and across national, Provincial and local jurisdictions” (Connell, 2014, p.6) Land use planning is an important link between agriculture and society due to the direct effect between the use of a land base and the act of producing and consuming food (Connell, 2014). The national project is made up of Provincial and local/Municipal case studies; this thesis is one such case study examining Kings County, Nova Scotia.

Kings County provides unique opportunities for insights around the link between agriculture land protection and policy due to its long history of farming, relatively progressive land use planning practices and policies within the Nova Scotia context, and evidence of societal/community differences regarding the use of agricultural land. The Kings County case study uses the analytical framework developed for the national study (Connell, 2014). While the thesis is a separate entity from the national study, it both

draws upon and provides information pertinent to the achievement of the wider project. Other case study areas include: Corporation of Delta, BC; City of Kelowna, BC; Rocky View County, AB; County of Grande Prairie No. 1, AB; Town of Niagara-on-the-Lake, ON; Municipality of Central Huron, ON; RMC de Haut-Richelieu, QC; RMC de Roussillon, QC; and, the Municipal County of Antigonish, NS. The Kings County case study examined and presented herein represents a discrete subset of the ongoing research to accomplish three objectives at the national level, particularly the first objective:

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;
2. To analyse three inter-related policy regimes within Canada's agri-food system: the long-standing policy regimes of (i) global competitiveness and (ii) farmland preservation; and the nascent regime of (iii) 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; and,
3. To mobilize knowledge gained from the research by hosting a series of regional workshops across Canada focused on applying beneficial practices in agricultural land use planning. Workshop results will culminate in a national forum to formulate policy recommendations for protecting farmland (Connell, 2014).

The area of Kings County, Nova Scotia serves as a case study towards fulfilling the first objective of the national study. The second objective is also integrated into the case study to determine the prevalence of the three policy regimes (i.e., farmland preservation, global competitiveness, and food sovereignty) in and around agricultural land use planning in Kings County, Nova Scotia. This research is presented in two forms: 1) within this thesis; and, 2) as preliminary and final reports for the national project. The report findings and thesis overlap to a large degree, with the thesis providing a greater depth of analysis. The preliminary report, as part of the national project, was used in key informant interviews. The preliminary report with integrated interview data was a fundamental piece to the resulting insights discussed in this thesis. The final report for the national project will be used in future research at the national level and in fulfilling the third objective of the national study, the hosting of regional workshops (Connell, 2014, p. 6).

1.2 Thesis Goal and Objectives

Given the policy shifts in Canada, the goal of this thesis is to examine the extent to which these national trends in farmland protection impact agricultural land use planning at the Municipal and Provincial levels in Nova Scotia, using Kings County as a case study area. This goal will be achieved through three primary objectives:

- (1) to compile, analyze and characterize, through a media analysis, the various perspectives regarding land use controversies in Kings County, Nova Scotia;
- (2) to determine the current state of land use planning, policy, and farmland preservation through an analysis of the provincial- and municipal-level

legislative frameworks and interviews with key informants regarding the preliminary results for Kings County; and,

(3) to assess and analyse the social and political interests in and around agricultural land use planning.

The Kings County case study provides a snapshot in time demonstrating important findings on the strengths and weaknesses of agricultural land use planning at local and Provincial levels. The findings are relevant to both local, context-specific applications and within the national study, wherein they are to be analyzed against other case studies using the same framework to generate broader, cross-jurisdictional results. Additionally, this research contributes to broader scholarly and applied questions around the rationale behind arguments for agricultural land use planning, grounded in place-based and policy-specific contexts.

The remainder of the introduction describes the history and current state of agriculture in Canada and Kings County; the current state of legislation and policy; definitions of best practices and planning principles; and definitions for the three policy regimes identified in the national project. Chapter 2 outlines the methods used in the media, legislative and best practices analyses. Chapter 3 presents the results of the media analysis, document analysis, stakeholder analysis, and results of informant interviews. Lastly, Chapter 4 addresses the third research objective to assess the social and political interests around agricultural land use, using the four best practices and three policy regimes as a lens. The implications of adopting a new Municipal Planning Strategy (MPS) are also assessed, and future research directions and recommendations are proposed.

1.3 Agricultural Land Loss in Canada

Mariola (2005) identified a shift in agrarianism following World War II from a lifestyle founded in culture and democracy to a business venture, or a means of inputs and outputs for the purpose of producing food. He characterized the 1970s as a time of optimism regarding exports and interest rates, but also a time of agricultural crisis due to the rapid loss of farmland to other forms of land use. Farmland loss continues to be an issue according to the 2011 Statistics Canada census data on Canada's current state of agriculture, with a 4.1% decrease in farmland between the years of 2006 and 2011 (Statistics Canada, 2015). The number of farms in Canada is also decreasing; the 2011 census revealed that there has been a 10.3% loss of farms between 2006 and 2011 (Statistics Canada, 2015). Nova Scotia was the only province to see an increase in operational farms between 2001 and 2006, although area of farmland had decreased between the same years, inferring that farms are becoming more abundant but smaller in size (Statistics Canada, 2008).

Despite these decreases, the average size of a farm in Canada has increased by 6.9% (Statistics Canada, 2015). According to the 2006 census, the average farm size in Canada was 728 acres, while in 2011 it increased to 778 acres (Statistics Canada, 2015). Waldie (2012) attributed the increase in average farm size, despite the decrease in overall farmland, to the consolidation of family farms. This change was attributed to technological advances and increased formal education in the farming sector, allowing for faster and more efficient farming. This may be good for Canada, since large farms have been known to be more productive, generating more food and keeping costs down (Waldie, 2012). However, land use changes around some of the country's largest cities

are threatening the future of agricultural production where productive farms may reside nearby (Maclean's, 2014).

Francis et al. (2012) identified the economic benefits of non-agricultural land uses. Land as a resource for retirement and the increasing age of farmers are often incentives for farmers to convert land to non-agricultural uses (Francis et al., 2012). Along with farmer-based incentives, political decisions are complicated by the lack of societal appreciation concerning the ecosystem services provided by farmland (Francis et al., 2012). Mariola (2005) identified the task of the farmland preservation movement as convincing citizens and politicians to preserve agricultural land using a social movement argument. The social movement, or social imperative argument, identifies agriculture as a “necessary act that will stave off future harm to society” (Mariola, 2005, p. 210). According to Mariola (2005), presenting farmland protection as a social movement is necessary due to the decrease in public consciousness regarding the value of agriculture. By engaging the public, more social awareness could be directed towards protecting agricultural land for the greater good, potentially slowing the rate of farmland lost to development.

The 2005 Statistics Canada report, *The Loss of Dependable Agricultural Land in Canada*, stated that tensions are expected to continue between agricultural and non-agricultural use of class 1-3 land, which are the three classes of “dependable” agricultural land in terms of land capability (Hoffman et al., 2005, p. 10). This continued tension is linked to the increase of urban growth on such lands (Hoffman et al., 2005, p. 10). Between 1971 and 2001, urban populations in Canada increased by almost 50 percent from 16 million to 24 million, partially due to the “baby boomer” generation and housing

preferences (Hoffman et al., 2005, p. 10). Francis et al. (2012, p. 12) argue that Canadian population growth can be attributed to immigration and that, “for economic and cultural reasons, most immigrants tend to settle in large metropolitan areas. Therefore most population growth is occurring in urbanized areas”. As both urban populations and urban land uses expand, surrounding farmland is converted and lost. Mariola (2005) points out that there is often competition over land for agricultural and development purposes as both tend to prefer the same flat and well drained qualities of land.

1.4 Role of the Federal Government in Land Use Policy

According to the Constitution Act, the Parliament of Canada has the ability to enact Provincial laws with respects to agriculture (Government of Canada, 2016). The Federal level of agricultural governance resides with the Department of Agriculture and Agri-Food Canada (AAFC). AAFC “provides information, research and technology, and policies and programs to achieve an environmentally sustainable agriculture” (Municipality of the County of Kings [MCK] Planning Services, 2012, p.2). AAFC also oversees the Canada Agricultural Review Tribunal, Canadian Dairy Commission, Canadian Grain Commission, Canadian Wheat Board, Farm Credit Canada, and the Farm Products Council of Canada (Government of Canada, 2015). Relevant legislation at the Federal level includes the *Food and Drug Act*, the *Agricultural Products Act*, the *Environmental Protection Act*, *Department of the Environment Act*, and the *Canada Water Act* (MCK Planning Services, 2012). Above all, according to the Canadian Constitution, the Federal Legislature and Parliament may make laws in relation to

agriculture that any or all Provinces must follow (*Constitution Act, 1982*, being Schedule B to the *Canada Act 1982* (UK), 1982, c 95).

On April 1, 2013, Canada's Economic Action Plan introduced *Growing Forward 2*, a five-year plan to strengthen Canada's agricultural sector by providing Federal and Provincial funds of more than \$3 billion dollars towards investments, competitiveness and market development (Canada's Economic Action Plan, 2013). By combining three Federal programs, AgriInnovation, AgriMarketing, and AgriCompetitiveness, the five-year framework aimed to "accelerate the pace of innovation, improve competitiveness in domestic and international markets, and help the sector adapt to emerging global and domestic opportunities, as well as enhance business and entrepreneurial capacity" (Canada's Economic Action Plan, 2013, About the Initiative, para. 1). The GF2 report outlined six focus outcomes: environmental and climate change; animal and plant health; assurance systems; market development; labour productivity enhancements; and, business and leadership development (Ontario Ministry of Agriculture, Food and Rural Affairs, 2016). GF2 relates directly to one of the national project's three policy regimes; global competitiveness (Connell, 2014).

1.5 Role of the Nova Scotia Provincial Government in Land Use Policy

In Canada, each of the ten Provinces are responsible for areas listed in the *Constitution Act of 1867* (Parliament of Canada, n.d.). Responsibilities may include "education, health care, some natural resources, and road regulations" (Parliament of Canada, n.d.). Under the Constitution Act the Federal and Provincial government may make laws in relation to agriculture (Government of Canada, 2016). At the Provincial level, the Nova Scotia

Department of Agriculture (NSDA) supports “the development of competitive, sustainable and profitable agriculture and agri-business industries that contribute to the economic, environmental and social prosperity of Nova Scotia” (Province of Nova Scotia, 2014, About Us, para. 3). The Homegrown Success Report, released by the NSDA, influenced the streamlining of operations into two sections: 1) Agriculture and Food Operations; and, 2) Policy and Corporate Services (Province of Nova Scotia, 2014). Local or Municipal government falls under Provincial jurisdiction. The Provincial government can delegate “local works, education, justice, hospital and taxation” responsibilities to the Municipal level of government (Dewing & Young, 2006, Legislative Foundations and Overview of Municipal Powers, para. 5).

The *Municipal Government Act of 1998 (MGA 1998)* is the most relevant document at the Provincial level (Cameron & Connell, 2016) housed under the Department of Municipal Affairs (DMA). Introduced in 1998, the document combined all legislation related to Municipalities. The Planning Act (PA), previously active since 1983, was drastically changed and integrated into the *MGA 1998*. The most prominent change was the implementation of the Statements of Provincial Interest (SPI), replacing the provisions for Provincial land use policy (Cameron & Connell, 2016). Five statements were created to protect floodplains, drinking water, affordable housing, infrastructure and agriculture (Province of Nova Scotia, 2015a). The updated *MGA 1998* allows for Municipalities to have more power over the decision making process within their own jurisdictions (Municipal Government Act, SNS 1998, c 18). Under the *MGA 1998*, a Municipality has the ability to implement a MPS “to provide statements of policy to guide the development and management of the Municipality” (Municipal Government

Act, SNS 1998, c 18, section 213 p. 122).

The SPI in section 193 of the *MGA 1998* (Appendix A) is the only place where the *MGA 1998* refers to the protection of agricultural land (Cameron & Connell, 2016). Unfortunately, if a Municipality has not adopted a MPS, the SPI is irrelevant in the planning process. Even in jurisdictions where the SPI is applicable, an MPS must only “be reasonably consistent with the intent of statements of provincial interest” (Municipal Government Act, SNS 1998, c 18, section 213c p. 122). Figure 1 shows Municipalities where the *MGA 1998* and SPI are in effect due to the adoption of a MPS by the Municipality. Exclusive zoning for agriculture is in place in Kings County, West Hants and East Hants. Agriculture permitted in particular zones is in place in Cape Breton Regional Municipality, Antigonish County, Guysborough County, Halifax Regional Municipality, Chester County, Regions of Queens, Barrington County, Argyle County, and Yarmouth County. All other counties have no planning for agriculture in place.

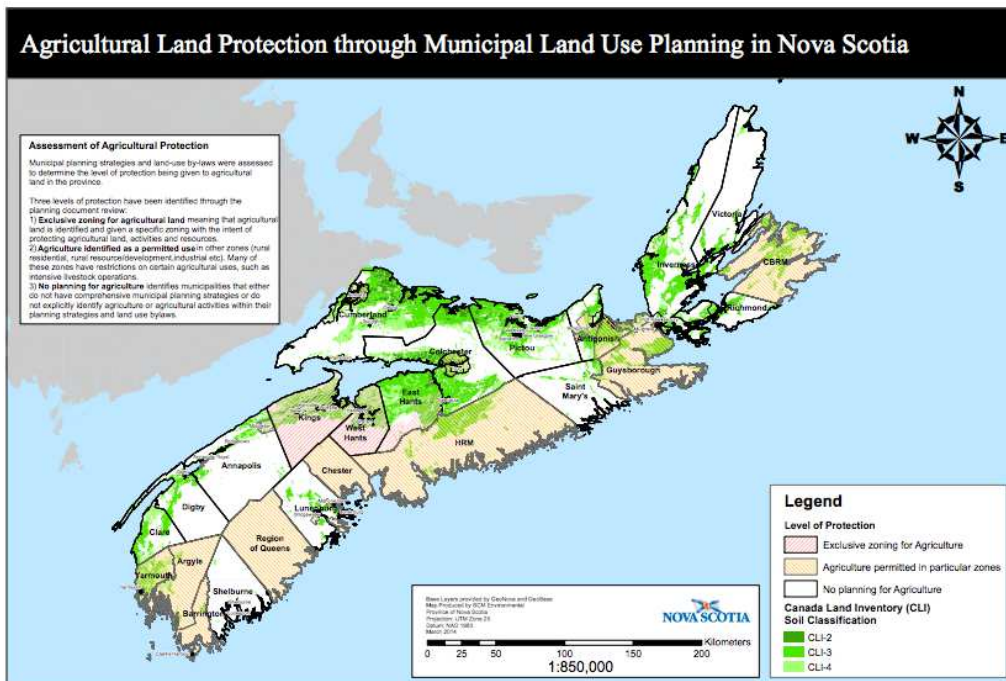


Figure 1 Agricultural Land Protection Through Municipal Land Use Planning in Nova Scotia

1.6 Role of the Municipal Government in Land Use Policy

A Municipality, under Provincial jurisdiction, generally refers to an area such as a city, town, or district (Parliament of Canada, n.d.). Municipalities are generally responsible for “libraries, parks, community water systems, local police, roadways and parking” (Parliament of Canada, n.d. The Municipal Level section para. 1). According to Dasgupta (2001) there are three types of local governments in Canada: unitary Municipality; regional Municipality; and, quasi-Municipal. Kings County falls under the category of unitary Municipality, an area which includes a city, town, village or open county (Dasgupta, 2001). Regional Municipalities are larger areas, which can include Municipalities. Quasi-Municipalities are those that are non-incorporated with limited powers and/or functions.

In Nova Scotia, the MPS, under the umbrella of the *MGA 1998*, is a Provincial guide for planning decisions within a county (MCK, 1979; MCK Planning Services, 2012). Using the MPS and Land Use Bylaw (LUB), Kings County protects farmland through the process of land use planning. The current Municipality-wide planning strategy has been in place since 1979, making it the first Municipality in Nova Scotia to protect land for specific uses (MCK, n.d.c). Included in the MPS, the LUB explicitly states how land can and cannot be used. Amendments to the MPS and LUB can create strong community reactions when agricultural land is affected. Although public consultation is necessary in the Province when changes are made to the MPS, amendments to the MPS are often left up to the decision of the Council under the revision of the Planning Advisory Committee (PAC) and in some cases the Provincial Minister of Agriculture (MCK, n.d.c). When a proposal is made to amend the MPS to allow for land

use not specifically designated in the MPS, the PAC oversees the process and makes recommendations to Council on how to proceed. The planning department also makes recommendations to Council on whether or not the amendment should be accepted, denied, or adapted.

The MPS and the LUB are currently undergoing changes within Kings County. As part of these changes, the Kings 2050 project, released in 2012, includes background reports that highlight the current state of Kings County within individual sectors of the community (e.g., agriculture, transportation, housing) (Kings 2050, 2016b). These background reports have prompted the release of “visioning documents” that highlight the goals and objectives of the Kings 2050 report pertaining to each sector (Kings 2050, 2016b). This process was followed by the release of the new draft MPS and *Summary of Potential Land Use Bylaw Changes* (SPLUBC) for community consultation. During the research for this thesis, the draft MPS and draft LUB were released for community feedback, whereby it was found that many members of the community had trenchant criticisms of the reports. For this reason, Kings County has begun to revise the draft MPS to incorporate the concerns of the community, stakeholders, and farmers, many of whom have contradictory opinions, which will be detailed below.

1.7 Kings County as a Case Study Area

The Kings County case study contributes to the objective of the national project; “to undertake case studies to fill strategic gaps in our understanding of how agricultural land use planning processes accommodate public priorities associated with the identified three policy regimes” (Connell, 2014, p.1). Kings County provides an interesting perspective

on agricultural land use planning policies due to the Municipality's long standing policy since implementation in 1979, the current and past controversies surrounding agricultural land use, and the inconsistent distribution of Provincial legislation across Municipalities. Agricultural practices and policies have been shifting in Canada since impacts from mechanical and chemical inputs in the early 1940s (Troughton, 2007; Connell, 2014). These shifts in agricultural practices led to the abandonment, and in some cases amalgamation, of farmland in Canada (Troughton, 2007). In Kings County, Provincial policy and legislation have left much of the decision making to Municipal Councillors as planning is optional for all Municipalities in Nova Scotia. When decisions are made by Councillors, bias can occur, resulting in the loss and fragmentation of agricultural land. Bias can occur due to outside influences from the community (outside of the public consultation process) and personal preferences, such as preference for development. At the Provincial level, the DMA promotes agricultural land protection, however policy is flexible and left to the interpretation of the Provincial Minister of Municipal Affairs, allowing for further personal bias to influence decisions on agricultural land use resulting in uncertainty in the decision-making process. The Kings County context thus provides a critical view, given the strength of farmland protection there, through which to examine the effects of agricultural land use policy in a situation where decisions are largely at the discretion of Municipal Councillors and the Minister, a collection of individuals whose identities and views on protection versus development may vary over time and from case to case.

1.8 Overview of Kings County Nova Scotia

Founded in 1755, Kings County is a rural area of Nova Scotia with a population of 60,589 people (MCK, n.d.a). The population of Kings County increased by 13.7% between 1986 and 2011, but slowed to 0.9% between 2006 and 2011 (MCK, n.d.a; MCK, n.d.b). The Town of Wolfville saw the most growth in the county between 1986 and 2011, with a 30.3% increase in population (MCK, n.d.a).

Kings County is divided into four census subdivisions: A; B; C; and D (Statistics Canada, 2012) (Figure 2). Subdivision A covers the larger half of the Kings County area, while B, C and D make up the other, smaller half (Statistics Canada, 2012). In 2011, the population of subdivision A was 22,103, down 0.3% from 2006. Subdivision B had a population of 11,990, down 0.4%. Subdivisions C and D had the smallest populations of 8,275 and 5,201, down 1.9% and 5.4% respectively between 2006 and 2011.



Figure 2 Municipality of the County of Kings Subdivisions A, B, C and D (Statistics Canada, 2012)

1.8.1 Historical Background

Agriculture began in the area of Kings County in 1674 when French Acadians made their way to the Minas Basin to establish a settlement (MCK, n.d.b). The Acadians

brought European ‘aboiteau’ technology², which allowed them to farm the marshland area (MCK Planning Services, 2012). Following the expulsion of the Acadians in 1755, settlement was sparse in the region, and thus New England Planters and English emigrants were attracted to the region (Wynn, 1978; Longley, 1998). Acadians gradually returned to the region in and after 1764, and with them knowledge on farming the Minas Basin marshlands (Wynn, 1978). While the Kings County region was commended for its perceived fertility and ‘natural capabilities’, settlers in the 1800s wrote of its yet unrealized potential for agriculture (Wynn, 1990). This was of particular concern as the population of Nova Scotia had risen from 40,000 to 275,000 in the first half of the 1800s. Many local agricultural societies emerged in the early 1800s, though only one, in Kings County, survived until even the 1840s (Wynn, 1990). Throughout the remainder of the 19th century, Kings County was an active and important part of Nova Scotia’s agricultural lands, with high rates of implementation of farm technologies such as ploughs, cultivators, and horse rakes (Wynn, 1990).

At the start of the 20th century, Kings County was known as the “orchard of the British Empire” and produced 75% of the apples exported by Canada (Conrad, 1980). However, the apple industry struggled between the World Wars due to an increasingly global market. Following the Second World War, agricultural production in Kings County shifted dramatically in response to changes in national and multinational markets, technology, and government regulations (Conrad 1980). In response to these factors, many orchards were converted into other forms of agriculture or abandoned (Conrad, 1980). Today, the natural resource base of Kings County makes up an estimated 50% of

² *Aboiteaux* were large dykes used by the Acadian settlers to convert marshland into agricultural land that used a sluice to drain marsh water without taking on tidal seawater (Hatvany, 2002)

the regions' production and manufacturing (MCK, n.d.b). This includes industries such as meat, poultry, fruit and vegetable processing. Due to a growing economy, financial, commercial and institutional centers have been created within what used to be solely rural, agricultural areas (MCK, n.d.b). Despite these changes, those who live in Kings County celebrate agricultural practices through many festivals and celebrations such as the Apple Blossom Festival (MCK Planning Services, 2012).

1.8.2 Agricultural Profile

With more than 40,000 hectares of agricultural production, Kings County makes up 18 percent of Nova Scotia's agricultural land base (Government of Nova Scotia, 2010).

While Kings County is home to many different farming operations, the top four are beef, dairy, tree fruit/grapes, and landscape nursery crops (MCK Planning Services, 2012). These four farming systems together make up 52% of total farm area and almost half of all farming operations in the county (MCK Planning Services, 2012). Similarly to the national trend, there was a decrease of 40 farms between 2006 and 2011, leaving a total of 604 farms of "45% cultivated land, 13% pasture and the remaining 42% [as] other uses" (MCK Planning Services, 2012, p. 7). Kings County's reputation in agricultural technology (MCK Planning Services, 2012), past confrontations regarding land use planning, and the trend of farmland loss, make the County a prime place to continue research on land use planning and its effect on farmland loss.

1.8.3 State of Agricultural Land Use Planning in Kings County

Prior to the implementation of the land use planning strategy, Kings County approached the Provincial and Federal governments to request detailed soil capability

maps to govern the designation of land use (MCK, 2014, July). By 1984, maps were produced to identify priority soils along the valley floor. These maps were then revised in 1998 to produce a more generalized version for the use of the Municipality. During this review, “the Agricultural Districts area was significantly reduced based on the improved soil mapping” (MCK, 2014, p. 3.3-5). In 2002, an agricultural review was undertaken by the Municipality, which resulted in updating soil maps using data from 2005 and the 1998 Provincial Agricultural Land Information Program (MCK, 2014, p. 3.3-5). The soil maps indicate land use capability classes: the highest, class 1, is not present in Kings County; classes 2, 3 and 4 are considered high capability for Nova Scotia and are therefore protected for agricultural purposes; lands outside classes 1 - 4 are not considered suitable for farming practices.

The Municipality recognized that more governance was needed to protect agricultural land, and in 1979 the MPS was enacted, almost 20 years prior to the *MGA 1998* (MCK 1979). Under the MPS, the LUB was implemented, establishing exclusive zoning for agriculture. Existing residential lots prior to the implementation of the MPS in 1979 and lots prior to 1994, due to further amendments, were able to remain (MCK Planning Services, 2012). After the adoption of planning documents (MPS and LUB), non-farm development on designated agricultural lands decreased (MCK Planning Services, 2012).

The Kings 2050 project set goals and objectives to be completed by the year 2050. Goals are focused on development (settlement), agriculture, rural and natural areas, transportation, energy, economic development, community, arts, culture and heritage (Kings 2050, 2016b). A draft MPS was released in July 2011, followed by a

summary of changes (the SPLUBC report) proposed for the LUB. The draft MPS has since been removed from the Kings 2050 website to undergo a re-write based on negative community feedback. The summary of changes proposes condensing the number of zones from 67 (in the current LUB) to 30 (MCK Planning Services, 2012). In order to designate land for specific uses, zones are assigned to parcels of land to limit their use to specific types of activities, such as commercial, residential or agricultural. The proposed change is motivated by the belief that too many exceptions have been adopted to the 1979 MPS, allowing for residential development to occur in agriculturally designated areas (MCK Planning Services, 2012). While some believe that the implementation of a new MPS will better protect agricultural land in Kings County, conflicts over its implementation and the impacts of eroding policy to protect agricultural land have become apparent in the decision to re-write the draft report.

1.9 Best Practices

Understanding the context and constraints of the Kings County legislative framework provides insight regarding what local governments are doing and can do to improve the protection of agricultural lands. In order to analyse and understand the context and constraints, the national project provided four principles as an assessment of quality of the agricultural land use planning framework. A full description of each best practice is available in Appendix B, therefore a brief description of each is presented here.

1. Maximising stability refers to a legislative framework that is not easily changed, is strong, and the public can count on.

2. Minimising uncertainty refers to consistency and a legislative framework that is applied in a cohesive manner; consistency among government entities ensures better integration across jurisdictions, limiting uncertainty and increasing stability.
3. Accommodating flexibility ensures that, while the legislative framework remains strong, there is room for flexibility when necessary.
4. Finally, integration across jurisdictions refers to the integration of concepts, themes, goals, and objectives between Municipal (local) and Provincial legislation. It is important that ideas can be seen across jurisdictions in order to maximise the implementation and practice of land use planning in Kings County (Connell, 2014).

1.10 Policy Regimes Defined

The second objective of the national research project identifies three policy regimes: global competitiveness; farmland preservation; and food sovereignty (Connell, 2014).

The aim is to understand to what extent agricultural land use planning accommodates or is influenced by the regimes, such as in the form of land use decisions, food system planning, activities, and conflict or issues (Connell, 2014). The following sections describe global competitiveness, farmland preservation, and food sovereignty as conceptualized in the national project, and as adopted in this thesis.

1.10.1 Global Competitiveness

Global competitiveness refers broadly to a policy objective that aims to maximise profits and minimise costs through free trade and market agreements (Connell, 2014). Terms used to describe global competitiveness are increased trade, share of international markets, globalization of supply chains and free trade (Connell, 2014). Driving factors behind global competitiveness are considered to be investment in technology for increased yields through research and development, share of international markets, and reducing barriers for trade (Canada's Economic Action Plan, 2013).

1.10.2 Farmland Preservation

Preservation of farmlands or agricultural production is a driving force in policy regarding land use protection. Farmland preservation can also be construed as farmland conservation or protection. For the purpose of this study, the term "farmland protection" will be used throughout to encompass these three terms, however "farmland preservation" will be used when referring the specific policy regimes established by the national project, such as in the methods section. Policy, legislation and guidelines are the most common ways of ensuring farmland protection (Connell, 2014). Threats to farmland protection include urban sprawl, conversion, degradation or fragmentation of farmland such that it is no longer suitable for farming practices, and the private sale of farmland for personal reasons or community economic development (Connell, 2014).

1.10.3 Food Sovereignty

At the international level, according to Claeys (2013), the first definition of food sovereignty comes from the second International Conference Vía Campesina in 1996 as “the right of each nation to maintain and develop its own capacity to produce its basic foods respecting cultural and productive diversity” (p.3). In the same year, at the World Food Summit held in Rome, a declaration was made that “each nation must have the right to food sovereignty to achieve the level of food sufficiency and nutritional quality it considers appropriate without suffering retaliation of any kind” (NGO Forum, 1996, n.d., section 6). These statements were the beginning of an evolution in the 2000s, which saw events, strategies, and organizations emerge through a community paradigm, such that food sovereignty is now seen as a community, state, people, or regional movement, rather than as an individual right (Claeys, 2013). In Canada, the food sovereign movement can be seen in organizations such as FSC, with the release of *A People’s Food Policy for Canada* (2015), and National Farmers Union, dedicated to social policies to promote family farms as primary-food producers (National Farmers Union, n.d.).

Chapter 2: Methods

2.1 Phases of Data Collection

Two phases of data collection resulted from the data collection protocols established by the national project. Phase one consisted of a media analysis, document analysis, and stakeholder analysis. Data collection from online sources, including media outlets, government websites (Municipal, Provincial, and Federal) and additional scholarly literature were used for the media analysis. Documents at the local and Provincial level were used for the document analysis. Sources from the media analysis, the document analysis, and interview process (phase two) were used to identify stakeholders in the stakeholder analysis.

Phase two of data collection consisted of informant interviews with seven key informants. The preliminary results of the analysis of data collected in phase one were presented to key informants and questions were asked to solicit their feedback and input. Through this process, any deficiencies and inaccuracies in the preliminary results were identified and addressed to provide final results. The following sections describe in detail the methods of data collection and analyses.

2.2 Overview of Analytical Framework

A qualitative, mixed methods approach was used, incorporating three sets of preliminary analyses: (1) a media analysis of views and opinions regarding controversy in land use designation in Kings County; (2) a document analysis of the policy context in Kings County; and (3) a stakeholder analysis. The media analysis used online newspaper sources and document analysis methods to characterize the range of opinions of local

residents, farmers and other stakeholders regarding land use planning in Kings County. The document analysis was conducted by using (i) a legislative framework analysis to identify important documents, and then performing (ii) a content analysis of agricultural land use presence within the legislation and policy documents, (iii) and a policy regime analysis. To determine stakeholders at the local and Provincial levels, data from the media analysis and the documents analysis was used. The results of these preliminary legislative analyses were then summarized in a preliminary report along with an analysis of the four principles and three policy regimes.

Following the media analysis, documents analysis, and stakeholder analysis, the preliminary report was submitted to key informants in the case study area for review, feedback, and input. These key informants were subsequently interviewed about the accuracy of the information in the preliminary report. Revisions were made to the preliminary report on the basis of the feedback received prior to generating final results.

2.3 Media Analysis

Using Kings County as the area of focus, the media analysis (Appendix C) was undertaken to understand the controversies surrounding agricultural land within the Municipality. Information for the media analysis was obtained through online media sources, both within the Municipality and the Province.

2.3.1 Data Collection

A broad media analysis was conducted to determine a time period to be examined in detail. This analysis revealed prominent land use controversies occurring from 1979 to 2014, with the most relevant land use controversies between May 2008 and March 2012. Therefore, data collection and analysis were focused on materials within this time frame.

In Google, different combinations of keywords, derived from the broad media analysis, were searched: “Kings County”; “land controversy”; “Greenwich”; “farmland preservation”; “ agriculture”; “land use”; “Elderkin et al”; and “farmland turnover”. Ten articles referring to land use development in Kings County were selected and analyzed. A deductive approach was used to identify three separate land-controversy events, subsequently labelled as “Port Williams”, “Greenwich 1”, and “Greenwich 2”. Media documents were organized into files for each of these three events, containing details of what occurred and the opinions of those involved. Port Williams was the first event identified, wherein 194 acres were proposed for rezoning from farmland to growth center, or land for development. Greenwich 1 was the most prominent event in the media, and concerned the controversy surrounding the proposal to rezone 385 acres of farmland to ‘growth center’, which is land for development. Greenwich 2 was addressed in only one media source, however it provided context to the decision making process of the protection of farmland through the rezoning of land from development to agricultural, to be preserved for future agricultural purposes.

2.3.2 Analysis

The media content (data) for the three events was analyzed qualitatively to (1) identify what occurred, and (2) characterize the range of perspectives of those involved as portrayed by the media. Using the information obtained from the media sources and the timeline, individual chronologies were written explaining various aspects of each event.

The data collected for the three events was analyzed using the following steps:

- Articles were organized chronologically and by event;
- Each article was read thoroughly;
- Specific controversies, reasons behind the article, or focuses of the article were identified;
- Underlying causes or nature of the controversy were identified; and,
- Various perspectives portrayed through quotations, paraphrases and comments by the author were identified.

Relevant points and quotations from the media articles were extracted and organized into an Excel spreadsheet (Appendix C). The data was organized by individual media article to help distinguish between events. Extracted phrases were organized into themes around “occurrence”, “opinion”, and “other important notes”. Phrases in the “occurrence” theme serve to explain the event that occurred. “Opinion” statements are those whereby individuals expressed their feelings regarding the occurrences. Statements that were still felt to be of importance, but were not a statement explaining the events or an opinion, constitute “other important notes”. Once all of the data was extracted and placed in the corresponding theme category (Appendix C), the contents were used to

inductively infer what occurred in these land-use-planning processes and what people thought about these occurrences.

2.4 Document Analysis

Following the media analysis, the legislative context was analyzed in a four-step process, centered around (1) the legislative framework analysis, (2) the content analysis of legislation and policy documents, (3) and the policy regime analysis.

2.4.1 Legislative Framework Analysis

In the preliminary step, Provincial and Municipal legislative and policy documents were identified, collected, reviewed, summarized and organized in a spreadsheet (Table 4).

These documents were categorized by government entity, purpose of the document (policy, legislation, governance) and whether they were acts, enforceable policies or aspirational policies (see glossary). These documents were then further analyzed during the next two steps (content analysis and policy regime analysis).

2.4.2 Content Analysis

The content analysis summarized and evaluated the legislative and policy documents with regard to their breadth and depth in relation to agricultural land use planning (Connell, 2014). The content analysis drew principles and headings from Smith (1998). Integrative *breadth* criteria included the analysis of goals, objectives, and recommendations of the local agricultural sector, including a vision for agriculture (Smith,

1998). Criteria for assessing integrative *depth* included the level of detail pertaining to legislative context, background information, vision, goals, objectives, recommendations, regulations and visual maps within the legislative documents from the local level (Appendix D and E). Depth was also measured by the upper-tier integration between Municipal and provincial governments (Smith, 1998).

The breadth and depth of agricultural land use planning content in legislative and policy documents were summarily indicated with a three point checkmark system developed and used by the national project: minimal (\surd); moderate ($\surd\surd$); and high ($\surd\surd\surd$). If none of the criteria indicating integrative breadth or depth were present in the documents in the legislative framework, an “x” was placed in the corresponding box.

In an Excel spreadsheet, policy and legislative documents were listed on the Y-axis and criteria from Smith (1998) (i.e., legislative context, background [information], vision [goals, objectives and recommendations], regulations, and maps) were listed across the X-axis. With respect to ‘Legislative context’, the strength of statements regarding the agricultural land use planning framework within the document being analyzed was assessed. For ‘Background information’, the strength of the ‘historical overview’, ‘general description of the physical area’, ‘state of agriculture’, and ‘summary of key issues’ were assessed (Connell, 2014). However, all reports might not require background detail; for example, if the MPS includes background information, then the associated LUB may not need to include the background detail. ‘Vision, goals, objectives and recommendations’ referred explicitly to agriculture but could also include other aspects important to agricultural land use planning, or adoption of regulations related to land use planning. Rules, procedures and policies fell under the category of ‘regulations’.

While it was not necessary that a document include several “maps”, a map of the agricultural land area was considered important. While other maps may have been included, these were often found in the background information or reports, outside of the policy or legislative document itself.

2.4.3 Policy Regime Analysis

The policy regime analysis used the legislative framework from the national project to analyze the local level documents. Farmland preservation, global competitiveness, and food sovereignty were identified as important themes for agricultural land use policy.

Descriptions of the three policy regimes are provided in section 1.8.

Data were collected through an analysis of local level documents by extracting words, concepts and statements related to the three policy regimes. The national project supplied four pre-formatted Excel spreadsheets to organize the collected data (Figure 3).

GLOBAL COMPETITIVENESS				
Table A	Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items
High Influence				
Medium Influence				
Low Influence				
FARMLAND PRESERVATION				
Table B	Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items
High Influence				
Medium Influence				
Low Influence				
FOOD SOVEREIGNTY				
Table C	Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items
High Influence				
Medium Influence				
Low Influence				
OTHER				
Table C	Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items
High Influence				
Medium Influence				
Low Influence				

Figure 3 Policy Regime Analysis Data Collection Excel Sheet Example

Each sheet was divided into four sections, ‘farmland preservation’, ‘global competitiveness’, ‘food sovereignty’, and ‘other’ (Figure 3). The fourth category, “other”, was provided for statements that did not fit within the three policy regimes. Each of these sheets was split into four categories (organized along the X-axis): (1) vision, goals; objectives and recommendations; (2) driving issues or concerns; (3) regulations; and (4) action item. Each category contained cells (organized along the Y axis) for recording whether the influence of policy documents was assessed as “high”, “medium” or “low”. The level of influence of a statement was identified using a chart provided by the national project (Appendix D). An example of the criteria for a statement categorized as “high” influence in the “vision, goals, objectives and recommendations” category is “a clear, explicit statement as part of a short list (three to five) of items in an enforceable policy or regulation”. For a full list of criteria provided by the national project for all of the cells see Appendix D.

Once words, concepts or statements were extracted and placed in the corresponding categories and cells, the data was quantitatively and qualitatively analyzed using three additional Excel sheets, with identical axes to the previous Excel sheets, to demonstrate how many quotations were present in each of the previous data sets. Each sheet corresponded to one of the four different steps of the analysis: 1) identifying statements; 2) determining frequency of statements; 3) identifying themes; and, 4) document identification.

1. **Identifying statements:** The first step in the policy regime analysis was to identify statements within the local level reports (Kings 2050 Agricultural Background Report II and MP Strategy 1979) that related

to the three policy regimes (farmland preservation, food sovereignty, and global competitiveness). These statements were then placed in corresponding cells based on three criteria: 1) the policy regime to which it related; 2) the type of statement; and, 3) the level of influence (see Appendix F for criteria).

2. **Determining frequency of statements:** A second Excel sheet was created, using the same axis and titles as before. This was used to determine the frequency of statements, or how many statements were in each cell of the previous Excel spreadsheet. For example, if there were four quotations in a cell from the original spreadsheet, then a “4” was placed in the corresponding cell in the new spreadsheet. The numbers were labelled to identify the document from which they came (Figure 4).

Table 1 Excerpt From Appendix G Demonstrating Quantitative Assessment of Statements Extracted from Documents at the Local Level

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

3. **Identifying themes:** Statements were then analyzed to determine sub-themes within each category. The sub-themes were inserted into a third Excel sheet, with the same X and Y axes as the previous Excel sheets (Figure5)

Table 2 Excerpt from Appendix H Demonstrating Themes Analyzed from the Statements Extracted from Local Level Documents

		FARMLAND PRESERVATION			
		Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items
Level of Influence	High Influence	- Agricultural Land Priority			
	Medium Influence				<ul style="list-style-type: none"> - Farmland preservation - Development Pressures - Minimise land use conflict - Policy to reflect agricultural flexibility
	Low Influence				

4. **Document Identification:** Finally, a fourth Excel sheet with the same X and Y axes was used to identify the document from which each statement was extracted (Figure 6). The abbreviated name of the originating document for each statement was inserted into the corresponding cell. If a cell contained statements from two different documents, the names of both documents were identified. This was helpful in understanding which documents contain the most information relevant to a specific policy regime.

Table 3 Excerpt from Appendix I Demonstrating the Origin of Statements Extracted from Local Level Documents

		GLOBAL COMPETITIVENESS			
		Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items
Level of Influence	High Influence				
	Medium Influence				
	Low Influence		Kings 2050 Agricultural Background Report II		

Together, these four data tables paint a picture of which of the three policy regimes were most relevant in local legislative documents.

2.5 Stakeholder Analysis

The identification and classification of stakeholders are important aspects of understanding the forces behind legislation. Stakeholders were defined as those who have interest in and influence over agricultural land use. Stakeholders include organizations and institutions that influence land use planning processes and decisions.

A list of stakeholders and their power and influence were compiled using information revealed during the media and legislative framework analyses. Stakeholders were defined as any individuals, organizations, and government departments who appeared in sources consulted in the media analysis or were referenced in documents included in the legislative framework. Power and influence were determined through assessment of a stakeholder’s involvement and ability to influence decisions associated with the media analysis “events”. Stakeholders were placed in one of four quadrates arranged around X and Y axes using four criteria developed and provided by the national

project: (1) players (have both interest and power); (2) subjects (have interest but little power); (3) context setters (have power but have little interest); and, (4) crowd (little interest and little power). During the interview process, key informants were asked if they agreed/disagreed with the placements, and whether they wanted to add any stakeholders to the grid. This helped to solidify and complete the stakeholder analysis. The stakeholder analysis identifies important players in the land use planning process and those who are most affected by potential changes to the legislative structure.

2.6 Verification of Results by key informants

Following the completion of the preliminary analysis and report on the legislative framework, semi-structured interviews were conducted in Kings County. Semi-structured, face-to-face (in-person) and/or telephone interviews were completed with six key informants. Interviews were conducted to gain feedback and input on the preliminary results and to address any gaps that remained from the media analysis, document analysis, and stakeholder analysis. Protocols were reviewed and approved by Dalhousie University's Social Science and Humanities Research Ethics Board for research engaging human subjects (REB #2014-3329).

2.6.1 Sample Selection

The sample population included farmers, Municipal planners and agricultural activists/advocates. Farmers (both conventional and alternative) were key informants as they add context and opinions to the issue of land use development. Farmers do not all share the same views and opinions regarding land use planning, as was evident within the

media analysis. A large portion of this thesis looks at the three levels of government (Municipal, Provincial, and Federal) and how land use planning is being included within policies and by-laws. Thus, government or past government employees with knowledge of decisions made at the Municipal and/or Provincial level in relation to agricultural land and/or policy were targeted for interviews. Community members were also key informants as they are often concerned and involved with the development of agricultural land. Key knowledge holders in the community were considered for interviews based on their prominence in the media, influence on document development, and involvement with organizations related to agriculture.

Potential key informants were identified using websites (for county officials), personal networks (for community organizations), and web searches and personal contacts (for farmers and activist groups). Personal contacts had been previously established through the National Project's principle researcher's (David Connell's) previous work in the agricultural industry, as well as by the supervisory researcher's (Dr. Greg Cameron's) work at St. Francis Xavier University and Dalhousie University. Contacts had also been established through Dr. Cameron's interviews in Antigonish County and at the Provincial level regarding agricultural land use as part of the national project. In total, ten individuals were identified as potential key informants following a stratified sample selection, such that there was at least one representative of each key group, and in some cases in relation to two groups (i.e., farmers, community members, food activities, Kings 2050 representative, Kings County planner, Kings County Council member, Provincial Government representative, and a NSDA representative). A recruitment e-mail was sent to potential participants explaining the details of the project,

the researchers involved, the potential impact of the project, and an invitation for their involvement (Appendix J). A letter explaining the details of informed consent was sent to interested potential participants in advance of the interviews (Appendix K). At the beginning of the interviews, participants were given a copy of the letter to review and sign (Appendix L). Ten individuals were contacted and seven agreed to be interviewed.

Once consent was obtained, participants were sent a copy of the preliminary results by email in the form of a 30-page PDF attachment, which they were asked to review. Face-to-face interviews were scheduled at a mutually convenient time and place for the participant and researcher. Although telephone interviews were an option, all participants agreed to face-to-face meetings. During the interviews, participants were asked a series of questions from the interview guides (Appendix M). Participants were able to opt out of answering any question during the interviews by saying ‘pass’ or ‘no comment’. Interviews took approximately 45 to 80 minutes. All conversations were audio-recorded, with the informed consent of the participants. The audio recordings were later transcribed for ease of reference.

Participants in the interviews were able to withdraw prior to or during the interview at any time, and able to ask to have specific information ‘off the record’. However, they were informed that once the data were analyzed they would no longer have the ability to withdraw their responses. This was explained to participants in the consent letter and at the beginning of the interview. Participants were reminded that participation in the study was voluntary and they were not required to answer all questions.

The data from these interviews were analyzed through a process of transcribing and organizing the data into two datasets (tables). In the first table, comments made by participants were organized in relation to the four best practices (maximising stability, minimising uncertainty, accommodating flexibility, and integration across jurisdictions). In the second table, topics, themes and ideas that emerged inductively from the transcripts were identified and compiled. Quotes from each interview participant were organized under a header expressing the idea or theme that emerged. Themes identified were ‘the current state of agriculture’, ‘the Kings 2050 project’, ‘relationship between the SPI and MPS’, ‘the most beneficial aspects of the legislative framework in farmland protection’, ‘strengths/weaknesses of the current legislative framework’, ‘the Elderkin et al. case’, ‘who bears the price of farmland protection’, and ‘future recommendations’. Following the organization of the interview transcripts, the preliminary report (as part of the national project) was revised to include the interview results.

Chapter 3: Results

This chapter presents the results for the case study of Kings County, Nova Scotia, beginning with the media analysis. Four events demonstrating a range of stakeholder perspectives on land use planning in Nova Scotia are described in chronological order. Three events were initially identified during the media analysis; an earlier event, Fury Farms was added based on informant feedback regarding similarities with regard to Council's position on farmland protection in the three events derived from the media analysis. The media analysis provides context for the legislative analyses, which are presented within the context of Municipal and Provincial policies. The document analyses consist of four interrelated sets of results, reflecting the four-part analytical process, including: the (1) legislative framework analysis (identified Provincial and Municipal policy and legislative documents); (2) content analysis the Municipal legislative documents; (3) policy regime analysis (i.e., farmland preservation, global competitiveness, food sovereignty, other); and (4) stakeholder analysis of power and influence actors in Kings County. Finally, results of the verification process with key informants is presented.

3.1 Media Analysis

Using ten media sources, three events were identified and described: Port Williams; Greenwich 1; and Greenwich 2 (Figure 4). A key informant subsequently identified an earlier event, Fury Farms, indicating that it would provide a more balanced representation of the decision-making process and points of view regarding the protection of agricultural

land in Kings County. Minutes from Council and PAC meetings were collected from the Municipality of the County of Kings website to describe Fury Farms.

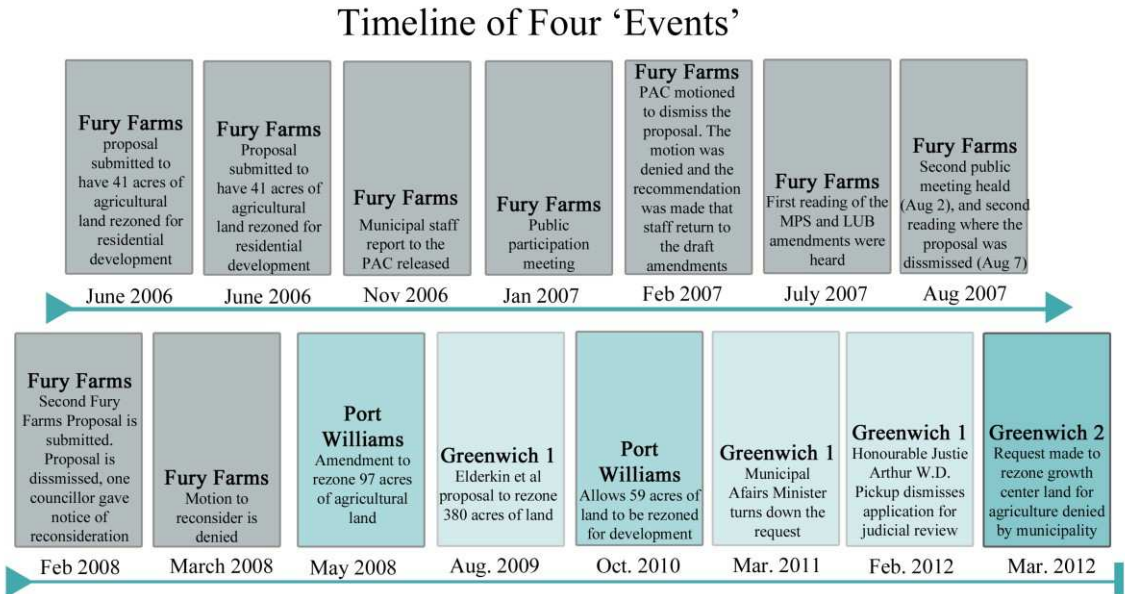


Figure 4 Timeline of ‘Events’ Based on Data from the Media Analysis

Fury Farms

The first event, Fury Farms, occurred on June 27, 2006, when Fury Farms submitted a proposal to have 41 acres of agricultural land rezoned for residential development in Kings County (PAC, 2006). The reasoning behind the proposed rezoning was that by condensing residential development within this 41-acre property, situated adjacent to an existing golf course, development would be reduced elsewhere, thus limiting development on other agricultural land. The proposal addressed the issue of allowing agricultural land development to occur based on this principle, and how it would threaten future agricultural land in close proximity to development (MCK, 2006).

According to the Municipal staff report to the PAC released on November 28, 2006,

“The proposal acknowledges that the site is good quality farmland but

states that the more compact development form and higher density will reduce the impact on surrounding farmland. The consultant states that existing non-farm residential policies in the Agricultural District have resulted in the scattering of such housing across the countryside. This proposal is viewed as an alternative that would provide an opportunity for more compact development within an agricultural area, similar to the intention of growth centres and hamlets” (MCK, 2006, p.64).

The Municipal staff report recommended, however, that the proposal should not go ahead and should not be given any more consideration; on the other hand, it also recommended that, should the PAC decide to go ahead, they conduct a public participation meeting and direct staff to prepare amendments to the MPS and LUB (MCK, 2006). The PAC subsequently decided to proceed, and held a public participation meeting on January 31, 2007. Many letters were submitted regarding the proposal, and 170 members of the public attended the meeting (PAC, 2007). On February 13, 2007, the PAC motioned to dismiss the proposal, the motion was denied, and the recommendation was made that staff return to the draft amendments (PAC, 2007). On July 3, 2007, the first reading of the MPS and LUB amendments were heard. It was decided that another public meeting should be held, which occurred on August 2, 2007 (MCK Municipal Council, 2007a). The second reading was held on August 7, 2007, whereupon the proposal was dismissed (MCK Municipal Council, 2007b).

Another Fury Farms application came back to Council in February 2008 proposing a land banking system in exchange for re-zoning the agricultural land for development; 126 acres of agricultural land was proposed to be land banked in exchange for 40 acres to be re-zoned for development (MCK Municipal Council, 2008*a*). This proposal was denied, however one Councillor gave notice of reconsideration. The motion to reconsider was held on March 4, 2008, and it was denied before discussion on the subject could commence (MCK Municipal Council, 2008*b*).

Port Williams

The second event, Port Williams, occurred in 2008 in the area of Port Williams, NS, when two farms in the area, Dykeview and Riverview, “submitted a Municipal Planning Strategy amendment to rezone and redesignate approximately 97 acres of land from Agricultural (A1) to urban zoning, to be included in the Port Williams Growth Center” (Nova Scotia Business Journal, 2008, para, 3). The farm owners believed that they should be able to rezone the land to sell it due to the relatively low quality of the soil. According to the water commission, the soil had high nitrate levels, making the land unsuitable for farming (Nova Scotia Business Journal, 2008). However, the Municipality was of the view that 194 acres of development was not necessary for the community (Nova Scotia Business Journal, 2008). In October 2010, Minister Ramona Jennex announced that they would allow 24 hectares of land to be rezoned for development, approximately half of what was asked for in 2008 (CBC, 2010). While the Municipality approved this change, further approval was requested and received from the Province to make changes to the Municipal plan.

Greenwich 1

The third event, Greenwich 1, began in the form of a proposal in August of 2009 to amend the Kings County MPS and LUB (Wendland, 2010). The proposal, known as the Elderkin et. al. proposal, was created in order to rezone 380 acres from agricultural to development land (Wendland, 2010). Five farmers collectively proposed that their land be rezoned for development in order to be sold at a potentially higher price. The farmland owners believed that rezoning the land for development would benefit them because the land was not optimal for farming practices (Wendland, 2010). Rezoning for development would allow for easier sale of the land (Wendland, 2010). The Municipality ruled in favour of the proposal to rezone the land despite the community's opposition (Harrison, 2011). This approval then went to the Province where the Municipal Relations Minister, John MacDonell, announced his decision to turn down the application for rezoning (Boomer, 2011). Believing that the Minister's decision was unreasonable and not in line with procedural fairness, the farmland owners sought a judicial review (Delaney, 2012). On February 9, 2012, the Honourable Justice Arthur Pickup dismissed the application with the decision that the Minister's decision was not unreasonable (Delaney, 2012).

Greenwich 2

The fourth and final event, Greenwich 2, began with a request made by Andrew Bishop of Noggins Corner Farm in Greenwich, NS to rezone land from development to agricultural in order to preserve it as farmland for future generations (Starratt, 2012). This land was being used for agricultural purposes, and Bishop felt strongly that it should be

zoned as agriculture land (Starratt, 2012). The planning manager, Ben Sivak, said that it would be consistent with the MPS and the SPI. Regarding Agricultural Land to rezone the land for agriculture (Starratt, 2012). However, he also stated that “infrastructure investment in Greenwich and the Provincial Statement of Interest Regarding Infrastructure must also be considered” (Starratt, 2012, para. 8). Despite Bishop’s wish to preserve the land and the community’s repeated interest in protecting agricultural land, the Kings County Council voted to keep the land zoned for growth development (Starratt, 2012). Council member Wayne Atwater said the decision was “a model of inconsistency” within the planning department with regards to the debate over agricultural land use in Greenwich (Starratt, 2012, para, 12).

All together, the four events reveal that strong divides exist between farmers and the broader community, other farmers, Municipal Councillors, and Municipal and Provincial planners/staff. Of the four events, two events were a matter of rezoning due to the relatively low quality of the area for agriculture; one was related to rezoning land as agricultural for its protection, which was not approved in order to preserve the land for development (Greenwich 2); and one was a matter of rezoning agricultural land for development with the aim of condensing development within the area, indirectly protecting agricultural land (Fury Farms). Of the four events, only Port Williams resulted in approval by the Municipality and Province for partial rezoning of agricultural land for Municipal level non-agricultural development. Three of the four events demonstrate a resistance to the loss of farmland, or an interest in gaining or protecting farmland, by the public and community, often in contrast to the positions of their Municipal or planning

committees, and in one case the farmers. In Greenwich 1, five farmers collectively fought to rezone agricultural land for development, while the community, including some other farmers, fought to preserve it for agricultural use. Although the defendants in Fury Farms construed condensing development as the theoretical preservation of farmland elsewhere from sprawling development, the community opposed the proposed development on existing farmland. These events also demonstrate the discord between Municipalities and Provinces over implementing land use decisions. In the case of the Elderkin et al. proposal (Greenwich 1) the Province overrode the Municipal decision for agricultural land re-zoning.

3.2 Document Analysis Results

3.2.1 Legislative Framework Analysis

The legislative framework for the Kings County study area consists of policies, legislation and by-laws, and governance structures related to agricultural land use planning at local and Provincial levels of government. The results here identify the Provincial and Municipal legislative and policy documents, categorize them by government entity and purpose of the document (i.e., policy, legislation, governance), and indicate whether they are an act (Provincial law, bylaw, etc), enforceable policy, or aspirational statement (Table 4). Preliminary results were generated through document analysis, and provided to key informants for review and feedback. Six interviews were conducted for seven key informants (one interview consisted of two informants as per their request). Selection of informants mirrored informants chosen for the Antigonish report. Informants included one farmer, one community member, one Kings County

Council member, one Kings County Planner, one former Kings County Planner, one former employee of the Nova Scotia DMA, and a member of NSDA. Final results represent the integration of key informant input into the analysis. Thus, the following results derive from the preliminary analysis, key informant input, and integration of the two into final results.

Table 4 Legislative Framework for Kings County

	POLICY	LEGISLATION	GOVERNANCE
PROVINCIAL	<p>A Review of Initiatives to Preserve Agricultural Land (Devanney & Maynard, 2008)</p> <p>Homegrown Success - a 10 Year Plan for Agriculture (GNS, 2013)</p> <p>Preservation of Agricultural Land in Nova Scotia (Williams et al., 2010)</p> <p>Protecting and Preserving Agricultural Land in Nova Scotia: A Policy Framework (Nova Scotia Department of Agriculture, n.d.)</p> <p>Response to Protecting and Preserving Agricultural Land in NS (Nova Scotia Department of Agriculture, 2013)</p>	<p><i>Municipal Government Act</i> SNS 1998 c 18</p>	<p>Provincial Director of Planning</p>
REQUIRED INTEGRATION	<p><i>HGS A 10 Year Plan:</i> Urbanization and other demands placed on rural lands require attention to ensure that adequate land remains available for agricultural uses. This is a complex issue with multiple stakeholders. It will require sound research and analysis, along with collaboration with other provincial departments, municipal governments, and Nova Scotians, to balance concerns and determine outcomes that are in the best public interest.</p> <p><i>MGA c 18, s.193:</i> “The Governor in Council, on the recommendation of the Minister, may adopt or amend a statement of provincial interest necessary to protect the provincial interest in the use and development of land.</p> <p><i>MGA [Statement of Provincial Interest Regarding Agricultural Land, Schedule B]:</i> To protect agricultural land for the development of a viable and sustainable agriculture and food industry [...] 1. Planning documents must identify agricultural lands within the planning area [...] 2. Planning documents must address the protection of agricultural land.</p>		
LOCAL	<p>Kings 2050, background paper II Agriculture (November 2012)</p>	<p><i>County of Kings Municipal Planning Strategy</i></p>	<p>Planning Advisory Committee</p>

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]

3.2.1.1 Provincial document analysis

At the Provincial level, six documents were revealed through the legislative framework analysis (Table 4). The statement of Provincial interest regarding agricultural land is included in Part VIII of the *MGA 1998, Planning and Development and Schedule B*. The regulations and statements outlined with regard to the governance and protection of agricultural land “are general in nature, they provide guidance rather than rigid standards. They reflect the diversity found in the Province and do not take into account all local situations. They must be applied with common sense. Thoughtful, innovative and creative application is encouraged” (Province of Nova Scotia, 2015b, Introduction section para. 4). This means that, while legislation is in place to protect agricultural land at the Provincial level, the particularities enforced are to be determined by each Municipality through the implementation of a MPS. The SPI states that “development undertaken by the Province and Municipalities should be reasonably consistent with the statements. As the statements are general in nature, they provide guidance rather than rigid standards” (*Municipal Government Act SNS 1998 c 18, p. 288*). Therefore, the protection of agriculture is enforceable by the Province if an MPS is implemented within the Municipality, however the act of protecting agricultural land is flexible in the hands of the Municipality.

3.2.1.2 Municipal Document Analysis

Two documents were identified at the local level, the MPS (MCK, 1979) and the Kings 2050 Background Paper on Agriculture II (MCK Planning Services, 2012). The current

MPS is the only document analyzed within the legislative framework analysis as it is the only report currently with legal force.

The Kings 2050 Background Paper on Agriculture is part of the Kings 2050 project, and is a three step process to address goals and objectives for agriculture: 1) visioning and background research; 2) development of draft regulations; and, 3) formal Municipal adoption processes (Kings 2050, 2016a). Currently, the project is in step three. In order to adopt new policy to fulfill the goals and objectives defined by the Kings 2050 project, a new MPS and LUB are currently be developed by the Kings County Planning Department. The MPS defines the policy, while the LUB puts it into action (Kings 2050, 2016a). The current LUB within Kings County is not identified individually in the legislative framework because it exists under the umbrella of the MPS (Table 4).

3.2.1.3 Informant Feedback of the Legislative Framework

Two informants indicated that a Kings 2050 visionary document on the “Settlement” principle for residential policy should also be included in the legislative framework (Table 4) at the local level because it indirectly protects agricultural land. The “Settlement” document details the goals and objectives for policy changes using the MPS, with a focus on concentrated development (Kings 2050, 2016b). Some informants believe that this document indirectly protects agricultural land by implementing policy for development in certain areas. One informant indicated that the Kings 2050 reports should not be included in the analysis, as it is an aspirational document and not an act or enforceable document. However, the national project methods include aspiration

documents in the legislative analysis, and therefore the Kings 2050 report was not removed.

At the Provincial level, legislation is not applied consistently to all Municipalities. Only Municipalities with a MPS must comply with the section on Planning and Development Part VIII of the *MGA 1998* and hence the SPI, and even those that do have an MPS only need to be “reasonably consistent” with those statements contained in the SPI (Appendix A). For Municipalities who do adopt an MPS, section 190(b) of the *MGA 1998* states that Municipalities are able to assume “the primary authority for planning within their respective jurisdictions, consistent with their urban or rural character, through the adoption of municipal planning strategies and land-use by-laws consistent with interests and regulations of the Province” (p. 112).

Some informants view this as a weakness within the legislative framework.

At the local level, Kings County has had legislation in place to protect agricultural land since 1979, the first in the Province to use the MPS and LUB as a means of resource protection, even prior to the Provincial *MGA 1998*. Despite this, many key informants indicated that Council’s ability to amend the MPS or the LUB weakens the legislation’s ability to protect agricultural land. This indicates that the document can only protect farmland, so long as the Council is willing.

Some informants believe that the release of the draft MPS will make the protection of agricultural land easier through more flexible governance for farmers and more strategic development for residential and businesses (i.e., building in agricultural areas where other infrastructure or housing already exists). Unfortunately, others indicated that this same potential for strategic development could infringe on agricultural

operations and eventually limit the ability to farm the land by pushing out agricultural activities with new development. While agriculture appears to still be a priority today for the Municipality based on their attempts to protect it, the new MPS will ultimately reflect the stance of the current Council, and hence uncertainty exists around its ability to protect agricultural land. If Council sees development as more of a priority than agriculture, as many of the informants believe, then the new MPS will reflect this stance, as it falls to Council to accept or dismiss the new proposed MPS.

3.2.2 Content Analysis of Policy Documents

The results of the content analysis (Table 5-10) of documents identified in the legislative framework analysis (see Table 4) are highlighted below. In following the framework of the national project, the content analysis uses only local level documents for analysis. Legislation and policy documents are analyzed separately.

3.2.2.1 Content of Local Government Legislation

The MPS is the only local legislative document relevant to agricultural land in Kings County. The level of detail in the MPS is ‘strong’ across the board for legislative context, background information, vision, goals, objectives, recommendations, regulations and visual maps (Table 5). The document contains strong integration of legislative context, most of which is present in the LUB (a section of the MPS). Historical detail is provided in section 1.1, *A Brief History*, of the MPS. Goals and objectives are prevalent throughout the document. Regulations, including enforceable policies and procedure, are abundant

throughout the document as it is the only policy governing land use in Kings County.

Maps are included within the LUB as zoning maps.

Table 5 Contents of Local Agricultural Land Use Legislative Documents

Name of document	Legislative Context	Background	Vision, Goals, Objectives, Recommendations	Regulations (enforceable policies, procedures)	Maps
County of Kings Municipal Planning Strategy	✓✓✓	✓✓✓	✓✓✓	✓✓✓	✓✓✓

The MPS is ‘minimally’ integrated at the Provincial level (Table 6). The *MGA 1998* (including the SPI) is the only Provincial-level document mentioned in the MPS.

However, the *MGA 1998* is the only document identified as an act, while the others are identified as aspirational (Table 4). The MPS has been adopted as by-law and is the only policy in place at the local level to protect agricultural land (as demonstrated in Table 7).

Table 6 Breadth and Depth of Local Agricultural Legislative Documents

Name of document	Legislative context (legislation and policies)						Government	Agric. land use planning tools
	<i>MGA 1998</i>	HGS, no year	Devann ey 2008	Willia ms 2010	Protecti ng land, no year	Respons e Protectin g land, 2014	NS Department of AG	
County of Kings Municipal Planning Strategy	✓	X	X	X	X	X	X	X

Table 7 Status of Local Agricultural Land Use Legislative Documents

		Aspirational	Enforceable		
Name of document	In progress	Received by Council	Bylaw #56 (Municipal Planning Strategy)		
			Named in plan	Led to revisions of plan	Adopted as by-law (sub-area plan)
County of Kings Municipal Planning Strategy					✓ (a)

3.2.2.2 Content of Local Government Policy Documents

Using the same assessment tool as above, the content of local government policy documents were analysed. The only local document within the policy section of the legislative framework (Table 4) is the Kings 2050 Agriculture Background Report II, identified as aspirational policy. The Kings 2050 Agriculture Background Report II is ‘strong’ in regards to the legislative context, background, and maps and ‘weak’ in terms of vision, goals, objectives and recommendations, and regulations (Table 8). The Kings 2050 Agriculture Background Report II has an extensive background section detailing the legislative context, historical background of Kings County, and visual maps. It is not unexpected that the document is ‘weak’ for vision, goals, objectives and recommendations, and regulations, as it is an aspirational document and does not present policy, governance, or legislation. However, included on the Kings 2050 website are primary principles pertaining to agriculture, demonstrating that a path for future agricultural protection is being pursued by the Kings 2050 project (Appendix N) (Kings 2050, 2016a).

Table 8 Contents of Local Agricultural Land Use Policy Documents

Name of document	Legislative Context	Background	Vision, Goals, Objectives, Recommendations	Regulations (enforceable policies, procedures)	Maps
Kings 2050 Background Paper II Agriculture (Nov 2012)	✓✓✓(a)	✓✓✓(b)	X	X	✓✓✓(c)

Table 9 characterizes the breadth and extent of legislative integration, making direct references to upper-tier, and Provincial government documents. Three Provincial level documents were mentioned in the Kings 2050 Background Report on Agriculture II: the *Municipal Government Act*; *Homegrown success – a 10 year plan for agriculture* (Government of Nova Scotia, 2013); and, *Preservation of Agricultural Land in Nova Scotia* (Williams et al., 2010). The NSDA was also mentioned within the report. Accordingly, there is much more vertical integration occurring between the Kings 2050 report and the Provincial level than there is with the MPS. This is due to the fact that the Kings 2050 report is a background report summarizing the state of agriculture today, and therefore explicitly mentions these documents, whereas the MPS is a legislative document implementing law and does not refer to background material. Therefore, the lack of integration from the MPS and the Provincial level legislation does not imply weakness in comparison to the Kings 2050 Background Paper on Agriculture.

Table 9 Breadth and Depth of Local Agricultural Policy Documents

Name of document	Legislative context (legislation and policies)						Govern	Agric. land use planning tools
	<i>MGA 1998</i>	HGS, no year	Devann ey 2008	Willia ms 2010	Protecti ng land, no year	Respons e Protectin g land, 2014		
Kings 2050 Background Paper II Agriculture (Nov 2012)	✓	✓	X	✓	X	X	X	✓✓✓

Table 10 shows that the Kings 2050 Background Paper on Agriculture is in progress. The Kings 2050 report will not be adopted by Council as it is a background report for the purpose of the draft MPS and the SPLUBC. While the Kings 2050 report will not be considered as policy due to it being solely an aspirational report, it will influence the adoption of the draft MPS and implementation of the new LUB as outlined by the SPLUBC report (Kings 2050, 2015).

Table 10 Status of Local Agricultural Land Use Policy Documents

Name of document	In progress	Aspirational Received by Council	Enforceable		
			Comprehensive local land use area plan		
			Named in plan	Led to revisions of plan	Adopted as by-law (sub-area plan)
Kings 2050 Background Paper II Agriculture (Nov 2012)	✓(a)				

3.2.3 Policy Regimes

Apart from Farmland preservation and global competitiveness, food sovereignty is a nascent policy regime that is influencing agricultural land use planning (Connell, 2014). The aim of this analysis was to assess the content of the local legislative analysis document to quantify and evaluate the issues, ideas, and interests in and around the three policy regimes. In doing so, this analysis provides a better understanding of “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” (Clowes & Connell, 2015).

Presence and importance of the three policy regimes 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 process for measuring the policy regime statements is to 1) identify the statements relevant to the three policy regimes within the local level documents and organize the statements by policy regime, type of statement (vision, goal, objective, or recommendation, driving issue or concern, regulation or action item), and level of

influence (low, medium, high), 2) determine frequency of statements to establish which policy regime is most influential, and 3) establish themes based on statements.

Evident in tables 8, 9, and 10, the MPS understands the importance of farmland protection. All statements were taken from the *Agricultural Districts* section of the MPS. Six of the nine statements made in reference to farmland protection were within the driving issue or concern column. The only statement within the vision, goals, objectives and recommendations column were in reference to the overarching goals. Unfortunately, the policy regime analysis found that global competitiveness and food sovereignty are not represented within the MPS. This is not surprising as the main priority of the MPS agricultural district is to protect agricultural land (MCK, 1979).

The Kings 2050 Agricultural Background Report II has statements referring to all three policy regimes. Table 11 reveals that all statements extracted from the Kings 2050 report are within the low influence column. This is not surprising as the document is aspirational and contains no lawful policy or legislation. Six statements pertain to farmland preservation, four to food sovereignty, and three to global competitiveness.

Farmland preservation makes up most of the statements extracted from documents at the local level. Food sovereignty and global competitiveness comprise far fewer statements than farmland preservation, and all were found in the Kings 2050 report. The MPS is solely focused on farmland preservation as a policy regime.

Table 11 Analytical Framework for Policy Regimes at the Local Level: Document Identification (Global Competitiveness, Farmland preservation, and Food Sovereignty)

		GLOBAL COMPETITIVENESS			
		Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items
Level of Influence	High Influence				
	Medium Influence				
	Low Influence		Kings 2050 Agricultural Background Report II		

		FARMLAND PRESERVATION			
		Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items
Level of Influence	High Influence	Municipal Planning Strategy	Municipal Planning Strategy		
	Medium Influence		Municipal Planning Strategy		Municipal Planning Strategy Kings 2050 Agricultural Background Report II
	Low Influence	Kings County Agricultural Background Report II	Kings County Agricultural Background Report II		

		FOOD SOVEREIGNTY			
		Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items
Level of Influence	High Influence				
	Medium Influence				
	Low Influence		Kings 2050 Agricultural Background Report II		Kings 2050 Agricultural Background Report II

Table 12 Analytical Framework for Policy Regimes at the Local Level: Frequency (Global Competitiveness, Farmland Preservation, and Food Sovereignty)

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

		FARMLAND PRESERVATION			
		Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items
Level of Influence	High Influence	1	5		
	Medium Influence		1		2 2
	Low Influence	2	2		

		FOOD SOVEREIGNTY			
		Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items
Level of Influence	High Influence				
	Medium Influence				
	Low Influence		4		1

Table 13 Analytical Framework for Policy Regimes at the Local Level: Themes (Farmland preservation)

		FARMLAND PRESERVATION			
		Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items
Level of Influence	High Influence	- Agricultural Land Priority			
	Medium Influence				<ul style="list-style-type: none"> - Farmland Protection - Development Pressures - Minimise land use conflict - Policy to reflect agricultural flexibility
	Low Influence				

3.3 Stakeholder Analysis

The national project defines stakeholders as a company or organization that yields power and/or influence over decisions being made to protect agricultural land. According to Connell (2014) “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” (p. 2). Eight stakeholders were identified in Kings County, first through the media analysis, then presented to informants for further feedback during the interview process. Those identified are: The Atlantic Food and Horticulture Research Centre (AFHRC); No Farms No Food (NF2); Nova Scotia Federation of Agriculture (NSFA); Nova Scotia Young Farmers Association (NSYFA); Annapolis Valley Farmland Trust (AVFT); Agri Growers; Scotian Gold Co-operative; and, Nova Agra (Table 14).

The AFHRC is one of nineteen research stations within Agriculture and Agri-Food Canada's national network (Government of Canada, 2014). The AFHRC is a stakeholder with high interest and high power; they are a main site of research for agriculture and therefore have influence in decision-making. Other high interest stakeholders with influence over agriculture include NF2, Nova Scotia Young Farmers Association, and the Preserve Farmland Trust (Table 14).

NF2 was actively involved in the Elderkin et al. proposal (Wendland, 2010) to rezone 380 acres of agricultural land in Greenwich (located in Kings County, NS). The organization actively fought against the rezoning of the land, going as far as to apply to the Supreme Court for intervener status in the judicial review of Minister John MacDonell's decision to overture the Kings County Council's decision to rezone the land for development. However, they were denied the ability to take part (CBC, 2012). This organization has very high interest in the issue of farmland preservation, however their inability to directly influence Council decisions puts them at a lower level of power. Despite their failed attempt at intervener status, they still influenced a number of community members and were actively involved in Council meetings regarding the Elderkin et al. proposal. Unfortunately, their website is no longer active and their Facebook page has not seen a post since August 2014. However, due to their influence during the Elderkin et al. proposal they have been characterized as having 'medium' power.

The Nova Scotia Young Farmers Association is an organization within the NSFA that advocates for and helps encourage young farmers. The NSFA advocates for a sustainable agricultural sector for current and future farmers through the review of

legislation and regulatory issues, lobbying for changes to legislation, and delivering programs and services. Due to the NSFA's and the Young Farmers Association's ability to advocate for farmers through legislation, programs and services, they have been categorized as of high interest and high power. An interesting aspect of the division of young farmers from those with more years in the industry is that many young farmers may see farmland preservation as a priority. In contrast, the media, in their coverage of past controversies, portray the idea that those who are coming to an end in their farming career may want to sell the land for the highest price, which often means for development.

The AVFT was created to emphasize the importance of protecting farmland. Through this they support farmers as well as those within the farming community (AVFT, 2010a) by "protecting rural economies, communities and a sustainable agricultural industry" (AVFT, 2010b, Why is Preserving Annapolis Valley Farmland so Important section para, 3). The AVFT is categorized as low power and high interest because they help to protect agricultural land by informing farmland owners of the options available, however, they have no influence over policy implementation regarding agricultural protection.

Agri Growers, Scotian Gold Co-operative and Nova Agra are distributors of food located in Kings County. They have an interest in King County's agricultural district because it is crucial to their business. David Cudmore, the president of Scotian Gold, is listed as an author on the Kings 2050 Background Paper on Agriculture. Through their business activities, all three distributors are contributing in some way to farmland protection, food sovereignty and global competitiveness. protection, food sovereignty and global competitiveness. Despite this, they do not directly influence local legislation or the

legislative framework. For this reason, these distributors have been characterized as medium interest and medium power stakeholders.

Table 14 Stakeholder Analysis Power Interest Grid

INTEREST	High	Annapolis Valley Farmland Trust	No Farms No Food (NF2)	The Atlantic Food and Horticulture Research Centre (AFHRC) Orgs: Nova Scotia Federation of Agriculture/Nova Scotia Young Farmers
	Medium		Agri Growers (Distributor) Scotian Gold (Distributor) Nova Agra (Distributor)	
	Low			
		Low	Medium	High

3.4 Results of Local Planner Experts and Key Stakeholders Interviews

Following the legislative framework analysis, a preliminary report was created as per the protocol for the national project framework. The preliminary report was used in the interview process with key informants including local planning experts and stakeholders at the Municipal and Provincial levels. Six interviews, that included seven informants, were conducted to understand community perspectives on the preliminary report. The data collected was integrated with the preliminary report to form the final report for the national project. The following describes the data collected from the interview process.

Overall, informants reported mixed feelings regarding the strength, weakness, flexibility and integration of the legislative framework both provincially and in the Kings

County. Provincial oversight, bylaw amendments, and Council decisions were all themes that emerged from informant interviews.

Many of the informants stated that stronger Provincial oversight would increase the stability of the legislative framework. While Kings County already has legislation in place to protect agricultural land (MPS and LUB), many other Municipalities do not.

Throughout the interview process, informants identified a large flaw in this system at the Provincial level. According to many of the informants, without the implementation of an MPS, the SPI is irrelevant; if a Municipality does not have agricultural land protection legislation in the form of a MPS, the SPI on agriculture does not apply. This means that the Provincial government does not provide governance over agricultural land unless the Municipality first decides that they want to govern it themselves. Stability in Provincial oversight is therefore strengthened in Municipalities that have an MPS, and weakened in Municipalities without an MPS. According to one informant, this lack of agricultural protection in other Municipalities creates conflict with farmers in Kings County because of the different regulations set for farming practices.

The bylaw amendment process in Kings County allows the Council to amend the MPS after the submission of a proposal in order to switch zoning to allow for development projects on agricultural land. While a public consultation is necessary to discuss the proposed amendment, the Council does not have to side with the community when making the final decision. One informant commented on the perceived lack of stability in the local legislative framework due to Council's ability to change it. Another informant disagreed with this and stated that instances of Provincial oversight and power demonstrated strength in the legislative framework, because the Province could step in and stop the re-zoning of

the land, as was the case with the Elderkin et al. proposal. This informant indicated that this check and balance approach to protecting agricultural land demonstrated the stability of the legislation. However, the first informant recognized that, when left to the Province, the decision is completely under their discretion.

More push for agricultural protection from the Province for Municipalities without an MPS could foster a more stable plan for agricultural protection across the Province. One informant commented on the need for more input and advice from the Province to enable the Council and Municipal planners to put stronger policy in place and make more informed decisions on the implications of protecting or not protecting agricultural land. More advice and guidance from the Provincial level for local planners and Council members could help to minimise uncertainty on agricultural land use policy and its governance.

While the SPI is in place in order to guide and influence the protection of agricultural land, “ambiguous wording in balancing types of development, prioritizing only certain types of soil, and juxtaposing active versus inactive agricultural land” may contribute to a decrease in stability of the SPI (Clowes & Connell, 2015; Cameron & Connell, 2016). Therefore, while the Kings County legislative framework appears strong, the decision-making process at the Provincial and Municipal levels, the loopholes present, and the discretion to interpret or amend policy combine to create uncertainty for community members and stakeholders.

The Kings County MPS is in line with the SPI on agriculture because the goals are highly entrenched in the protection of agricultural land (Appendix A). Stability is demonstrated through the clear and concise language used to focus on the goal of

protecting farmland at the Provincial and local level. However, the optional adoption of an MPS is an overall weak point in the stability of Provincial farmland protection legislation, as without an MPS the SPI is irrelevant.

Throughout the interviews, it became apparent that there were mixed perspectives on the strength, uncertainty and thus stability of the legislative framework. A few of the informants believed that the Kings County legislative framework is very strong, one even said it is the strongest of all MPS documents in Nova Scotia. This is not difficult to believe, as Kings County was the first (in 1979) to implement an MPS in Nova Scotia, therefore establishing it as the “strongest” legislation (see Figure 1 for Provincial agricultural zoning by County). However, the successful amendments to the MPS in the Elderkin et al. case by the Council, prior to Provincial involvement, suggest that it is not as strong as it could or should be. Simply put, being the strongest legislation in Nova Scotia does not inherently make the legislation strong.

A flexible legislative framework allows for decisions to be made across a spectrum without the policy being manipulated or changed for a desired outcome. This is generally done through the implementation and use of governance mechanisms, such as third party organizations and decision makers. Flexibility is moderate in the current legislative framework for Kings County. When discussing this flexibility with informants, comments regarding the local level legislations were made such as “it wasn’t the plan that was flexible, it was the Council,” and “if the Council isn’t willing to be strong, you are right back where you started”. One informant commented that the Elderkin et al. case was taken from the planning staff and given to an outside organization to be handled, which

evidently was a red flag in the planning system and made people believe that ulterior motives were in play.

Many of the informants focused on whether or not vertical integration was present. A common example of a lack of vertical jurisdictional integration came up in two of the interviews. A farmer in the area was upset with Municipal planning and the effect it was having on their farm. According to the informant, a sewage line was put in along the street where their farm is located. This area is primarily a farming area and the informant felt that the sewage line was unnecessary; additionally, the farm house was unable to be hooked up to the sewage line and therefore it was no use to them. However, because the line was put in, there needed to be housing to pay for it. Therefore, the informant was left paying for a sewage line they could not use. Not only that, but housing units were put in, in a primarily farming area, in order to make use of the new sewage line. Another informant also spoke to the issue of the sewage line and said this was an example of where communication between departments, or vertical integration of jurisdictions, was lacking. Due to this lack of communication, or integration, farmland was lost to housing developments to pay for a sewage system that was, according to the informant, useless in the first place.

While the focus was on vertical integration, one informant brought up the weakness of horizontal integration at the local level. This informant commented on the fact that many departments of the Municipality, up until recently, only saw the MPS as a planning document, and had not understood it, or in some cases not even read the document.

Local residents, Municipal employees, stakeholders, and local farmers have different perspectives on the policy and governance of agricultural land. The interview process demonstrates that strengths, weaknesses, and uncertainty are all present within the legislative framework at the Provincial and local levels of government.

Chapter 4: Discussion and Conclusion

Achieving objectives one (media analysis) and two (document analysis) of this research revealed that improvements can be made to better protect farmland through policy and legislation to limit agricultural land development in Kings County, Nova Scotia. Kings County provided insight regarding the link between government policy and farmland protection, and to better understand the influence of the three policy regimes (farmland preservation, food sovereignty, and global competitiveness). Interviewing informants further aided in understanding the context surrounding farmland preservation, food sovereignty, and global competitiveness in relation to the legislative framework. Interviews also provided additional data on the strength and stability of the legislative framework (objective two). Objective three, to analyse social and political interests regarding agricultural land use planning, will be assessed within this chapter of the thesis.

The discussion within this chapter is organized and presented by first framing the results of the media analysis, document analysis and interviews around the four principles (maximise stability, minimise uncertainty, accommodate flexibility, and integrate across jurisdictions). Second, results are framed using the three policy regimes (farmland preservation, food sovereignty, and global competitiveness) to better understand their influence within policy shifts. Third, an analysis of the implementation of a new MPS into the legislative framework, and its affect on the three policy regimes, is presented. Lastly, future research contributions and recommendations are provided.

4.1 Revisiting the Goal and Objectives

The primary goal of this research was to examine policy shifts at the Municipal and Provincial levels regarding agricultural land use planning in Nova Scotia in light of national trends. Themes for determining the focus and strength of the legislative framework focused on farmland preservation, global competitiveness and food sovereignty. The three objectives were to: 1) conduct a media analysis of the various perspectives regarding land use controversies in Kings County, Nova Scotia; 2) to determine the current state of land use planning, policy, and farmland protection through an analysis of the Provincial and Municipal legislative framework and informant interviews based on the four planning principles; and, 3) to assess and analyse the social and political interests in and around agricultural land use planning.

4.2 Discussion framed using the four principles

Through the media analysis, document analysis, and interview process, it was evident that weakened stability and increased uncertainty were felt by stakeholders and community members based on lack of Provincial oversight, Council's discretionary ability to amend policy, and the uneven nature and impacts of community resistance and pushback. In the following discussion, the results are framed using the four principles. Stability and uncertainty are both very intertwined and linked to the degree of integration across jurisdictions. When weak integration is present, stability is loosened creating less certainty in applied decision making.

4.2.1 Maximise Stability

A legislative framework considered stable would not shift on the whim of political interest or bias (Connell, 2014). With legislation, policy, and governance structures that are based on clear concise language, a strong legislative framework can hold up to a court challenge. Having a strong legislative framework gives the people something they can count on and understand what the rules are when it comes to agricultural land use protection. The strength of a legislative framework is measured by the thing itself (Connell, 2014), meaning the measurement of the documents, structures, and jurisdictions that form it.

The preliminary legislative analysis revealed that Kings County has strong legislation currently in place, as there is legislation at the Provincial level (the *MGA 1998* and *SPI*) and at the Municipal level (the *MPS* and *LUB*). However, when considering it in light of the media analysis and when reviewing the preliminary analysis with informants, it was found that although the legislation appears strong, it is able to be adapted to accommodate development on agricultural land with little policing from the Provincial level, therefore weakening the legislation and its aims. Seemingly, many of the weaknesses in the legislation are a result of lack of Provincial oversight and of Council control over land use. Dasgupta (2001) states that challenges to local governments in Canada include insufficient revenue and dependence on the Provincial level, small size and a declining assessment base, an increasing awareness of social and environmental affairs resulting in politicization of Municipal politics, and impacts of Municipal inadequacies including lack of experienced Councillors, short terms versus long term planning, trade-offs for legislation, and Councillors focused on ‘special interests’. The

issues listed by Dasgupta are visible within the Kings County case study in that local Councillors focus on ‘special interests’ such as agriculture or development within the time of their term, rather than long term planning to integrate sustainable farmland protection priorities for future generations including to promote food sovereignty. Dasgupta’s points are also reflected in regards to independent organizations, such as NF2, in Kings County and their awareness of the relationship between farmland protection and social/environmental issues.

The media analysis of stakeholder and community member opinions revealed that there are many perspectives regarding agricultural land use within Kings County, and not all farmers, Municipal employees or local residents have a cohesive view of the protection of agricultural land. As noted in the Results section, farmers’ perspectives ranged from wanting to protect agricultural land to wanting to sell land for development. Similar perspectives were found in the Antigonish case study where one informant identified various divides in the farming community, especially those between older farmers wanting to sell their land as a ‘nest-egg’, and young farmers favouring stronger farmland protection (Cameron & Connell, 2016). Furthermore, these ideas are reflected in *Preservation of Agricultural Land in Nova Scotia*, where it states “farmers, the exception being some younger farmers, generally opposed zoning restrictions on agricultural land unless present owners were adequately compensated for the perceived loss of land value from loss of development options” (Williams, LeBlanc, Bishop, MacDonald, Swetnam, & van de Riet, 2010, p. 9). Contradictory opinions reflect weakened stability by disallowing a clear path in which to move forward with future policy. The media analysis demonstrated that many people feel differently regarding the future of agricultural policy

in Kings County. The media analysis also demonstrated that community pushback often has an effect on the amendment of policy. Therefore, without a clear path or strong priorities with which to influence and guide policy, there is weakened stability in the ability to consistently apply rules and guidelines to the use of agricultural land in Kings County.

Agricultural land of Kings County is protected under the SPI due to the implementation of the MPS in 1979, however the media analysis and interviews demonstrated that community pushback is essential in agricultural land use protection, suggesting an erosion of policy to protect agricultural land and thus weakening in the stability of the legislative framework.

In the case of the Elderkin et al. proposal, the land-holding farmers felt that the land was not being used, therefore it was no longer needed for agriculture. Other farmers felt that agricultural land needs to be preserved to continue farming operations for future generations. Many local residents felt that by developing the land, the community would be drastically changed, and opposed proposals for re-zoning. With amendments being made to accommodate conflicting views regarding agricultural land, the MPS continues to erode. In the case of the Elderkin et al. proposal the Province did step in to protect the agricultural land. However, in the Port Williams and Greenwich 2 cases, the Province was not involved, insinuating weak Municipal-Provincial (vertical) integration.

A strong legislative framework is one that includes acts of policy, governance and legislation that hold up against proposals and amendments that threaten the protection of agricultural land. While there is a legislative framework in place at Municipal and

Provincial levels in Kings County, amendments, proposals and community feedback have the ability to change or enforce policy, thus diminishing its strength.

4.2.2 Minimise Uncertainty

While the strength of the legislative framework speaks to the framework itself, the ‘uncertainty’ is in reference to how the framework will be implemented and applied using clear rules and regulations. Consistent application under different circumstances is key to minimising uncertainty, while understanding that it cannot be completely eliminated (Connell, 2014).

The *MGA 1998* was enacted in order to give Municipalities more governance over their jurisdictions. The SPI serves as a guide for Municipal planning by providing an overarching goal for protecting agricultural land. Unfortunately, Municipalities that do not have an MPS in place do not need to follow the SPI. Those that do have an MPS in place need to be “reasonably consistent” with the SPI (*Municipal Government Act*, SNS 1998, c 18) increasing uncertainty in the application of policy.

Lack of Provincial oversight provides more power to the local Council when it comes to agricultural land use decisions. Council has the ability to accept or deny proposals to re-zone land. The planning department and PAC can give advice to Council, but the final decision is made by a vote of the Council members. If members elected into Council are pro-development, then pro-development changes to the MPS are more likely to occur. One informant expressed concern for uncertainty in the adoption of a new MPS, if the Council is pro-development. The new MPS would need to be a document that they will uphold, as Council members are able to accept or deny the draft MPS. Therefore, they can deny an MPS that is pro-agriculture in order to implement a more development

driven document. This process creates uncertainty for future policy implementation and governance regarding farmland protection. However, it also gives power to the community to elect members of Council who will uphold the MPS in order to protect agricultural land and limit amendments in favour of development that infringe or destroy farmland.

In Kings County, the legislative shifts occurring across Canada are visible on a smaller scale. Shifts in policy create uncertainty for future agricultural policy and farmland protection. The Kings 2050 project began in order to identify and accomplish goals relating to agriculture by the year 2050. Many of these goals are to be accomplished by the implementation of a new MPS and LUB. This shift in Municipal policy provides an interesting vantage point in the comparison of two planning documents and the uncertainty regarding the affect of their implementation on agricultural land. Since the beginning of this research project a draft MPS has been released and then redacted due to community opposition. If the Council is considered pro-development, the implementation of a new MPS could shift Kings County out of exclusive zoning for agriculture.

The interview process revealed that changes to the MPS are often politically driven, rather than priority driven given that community pushback to uphold the MPS is often seen as a way of policing the Council. This is to say that decisions are made with political motivations in mind, rather than the priorities set within the MPS. This creates uncertainty on how agricultural policy will be upheld by the Council should community pushback not arise when an application for policy amendment regarding farmland is on the table. The media analysis revealed that in one case the Province did step in to stop the re-zoning of agricultural land for development, however it is uncertain when and if the

Province will step in to police the re-zoning of agricultural land in the future. The Antigonish case further revealed uncertainty in Provincial oversight when the Province approved a Council decision to allow development of condominiums on class 2 soil based on the belief that enough farmland is already available (Cameron & Connell, 2016).

The four events identified in the media analysis concerning farmland protection in Kings County highlight where decisions were not being made uniformly and thus demonstrating uncertainty in the decision-making process. In 2008, a proposal for land rezoning by Dykeview and Riverview Farms of Port Williams was partially supported, resulting in the rezoning of half of the proposed 194 acres. In the Elderkin et al. case, a proposal to rezone agricultural land for development was rejected by both a Provincial minister and a subsequent judicial review in line with opposition from the community and despite support from the Municipality. Later, a request from Noggins Corner Farm to rezone development land for agriculture was rejected by the Council despite public support. To combat what two informants perceived as a seemingly biased view of the planning department, as presented in these three case studies, a fourth case (Fury Farms) was added to demonstrate an instance when the PAC did move to protect agricultural land.

The first three cases demonstrate uncertainty due to the inconsistent decision making process present. It is apparent that priorities regarding agricultural land are not uniform among stakeholders. Often, community pushback is utilized as a process to protect agricultural land. This generally occurs by raising awareness of the issue among community members leading to a higher turnout at public forums. In analysing the three cases, the conclusion can be drawn that the Council often makes decisions in favour of

development, despite the fact that the local legislation is in favour of agricultural land protection. This divide in priorities demonstrates uncertainty in how agricultural land will be protected in the future.

Fury Farms demonstrates another aspect to minimising uncertainty, through Council's decision to protect agricultural land following a second reading of amendments to the MPS and LUB regarding the Fury Farms application. While the land was protected, Council did not follow the advice of the staff report to deny the application in the first place. Despite this, the public was consulted twice which helped in the final decision to protect farmland. However, it can still be noted that despite the recommendations of staff and the views of the public, it came down to the decision of the Council. It was evident that one Council member did not agree with denying the application, since in 2008 when a second proposal from Fury Farms was submitted, a Council member motioned for reconsideration, however the motion was later denied (see Figure 7). One informant reinforced this notion of uncertainty in stating, "uncertainty will exist because of the politics. Council has the discretion to interpret, but if the language is clear then there is less uncertainty". Therefore, uncertainty can be minimised when Council makes decisions in line with the MPS and sticks to the legislation put in place, but is increased when decisions may be made along individual standards and values.

4.2.3 Accommodate Flexibility

In order to implement a flexible framework, decisions need to be made across a spectrum without manipulating the content of the framework for a desired outcome. The permanent governance mechanism currently in place to govern LUB decisions and strengthen

flexibility in Kings County is the PAC. The PAC provides long and short term planning advice through consultation with other “Municipal departments, village commissions and towns as well as outside agencies such as Provincial Environment and Transportation departments” (MCK, n.d.c, Land Use Planning section para. 2). In the case of the Elderkin et al. proposal, the community posed considerable opposition to the decision made by the PAC, causing speculation around the motivations behind their decision making process. In contrast, the decisions made by the PAC in the Fury Farms case to dismiss the proposal to rezone 41 acres of agricultural land for development was in order to protect agricultural land. Decisions resulting in inconsistent outcomes suggest that there is too much flexibility in the legislative framework.

Based on previous amendments to the MPS throughout the years, the Kings 2050 plan aims to re-write the MPS and LUB in order to limit the amendments made and limit flexibility. The new draft LUB changes increase flexibility for farmers in relation to agricultural activities in the adaption of four new agricultural zones. The suggested changes outlined in the SPLUBC reduce the number of land use districts from 67 zones to 30 zones (Kings 2050, 2015), including four new agricultural priority designations: agricultural high capability (AH); rural mixed use (AM); agricultural services center (AS); and, agriculture industry (AI) (Kings 2050, 2015). These four new zones allow for various activities to occur on separately zoned parcels of land, weakening exclusive zoning for agricultural land by providing too much flexibility for agricultural activities (Kings 2050, 2015).

One section of the LUB being updated is the rural mixed use zone. According to the draft LUB, “the intent of the Rural Mixed Use Zone is to allow a mix of agricultural,

residential and resource land uses to enable the expansion of the agricultural industry, as well as accommodate demand for rural housing” (Kings 2050, 2015, p. 9). When questioned on the flexibility of the draft MPS and its reliability, one informant stated,

“I don’t know if it’s fair to say that overall it’s more flexible. It’s intended to be more flexible for agriculture and agricultural priorities. That was the criticism in the past, is that we have this agricultural chapter in our current MPS but most of it is spent dealing with housing. And it’s not really about agriculture. So it is kind of trying to flip that. It’s saying, we are going to put the priority in agricultural land and that means we have as much maximum flexibility as we can to put in barns and livestock buildings and the value added that goes along with that. So it’s not overall flexible. It’s flexible for agriculture, and for the things that go along with it that the farmers have been telling us for years that they have been frustrated about. It’s about trying to be clear and trying to have a clean slate in flexibility when it comes to people wanting to have houses and things like that, and that is probably the big difference.”

According to the SPLUBC, the new agricultural high capacity zone will “provide maximum flexibility for agricultural and complementary uses and limit non-farm development, including housing” (Kings 2050, 2015, p. 8). This makes it easier for farmers to do things such as build dwellings on their property and for vineyards to have restaurants and wineries.

Kings County is currently working to reduce flexibility within the legislative framework by re-writing the MPS and LUB documents. Past events of inconsistent decision making by the Municipality in relation to agricultural land use indicate too much flexibility in the legislative framework.

4.2.4 Integrate Across Jurisdictions

Both vertical (Provincial to local) and horizontal (local to local) legislative integration is important to the stability of the legislative framework. The Province of Nova Scotia facilitates vertical integration to local levels through the use of the *MGA 1998* and SPI. Horizontal integration at the Municipal level includes integration between departments and local policy, legislation, and governance documents.

With regards to Provincial and Municipal (vertical) integration, the content analysis used data from policy, legislation and governance documents to determine the level of integration between the two levels of government. The results revealed that the MPS references the *MGA 1998* and, more specifically, the SPI on agricultural land (Table 6) revealing that integration is present. Agricultural Districts, the section within the current MPS with policy regarding agricultural land, has goals set in line with those of the SPI, demonstrating integration of different levels of government. This allows for policy decisions to be made at the local level that are in line with goals and objectives at the Provincial level. However, if there is too much flexibility decisions can be made outside, or not in line with, those goals and objectives.

Integration regarding farmland protection is lacking between the Provincial and Municipal government, creating uncertainty on how land will be governed.

Municipalities that have adopted an MPS will follow the overarching goals of the SPI (Provincial policy) in relation to agricultural land, however those who have not are free to govern their agricultural land outside of the SPI. This creates uncertainty on how land will be governed municipality to municipality if there is no policy or governance of legislation in place to protect it. This can result in conflict should one municipality have strict rules on agricultural land use, and others are free to use the land however they want. In some cases, because of its exclusive zoning for agriculture, Kings County may lose farming activities to other municipalities where agricultural farmland does not have such protection in place and hence less barriers to non-agricultural development on farmland.

In the case of the Elderkin et al. proposal the Province had to step in and say no to the rezoning of agricultural land for development. This demonstrates that vertical integration (Provincial to Municipal) exists, and works in some sense. However, one informant with experience at the Provincial level identified an issue with this integration. The informant explained that the Minister can make any decision in regards to agricultural land without having to explain their reasoning. Therefore, while a lack of Provincial governance of farmland creates uncertainty, so can the increase of Provincial governance through bias or discretion inherent in the Minister's decisions regarding farmland protection.

4.3 Discussion framed using the three policy regimes

Global competitiveness and farmland preservation have had an influence on agricultural policy for decades (Connell, 2014). The future of Canada's food supply, and the uncertainty it presents, has influenced the growing public concern for food sovereignty,

the newest of the three policy regimes (Connell, 2014). As part of the national project, the three policy regimes (food sovereignty, farmland preservation and global competitiveness) provide an understanding of the political contexts and public priorities in and around the use of farmland and the extent of their current influence (Connell, 2014). Within this thesis, the policy regimes give context at the local level to national trends in farmland protection across Canada. Food sovereign trends, such as food policies, are being implemented, albeit unevenly, across Canada such as in Huron County with the *Take Action for Sustainable Huron Community Sustainability Plan* (2011) (Sharpe, Caldwell, & Connell, 2015). In Kings County, the content and stakeholder analyses revealed that farmland preservation was far more influential than global competitiveness and food sovereignty within the Kings County legislative framework documents. Lack of food sovereignty and global competitiveness as motivations for farmland protection with local policy demonstrate that Kings County's, the leading NS municipality for comprehensive planning, would appear to be lagging behind national trends.

4.3.1 Food Sovereignty

The International Planning Committee for Food Sovereignty (2002) describes food sovereignty as the right for people to define, protect, and regulate culturally appropriate agricultural production. The American Planning Association's (APA) *Policy Guide on Community and Regional Food Planning* shifts the focus of economic, transportation, environmental and housing focused planning to planning for food systems and food sovereignty (2007). The APA attributed the lack of food planning to three issues: 1) the food system (production, processing, distribution, consumption, etc.) are not directly

linked to the built environment; 2) the idea that the food system is not broken, therefore there is no reason to fix it and; and, 3) planners act under two conditions, one, dealing with public goods (i.e. air and water), and two, planning for services where there is no funding from public sectors such as public transit, highways and parks. Wittman (2015) notes that the advocates for food policy usually comprise grassroots activists and initiatives that generally demand the state to develop a food sovereign policy, but adds that the proposed pathways to food sovereignty generally do not “emphasize self-sufficiency as the primary pathway to food sovereignty” (p.175). Weibe, Desmarais, and Wittman (2011), refer to a conference held in Toronto in 2009 where interest groups came together to spark conversation regarding food sovereignty. Following the conference a Food Share representative summarized ideas that emerged into six categories: “increase and focus support on localized food systems, support farmers, maintain develop and redevelop food infrastructure, educate people about food, advance social inclusion, create coordinated and enabling policy” (FoodShare Toronto, 2009, p. 16). Wittman and Desmarais (2012) suggest that organizing farmers, training new farmers, securing the land, and demanding fair trade are steps toward a sustainable food system.

In light of shifting policy and national trends in food sovereignty, *Best Practices in Local Food: A Guide for Municipalities* was presented for the Ontario Municipal Knowledge Network (OMKN). The report addresses challenges in local food industries as “outdated planning policies and zoning by-laws, high cost of labour, lack of processing facilities, potential higher cost of local food, and lack of awareness among consumers” (Deloitte, 2013, p. 2). Additionally, Municipalities face challenges in “aligning policies

with federal and provincial laws, coordinating programs across various departments and accessing funding for local food initiatives” (Deloitte, 2013, p. 2). These Municipal challenges are seen in Kings County through lack of horizontal (inter-Municipal departments) and vertical (Provincial to Municipal) integration. Municipalities can play a role in food initiatives through “local land use planning decisions that promote agriculture land protection” as well as through the implementation of a food council entity (Deloitte, 2013, p. 21). Deloitte (2013) emphasizes the importance of a food council in Municipalities as a way to implement food sovereign initiatives and increase their success (p. 15). Food councils help to bring stakeholders together to support the local food system (Deloitte, 2013). Municipal facilitation of food initiatives in policy and programs are important in establishing a culture within the community that supports local food movements (Deloitte, 2013).

While food sovereignty and food systems may not be on the radar for local, rural and Municipal planners, research has found that college and university students are interested in the environmental and social implications of their food source (Pelletier, Laska, Neumark-Sztainer, & Story, 2013). Data was collected over a three month period in two Minnesota campuses; a two year community college and a four year university (Pelletier et al. 2013). They found that “nearly half (49%) of young adults placed moderate or high importance on alternative production practices” (Pelletier et al, 2010, p. 129). Within this research, ‘alternative production’ is in reference to “organic, local, sustainable, and nonprocessed foods” (Pelletier et al, 2010, p. 127). This is important in the context of Kings County, as it is home to Acadia University and Nova Scotia Community College (Kingstec Campus). With local interest groups concerned about the

social and environmental impacts of their food, food sovereign movements may evolve.

In Kings County, local farmers' markets and community supported food movements are signs of an increasing awareness of food sovereignty. According to Farmers' Markets of Nova Scotia (n.d), there are currently five farmers' markets in Kings County (Greenwood Mall Farmers' Market, North Mountain Market, Woodville Farmers' Market, Kentville Farmers' Market, and the Wolfville Farmers' Market). Other food sovereign initiatives include NF2, Kings County Federation of Agriculture (KCFA), The AVFT, and many local CSA³ programs.

The KCFA and AVFT, while involved in the protection of agricultural land, do not make direct links between farmland protection and food sovereignty. The KCFA website does not contain a substantial amount of information, and of the information that is available, there is no reference to the importance of food sovereignty or security. The KCFA website describes itself as a representation of the agricultural community as an active voice for their 395 members (KCFA, 2016). Contrary to the KCFT, the AVFT website has lots of information pertaining to their mission, the importance of protecting agricultural land, and why it is important (AVFT, 2010b). The AVFT identifies three reasons to protect agricultural land: for economic stability; social and cultural heritage; and, environmental stewardship (AVFT, 2010b). Under the second heading 'social and cultural heritage' is an indirect reference to food sovereignty where they state "without farmland there would be no local farmers markets, and consumers would not have the choice to purchase fresh locally produced food with a smaller carbon footprint than imported food" (AVFT, 2010b, Social and Cultural Heritage section 2). In stating that

³ Community Shared/Supported Agriculture (CSA) allows residents to sign up for a monthly or one time delivery of local food from a farm which is generally delivered weekly (Select Nova Scotia, 2013).

society is entitled to a ‘choice’ on where to buy their food, they are indirectly referencing food sovereignty and its relationship with farmland protection.

The KCFA and AVFT both have a minimal relationship with food sovereignty when compared to NF2. NF2 was actively involved in protesting the Elderkin et al. proposal. Their mission was to help protect agricultural land in order to contribute to a food secure and food sovereign community (Foodsecuritymsvu, 2010). NF2 was actively involved in agricultural protection between 2010 and 2015. Unfortunately, not much has been seen from the organization since a 2015 news article about their continued missions to strengthen the planning process to protect agricultural land (Elliott, 2015). The NF2 website is no longer active online and posts to their Facebook page are sparse.

The Antigonish case study speaks to the Antigonish Food Security Council (AFSC) dedicated to local food security through “a network of community organizations with Provincial, Municipal and university (St. FXU) representation “ (Cameron & Connell, 2016, p.22). Unfortunately, they also fail to make direct links between food sovereignty and the local land base. In Kings County and Antigonish County, there needs to be direct links made between farmland protection and food sovereignty, in order to implement food sovereign priorities beyond just the protection of agricultural land.

The media results and interview data revealed that community engagement is an important aspect in farmland protection in Kings County. With the new MPS draft in the process of being re-written, it is important to have community involvement in order to develop a document that properly reflects the priorities of local stakeholders. In the wake of this new document, NF2 did submit a post on Facebook urging local residents to be involved in the council meeting related to the release of the MPS draft (NF2, 2016).

Perhaps, with the release of a draft MPS, NF2 may have resurfaced to aid in the process of food sovereign and farmland protection through community pushback and involvement.

When analysing data from the content analysis it was revealed that food sovereignty is not a large priority within the legislative analysis documents, contrary to the social movement seen in Kings County. When reviewing the media analysis data and stakeholder analysis it becomes more apparent that a food sovereign movement is occurring within the community by locally supported initiatives rather than Municipal policy. In light of shifting policy in Kings County, it is important that stakeholders and local residents continue to express the importance of food sovereignty as a priority in the protection of farmland.

4.3.2 Farmland Protection

Recent literature suggests that the link between farmland protection and policy planning has not yet been widely accepted by North American planners. According to Wittman and Desmarais (2012), the cost of farming has been increased by planning decisions such as “development re-zoning, government expropriation for transportation corridors, and the development of residential housing and other non-food-producing uses” (para. 15). According to the APA (2007) “food has been absent over the years as a focus of serious professional planning” (para. 1). Soma and Wakefield (2012) address the issue of how current areas of planning (land use, transportation, economic development etc.) do not properly incorporate food planning. They argue that even rural planners do not look at the whole picture that is the food system (Soma & Wakefield, 2012). Moreover,

the Huron case study, as part of the national project, also references the disconnection between planners and our food system (Sharpe, Caldwell, & Connell, 2015). Sharpe, Caldwell and Connell (2015) referred to informant feedback on the apparent disconnect between food sovereignty and land use planning, with one informant articulating the question of food sovereignty in a consumer light, rather than as a planning initiative.

Of the three policy regimes, farmland protection was the most represented within the media analysis and the document analysis data. When looking at active initiatives within the community (AVFT, KCFA, and NF2), farmland protection is always mentioned as a priority, but rarely in relation to food sovereignty. Conceivably, farmland protection as a policy regime is evident due to the 1970s paradigm shift for land protection for agricultural business practices. With past controversies surrounding farmland that were examined during the media analysis, it is apparent that Kings County residents and stakeholders are more concerned about farmland protection than the other two policy regimes (food sovereignty and global competitiveness). This reinforces the understanding that there is a disconnection between farmland protection, food sovereignty and global competitiveness in Kings County.

The AVFT, KCFA and NF2 all recognize the importance of farmland protection. All three initiatives have in the past worked, or currently working, to protect farmland from re-zoning and development. The AVFT claims that there are many farmers in the area, however there is not enough land made available to farm. The goal of the AVFT is to preserve farmland through a farmland trust as well as to support farmers and the farming community (AVFT, 2010a).

The KCFA has less involvement than the AVFT in farmland protection. According to their website, the KCFA is dedicated to helping farmers establish themselves in the farming community (KCFA, 2016). Due to lack of information on their website it is hard to draw conclusions on how involved they are in farmland protection.

NF2 was actively involved in farmland protection during the Elderkin et al. proposal. Although their website is no longer available, the media analysis revealed that they were a major player in the fight to protect the farmland being considered for re-zoning in Greenwich.

Community involvement in regards to agricultural planning is most often seen in the form of farmland protection activists. The media results revealed that community resistance has been effective in influencing Council and amendment decisions when a proposal is submitted to re-zone agricultural land for development. The four media events revealed that when proposals for agricultural land re-zoning are submitted, the community becomes very involved in protesting its approval.

In the case of the Fury Farms proposal, community pushback was evident in the attendance of 170 members at the public Council meeting, many in protest of the proposed amendment (PAC, 2007). The Fury Farms proposal not only demonstrates farmland protection priorities within the community based on community pushback, but also Council's lack of interest in protecting farmland due to their multiple attempts to pass the amendment. Despite the PAC's motion to dismiss the proposal, the Council continued with reading of the MPS and LUB and a second public consultation meeting before the proposal was denied (MCK, 2006; PAC, 2007; MCK Municipal Council, 2007a; MCK Municipal Council, 2007b).

The Port Williams proposal to re-zone 194 acres of agricultural land for development ended in a compromise for the farmers and the Municipality. In this case, the Municipality did not see the need to re-zone the land, however the farmers felt that it was unusable as farmland and therefore they could profit from it if it were re-zoned. This proposal is comparable to the Elderkin et al. proposal (Greenwich 1) in that the farmers were trying to re-zone land farmland for development in order to potentially profit from it. In both cases, the land was seen as unsuitable for farming. The difference between the events was that a community consultation was not held for the Port Williams proposal as it was in the Elderkin et al. proposal. The Port Williams proposal ended with 24 hectares of land being re-zoned for development, a compromise for both the farmers and the Municipality (CBC, 2010). Perhaps if a community consultation process had occurred, the motion would have been different.

Much like the Fury Farms Proposal, the Elderkin et al. proposal also demonstrates community resistance to farmland re-zoning and Council's resistance to preserve the land for agricultural activities. NF2 headed the community protest against the re-zoning of agricultural land for development. Despite farmland preservation being the strongest policy regime within the legislative framework, the Elderkin et al. case demonstrated the need for stronger policy in line with farmland preservation. The Council's ability to accept a proposal and amend policy despite community opposition and local legislation that promotes farmland protection demonstrates that changes need to be made. The Province did eventually step in to deny the proposal (Boomer, 2011), demonstrating that Provincial oversight is present, despite informants revealing that there needs to be more check and balance from the Provincial level with regards to Municipal decisions. Lack of

Provincial oversight could be in relation to the fear of offending pro-development stakeholders. Without this oversight, leadership is left to Council members, with checks and balances being left to community pushback initiatives.

The Greenwich 2 case is different from the others because it involves a proposal to protect agricultural land, not to re-zone it for development. The media analysis revealed that Andrew Bishop attempted to preserve the land he was farming by re-zoning it to agricultural district in order to keep it for future generations (an action in line with the food sovereignty policy regime) (Starratt, 2012). Unfortunately, the Council voted against this proposed amendment and kept the land zoned as a growth district.

While Kings County's main focus is on farmland protection, its link with food sovereignty has not been established. At the Provincial level, the food sovereignty-farmland protection link was within the report *Preservation of Agricultural Land in Nova Scotia*, where it states "providing a healthy diet to all Nova Scotians from provincial production, based on the Canada Food Guide, would require an additional 53,000 hectares of land in food crops at current average yields..." (Williams et al., 2010, P. i). While it is highly unlikely that Nova Scotia would ever become completely self-sufficient food-wise, farmland needs to be protected in order to accommodate more farming practices if we wish to become a food sovereign state. Williams et al. (2010) go on to list the challenges in protecting future farmland in a context of farmland abandonment, farmland fragmentation, depletion of soil quality, and rising sea levels. Therefore, this report has made the direct link between the importance of the land base and food sovereignty.

Planners need to understand the effects of their planning decisions on the land base and the future of food sovereignty. Caldwell, Churchyard, Dodds-Weir, Eckert, and Procter (2011, as cited by Connell, 2013 p. 2) found that “agricultural lands are increasingly compromised by neighbouring non-farm uses, such as when residential neighbours file unwarranted nuisance complaints about farm odours and noise, or sever (sub-divide)”. This situation is also the case in Antigonish where residential development is occurring near farms due to mixed use zoning (Cameron & Connell, 2015). Without proper decision making, land can be converted or degraded forever, directly affecting our ability to choose where our food comes from (food sovereignty) as well as opening a whole new path for imported food to undermine domestic food markets through free trade agreements (global competitiveness).

4.3.3 Global Competitiveness

According to Drakers and Forge (2000), AAFC has shifted from “improving and maintaining productivity to increasing the sector’s competitiveness” (section b). They describe global competitiveness as ensuring the “industry’s viability in a context of freer trade” (Drakers & Forge, 2000, section b). This shift in policy is reflected within two specific events in July, 1993: 1) the creation of a new branch within the AAFC, the Market and Industrial Services branch, intended “to strengthen the industry’s competitiveness and help it obtain a larger share of domestic and international markets”; and, 2) the change of Agriculture Canada’s name to Agriculture and Agri-Food Canada, “a reflection of the government’s desire to emphasize the production of food products of all kinds, not only primary products” (Drakers & Forge, 2000, section b).

According to Connell (2014) “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” (p.2). This linkage between food sovereignty, farmland protection and its influence of global competitiveness is further described by Weibe, Desmarais, Aurielie, and Wittman (2011), who state that the linkage of our food source to the land has been severed by the market (i.e., global competitiveness). However, Canadian national organizations such as the NFU and FSC are not making direct links between the three policy regimes.

The NFU released a paper entitled, *Strengthening Supply Management: Defending Canadian Control of our Market Space and Advocating for Food Sovereignty* (Holtlander, 2016), which links the three pillars of supply management (production discipline, cost-of-production pricing, and import controls) with the six pillars of food sovereignty as stated by La Via Campesina (food for people, builds knowledge and skills, works with nature, values food providers, localizes food systems, and puts control locally). According to the Holtlander (2016) the six pillars for food sovereignty are consistent with supply management. Based on this statement, the recommendations that follow within the report include increasing quota for growing markets, implementing Provincial marketing boards, opening discussion regarding the sale of unpasteurized milk, and developing a “triple-bottom-line” to production costs to include environmental and social costs (Holtlander, 2016). These recommendations help to reduce importation of food, keep food in Canada, and link food sovereignty to global competitiveness. However, the missing link is farmland protection on a local scale. The Antigonish case found a

similar lack of links during the interview process. Cameron and Connell (2015) state that an “informant said that supply management itself is a part of food sovereignty; ‘it keeps production, distribution, and consumption local’” (p. 31).

FSC released a report entitled, *Resetting the table, A People’s Food Policy for Canada*, where it is stated, “the root problem is that food is treated as a market commodity rather than as a necessity of life” (2015, p.6). This provides a linkage between global competitiveness and its affect on food sovereignty. Slightly different than the view presented by the NFU, the FSC’s position is that the implementation of policy and regulation regarding our food systems would remove the power from the market and put it in the hands of the public interest. They believe that in the absence of policy, corporations have influence and control over the food systems “operating beyond the reach of government or public oversight” (Food Secure Canada, 2015, P.6). Further in line with removing power from the market, Wittman and Desmarais (2012) state that the Trans-Pacific Partnership, the Canadian European Comprehensive Economic and Trade Agreement, and the dismantling of the Canadian Wheat Board, all threaten the future of food sovereignty.

In Nova Scotia, reports referencing global competitiveness include *Is Nova Scotia Eating Local?*, *Protecting and Preserving Agricultural land*, and *the Homegrown Success Report*. According to Scott and MacLeod (2010), in their report *Is Nova Scotia Eating Local?*, Nova Scotia imports most of its food, despite the fact that much of it can be produced here. While it cannot be determined exactly how much food is imported, according to the report, only 13% of every dollar spent on food goes back to the Nova Scotia farmer (Scott & MacLeod, 2010), inferring that much of our food is being

imported. If more food is being imported and farmland is not protected then land can become a commodity to be sold, much like the food we import, for non-agricultural development. Alternatively, farmland can become dormant, thus still considered 'agricultural land', however not contributing to food sovereignty through agricultural use.

Protecting and Preserving Agricultural Land addresses the issue of Nova Scotia's dependence on imported foods in stating "low-cost competitors have secured a place in our domestic market, displacing homegrown products" (Nova Scotia Department of Agriculture, 2013, p.1). The *Homegrown Success Report* attempts to rectify this by implementing economic shifts in government to support a sustainable agriculture sector in Nova Scotia (Government of Nova Scotia, 2013). The initiative is part of the government's strategy, JobsHere, which focuses on growing the economy, helping business compete, and learning the right skills for good jobs (Province of Nova Scotia, 2013). Therefore, the plan focuses mostly on growing the economy, creating an economy that is competitive in the agricultural sector, and creating agricultural jobs. While this may help to reduce global competitiveness, there is no succession plan for future farmland protection or food sovereign initiatives in order to support more sustainable food operations within the Province.

The policy regime analysis revealed that Kings County policy and legislation was not inclusive of the global competitiveness policy regime. Of the three policy regimes, global competitiveness was the least recognized. According to Cameron and Connell (2016) "an interest in global competitiveness often requires policies and strategies to successfully integrate into the global economy" (p. xvi). Global competitiveness as a policy regime does not appear to be strongly present in the farming sector within Kings

County. Within local groups such as KCFA and AVFT, the focus is primarily on farmland protection rather than global competitiveness. The APA makes the connection between global competitiveness and farmland preservation when stating that, “increasingly, food comes from more distant sources, with serious consequences such as the loss of older local food system infrastructure” (American Planning Association, 2007, Globalization of the Food System section). Kings County has yet to make the connection between the policy regimes and understand that food sovereign initiatives help limit global competitiveness by increasing local food purchases, and in turn create more motivation for the protection of farmland in light of more opportunities for local farmers.

4.4 Implications of the Draft MPS for agricultural land use planning

With shifts in policy, such as the implementation of a new MPS, comes the opportunity for stronger policy entrenched with a mix of priorities and goals in line with the three policy regimes (food sovereignty, farmland protection, and global competitiveness). Kings County is being presented with the opportunity to make positive policy changes to better protect farmland for the future. This opportunity also presents Kings County with the ability to implement food sovereign policy to protect food operations. As previously discussed, planners directly affect our food operations by the decisions made in regards to transportation, economic development, environment, land use, etc. (Soma & Wakefield, 2011; American Planning Association, 2007). Following the release of the draft MPS for public consultation, it has since been abandoned for a full re-write based on local citizens’ negative public concerns with it. The following discussion looks at the proposed draft

MPS and the opportunities available based on the four best practices and three policy regimes.

Overall, the draft MPS is weaker than the current MPS in place. Indicators of a weaker MPS include increased flexibility due to weak language, loop-holes and ambiguous language which result in 1) increased personal bias in the decision making process (increased uncertainty), and 2) policy amendments that directly affect farmland protection and food sovereignty (weakened stability).

Implementing a new MPS presents the opportunity for planners to look at the food system as a whole and how proposals to re-zone land, develop infrastructure, housing, and transportation corridors affect our food source and ability to achieve a food sovereign nation. It is important that planners understand the implications of their decisions and in turn implement food sovereign initiatives within local policy.

4.4.1 Using the best practices and policy regimes to create an effective policy

Stability can be seen within the legislative framework when documents, at the Provincial and local level, work together to protect farmland. Clearly outlining goals and objectives in line with the three policy regimes aid in implementing a strong framework that can be used through multiple terms of Council without being constantly amended to suit the opinions of new Councillors.

In order to minimise uncertainty, policy must provide clear language to ensure consistent decisions are being made. Through the elimination of loopholes and open-ended statements, the policy can provide a more rigid structure. The draft MPS was created in order to reduce the amount of amendments that were present in the current

MPS. Unfortunately, the draft MPS left too much room for interpretation in the language used. Previously, in the current MPS, soil maps were used to identify lands suitable for agricultural use, which helped in the initial zoning of land. The draft MPS was intended to remove this method of land classification. In doing so, there was no indication as to what would replace this method in order to zone land, leaving lots of uncertainty in the future protection of farmland. The new MPS needs to clearly state how land will be zoned in order for Council members, planners, and stakeholders to be able to understand the policy and use it to defend the protection of farmland.

Flexibility is inevitable in any policy, however accommodating it through a balance of stability and uncertainty is key. Flexibility allows moderation of stability and uncertainty without increased rigidity and restrictiveness. This moderation is generally done through third party governance mechanisms. At the local level, the PAC would be considered a governance mechanism in Kings County. In the past, the Provincial Government has also had to step in on decisions being made regarding agricultural land. Therefore, there are governing structures that help to moderate stability and uncertainty. However, having the Province step in could also be a sign of poor decision-making by the Council.

The draft MPS has access to the same governing structures as the current MPS. The PAC and the Provincial Government act as moderators in the decision-making process. While local level issues go through the PAC the Provincial generally steps in when decisions have been made that are not in line with the SPI, or do not have substantiate evidence behind them. It would be in the best interest of the draft MPS to

examine the governance structures currently in place to assess their level of influence and, if this is adequate, in the land use planning process.

Integration between the two levels of government is important to make sure that all policy, legislation and governance put in place to protect agricultural land are working together to accomplish the same goal. This was measured during the document analysis using the breadth and depth analysis to determine which documents reinforced the priorities of others. The data revealed that the current MPS is much more in line than the draft MPS, which does not reference Provincial policy. Informants spoke to the importance of integration across jurisdictions on a horizontal level, meaning between Municipal departments. They spoke to the importance of inter-communication between departments in the decision making process. Without this line of communication, decisions that affect our food system can be made within one department, without another being able to first explain the consequences.

Apart from the four best practices, policy entrenched in the three policy regimes is important for the future of our food system. Understanding the links between farmland protection, food sovereignty, and global competitiveness is key to a priority driven policy not easily changed by changes in the composition of Council members. When a policy is well established, with the three policy regimes guiding present and future goals, amendments are more difficult because it would be going against basic values already established by the policy.

To build a better food system, such as a national food plan (as supported by the NFU and FSC), and establish priorities to reach food sovereign goals, the following steps can be followed: 1) understand the food system as a whole and the implications of

planning decisions on that system (see also Huron Case; Sharpe, Caldwell, & Connell, 2015); 2) create goals and objectives that are not easily misinterpreted or amended by future terms of Councillors, by implementing goals and objectives deeply rooted in the three policy regimes; 3) implement a planning strategy that Councillors, local residents, and stakeholders share a vision in and want to see actualized; and, 4) create a planning strategy that, when followed, will help the area reach their goals in the future.

4.5 Future Research Contributions

This study contributes to the understanding of the role of government in the protection of agricultural land. Throughout this research, questions arose provoking opportunities for future areas of research to contribute to a better understanding of agricultural land use protection. Potential future research directions include the following:

1. Motivations and stakeholder influences on agricultural protection in Kings County are unclear. The Antigonish case identifies developers as the primary stakeholder, having the most power and influence (Cameron & Connell, 2014). In Kings County, assumptions can be drawn that Councillors have the most influence over the future of agricultural land, however they are often influenced by developers and farmers who want to sell their land for development. Future research on motivations for agricultural land use protection may help to strengthen agricultural policy. Critically important is to identify motivations of interest groups and stakeholders in the decision-making process in order to better guide the implementation of goals and objectives for agricultural policy.

2. One question arose often throughout this research; if the average age of farmers is steadily increasing, and youth are not being engaged in farming activities, for what purpose are we protecting agricultural land? Future research on ways to engage youth in farming practices is essential to understanding the future role of agricultural activities and the importance of agricultural land protection.

3. This research demonstrated that the Nova Scotia Provincial government is not applying policy cohesively across the Province. This led to the question of whether or not the Provincial government is indirectly supporting a pro-development culture through their lack of agricultural policy application. Future research on the motivations behind policy implementation, or lack of policy implementation, can lead to the better understanding of policy shifts in Nova Scotia and their impact on food sovereignty and farmland protection.

4. This research revealed that food systems may not be largely considered when land use decisions are being made. Food sovereign initiatives in relation to agriculture can be seen in Municipal policy in support of niche markets such as local wineries and hops farms, reducing importation of food in support of local agriculture, promotion of food co-operatives such as the CSA program, increased promotion for farmers' markets, and land use bylaws in protection of agricultural land. Governance of these initiatives can be facilitated through a food policy council or Municipal run organization. Future research of the impacts of land use on food sovereignty and connecting the land base to our food systems are an important next step in properly planning for our future.

4.6 Recommendations

Through this research, data was collected which revealed that the legislative framework on agricultural land use in Kings County is seemingly moderately strong, yet flexible, leading to a moderately weak framework overall. This thesis reveals that strong agricultural policy in the form of adopted legislation does not assure that agricultural land is being protected on the ground. With lack of Provincial oversight, local Councillors have the ability to change legislation in order to develop agricultural land. If this is the case in Kings County, then the situation across the Province would appear to indicate an even weaker agricultural land use planning framework. In light of this loophole, the following recommendations are presented:

1. Agricultural planning policy should be applied to all Municipalities across the Province. Without mandatory agricultural policy there is no cohesive protection of agricultural land across the Province, creating advantages and disadvantages for Municipalities (Williams et al. 2010). This recommendation is also made within the Antigonish case study (Cameron & Connell, 2015) and in *Preservation of Agricultural Land in Nova Scotia* (2010), recommendation 4.2.2 (p. iii). The Provincial government should define and renew the vision for agricultural to accomplish the ultimate goal of cohesive application of land use policy across the Province anchored by a more robust agricultural policy premised on revitalizing local food systems.
2. Agricultural land use planning would benefit from additional oversight from the Provincial government. The Province should provide greater governance leadership with

respect to decisions regarding the development of agricultural land. Currently, a great deal of policing of local government comes from local residents. The Province needs to be more involved in supporting local community priorities around the protection of agricultural land instead of leaving the bulk of the decision to individual Municipalities. In line with recommendations from the Antigonish case study, the wording of the SPI needs to be strengthened to encompass the protection of all agricultural land (Cameron & Connell, 2016). Oversight from the Provincial government can be applied through the legislative framework (through policy implemented by the *MGA 1998* and SPI), through forms of advice by current government branches or a new Provincial government entity. Providing information to Municipalities regarding the outcome of decisions to develop agricultural land will help put in motion better outcomes of development versus agriculture decisions.

3. With policy shifts happening in Kings County in light of a new MPS, opportunities are available for a stronger policy in line with farmland protection and food sovereign goals. The Municipality, Council, and local planners should take this opportunity to better understand how land use planning affects local food systems to better protect farmland for future generations.

4.7 Conclusion

Kings County is viewed as a Municipal leader in agricultural land protection as it has had policy in place longer than any other Municipality in Nova Scotia. Despite this, there are many areas where governance for agricultural protection can be strengthened. The range

of interest groups in Kings County make it difficult to properly protect agricultural land in a way that meets the needs or desires of everyone. While the MPS helps to regulate and guide agricultural land protection, the ability to amend the policy and go against the principle of protecting agricultural land means the decision to re-zone land for uses other than agriculture often falls into the hands of the Council.

Community resistance is often used in Kings County as a tool for protecting agricultural land. Without pushback from the community, more land would have been lost to development based on Council priorities. Unfortunately, this may not be a sustainable solution given the burn out that many citizens, activists and their organizations can succumb to. Therefore, rather than the community advocating for farmland protection, local planners need to take into consideration the overall food system and make planning decisions in line with future food sovereign goals. This may include identifying challenges in the local food industry, establishing a food policy council, and engaging stakeholders through a Municipal lead organization (Deloitte, 2013).

Currently, policy is changing within Kings County providing insight on the effects of policy shifts on agriculturally related legislation. While the MPS on its own is a strong document, the media analysis and interviews demonstrate that the ability to amend a legislative document based on stakeholder influence, personal bias, or outside influences can affect a policy over time, weakening its effectiveness at protecting agricultural land despite its strength.

This thesis provides an interesting snapshot in time regarding shifts in policy and the ability to properly protect agricultural land. Policy is still shifting at the Municipal,

Provincial and Federal levels. With change in policy comes the ability to implement stronger policy with food sovereign goals in mind in order to better protect our food sources for future generations. With the proper policy in place, it can be used as a tool by both the Municipality and the community to protect agricultural land in order to preserve/sustain a food sovereign Nova Scotia for future generations.

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Appendices

Appendix A: Statement of Provincial Interest Regarding Agricultural Land

GOAL

To protect agricultural land for the development of a viable and sustainable agriculture and food industry.

APPLICATION

This statement applies to all active agricultural land and land with agricultural potential in the Province.

PROVISIONS

1. Planning documents must identify agricultural lands within the planning area.
2. Planning documents must address the protection of agricultural land. Measures that should be considered include:

- (a) giving priority to uses such as agricultural, agricultural related and uses which do not eliminate the possibility of using the land for agricultural purposes in the future. Non-agricultural uses should be balanced against the need to preserve agricultural land;
- (b) limiting the number of lots. Too many lots may encourage non-agricultural development. The minimum size of lots and density of development should be balanced against the need to preserve agricultural land;
- (c) setting out separation distances between agricultural and new non-agricultural development to reduce land-use conflicts;
- (d) measures to reduce topsoil removal on lands with the highest agricultural value;

3. Existing land-use patterns, economic conditions and the location and size of agricultural holdings means not all areas can be protected for food production, e.g., when agricultural land is located within an urban area. In these cases, planning documents must address the reasons why agriculture lands cannot be protected for agricultural use (*MGA 1998*).

Appendix B: 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 its agricultural lands. An effective framework of policies, legislation, and governance structures presents an opportunity for local governments, which can then choose how much it wants 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)⁴. 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,

⁴ Connell, D. J. (2009). Planning and Its Orientation to the Future. *International Planning Studies*, 14(1), 85-98.

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.

i) 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 challenge. 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.

ii) 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.

iiiv) 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, 1998⁵). 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 co-ordinated 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.

iv) 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

⁵ Smith, B. (1998). *Planning for Agriculture*. Victoria: Agricultural Planning Commission.

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.

Appendix C: Media Analysis: Extracted Statements From Media Resources

Boomer, R. (2011, March 23). <i>Minister announces Greenwich re-zoning decision</i> . Service Nova Scotia and Municipal Relations. Retrieved from http://novascotia.ca/news/release/?id=20110323005		
Occurrence	Opinions	Other Important Notes
<p>Municipal Relations Minister John MacDonell, today, March 23, announced his decision to turn down an application to re-zone agricultural land in Greenwich to allow development.</p> <p>The application was rejected because the Municipality of the County of Kings did not demonstrate the need for the additional land.</p>	<p>"While I am satisfied by the municipality's explanation that they would do all that was necessary to protect the Town of Wolfville's drinking water supply, there was no demonstrated pressing need for development of this protected agricultural land," said Mr. MacDonell.</p>	
CBC. (2010, October 5). Farmland development ok'd for Port Williams. <i>CBC News</i> . Retrieved from http://www.cbc.ca/news/canada/nova-scotia/farmland-development-ok-d-for-port-williams-1.942098		
Occurrence	Opinions	Other Important Notes
<p>The Nova Scotia government will allow 24 hectares of farmland in Port Williams to be rezoned for development — half the size requested by local landowners. Two landowners asked the Municipality of the County of Kings to rezone 50 hectares of their properties for residential development.</p>	<p>"I was trying to strike a balance in that we are going to lose some of the agricultural components, but we also need to develop," - Ramona Jennex Opponents challenged the move, arguing that would threaten traditional farmland. Fred Whelan, warden of Kings County, said he doubts the landowners will be pleased with the province's decision.</p>	
CBC. (2012, February 13). Valley farmland stays, supreme court rules. <i>CBC News</i> . Retrieved from http://www.cbc.ca/news/canada/nova-scotia/valley-farmland-stays-supreme-court-rules-1.1191519		
Occurrence	Opinions	Other Important Notes
<p>Annapolis Valley farmers are prohibited from turning some of their farm land into commercial property development, the Nova Scotia Supreme Court ruled Monday.</p> <p>Kings County council originally approved the development. However, that was overturned by Service Nova Scotia and Municipal Affairs Minister John MacDonell.</p> <p>In a decision, Justice Arthur Pickup said MacDonell was within his rights to stop the development.</p>	<p>Elderkin argued the number of farmers willing to try to make a living off the valley's fertile agricultural land is dwindling.</p> <p>"This was a minister's discretionary decision being delivered to a municipal council as required by statute after meeting with municipal officials, and after the Director of Planning had advised the municipality of the issues arising during the staff review," Pickup wrote in his decision.</p>	<p>In making that decision, MacDonell was upholding a long-held Nova Scotia government policy that maintaining land in agriculture is in the provincial interest.</p>

<p>Elderkin and four other farmers applied in September 2009 to have some of their farmland re-zoned for residential and commercial use.</p> <p>Service Nova Scotia and MacDonell refused to allow the rezoning in March 2011 on the grounds the need to remove the land from agricultural use had not been sufficiently demonstrated.</p>		
<p>Delaney, G. (2012, February 13) N.S. supreme court upholds ban on Greenwich farmland development. <i>The Chronicle Herald</i>. Retrieved from http://thechronicleherald.ca/business/62477-ns-supreme-court-upholds-ban-greenwich-farmland-development</p>		
<p>Occurrence</p>	<p>Opinions</p>	<p>Other Important Notes</p>
<p>The Nova Scotia Supreme Court has dismissed an application by a group of Kings County farmers to review the province's decision prohibiting development of farmland in Greenwich.</p> <p>The landowners included long-time area farmers Peter Elderkin, Doug Hennigar, Harold Forsythe, Hal Stirling and Blomidon Nurseries owner Catherine Streach.</p> <p>They had applied to the county to rezone 152 hectares of land they own west of Wolfville. They requested a special comprehensive development district that would allow some mixed-use residential and commercial development of the farmland, which is protected under Kings County's planning bylaws.</p>	<p>The farmers say they are no longer using the land and need to develop it to reinvest in their current farm operations.</p> <p>The controversy caused heated debate, pitting farmland advocates, environmentalists and local food supporters against the farmers and the county, which approved the amendments, only to have the decision overruled by the province.</p> <p>They argued that he made it without giving them adequate opportunity to respond to his concerns, and that his written reasons were inadequate.</p> <p>"I am satisfied that the Municipal Government Act does not require the minister to consult with the public before making a decision," he wrote. "The fact that the minister did not invite or receive further submissions from these individuals did not violate the duty to fairness."</p>	<p>And he said the amendments conflicted with the province's statement of interest regarding agricultural land.</p>
<p>Harrison, Z.F. (2011, January 27). Annapolis valley farmland's future unsure. <i>Good Food Revolution</i>. Retrieved from http://www.goodfoodrevolution.com/annapolis-valley-farmlands-future-unsure/</p>		
<p>Occurrence</p>	<p>Opinions</p>	<p>Other Important Notes</p>
	<p>There are a handful of farmers sick and tired of being outside the official Hamlet, which leaves them without any hookup to water, sewage and</p>	<p>What a community land trust could offer to interest groups, is a central pool of</p>

	<p>other infrastructure, of which their immediate neighbours have full access.</p> <p>The County of Kings, a municipal body seeming to be very interested in increased tax revenue and developing infrastructure. It also seems to many in the region, to be a municipal body neglecting any sort of food insecurity Nova Scotia is bound to face as prime agricultural land is consumed and rezoned.</p> <p>So telling others what they can and can't do with their land is counter-culture.</p> <p>Letting a couple of current land owners make a call for generations to come is irresponsible as well.</p>	<p>resources and potential funding leads to purchase lands that are important to communities in one way or another.</p>
<p>Nova Scotia Business Journal. (2008, May 27). Rezoning reconsideration on Port Williams farmland. <i>Nova Scotia Business Journal</i>. Retrieved from http://www.dailybusinessbuzz.ca/National-Scene/2008-05-27/article-1890864/Rezoning-reconsideration-on-Port-Williams-farmland/1</p>		
Occurrence	Opinions	Other Important Notes
<p>Councillor Janet Newton, who represents Port Williams, said she gave notice of reconsideration after another councillor expressed regret at the vote that particular individual had cast.</p> <p>Dykeview and Riverview Farms submitted a Municipal Planning Strategy amendment to rezone and redesignate approximately 194 acres of land from Agricultural (A1) to urban zoning, to be included in the Port Williams Growth Centre.</p>	<p>The applicant farms, represented by Greg Coldwell and Earl Kidston, have spent over \$40,000 to-date on planners and Newton thinks it's unrealistic to ask them to wait another two years to have their application dealt with, especially considering that the current Port Williams growth centre is full and needs to expand. "The village commission has a vision for where we should go," she said. However, Atwater moved to refer the rezoning request to the SPS process. The motion carried.</p> <p>He said any growth has to have lasting economic benefits.</p> <p>He said the community has high nitrate levels and the water commission has asked them not to farm. "If you have any idea what Earl (Kidston) and I can do with the land, we'd be interested to know," he told councillors.</p> <p>Linda Best said, "we're reaching the point of an economic recession and it's not a great time to be spending money on development." She told councillors that should be a consideration and thanked them for looking at sending the matter to the SPS process so the community could have input.</p>	
<p>Starrat, K. (2011, July 24). Elderkin et al awarded costs in supreme court. <i>Nova News</i>. Retrieved from</p>		

http://www.novanewsnow.com/News/2011-07-24/article-2672206/Elderkin-et-al-awarded-costs-in-Supreme-Court/1		
Occurrence	Opinions	Other Important Notes
<p>"Kings County council approved the rezoning of approximately 380 acres of agricultural land between the Hamlet of Greenwich and the Town of Wolfville to create the Greenwich Comprehensive Development District in February. However, Service Nova Scotia and Municipal Relations (SNSMR) Minister and Agriculture Minister John MacDonell overturned the decision upon ministerial review March 23. filed a notice of judicial review with the Supreme Court of Nova Scotia April 27 appealing MacDonell's decision Justice John Murphy declined applications from No Farms No Food representatives Marilyn Cameron and Tom Cosman for intervener status in the case June 7. The matter was then adjourned to June 29 for any final filings or other outstanding issues and to determine what would be included in the record. The judicial review is scheduled for Oct. 3 in Halifax."</p>		
<p>Starrat, K. (2012a, February 13). <i>Supreme court upholds minister's decision, no rezoning for Greenwich farmland</i>. The Hants Journal. Retrieved from http://www.hantsjournal.ca/section/2012-02-13/article-2894465/Supreme-Court-upholds-minister%26rsquos-decision,-no-rezoning-for-Greenwich-farmland/1</p>		
Occurrence	Opinions	Other Important Notes
<p>The Nova Scotia Supreme Court has upheld a ministerial decision to disallow the rezoning of farmland in Greenwich.</p> <p>In handing down a decision Feb. 13, Justice Arthur Pickup said Service Nova Scotia and Municipal Relations Minister John MacDonell was within his rights to overturn an earlier decision by Kings County Council to rezone the subject property.</p>	<p>Pickup said he was not satisfied the minister's decision was unreasonable on the basis alleged by the applicants.</p>	<p>The goal, in the Statement of Provincial Interest Regarding Agricultural Land, is to "protect agricultural land for the development of a viable and sustainable agriculture and food industry." It goes on to state agricultural land is being lost to non-agricultural development and there are land-use conflicts between agricultural and non-agricultural uses. Planning documents must address the reasons why agricultural land cannot be protected for agricultural use.</p>
<p>Starratt, K. (2012b). Bishop: Greenwich farmland rezoning request about values. <i>Kings County News</i>. Retrieved from http://www.kingscountynews.ca/News/2012-04-08/article-2950026/Bishop%3A-Greenwich-farmland-rezoning-request-about-values/1</p>		
Occurrence	Opinions	Other Important Notes
<p>After years dealing with applications to remove farmland from the agricultural district in Greenwich, Kings County is dealing with a</p>	<p>The next generation is taking the farm on, he said, and they feel strongly about core values in agriculture.</p> <p>"We have no interest in using it for</p>	<p>This would be consistent with the Municipal Planning Strategy and the Provincial Statement of Interest Regarding</p>

<p>request to add land back in.</p> <p>Staff recommended the request be refused, which the committee voted to recommend to council.</p>	<p>residential,” Bishop said about the land in question. “We feel strongly about it being in agriculture and being zoned for agriculture.”</p> <p>He said the rezoning application is a way to state the family’s intentions to the county’s current and future planners.</p> <p>“It comes down to values,” planning manager Ben Sivak told the planning advisory committee. “There’s no clear path forward.”</p> <p>“We don’t see this as a matter of urgency,” Sivak said.</p> <p>Whalen called the agricultural land use debate in Greenwich and the staff recommendation to turn down the Noggins request “a model of inconsistency” in the planning department.</p> <p>Sivak said he feels his department has been consistent with large proposals involving agricultural land.</p> <p>Members of the public on hand for the planning advisory committee seemed to feel a golden opportunity to protect agricultural land has been missed.</p> <p>“The people of Greenwich have repeatedly come out against further development in our community,” she said. “This committee and council want everything to look like New Minas.”</p> <p>Tom Cosman, Greenwich, said he was “very bewildered” by the committee’s decision. He said the rezoning request is a selfless act by farmers who have the permanent, long-term benefit of Kings County in mind.</p>	<p>Agricultural Land. On the other hand, infrastructure investment in Greenwich and the Provincial Statement of Interest Regarding Infrastructure must also be considered. Municipal infrastructure in Greenwich has been sized to anticipate future development.</p> <p>He said the Kings 2050 regional planning exercise could provide an opportunity to consider the “broader context.”</p> <p>She said there are thousands of available building lots in the county. Adding, thousands of dollars have been spent on consultants working on planning considerations for Greenwich, but the community’s wish for a secondary planning strategy has yet to be recognized.</p>
<p>Wendland, S. (2010). The land that feeds. <i>Halifax Media Co-op</i>. Retrieved from http://halifax.mediacoop.ca/story/land-feeds/4344</p>		
<p>Occurrence</p>	<p>Opinions</p>	<p>Other Important Notes</p>
<p>A proposal to rezone 380 acres of active farmland in the hamlet of Greenwich, Kings County, has raised public concern over food security, cultural history, and sustainable community-planning in Nova Scotia’s</p>	<p>“Removing the agricultural district zoning will take away the Greenwich farms that helped build Kings County,” says Tom Cosman, a Greenwich honey farmer who believes the proposal is short-sighted.</p> <p>The proposal roused an immediate outcry</p>	<p>A report released Tuesday by the Nova Scotia Federation of Agriculture, in collaboration with the Ecology Action Centre, found that for every dollar spent on food in the</p>

<p>fertile Annapolis Valley.</p> <p>“The proposed development is intended to remove almost 75 per cent of Greenwich’s prime agricultural lands, which the current owners themselves claim to have been farmed for 700 years collectively,” states Marilyn Cameron, a Greenwich resident and active member of No Farms, No Food, a community coalition devoted to the protection and preservation of Nova Scotia farmland.</p> <p>Tensions were recently heightened in Greenwich when, on July 6, 2010, Kings Council voted to rezone 167.5 acres of prime farmland in the neighbouring village of Port Williams for residential purposes.</p>	<p>from several Greenwich residents who want to preserve the fertile farmland.</p> <p>“My soil could be considered prime if we were only talking about Nova Scotia, but globalization has put my land in competition with soils from all over the world. I have to compete with farmers from countries that have better soils, longer growing seasons, cheaper labour, and high government subsidies,” he relates. - Doug Hennigar.</p> <p>This needs to change, says MacLeod, who believes the province should prioritize food security and food sovereignty. “I think it’s important to retain the capacity to grow our own food here,” says MacLeod, who argues that a local agriculture system has environmental, social, economic and health benefits. “It doesn’t make any sense to depend on everyone else in the world to feed us.”</p> <p>many Kings County residents are irate that Kings Council used \$36,000 in taxpayer money to have consulting firm Environmental Design and Management Ltd. (EDM) process the contentious application. The resultant 20-page EDM report was submitted to the Kings Planning Advisory Committee in May 2010—it recommended that the “subject site be made available for development by creating a CDD and designating the area a new Growth Centre.”</p> <p>Hennigar says those opposed to the proposal are simply afraid of change. “They’re trying to preserve an agricultural past that is dead—they want to make this place an agricultural museum. We need to balance high-paying business opportunities while also preserving our best farmland. We’re an aging population, and we can’t have a successful regional agriculture if we don’t have a variety of solid employment opportunities for our youth.”</p> <p>MacLeod believes that farming, given proper support, could be a viable and sustainable employment opportunity for youth. “There are young people interested in farming, and interested in doing it differently,” she says, pointing to new</p>	<p>province in 2008, Nova Scotian farmers got 13 cents.</p> <p>If the application for rezoning continues to move forward, two readings at Council and a public hearing will be necessary before it is handed over to the provincial Minister of Service Nova Scotia and Municipal Relations, Ramona Jennex, for final approval. Jennex would then have 60 days to either reject or approve Council’s motion to develop the farmland.</p>
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	<p>models like Community Supported Agriculture (CSAs) and direct marketing.</p> <p>MacLeod says we need to support people who are farming now, and invest in programs that promote mentorship and learning for young and new farmers. She believes a long-term view is needed: “once you’ve built over land, you can’t get it back,” adding that Nova Scotia will need that land to feed itself in the future.</p> <p>“In a world with an ever-increasing population, the looming threat of peak oil, and shrinking farmlands, it is destructive to allow the loss of this agricultural resource,” says Cosman.</p> <p>“If the present owners don’t want to farm that land, it should be banked for farmers that do,” says Cameron.</p> <p>Regardless of the outcome, farmers need more support if land is going to be protected in the future, says MacLeod. “In many cases [the land is sold] to help fund farmers’ retirement plans,” she says.</p> <p>MacLeod asserts that if farmers had pensions, extended health care plans, and a viable income, they’d have more options when they stopped farming – and more people interested in picking up where they left off.</p> <p>“Put your energy into protecting the farmer and you’ll automatically protect the farmland,” says Hennigar. “Farmers only make up about 1.5 per cent of the Canadian population—we need help and support from the public.”</p>	
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Appendix D: Criteria For Evaluating The Legislative Content (Provincial 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).

Appendix E: Criteria For Evaluating The Legislative Content (Local 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 F: 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

**Appendix G: Analytical Framework For Policy Regimes At The Local Level:
Frequency**

		FARMLAND PRESERVATION			
		Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items
Level of Influence	High Influence	4 p	1 p		2 p
	Medium Influence		1 O		
	Low Influence	2 O	5 O 2 p		2 O

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

**Appendix H: Analytical Framework For Policy Regimes At The Local Level:
Themes**

		FARMLAND PRESERVATION			
		Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items
Level of Influence	High Influence	Priority to Agricultural Lands			
	Medium Influence		Agricultural Regulations Changing nature of Farming Average age of farmers increasing Support for agricultural land trusts Farming industry		
	Low Influence				

**Appendix I: Analytical Framework For Policy Regimes At The Local Level:
Document Identification**

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

		FARMLAND PRESERVATION			
		Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items
Level of Influence	High Influence	MPS	MPS		MPS
	Medium Influence		Kings 2050 Report		
	Low Influence	Kings 2050 Report	Kings 2050 Report MPS		Kings 2050 Report

		FOOD SOVEREIGNTY			
		Vision, Goals, Objectives, Recommendations	Driving Issues, Concerns	Regulations	Action Items

Level of Influence	High Influence				
	Medium Influence		Kings 2050 Report		
	Low Influence				

Appendix J: Email/Letter to Recruit Key Informants

Dear _____,

My name is Lindsay Clowes and I am a student in the Master of Environmental Studies program at Dalhousie University. For my thesis, I am conducting research that looks at policy and by-laws associated with agriculture and their influence on zoning and re-zoning of agricultural land in Kings County Nova Scotia/Inverness County. This research will create a clearer picture of the current integration and success of policy and how it is influencing the future of food security in Nova Scotia. While this study looks directly at Kings County, it is being used as a case study for a Canada wide study.

I have contacted you because your position of _____/experience with agricultural land use zoning/knowledge of the conflict in Greenwich NS. Your name was provided to me by _____/I got your name from *organization website*.

I am looking for community members who have connections, either personally or through their work, with agricultural policy and land use zoning.

If you are interested in being a part of my research, please contact me at: Lindsay.Clowes@dal.ca or 902-717-8188.

If you have any questions, please do not hesitate to contact me.

Yours truly,

Lindsay Clowes

Lead Researcher

Appendix K: Consent Letter for Interviews

Project Title: Agricultural land use development: A case study in Kings County Nova Scotia

Lead researcher:

Lindsay Clowes
School for Resource and Environmental Studies
Dalhousie University
6100 University Ave
Halifax, NS
Phone: (902) 717-8188
Email: Lindsay.Clowes@dal.ca

CONSENT FORM

Funding provided by: Graduate scholarships from the Social Sciences and Humanities Research Council (SSHRC).

Introduction:

We invite you to take part in a research study being conducted by Lindsay Clowes, who is a student in the Master of Environmental Studies program at Dalhousie University. Taking part in the research is up to you; it is entirely your choice. Even if you do take part, you may leave the study for any reason up until your data is analyzed. The information below tells you about what is involved in the research, what you will be asked to do and about any benefit, risk, inconvenience or discomfort that you might experience.

Please ask as many questions as you like. If you have any questions later, please contact the lead researcher.

Purpose and outline of the research study:

This research looks at the influence of the local, provincial and federal government on agricultural land use planning in Kings and Inverness Counties in Nova Scotia to better understand the future of agricultural land use in the province. This case study will be used to add context to the overarching project which encompasses this issue across Canada.

Who can take part in the research study?

In order to take part in this study you must be either a) a farmer, involved in policy at any level of government or c) be a community member involved in an organization related to agriculture or have personal experience with conflicts associated with agricultural zoning.

How many people are taking part in the study?

Approximately 10-15 people will be interviewed for the purpose of this study.

What you will be asked to do:

To help us understand the influence of government and policy on agricultural land use zoning we will ask you to take part in an interview. The interview will be conducted by the lead researcher and will take about 40 minutes. You may decide on the location of the interview, such as a farm, an office, or a café. During the interview, the lead researcher will ask you a series of questions. However, you are not required to answer every question. With your permission, the interview will be audio-recorded and notes may be taken.

Possible benefits, risks and discomforts

There are no anticipated direct personal benefits to you as a participant. Possible, but not guaranteed benefits are to gain insight into the project being conducted across Canada to help others to understand the current situation of agricultural land and agricultural related food security in Canada. Participation in the study is voluntary.

What you will receive for taking part:

No compensation or assistance with expenses is provided for participation in this voluntary study.

How your information will be protected:

Information that you provide to us will be kept private. In most cases, the information you provide will be available to the research team which includes the lead researcher (myself, Lindsay Clowes), the supervisor (Dr. Greg Cameron) and the project leader (Dr. David Connell). When the results of the study are presented and published, we will make sure that no information that identifies you is included. We will give you a pseudonym and remove any other identifying information. No identifying personal information will be revealed. The people who work with your information have an obligation to keep all research information private. Also, we will use a participant number (not your name) in our written and computerized records so that the information we have about you contains no names. Information obtained may be used in future research for the national project. All your identifying information will be kept in a separate file, in a secure place. All electronic records will be kept secure in a password-protected, encrypted file on the researcher's personal computer.

You are free to leave the study at any time. If at any time you decide to stop participating during the study, you have the option to decide if you want your contributions up to that point to be included or not. You may also decide to remove your data up to two months after your information has been provided. However, after that time it will be impossible to remove because it will have already been analyzed.

How to obtain results:

We will provide you with a short description of group results when the study is finished. No individual results will be provided. You can obtain these results by providing your contact information on the contact form.

Questions

We are happy to talk with you about any questions or concerns you may have about your participation in this research study. Please contact Lindsay Clowes at 902 717-8188,

Lindsay.Clowes@dal.ca or Dr. Gregory Cameron at 902-893-6228, Gregory.Cameron@dal.ca at any time with questions, comments, or concerns about the research study. If you are calling long distance, please call collect. We will also tell you if any new information comes up that could affect your decision to participate.

If you have any ethical concerns about your participation in this research, you may also contact the Director, Research Ethics, Dalhousie University at (902) 494-1462, or email: ethics@dal.ca

Appendix M: Interview Question Guide

Agricultural Land Use Planning in Canada A Study of Principles and Beneficial Practices for Integrating Public Priorities for Agriculture and Food across Jurisdictions

CASE STUDY INTERVIEW GUIDE

We are presently completing a case study of agricultural land use development in Kings County and Inverness County in Nova Scotia.

The general purpose of our research is to examine how the changing role and value of agriculture within Canadian society today might affect agricultural land use planning within and across national, provincial and local jurisdictions. Our aim is to formulate policy recommendations for agricultural land use planning across Canada that help to protect farmland and promote farming as the highest and best use of these lands.

As part of the case studies we are asking informed people like yourself to participate in an interview that will take about one hour. You have been identified as a person with knowledge of agricultural land use planning in your geographic area.

The main purpose of the interview is to obtain your feedback on information we have collected to date in our research process. We hope that you will be able to verify some essential facts and provide additional information where there are gaps. *[Review and sign consent form.]*

There are two parts to the interview. We'll talk first about the legislative framework that governs agricultural land use planning and then I'll ask questions about the political context that influences the land use planning process.

Part A: Legislative framework

[Note: The following questions are generic and apply to all of the case studies included in the national project. They are contingent upon the document review phase and what land use legislation may or may not be in place or being implemented locally and provincially at the time.]

To date we have identified the following agricultural land use plans and other related plans.

1. [gaps] First, could you please let me know if we have missed anything (such as policies, legislation, by-laws, or governance committees) related to agricultural land use planning in your area?

In this next set of questions we will ask about different aspects of the agricultural land use planning legislative framework. We want to get your feedback to help improve our understanding. We will then open up the discussion to ask how you think farmland could be protected better.

2. [stability] Based on our assessment thus far we have found *[describe the key elements of the AgLUP legislative framework that make it strong (i.e., useful and difficult to change)]*. In your opinion, do you think this is an accurate assessment?
3. [uncertainty] Based on our assessment thus far we also found *[describe elements of the AgLUP legislative framework that introduce uncertainty, e.g., ambiguous terms, statements that are left*

open to interpretation, or provide a way of going around requirements].
In your opinion, do you think this is an accurate assessment?

4. [integration] Based on our assessment thus far we have found [*describe the extent to which existing AgLUP legislative framework is integrated vertically with other legislation; describe how the local government agricultural plan goes beyond the minimum requirements as set by provincial policy*].
In your opinion, do you think this is an accurate assessment?
5. [comprehensive] Based on our assessment thus far we have found [*describe the extent to which the existing AgLUP legislative framework covers a range of elements of food systems (e.g., production, storage, processing, distribution, retailing)*].
In your opinion, do you think this is an accurate assessment?

Thank you, that provides me with a better understanding of the legislative framework for agricultural land use planning in your area.

6. Overall, what do you believe are the most beneficial aspects of this legislative framework for agricultural land use planning that helps protect farmland?
7. In what ways, if any, do you think the legislative framework should be changed?
Should elements be made more or less stable? Should aspects of uncertainty be eliminated or minimised? Should the level of vertical integration be strengthened or loosened? Should the scope be broadened or restricted?

Part B: Political context (policy regimes)

[Note: if the interviewee discusses the political context in response to questions 6 and 7 then consider their responses when asking the following questions.]

8. [influence] Based on our assessment thus far we have found [*describe the extent to which each of the three policy regimes influence agricultural land use planning in the site; describe each of the regimes as needed; refer to the Analytical Framework for Policy Regimes at Local Level results*]. In your opinion, do you think this is an accurate assessment?
9. [stakeholders] We have identified the following as groups and perspectives that have contributed to the agricultural land use planning processes in the area. [*provide list of groups and perspectives; refer to the Stakeholder Power-Influence Grid results*]
Are there any groups or perspectives that we have missed?
10. [accommodate multiple perspectives] To what extent do you believe the existing agricultural plans have integrated multiple perspectives such as those of citizens, local organisations, professional organisations representing farmers, and environmental groups?
11. [relative influence] In your opinion, do you believe that any one of the policy regimes – global competitiveness, food sovereignty, or farmland preservation – is more influential than the others or are they more or less equally influential?
12. [food sovereignty] To what extent have the relatively new ideas associated with food sovereignty changed agricultural land use planning? [*mention common aspects of food sovereignty such as the local food movement, three days of food supply on grocery shelves,*

anti-GMO crops and foods, preference for small-scale, sustainable agricultural methods, etc.]
Has food sovereignty changed the way people think about the local agricultural land base?

13. [practice] Do you know of specific instances when these policy regimes have resulted in beneficial agricultural land use planning outcomes? Or negative outcomes?

Close

14. Do you have any other comments that you'd like to share?

Thank you for participating in this interview.

Would you like to receive a copy of our report? [yes no]

Would you like to be added to our email list in order to keep updated on our progress? [yes no]

Appendix N: Kings 2050 Agriculture Goals

Identify and continue to protect valuable agricultural land.	<ul style="list-style-type: none">◆ Identify and prioritize agricultural lands for protection◆ Use regulations and programs, such as land banking, to protect agricultural land
Encourage a diverse blend of adaptive, dynamic farms and farming, reflecting a range of sizes, practices, production capabilities and products.	<ul style="list-style-type: none">◆ Identify agricultural sector priorities for future variations in farms and farming◆ Develop regulations that are flexible and enable existing and potential variations in farming - sizes, practices, production capabilities and products
Enable knowledge and business transfers between established farmers and new farmers.	<ul style="list-style-type: none">◆ Establish partnerships aimed at attracting and supporting new farmers, newcomers and youth in farming and related businesses◆ Enable farm succession and business transfer between established farmers and new farmers, newcomers and youth.
Become leaders in agriculture by creating a regional environment that supports innovation in a broad range of farming practices.	<ul style="list-style-type: none">◆ Establish partnerships aimed at attracting and supporting new farmers, newcomers and youth in farming and related businesses
Forge a deeper understanding of agriculture within the community through access to healthy, affordable, locally produced food.	<ul style="list-style-type: none">◆ Support initiatives that bring citizens and farmers together to discuss current and future agricultural needs in the community◆ Engage educational partners to support agricultural curriculum and learning within the school system◆ Identify locations for small-scale urban farming within communities

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