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May 13, 2015

Draft Guidelines on Permitted Uses
Food Safety and Environmental Policy Branch
Ontario Ministry of Agriculture, Food and Rural Affairs
1 Stone Rd. West, 3rd Floor
Guelph, ON N1G 4Y2

To: OMAFRA Food Safety and Environmental Policy Branch

RE: Draft Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas

Thank you for the opportunity to comment on the draft *Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas*. The Ontario Farmland Trust (OFT) brings a unique perspective to land use planning and related policy discussions, as the only province-wide organization with a mandate dedicated to supporting and advancing the protection of Ontario's rich farmland resources. Our Board of Directors and Policy Committee, who were involved in preparing this submission, includes farmers, planners and researchers, as well as other stakeholders from the land conservation and agricultural sectors.

First and foremost, we commend the Ministry of Agriculture, Food and Rural Affairs for developing these guidelines, which are critical for helping municipalities, decision-makers, farmers and others understand, properly interpret, and implement the policies in the 2014 Provincial Policy Statement on the range of uses permitted in prime agricultural areas. OFT supports the new language in the PPS that differentiates agricultural, agriculture-related and on-farm diversified uses, and the efforts being made by planners and policy makers at the provincial and municipal levels to be more intentional and proactive about fostering and supporting the viability of farms and agricultural businesses in communities across Ontario. It is very useful to have this guide that describes in more depth priorities, best practices, and examples that make PPS terminology, and its purpose and intent, more tangible. It is particularly valuable guidance for those planners and decision-makers who do not have familiarity with agriculture and don't understand the unique factors that need to be considered to effectively plan for the long-term vitality of Ontario's prime agricultural areas.

Generally, the Ontario Farmland Trust is supportive of the structure and content of the draft guidelines. We do have several concerns and comments to share, however, and hope they will help to inform the final review and refinement of these important guidelines.

Clearly Introducing the Concept of Prime Agricultural Land/Areas

Our first concern has to do with the introduction and initial set-up of the document. As the starting place for readers, it is very important to get this section right. It needs to be simple, clear and easy to understand. Currently the terminology in the first two paragraphs alone is confusing to the average reader. The term “Prime agricultural land” is introduced and described differently than the standard PPS definition. It is followed by a new term “prime farmland.” Then there is a description of “prime agricultural areas” that again doesn’t match the PPS definition and discusses soil Classes 1-3 (which should already be defined as prime agricultural land). Prime agricultural land and prime agricultural areas are foundational terms that need to be defined clearly upfront and used consistently throughout the document, in alignment with PPS definitions.

Further Guidance on Identification of Prime Agricultural Areas

There is another gap associated with definitions that is overlooked in these guidelines and needs further clarification from the start. Prime agricultural areas are defined as: “areas where prime agricultural lands predominate. This includes areas of prime agricultural lands and associated Canada Land Inventory Class 4 through 7 lands, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture.” There is no guidance from the Province on what is meant by *predominate*, *associated* Class 4-7 lands, *concentrations* of farms and *characteristics* of ongoing agriculture. How are these terms to be interpreted? Who decides what is an acceptable interpretation? How are lands and agricultural activities to be identified by municipalities? It would seem that this ambiguity leaves the door open for much working farmland to be excluded from prime agricultural area designations. Additional guidance is very much needed, and it is important to include at a time when new language has been added to the 2014 PPS explicitly requiring that municipalities identify and protect prime agricultural areas.

Articulating Core Principles

Naturally, the focus of much of this document is on permitted uses. The Ontario Farmland Trust has concerns, however, about how the extensive descriptions and discussion of permitted uses included in these guidelines may be misinterpreted as the Province allowing for and encouraging much more development in agricultural areas than has been in permitted in the past. Two priority principles should be presented more boldly in the introduction to better set the tone and communicate provincial interests:

- Prime farmland and prime agricultural areas are to be permanently protected for farming purposes,
- All types development that are not associated with primary farming operations should be directed away from these resource lands and located outside of prime agricultural areas wherever possible.

Directing On-Farm Development to Lower Capability Lands

With the principles above front of mind, the following, simple 3-step process should guide our thinking when considering of any development or change of use proposed on farmland:

1. Is the use being located in a prime agricultural area?
2. Is it a permitted use in a prime agricultural area?
3. *Is the use being located on prime agricultural land?*

The current guidelines downplay the third point: the impact on loss of prime agricultural land. This is a core principle that needs to be highlighted upfront and reiterated throughout the document. The guidelines should be clear that any new agriculture-related or on-farm diversified use, where possible, needs to be directed to lower Class 4-7 farmlands before considering a location on Class 1-3 land. This is especially important for on-farm diversified uses which may be completely dissociated with agricultural activities occurring on a farm or in an agricultural area. Planning processes need to direct the siting of such uses to lands of lower agricultural capability that will have the least impact on the loss of productive farming soils.

Limiting On-Farm Diversified Uses

OFT has additional concerns about Section 2.3: the guidelines for on-farm diversified uses. A number of the examples given in Figure 3 as on-farm diversified uses seem inappropriate, including manufacturing, fabrication, equipment repair, storage of boats and trailers and antique business. The guidelines should highlight acceptable and desired uses that have some association with agriculture, not give the impression that ‘anything goes’ in this category (eg. ‘farm equipment repair’ would be a better fit than simply ‘equipment repair’). Table 2 is even more concerning, showing that “all types” of commercial and industrial uses are permitted as on-farm diversified uses with “no restrictions on products or where they come from.” It is easy to glance at this table and miss the fine print about the need for such uses to be secondary to the principal agricultural use of the property and limited in scale. How will these figures and charts influence interpretation? Do they send the right message?

Limiting the Footprint of On-Farm Diversified Uses

OFT also feels that the ‘limited in area’ provisions for on-farm diversified uses suggest an excessive footprint and potentially large, negative impacts on agriculture. Imagining a non-agricultural use (eg. a warehouse, industrial facility or parking lot) that occupies a “maximum of one hectare,” in addition to other agricultural buildings and structures on a single farm site, seems to introduce the possibility for much loss of farmland, fragmentation of the function of the agricultural landscape, and conflicts between farm operations and these diversified on-farm activities. In both the short and long term there could be unintended localized and cumulative impacts that create difficulties for farmers and undermine the viability of agriculture.

Relationship to Other PPS Policies

OFT does support inclusion of Section 3 “Beyond Permitted Uses,” articulating the relationship between prime agricultural areas, settlement areas and other limited non-residential uses. This additional discussion of preliminary assessment, alternative locations, demonstration of need, and impact mitigation provides a helpful framework for evaluating and developing municipal policy that is sensitive to the unique needs of farming communities. It helps readers understand why and how to plan for conflicting land uses, and presents a straightforward rationale for protecting farmland: “settlement areas can be built on a range of soil and landscape types,” whereas, “agriculture depends on soil, climate and other fixed-location factors to be productive.” We strongly endorse firm urban boundaries and the use of agricultural easements along the rural-urban fringe/interface, as examples of mitigation measures municipalities should consider when addressing urban growth pressures on agricultural lands (page 41).

Thank you again for this opportunity to share the Ontario Farmland Trust’s concerns and comments on the draft permitted use guidelines. We invite discussion and welcome any questions you might have regarding this submission, and look forward to continued collaboration with the Province to strengthen the protection for Ontario’s irreplaceable agricultural land resources and diverse farming communities.

Sincerely,



Matt Setzkorn
Executive Director