



May 10, 2024

The Honourable Paul Calandra
Ministry of Municipal Affairs and Housing
Provincial Planning Policy Branch
777 Bay St., 13th Floor
Toronto, ON M5G 2E5

Dear Minister Calandra,

RE: ERO 019-8462; Review of proposed policies for a new provincial planning policy instrument

I am writing on behalf of the Ontario Farmland Trust (OFT) regarding proposed policies for a new provincial planning policy instrument, the proposed Provincial Planning Statement (PPS), 2024.

Ontario Farmland Trust (OFT) is a not-for-profit organization whose mission is to protect and preserve Ontario farmlands and associated agricultural, natural, and cultural landscapes. Ontario's prime agricultural land is a finite, non-renewable resource that comprises less than 5% of Ontario's land base. With the growing rate of farmland loss in the province, currently at a rate of 319 acres per day, it is more important than ever before that the province protects our prime agricultural areas. Ontario's farmland directly supports the agri-food sector, which is the largest economic sector in the province, employing more than 750,000 Ontarians along the supply chain and annually contributing over \$47 billion to the province's GDP. OFT protects farmland through direct land securement, stewardship, policy research and education in order to ensure a safe and sustainable agri-food sector for future generations.

Thank you for the opportunity to submit feedback on the proposed Provincial Planning Statement, 2024. OFT has played an active stakeholder role in other provincial land use planning policy reviews and is pleased to continue working with the Province to refine and strengthen land use planning in Ontario.

Summary of OFT Comments and Recommendations:

- **Additional Residential Units**
- **Agricultural System Planning**
- **Agricultural Impact Assessments**
- **Defining of Prime Agricultural Lands**
- **Intensification Targets**
- **Settlement Areas and Settlement Area Boundary Expansion**
- **Rural Lands**

Additional Residential Units (ARU)

OFT recognizes and appreciates the proposed Provincial Planning Statement (PPS) 2024's commitment to refining the guidelines around Additional Residential Units (ARUs) in prime agricultural areas. This revision, which removes the three-lot severances previously proposed, is a significant step in preserving the integrity and sustainability of these vital lands. The explicit prohibition of multiple lot creations in prime agricultural areas aligns with our mission to safeguard farmland for future generations.



In this regard, OFT urges strong guidelines that distinguish between farm worker housing and ARUs. It is imperative that bunkhouses or agricultural housing for workers continue to be recognized as agricultural uses, not ARUs, and taxed accordingly. This ensures that the essential housing needs of agricultural workers are met without compromising the agricultural value of the land.

OFT believes that additional clarity is needed in the policy to prevent unintended consequences. Specifically, we support the stipulation that only one new residential lot may be created per farm consolidation, incorporating any surplus residential dwellings along with their associated ARUs. This policy should be explicitly stated to prevent any misinterpretations that could lead to unnecessary subdivisions and potential farmland loss.

OFT recommends amendments to Policy 4.3.2.5 to provide greater clarity that in the case of a severance of a new residential lot as a result of farm consolidation, the new residential lot must include the surplus residential dwelling and any associated additional residential units.

Furthermore, the definition of "farm consolidation" should be added to the definitions section of PPS 2024. Varying interpretations of this term by different planning authorities can lead to inconsistencies in application. A clear, province-wide definition would provide necessary guidance and promote uniformity in planning decisions.

We believe these changes will not only protect our prime agricultural lands but also support the housing needs of multi-generational farm families and agricultural workers. This approach provides the flexibility needed for farm operations while strictly controlling the non-agricultural development that threatens these lands.

Agricultural System Planning

OFT strongly supports the proposed enhancements to the agricultural system planning framework within the PPS 2024. The requirement for planning authorities to adopt an agricultural system approach is a critical step in ensuring the preservation and enhancement of a geographically continuous agricultural land base. This systemic approach is fundamental to maintaining the viability and sustainability of Ontario's agriculture.

OFT strongly encourages updating the implementation guidelines for the agricultural system for municipalities, especially for those that have not previously implemented such measures outside of the Greater Golden Horseshoe. Clear and updated provincial guidance is essential to assist these municipalities in effectively integrating the agricultural system approach into their planning processes.

Furthermore, until the agricultural system is fully adopted across all relevant jurisdictions, it is imperative to address the vulnerabilities of lands currently designated as *Rural*. These areas, which could potentially qualify as prime agricultural lands, are at risk of being negatively impacted by existing rural policies, or proposed changes to such policies, and designations that do not reflect agricultural system planning.

The role of agricultural impact assessments (AIAs) in this context cannot be overstated. OFT strongly advocates for the widespread application of AIAs as they are vital in protecting agricultural uses and ensuring the continuation of normal farm practices. These assessments help in identifying opportunities to increase compatibility between agricultural and non-agricultural uses by prioritizing avoidance,



minimization, and mitigation of adverse impacts on agricultural operations. It is crucial that AIAs not only consider the broader agricultural system but also focus on the direct impacts on individual agricultural operations and lands. This dual focus will ensure a comprehensive understanding of potential impacts and more effective mitigation strategies.

Agricultural Impact Assessments (AIA)

OFT supports the requirement for AIAs as in the proposed PPS 2024. AIAs are crucial in safeguarding agricultural operations by ensuring that any new or expanding non-agricultural uses are carefully analyzed to avoid, minimize, and where necessary, mitigate adverse impacts on both the agricultural system and individual farm operations.

However, OFT has observed that the current framework for AIAs lacks the necessary specificity and enforcement to be fully effective. The responsibility for implementing mitigation measures often falls unfairly on the agricultural landowners, rather than on the proponents of development. This misalignment not only places an undue burden on farmers but also jeopardizes the integrity of agricultural operations.

To strengthen the role of AIAs, we propose the following amendments and recommendations:

- We urge the province to update the AIA guidelines and ensure they are readily accessible to all municipalities. These updated guidelines should clearly articulate the responsibilities of all parties involved, particularly emphasizing that the onus for mitigating impacts lies with the developers or proponents of non-agricultural uses, not the agricultural landowners.
- To eliminate any ambiguity regarding the responsibilities for mitigation, we recommend revising policy 4.3.5.2 to include language, such as, "all mitigation measures must be the responsibility of the development proponent."
- It is imperative that AIAs carry the necessary legal weight to enforce their findings. OFT encourages the inclusion of provisions that ensure AIAs are not merely advisory but are binding and enforceable, with clear consequences for non-compliance.

By enhancing the clarity, accountability, and enforceability of AIAs, we can ensure they serve their intended purpose of protecting Ontario's valuable agricultural lands from the pressures of incompatible land uses. These measures will help maintain the viability of the agri-food sector and ensure the sustainability of our agricultural resources for future generations.

Defining of Prime Agricultural Lands

OFT emphasizes the critical importance of accurately defining "prime agricultural lands" to ensure the comprehensive protection of our agricultural resources. While current land use planning prioritizes prime agricultural areas, which are primarily made up of prime agricultural lands being high-quality soils classified as Canada Land Inventory (CLI) Class 1, 2, and 3, it is crucial to acknowledge the value of CLI Class 4, 5, and 6 soils in supporting agricultural activities.

CLI Class 4 lands, while less optimal than Class 1-3 lands, still hold significant agricultural value and are often capable of supporting productive farming under proper management practices. The current exclusion of Class 4 soils from the definition of prime agricultural lands undermines their potential contribution and leaves them vulnerable to non-agricultural uses.



OFT recommends that the definition of Prime Agricultural Land be revised to mean specialty crop areas and/or Canada Land Inventory Class 1, 2, 3, and 4 lands

Furthermore, the definition of Prime Agricultural Area should therefore be amended to mean areas where prime agricultural lands predominate. This includes areas of prime agricultural lands and associated Canada Land Inventory Class 5 through 7 lands, and additional areas with a local concentration of farms which exhibit characteristics of ongoing agriculture. Prime agricultural areas may be identified by a planning authority based on provincial guidance or informed by mapping obtained from the Ontario Ministry of Agriculture, Food and Rural Affairs.

These revisions would not only reflect a more inclusive understanding of agricultural viability across different soil classes but also align with our province's ongoing efforts to ensure a robust and resilient agricultural sector in Ontario. By extending the protective scope to include Class 4 soils, we can safeguard more farmland from the encroachment of incompatible land uses, thereby supporting the sustainability and expansion of Ontario's agricultural capacity.

Intensification Targets

OFT is deeply concerned about the apparent dilution of intensification and density requirements in the proposed Provincial Planning Statement (PPS) 2024. The previous framework under A Places to Grow: Growth plan for the Greater Golden Horseshoe (APTG), provided clear density targets that helped protect rural and agricultural lands by directing growth to appropriate urban areas. The absence of such targets in the current proposal could significantly undermine efforts to contain urban sprawl and protect valuable agricultural resources.

The proposed PPS seems to lack a strategic vision for growth, appearing to allow for development in a more piecemeal and discretionary manner. This is a critical oversight, as without specific targets, municipalities may lack the direction necessary to effectively manage growth, potentially leading to unchecked urban expansion into prime agricultural lands.

OFT recommends strengthening intensification targets by mandating planning authorities to meet significant minimum targets for intensification and redevelopment within built-up areas. This approach not only supports sustainable urban growth but also protects surrounding agricultural areas from development pressures.

To further support high-density development, OFT recommends adopting the established mandatory density targets for all designated growth areas, particularly in large and fast-growing municipalities, as previously stated in APTG.

OFT advocates for the implementation of fixed urban boundaries to prevent the encroachment of development into agricultural areas. This measure would ensure that urban growth is concentrated within existing urban limits, utilizing vacant and underutilized lands more efficiently.

It is crucial that the language in the PPS 2024 reflects the obligatory nature of these policies rather than merely suggesting or encouraging compliance. The use of directive language such as "shall" instead of "should" or "encourage" will help ensure that these essential policies are implemented effectively and uniformly across all municipalities.



By reintroducing and emphasizing these intensification and density targets, the proposed PPS 2024 can provide a more robust framework for sustainable growth, protecting our agricultural lands and thereby securing Ontario's food security and agricultural future.

Settlement Areas and Settlement Area Boundary Expansion

OFT is deeply concerned with the current proposals regarding settlement areas and their boundary expansions as outlined in the proposed PPS 2024. The removal of intensification or density requirements coupled with Bill 185, which permits developers to propose new settlement area boundary expansions and appeal decisions, poses a significant risk to Ontario's agricultural land base.

OFT has a series of recommendations for enhancing settlement area expansion policies:

1. Reinstatement of Municipal Comprehensive Reviews (MCRs):
 - OFT strongly encourages the mandatory reinstatement of MCRs as a critical measure to manage and regulate settlement area expansions thoughtfully and systematically. This process ensures that expansions are based on demonstrated needs and are integrated into a broader strategic vision that includes intensive and redevelopment priorities within existing urban boundaries.
2. Fixed Urban Boundaries:
 - Consistent with our stance on preserving prime agricultural lands, OFT recommends fixed urban boundaries to prevent ad-hoc expansions that threaten these areas. Urban boundaries should only be expanded after a municipality has exhausted all reasonable options within existing limits, including the redevelopment of underused or vacant lands.
3. Mandatory Criteria for Boundary Expansion:
 - OFT recommends stronger policy language related to the criteria for boundary expansion, such as, "No settlement area boundary expansions shall be permitted unless all established minimum requirements for intensification and redevelopment within the existing built-up area have been met."
4. Criteria to be Demonstrated for Expansion:
 - Planning authorities must demonstrate, not just consider, that all alternative locations have been evaluated to avoid prime agricultural areas, and where unavoidable, that these expansions have minimal impact on agricultural operations. This includes strict adherence to Minimum Distance Separation (MDS) formulae and the impacts assessed through agricultural impact assessments.
5. Clarification and Strengthening of Language in Policy:
 - To ensure that these guidelines are not merely advisory but enforceable, OFT recommends reverting to the more directive language used in previous policy versions which require planning authorities to demonstrate the need and exhaust all alternatives before considering expansions.



6. Prohibition of Applicant Appeals on Municipal Decisions:

- OFT is strongly against the ability of a proponent of a settlement area expansion to have permission to appeal the municipality's decision. Instead, OFT proposes the elimination and complete prohibition of developers to appeal municipal decisions on settlement boundary expansions to the Ontario Land Tribunal (OLT). This measure would uphold the integrity of municipal planning processes and protect farmland by reducing speculative pressures on farmland surrounding settlement boundaries.

7. Minimum Intensification and Density Targets:

- As stated above, OFT recommends that the PPS and any related legislation enforce strict intensification and density targets before any development on farmland is considered. The PPS should mandate that planning authorities establish and maintain a minimum target of the number of residents and jobs per gross hectare in all designated growth areas, aligning with or exceeding APTG targets.

By reinforcing these policies, the proposed PPS 2024 could significantly contribute to protecting Ontario's agricultural land base from unsustainable urban sprawl and ensuring that growth is managed in a responsible and strategic manner. This approach not only preserves our valuable farmlands but also promotes efficient use of existing urban infrastructure, enhancing the sustainability and livability of Ontario's communities.

Rural Lands

OFT expresses significant concern regarding the treatment of rural lands in the proposed PPS 2024. The removal of critical language that previously encouraged the conservation and responsible development of existing housing stock and lands in rural areas is troubling. This change appears to promote development in rural areas rather than supporting the preservation of the existing rural landscape, which is integral to Ontario's identity and agricultural viability.

OFT strongly encourages the reinstatement of language that emphasizes the compatibility of development with the rural landscape. Development in rural areas should not only be contingent upon the ability to demonstrate servicing but should also be required to maintain or enhance the rural context of the area. This involves protecting the scenic and cultural values of rural landscapes and ensuring that any new development fits harmoniously within them.

OFT recommends the development of a comprehensive strategy for rural lands that goes beyond merely avoiding prime agricultural areas. This strategy should include stringent guidelines to ensure that all rural development respects and preserves the character of rural areas, including non-prime agricultural lands which are often critical for the overall ecological health and biodiversity of the region.

Current proposals seem to allow for scattered rural development across zones that are broadly defined as rural, many of which include prime agricultural lands. We propose stricter regulations to prevent rural areas from becoming fragmented and to maintain the continuity of agricultural operations. Until an agricultural systems approach is fully adopted, rural lands designated for agriculture, including prime agricultural areas, risk being compromised by current policies. OFT urges that rural policies be designed



to integrate seamlessly with an agricultural systems approach, ensuring that all rural lands designated or potentially suitable for agriculture are used in ways that support maintaining agricultural operations.

OFT recommends clarifying development standards to ensure that any new development in rural areas does not disrupt existing agricultural activities or the rural character of the area. This includes maintaining rural aesthetics, preventing unnecessary removal of natural features, and ensuring that infrastructure developments are sensitive to the landscape and community needs.

By adopting these recommendations, the PPS 2024 can better safeguard rural lands from inappropriate development and ensure that these areas contribute positively to Ontario's environmental, economic, and social fabric. Maintaining the integrity of rural landscapes is not only essential for biodiversity and ecological health but also for the cultural heritage and rural economy of Ontario.

Thank you for considering our submission, and our organization looks forward to the province's response.

Sincerely,

Martin Straathof, Executive Director
Ontario Farmland Trust

Cc: Margaret Walton, Chair of the Board of Directors, Ontario Farmland Trust
Hon. Lisa Thompson, Minister of Agriculture, Food & Rural Affairs
Hon. Rob Flack, Associate Minister of Housing
Trevor Jones, Parliamentary Assistant to Minister of Agriculture, Food & Rural Affairs
John Jordan, Parliamentary Assistant to Minister of Agriculture, Food & Rural Affairs
Matthew Rae, Parliamentary Assistant to the Minister of Municipal Affairs and Housing
John Vanthof, Critic, Agriculture, Food and Rural Affairs