



October 12, 2016

Cindy Tan
Manager

Land Use Planning Review

Ministry of Municipal Affairs and Housing
Ontario Growth Secretariat

Suite 425, 4th Floor
777 Bay Street
Toronto, Ontario
M5G 2E5

To the attention of Ms. Tan:

Re: Co-ordinated Land Use Planning Review 2016 – Proposed Changes to Provincial Plans (Environmental Registry Numbers 012-7194, 012-7195, 012-7197, 012-7198, and 012-7228)

Thank you for the opportunity to provide the Golden Horseshoe Food & Farming Alliance's (GHFFA) comments on the Co-ordinated Land Use Planning Review of the Growth Plan for the Greater Golden Horseshoe (Growth Plan), Greenbelt Plan (GBP), Niagara Escarpment Plan (NEP) and Oak Ridges Moraine Conservation Plan (ORMCP).

The GHFFA is a multiple partner alliance that enables the food and farming sector, as well as Regional and municipal government, to respond to agricultural issues from a broad, regional food and agricultural system perspective. The GHFFA is comprised of government representation from each of the Golden Horseshoe Regions, and the Cities of Hamilton and Toronto. There is also representation from the Ontario Federation of Agriculture, agriculture-related industry associations, non-profits and other stakeholders.

In preparing this response, the GHFFA has reviewed the proposed changes to determine how they relate to agriculture in the Greater Golden Horseshoe (GGH). As well, the GHFFA has reviewed the proposed changes in comparison to our requests in response to the recommendations of the “Planning for Health, Prosperity and Growth in the Greater Golden Horseshoe: 2015-2041”.

Overall, many of the requests made by the GHFFA can be seen in the proposed Plan policies. We commend the Province on the extent of policy reform that has been implemented throughout the four Plans. However, while the GHFFA acknowledges the significant policy changes and move towards harmonization found in the proposed Plans, there are still outstanding areas of concern that need to be addressed within the Provincial Plan review.

The GHFFA requests that the Province address the following in its amendments to the Provincial Plans:

1. Reduce the loss of prime agricultural land through growth management and intensification targets

The Province has proposed changes to the Growth Plan, increasing the greenfield density targets from 50 people and jobs per hectare to 80 people and jobs per hectare with some exceptions. We recommend that there be mandatory compliance with the densities and intensification targets and significant consequences for municipalities that choose to ignore them. Regions have expressed concerns on the capability to achieve these density targets, while being able to develop and service complete communities. Pushback is occurring to meet these aggressive targets. Communities should be held accountable when they do not make efforts to achieve intensification but at the same time consideration and care should be taken to allow for the distinctive character of smaller communities.

The Growth Plan also fails to impose fixed, permanent urban boundaries on settlement areas within the Plan. The Golden Horseshoe Food and Farming Alliance recommends that the Growth Plan adopt fixed, permanent urban boundaries for its settlement areas.

In addition we recommend that current urban boundaries and settlement area boundaries be frozen until the agricultural system mapping is completed and incorporated into Official Plans.

2. Harmonization of policy and definitions across the plans

Further harmonization of policy and definitions across each of the Provincial Plans is required. For example, all of the Provincial Plans should recognize the importance of the Agricultural System and provide supporting objectives and policy. This is currently missing from the proposed changes in the NEP. Each of the Provincial Plans should be consistent with the Provincial Policy Statement (PPS). Inconsistencies in definitions are still found between the PPS and policy language and permissions in the NECP, ORMCP and the Greenbelt Plan.

There continues to be inconsistencies across the four Plans in the permissions for existing agricultural and agricultural value-added uses in and adjacent to natural heritage features. For example, the proposed policies of the ORMCP continue to have restrictions for on-farm diversified and agriculture-related uses in the Natural Core, Natural Linkage and Countryside Areas.

The definition in the draft Greenbelt Plan for a *“residence surplus to a farm operation”* uses wording that differs from the 2014 PPS. Submissions on the first phase of The Coordinated Review, along with the Recommendations of the Advisory Panel on the Coordinated Review of the Growth Plan for the Greater Golden Horseshoe, the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan and the Niagara Escarpment Plan called for widespread use of common language and definitions from the 2014 PPS. In this instance, the wording **is not** the same as in the 2014 PPS.

The draft Growth Plan retains *“home business”*, *“home industry”* and *“home occupation”*, but it is not explained how these terms relate to *“agriculture-related uses”*, *“on-farm diversified uses”* and *“agri-tourism uses”*. For consistent implementation, clarity must be brought to the Plan.

In the ORMCP and the Greenbelt plan, *“Major development”* is defined as including a building with a ground floor area of 500m² (5,382ft² or approximately 50’ x 108’). On a modern farming operation, this would not be considered a large farm building. This restriction does not encourage modern farm practice or viability in the plan area and consideration must include farm buildings appropriate modern farm operations. It is not appropriate to restrict modern farm operations to the point that the farm is no longer viable.

As municipalities mirror the regulations in the ORMCP, this definition of *“major development”* has significant effect on farm buildings and structures within the municipality. This restriction also serves to deter agricultural growth and development in the Protected Countryside. Enabling farmers in the Protected Countryside to build farm buildings that serve their farm operation, without unnecessary building size limitations, will not create a free for all. These buildings will still be required to meet applicable municipal zoning and set back requirements. Livestock buildings will still be required to meet Minimum Distance Separation (MDS) requirements. And for agriculture-related and on-farm diversified uses, the Ministry of Agriculture, Food and Rural Affairs’ *Guidelines of Permitted Uses in Ontario’s Prime Agricultural Areas* will serve to limit building size. The GHFFA recommends that the definition of major development does not apply to farm buildings and structures.

The draft Oak Ridges Moraine Conservation Plan has no definition of *“residence surplus to a farming operation”*, *“rural areas”* or *“rural lands”*. These definitions should be added and align with the 2014 PPS.

The definition of *“wetlands”* in paragraph (c) of the draft Oak Ridges Moraine Conservation Plan contains additional language not found in the 2014 PPS. The GHFFA recommends the ORMCP *“wetland”* definition mirrors its counterpart in the 2014 PPS.

“Existing”, in an agricultural context (pages 24-25) can be construed as barring changes to crops grown or livestock raised, or even to the methodology used by the farmer to grow particular crops, or raise livestock. Agriculture is ever changing and adapting to market conditions, must adapt to changing customer preferences and evolving farming practices. All plans should contain language that clearly enunciates that nothing is intended to limit the ability of a farmer to change aspects their farming operation; crops grown, livestock raised or production practices, as long as the new activities fall within

the broad definitions of “*agricultural uses*”, and “*animal agriculture*”. The 2014 PPS revised its wording and deleted “existing” in reference to agricultural uses.

Harmonization does not always mean that the Plans should be exactly the same as they have been developed for different purposes. Specialty Crop Areas have been established in two areas of the Golden Horseshoe – the Holland Marsh and the Niagara Peninsula Specialty Crop Area. Care should be taken, however, that policies protecting the highly regulated Specialty Crop areas – which are unique to those highly productive lands – are not brought to the lower standards of protection of the remaining agricultural lands in the Protected Countryside.

The GHFFA encourages the Province to continue its harmonization of definitions and policy throughout the Provincial Plans to be consistent with the PPS and extend the consistency and harmonization where appropriate to other provincial plans and policy (e.g., Source Water Protection Plans, Drainage Act, Lake Simcoe Protection Plan, Great Lakes Protection Plan).

3. Reduction of Regulatory Burden

Harmonization alone will not reduce the frustration level experienced by agricultural operators or food business owners who try to build, expand or change their farming or food businesses. There continues to be too many layers of approvals and conflicting goals between provincial policies and agencies and municipal levels of government. In the **Golden Horseshoe Food and Farming Action Plan 2021**, the Alliance advocates for the strategy to “Harmonize regulations, provide “one-stop” shopping for approvals and create an “open for business” environment.

We believe that this government wishes for the same strategy for business in Ontario. And yet, time and time again, there are examples of costly delays, conflicting messaging and unaccountable levels of red tape tying the hands of those who wish to contribute to the economy of this province. These instances occur right across the plans in the implementation of policy and action must be taken to streamline approval processes, build in more accountability for timely decisions and increase collaboration with agencies such as the Niagara Escarpment Commission and municipalities.

4. Building Complete Communities

The GHFFA encourages the Province to strengthen growth management through intensification and density policies and targets to both protect and reduce the loss of agricultural land. If growth management and intensification is to be successful, strategic provincial and regional investments in infrastructure are needed to support the development of complete urban and rural communities and ensure that intensification is supported. Along with priority given to protection of agricultural lands, rural community infrastructure is needed to support a viable agricultural industry.

The proposed policies acknowledge the need for rural communities to have diversified economies to be able to support residents and businesses. The policies direct growth to the rural settlement areas and protect prime agricultural and specialty crop areas from conflicting non-farm uses which could impact and limit agricultural operations. Consideration must be given to the location of agricultural support businesses which form part of the agriculture system.

In the Growth Plan, Policy 3.2.5 (Page 33) speaks to infrastructure corridors but does not mention local distribution networks for natural gas, electricity and municipal water to support and enhance agricultural growth. The future viability of agriculture within the Growth Plan's area depends on agriculture's access to natural gas, electricity and municipal water.

Proposed Growth Plan policies (i.e., Section 2.2.1.3.d).iv) now acknowledge access to local foods and urban agriculture, as part of planning for and building of a complete community. Guidelines should be developed for municipalities to encourage local food production on publically owned lands through community gardens and other urban agriculture projects. Developers within communities should be strongly encouraged to include urban agricultural projects as part of their developments.

5. Supporting Agriculture

The GHFFA strongly supports the identification of an Agricultural System for the Greater Golden Horseshoe. However, as the proposed policies and mapping relating to the Agriculture System will translate into land use designations, the components that comprise the agricultural land base and Agricultural Support Network need to be further defined and clarified. The Agricultural System policies should retain some ability for municipalities to refine provincial scale mapping at the local level and to implement local technical studies and strategies to best support local needs with respect to land use designations. We feel that lands designated in an agricultural system should be given the same level of protection as lands designated in the natural heritage system.

More information and clearer policy direction is required on the Agricultural System. This includes:

- ☐ Confirming how prime agricultural areas will be identified through a Provincial Land Evaluation and Area Review (LEAR). Such as:
 - Whether and how Regional differences will be acknowledged through the factors and weighting that are selected; and,
 - Whether and how municipalities will be able to refine the Provincial mapping using LEAR's which may utilize different factors and weighting.
- ☐ Clearer guidance on how municipalities are to define, refine, maintain, enhance and consider the Agricultural Support Network in planning decisions. Specifically, when this network reaches beyond the Greater Golden Horseshoe and municipal jurisdictions.
- ☐ The need to identify how urban agricultural lands and its support network will be recognized, enhanced and protected as part of the Agricultural System. More guidance is needed if the Province intends to promote urban agriculture as a land use.
- ☐
- ☐ Consideration should be made for the identification and inclusion of new specialty crop areas through the LEAR process. Municipalities would be able to offer the highest level of protection to their most valuable agricultural lands by a designation of "Specialty Crop Area". This designation would prevent conflicting use on many more acres of agricultural land.
- ☐ In the draft Greenbelt Plan (3.1.2.1 [Specialty Crop] and 3.1.3.1 [Prime Agricultural Areas]) the wording "normal farm practices and a full range of agricultural, agriculture-related and on-farm diversified uses are supported and permitted" is used. This is not the same wording as found in PPS

Policy 2.3.3.2, which states, “in prime agricultural areas, all types, sizes and intensities of agricultural uses ...”. Considering the Plan’s Vision Statement asserts that protection “against the loss and fragmentation of the agricultural land base and supports agriculture as the predominate land use”, and lists its agricultural viability and protection goals first under the Protected Countryside Goals, the weaker language that follows in 3.1.2.1 and 3.1.3.1 is unacceptable. It undermines the Plan’s Vision and Goals statements. The GHFFA recommends that the PPS wording, “all types, sizes and intensities of agricultural uses ...” be used instead.

We acknowledge the benefits for agricultural land protection from the Greenbelt Act and the Greenbelt Plan. Nevertheless, the ability of agricultural operations in the Protected Countryside to remain viable and competitive with agricultural operations elsewhere cannot be compromised. We believe the agricultural land protection policies in the Greenbelt Act and the Greenbelt Plan are sufficient protection from development of these lands. Artificial “protection”, by barring the extension of critical services such as natural gas, electricity or municipal water, is detrimental and unnecessary. The GHFFA recommends that any and all prohibitions against extension of natural gas, electricity or municipal water into the Protected Countryside be removed from the Greenbelt Plan.

The GHFFA requests that training be provided for the provincial “Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas” to assist municipalities with mostly urban planners to identify and implement components of the proposed Agriculture System consistently and appropriately at the municipal level. The GHFFA is concerned that policy interpretation and implementation at the municipal level for on-farm diversified, value-added and agriculture-related uses within the GGH will differ between municipalities and from the rest of the Province, placing these agriculture and agriculture-related businesses at a competitive disadvantage.

The GHFFA also requests that any requirement for implementation of the Agricultural System at the municipal level be deferred until finalized Provincial guidelines for implementation is made available. As there are considerable changes within the proposed Plan revisions, the GHFFA requests that the Province provides transitional policies to enable municipalities to properly work with the Province to identify an Agricultural System and to come into conformity with the Provincial Plan changes.

6. *Supporting Agriculture in the Rouge Park*

Current language in the Greenbelt plan regarding the Rouge Park has actually fragmented the agricultural lands with the requirement for 600 metre corridor along the banks of the Rouge. This direction ignores the balance that is to be struck in the Park between Natural Heritage Features and Agricultural Lands. Language in the Greenbelt Plan should reflect the federal directives in the Rouge National Park Management Plan

7. *Agricultural Impact Assessments*

The Province needs to develop sound, evidence-based guidance for Agricultural Impact Assessments (AIA) and mitigation measures, as this is needed from the Province for municipalities to be able to implement

and defend best practices and mitigation recommendations required through policy. As there is a high probability that growth density targets will lead to high, dense growth abutting prime agricultural areas, mitigation that includes strong edge planning policy and guidelines from the Province is required. Agricultural Impact Assessments should also include negative impacts on the agricultural support network.

The GHFFA requests that the Province's "Minimum Distance Separation Formulae Review - 2015" be finalized to assist municipalities in the implementation and review of AIA's.

8. *Transportation*

The policies on transportation (3.2.2; Page 31) include no reference to the use of the road system by agricultural equipment. Farmers depend on access to Ontario's road system to move farm equipment and supplies. Modern farm equipment is wider than most other vehicles using our roads. Roads, bridges and traffic circles, in areas where farming is an ongoing activity must be designed to accommodate farm vehicles. Potential impediments to the free movement of farm vehicles can include hard 90° curbs on roads, narrow traffic circles and bridge railings close to the edge of the traveled surface. Municipal planners and transportation engineers need design standards that facilitate the free movement of farm vehicles. We recommend that design guidelines for roads, bridges and traffic circles that allow for the free movement of farm vehicles be developed. Policies referencing "*complete streets*" ensure that farm vehicle needs are fully accommodated on all roadways used by farm vehicles. The long-term viability of agriculture depends on farmers' full and free access to Ontario's road network.

9. *Protecting Natural Heritage and Water*

The Greenbelt Plan recognizes two specialty crops areas within its boundaries, the Niagara Peninsula Specialty Crop Area and the Holland Marsh Specialty Crop Area, and purports to support agricultural viability not only in its Specialty Crop Areas but also across the agricultural lands within Protected Countryside. Policy 3.2.5.9 (Page 28) would limit this provision solely to the Niagara Peninsula Specialty Crop Area. As worded, this policy is unacceptable. Policy 3.2.5.9 must apply equally to both the Greenbelt Plan's Specialty Crop Areas and also to its agricultural lands within the Plan's Protected Countryside.

Policies for lands adjacent to key natural heritage features in the Growth Plan (4.2.4.4; Page 44-45), particularly (b) and (c) are more restrictive than the parallel policies in the Greenbelt Plan. Why are the draft Greater Golden Horseshoe Growth Plan's policies for lands adjacent to key natural heritage features stronger than parallel policies in the Greenbelt Plan? Harmonization should occur to reduce confusion with interpretation.

The GHFFA encourages the Province to develop and provide sound, evidence-based guidance when establishing policies for agricultural uses and agriculture-related building and structures from natural features and within the natural heritage system.

Policy 3.2.5.7 (Page 27) pertains to the 30 metre (100ft.) setback from key Natural Heritage features. While we understand the rationale for this policy, in the case of woodlots and agricultural buildings, siting these structures closer to the edge of the woodland maximizes the agricultural use of the farmer's land. Requiring that a barn or other agricultural building be 30 metres out from the edge of a woodlot needs to be reconsidered. Agricultural viability is a primary vision and goal of the Plan. Efficient use of lands that comprise a farm contributes to farm viability. The GHFFA recommends that Policy 3.2.5.7 be amended to allow agricultural buildings and structures to be located as close as possible to the drip line of a woodlot. With respect to the "natural self-sustaining vegetation" requirement, The GHFFA supports the provision that "natural self-sustaining vegetation" not be required for lands used for agricultural purposes. This vegetation often encourages disease, weed and pest habitat not suitable for abutment to agricultural crops.

Policy 3.2.5.8.(c) speaks to locating agricultural buildings or structures as far as possible from key natural heritage or hydrologic features, and within the cluster of existing buildings. The Minimum Distance Separation Formulae (MDS) can dictate that the location of new farm building be outside the cluster of existing buildings in order to comply with the formulas' calculated separation distance. "As far as possible" from a key feature will lead to inefficient use of land. Policy 3.2.5.8.(c) needs to reflect these realities. The GHFFA recommends deleting "clustered with existing buildings and structures" and "to the maximum extent possible" in relation to new agricultural buildings and structures.

The environmental impact study criteria for key natural heritage or hydrologic evaluations for new or expanding agricultural buildings or structures, needs to be reviewed and further simplified to make implementation clearer and consistently applied across both the Greenbelt Plan and Oak Ridges Moraine Conservation Plan areas. The equivalent of such evaluations, as proposed in GBP policy 3.2.5.8 and 3.2.5.9, should not be requested to be submitted, if the intent is to reduce regulatory burden.

The GHFFA requests that the definition of 'intermittent stream', in each of the Provincial Plans, be revised to specifically exclude agricultural swales, roadside ditches or municipal drains from the definition. Drains constructed under the Drainage Act, should be considered as agricultural infrastructure within the Agricultural Support Network, and not as an intermittent stream.

Policy 3.2.5.9.(c) establishes a vegetation protection setback of 15 metres (50') for "agricultural swales, roadside ditches or municipal drains". The existing 30 metre vegetation protection zone unduly impacts the viability of the small farms that predominate in specialty crop areas. A maximum vegetation protection setback of 3 metres (10 ft.) is sufficient to ensure an agricultural building or structure would not negatively impact an agricultural swale, roadside ditch or municipal drain. Also of great importance is establishing a clear definition for these terms. At least one municipality intends to view all agricultural swales, roadside ditches and municipal drains as key hydrologic features. This interpretation is unacceptable.

10. Excess Soil Management

The GHFFA supports the development of Provincial guidance to address the appropriate use of excess soil on agricultural lands through soil reuse strategies and integrating soil management practices into planning

approvals. The proposed Provincial Plan policies should align to support the guidelines and the 'Excess Soil Management Framework' currently being proposed by the Province.

11. Aggregate Extraction

The GHFFA supports the need for long term planning for aggregate extraction for growth and infrastructure renewal. All Plans must have stronger direction and restriction for the location of pits and quarries on Prime Agricultural Areas, Specialty Crop Areas And Prime agricultural lands. Additionally, similar protection that is currently afforded to natural heritage features in aggregate extraction, should be extended to Prime Agricultural Areas.

12. Consultation and Public Engagement

The GHFFA requests that the Province consult directly with the GHFFA, its Planning and Economic Development Working Group, agricultural stakeholders and effected municipalities to develop, map and implement the Agricultural System. As well, the Province should consult with the GHFFA and these stakeholders on provincially led agricultural guidelines such as for the AIA's, and approaches to agricultural mitigation.

As for Growing the Greenbelt, a transparent process should be developed to help the province and municipalities decide if, how and when additional lands will be added to the Greenbelt. Currently, it appears that municipalities will have no say in additions. This process undermines local input.

13. Niagara Escarpment Plan and Niagara Escarpment Commission

In our previous submission, the GHFFA asked for the dissolution of the Niagara Escarpment Commission. As there seems to be no appetite in this government for such a move, we strongly urge that structural change occurs within the Commission that would create a new level of partnership and trust between landowners, municipalities and the Commission. This change would require opening of the Act to help modernize, simplify and bring the NEC in line with Provincial Policy.

Much progress has been seen in term of harmonization of definitions and policies for agriculture in three of the plans. We do not see that same effort in the NEC plan. There is much more work to be done to ensure that the Plan area enables and encourages all aspects of agriculture and promotes a living and working countryside that still protects the features of the Escarpment. This includes, but is not limited to, the exclusion of the identification of an Agricultural System and differences for the permissions of existing agricultural uses in the natural heritage system. It is recommended that the NEC make more of an effort to align policy with the PPS.

The GHFFA calls for *Increased efficiency of development application review times by Commission staff.*, A service review should occur to modernize and streamline the development application process with the many agencies involved. Municipalities should be utilized more to help the Commission in the exercise of their duties. This would prevent the high level of frustration currently experienced by farm businesses and value added enterprises wishing to expand or diversify operations within the NEP.

Proposed expansion of NEC plan lands to help “Grow the Greenbelt” is being proposed without the support in principle or financially from the municipalities involved. If expansion is considered, it should occur with the policies of the Greenbelt plan which is less regulated than the NEP.

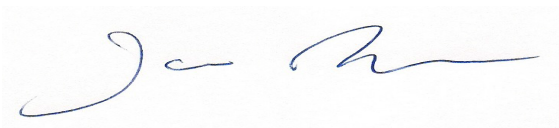
Finally....

The proposed removal of approx. 650 parcels of land from the Greenbelt will only serve to undermine the intent of the Greenbelt in the protection of natural heritage and agricultural lands. Lands must not be allowed to be removed for development or any other purpose. Public confidence in the Greenbelt must be assured for it to be an effective tool to prevent fragmentation of agricultural lands.

The mandate for the Golden Horseshoe Food & Farming Alliance can be found in the ‘Golden Horseshoe Food and Farming Action Plan, 2021’ (foodandfarming.ca). This Action Plan identifies pathways for a more integrated and coordinated planning approach to food and farming viability to ensure that the Golden Horseshoe retains, enhances and expands its role as a leading food and farming cluster.

The Golden Horseshoe Food & Farming Alliance hopes that our response to the Province’s Co-ordinated Land Use Planning Review will be taken into consideration by the Province as it represents extensive consultation with our membership.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jamie Reaume', is placed over a white rectangular background.

Jamie Reaume, Chair
Golden Horseshoe Food & Farming Alliance