



## Ontario Agri Business Association

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Re: Land Use Compatibility Guidelines Comments

The Ontario Agri Business Association (OABA) is a voluntary trade organization representing the interests of crop input supply businesses, country and terminal grain elevators, feed mills, and allied businesses operating out of some 500 locations throughout Ontario representing \$15.2 Billion in annual sales. Member firms of the Association provide essential products and services to primary producers of grains, oilseeds, livestock, poultry and other agricultural commodities, and are committed to serving the needs of this important segment of the Ontario economy. In addition to the significant commitment of supplies and services, member firms also exhibit a significant financial commitment to the province by providing direct employment opportunities throughout rural Ontario to some 8,000 individuals, and essential support to thousands of downstream jobs throughout Ontario's agri-food system.

OABA is pleased to provide comments on the proposed changes to the Land Use Compatibility Guideline.

OABA is supportive of the efforts of government to update the guidelines used to make land use planning decisions in the province. OABA members have often found themselves in situations where growth of the local community has over the course of time encroached on their facilities and have forced these companies into significant and costly mitigation efforts. A clear process needs to be in place that removes some of the responsibility on businesses to challenge development proposals. This can put the established businesses in a difficult position, opposing economic growth in their local community.

OABA and its members are overwhelmingly supportive of local economic growth, but growth needs to be a measured approach that takes into consideration established businesses, environmental, health and safety considerations of the community and ensure any negative impacts on established businesses of future encroachment are fully understood by planning officials and mitigated, as best applicable.

The Area of Influence approach to managing planning decisions should be an effective approach to help manage planning issues. Compatibility studies also need to incorporate potential growth and expansion by the established business facility and how encroachment of sensitive land use within the Area of Influence may impact those plans. The guidelines need to be clear that the land use change proponent must be responsible for the costs with any mitigation requirements, on or off-site, required to complete a compatibility agreement.

*"Representing the Crop Input, Grain and Feed Industry"*

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Currently, setback distances for ag-retail facilities are not prescribed by the provincial government, and many municipalities do not have established municipal setback standards. The agriculture sector has a long history of self-regulating it's self with a specific focus on environmental, health and safety exposure in the communities they operate in. An example of an industry standard in practice is Fertilizer Canada's Anhydrous Ammonia Codes of Practice<sup>1</sup>. Ag-retail facilities that carry and store fertilizer products like anhydrous ammonia, which can present a significant exposure risk, if not handled and stored correctly, are required to be built at a setback distance of 1.5 km from any other commercial, residential, or community facilities. This is an industry established, science-based standard that ensures the safety of the entire community. Compliance with the standard is mandatory for all ag-retail facilities storing anhydrous ammonia in Canada and is strictly enforced through a third-party auditing process where only facilities that pass a biennial audit are permitted to receive product shipments from manufacturers.

However, this industry established standard for setback distances has not been reflected in provincial or municipal land use guidelines or zoning by-laws. As a result, some existing ag-retail facilities are being encroached upon when other commercial, residential, or community facilities are approved and built at distances less than the recommended 1.5km setback, which in turn can restrict the future expansion capacity of the facility, hindering long-term economic growth.

With the release of these Land Use Compatibility Guidelines, the Ontario government has an opportunity to provide consistent guidance to municipalities to respect the recommended setback distances for anhydrous ammonia retail facilities, or by issuing non-binding guidance to municipalities officially recommending the setback distances be considered in zoning decisions.

Thank you for the opportunity to submit these comments. If you have any questions feel free to contact me [ron@oaba.on.ca](mailto:ron@oaba.on.ca)

Respectfully submitted,

ONTARIO AGRI BUSINESS ASSOCIATION



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1. Anhydrous Ammonia Code of Practice (<https://fertilizercanada.ca/wp-content/uploads/2015/07/Fertilizer-Canada-Anhydrous-Ammonia-Code-of-Practice-Final.compressed.pdf>)