

June 29, 2021

Mr. Sanjay Coelho
Ministry of the Environment, Conservation and Parks - Environmental Policy Branch
40 St Clair Avenue West, Floor 10
Toronto, ON M4V1M2
Sent via email to: mecp.landpolicy@ontario.ca
and submitted online via Environmental Registry of Ontario (ERO)

Dear Mr. Coelho,

RE: ERO # 019-2785: Proposal to update Land Use Compatibility Guideline

The Ontario Federation of Agriculture (OFA) is the largest general farm organization in Ontario, proudly representing more than 38,000 farm family members across the province. OFA has a strong voice for our members and the agri-food industry on issues, legislation and regulations governed by all levels of government. We are passionate and dedicated to ensuring the agri-food sector and our rural communities are included, consulted and considered in any new and changing legislation that impacts the sustainability and growth of our farm businesses.

Ontario's diverse and innovative agri-food sector is a powerhouse for the province – growing and producing more than 200 farm and food products, fuelling our rural communities and driving the provincial economy by generating more than 860,000 jobs and contributing over \$47 billion to Ontario's annual GDP. We are the leading agricultural advocate for Ontario farmers, their businesses and their communities.

OFA is pleased to provide our comments on the proposed updated Land Use Compatibility Guideline. In general, OFA is supportive of the proposed updated Guideline. This Guideline will help municipalities and planning authorities plan sensitive land uses and major facilities. Following this Guideline should help to avoid or minimize and mitigate potential adverse effects from odour, noise, dust and other contaminants.

However, OFA strongly recommends the proposed Guideline be revised so that cannabis production is not named as a "Major Facility". Under the Provincial Policy Statement (PPS), the definition of a Major Facility "means facilities which may require separation from sensitive land uses, including but not limited to airports, manufacturing uses, transportation infrastructure and corridors, rail facilities, marine facilities, sewage treatment facilities, waste management systems, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities." OFA believes that no production of any agricultural product belongs on that list.

OFA believes that licensed cannabis production, for medical and/or recreational-use purposes, should be considered a farming activity; and that all levels of government and their agencies should treat income, workers, and facilities in connection to the growing of cannabis consistent with the treatment applied to other farm activities.

Because cannabis production is an agricultural crop, OFA requests that the term “Cannabis Production and Processing Facilities” defined as “Indoor cannabis production facilities that are located in a settlement area on lands that are zoned for industrial uses; and all cannabis processing facilities” be removed from the table on page 23 of the proposed Guideline, and from all other references throughout.

Listing the production of an agricultural crop as a Major Facility under the PPS definition could set a precedent for other types of agricultural crop production to be defined in this manner as well, and thus make them subject to additional Area of Influence studies and associated setbacks. This would introduce a new regulatory burden and cost to our Ontario farmers.

Further, in Appendix K, on page 128 of the Guideline, language is provided which indicates that “Cannabis production facilities may be considered agricultural uses (e.g., the growing of crops and associated value-retaining uses) and are therefore subject to PPS, 2020 policies 2.3.3.2 and 1.1.5.2 d) respectively, which permits agricultural uses and normal farm practices in accordance with provincial standards in prime agricultural areas and on rural lands.”

OFA requests that this wording be made definitive such that it states: “Cannabis production facilities are considered agricultural uses.”

We appreciate the opportunity to provide comment on the proposed Land Use Compatibility Guideline and look forward to these changes being made in the final version.

Sincerely,



Peggy Brekveld
President

cc: The Honourable Dave Piccini, Minister of Environment, Conservation and Parks
The Honourable Lisa Thompson, Minister of Agriculture, Food, and Rural Affairs
OFA Board of Directors