

May 5, 2023

The Honourable Steve Clark
Minister of Municipal Affairs and Housing
17th Floor, 777 Bay Street
Toronto, Ontario
M7A 2J3

Sent via email to: minister.mah@ontario.ca and PlanningConsultation@ontario.ca
and submitted online through the Environmental Registry of Ontario

Dear Minister Clark,

Re: ERO 019-6821 - Proposed *Planning Act*, *City of Toronto Act, 2006*, and *Ministry of Municipal Affairs and Housing Act Changes (Schedules 2, 4, and 6 of Bill 97 - the proposed Helping Homebuyers, Protecting Tenants Act , 2023)*

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

Ontario's agri-food sector is an economic powerhouse – producing more than 200 farm and food products, fuelling rural communities, generating nearly 750,000 jobs, and contributing over \$47 billion to Ontario's annual GDP. The province's agri-food strategy, Grow Ontario, aims to strengthen the agri-food sector, support economic growth, and ensure an efficient, reliable and responsible food supply. By removing barriers, unnecessary costs and red tape, Ontario farmers will be positioned to seize opportunities and rise to the challenge of an ambitious growth strategy, allowing the agri-food sector to drive the economy forward.

We appreciate the opportunity to provide our comments with respect to Schedule 6 of Bill 97 which makes various amendments to the *Planning Act*, including:

“A new subsection 47 (4.0.1) is added to provide that the Minister may, in an order made under clause 47 (1) (a), provide that policy statements, provincial plans and official plans do not apply in respect of a licence, permit, approval, permission or other matter required before a use permitted by the order may be established.”

Section 47 of the *Planning Act* allows you as the Minister of Municipal Affairs and Housing (“Minister”) to make “Minister's Zoning Orders” (“MZOs”), to govern land uses within areas subject to the order. We note that significant acres of farmland have been lost to development because of Minister's Zoning Orders (MZOs) to date.

As you know, OFA is a strong advocate for the protection of Ontario's farmlands for their long-term ability to produce food, fibre, fuel, flowers, and nursery stock, not only for Ontario's growing population, but also for consumers beyond our borders.

OFA believes that farming to produce food, fibre, fuel, flowers, and nursery stock is the best use for farmland. Ontario's limited supply of farmland is a scarce resource, making up less than five percent of all the land in the province. It's vital that Ontario has a strong, viable and sustainable supply of food products grown, harvested, and processed right here at home. Ontario's shrinking agricultural land base is alarming. The current rate of loss is measured at 319 acres per day in our province, according to the 2021 Census of Agriculture. These losses are not sustainable.

We also wish to emphasize that there is only one Ontario landscape. The full range of urban, rural, agricultural, natural heritage, cultural heritage, and mineral extraction land uses must coexist across this landscape.

Provincially, the protection of Ontario's prime agricultural areas for their long-term agricultural use must be a key objective. It is one thing to think about housing the anticipated additional two million people that will reside in Ontario over the next ten years, but it is another to think seriously about how we will feed this increased population. Ontario's agricultural lands are a finite and shrinking resource. We cannot sustain continuing losses of agricultural land while maintaining our ability to produce food, fibre, fuel, flowers, and nursery stock from this limited and declining agricultural land base. Therefore, any proposals looking at increasing housing supply must be done with consideration to the needs and support of the agricultural community.

OFA endorses the 2020 Provincial Policy Statement (PPS 2020)'s Agriculture policies [Section 2.3] that require municipalities protect their prime agricultural areas for their long-term agricultural use. We further support the flexibility afforded to farmers to engage in on-farm value adding of primary farm products, as well as agriculture-related, on-farm diversified and agri-tourism uses. Although the PPS 2020 defines prime agricultural land as Canada Land Inventory (CLI) Class 1-3 soils plus specialty crop areas, the OFA believes that prime agricultural lands should be defined as Class 1 to 4 soils plus specialty crop lands. Class 5-6 soils that are part of an ongoing agricultural operation deserve protection too. These soils can support agricultural activities such as grazing livestock or growing crops for biofuels, and their productivity can be improved through activities such as tile drainage, stone picking and the addition of lime. Where Class 1-4 soils are not present in a county or region, the best agricultural lands in that county or region should be recognized and protected for their agricultural use.

OFA is a strong supporter of the preservation of Prime Farmland classes 1, 2, 3 & 4 plus specialty crop lands across rural Ontario. We believe strongly in the PPS 2020 Agriculture policies that governs farmland and rural areas protecting the right to farm and the Agriculture System in Ontario. In addition to this, OFA believes strongly that lot creation and further fragmentation of farmland in the rural area is counterproductive for the agricultural business structure in Ontario's rural areas. However, OFA supports additional residential units on existing farm parcels (but not on a severed lot from the farm parcel), and in rural hubs, hamlets, and communities to support our agricultural system.

OFA is unable to support amendments to the *Planning Act* that would give the Minister or any other planning authority the ability to make planning decisions which are not consistent with the PPS 2020. On balance, the policies of the PPS 2020 represent the minimum standard in support of protecting the environment, farmland and public health and safety.

In our previous submissions to the government regarding the PPS 2020, we have commented that the PPS 2020 does not go far enough in protecting our finite agricultural lands. We have recommended strengthening of the PPS 2020 in order to require fixed urban settlement boundaries and policies requiring mandatory intensification within the existing built urban areas as well as mandatory “greenfield” density requirements to better utilize infrastructure, improve the financial viability of public transit and protect our prime agricultural lands from sprawl.

OFA does not support the *Planning Act* amendment specified in Schedule 6 of Bill 97 to give the Minister the ability to issue MZOs that are not consistent with policy statements, provincial plans and official plans. However, OFA understands the need for the Minister to have the power of an MZO and we support MZO usage in areas of the province that are without robust local planning processes. We have no objection to MZOs being used within the lands that would be considered the Urban Envelope.

We are concerned that amending the *Planning Act* in a way that would allow for planning decisions that are inconsistent with the PPS 2020 could open up the floodgates for a rash of developments that run counter to our overarching philosophy of farmland preservation which is paramount to our mission of “Farms and Food Forever.”

In addition to this submission, OFA will be providing comments on Bill 97 to the Standing Committee on Heritage, Infrastructure and Cultural Policy during the hearings scheduled for May 10th and May 11th, 2023.

OFA appreciates the opportunity to provide our feedback and agricultural perspectives on the proposed *Planning Act* changes. We look forward to working with the provincial government and our municipal counterparts to protect Ontario’s farmlands as well as sustain Ontario’s housing supply and communities.

Sincerely,



Peggy Brekveld
President

cc: The Honourable Lisa Thompson, Minister of Agriculture, Food, and Rural Affairs
OFA Board of Directors