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July 31, 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](mailto:minister.mah@ontario.ca) and [PlanningConsultation@ontario.ca](mailto:PlanningConsultation@ontario.ca) and submitted online through the Environmental Registry of Ontario

Dear Minister Clark,

**Re: ERO 019-6813 - Review of proposed policies adapted from A Place to Grow and Provincial Policy Statement to form a new provincial planning policy instrument.**

Thank you for the opportunity to participate in the consultation process for planned policy changes to the PPS. Our topline feedback is summarized below:

- **Settlement Area Boundary Expansions:** Kent Federation of Agriculture (KFA) strongly opposes changes to settlement area boundary expansion policies, we believe that higher-density development is needed to limit agricultural land loss.
- **Additional Residential Units (ARUs):** KFA supports ARUs on existing farm parcels and rural hubs, but we have concerns about lack of criteria and specificity.
- **Minimum Distance Separation (MDS):** Chatham-Kent (CK) farmers value the MDS formulae as a proven means of separating livestock facilities and permanent manure storages from neighbouring land uses.
- **Employment Lands:** KFA would like to caution against changing Employment Lands policies, as it may impact agricultural land use.
- **Municipal Flexibility:** KFA believes that the PPS should be a baseline that allows for some flexibility. Municipalities should be allowed to be more restrictive within the local policy so long as it is in accordance with provincial policy.
- **Agricultural Impact Assessment (AIA):** KFA supports AIA inclusion for land use proposals and has some concerns about the granting of exceptions.
- **Natural Heritage & Water:** KFA believes that the Provincial Planning Statements should not remove the words "all municipal" from section 4.2.1(e)(1). KFA is a strong advocate of protecting water supplies and wetlands, in a way that prioritizes Normal Farm Practices.

## **Protecting the Future of Farming**

The Kent Federation of Agriculture is the largest municipal farm organization in the Chatham-Kent region, proudly representing more than 1,800 farm family members. The KFA is 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.

Food production is vitally important both at home and for export. Chatham-Kent is a leader in Canadian Agriculture supporting a 3-Billion-dollar agriculture industry locally, which is critically important to Chatham-Kent's economy. While soybeans, corn and wheat are the major crops, there are over 70 different crops grown in Chatham-Kent employing over 16,000 workers. 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 continue to drive the economy forward.

We appreciate the reconsideration of the lot creation issue on agriculturally zoned properties. The original direction would have had significant potential impacts on agricultural operations across this province, and we thank you, Minister, for the change. We have reviewed the remaining policies originally proposed within the statement using an agricultural lens, and provide the following comments.

### **Agricultural System Mapping and Agricultural Land Protections**

KFA 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.

KFA 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 per cent 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 10 years, but it is another to think seriously about how we will feed this increasing 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.

KFA 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. We believe that prime agriculture lands should be defined as Class 1-6 plus specialty crop lands. Classes 4-6 support agricultural activities such as grazing livestock, growing crops for biofuels, and the agriculture sector has demonstrated that the productivity of this land can be improved through activities such as tile drainage, stone picking and addition of lime. Provincial policy must continue to protect specialty crop areas because they are scarce and unique; if lost, they cannot be recreated. They are important economically and represent some of Ontario's highest-earning agricultural lands. In addition, they provide many value-added and agri-tourism opportunities.

Not all agricultural land in Ontario is zoned as prime agricultural land, and there are many farms and agricultural lands that municipalities have zoned as rural land. The proposed change to add multi-lot residential development as a permitted use on rural lands within section 2.6.1 is very concerning. We believe unrestricted growth in rural areas will have negative consequences, especially for the preservation of agricultural lands. Land use planning in Ontario must balance opportunities for growth with the need to preserve our agricultural lands, regardless of whether it is zoned rural or agricultural. Focusing growth in existing settlement areas will support local economies, reduce farmland loss and reduce land use conflicts.

We believe strongly in the PPS 2020 Agriculture policies that govern farmland and rural areas, protecting the right to farm and the Agriculture System in Ontario. In addition to this, the KFA believes strongly that the fragmentation of farmland in rural areas is counterproductive for the agricultural business structure in Ontario's rural areas.

KFA is against the removal of the requirement to use the provincially mapped agricultural system as it would allow for agricultural fragmentation, inconsistent classification of agricultural lands and specialty crop areas and disconnect in agricultural land mapping and classifications across municipal boundaries.

### **Settlement Area Boundary Expansions**

KFA is strongly against the proposed changes to settlement area boundary expansion policies. Specifically, changes in functional policy language have removed both the requirement to justify need and to conduct a comprehensive review, as such could result in uncertainty and ambiguity for the process, expectations, and requirements for these expansions. KFA believes that these changes could lead to inconsistent implementation across municipalities, agricultural land fragmentation and inconsistent protections and considerations for agricultural land across municipal boundaries.

KFA supports fixed, permanent urban boundaries to limit the loss of agricultural land, thereby focusing future urban growth within existing urban boundaries. This means urban growth primarily through redevelopment of vacant and underused lands, and higher density development.

We further believe that in urban areas, higher density development should be mandated provincewide to take full advantage of existing infrastructure. KFA supports urban intensification/densification as one way to protect agricultural land and create complete communities.

KFA believes that urban areas should only be allowed to expand onto abutting agricultural lands only after exhausting redevelopment of underused or vacant areas within their existing urban boundaries. This would include the rehabilitation and redevelopment of both “greyfield” and “brownfield” sites. Lastly, urban expansion onto abutting agricultural land must be directed onto lower class agricultural land adjacent to the existing urban boundaries.

KFA does not support scattered or strip development within prime agricultural areas. This form of development not only limits the ability of new and existing agricultural operations to function but fails to contribute financially to municipalities. KFA believes that urban expansion should only be permitted onto abutting agricultural lands where municipal sewer and water services are available.

KFA wants to see PPS policies in Section 1.1.3.8 remain as is. Keeping these policies intact (and holding municipalities and MMAH accountable to following these policies) is critical for meeting joint goals of balancing farmland protection with urban development. Further, KFA wants to see Agricultural Impact Assessment (AIA) policies from APTG incorporated directly into the proposed PPS policies on settlement area boundary expansions (APTG Policy 2.2.8.3 h). Specifically referencing AIAs as the current policy outlines:

“Where the need for a settlement area boundary expansion has been justified in accordance with policy 2.2.8.2, the feasibility of the proposed expansion will be determined and the most appropriate location for the proposed expansion will be identified based on the comprehensive application of all of the policies in this Plan, including the following: ... h) any adverse impacts on the agri-food network, including agricultural operations, from expanding settlement areas would be avoided, or if avoidance is not possible, minimized and mitigated as determined through an agricultural impact assessment;” (APTG Policy 2.2.8.3 h).

As Ontario becomes more urbanized, municipal councils and staff may not apply an agricultural lens to their plan-, policy- and decision-making. This is critical as we need to plan for 'farm-friendly' urban development that promotes compatibility at the urban-agricultural interface. For example, parcel size, configuration, building setbacks, road patterns, institutional locations, drainage patterns and location of municipal servicing will all have implications for agriculture.

KFA firmly believes in the widespread use of AIAs, as it ensures that agricultural uses continue, and normal farm practices are protected. AIAs identify opportunities to increase compatibility between agricultural and non-agricultural uses by looking for ways to avoid, minimize, then mitigate adverse impacts on agricultural operations and the Agricultural System.

## **Lot Creation and Additional Residential Units**

KFA is optimistic about the reconsideration of the proposed lot severance policies and are eager to work with the government to balance the need for housing with the protection of agricultural land without severances.

While KFA does not support further lot creation and severances, we do support Additional Residential Units (ARUs) on existing farm parcels, and in rural hubs, hamlets and communities to support our agricultural system. KFA would like to establish our support for additional dwelling units subordinate to the principle dwelling on an agricultural parcel but do not support the establishment of additional lot severances on these parcels.

In previous submissions to the government from OFA regarding the PPS 2020, they have commented that the PPS 2020 does not go far enough in protecting our finite agricultural lands. They have recommended strengthening 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.

While KFA is supportive of additional residential units, we do feel there needs to be further specificity in the policy. Our concerns include a lack of criteria for ARUs, insufficient consideration for onsite infrastructure and servicing, inconsistency between policies on provincial guidance, a lack of consideration for the distinctiveness of municipalities, and the exclusion of specificity surrounding whether these policies apply to both farm and rural lots.

KFA believes that there should be additional consideration of a set of criteria for ARUs as well as clarification on the extent of this policy. There is a distinct lack of inclusion for the type, size, scale, and location of these proposed ARUs that needs to be addressed as well as the clarification on whether this policy is exclusive to farm lots or includes rural lots as well.

Further, we are concerned that inconsistencies between policies on permitted uses in agricultural lands could lead to misinterpretation or unpredictable development and approval of ARUs. Specifically, under section 4.3.2 Permitted Uses, 4.3.2.4 (principal dwellings) states that the policy must be in accordance with provincial guidelines, however, 4.3.2.5, does not include this provision. KFA believes that this exclusion in conjunction with the lack of criteria for ARUs could result in development that does not align with our position that farming to produce food, fibre, fuel, flowers and nursery stock is the best use for farmland.

Additionally, we must highlight the distinctiveness of municipalities across Ontario, both in their landscape as well as their governance ability and priorities. No two municipalities are alike, therefore flexibility within provincial level policies allows municipalities to address their local concerns in accordance with provincial policy. KFA believes the Ontario government needs to clarify the extent of provincial-level direction and as well as outline considerations and guidance for onsite infrastructure and servicing.

KFA sees that opportunities to build more rural housing should be concentrated within, and directed to, rural settlements and settlement areas as identified in APTG Policy and PPS (2020) Policies 1.1 “Managing and Directing Land Use to Achieve Efficient and Resilient Development

and Land Use Patterns,” 1.1.3 “Settlement Areas,” 1.1.4 “Rural Areas in Municipalities.” Density and intensification targets should be analyzed and identified in accordance with APTG methodology and appropriately applied to rural settlements and settlement areas.

Within rural lands, KFA recommends that agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices should be protected and given higher priority as permitted uses under PPS (2020) Policy 1.1.5.2 and throughout Policy 1.1.5 “Rural Lands in Municipalities.”

OFA previously requested that this proposal be applied to rural and smaller-town municipalities within designated rural settlements and settlement areas. They acknowledged the servicing capacity limits many rural communities in Ontario face, such as that with private water and wastewater services. However, rural communities also need additional housing. There are opportunities within existing smaller villages, hamlets and towns to increase density on parcels of land in the settlement area that are adequate for servicing and more efficiently contribute to the rural tax base. This would serve to eliminate the need for lot severances on agricultural lands while providing increased housing options across Ontario.

### **Minimum Distance Separation**

Ontario farmers value the MDS formulae as a proven means of separating livestock facilities and permanent manure storages from neighbouring land uses, thereby reducing health and safety risks and/or complaints from these neighbouring land uses arising from livestock/manure odours and practices. KFA wholeheartedly supports the use of the MDS formulae and guidelines to bring about adequate separation.

The KFA supports MDS, its rationale being to prevent encroachment by neighbouring non-agricultural uses on livestock farms by providing sufficient separation between livestock uses and buildings and neighbouring non-agricultural uses and buildings to lessen the likelihood of odour complaints as well as any health and safety risks or concerns.

The KFA also endorses the use of the MDS formulae to provide sufficient separation between new or expanding agricultural livestock buildings and uses and neighbouring non-agricultural buildings and uses, again to lessen the likelihood of odour complaints or health and safety risks or concerns.

### **Employment Lands**

In OFA’s submission to the Standing Committee for Bill 97, OFA cautioned against changing the definition and policies for Employment Lands proposed in the Planning Act amendment in Schedule 6 of Bill 97. They would like to maintain that the resulting impacts of reduced protections for Employment Lands could result in increased pressure to utilize agricultural lands such as Prime Agricultural Lands and Specialty Crop Areas for employment uses in the future as well as put agricultural processing operations at risk.

## **Municipal Flexibility**

KFA believes that the PPS should be used as a baseline and remove the provisions that limit the flexibility of municipalities. As we have highlighted, municipalities vary across the province, and it is KFA's belief that municipalities should be allowed to be more restrictive within the local policy so long as it is in accordance with provincial policy.

## **Agricultural Impact Assessment**

While we are very happy to see that Agricultural Impact Assessment (AIA) is included in the definitions, we do believe that an AIA must (not should) be completed under section 2.3 Settlement Areas and Settlement Area Boundary Expansions. We are pleased to see the requirement for "avoiding, or where avoidance is not possible, minimized and mitigated as determined through an agricultural impact assessment..." in section 4.3.5 Non-Agricultural Uses in Prime Agricultural Areas. We are also very pleased to see the application of 4.3.5.2 applied to Mineral Aggregate Extraction in Prime Agricultural Areas under 4.5.4.1.a. Avoiding impacts to agricultural areas from mineral extraction is an important protection of Ontario's limited agricultural lands.

KFA is very pleased to see the requirement for an AIA or equivalent analysis for mineral extraction in prime agricultural areas, yet we remain concerned there are circumstances in which "complete rehabilitation to an agricultural condition is not required...." As established in 4.5.4.2. It is our belief that an application to extract minerals in prime agricultural areas that cannot be rehabilitated to an agricultural condition should not be approved on the basis that it does not meet the conditions of that application.

## **Natural Heritage & Water**

KFA believes that the Provincial Planning Statements should not remove the words "all municipal" from section 4.2.1(e)(1). We believe that this section should remain: "Implementing necessary restrictions on development and site alteration to: 1. Protect all municipal drinking water supplies and designated vulnerable areas; ..."

KFA is pleased to see that the definition of "Wetlands," as it currently exists in the Provincial Policy Statement, 2020, has been retained.

KFA is pleased to see that the statement in Section 4.1.9 has remained across the versions of the Proposed Provincial Planning Statement. However, to address potential conflicts between Natural Heritage and Agricultural landscapes KFA recommends the inclusion of a provision that gives priority to Normal Farm Practices.

KFA notes the legend in Figure 1 requires updating to reflect the changes in section numbers.

We are concerned that combining A Place to Grow: Growth Plan for the Greater Golden Horseshoe and the Provincial Policy Statement, 2020 would diminish the protections and support for agricultural lands and community and therefore open the floodgates for a rash of developments that run counter to our overarching philosophy of farmland preservation which is paramount to OFA's mission of "Farms and Food Forever."

We request including greater specificity and guidance on these proposed policies as well as greater consideration for agricultural land, operations and community.

KFA appreciates the opportunity to provide our feedback and agricultural perspectives on the proposed Provincial Planning Statement. 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

A handwritten signature in black ink, appearing to read "Brad Snobelen". The signature is stylized with a large initial "B" and "S".

Brad Snobelen

President, Kent Federation of Agriculture