



May 29, 2023

BFO Comments on: ERO 019-6813 Review of proposed policies adapted from A Place to Grow and Provincial Policy Statement to form a new provincial planning instrument

****Since approval of the following comments by the BFO Board of Directors, the Government of Ontario has committed to further consultations on the Proposed Provincial Planning Statement. BFO's comments will be updated as the consultations continue in the coming months.***

Beef Farmers of Ontario (BFO) appreciates the opportunity to comment on *ERO 019-6813 Review of proposed policies adapted from A Place to Grow and Provincial Policy Statement to form a new provincial planning instrument*. BFO represents the 19,000 beef farmers in Ontario by advocating in the areas of sustainability, animal health and care, environment, food safety, and domestic and export market development.

A key priority for BFO and our members is the preservation of Ontario's agricultural land base. We strongly believe the best way to protect Ontario's agricultural lands is through sound provincial land use policy that sees agricultural lands, including marginal lands used for livestock grazing and carbon sequestration, protected as the highest and best use of Ontario's arable land.

Ontario's beef sector contributes \$2.69 billion to Ontario's GDP on an annual basis and sustains more than 61,000 jobs through primary production, processing and retail. Ontario's beef farmers also provide important ecological goods and services, especially through the management of grasslands, that protect and enhance Ontario's environment. This includes sequestering carbon in the soil, providing habitat for wildlife and species at risk, oxygen production, water and nutrient cycling, and maintaining and improving soil health. The ability to provide these ecological goods and services on lands managed with cattle is threatened by competing land uses.

The provincial government's plan to address Ontario's housing crisis is ambitious and necessary, and we support the province's efforts to address this issue; however, we have concerns with the government's approach to balance the need to build more housing in Ontario and the need to protect our agricultural land base. There are aspects of the proposed PPS and Bill 97 that relate to agricultural lands that we view as positive and aspects that we have serious concerns with.

Last fall, BFO actively participated in a number of public consultations regarding Bill 23, *More Homes Built Faster Act*, and expressed our support and concerns through that process, including the review of *A Place to Grow and Provincial Policy Statement*.

We have provided responses to some of the discussion questions below:

1) What are your thoughts on the policies that have been included from the PPS and A Place to Grow in the proposed policy document, including the proposed approach to implementation?

Our comments will focus on the proposed changes that relate to or impact agricultural lands and beef farmers. Before addressing our concerns, we acknowledge and strongly support the following statement as outlined in the proposed PPS Vision statement: *Housing must be built in the right places so that Ontario's vibrant agricultural sector and sensitive areas will continue to form part of the Province's economic prosperity and overall identity. Growth and development will be focused within urban and rural settlements that will, in turn, support and protect the long-term viability of rural areas, local food production and the agri-food network.*

This component of the proposed PPS Vision statement recognizes that a balanced approach to land use planning is critical, and building more housing and maintaining our agricultural lands go hand in hand. However, as our comments will address in more detail below, the proposed PPS includes changes, primarily section 4.3.3 Lot Creation and Lot Adjustments and the proposal to allow residential lot creation in prime agricultural areas, that will have numerous negative impacts for Ontario's agricultural sector. These proposed changes are contrary to the PPS vision statement to protect the long-term viability of Ontario's agricultural sector and agri-food network and will do more to weaken the agriculture sector than strengthen it.

In addition, with the release of the Grow Ontario agri-food strategy, we recognize this strategy as the gameplan to address future food production challenges with targeted investments to drive growth and support Ontario's agri-food sector. The Grow Ontario strategy includes a significant goal to increase the consumption and production of food grown and prepared in Ontario by 30 percent by 2032. When examining a number of the changes within the proposed PPS, specifically the proposal to allow residential development in prime agricultural areas, it must be noted that achieving the above goal will be significantly challenged by the further loss of agricultural lands, increased conflicts between non-farm neighbours and farmers performing normal farm practices, and the increasing price of farmland. Further, the proposed PPS will impact not only Ontario's farmers, but also the general public, as Ontario's farmland is gradually paved over, we weaken our ability to produce food locally and, ultimately, negatively affect our food security.

Minimum Distance Separation

BFO is pleased to see the Minimum Distance Separation (MDS) formula will be maintained in the proposed PPS. MDS serves as an important tool to prevent land use conflicts and to minimize nuisance complaints related to normal farming practices between farming operations and surrounding residential land uses. By ensuring a minimum distance between livestock operations and residential land uses, MDS is also a useful tool to prevent potential water quality issues and biosecurity concerns between farms and non-farm neighbours. For these reasons, we firmly believe MDS needs to be maintained in Ontario.

Lot Creation and Lot Adjustments

As noted, the proposed changes outlined below regarding lot creations in prime agricultural areas are very concerning.

Residential lot creation in prime agricultural areas is only permitted in accordance with provincial guidance for:

- a. *new residential lots created from a lot or parcel of land that existed on January 1, 2023, provided that:*

- i. *agriculture is the principal use of the existing lot or parcel of land;*
- ii. *the total number of lots created from a lot or parcel of land as it existed on January 1, 2023 does not exceed three;*
- iii. *any residential use is compatible with, and would not hinder, surrounding agricultural operations; and*
- iv. *any new lot:*
 1. *is located outside of a specialty crop area;*
 2. *complies with the minimum distance separation formulae;*
 3. *will be limited to the minimum size needed to accommodate the use while still ensuring appropriate sewage and water services;*
 4. *has existing access on a public road, with appropriate frontage for ingress and egress; and*
 5. *is adjacent to existing non-agricultural land uses or consists primarily of lower-priority agricultural lands.*

This proposal is a fundamental shift from the current Provincial Policy Statement, which discourages lot creation in prime agricultural areas and states the creation of new residential lots in prime agricultural areas shall not be permitted. If up to three lot creations are to be permitted in prime agricultural areas, this will most certainly constrain livestock farmers' ability to establish new operations and/or grow their operations (barns, manure storage, etc.). These changes will drive a reduction in investment into the livestock sector, which will create stagnation in the sector resulting in fewer and fewer farmers, negatively affecting the backbone of the rural economy. We firmly believe the current restrictions on lot severances in prime agricultural areas, as outlined in the Provincial Policy Statement, should be maintained and that the creation of residential lots in prime agricultural areas should not be permitted. We do not support policies that will increase residential lot creation in agricultural areas.

Our concerns about this proposal go beyond the potential this will have to restrict livestock farmers ability to grow their operations or conduct normal farm practices. Permitting residential lot creation in prime agricultural areas would exacerbate the already unsustainable loss of Ontario's agricultural lands, risk inflating farmland prices, increase infrastructure service demands on municipalities, create water quantity and quality concerns as a result of increased residences in agricultural areas, create increased fragmentation of our agricultural land base, and will lead to more farmland being purchased for investment and speculative purposes, making farming even more unattainable for the next generation. This policy change may force farmers to sever lots from their farm property in order to remain financially competitive against investors and speculators, which is a concern and should not be a desired outcome of this proposal, if we are trying to maintain our agricultural lands for the long-term.

We are also concerned with some of the proposed language, which lacks clarity and leaves room for interpretation. Specifically, the clause "is adjacent to existing non-agricultural land uses or consists primarily of lower-priority agricultural lands". The proposed PPS does not define what "non- agricultural land uses" or "lower priority agricultural lands" are, which will lead to broadened opportunities to develop in prime agricultural areas. Despite the provision in section 4.3.1 that specialty crop areas shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the prime agricultural area, in this order of priority, it remains unclear what exactly "lower priority agricultural lands" would be. For example, it could be interpreted that anything other than specialty crop areas would be considered "lower priority".

In section 2.3 Settlement Areas and Settlement Area Boundary Expansions, it is stated that “[s]ettlement areas shall be the focus of growth and development.” BFO strongly agrees with this statement; however, the proposal to allow residential lot creation in prime agricultural areas is by no means in line with the above statement and contradicts other similar statements and sections within the proposed PPS.

We recognize some of our members see value in the proposal to allow additional residential lot creations on their farm property for family members; however, this particular proposal will have numerous unintended consequences. We believe the provincial government has the opportunity and the obligation to think more long-term and protect prime agriculture lands, which ensure the viability of the rural economy and Ontario’s food security. The government must also acknowledge that if an owner of a farm property in a prime agricultural area were to create new lots on their property, the new residential development will also impact adjacent or nearby agricultural operations who may have no say, as a result of recent limitations on third party appeals, or awareness of new residential lot creations.

Settlement Area Boundary Expansion

Comments for the below provisions under section 2.3 are provided below.

- 1) *Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.*
- 4) *In identifying a new settlement area or allowing a settlement area boundary expansion, planning authorities should consider the following:*
 - a. *that there is sufficient capacity in existing or planned infrastructure and public service facilities;*
 - b. *the applicable lands do not comprise specialty crop areas;*
 - c. *the new or expanded settlement area complies with the minimum distance separation formulae;*
 - d. *impacts on agricultural lands and operations which are adjacent or close to the settlement area are avoided, or where avoidance is not possible, minimized and mitigated to the extent feasible as determined through an agricultural impact assessment or equivalent analysis, based on provincial guidance; and*
 - e. *the new or expanded settlement area provides for the phased progression of urban development.*

We strongly believe that to meet Ontario’s housing development goals and to ensure Ontario’s agricultural land is not lost in the process, growth must be focused on creating complete communities and densifying existing urban and rural settlement areas where municipal services are present. We understand that in some circumstances new settlement areas and/or settlement boundaries will need to be expanded to accommodate more housing opportunities; however, the proposed changes to make it easier for municipalities to expand settlement boundaries without the requirement to demonstrate a need for expansion or the need to examine the impacts of a proposed settlement boundary expansion is extremely concerning.

The change in language to provide municipalities with a simplified and flexible approach to expand settlement boundaries by removing the need for a comprehensive review and stating municipalities “should consider” impacts of a settlement creation or expansion is short-sighted. The proposed PPS outlines that when identifying a new settlement area or allowing a settlement area boundary expansion, planning authorities should consider whether applicable lands do not comprise of

specialty crop areas, that the new or expanded settlement area complies with the MDS policy and/or that impacts on agricultural lands and operations that are adjacent or close to a settlement area are avoided or minimized and mitigated as determined through an Agricultural Impact Assessment or other equivalent analysis.

When examining the possibility of creating a new settlement area or settlement boundary expansion, we firmly believe that it should *not* be optional for a municipality to consider and understand the impacts of a new settlement area or boundary expansion on agricultural lands. Furthermore, for the reasons outlined above, the MDS policy cannot simply be taken as a light suggestion for new settlement areas or boundary expansions. We recommend the government maintain current protections for agricultural lands based on the current PPS. The 2020 PPS represents the minimum standard in support of protecting the environment, farmland and public health and safety.

General Policies for Agriculture

The proposed PPS outlines the following general policies for agriculture:

1. *Planning authorities are encouraged to use an agricultural system approach, based on provincial guidance, to maintain and enhance a geographically continuous agricultural land base and support and foster the long-term economic prosperity and productive capacity of the agri-food network.*

We believe the agricultural system approach, which is supported by Agricultural Impact Assessments, provincial Agricultural Land Base Mapping and Agricultural System Portal, is a valuable planning tool that looks at the entire agriculture network and we have supported the use of the agricultural system approach as it has been implemented within the Greater Golden Horseshoe (GGH) and we have previously requested the approach be required by municipalities throughout Ontario. The proposal to eliminate the requirement to use the provincially-mapped Agricultural System, and require municipalities to designate specialty crop areas and prime agricultural areas is a concern. We believe this will create a patchwork of agricultural land mapping and remove a tool that allows for 'big picture' agriculture land use planning. We recommend maintaining the use of the provincially mapped agricultural system to reduce agricultural land fragmentation and to protect farmland.

2. *As part of the agricultural land base, prime agricultural areas, including specialty crop areas, shall be designated and protected for long-term use for agriculture.*

BFO supports this provision continuing to be included in the province's land use planning policy, but, as our comments highlight, other policy changes in the proposed PPS do not support the above provision and will not protect prime agricultural areas.

3. *Specialty crop areas shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the prime agricultural area, in this order of priority.*

The continued prioritization of agricultural soils within prime agricultural areas is concerning for the beef sector. We have long advocated that soil types classified as 4 through 7 be protected because this land is suitable for pasture and hay production, and for providing invaluable ecological goods and services, such as sequestering carbon in the soil and providing habitat for wildlife.

Permitted Uses

Section 4.3.2 would allow up to two additional residential units, in addition to the principal dwelling, in prime agricultural areas provided that any additional residential units are within, attached to, or in close proximity to the principal dwelling; complies with the minimum distance separation formulae; is compatible with, and would not hinder, surrounding agricultural operations; and appropriate sewage and water services will be provided.

We support this change and believe it will provide farm families with the opportunity to add residential units to their property for family members or farm workers. We recommend more clarity be provided around “in close proximity to the principal dwelling”.

Rural Housing

Land use planning in Ontario must balance opportunities for growth and building housing with the need to preserve our agricultural lands. Focusing growth on urban and rural settlement areas will help balance this need while supporting local economies, reducing farmland loss and reducing potential land use conflicts.

We support opportunities to provide flexibility for municipalities to allow for more residential development in existing rural settlements. If not done responsibly, the proposed change to add multi-lot residential development as a permitted use on rural lands is concerning and we believe unrestricted growth in rural areas will have consequences. This includes removing productive farmland and natural heritage features, increasing conflict between non-farming residents and farming operations, increasing demand for services in less dense areas, and the overall character of rural landscapes.

2. What are your thoughts on the proposed policies regarding conservation of agriculture, aggregates, natural and cultural heritage?

Under Ontario’s current provincial land use planning policies and plans, the province is losing agricultural land at an unsustainable rate. Agriculture Census data from 2016 to 2021 shows Ontario lost 582,392 acres of farmland, totaling over 1.5 million acres of farmland lost between 2006 to 2021. Further, between 2016-2021, over 290,000 acres of tame and native grasslands were lost in Ontario. BFO has long advocated for improvements in land use planning policies to better protect agricultural lands in Ontario.

Statements within the proposed PPS policies to focus growth within urban and rural settlement areas and maintaining MDS are important to conserve agriculture. Now, as our above comments highlight, we have serious concerns that many of the proposed changes do very little to conserve agricultural lands or support agricultural operations for the long-term. In fact, many of the proposed changes, as they relate to agricultural lands, would likely be detrimental to the future of livestock agriculture in Ontario and would fundamentally weaken Ontario’s agriculture sector and its ability to produce local food.

Section 2.9 Energy Conservation, Air Quality and Climate Change states that municipalities must plan to reduce greenhouse gas emissions (GHG) and prepare for the impacts of a changing climate. As noted above, agricultural lands, especially managed hay and pasture lands, do not simply serve as land to produce food, but provide ecological goods and services through sequestering carbon in the soil, mitigating floods, supporting biodiversity and wildlife, and other extremely important natural climate solutions that will help to reduce the impacts of climate change. Policies that aim to

reduce our agricultural land base not only negatively impact our food security, but increase GHG emissions and remove a tool we have to mitigate the effects of climate change.

Rural municipalities throughout Ontario have stated their concerns with many of the proposed PPS changes and emphasized the proposal to allow up to three lot creations per farm parcel in prime agricultural areas will lead to unrestricted growth in rural and agricultural areas, restricting future generation's ability to farm and provide safe and secure food for the people of Ontario.

We ask that the government take a pause on the newly proposed PPS and Bill 97 in order to better understand the negative implications for Ontario's agriculture sector, especially our livestock sector, as these changes are short-sighted and will significantly harm the farming sector long into the future.