

# Protecting Agriculture's Future

## CFFO Submission to the

### Five-year Review of the Provincial Policy Statement<sup>1</sup> (Planning Act)

#### 1. Introduction

- 1.1 Ontario is a big place, with lots of room cities, houses, shops, factories AND agriculture. The business of farming needs just 10 percent of our landscape—the agricultural land—to thrive. Smart growth would long ago have dedicated our most productive land to farming and on-farm businesses.
- 1.2 We propose a number of improvements to a variety of clauses in the Provincial Policy Statement so that agriculture will have a more secure future.

#### 2. The Provincial Interest (Preamble)

- 2.1 Municipalities do most of the real land use planning. The province leaves it up to them to take care of the provincial interests, but turns around and holds them to a loopy-goosy standard: “shall have regard to provincial policy statements.”
- 2.2 Smart growth would give the provincial interest centre stage. The official plans and zoning bylaws of Ontario’s municipalities should meet a higher standard. They should be consistent with the provincial interests.
- 2.3 The phrase “shall have regard to” is a problematic requirement for planning authorities when they exercise their authority under the planning act. We prefer “be consistent with” for the following reasons:
  - 2.3.1 “shall have regard to” results all participants in the planning process trying to second guess what a provincial policy, or an official plan clause or a zoning bylaw statement means. No one feels bound to accept as precedent previous interpretations of the language in planning documents. This phrase, more than anything else, leads to debate after debate.
  - 2.3.2 Municipalities become beholden to planners and lawyers for their interpretations of the language in planning documents, rather than citizens being able to understand the “plain language” of policies and bylaws.
  - 2.3.3 It sets a low and debatable standard of compliance. It’s a great make-work project for lawyers and planners – at the expense of all citizens.
  - 2.3.4 There is not much sense to improving the provincial policies statements when there is no commitment to making serious use of them.
- 2.4 We request language that recognizes that our present pattern of change consumes our natural capital. The provision of economic and social benefits is consuming our natural capital. This kind of planning is not sustainable.

---

<sup>1</sup> The Provincial Policy Statement Five-year Review information can be found at <http://www.mah.gov.on.ca/ppsreview/index-e.asp>

- 2.5 As stewards of the land, we are committed to protecting the long-term productivity of the land and the intrinsic value of the soil for the common good. But why would we maintain this stewardship attitude, if the province and our municipalities do not protect resources for the long-term in their planning documents?
- 2.6 The current wording leads to this plain language interpretation: resources are protected only for their highest and best economic use in the immediate future. There is no effective language in policy statement that balances economic use with environmental and community use.

### **3. Protecting Agricultural Land for the Long-term (Principles)**

- 3.1 Resources need to be protected for their intrinsic values, not just their economic use and/or environmental benefits.
- 3.2 There is no recognition in the principles that we are consuming natural capital.
- 3.3 We request the following additional principle be added:  
**“Areas of prime agricultural land being maintained and enhanced in the long-term for the production of food, fiber and other renewable commodities.”**

### **4. Developing Strong Rural Communities (Policy 1.1.1 b))**

- 4.1 Policy 1.1.1 b) limits the economic opportunities for rural areas severely. Rural communities cannot be primarily dependent on resource and resource related activity. These activities are shrinking as a slice of the economy and are more likely than other productive activities to consume natural capital. Rural needs to participate in a full range of economic activities.

### **5. No Reasonable Alternative (Policy 1.1.1 c) 1. & 2.)**

- 5.1 Policy 1.1.1 c) 1. & 2. use a phrase that needs to be defined: “no reasonable alternative”. The operative definition in the Ontario planning process is: “if the people are coming.” This definition provides no policy guidance that will stop any of our communities from rolling out onto the next piece of farmland on their perimeters.
- 5.2 We need language to the effect that expansion onto prime agricultural land is only permitted after all brownfields in the community have been redeveloped and a community’s population density has reached a set number of residents per square kilometre in the urban zone. The policy should require population densities to increase as cities become larger and the overall densities, with the exception of Toronto, should be expected to double.

### **6. Permitted Uses in Prime Agricultural Areas (Policy 2.1.1)**

- 6.1 We **support** a wide range of secondary and agriculture-related uses on farms but not on lots severed from farms. This policy needs to be rewritten so that it is clear that these uses are only allowed on existing properties. Once severed, these activities develop an urban shadow that restricts the future of farms in the neighbourhood. The policy should specifically mention that it applies to public service facilities.
- 6.2 We request that policy 2.1.1 be modified to the following: (changes bolded)
- 6.3 *Prime agricultural areas will be protected for agriculture. Permitted uses and activities **on the existing farms and other properties** in these areas are: agricultural uses; secondary uses; and*

agriculture-related uses. Proposed new secondary uses, ~~and~~ agriculture-related uses **and public service facilities will only be allowed to locate on existing lots. ~~be compatible with, and will not hinder, surrounding agricultural operations.~~**

- 6.4 We do **not support** new secondary uses or agriculture-related uses on new lots under any circumstances in prime agricultural areas. We do **not support** a special status for agriculture-related uses when it comes to severances in prime or secondary agricultural areas.
- 6.4.1 Secondary uses and agriculture-related uses will never be compatible with and will always be a hindrance to surrounding agricultural operations.
- 6.4.2 Development is development and we oppose scattered rural development.
- 6.4.3 The economic benefits of agriculture-related uses are much greater if they occur in or adjacent to towns and villages.
- 6.4.4 There are only a few agriculture-related businesses that are incompatible in a small village setting because of high levels of noise, odour or dust. These we would accept on the poorer land in the agricultural area or as part of an existing farm. The vast majority of businesses are compatible.

## 7. Linking Agricultural Uses to the Natural and Built Landscape (New Clause)

- 7.1 We request the addition of a statement that will encourage municipalities to plan for an agriculture that honours the carrying capacity of the environment and is compatible with local community development:
- 7.2 Proposed policy: ***Agricultural development patterns will be compatible with local environmental resources and the local built community. Specifically:***
  - 7.2.1 ***The size and intensity of agricultural uses will be compatible with the long-term carrying capacity of the environment,***
  - 7.2.2 ***The location of agricultural uses will be compatible with the built community.***
- 7.3 We support municipalities being empowered to cap the size of livestock facilities based on carrying capacity concerns and compatibility with the built community.

## 8. Lot Creation in Prime Agricultural Areas (Policy 2.1.2)<sup>2</sup>

- 8.1 The policy allows lot creation in far too many circumstances.
- 8.2 We request that policy 2.1.2 be changed to: *“lot creation in prime agricultural areas is not allowed with the following exception:*
  - 8.2.1 *New lots for agricultural uses may be permitted provided that they are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operation.*
- 8.3 All other exceptions should be removed from the policy.

## 9. Farm Retirement Lot (Policy 2.1.2 c) 1.)

We do **not support** farm retirement lots in prime or secondary agricultural areas.

---

<sup>2</sup> A summary of CFFO's policy statements on lot creation in agricultural areas can be found at <http://www.christianfarmers.org/policy/policy.htm>.

- 9.1 It is one more severance.
- 9.2 A retirement lot does not provide a permanent benefit. Various studies have shown that the retired farm family stays 1.8 to 3 years.
- 9.3 There are better solutions for a temporary second residence. We support granny flats, temporary trailers and second homes on a farm.
- 9.4 Once a severance is granted it is always a severance and an inevitable urban shadow will be created on the surrounding lands.
- 9.5 We do not support giving farmers a special status among landowners. Development should be appropriate in its own right. It should not depend on the type of owner for the site.

### **10. Residence Surplus to a Farming Operation (Policy 2.1.2 c) 2.)**

We do **not support** the severing of residences surplus to a farming operation in prime or secondary agricultural areas.

- 10.1 It is one more severance in most circumstances.
- 10.2 There is a risk that the remaining parcel will again have a residence built on it in most circumstances.
- 10.3 Each severed house will cast an "urban" shadow around it. As the nature and makeup of our rural neighbours changes in the years to come, this shadow will grow and restrict our use of the land for agriculture.

### **11. Residential Infilling (Policy 2.1.2 c) 3.)**

We do **not support** the creation of new lots as infilling on prime agricultural land

- 11.1 We recognize that two or more houses next to a farm business already limits farm options but each residence makes the urban shadow that much more severe.
- 11.2 If there is room in an infill area for more than one residence it will be big enough to make it worth our while to farm the soil.
- 11.3 One more lot could result in a strip development being recognized as a settlement. This would constrain neighbouring farms further.
- 11.4 We have discussed supporting residential infilling on the following basis: when the space between two existing residences is significantly less than 100 metres but still accommodates only one additional severance. Our member think tanks rejected this limited exemption because it would create one more intrusion into the farmed countryside.

### **12. Areas Excluded from Prime Agricultural Areas (Policy 2.1.3)**

- 12.1 We do not support the exclusion of any prime agricultural land based on the "no reasonable alternative" test of policy 2.1.3. We request that the policy be changed to ***expansion onto prime agricultural land is only permitted after all brownfields in the community have been redeveloped and a community's population density has reach a set number of residents per square kilometre in the urban zone.***
- 12.2 The policy should require population densities to increase as cities become larger and the overall densities, with the exception of Toronto, should be expected to double.

### 13. Minimum Distance Separation Formulae (MDS) (policy 2.1.4)

- 13.1 We **support** the inclusion of compliance with minimum distance separation formulae but a change is needed and their application will become more difficult.
- 13.2 At present the MDS has an expansion factor built in for new livestock enterprises. We **no longer support** this. The formula should be firm. Only the minor variance process should be able to modify the application of MDS for specific local circumstances.
- 13.1 The existence of the formula suggests that severances are expected near existing farm enterprises. This has led to a pattern of mixing incompatible uses for decades. The intensification and expansion for farms is at risk as a result.
- 13.2 The application of the formula to existing rural residences creates an “urban shadow” around each of them.
- 13.3 The formulae are a short-term compromise to accommodate an existing development pattern. To keep the countryside open for the business of farming lot creation must be stopped.
- 13.4 The formulae leave much to be desired. They do not take into account prevailing winds. They assume that all farmers are poor managers of dust, odour, noise and other nuisance factors.

### 14. Definition of Agricultural Uses

- 14.1 We request that the definition be modified to the following: (changes bolded)
- 14.2 *Agricultural uses: means the growing of crops, including **mushrooms**, nursery, **market gardening crops**, and horticultural crops; raising of livestock and other animals for food, or fur, including poultry, fish and **apiaries**; aquaculture; agro-forestry; maple syrup production; **packing, treating, processing, marketing, selling, sorting or storage of locally grown or raised products, the storage or use of organic recyclable material for farm purposes on the farm and any similar uses customarily carried on in the field of general agriculture and associated on-farm buildings and structures.***
- 14.3 The business of farming should not be limited to primary production. Primary production has faded dramatically as a share of the consumer value of food. Agriculture has to be much more than primary production to be a viable economic sector. A full range of farming activities should be permitted uses on lands designated or zoned for agriculture.

### 15. Definition of Agriculture-related Uses

- 15.1 We request that this definition be modified to the following: (changes bolded)
- 15.2 *Agriculture-related uses: means those ~~farm-related~~ commercial and ~~farm-related~~ industrial uses that, **when located on farms, support the economic viability of farms and** are small scale. ~~and directly related to the farm operation and are required in close proximity to the farm operation.~~*
- 15.3 Up to 85% of farm families are involved in economic activities other than agriculture. A growing number of these activities have no relation to agriculture but they contribute to the viability of the farm and a reasonable standard of living for these families. We support a wide range of these activities taking place on farmsteads. A farm family should be able to earn a

reasonable family income on a one hundred acre farm but in many cases the farming activities will only be a contribution to family income.

## 16. Definition of Prime Agricultural Land

- 16.1 All of our prime agricultural land should be protected. We request that the definition be modified to the following (changes bolded)
- 16.2 *Prime agricultural land: means land that includes specialty crop lands and/or Canada Land Inventory Classes 1, 2, and 3 soils, ~~in this order of priority for protection.~~*
- 16.3 All foodland is important to agriculture and needs protection in the planning process. Our concern is for the best land in all parts of the province.
- 16.4 We support the creation of a secondary agricultural land designation that also receives a high level of protection but is more relevant to the soils eastern, northern and northwestern Ontario.

## 17. Definition of Secondary Agricultural Land

- 17.1 We request the addition of a definition for Secondary Agricultural Land:
- 17.2 *Secondary agricultural land: means land that does not include Canada Land Inventory Class 1 soil but includes the best three classes of soil in an area and any lands that are part of a commercial farm enterprise that has operated on lower quality lands for a substantial number of years.***
- 17.3 Foodland in eastern, northeastern and northwestern Ontario is often not prime agricultural land on a provincial scale but it is the best land in those areas. These lands and established farms in these areas also need protection in the planning process.

Executive Board<sup>3</sup>  
Christian Farmers Federation of Ontario<sup>4</sup>  
October 4, 2001

---

<sup>3</sup> Before adoption, a draft of this document was discussed by CFFO Provincial Board (September 19), Pork Producers Committee (September 21), Stewardship & Policy West Committee (September 27) and Stewardship & Policy East Committee (September 28).

<sup>4</sup> Background information about the Christian Farmers Federation of Ontario can be found at [www.christianfarmers.org](http://www.christianfarmers.org).