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Darryl Lyons, Team Lead
Provincial Policy Statement Review
Ministry of Municipal Affairs and Housing
Provincial Planning Policy Branch
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November 22, 2012

Dear Mr. Lyons:

RE: Environmental Bill of Rights (EBR) Registry Number 011-7070
Provincial Policy Statement Five Year Review: Draft Policies and the Review Cycle

The National Farmers Union (NFU) – Ontario has been an accredited General Farm Organization in Ontario since 2002. As an organization, we advocate for the development of economic and social policies that will maintain small and medium sized farm farms as the primary food producers in Ontario and across Canada. We believe agriculture should be economically, socially and environmentally sustainable and should lead to:

- financially-viable family farms,
- enriched soils,
- jobs for non-farmers,
- thriving rural communities,
- biodiverse ecosystems and
- a more beautiful countryside.

Provincial and municipal land use policies and decisions have have a direct impact on the economic, social and environmental sustainability on Ontario farms and across the province. The policies laid out in the Provincial Policy Statement impact farmers and rural communities on a daily basis. The NFU welcomes this opportunity to provide feedback on the draft policies of the PPS.

In 2006, Ontario accounted for about one quarter of Canada's gross agriculture revenues agriculture, approximately 25% of Canada's farmers and 8% of Canada's farm land. Due to the climate and the high-quality soils Ontario farmers are able to produce a diverse range of field, fruit and vegetable crops and raise a variety of poultry and livestock, including dairy animals. As a province with a large manufacturing sector where the majority of people live in urban centres, there are constant pressures to take farm land out of agricultural production and make it available for development, industrial uses and housing. Between 1921 and 2006, the amount of land being farmed in Ontario decreased by 42%.

Along with protecting farm land, land use policies in Ontario, including those laid out in the PPS, need to support opportunities for farmers to survive and thrive, including creating opportunities for farmers to sell farm produce, including on-farm processed food, direct to consumers and to be part of locally-based, small-scale food processing and distribution channels. Strong, local food systems enable farmers to retain a larger portion of the food dollar and provide jobs.

Questions for Consideration:

1. Do the draft policies provide sufficient direction to effectively protect provincial interests in land use planning?

1) We would like to acknowledge a couple of additions to the draft policies which have the potential to benefit those farmers who are interested in strengthening local food systems and building relationships with the people who eat the food they produce:

- 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns
 - 1.1.1 h) - healthy, liveable and safe communities are sustained by 'promoting development and land use patterns that maintain biodiversity and resilience to climate change'. Local food systems encourage farmers to make their operations more diverse, thereby making their farms more biodiverse and more resilient to climate change.
- 1.1.4 Rural Areas in Municipalities
 - 1.1.4.5 - 'Agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices should be protected and promoted' in rural areas in municipalities.
- 1.7 Long-Term Economic Prosperity
 - 1.7.1 i) - long-term economic prosperity should be supported by 'providing opportunities to support local food, and promoting the sustainability of agri-food and agri-product businesses ...'

2) Concerns:

Once farm land is lost to urban or industrial uses, including aggregate extraction, it is almost always lost forever. The draft policies of the PPS continue to contribute to the loss of farm land and continue to put the preservation of farm land second to other land uses. It is in the provincial interest to protect the farm land we have in the province before other interests, so that as a province we have the ability to feed ourselves now and in the future. Prime agricultural land is a non-renewable resource. Some areas of concern in the draft policies:

- 1.1.3 Settlement Areas
 - 1.1.3.8 c) 2. In the absence of more guidance and clarity, the allowance for the expansion of settlement areas in prime agricultural areas if there are '*no reasonable alternatives*' leaves too much discretion for planners and serves to give expansion of settlement areas priority over farm land.
- 1.6.6 Transportation Systems.
 - Although, there is mention of support for transit and active transportation and protecting the long-term operation of rail facilities, there is no emphasis on moving away from our reliance on a network of highways. The expansion of highways, even the expansion of existing highways, leads to the loss of farm land, as most highways are built on farm land. Highway expansion also leads to the fracturing of rural communities, as highways become barriers to residents and farmers living on opposite sides.
- Rail lines use less farm land and can move both people and goods. However, rail service is being cut in rural areas (e.g. the Sarnia-London-Stratford-Kitchener-Guelph line) which will lead to more reliance on highways. It is in the provincial interest to find ways to work with governments, at all levels, to upgrade, maintain and increase traffic on the remaining rail

lines.

- 2.5 Mineral Aggregate Resources
- 2.5.2 Protection of Long-Term Resource Supply
- 2.5.2.1 The requirement for aggregate resources to be made available as close to markets as possible leads directly to conflicts between the protection of farm land and the use of aggregate. The second paragraph of 2.5.2.1 states that demonstration of need for aggregate shall not be required. The requirement to source aggregate as close as possible to markets, without even demonstrating a need for the aggregate, is just one of several policies which give aggregate the priority over any other use. This policy also works against the promotion of recycling and of conservation of aggregate. Long term food security, and the economic development that accompanies the protection of both farm land and farmers, are in the provincial interest.

The policy direction to source aggregate as close to markets as possible serves to discourage the transportation of aggregate from parts of the province where preservation of farm land is not an issue. Bringing aggregate from further afield would increase the cost but an increase in cost would force more serious efforts to recycle and to decrease use.

- 2.5.2.3 The 'wherever feasible' wording in this policy, leaves quite a lot of discretion as to when 'conservation' shall or shall not be undertaken. Conservation, ie recycling and reusing aggregate needs to be made a priority, similarly there must be an intent to use less aggregate overall.
- 2.5.4 Extraction in Prime Agricultural Areas
- 2.5.4.1 The draft policies continue to assume that aggregate extraction can be an 'interim use' of land and that once the aggregate is removed the land can be rehabilitated back to the same agricultural condition. Farmers, who work land on a daily basis, know this is simply not true. The aggregates under the soil contribute to the 'soil capability' of the specific piece of land and increase the value of the land for growing crops.
- Farms and rural communities use aggregate as well as urban centers. However, farms and rural communities are left to bear the costs of aggregate extraction through the loss of productive farm land, and the employment those farms provide, the disruption to water tables when aggregate is extracted below the water table, poorer air quality, increased road traffic and the loss of their communities as farmsteads are torn down.
- It is in the provincial interest to prohibit the extraction of aggregate on prime agricultural areas and specialty crop areas, in order to protect Ontario's food security. The first steps towards stopping the removal of aggregates from under prime agricultural lands should be:
 - to immediately prohibit the removal of aggregate below the water table in prime agricultural areas and in specialty crop areas. This leaves the opportunity for some rehabilitation to agricultural use, although not to the same 'soil capability';
 - to require users of aggregate to recycle, recover and demonstrate need.
- 2.5.4.1 a), b), c), d) This list of exemptions from 'complete agricultural rehabilitation' should be removed, as they clearly lay out strategies for aggregate extraction companies to use so that they do not have to rehabilitate land to agricultural uses. These exemptions further open up and allow for aggregate pits to be turned into other industrial uses, like garbage dumps, once the aggregate is removed, ensuring productive farm land is lost forever. Protection of

prime agricultural land and specialty crop areas needs to be the first priority under the PPS.

2. Are there additional land use planning matters that require provincial policy direction which are not included?

1) Ownership of farm land:

- In 2010, the NFU published a research paper which looked at how non-farmer investors, corporations and foreign entities buying up farm land are threatening the family farm model of food production in Canada. This is part of a growing trend around the world whereby vast amounts of farm land are being bought up by foreign investors, often for food production. As farm land becomes scarce around the world and wealthy investors and foreign corporations gain control of farm land, local communities lose access and control of food and of the production of food for their own citizens.
- Ontario should put in place land ownership restrictions wherein farm land can be owned only by individuals who reside in the province or by incorporated farming operations owned by individuals who reside in Ontario.
- Differential land taxation rates should be implemented to encourage land ownership by farm families and other local citizens, and to discourage investors and large corporations from buying and owning farm land. Farmers and other local residents should be charged lower tax rates while investors, foreign interests, non-farm corporations and large farming corporations with numerous shareholders should be taxed at higher rates.

2) Intergenerational Transfer of farm land:

- To protect Ontario's food security into the future, young and new farmers must be able to access land to grow food. Ontario should put in place policies and set up mechanisms to allow for family intergenerational land transfers that do not rely on loans and interest payments. And the government should investigate ways for young and new farmers to gain secure access to food land that do not require massive indebtedness. Such policies and mechanisms could include:
 - community-owned land trusts and land banks to ensure local food production and to enable the entry of new farmers and other food producers.

3. Do you foresee any implementation challenges with the draft policies?

- NFU members have expressed concerns about municipalities which do not follow the policies laid out in the PPS, especially in relation to allowing residential lots and the expansion of settlement areas, onto prime agricultural land. These situations not only take farm land out of production, but create conflicts between farmers and non-farm neighbours around normal farm practices.
- Different interpretations by different municipalities around what can be classified as an 'on-farm diversified use', which could result in challenges for farmers looking for ways to tap into the local food market.
- Although there is an attempt to protect prime farm land, throughout the PPS, the exemptions which allow the use of prime farm land for residential, industrial and extraction uses if no there is no alternative available will inevitably result in other uses being given priority when tough decisions need to be made. The implementation of the draft policies will continue to lead to the loss of land to grow food in Ontario and will create challenges to long-term food security.

4. Is additional support material needed to help implement the Provincial Policy Statement?

- clearer guidelines and direction around what 'on-farm diversified uses' are and whether or not such uses can serve other farmers;
- throughout the PPS, stronger and tighter direction, around statements like 'no reasonable alternatives' and 'complete agricultural rehabilitation is not required if', to better protect prime agricultural lands and specialty crop areas.

5. Do you think that the legislated Provincial Policy Statement review cycle should be extended from the current 5-year period?

No. Even with a 5-year review, it takes more than 5-years to complete the review. Societal values and understanding of the implications for food sovereignty from the loss of farm land are changing. An extension of the current 5-year period, would make it more difficult for citizens to have input and push for changes in line with their changing values and awareness of land use planning in Ontario.

Sincerely,



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