



Friday, June 9, 2023

Laurie Scott, MPP, Haliburton—Kawartha Lakes—Brock
Chair, Standing Committee on Heritage, Infrastructure and Cultural Policy
c/o Isaiah Thorning, Committee Clerk
Whitney Block, Room 1405
99 Wellesley Street West
Toronto, ON M7A 1A2

Delivered via e-mail to: schicp@ola.org
Delivered via e-mail to: growthplanning@ontario.ca
Submitted online to the Environmental Registry of Ontario

Re: WOWC Submission to Environmental Registry of Ontario (ERO) Posting 019-6813

Dear Committee Chair Scott and Members of the Committee,

On behalf of the Western Ontario Wardens' Caucus (WOWC), thank you for this opportunity to provide a submission to the Province of Ontario regarding the Environmental Registry of Ontario (ERO) posting 019-6813, *Review of proposed policies adapted from A Place to Grow and Provincial Policy Statement to form a new provincial planning policy instrument*.

The WOWC is a not-for-profit organization representing 15 upper and single-tier municipalities and 1.5 million residents across rural Southwestern Ontario, aiming to enhance the prosperity and overall well-being of rural and small urban communities across the region. The WOWC wishes to express its support for the Province's recent efforts and measures toward increasing housing supply throughout Ontario over the next 10 years.

The WOWC reiterates its commitment and support for the efforts to increase the supply of housing and to improve housing affordability in Ontario, and notes that Bill 97 recognizes the importance of the rental housing market and stronger tenant-landlord relationships in making housing more affordable and preventing homelessness.

However, with respect to the changes on the Province's capacity to intervene in development, including the proposed draft of the new Provincial Planning Statement, there are areas of significant concern that WOWC members wish to address. Specifically, the WOWC's concerns can be expressed in three separate categories, being: lot creation in agricultural areas, employment lands, and the expansion of settlement boundaries.

That said, there are also several proposed changes in the new Provincial Planning Statement that are positive and are supported by the WOWC but would require minor revisions and wording adjustments to ensure clarity and avoid potential confusion and uncertainty in implementation.

To ensure the concerns identified in this letter are appropriately considered and addressed, the WOWC requests that the Province release a revised draft of the document that incorporates the feedback received from municipalities through this first round of consultation, for further municipal review and comment prior to finalizing.

Given the importance of the PPS to planning for complete and sustainable communities, protecting our natural resources, and the future of the Province as a whole – coupled with the potentially disastrous impacts of getting it wrong – it should be stressed that this is both a reasonable request and prudent consultation step.

Agricultural Policy Changes

The landscape across rural Western Ontario includes significant swaths of rural and agricultural lands, including prime agricultural areas. The WOWC therefore agrees with comments expressed by our rural municipal members and partners that the protection of Ontario's prime agricultural areas for their long-term agricultural use must be a key objective.

Ontario's agricultural lands are a finite and shrinking resource. The province cannot continue to lose valuable agricultural land – which produces and supplies food, fibre, fuel, among other things – while increasing the housing supply across Ontario. Any proposals to increase housing must be done in careful consideration of the protection of agricultural lands.

The total agricultural land loss that could potentially result from the implementation of the proposed changes to the PPS would have a significant impact on the agricultural industry. Less than five per cent of Ontario's land base is prime agricultural lands (OMAFRA, 2016). According to Ontario Farmland Trust, Ontario is already losing 319 acres of farmland every day, as it is transitioned to other uses.

The WOWC is pleased to see that the Province is proposing to recognize “additional residential units” (ARUs) as a permitted use in rural areas, including on a farm. This change is appreciated and supported, as those units will serve to address and support the needs of farm families and operations with limited impacts on agriculture/agricultural operations.

However, allowing for the severance of such units from a farm is not appropriate or supported, except in the case where they are contained on the same lot as an existing principal farm dwelling that is determined to be surplus to the farm operation in accordance with proposed policy 4.3.3.1 b, i.e. to ensure that the establishment of ARUs on a farm do not inadvertently create any additional rural residential lot creation opportunities and associated negative impacts on agriculture.

The proposal to require municipalities to allow for up to three residential lots to be severed from a farm property is of major concern. This proposed policy demonstrates a lack of perspective, context, foresight, and understanding of land use planning, economics, and agriculture. If approved, this policy would have a significant and irreversible impact on agricultural land and operations and the long-term success and viability of agriculture in Western Ontario and the entire province.

Information shared through the Ontario Farmland Trust also suggests that more than 500,000 residential lots could potentially be severed from agricultural land province wide as result of this one proposed policy change. WOWC estimates more than 270,000 such lots could be created on prime agricultural lands in Western Ontario municipalities alone, and result in the loss of 5 to 10 per cent of our remaining farmland (see Appendix 1).

Even if these lots were all to be limited to a maximum of one acre in size, the same number of lots could easily be accommodated on a fraction (i.e., 1/10th) of the land area in a typical fully serviced settlement. This proposed policy would result in an enormous loss, and extremely inefficient use, of prime agricultural land, without in anyway increasing the supply of affordable and/or attainable housing in rural areas.

Further, there are other ways to increase the supply of rural housing that are more affordable, attainable, and sustainable, without negatively impacting agricultural land and operations. Policies that promote multiple severances and introduce additional non-farm development (with associated increases in potential land use conflicts, increased fragmentation of land, impacts on rural services etc.) are not viewed as promoting the interest of farming or ensuring the sustainability of agricultural for future generations.

Allowing multiple residential severances in the agricultural and rural areas will also increase the amount of hauled sewage that is produced. Hauled sewage still needs to be treated at municipal wastewater treatment plants. There is a concern that existing wastewater treatment plant capacities and treatment capabilities will not be able to handle the increase in hauled sewage.

The WOWC believes strongly in the PPS 2020 agriculture policies governing farmland and rural areas protecting the right to farm and the agricultural system in Ontario and supports the position of the OFA that those policies remain in place, particularly the lot creation policies. The WOWC does not support further rural residential lot creation in agricultural areas but can support additional residential units on existing farm parcels, and in rural settlements, to support our agricultural system. The WOWC reiterates the statement from its partners on support for additional residential units (ARUs) subordinate to the principle dwelling on agricultural parcels but does not support the severance of ARUs from these parcels, except as noted above.

Employment Lands

The WOWC is concerned with changes to the employment use policies that would now appear to require municipalities to allow for certain employment lands (that are currently not defined as an “employment area”) to be developed or redeveloped for mixed use, including residential. In addition, the proposal also appears to introduce new policies that require the identification and protection of “employment areas” for exclusively employment use, based on provincial criteria, as well as for the planning of transition areas surrounding such areas.

The WOWC cautions against the changes to the definition and policies proposed in the *Planning Act*, namely as 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. Further, the proposed changes could unduly limit the ability of municipalities to appropriately properly plan for employment uses and areas, particularly in smaller urban and rural municipalities.

Proposed Growth Management and Settlement Expansion Policies

Another area of concern to the WOWC is the proposed change to the planning horizon and loosening of the required justification for settlement area expansions. For one, the complete removal of the comprehensive review process and definition represents a drastic policy change. Further, having a reasonable maximum time frame for planning for growth (not just a minimum, as proposed) and clear

justification for settlement expansions is necessary to provide certainty and consistency in planning for growth and infrastructure and other public services and achieving the necessary densities and mix of housing and other uses necessary to build complete communities.

Various municipalities, including some WOWC members, have previously requested that the Province consider providing some additional flexibility to facilitate settlement expansions in certain circumstances, where it is reasonably required to properly plan for and accommodate forecasted growth and increase housing supply. However, as proposed, the changes do not provide sufficient direction and certainty to be able to effectively plan for and direct growth, which may also serve to undermine other key provincial and local planning objectives including, but not limited to:

- planning for and ensuring the efficient use of land and infrastructure,
- protecting agricultural land for long term agriculture and limiting impacts on agriculture and other natural resources; and
- encouraging increased densities, intensification, range and mix of housing and other uses necessary to support complete communities.

It is also critical that settlement expansions be either initiated or approved by a municipality, and that a municipal decision to not support a privately initiated application to expand a settlement not be subject to appeal, as has been the approach under the current *Planning Act*. The alternative would lead to more speculation and uncoordinated/inefficient settlement expansions, due to continuous pressure from development proponents to expand settlements and infrastructure in multiple directions. This continuous pressure would distract municipalities from completing the necessary growth and infrastructure planning that is important to sustainably accommodate growth and build great communities.

Therefore, the WOWC requests that the Province modify the proposed settlement expansion policies to address the above noted concerns, while still incorporating some additional flexibility for settlement expansions.

The proposed Provincial Planning Statement would weaken direction on these forms of housing through the removal of affordable housing definitions, affordable housing targets and references to affordable housing in the definition of “housing options.” The Province should be using this opportunity to strengthen these policies to ensure the effective and continuous delivery of these housing units across the Province.

The WOWC is also 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. Furthermore, we recommend strengthening of the PPS 2020 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.

The WOWC 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. This would allow for planning decisions that are inconsistent with the PPS 2020 and could open the floodgates for a rash of developments that run counter to prime agricultural land preservation. Significant acres of farmland have already been lost to development because of MZOs to date.

Conclusion

The WOWC stresses that the rural residential lot creation and settlement expansion policies are currently the primary focus of concern.

It is important to highlight that even allowing for one rural residential lot per farm would have a devastating and irreversible impact on farmland loss and agricultural operations for the same reasons three lots would – and simply does not have any planning, or agricultural or housing need basis. There are far better ways to increase rural housing supply that would be more affordable/attainable and not negatively impact agriculture.

The WOWC is firmly of the opinion that the following alternatives would allow for increased rural housing opportunities in prime agricultural areas, while also avoiding or minimizing the impacts to agricultural land and uses:

- Allowing for ARUs in rural areas, including on farms, as the Province is proposing;
- Continuing to direct rural growth primarily to fully serviced rural settlement areas;
- Allowing for existing, smaller (e.g. <2.5 acres) non-farm rural residential lots to be split; and
- Allowing for the limited infilling or the one-time minor rounding out of un-serviced rural settlement by municipalities through an Official Plan review process.

With respect to the proposed changes to the settlement expansion policies, the WOWC would request an opportunity to work/consult further with the Province to identify potential policy solutions to address the various concerns raised.

As always, the WOWC appreciates the opportunity to comment on the proposed policy changes and looks forward to working with the provincial government and our municipal counterparts to protect Western Ontario's agricultural land while sustaining and growing Ontario's housing supply.

Thank you in advance for your collaboration and your attention to this matter. On behalf of the WOWC and its constituents, I look forward to your response.

Sincerely,

A handwritten signature in cursive script that reads "Glen McNeil".

Warden Glen McNeil
Chair, Western Ontario Wardens' Caucus

Appendix 1: Summary of WOWC Municipalities

Assumptions and Notes

Includes severance estimates for three lots per agricultural lot/parcel for all WOWC municipalities (Brant, Bruce, Chatham-Kent, Dufferin, Elgin, Essex, Grey, Haldimand, Huron, Lambton, Middlesex, Norfolk, Oxford, Perth, Simcoe, Wellington).

Based on municipal supplied severance estimates, except for Elgin, Dufferin, Haldimand and Simcoe where MPAC (2019) based estimates were used, as local data was not available at the time of summary.

Estimates have generally been reduced to account for non-agricultural/non-farm uses (10%) and MDS (10%) referenced in the proposed provincial criteria. Accuracy of municipal numbers will vary based on level of detail for local information and their respective designation and zoning approaches.

Severance estimates are for creation of rural residential lots in prime agricultural areas only and do not consider potential farmland loss that could result from the proposed increased flexibility for lot creation within rural lands (i.e. multi-lot development/subdivisions), or as a result of settlement area expansion or other types of nonagricultural development.

Estimates for farmland loss is based on total farmland for all WOWC municipalities based on MPAC 2021 (not just farmland located within prime agricultural areas). As a result, the percentage of prime agricultural farmland loss from this proposed policy change would be even higher. It is reasonable to say that this proposed policy could result in a loss of 5 to 10% of Ontario's prime agricultural land.

Total Estimated Severance Potential	272,503 acres
Total Acres Lost (1 acres/ha) (2 acres/ha) (2.47 acres/ 1ha)	272,503 acres / 110,325 ha
	545,007 acres / 220,651 ha
	673,084 acres / 272,503 ha
Estimated Farmland Loss % (1 acre lots) (2 acre lots) (2.47 acres/ 1 ha lots)	3.46%
	6.92%
	8.54%
Potential Net Units in a serviced settlement** (if 1 acre lots) (2 acre lots) (if 2.47 acre lots)	1,556,200 units
	3,112,399 units
	3,843,813 units

** Is based on 15 units/ha at 70% developable