



**Ontario  
Tender Fruit  
Growers**



Ontario Fresh  
Grape Growers'  
Marketing Board



May 17, 2022

Niagara Regional Council

**Delivered via email**

Re: Proposed Development Charge Bylaw

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Dear Council Member:

It has recently come to our attention that the proposed development charge by-law for the 2022 renewal period includes the removal of the “agricultural use” exemption.

This exemption, as defined in Section 11 of the current by-law, has been long-standing and is currently in place in the majority of agricultural jurisdictions. Removing it will have devastating effects to not only our growers, but all agricultural operations in the Niagara Region.

Additionally, the Development Charges Act states the following:

*10. The rules may provide for full or partial exemptions for types of development and for the phasing in of development charges. The rules may also provide for the indexing of development charges based on the prescribed index. 1997, c. 27, s. 5 (1); 2019, c. 9, Sched. 3, s. 3 (1, 2).*

Source: <https://www.ontario.ca/laws/statute/97d27#BK5>

The Ontario Provincial Policy Statement (2020) and The Greenbelt Plan (2017) include language that recognizes the importance of agriculture, and supports agricultural uses as outlined below:

### **Provincial Policy Statement**

*Agricultural Use* as defined in the 2020 Provincial Policy statement is the following:

*“the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.”*

Source: <https://www.ontario.ca/page/provincial-policy-statement-2020>

## Greenbelt Plan

The 2017 Greenbelt Plan includes the following key protection statements:

*The Greenbelt is a broad band of permanently protected land which:*

- *Protects against the loss and fragmentation of the agricultural land base and supports agriculture as the predominant land use.*

### Vision and Goals

#### *Agricultural Viability and Protection:*

a) Protection of the *specialty crop area* land base while allowing agriculture-supportive *infrastructure* and value-added uses necessary for sustainable *agricultural uses* and activities.

d) Provision of the appropriate flexibility to allow for *agricultural, agriculture-related* and *on-farm diversified uses, normal farm practices* and an evolving agricultural and rural economy.

e) Increasing certainty for the agricultural sector to foster long-term investment in the *agri-food network* and improvement to and management of the agricultural land base.

By removing the agricultural use exemption, Regional Council is not only in conflict with the above statements but is certainly spelling out the demise of agriculture in the Niagara Region.

For example, a tender fruit barn that was built a few years ago, if designated as “commercial” under the new rate schematic, would cost the grower over \$250,000 in development charges alone.

We hope that this proposal, which had no consultation with agriculture, was an extreme oversight and that the Regional Development Charges Policy Task Force will reverse their recommendation and imbed the exemption using the full definition of agricultural use, including accommodation for farm labour, in the next bylaw and all future renewals.

We trust that Council will continue to support agriculture in the Niagara Region.

Sincerely,



Phil Tregunno- Chair, Ontario Tender Fruit Growers,  
David Hipple- Chair, Fresh Grape Growers' Marketing Board,  
Barbara Hipple- President, Niagara Peninsula Fruit & Vegetable Growers' Association

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