

Pelham Greenhouse Growers Group

Victoria Ave.,
Fenwick, ON
L0S 1C0

January 26, 2022

Attention Town of Pelham:

In regards to 2021 Development Charges Update Study of Dec. 22, 2021

Please be advised that the Pelham Greenhouse Growers Group are in opposition to the proposal of development charges for greenhouses and hoop houses. We note in the proposed TOP Development Charges Study on page A-4, that agricultural buildings are exempt from these development charges and it is our position that greenhouses along with hoop houses should be exempt as well.

We have attached a letter from the Ontario Federation of Agriculture (OFA) of April 14, 2020 stating their position on the proposed development charges. Please see attachment No.1

By-law No. 4117 (2019) needs to be repealed, since it does not reflect the true facts that greenhouses are considered agriculture and should receive the same considerations and exemptions as all other farm buildings. By-law No. 1118 (1987) should be reinstated. Please see attachment No.2

By-law No. 4117 (2019) was created to apply more control over the development of cannabis growers, which it has not been able to do. Look at the number of cannabis growers in Pelham and the size of their facilities. Greenhouse growers of agriculture and horticulture products have suffered the consequences of this By-law change. ie; site plan

agreements, proposed development charges, including building permits for hoop houses.

The Farming and Food Production Act (FFPPA), also known as the Normal Farm Practice ACT (see the link below from OMAFRA website)

“agricultural operation” means an agricultural, aquacultural, horticultural or silvicultural operation that is carried on in the expectation of gain or reward”

C. the production of agricultural crops, greenhouse crops, maple syrup, mushrooms, nursery stock, tobacco, tree and turf grass, and any additional agricultural crops prescribed by the Minister;

<https://www.ontario.ca/laws/statute/98f01>

Another consideration is that's we do not believe that the Town of Pelham can justify DC's on greenhouses and hoop houses because they do not create any burden on Town services from them because there is no capital cost to the Town because of them. What would it be? It's not fire services, snow ploughing, Town administration, road maintenance, sewer & water, etc.

Please see attachment #3

Ontario Building Code (OBC) Part A 1.3.1.2 says that farm buildings are governed by the National Building Code. OBC A 1.4.1.2 defines Farm Buildings and in the Appendix, it specifically lists greenhouses as an example of a farm building. FNBC has the same definitions, the excerpt is attached. Note that both codes refer to the Ontario Fire Code, and all 3 documents state that the fire code is not applicable to low human occupancy buildings, which is less than 1 person per 40 sq.m. (430 sq.ft.) during normal operations. Please see attachment #4

Sincerely,

John Langendoen

Willowbrook Nurseries