

December 22, 2025

Ruchi Parkash, MFPB@ontario.ca
Director, Municipal Finance Policy Branch,
Municipal Affairs and Housing
College Park, 13th Floor,
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Toronto, Ontario M7A 2J3

Submitted via email MFPB@ontario.ca

Dear Ruchi Parkash,

RE: 25-MMAH032: Limiting Municipal Stormwater Fees and Charges: Amending O. Reg 584/06 of the Municipal Act, 2001 and O. Reg 595/06 of the City of Toronto Act, 2006

The Ontario Federation of Agriculture is dedicated to ensuring that the agri-food sector and rural communities are considered and consulted with on issues, legislation and regulations that would impact the sustainability and growth of our farm businesses. OFA appreciates this opportunity to provide input on this consultation **25-MMAH032: Limiting Municipal Stormwater Fees and Charges: Amending O. Reg 584/06 of the Municipal Act, 2001 and O. Reg 595/06 of the City of Toronto Act, 2006**.

OFA is very appreciative that the government has heard the agriculture community's concerns regarding the application of stormwater fees and charges to agricultural properties. We are also pleased that the proposal does not include an expiration of the regulation. We reiterate our position that these fees/charges should not be applied to agricultural properties. Our agricultural lands provide many water and environmental benefits to municipalities that must be taken into account. These include, but are not limited to, absorption of stormwater through infiltration – replenishing aquifers, creeks, streams, lakes and wetlands, slowing peak flows thereby decreasing in stream erosion, and filtering contaminants. We are also adamant that land drainage managed through the *Drainage Act* should not be subject to stormwater fees or charges – landowners are already paying to manage their stormwater.

With respect to this consultation,

The Ministry is proposing regulations that would prohibit municipalities from imposing stormwater fees and charges on portions of properties that are in the farm managed forest property classes with no direct connection to a municipal storm sewer.

OFA believes that the regulations should “prohibit municipalities from imposing stormwater fees and charges on properties that are classified in whole or in part in the farm property tax class and/or in the managed forest property tax class” without the conditions of “portions of properties” or “direct connections”. We believe this more accurately reflects the realities of the plethora of water and environmental services agricultural lands provide to the municipality, at no cost to them.

Failing a full prohibition of applying stormwater fees/charges to agricultural and managed forest lands, it will be critical that appropriate definitions are put in place to ensure both the appropriate intent and application of the regulation. Specifically, clarity on the definitions around “municipal storm sewer” and “direct connection” is required.

In this proposal, “municipal storm sewer” is defined as a “municipally owned pipe or conduit for carrying stormwater”. What constitutes a “conduit”? It is our interpretation that the municipal storm sewer refers to grey infrastructure - traditional, human-engineered systems made of concrete, steel, and asphalt, like pipes and sewers. It does not refer to drainage ditches or watercourses. From this understanding, a “direct connection” would then mean pipe to pipe – not outletting into ditches or watercourses.

OFA is opposed to a stormwater fee or charge being applied to any portion of a property in farm or managed forest property class if there is no direct connection. In this proposal, portions of these properties will still be charged a ‘user fee’ for a service they are not receiving or using. This is unacceptable. Ultimately, stormwater fees or charges should not be applied to properties that are not directly connected.

If the government intends to go forward with allowing stormwater fees and charges on properties that are in the farm or managed forest property classes that have a direct connection to a municipal storm sewer, then the regulations must also mandate that these properties cannot be charged the industrial/commercial rates, as has been the practice in several municipalities. It is obvious that stormwater run-off from a mall with only 5% soft scaping is very different than the amount of stormwater run-off from an agricultural property. If a municipality intends to apply a charge to directly connected agricultural land, then it must reflect the reality of the significant amount of land available to capture and infiltrate stormwater; along with recognition of the on-farm practices to capture and manage stormwater.

Finally, many farms have been subject to and paid significant amounts of money in stormwater fees and charges. Will this allow farmers to recuperate money that has already been paid?

OFA appreciates the opportunity to contribute to this important consultation and welcomes further engagement as the proposal advances.

Sincerely,

Drew Spoelstra

Drew Spoelstra
President

cc: Hon. Rob Flack, Minister of Municipal Affairs and Housing
Hon. Trevor Jones, Minister of Agriculture, Food and Agribusiness
Hon. Lisa M. Thompson, Minister of Rural Affairs
OFA Board of Directors

This submission has been approved by the OFA Board of Directors and will be posted to OFA's website: <https://ofa.on.ca/resources/>