



Healthy watersheds for today
and tomorrow.

November 23, 2023

Via email and upload to the Environmental Registry of Ontario

Ms. Anna MacDonald, Director
Provincial Land Use Plans Branch
Ministry of Municipal Affairs and Housing
College Park 23rd Floor
777 Bay Street
Toronto ON M7A 2J3

Dear Ms. MacDonald:

Subject: Central Lake Ontario Conservation Authority Comments for Consultation on Provincial Consultation on Proposed Return of Lands to the Greenbelt Environmental Registry of Ontario Notice Number 019-7739 CLOCA File# PGDP22

At their meeting of November 21, 2023, the Central Lake Ontario Conservation Authority (CLOCA) Board of Directors passed the following Resolution:

Res. #70 ***Moved by R. Hooper
Seconded by R. Kerr
WHEREAS The Greenbelt is composed of Agricultural and Environmental Lands that are necessary for local food production, ecological biodiversity, and hydrological integrity – essential elements for human life;
WHEREAS The CLOCA Board of Directors Objected to the Removals Proposed in 2022;
THEREFORE, BE IT RESOLVED THAT the CLOCA Board of Directors supports restoration of the full extent of the Greenbelt Plan;
AND THAT The Greenbelt Act, 2005 be strengthened to ensure that existing Greenbelt Lands are permanently protected;
AND THAT the Commentary in Staff Report #5851-23 be endorsed and submitted to the Province of Ontario as CLOCA’s comments regarding Environmental Registry Posting 019-7739;
AND THAT Staff Report #5842-23, be circulated to Watershed Municipalities, Members of Provincial Parliament, Members of Parliament, Conservation Ontario, the Standing Committee of the Ontario Legislature Considering Bill 136, and adjacent Conservation Authorities for their information.
CARRIED***

Accordingly, please find the endorsed staff report and attachments enclosed with this letter for detailed commentary from CLOCA.

Please contact me if you have any questions with respect to this submission.

Yours truly,



Chris Jones, MCIP, RPP

Director of Planning and Regulation

CJ/cj

Encl. CLOCA Staff Report 5851-23 and attachments

Cc: Hon. Mark Holland, MP (Ajax), Mark.Holland@parl.gc.ca
Hon. Todd McCarthy, MPP (Durham), Minister of Public
and Business Service Delivery Todd.McCarthy@pc.ola.org
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Jamie Davidson, CLOCA, jdavidson@cloca.com

DATE: November 21, 2023
FILE: PGDP22
S.R.: 5851-23
TO: Chair and Members, CLOCA Board of Directors
FROM: Chris Jones, Director, Planning & Regulation
SUBJECT: Provincial Consultation on Proposed Restoration of Greenbelt Boundaries

APPROVED BY C.A.O. 

Purpose

The purpose of this report is to introduce new proposed provincial legislation (Bill 136) to amend the *Greenbelt Act, 2005* and the *Greenbelt Plan* to return areas of land in the CLOCA Watershed (Lynde Creek – Town of Ajax and Black Creek – Municipality of Clarington) and elsewhere back to the Greenbelt and to provide commentary for submission to the province under the *Environmental Bill of Rights Registry* (“Registry”).

Background: Previous CLOCA Commentary in September 2023 Regarding Removals

At the meeting of September 19, 2023, the CLOCA Board of Directors Resolved as follows:

“Moved by R. Mulcahy, Seconded by R. Kerr

WHEREAS The Greenbelt is composed of Agricultural and Environmental Lands that are necessary for local food production, ecological biodiversity, and hydrological integrity – essential elements for human life;

WHEREAS The CLOCA Board of Directors Objected to the Removals Proposed in 2022;

THEREFORE, BE IT RESOLVED THAT the CLOCA Board of Directors supports restoration of the full extent of the Greenbelt Plan within the CLOCA Watershed;

THAT the Commentary in Staff Report #5842-23 be endorsed and submitted to the Province of Ontario as CLOCA’s comments regarding Environmental Registry Posting 019-7561 and 019-7562;

***THAT Staff Report #5842-23, be circulated to Watershed Municipalities, Members of Provincial Parliament, Members of Parliament, Conservation Ontario, and adjacent Conservation Authorities for their information.
CARRIED.”***

Shortly after the passage resolution captioned above, the Government of Ontario announced its intention to restore the full extent of the Greenbelt, as it existed prior to removals that took place in December 2022, while retaining the additions made at that time.

The announcement from September 6, 2023, that the province intends to “prepare a review of the Greenbelt to ensure that it is appropriately accommodating Ontario’s significant growth... and will include an evaluation of the remaining properties that were removed from the Greenbelt late last year” has been abandoned. However, in making its latest announcement on the Greenbelt, the Government signaled an intention to review Greenbelt boundaries once again as part of a future 10-year review pursuant to the *Greenbelt Act, 2005*.

Attachment No. 1 to this Report contains a news release from the Ministry of Municipal Affairs and Housing, dated October 16, 2023, which states that a future 10-year review “will be led by impartial, nonpartisan experts in conservation, agriculture, and environmentalism, and will include engagement with Indigenous communities and municipalities. Once final, the experts’ recommendations will be provided to the Auditor General and the Commissioner of the Environment for consultation to ensure that the review process was fair and guided by the recent recommendations to improve process.”

Also on October 16, 2023, the Minister of Municipal Affairs and Housing tabled Bill 136, a proposed *Greenbelt Statute Law Amendment Act, 2023*, which would have the effect of restoring the 15 parcels of land that were redesignated or removed from the Greenbelt in late 2022 back to the Greenbelt; enshrine Greenbelt boundaries in the *Greenbelt Act, 2005*; and, require future boundary changes to be made via statutory amendment through the Legislative Assembly of Ontario. A posting to the Environmental Registry of Ontario (Registry) inviting comment on the Bill was also published. Attachment No. 2 contains the Registry posting.

Background: Two Greenbelt Removals Took Place in the CLOCA Watershed

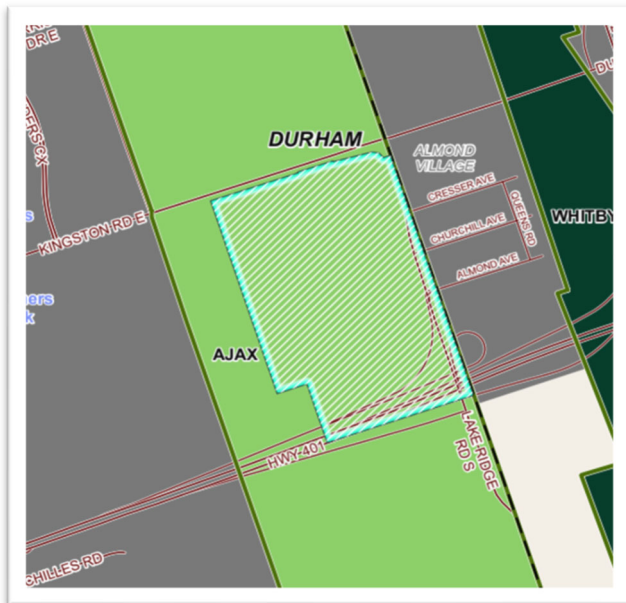
Of the 15 areas of land removed from the Greenbelt Protected Countryside, two (2) were located in the CLOCA Watershed.

Ajax Removal

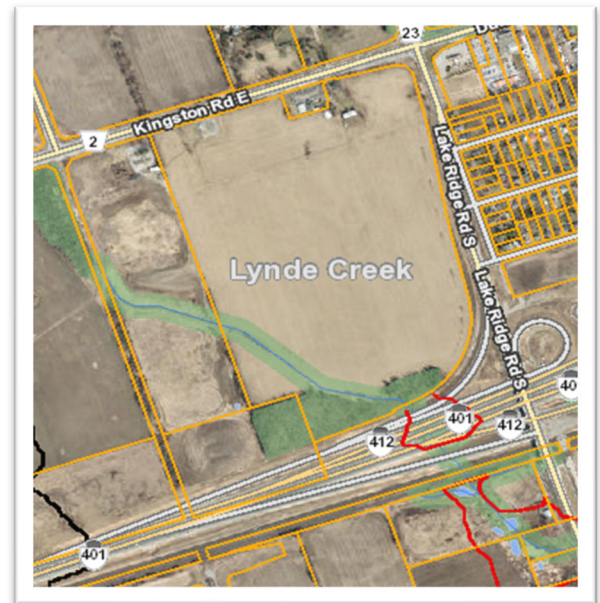
The first area of land is 42.7 hectares (105 acres) located in the Town of Ajax at the southwest corner of Kingston Road East and Lake Ridge Road South within a portion of the Greenbelt Protected Countryside that forms part of the permanent agriculture preserve of the Town of Ajax and a longstanding greenlands and open space separator between the Town of Whitby to the east and the urban portion of the Town of Ajax to the west. An excerpt of the provincial Greenbelt mapping is shown below to the left. The lands are located in the Lynde Creek watershed and contain a tributary of the Lynde Creek and a key natural heritage features in the form of woodland, watercourse and fish habitat along with agricultural lands, which are incorporated into CLOCA’s watershed-scale Natural Heritage System. A map of this information is shown below to the right.

Figure 1: Lands Proposed for Removal in the Town of Ajax, Lynde Creek Watershed

Provincial Greenbelt Mapping



CLOCA Mapping of Features and Areas



LEGEND

- Greenbelt Area*
- Protected Countryside
- Natural Heritage System
- Towns/Villages
- Urban River Valleys
- Settlement Areas Outside the Greenbelt
- Municipal Boundary
- Road or Highway
- Greenbelt Removal

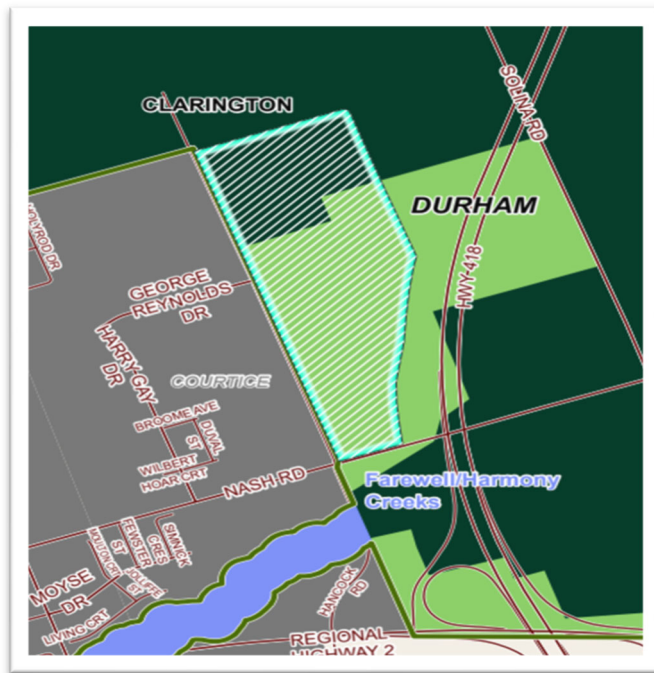
- Assessment Parcel
- Riverine Floodline
- Drainage
- Natural Heritage System

Clarington Removal

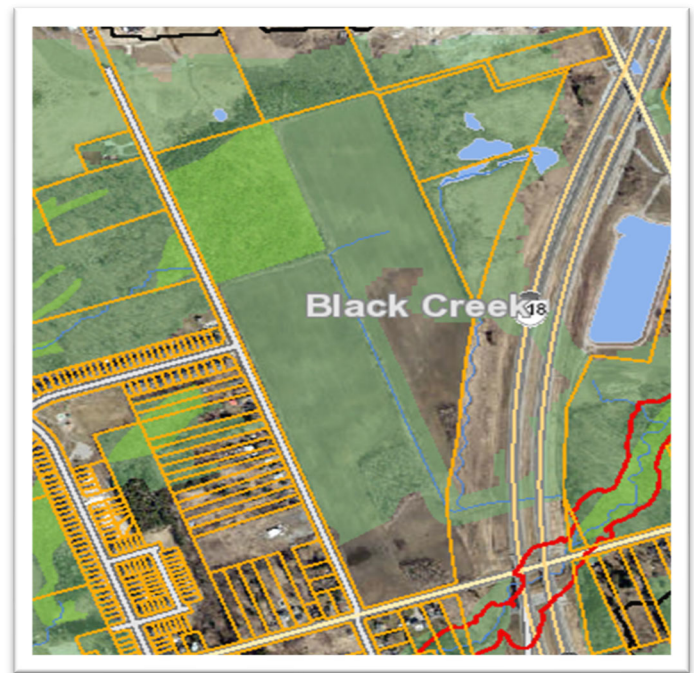
The second area of land is 34.7 hectares (85.8 acres) located in the Municipality of Clarington northeast of the intersection of Hancock Road north of Nash Road within a portion of the Greenbelt Protected Countryside and Greenbelt Natural Heritage System that is intended to permanently protect the Lake Iroquois Beach physiographic region. An excerpt of the provincial Greenbelt mapping is shown below to the left. The lands are located in the Black Creek watershed. Consistent with the location of the lands upon the former Lake Iroquois Beach, the lands also contain woodlands and a large 5.4-hectare (13.2 acre) unit of the *Harmony-Farewell Iroquois Beach Provincially Significant Wetland Complex*, a tributary of the Black Creek and a key natural heritage feature in the form of woodland, watercourse, and fish habitat along with agricultural lands. Appropriate for a site located within the Greenbelt and a portion of the Greenbelt Natural Heritage System, the entirety of the lands is recognized within CLOCA's Wildlife Habitat Network as being either Core Habitat, Secondary Habitat and Regional Corridor for the movement of sensitive plants and animals. In addition, the majority of the site is recognized as being part of CLOCA's watershed-scale Natural Heritage System. A map of this information is shown below to the right.

Figure 2: Lands Proposed for Removal in the Municipality of Clarington, Black Creek Watershed

Provincial Greenbelt Mapping



CLOCA Mapping of Features and Areas



LEGEND

- Greenbelt Area*
- Protected Countryside
- Natural Heritage System
- Towns/Villages
- Urban River Valleys
- Settlement Areas Outside the Greenbelt
- Municipal Boundary
- Road or Highway
- Greenbelt Removal

- Assessment Parcel
- Riverine
- Drainage
- Natural Heritage System
- Provincially Significant Wetland (PSW)

Analysis

In addition to the Board Resolution from September calling for “restoration of the full extent of the Greenbelt Plan within the CLOCA Watershed,” last Fall, CLOCA provided detailed commentary to the province that indicated that:

- The rationale for the removals was not credible;
- The two removal proposals in the CLOCA Watershed violate core Greenbelt Plan principles;
- The removals did not honour previous commitments made to CLOCA in commenting on earlier proposals to expand and improve the Greenbelt’s quality and quantity.

For the CLOCA watershed, the restoration of the two parcels back to the Greenbelt is welcome news given the significant environmental features on the lands that were taken out of the Protected Countryside. Additionally, the government has decided to amend the statutory foundation for the Greenbelt Plan through changes to the *Greenbelt Act, 2005*. This presents an opportunity to strengthen protection to the Greenbelt and to ensure the intended permanence of Greenbelt Boundaries is upheld for present and future generations.

Legislative Amendments Needed to Ensure Permanence to Greenbelt Boundaries in the CLOCA Watershed

As the experience of the past year has shown, the existing *Greenbelt Act, 2005* can be used to facilitate inappropriate changes to Greenbelt boundaries. The only key restriction in the current Act is that future changes cannot reduce “the total land area” within the Greenbelt. The Government has been able to use of Urban River Valley additions in urban areas, for example, to maintain “the total land area” while removing other key areas, such as the two described above, that contain agricultural and ecologically important lands. The net effect is a “floating” Greenbelt that can move across the landscape over time if “the total land area” is maintained. In the CLOCA watershed, the current Greenbelt Boundaries are appropriate and should be maintained in perpetuity. It is recommended that the provisions of the *Greenbelt Act, 2005* that indicate that “the total land area” of the Greenbelt must be maintained be strengthened to a requirement that existing Greenbelt lands “may not be removed.” Such a requirement would provide the intended permanence for the Greenbelt and focus future 10-year reviews on the effectiveness of the land use planning provisions of the Plan itself and not on boundary disputes.

RECOMMENDATIONS:

WHEREAS The Greenbelt is composed of Agricultural and Environmental Lands that are necessary for local food production, ecological biodiversity, and hydrological integrity – essential elements for human life;

WHEREAS The CLOCA Board of Directors Objected to the Removals Proposed in 2022;

THEREFORE, BE IT RESOLVED THAT the CLOCA Board of Directors supports restoration of the full extent of the Greenbelt Plan;

AND THAT The Greenbelt Act, 2005 be strengthened to ensure that existing Greenbelt Lands are permanently protected;

AND THAT the Commentary in Staff Report #5851-23 be endorsed and submitted to the Province of Ontario as CLOCA’s comments regarding Environmental Registry Posting 019-7739;

AND THAT Staff Report #5842-23, be circulated to Watershed Municipalities, Members of Provincial Parliament, Members of Parliament, Conservation Ontario, the Standing Committee of the Ontario Legislature Considering Bill 136, and adjacent Conservation Authorities for their information.

Attachment 1 – Ministry of Municipal Affairs and Housing News Release

Attachment 2 – Environmental Registry of Ontario Posting 019-7739

NEWS RELEASE

Ontario Enhancing Greenbelt Protections

Proposal would restore previously removed lands to the Greenbelt and ensure future changes can only be made through legislation

October 16, 2023

[Municipal Affairs and Housing](#)

TORONTO — Today, the Ontario government introduced legislation that, if passed, would restore all properties that were redesignated or removed from the Greenbelt and the Oak Ridges Moraine areas in late 2022. If passed, this legislation would also enhance protections for the Greenbelt and the Oak Ridges Moraine areas by ensuring any future boundary changes can only be made through a public and transparent process that would require the approval of the legislature. The *Greenbelt Statute Law Amendment Act, 2023* would also restore protections previously provided by the *Duffins Rouge Agricultural Preserve Act*.

"We are following through on our commitment to fully restore these lands and provide enhanced protections to the Greenbelt moving forward," said Paul Calandra, Minister of Municipal Affairs and Housing. "At the same time, we remain focused and committed to tackling Ontario's housing supply crisis and working with our municipal partners to achieve our shared housing targets. We know there's more work to be done."

At the same time that it restores all properties that were redesignated or removed, the government is proposing to keep the 9,400 acres (3,800 hectares) in the Greenbelt that were added in 2022. These include lands in the Paris Galt Moraine and in Urban River Valley areas across the Greater Toronto Area.

Restoring the protections and policies of the *Greenbelt Act* in its entirety includes the need for a review every 10 years, as was mandated by the previous government when the legislation was originally introduced and passed. Moving forward, this review will be led by impartial, nonpartisan experts in conservation, agriculture and environmentalism, and will include engagement with Indigenous communities and municipalities. Once final, the experts' recommendations will be provided to the Auditor General and the Commissioner of the Environment for consultation to ensure that the review process was fair and guided by the recent recommendations to improve process.

Quick Facts

- Ontario will ensure the public and municipalities are informed about the timing and process to pass the proposed legislation. The government is engaging directly with Indigenous communities and [consulting](#) the public, municipalities and stakeholders on the proposal to add lands back to the Greenbelt.
- Established under the *Greenbelt Act, 2005*, the Greenbelt is a broad band of protected land that currently includes over 2 million acres (800,000 hectares) of property in the Greater Golden Horseshoe (GGH).
- The Oak Ridges Moraine is a geological landform in south central Ontario that covers approximately 470,000 acres (190,000 hectares) and is part of the Greenbelt.
- The GGH is one of the fastest growing regions in North America. By 2051, its total population is forecasted to be about 15 million.
- Lands added to the Greenbelt in 2022 total 9,400 acres (3,800 hectares) including 13 Urban River Valley areas and lands in the Paris Galt Moraine area.

Related Topics**Environment and Energy**

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Learn about the government services available to you and how government works. [Learn more](#)

Home and Community

Information for families on major life events and care options, including marriage, births and child care. Also includes planning resources for municipalities. [Learn more](#)

Media Contacts

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Communications Branch
MMA.media@ontario.ca



Environmental Registry of Ontario

Proposal to return lands to the Greenbelt - Greenbelt Statute Law Amendment Act, 2023

ERO (Environmental Registry of Ontario) number	019-7739
Notice type	Act
Posted by	Ministry of Municipal Affairs and Housing
Notice stage	Proposal
Proposal posted	October 16, 2023
Comment period	October 16, 2023 - November 30, 2023 (45 days) Open
Last updated	October 16, 2023

This consultation closes at 11:59 p.m.

on:

November 30, 2023

Proposal summary

The Ministry is seeking feedback on a proposal to introduce legislation that would restore the 15 parcels of land that were redesignated or removed from the Greenbelt in late 2022. The *Greenbelt Statute Law Amendment Act, 2023*, if passed, would ensure any future boundary changes are made through an open, public and transparent legislative process.

Proposal details

In December 2022, in order to accommodate Ontario's expected growth and support the building of more homes, the government removed or redesignated 15 areas of land totaling approximately 7,400 acres from the edge of the Greenbelt Area ([ERO \(Environmental Registry of Ontario\) Posting 019-6216: Proposed Amendments to the Greenbelt Plan](https://ero.ontario.ca/posting/019-6216) (<https://ero.ontario.ca/notice/019-6216>)). At the same time, a portion of the Paris Galt Moraine was added to the Greenbelt, along with 13 Urban River

Valley areas (see ERO (Environmental Registry of Ontario) Posting 019-4485: Growing the size of the Greenbelt (<https://ero.ontario.ca/notice/019-4485>)), totaling 9,400 acres, for an overall expansion of approximately 2000 acres.

The government has acknowledged that the process for the 2022 Greenbelt removals was too fast and not sufficiently transparent.

In response to the feedback from Indigenous communities, the public, municipalities and stakeholders the government has introduced proposed legislative amendments that would:

Add 15 sites back to the Greenbelt that were removed/redesignated in December 2022 by incorporating the description of the Greenbelt Area and Oak Ridges Moraine Area boundaries directly into the legislation

- Eliminate the authority to add or remove lands to/from the Greenbelt Area and Oak Ridges Moraine Area by regulation so that any future amendments to these Areas would require legislative change to the *Greenbelt Act* or *the Oak Ridges Moraine Conservation Act*
- Revoke the existing *Greenbelt Area boundary regulation (Ontario Regulation 59/05)* and the existing regulation that designates the Oak Ridges Moraine Area (*Ontario Regulation 1/02*)
- Undo the redesignation of lands to Settlement Area in the Oak Ridges Moraine Conservation Plan
- Provide for a concurrent amendment to the Greenbelt Plan's land use schedules to restore the same protections to lands that they had before the 2022 amendment
- Continue to provide that no Plan amendments can be made that would reduce the total area in the Greenbelt Plan
- Reverse the repeal of the *Duffins Rouge Agricultural Preserve Act, 2005*
- Restore the same protections for easements and covenants on the lands in the Duffins Rouge Agricultural Preserve that they had before the 2022 amendment, and
- Strengthen immunity provisions.

The amendments, if passed, will maintain the lands added to the Greenbelt in 2022, which includes a total of 9,400 acres (13 additions of Urban River Valley areas and lands in the Paris Galt Moraine area). This bill would fulfill the government's commitment to fully restore these lands and provide protections

to the Greenbelt moving forward. At the same time, the government remains committed to addressing Ontario's housing supply crisis and working with municipalities to achieve our shared housing targets.

Further information on the legislative proposal can be found on the Environmental Registry of Ontario (ERO) at:

- **[ERO # \(Environmental Registry of Ontario number\) 019-7735 – New Act regarding the Duffins Rouge Agricultural Preserve easements and covenants. | Environmental Registry of Ontario \(https://ero.ontario.ca/notice/019-7735\)](https://ero.ontario.ca/notice/019-7735)**

Information on and mapping related to the 2022 decision to amend the Greenbelt Plan and Oak Ridges Moraine Conservation Plan can be found here:

- **[ERO # \(Environmental Registry of Ontario number\) 019-6216 - Amendments to the Greenbelt Plan \(https://ero.ontario.ca/notice/019-6216\)](https://ero.ontario.ca/notice/019-6216)**
- **[ERO # \(Environmental Registry of Ontario number\) 019-6218 - Proposed redesignation of land under the Oak Ridges Moraine Conservation Plan O. Reg. \(Ontario Regulation\) 140/02 \(https://ero.ontario.ca/index.php/notice/019-6218\)](https://ero.ontario.ca/index.php/notice/019-6218)**

Summary of Proposed Changes

Greenbelt Act, 2005

The proposed changes would:

- Re-enact section 2 of the *Greenbelt Act, 2005* so that the Greenbelt Area would be specified in legislation and would include the lands that had been removed from the Area on December 14, 2022. The authority to make regulatory amendments for future additions/removals of lands from the Greenbelt Area by the Lieutenant Governor in Council would also be repealed. Going forward, any proposed changes to the Greenbelt boundary would require the approval of the Ontario Legislature through an open, public and transparent legislative process.
- Introduce a new section to the Act, 14.1, to restore the application of the Greenbelt Plan to the 15 areas of land that were removed or redesignated in 2022, while maintaining the 2022 lands that were added at the same time.

- Re-enact and enhance section 19 of the *Greenbelt Act, 2005* to ensure the province has no legal liability for matters related to the *Greenbelt Act*.

Ministry of Municipal Affairs and Housing Act

The proposed changes would expand protections from liability.

Oak Ridges Moraine Conservation Act, 2001

The proposed changes would:

- Re-enact section 2 of the *Oak Ridges Moraine Conservation Act, 2001* so that the authority to make regulatory amendments for future additions/removals of lands from the Greenbelt Area by the Lieutenant Governor in Council would be repealed. Going forward, any proposed changes to the Oak Ridges Moraine boundary would require the approval of the Ontario Legislature through an open, public and transparent legislative process.
- Re-enact and enhance section 20 of the *Oak Ridges Moraine Conservation Act, 2001* to ensure the province has no legal liability for matters related to the *Oak Ridges Moraine Conservation Act*.
- Introduce a new section to the Act, 26, to restore the designation of land that was redesignated in 2022.

Analysis of Regulatory Impact

There is minimal direct compliance or reporting requirements associated with this proposal, and these are limited to municipal staff costs to update official plans to reflect the proposed changes to provincial plans. This proposal would support the continuation of a consistent regulatory environment for people and businesses in the Greenbelt Area.

Related files

[Proposed Modifications 2023 Maps 1 \(https://prod-environmental-registry.s3.amazonaws.com/2023-10/Proposed Modifications 2023 Maps 1.pdf\)](https://prod-environmental-registry.s3.amazonaws.com/2023-10/Proposed%20Modifications%2023%20Maps%201.pdf)
pdf.(Portable Document Format file) 924.67 KB

Supporting materials