



Planning & Development Department

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Ministry of Municipal Affairs and Housing
Office of the Minister
777 Bay Street, 17th Floor
Toronto, ON M7A 2J3

Submitted Online
<https://ero.ontario.ca/notice/019-7739>

Attention: Hon. Paul Calandra

Re: Bill 136 - Greenbelt Statute Law Amendment Act, 2023

Background

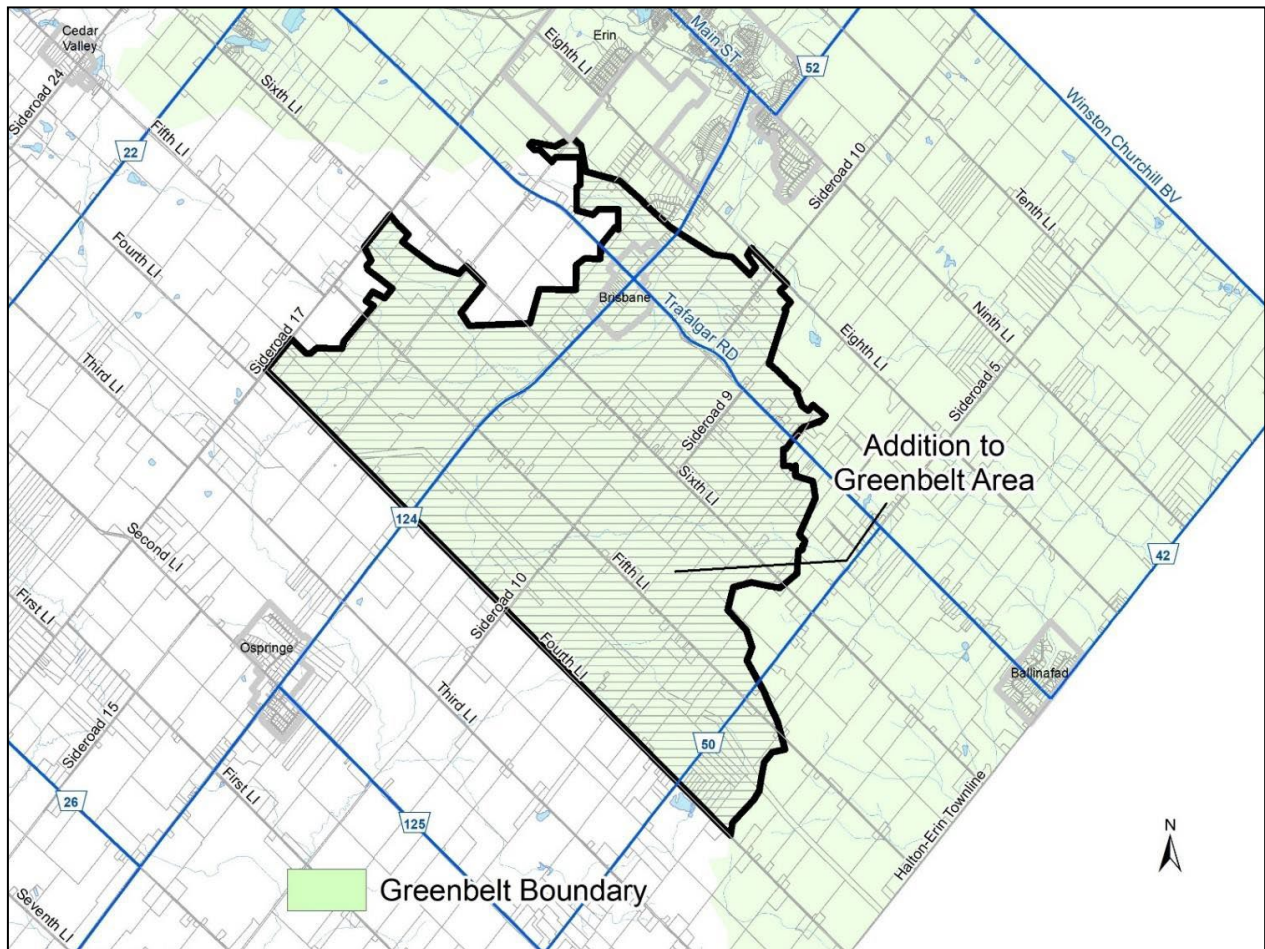
This letter is in response to the Provincial government's recently tabled legislation, Bill 136 – Greenbelt Statute Law Amendment Act, 2023, which seeks to return lands back to the greenbelt area that were removed by the Province in December 2022.

On December 16, 2022, the Provincial government made changes to the Greenbelt Plan boundary, through an Order-in-Council, which removed 15 parcels of land for development purposes totaling 7,400 acres. At the same time 9,400 acres of land were added to the Greenbelt Plan boundary, primarily in Wellington County, as shown in figure 1 below.

On November 22 2022, in partnership with Wellington County, a letter was directed to the Ministry of Municipal Affairs and Housing addressing the question of whether the expansion of the Greenbelt was necessary and concluded that there was no rationale for expanding the Greenbelt into the Town of Erin. The basis for this position was that adequate Provincial legislation, regulations, plans, and policies, as well as local plans, and policies are in place to protect the agricultural lands, groundwater resources, and natural features and areas in the Town of Erin and Wellington.

The 2022 Greenbelt boundary expansion further into Erin is currently in effect and was incorporated into the County Official Plan through the Provincial modification of County Official Plan Amendment 119.

**Figure 1 – Provincial Greenbelt Expansion
Town of Erin**



Position

On October 16th, 2023, Bill 136 – Greenbelt Statue Law Amendment Act, 2023, was tabled in the Provincial Legislature.

The proposed legislation, if approved, would make changes to several pieces of legislation with the primary goal of reversing the decision made by the Province to remove 15 parcels of land from the Greenbelt for development purposes. It is particularly important to note that the recent expansion of the Greenbelt in Erin, which was done to offset the 15 removed parcels, is proposed to be retained. The expansion added approximately 2,870 ha (7,100 acres) of land to the Greenbelt in the Town of Erin.

Within the Town of Erin there are several existing Provincial and local policies that overlap, particularly those related to agricultural land, natural heritage, and water resource management. At the same time, there are specific policy differences that would affect a range of development proposals in the newly expanded Greenbelt area.

The table below highlights some of the unique planning policies of the Greenbelt Plan, which now apply to landowners within the expansion area.

INSIDE THE GREENBELT	OUTSIDE THE GREENBELT
Farm Split Consents	
<ul style="list-style-type: none"> 40 ha minimum lot size 	<ul style="list-style-type: none"> 35 ha minimum lot size in Official Plan
Surplus Farm Dwelling Consents	
<ul style="list-style-type: none"> Requires that the residence that is surplus to the farm operation existed before December 16, 2004 	<ul style="list-style-type: none"> Official Plan has no date requirement for the existing surplus residence
Second Units (now referred to as Additional Residential Dwelling Units)	
<ul style="list-style-type: none"> Second units are not permitted in the Greenbelt Natural Heritage System 	<ul style="list-style-type: none"> Second units may be permitted in existing residences and ancillary buildings
Secondary Agricultural Area Consents	
<ul style="list-style-type: none"> Application of Provincial Agricultural Land Base and Natural Heritage System will constrain rural residential lot creation potential in Secondary Agricultural Areas Generally, to date, rural residential consent activity has occurred to a slightly lower degree 	<ul style="list-style-type: none"> Current Secondary Agricultural Areas in Official Plan apply until Provincial mapping is implemented in Official Plan
Official Plan Amendment to Re-designate Prime Agricultural Area for Non-Agricultural Uses (i.e. Official Plan Amendment to expand Rural Employment or Recreational Areas)	
<ul style="list-style-type: none"> This type of Official Plan Amendment is not permitted 	<ul style="list-style-type: none"> May be considered but must meet Provincial Policy Statement, Growth Plan and Official Plan policies
Urban Centre Expansion (if justified as a result of Growth Plan Municipal Comprehensive Review)	
<ul style="list-style-type: none"> Expansion required to be serviced by existing municipal water and wastewater systems Expansion into the Natural Heritage System is prohibited Expansions would also be limited, among other matters, to a 5% increase up to a maximum size of 10 ha, only 50% of which can be residential development 	<ul style="list-style-type: none"> Urban Centres outside the Greenbelt cannot expand into the Greenbelt Also applicable to neighbouring cities of Guelph and Cambridge
Hamlet Expansion	
<ul style="list-style-type: none"> Hamlet expansions are not permitted 	<ul style="list-style-type: none"> Hamlet expansions are limited, but may be considered in the Municipal Comprehensive Review
Mineral Aggregate Extraction	

<ul style="list-style-type: none"> • Additional requirements for rehabilitation and maximum disturbed area • Requires municipalities to apply Source Protection Plan and Subwatershed Plan policies 	<ul style="list-style-type: none"> • Rehabilitation required in accordance with Provincial and County policies • Official Plan requires new/expanding operations to consider and assess potential impacts to existing and potential municipal water supply resources
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The Town of Erin concern with the proposed legislation is that it does not fully reverse the Province’s decision related to Greenbelt boundary changes in December 2022, particularly related to the expansion of the Greenbelt Plan boundary further into the Town of Erin.

According to the Governments own statement, the process related to the 2022 changes to the Greenbelt boundary was too fast, not transparent, and not supported by the people of the Province of Ontario. In our view, these comments apply equally to the Greenbelt expansion area into the Town of Erin. The basis for this expansion was to offset lands removed from the Greenbelt boundary. With the Greenbelt lands being restored, the basis for the expansion area is unclear, and undermines the Province’s position of creating a more transparent process for changes to the Greenbelt. We have heard from several Town residents within the expansion area that they are not pleased with the Province’s process for expanding the boundary onto their properties. To our knowledge there have been no technical assessments or environmental studies completed to support this expansion.

The Greenbelt Plan was primarily developed to contain growth pressures from the Greater Toronto and Hamilton Areas. Town Planning Staff are of the opinion that the Greenbelt Plan is doing its job reasonably well and that the Greenbelt expansion area is not under threat of urban development which would warrant additional protection. Further, the current Provincial and County land use planning framework applicable to the expansion area already achieves a high level of protection for the agricultural lands, the natural environment, and groundwater resources.

Therefore, Town Planning staff continue to maintain that there is no technical rationale for the expansion of the Greenbelt boundary further into the Town of Erin and request that these lands be removed from the Greenbelt Plan boundary as part of the Bill 136 legislative process. Furthermore, Town staff are supportive of the reinstatement of the original Greenbelt Plan areas (15 parcels) that were removed from the Plan in 2022 by the Provincial Government.

Sincerely,



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