



Healthy watersheds for today
and tomorrow.

September 25, 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 Numbers 019-7561 and 019-7562 CLOCA File# PGDP22

At their meeting of September 19, 2023, the Central Lake Ontario Conservation Authority (CLOCA) Board of Directors passed the following Resolution:

Res. #56 *Moved by R. Mulcahy
Seconded by R. Kerr*

WHEREAS The Greenbelt is composed of Agricultural and Environmental Lands that are necessary for 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 Commentary in Staff Report #5842-23 be endorsed and submitted to the Province of Ontario as CLOCA's comments regarding Environment 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

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 5842-23 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
Colin Carrie, MP (Oshawa) colin.carrie@parl.gc.ca
Jennifer K. French, MPP (Oshawa) JFrench-CO@ndp.on.ca
Ryan Turnbull, MP (Whitby) Ryan.Turnbull@parl.gc.ca
Lorne Coe, MPP (Whitby – Oshawa) lorne.coeco@pc.ola.org
Jennifer O'Connell, MP (Pickering – Uxbridge) Jennifer.OConnell@parl.gc.ca
Hon. Peter Bethlenfalvy, MPP (Pickering-Uxbridge), Minister of Finance
peter.bethlenfalvyco@pc.ola.org
Linda Laliberte, Ganaraska Region Conservation Authority, llaliberte@grca.on.ca
Mark Majchrowski, Kawartha Conservation, MMajchrowski@kawarthaconservation.com
Rob Baldwin, Lake Simcoe Region Conservation Authority, r.baldwin@lsrca.on.ca
John MacKenzie, Toronto and Region Conservation Authority, john.mackenzie@trca.on.ca
Brian Bridgeman, Region of Durham, Brian.Bridgeman@durham.ca
Geoff Romanowski, Town of Ajax, Geoff.Romanowski@ajax.ca
Carlos Salazar, Municipality of Clarington, CSalazar@clarington.net
Warren Munro, City of Oshawa, wmunro@oshawa.ca
Kyle Bentley, City of Pickering, kbentley@pickering.ca
Kevin Heritage, Township of Scugog, kheritage@scugog.ca
Kyle Rainbow, Township of Uxbridge, krainbow@uxbridge.ca
Roger Saunders, Town of Whitby, saundersr@whitby.ca
Nicholas Fischer, Conservation Ontario,
nfischer@conservationontario.ca
Chris Darling, CLOCA, cdarling@cloca.com
Jamie Davidson, CLOCA, jdavidson@cloca.com

DATE: September 19, 2023
FILE: PGDP22
S.R.: 5842-23
TO: Chair and Members, CLOCA Board of Directors
FROM: Chris Jones, Director, Planning & Regulation
SUBJECT: Provincial Consultation on Proposed Return of Lands to the Greenbelt

APPROVED BY C.A.O. 

Purpose

The purpose of this report is to introduce a new proposal from the Province of Ontario to amend the *Greenbelt Plan* to return an area of land in the CLOCA Watershed (Lynde Creek – Town of Ajax) 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 Fall 2022 Regarding Removals

At the meeting of November 22, 2022, the CLOCA Board of Directors Resolved as follows:

“Res. #66 Moved by R. Hooper Seconded by B. Nicholson

WHEREAS The Ontario Housing Affordability Task Force’s Recommended Goal of 1.5 million homes in the next 10 years explicitly excluded building on the Greenbelt Protected Countryside;

WHEREAS As Recently as March 24 of this year [2022], the Government of Ontario Stated that “government will not consider the removal of any lands from the Greenbelt”;

WHEREAS Removal Proposals Include Portions of the Greenbelt Natural Heritage System Containing Irreplaceable Provincially Significant Wetlands and Woodlands in the CLOCA Watershed;

WHEREAS CLOCA Previously Commented on Greenbelt Expansion Proposals with the Premise of Improving the Quantity and Quality of the Greenbelt for Future Generations and Not to Facilitate Future Removals;

THEREFORE, BE IT RESOLVED THAT the CLOCA Board of Directors requests that the Province of Ontario withdraw the Proposed Amendments to the Greenbelt Plan;

THAT the Commentary in Staff Report #5808-22 and attachments be endorsed and submitted to the Province of Ontario and Conservation Ontario as CLOCA’s comments regarding Environmental Registry Posting ... CARRIED”

Despite the non-supportive commentary made under the Registry, the government proceeded to remove all lands it had proposed without any change on December 12, 2022.

Following significant media attention, critical reports from the Auditor General of Ontario and the Integrity Commissioner of Ontario, on September 6, 2023, proposals were posted to the Registry to return lands at 765 and 775 Kingston Road East in the Town of Ajax back to the Greenbelt. The government’s stated rationale for this latest proposal is that “...the lands were recently listed for sale. [This action runs] counter to the government’s objective of building homes quickly.”

Through a letter from the Minister, the province has indicated that it 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.” Without any detail yet released, staff cannot evaluate this latest announcement regarding the Greenbelt but will prepare a Report once pertinent details are known.

The full letter from the Minister and Registry Posting is included in Attachment No. 1 to this Report.

Background: Two Greenbelt Removals Took Place in the CLOCA Watershed

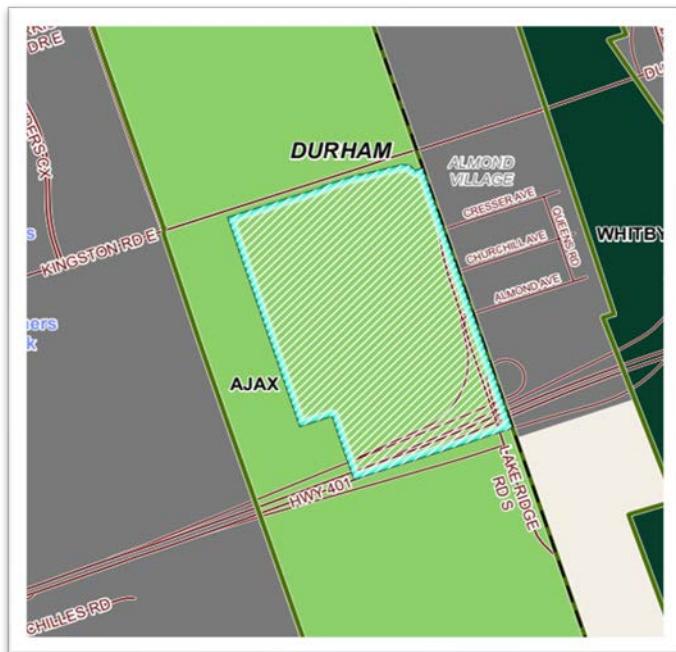
Of the 15 areas of land removed from the Greenbelt Protected Countryside, two (2) were located in the CLOCA Watershed.

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

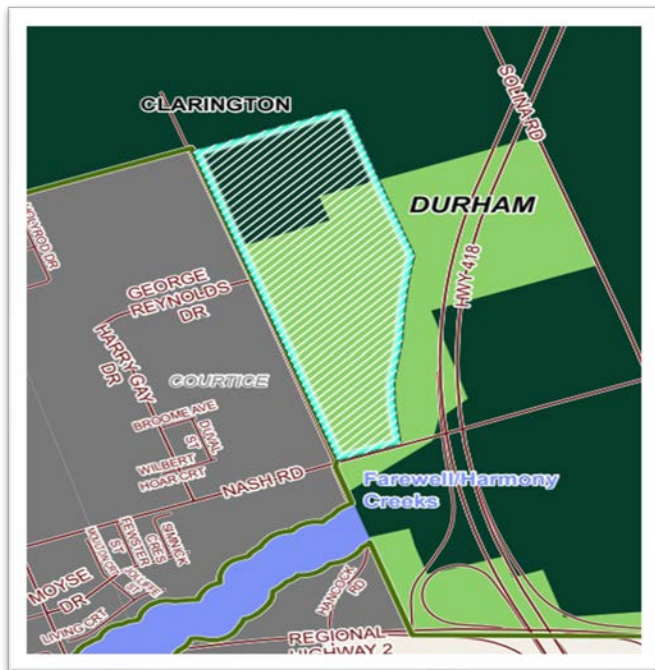
-  Greenbelt Area*
-  Protected Countryside
-  Natural Heritage System
-  Towns/Villages
-  Urban River Valleys
-  Settlement Areas Outside the Greenbelt
- Municipal Boundary
- Road or Highway
- Greenbelt Removal
-  Assessment Parcel
-  Riverine Floodline
-  Drainage
-  Natural Heritage System

Clarington Removal

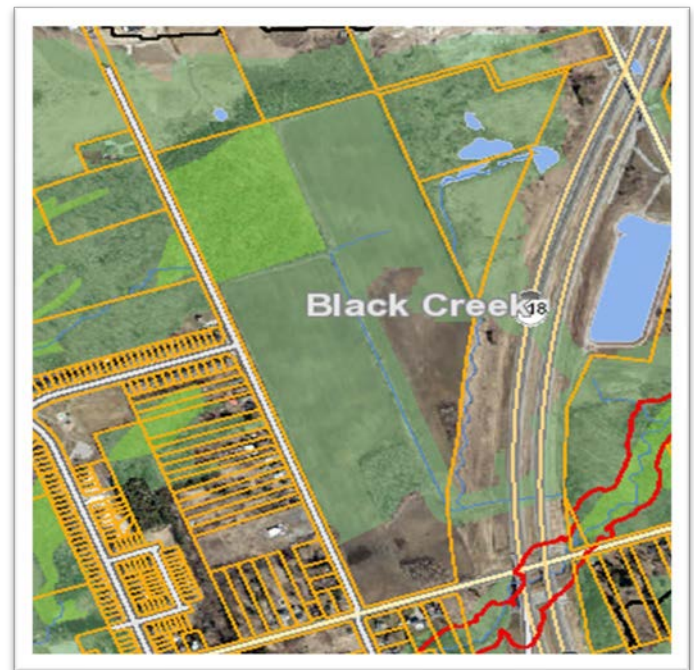
The second area of land is 34.7 hectares (85.8 acres) located in the Municipality of Clarington northeast of the intersection of Hancock Road north of Nash Road within a portion of the Greenbelt Protected Countryside and Greenbelt Natural Heritage System that is intended to permanently protect the Lake 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* |  | Assessment Parcel |
|  | Protected Countryside |  | Riverine |
|  | Natural Heritage System |  | Drainage |
|  | Towns/Villages |  | Natural Heritage System |
|  | Urban River Valleys |  | Provincially Significant Wetland (PSW) |
|  | Settlement Areas Outside the Greenbelt | | |
|  | Municipal Boundary | | |
|  | Road or Highway | | |
|  | Greenbelt Removal | | |

Analysis and Conclusion

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 whatever reason given, due to the environmental value of the lands, as summarized above, it is welcome that the province is reversing its decision to remove lands at 765 and 775 Kingston Road East in the Town of Ajax. Accordingly, the lands should be brought back into the Greenbelt at the earliest possible opportunity. Further reflection should be given to reversing the other removal in the CLOCA watershed given the significant environmental features on the lands.

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 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.

Attachment 1 – Ministerial Letter and ERO Postings

**Ministry of
Municipal Affairs
and Housing**

Office of the Minister
777 Bay Street, 17th Floor
Toronto ON M7A 2J3
Tel.: 416 585-7000

**Ministère des
Affaires municipales
et du Logement**

Bureau du ministre
777, rue Bay, 17^e étage
Toronto ON M7A 2J3
Tél. : 416 585-7000



234-2023-4434

September 6, 2023

Dear Clerks, CAOs, and Conservation Authority Administrators:

Re: Proposal to return lands in Ajax to the Greenbelt

In December 2022, to accommodate Ontario's unprecedented growth by supporting the building of more homes, our government removed or redesignated 15 areas of land totaling approximately 7,400 acres from the edge of the Greenbelt Area. At the same time, a portion of the Paris Galt Moraine was added to the Greenbelt, along with 13 Urban River Valleys, totalling 9,400 acres, for an overall expansion of approximately 2000 acres.

The government was clear that owners of the lands removed from the Greenbelt would be expected to develop detailed plans to build housing with landowners also being responsible for paying for the full cost of housing-enabling and community-building infrastructure. It is the government's expectation that significant progress on approvals and implementation be achieved by the end of 2023.

It has come to the government's attention that the discussions surrounding the development of the lands removed from the Greenbelt located at 765 and 775 Kingston Road East in the Town of Ajax were at an early stage, and that a 104-acre parcel within the lands was recently listed for sale. These actions run counter to the government's objective of building homes quickly. The government is now seeking feedback on a proposal to return these lands, amounting to approximately 133 acres, to the Greenbelt Area through an amendment to the Greenbelt Area boundary regulation ([O. Reg. 59/05](#)) and an amendment to the Greenbelt Plan.

Further information on the proposal to amend the Greenbelt Plan and Greenbelt Area boundary regulation, can be found at:

- [ERO #019-7561 – Proposal to return lands to the Greenbelt \(Amendment to the Greenbelt Plan\)](#)
- [ERO #019-7562 – Proposal to return lands to the Greenbelt \(Amendment to Greenbelt Boundary Regulation O. Reg. 59/05\)](#)

Information and mapping on the 2022 decision to amend the Greenbelt Plan can be found here:

- [ERO #019-6216 - Amendments to the Greenbelt Plan](#)
- [Greenbelt Maps](#)

The comment period on the Environmental Registry of Ontario is open for 45 days and will close on October 20, 2023. I look forward to receiving your input on this proposal.

In the meantime, my ministry is working to prepare a review of the Greenbelt to ensure that it is appropriately accommodating Ontario's significant growth, as is mandated in provincial legislation. This review will be informed by the recommendations of the Auditor General's report

and will include an evaluation of the remaining properties that were removed from the Greenbelt late last year.

As ministry officials design and launch this review, the non-partisan Provincial Land and Development Facilitator will continue to work with proponents of the remaining sites to ensure that progress on these lands continues, including the obligation to provide community benefits such as parks, community centres, schools and hospitals. This work will be an important input into the mandated review into the Greenbelt, as will meaningful consultation with municipalities, Indigenous communities and regular people living in these areas who deal with the negative impacts of the housing supply crisis the most. The properties that were removed from the Greenbelt will have to stand on their own merits: If the review finds these properties cannot support the government's objective of building homes quickly, they will be returned to the Greenbelt.

We have been clear that progress on these sites must meet the government's expectations. If planning and approvals have not significantly progressed by the end of this year and if shovels are not in the ground by 2025, the government will return these lands to the Greenbelt.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Paul Calandra', with a large circular flourish on the left side.

The Hon. Paul Calandra

Minister of Municipal Affairs and Housing

- c. Martha Greenberg, Deputy Minister, Municipal Affairs and Housing
Sean Fraser, Assistant Deputy Minister, Municipal Affairs and Housing,
Planning and Growth Division

Proposal to return lands to the Greenbelt (Amendment to the Greenbelt Plan)

ERO (Environmental Registry of Ontario) number	019-7561
Notice type	Policy
Act	Greenbelt Act, 2005
Posted by	Ministry of Municipal Affairs and Housing
Notice stage	Proposal
Proposal posted	September 5, 2023
Comment period	September 5, 2023 - October 20, 2023 (45 days) Open
Last updated	September 5, 2023

This consultation closes at 11:59 p.m.
on:

October 20, 2023

Proposal summary

The Ministry of Municipal Affairs and Housing is seeking feedback on a proposal to return lands in the Town of Ajax to the Greenbelt.

Proposal details

In December 2022, the government took bold action to address the housing supply crisis and build 1.5 million homes by 2031 by making changes to the Greenbelt. This action was in addition to a variety of other measures intended to tackle the housing supply crisis, including four housing supply action plans to date, and was intended to support our municipal partners in planning for responsible growth and to help build housing faster and in a targeted manner, while leading to an overall expansion of the Greenbelt.

To accommodate Ontario's expected growth and support the building of more homes, our government removed or redesignated 15 areas of land totaling approximately 7,400 acres from the edge of the Greenbelt Area ([ERO Posting 019-6216: Proposed Amendments to the Greenbelt Plan](#))

(<https://ero.ontario.ca/notice/019-6216>)). At the same time, a portion of the Paris Galt Moraine was added to the Greenbelt (https://prod-environmental-registry.s3.amazonaws.com/2022-11/Addition%20Map%20A_1.pdf), along with 13 Urban River Valleys (see ERO Posting 019-4485: Growing the size of the Greenbelt (<https://ero.ontario.ca/notice/019-4485>)), totalling 9,400 acres, for an overall expansion of approximately 2000 acres.

The government was clear that owners of the lands removed from the Greenbelt would be expected to develop detailed plans to build housing and move forward with the project quickly. It is the government's expectation that significant progress on approvals and implementation be achieved by the end of 2023.

It has come to the government's attention that the discussions surrounding the development of the lands removed from the Greenbelt located at 765 and 775 Kingston Road East in the Town of Ajax were at an early stage, and that a 104-acre parcel within the lands was recently listed for sale.

These lands were removed from the Greenbelt as part of the 2022 Greenbelt Plan and Greenbelt Area boundary regulation amendments. The government is now seeking feedback on a proposal to return these lands, amounting to approximately 133 acres, to the Greenbelt Area through an amendment to the Greenbelt Area boundary regulation (O. Reg. 59/05) (<https://www.ontario.ca/laws/regulation/050059>) and an amendment to the Greenbelt Plan. The government is not seeking feedback on any ideas for other Greenbelt removals or redesignations through this consultation, nor is it seeking feedback on the 2022 decision to amend the Greenbelt Plan and boundary regulation.

While this ERO posting relates specifically to the proposed amendment to the Greenbelt Plan, there is a related ERO posting regarding a proposed amendment to the Greenbelt Area boundary regulation O. Reg. 59/05 to add these lands back to the Greenbelt:

- ERO 019-7562 (<https://ero.ontario.ca/notice/019-7562>)

The Greenbelt Act, 2005 requires consultation with affected municipalities, public bodies and the public on any proposed Greenbelt Plan amendment.

If these lands are returned to the Greenbelt, the Greenbelt Act and Greenbelt Plan's Protected Countryside policies would apply.

The map available for this consultation is posted in supporting materials below and outlines the land in the Town of Ajax that the government is currently seeking feedback on returning to the Greenbelt.

Amendments to the Greenbelt Plan

The Greenbelt Act, 2005 sets out the legislated public process that applies to any proposed Greenbelt Plan amendments. This includes consultation with affected public bodies such as the Greenbelt Council, municipalities and conservation authorities in the Greenbelt Area and an opportunity for consultation with the general public. Consultation with Indigenous communities would also occur before any amendments are made.

Under the Greenbelt Act, 2005, amendments cannot reduce the total land area covered by the Greenbelt Plan.

Section 5.6 of the Greenbelt Plan provides that amendments to the Greenbelt Plan could be considered outside of the 10-year review in the event of major new Provincial policy, legislation, or regulation that creates the need for an amendment. It also contemplates amendments that are made for the purpose of extending Greenbelt Plan policy coverage to lands which may be added to the Greenbelt.

For more information on the 2022 amendment, and previous amendments to the Greenbelt Plan, please refer to [ERO Posting 019-6216: Decision on proposed amendments to the Greenbelt Plan](https://ero.ontario.ca/notice/019-6216) (<https://ero.ontario.ca/notice/019-6216>).

Analysis of Regulatory Impact

There is no anticipated regulatory impact resulting from this proposal. The proposed return of lands to the Greenbelt is consistent with government's objectives for the 2022 Greenbelt amendment and commitment to building 1.5 million homes over the next 10 years. The return of these lands will continue to effectively direct growth, optimize investments in infrastructure and support needed housing by allowing municipalities to focus resources on lands for housing developments that are making more significant progress. Lands returned to the Greenbelt would be protected by the prohibitions and requirements of the Greenbelt Plan. There would be no additional burden placed on the lands proposed to be returned, as they were previously part of

the Greenbelt and the proposal would result in the lands being subject to the same policies they were subject to prior to December 14, 2022. There are no direct administrative costs associated with this proposal.

Supporting materials

Related files

[Map of proposed lands to be returned to the Greenbelt \(765 and 775 Kingston Road East, Ajax\) \(https://prod-environmental-registry.s3.amazonaws.com/2023-09/final_ero_map_use_this_\(3\).pdf\)](https://prod-environmental-registry.s3.amazonaws.com/2023-09/final_ero_map_use_this_(3).pdf)
pdf.(Portable.Document.Format.file) 1.12 MB

Related links

[Greenbelt Plan \(https://www.ontario.ca/document/greenbelt-plan-2017\)](https://www.ontario.ca/document/greenbelt-plan-2017)

[Greenbelt Act, 2005 \(https://www.ontario.ca/laws/statute/05g01\)](https://www.ontario.ca/laws/statute/05g01)

[Greenbelt Maps \(https://www.ontario.ca/page/greenbelt-maps\)](https://www.ontario.ca/page/greenbelt-maps)

[Greenbelt Area boundary regulation O. Reg. 59/05 \(https://www.ontario.ca/laws/regulation/050059\)](https://www.ontario.ca/laws/regulation/050059)

[Oak Ridges Moraine Conservation Plan \(https://www.ontario.ca/page/oak-ridges-moraine-conservation-plan-2017\)](https://www.ontario.ca/page/oak-ridges-moraine-conservation-plan-2017)

[Oak Ridges Moraine Maps \(https://www.ontario.ca/page/oak-ridges-moraine\)](https://www.ontario.ca/page/oak-ridges-moraine)

[Oak Ridges Moraine Conservation Act, 2001 \(https://www.ontario.ca/laws/statute/01o31\)](https://www.ontario.ca/laws/statute/01o31)

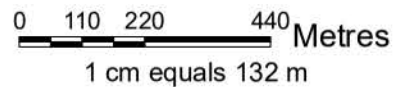
Related ERO (Environmental Registry of Ontario) notices

[Proposed Amendments to the Greenbelt Plan \(/notice/019-6216\)](/notice/019-6216)

LEGEND



- 765 & 775 Kingston Rd E
- Greenbelt Area*
- Protected Countryside
- Natural Heritage System
- Towns/Villages
- Urban River Valleys
- Settlement Areas Outside the Greenbelt
- Municipal Boundary
- Road or Highway



Note: While every effort has been made to accurately depict the information, this map should not be relied on as being a precise indicator of locations of features or roads. For precise boundaries and locations of Settlement Areas, including Towns/Villages and Hamlets, the appropriate municipalities should be consulted.

Produced by and using data sources from the: Ministry of Municipal Affairs and Housing; Ministry of Northern Development, Mines, Natural Resources and Forestry; Ministry of the Environment, Conservation and Parks; and, the Ministry of Agriculture, Food and Rural Affairs.

<https://www.ontario.ca/page/accessible-customer-service-policy>
 We are committed to providing accessible customer service. On request, we can arrange for accessible formats and communications supports. Please contact MMAH by email (mininfo@ontario.ca) for regulation details.

*Ontario Regulation 59/05, as amended. © 2023, King's Printer for Ontario

