

GREENBELT FOUNDATION

Response to ERO # 019-7739
Proposal to return lands to the Greenbelt –
Greenbelt Statute Law Amendment Act, 2023

Ministry of Municipal Affairs and Housing



Possibility grows here.

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www.greenbelt.ca

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The Greenbelt Foundation is pleased to support *Bill 136, The Greenbelt Statute Law Amendment Act, 2023* – while also providing a series of recommendations to strengthen the approach to meeting the Premier’s commitment of permanent Greenbelt protection.

Our recommendations are based on our role as the steward of the Ontario Greenbelt and our nearly 19-year history of working with the Ontario government along with partners and stakeholders to leverage its many unique and irreplaceable social, economic, and environmental benefits.

To start, we would note the Greenbelt’s natural systems provide clean drinking water for millions of Ontarians, clean our air, and provide critical “natural infrastructure” that protects our communities against extreme weather events such as flooding, while improving climate resiliency. These natural systems and areas also provide innumerable physical and mental health benefits to Ontarians including by creating a healthier natural environment as well as access to outdoor recreation.

In relation to Ontario’s critical agri-food economy, the Greenbelt’s agricultural system of connected, working farmland is the cornerstone of southern Ontario’s rural economy and provides residents of the Greater Golden Horseshoe (GGH) region with a reliable and diverse source of local food and drink. It is home to the province’s only two specialty crop areas – the Holland Marsh and the Niagara Tender Fruit and Grape Area – whose fertile soils and unique climate conditions allow Greenbelt farmers to grow crops that can’t be grown anywhere else.

Collectively, the Greenbelt today provides more than \$9.6 billion in contributions to provincial GDP and directly supports 177,700 full-time jobs.

Therefore, as Ontario grows to an anticipated 14.8 million residents by 2051, we will need even more of what the Greenbelt provides – not less. It is critical, therefore, that as we work to address Ontario’s critical housing and other growth needs that policy decisions do not result in unintended consequences that undermine the significant agricultural, natural heritage and water resource systems within the Greenbelt.

Bill 136 – Greenbelt Statute Law Amendment Act, 2023

We welcome the government’s decision to strengthen the legislative protections of the Greenbelt through returning land removed, moving geographic definitions into statute, re-establishing the Duffins Rouge Agricultural Preserve Act and other measures to help re-establish confidence in the permanence of these protections.

Ensuring that the Greenbelt remains protected and permanent is in fact key to its success and ability to provide multi-faceted and increasingly critical value to Ontario including by:

- Returning protections to critical natural heritage and water resource systems and ensuring integration between Greenbelt systems and adjacent ones such as those in the area of the Rouge National Urban Park,
- Supporting Ontario's critical need to increase its climate resilience and enhance protections for communities facing rising risks of major weather events and climate change,
- Ensuring we continue to protect some of the most important agricultural land in Ontario as well as ensure farmers and the local tourism sector can continue to invest with confidence in the growth of their operations,
- Giving municipalities and the development community certainty that the Greenbelt geography and provincial policies are clear and reliable for community planning and investment decisions,
- Encouraging intensification and effective use of thousands of existing designated development land to reduce congestion, pollution, and prohibitive infrastructure costs.

The government's intended approach signaling that the Greenbelt is intended to be permanent and fully protected aligns with strong public support for the Greenbelt, as well as its unique importance.

Recommendations

As above, while we fully support the proposed legislation, we feel a number of additional measures should be included to meet the government's stated goals:

1. Section 12(2) of the Greenbelt Act states that the Minister shall not recommend an amendment under clause 1(a), if that proposed amendment has the effect of reducing the total land area within the Greenbelt Plan.¹ **Section 12(2) of the Greenbelt Act should be amended to specify that land cannot be taken out of the Greenbelt and that any future changes should only be to expand the Greenbelt.** This is consistent with the Premier's commitment and helps avoid "land swaps" that undermine the Greenbelt's permanence and effective functioning.

The Greenbelt contains interconnected systems of natural resources and agricultural lands and once these connections are broken, they cannot be restored. In addition to ensuring the strength of the very systems that provide its benefits, permanently protecting specific lands will allow investors the certainty to make long-term investments. The inclusion of wording that suggests some lands could be substituted for others does not create conditions for long-term investment and success.

Years of research went into carefully establishing which pieces of land would be included in Ontario's Greenbelt to best protect the overall natural heritage and agricultural systems that our province needs to thrive. As a result, the permanence of the Greenbelt's boundary is inextricably linked to its success and must be maintained.

¹ Greenbelt Act, 2005. S.O. 2005, c.1. Retrieved from <https://www.ontario.ca/laws/statute/05g01#BK11>

2. Whether in this legislation or through a future legislative review of the Greenbelt, the Province of Ontario should:
 - a. **Place further limits on the ability to downgrade Official Plan and zoning designations in the Greenbelt.** For example, as we have seen recently, converting Prime Agricultural lands to a Rural designation permits potential uses that are contrary to the underlying natural heritage and agricultural values and creates a strong potential for degradation of water system integrity and fragmentation of both natural heritage and agricultural landscapes.
 - b. **Further restrict limitations on urban development and other activities that undermine sensitive Greenbelt water and natural heritage systems.** This includes specifically moving urban infrastructure and public service facilities - wastewater, stormwater, road systems, community facilities etc. - into Greenbelt lands as opposed to maintaining them within established municipal areas.²
 - c. **Strengthen Greenbelt and Provincial Policy Statement “transition policies”** which are currently permitting too many outdated and potentially destructive development projects to go forward and are often based on outdated land use approval and policies from decades before the Greenbelt Plan was established.
 - d. **Ensure Official Plans comply with the Greenbelt Plan** to ensure local plans are consistent with provincial policy goals While most municipalities have made great strides, progress is not consistent and can significantly undermine the integrity of the Greenbelt. Provincial support and attention are needed in this regard.
3. Through the Greenbelt Statute Law Amendment Act, the Province is reversing the repeal of the Duffins Rouge Agricultural Preserve Act, 2005 (DRAPA). The Duffins Rouge Agricultural Preserve (DRAP) originally, however, had layers of protection under the Greenbelt Plan, the DRAPA, and the Central Pickering Development Plan. The Greenbelt Statute Law Amendment Act does not include restoration of the Central Pickering Development Plan. The Greenbelt Plan includes no language and policies specifically related to the DRAP and relied upon the Central Pickering Development Plan for those policies for the Preserve area. For more information on the DRAP, see our submission to ERO posting #019-7735.

We recommend that Bill 136 be revised to include a new subsection in the Greenbelt Act under section 6(1) (Content of Plan) that states: “specific policies and maps for the Duffins Rouge Agricultural Preserve.” This will allow the Greenbelt Plan to set out policies for lands within the DRAP. In addition, the Greenbelt Plan should be amended to include the vision and policies for the DRAP from the Central Pickering Development Plan.

² According to the 2020 Provincial Policy Statement, public service facilities include: land, buildings, and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, long-term care services, and cultural services. Public service facilities do not include infrastructure.

4. **We also recommend that the Central Pickering Development Plan be re-established, as that Plan provided for an integrated social, economic, and agricultural development vision for that area.** That Plan affected an approximate 5,000-hectare (12,355 acre) area with a vision of a sustainable urban community in Seaton, integrated with a thriving agricultural system in the Duffins Rouge Agricultural Preserve and an extensive natural heritage system. Its revocation in December of 2022 undermined a key aspect of the intersecting protections and development for the Duffins Rouge Agricultural Preserve and surrounding areas including the Seaton lands.
5. **In relation to the DRAPA, the government should consider proposals from organizations such as Ontario Farmland Trust to become the body holding conservation easements or covenants within the Duffins Rouge Agricultural Preserve.** These conservation easements have been in place since 1999 and are held by the City of Pickering.³ To ensure the long-term protection of the significant agricultural lands and natural areas within the DRAP, these easement agreements need to be more closely monitored in partnership with all the relevant stakeholders.
6. **The Greenbelt settlement area policies in the 2020 Growth Plan should be maintained in any new Provincial Policy Statement or moved into the Greenbelt Plan.** The 2020 Growth Plan contains policies (i.e., policy 2.2.1.2.b) that limit growth in settlement areas within the Greenbelt. In addition, this Plan has policies (i.e., policy 2.2.8.3.k) that limited settlement boundary expansions within the Protected Countryside to Greenbelt Towns and Villages and to modest expansions of no more than 10 hectares. These policies are designed to protect rural settlements within the Greenbelt and need to be maintained. Finally, there are numerous policies in the Greenbelt Plan that cross reference the Growth Plan, which will need to be amended, if the Growth Plan is repealed.
7. **The proposed repeal of the Growth Plan will result in the loss of the plan that contains the maps and policies for the Greater Golden Horseshoe's Natural Heritage and Agricultural Systems.** The Agricultural, Natural Heritage and Water Resource Systems of the Growth Plan are interdependent with one another and with their counterpart systems within the Greenbelt. They are key to the ecological integrity and agricultural viability of the Greater Golden Horseshoe.

The Natural Heritage System for the Greater Golden Horseshoe was designed to connect to the Greenbelt's Natural Heritage System. There is seamless connectivity of the Greenbelt and Growth Plan's Natural Heritage Systems at Greenbelt boundary just as there are at the boundaries of the Greenbelt's Protected Countryside and the Oak Ridges Moraine and Niagara Escarpment's Natural Heritage Systems.

In addition, the Growth Plan has detailed policies and a schedule of an Agricultural System for the Greater Golden Horseshoe region. This complements the Greenbelt in considerable ways as

³ Ministry of Natural Resources. (October 31, 2005). Backgrounder. Proposed Duffins Rouge Agricultural Preserve Act. Retrieved from <http://www.stopthequarry.ca/documents/Duffins%20Rouge%20BG.pdf>

the region's agricultural systems do not stop at the Greenbelt's boundaries, but rather are contiguous to the boundary and extend outward to the exterior boundaries of the region. Agriculture needs to be considered in this sub-provincial spatial context both from a farmland perspective, as well as the greater agri-food network (e.g., processing, services, distribution facilities, regional infrastructure, and transportation systems etc.).

We recommend that the Bill 136 should be revised to include a new subsection in the Greenbelt Act under section 6(1) (Content of Plan) that states "specific policies and maps for the Natural Heritage and Agricultural Systems of the Greater Golden Horseshoe".

Including specific reference in the Greenbelt Act to the Natural Heritage and Agricultural Systems of the Growth Plan highlights the potential significant loss of these maps and policies and provides them legislative protection.

The following sections move beyond the Greenbelt Statute Law Amendment Act and provide advice on larger and longer-term approaches that are required to maintain and enhance the immense and unique value of the Greenbelt to Ontarians.

The Ongoing Need for Investment in the Greenbelt

Ontario's communities and infrastructure is highly vulnerable to climate change. Investments in nature are one of the most cost-effective ways to reduce the financial impact of extreme weather events and build resilience to the effects of climate change. The Financial Accountability Office of Ontario estimated that Ontario's municipal infrastructure backlog was \$52 billion in 2020.⁴ Natural infrastructure including through the near urban areas of the Greenbelt can and should be considered to address this backlog.

Investments in ecosystem resilience and regeneration produce a large return on investment. For example, a study by the Intact Centre on Climate Adaptation finds that natural wetlands could reduce the costs of flood damage by 29% in rural areas and 38% in urban areas.⁵ The Greenbelt's approximately 100,063 hectares of wetlands play a critical role in protecting private and public property to the tune of an estimated \$224 million.⁶ Continued investment in the Greenbelt's natural systems is critical to maintain and enhance their role in protecting both people and property from the effects of climate change.

There are also opportunities to further grow and invest in Ontario's agricultural and agri-food sector in the Greenbelt and southern Ontario. The importance of preserving all farmland and building resilience by improving soil health remain key. Growing demand for Ontario's agricultural products, both locally and globally, presents an investment and growth opportunity while mitigating impacts on local consumption and enhancing our export capabilities.

⁴ Financial Accountability Office of Ontario. (August 17, 2021). Media Release: Ontario's municipal infrastructure backlog was \$52 billion in 2020. Retrieved from <https://www.fao-on.org/en/Blog/media/MR-municipal-infrastructure-2021>

⁵ Intact Centre on Climate Adaptation. University of Waterloo. (2017). When the Big Storms Hit. The Role of Wetlands to Limit Urban and Rural Flood Damage. Retrieved from <https://www.intactcentreclimateadaptation.ca/wp-content/uploads/2017/07/When-the-Big-Storms-Hit.pdf>

⁶ Green Analytics. (2016). Ontario's Good Fortune: Appreciating the Greenbelt's Natural Capital. Greenbelt Foundation. Retrieved from https://www.greenbelt.ca/ontarios_good_fortune_greenbelt_natural_capital

Greenbelt Review Process

Beyond the need for ongoing strategic investment, the Province has also announced its intention to undertake the legislated Greenbelt Plan Review established under the existing Greenbelt Act. In addition to the matters referenced above, we recommend that any review include important commitments and components, such as:

- Basing the review on furthering the established goals of the Greenbelt Plan in a holistic sense, as opposed to simply examining boundaries,
- Including robust public and independent expert participation based on clear goals and objectives as well as updated, science-based evidence,
- Prioritizing the preservation of Greenbelt agricultural systems, specialty crop areas and the robust agri-food sector in the Greater Golden Horseshoe Region,
- Recognizing the increasing urbanization as well as fragility and importance of Greenbelt natural heritage and water resource systems. Watershed, natural heritage, and other evidence-based information needs to be updated and available so that it can inform any upcoming review,⁷
- Focusing on increasing the competitiveness and liveability of Greater Golden Horseshoe region which is home to more than 54% of the Ontario population, providing roughly 65% of the provincial GDP.⁸

Conclusion

The Greenbelt is not just land. It is rivers and forests, farmland and other green spaces that provide Ontarians with clean air and water, access to green space and recreation and a sustainable source of local food. Protection of the Greenbelt is crucial to ensuring that southern Ontario continues to be a desirable place to live, work and invest for generations to come. We strongly support the government's decision to return land removed from the Greenbelt and are pleased to have had the opportunity to further ensure its permanence by supporting the Greenbelt Statute Law Amendment Act with focused improvements to strengthen protections and better align with the government's commitment.

⁷ For an example of evidence used to inform the 2015 Coordinated Policy Review, see Greenbelt Foundation. Conservation Authorities Moraine Association. Conservation Ontario. Oak Ridges Moraine Land Trust. (2014). Report Card on the Environmental Health of the Oak Ridges Moraine and Adjacent Greenbelt Lands. Retrieved from https://www.greenbelt.ca/health_of_oak_ridges_moraine

⁸ See Ernst and Young LLP. (2020). Economic Impact Assessment. Greenbelt Foundation. Retrieved from https://www.greenbelt.ca/economic_impact_assessment; Toronto Board of Trade. (2022). Think Like a Region. Strengthening the Toronto Region's Talent Advantage. Retrieved from <https://bot.com/Resources/Resource-Library/Think-Like-a-Region>; Ontario Chamber of Commerce. (December 15, 2022). Supporting Economic Growth in Uncertain Times. Retrieved from <https://occ.ca/mediareleases/economic-growth-strategy-critical-as-ontario-faces-uncertain-times/>

More than ever, we need to protect the integrity and permanence of the Greenbelt as a critical landscape and invest in it as a key asset for Ontario's social, environmental, and economic health.

About The Greenbelt Foundation

The Greenbelt Foundation stewards Ontario's Greenbelt, comprising over two million acres of protected land that provides clean air, fresh water, climate resilience, and a reliable local food source to help Ontario thrive. The Foundation is the only organization solely dedicated to ensuring the Greenbelt remains permanent, protected, and prosperous. Since 2005, we have made investments in the Greenbelt's interconnected natural and agricultural systems to ensure a thriving Greenbelt for all southern Ontario residents.