



MEMORANDUM

To: Mayor and Members of Council

From: Arvin Prasad, MCIP, RPP, Commissioner of Development Services

Prepared by: Patrick Wong, Senior Planner, Natural Heritage

Reviewed by: Mark Head, Manager, Natural Heritage
Darryl Lyons, Deputy Director, Planning & Urban Design
Giulio Cescato, Director, Planning & Urban Design

Date: November 27, 2023

**Re: Greenbelt Statute Law Amendment Act, 2023, Bill 136
Provincial proposal to return lands to the Greenbelt**

RECOMMENDATION:

1. That the November 27, 2023 memorandum titled “*Greenbelt Statute Law Amendment Act, 2023, Bill 136, Provincial proposal to return lands to the Greenbelt*” be received.

PURPOSE:

This memo provides an overview of the Province’s proposal to return lands to the Greenbelt Plan through the *Greenbelt Statute Law Amendment Act, 2023* (Bill 136) which is consistent with the Markham Council [resolution](#) on November 22, 2022 prior to the lands being removed from the Greenbelt Plan.

BACKGROUND:

The Greenbelt Plan was established in 2005 to provide permanent protection for certain agricultural and environmental lands in southern Ontario. It works together with the other Provincial Plans to implement the Province’s vision for complete communities in the Greater Golden Horseshoe area.

In October 2022, the Province released Bill 23, *More Homes Built Faster Act*, as well as associated regulatory proposals which, in part, included a proposal to modify the Greenbelt Plan by removing 15 parcels of lands with approximately 2,995 hectares (7,400 acres). The regulatory proposals associated with Bill 23 also added the Paris Galt Moraine and thirteen Urban River Valleys totaling 3804 hectares (9,400 acres) of land. In Markham, this included the removal of three (3) parcels of land with an approximate area of 53.3 hectares (131.7 acres), see **Figure 1**.

On November 22, 2022 Markham Council passed a [resolution](#) to “not support the proposed changes to the *Greenbelt Act*”. In December 2022, the Province implemented the proposed changes to the Greenbelt Plan with no changes to the lands that were removed in Markham.

In September 2023, the Province announced that it would return all of the impacted lands back to the Greenbelt Plan.

On October 16, 2023, the Province introduced the [Greenbelt Statute Law Amendment Act, 2023 \(Bill 136\)](#), and posted it on the [Environmental Registry of Ontario](#) for public input. The deadline for comments is November 30, 2023.

SUMMARY OF PROPOSAL:

The Province is proposing a combination of legislative, regulatory, and Provincial Plan amendments that would have the following impact:

- Adding 15 parcels of land 2,995 hectares (7,400 acres) back to the Greenbelt Plan Area and maintain the protections on 3,804 hectares (9,400 acres) of lands (Paris Galt Moraine and Urban River Valleys) that were added in 2022;
- Defining the boundary of the Greenbelt Plan Area and the Oak Ridges Moraine Area directly in the *Greenbelt Act* and *Oak Ridges Moraine Conservation Act* rather than through regulation;
- Amending the Greenbelt Plan and Oak Ridges Moraine Conservation Plan to undo site-specific amendments (none in Markham) to land use designations;
- Restoring the protections for easements and covenants on the lands in the Duffins-Rouge Agricultural Preserve that they had prior to 2022; and,
- Strengthening immunity provisions related to the decision to reverse changes to the *Greenbelt Act* and Plan.

The proposal would generally strengthen protections for the Greenbelt Plan’s Protected Countryside by requiring future amendments to the Greenbelt Area be approved through legislation rather than by regulation.

NEXT STEPS:

Staff will monitor the proposal and report back to Council as appropriate.

Figure 1 – Lands Proposed to be Returned to the Greenbelt Plan Area

