



The Regional
Municipality
of Durham

Corporate Services
Department –
Legislative Services Division

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Barb Goodwin
MPA, CPA/CGA,
BComm, CPM,
CMMIII
Commissioner of Corporate
Services

December 21, 2022

The Honourable Steve Clark
Minister of Municipal Affairs and Housing
17th Floor
777 Bay Street
Toronto ON M5G 2E5

Dear Minister Clark:

**RE: Durham Region's Response to the Provincial Consultation
on Proposed Amendments to the Greenbelt Plan, ERO
Postings #019-6216 and #-019-6238, File D12-01 (2022-
COW-31), Our File: D00**

Council of the Region of Durham, at its meeting held on December 21, 2022, adopted the following recommendations of the Committee of the Whole, as amended:

- "A) That the letter contained in Attachment #2 to Report #2022-COW-31 of the Chief Administrative Officer be endorsed as the Region's formal comments on the proposed amendments to the Greenbelt Plan, ERO postings #019-6216 and #019-6238;
- B) That a copy of Report #2022-COW-31 be sent to the Minister of Municipal Affairs and Housing, the area municipalities and the MPPs in Durham;
- C) Council ask that the province return environmental and Greenbelt protections to the Duffins Rouge Agriculture Preserve; and
- D) That Council ask that the province return environmental and Greenbelt protections to all of the areas being removed."

Please find enclosed a copy of Report #2022-COW-31 for your information.

Alexander Harras

Alexander Harras,
Director of Legislative Services & Regional Clerk

AH/ks

Attachment

- c: Nicole Cooper, Clerk, Town of Ajax
- Fernando Lamanna, Clerk, Township of Brock
- June Gallagher, Clerk, Municipality of Clarington
- Mary Medeiros, City Clerk, City of Oshawa
- Susan Cassel, Clerk, City of Pickering
- Becky Jamieson, Clerk, Township of Scugog
- Debbie Leroux, Clerk, Township of Uxbridge
- Chris Harris, Clerk, Town of Whitby
- Patrice Barnes, MPP (Ajax)
- Todd McCarthy, MPP (Durham)
- Laurie Scott, MPP (Haliburton/Kawartha Lakes/Brock)
- David Piccini, MPP (Northumberland/Peterborough South)
- Jennifer French, MPP (Oshawa)
- Peter Bethlenfalvy, MPP (Pickering/Uxbridge)
- Lorne Coe, MPP (Whitby)
- E. Baxter-Trahair, Chief Administrative Officer
- B. Bridgeman, Commissioner of Planning and Economic Development
- J. Presta, Commissioner of Works

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 3001.



The Regional Municipality of Durham Report

To: Committee of the Whole
From: Chief Administrative Officer
Report: #2022-COW-31
Date: December 14, 2022

Subject:

Durham Region's Response to the Provincial Consultation on Proposed Amendments to the Greenbelt Plan, ERO postings #019-6216 and #019-6238, File D12-01

Recommendation:

That the Committee of the Whole recommends to Regional Council:

- A) That the letter contained in Attachment #2 to this report be endorsed as the Region's formal comments on the proposed amendments to the Greenbelt Plan, ERO postings #019-6216 and #019-6238; and
 - B) That a copy of this report be sent to the Minister of Municipal Affairs and Housing, the area municipalities and the MPPs in Durham.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to request endorsement of staff's comments related to the proposed changes to the Greenbelt Plan.

2. Background

- 2.1 On November 4, 2022 the Ministry of Municipal Affairs and Housing announced that it was seeking feedback on proposed changes to the Greenbelt Plan, the Greenbelt Area boundary regulation and the Oak Ridges Moraine Conservation Plan (see ERO posting [#019-6216](#)) to enable the construction of approximately 50,000 new units in the GGH. The deadline for comments was December 4, 2022 (a 30-day comment period).

3. Previous Reports and Decisions

- 3.1 On November 10, 2022, Report [#2022-INFO-92](#) was released to advise outgoing and incoming Council of the proposed changes to the Greenbelt Plan.

4. Overview of Greenbelt Removals and Process

- 4.1 The province is proposing to remove 15 areas of land across the Greater Golden Horseshoe (GGH) totaling approximately 3,000 hectares (7,400 acres) from the Greenbelt Area, while adding approximately 3,800 ha (9,400 acres) of land to the Greenbelt in the Paris Galt Moraine in Wellington County. Previously announced was the addition of 13 Urban River Valleys across the GGH. In Durham Region, this includes approximately 1,820 hectares (4,500 acres) of land in three locations (see Attachment #1):
- a. In the City of Pickering – lands located south of Highway 407, west of West Duffins Creek and north of the CP Belleville rail line, and east of York-Durham Line, known as the Duffins Rouge Agricultural Preserve (1,736 ha/4,289 ac);
 - b. In the Town of Ajax – lands located on the south side of Kingston Road East, north of Highway 401 and west of Lake Ridge Road, at 765 and 775 Kingston Road East (52 ha/128 ac); and
 - c. In the Municipality of Clarington – lands located at the northeast corner of Nash Road and Hancock Road, west of Highway 418 (35 ha/86 ac).
- 4.2 To achieve the government's objective of advancing housing supply, the proposal indicates that:
- a. significant progress on approvals is to be achieved by the end of 2023;
 - b. construction of new homes is to begin by no later than 2025;
 - c. proponents will fully fund the necessary infrastructure upfront; and
 - d. if the above conditions are not met, the government will begin the process to return the properties back to the Greenbelt.

5. Regional Staff Comments

- 5.1 On December 1, 2022, the Region's Chief Administrative Officer submitted staff comments (see Attachment #2.)
- 5.2 The following concerns were identified:
- a. It is unclear if the additional population and employment that would be produced in the Greenbelt removal areas would be assigned additional growth or whether the removal areas would be considered part of the province's existing growth forecast;
 - b. Servicing solutions for these lands have not been developed. No plans have been developed, and downstream infrastructure has not been sized to accommodate extensive development within these areas;

- c. The availability of electricity, and community services to support this growth has not been contemplated in any other plans to date;
- d. It is unclear whether proponents would be required bear all capital costs for infrastructure, including major infrastructure;
- e. Financial arrangements with the Region to fund infrastructure would need to be negotiated to ensure the appropriate mechanisms are put in place including development charges, front-end financing, and cost recovery;
- f. Accelerating units already within the planning process, rather than redirecting attention by removing areas of the Greenbelt that have not been contemplated to accommodate growth may bring new housing to market quickly and satisfy the province's objectives to build homes faster; and
- g. The removals compromise the Region's environmental sustainability objectives – including climate change resilience and biodiversity protection which require conservation and restoration of natural areas such as those in the Greenbelt.

6. Relationship to Strategic Plan

6.1 This report aligns with/addresses the following strategic goals and priorities in the Durham Region Strategic Plan:

- a. Goal 1 Environmental Sustainability
- b. Goal 2 Community Vitality

7. Conclusion

7.1 It is recommended that Regional Council endorse the letter contained in Attachment #2 as the Region's formal comments on the proposed changes to the Greenbelt Plan.

7.2 This report and the comment letter were prepared in consultation with the Planning and Economic Development Department, Works Department and Finance Department.

8. Attachments

Attachment #1: Greenbelt Plan Areas in Durham proposed for removal – Provincial maps 6, 7 and 8

Attachment #2: Letter from Elaine Baxter-Trahair to Minister Steve Clark, Minister of Municipal Affairs and Housing (Dec. 1, 2022)

Recommended for Presentation to Committee

Original signed by

Elaine C. Baxter-Trahair
Chief Administrative Officer

For further information, you may contact:

Brian Bridgeman, Commissioner of Planning and Economic Development
Brian.Bridgeman@durham.ca; or

John Presta, Commissioner of Works
John.Presta@durham.ca

LEGEND Ontario

- Greenbelt Area*

Protected Countryside

Natural Heritage System

Towns/Villages

Urban River Valleys

Settlement Areas Outside the Greenbelt

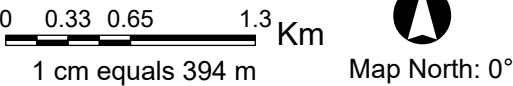
Municipal Boundary

Road or Highway
- Proposed Modifications

Greenbelt Redesignation

Greenbelt Removal

ORM Redesignation

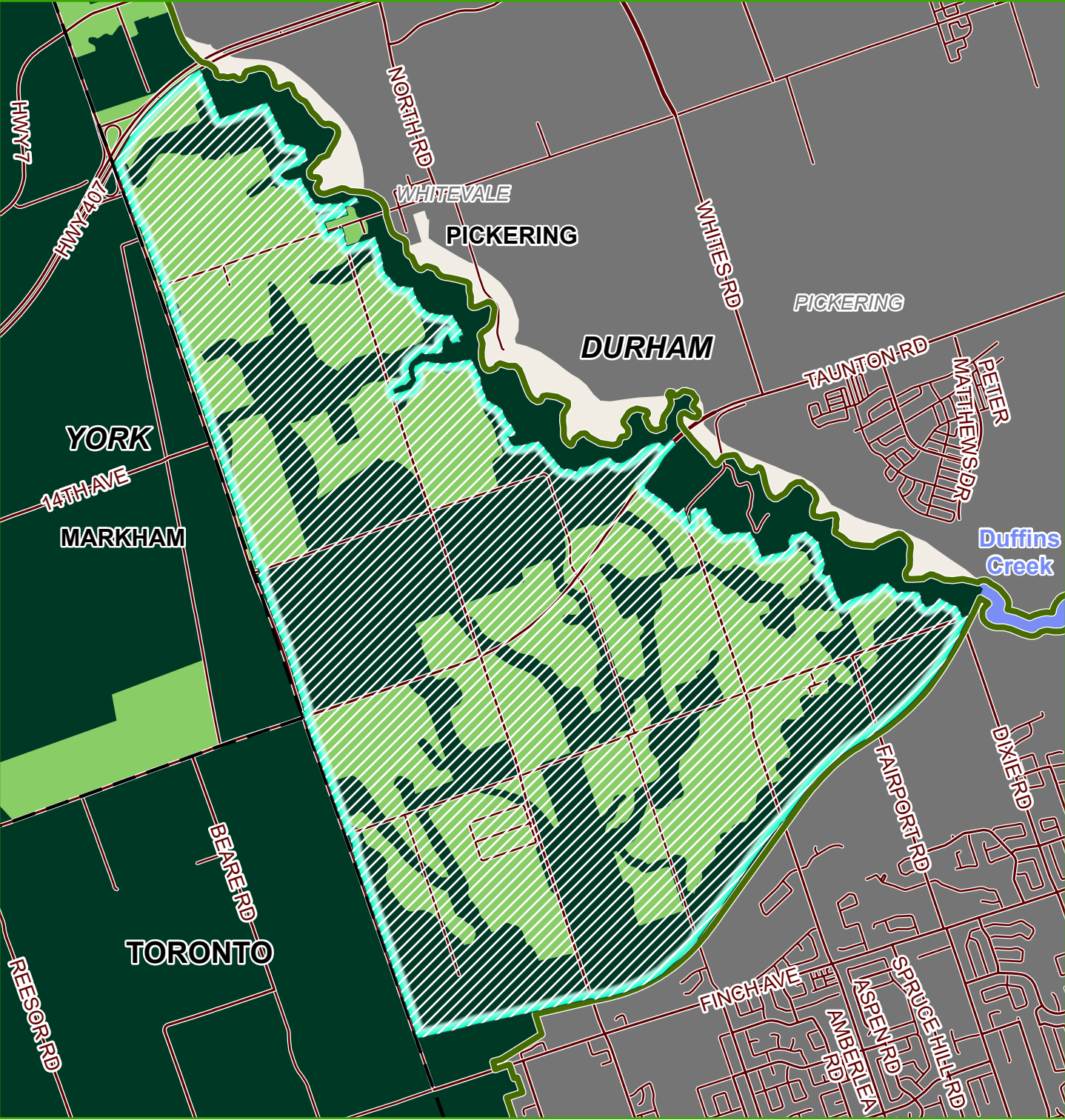


Note: While every effort has been made to accurately depict the information, this map should not be relied on as being a precise indicator of locations of features or roads. For precise boundaries and locations of Settlement Areas, including Towns/Villages and Hamlets, the appropriate municipalities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

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LEGEND

Greenbelt Area*

Protected Countryside

Natural Heritage System

Towns/Villages

Urban River Valleys

Settlement Areas Outside the Greenbelt

Municipal Boundary

Road or Highway

Proposed Modifications

Greenbelt Redesignation

Greenbelt Removal

ORM Redesignation

Ontario

00.10.20.4

Km

1 cm equals 132 m

Map North: 0°

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.

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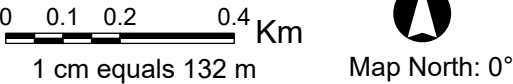
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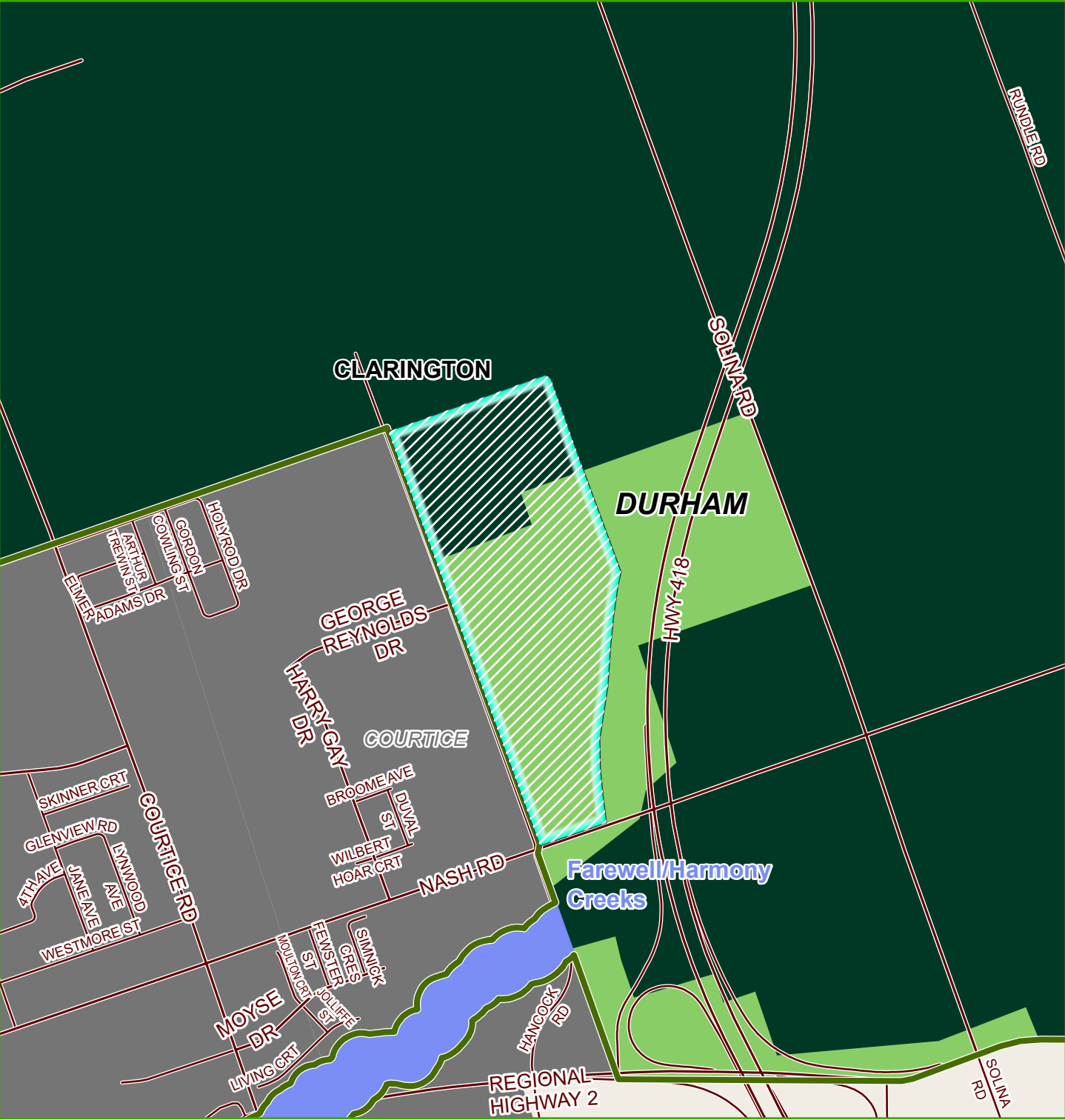


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Sent Via Email

December 1, 2022

**The Regional
Municipality of
Durham**
Office of the Chief
Administrative Officer

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Elaine Baxter-Trahair
B.M. Edu, MBA
Chief Administrative
Officer

The Honourable Steve Clark
Minister of Municipal Affairs and Housing
777 Bay Street, 17th Floor
Toronto, ON M5G 2E5
Email: minister.mah@ontario.ca

Dear Minister Clark:

**RE: Provincial consultation on proposed amendments to the
Greenbelt Plan, ERO postings #019-6216 and #019-6238, Our File:
D12-01**

On November 4, 2022 it was announced you were seeking feedback on proposed changes to the Greenbelt Plan, the Greenbelt Area boundary regulation, and the Oak Ridges Moraine Conservation Plan that would remove 15 areas of land across the Greater Golden Horseshoe (GGH), including three in Durham Region, while adding lands to the Greenbelt in the Paris Galt Moraine in Wellington County, to enable the construction of approximately 50,000 new units in the GGH.

Since the comment period on the legislation will close prior to our initial Council meeting to consider the postings, please accept these staff comments which will be presented to Regional Council for endorsement at our earliest opportunity in December.

To be clear, the comments expressed in this letter are those of staff and do not represent a formal Region of Durham Council position.

In Durham Region, the proposal includes the removal of over 1,820 hectares (4,500 acres) of land from the Greenbelt Area in three locations in Pickering, Ajax and Whitby.

To achieve the government's objective of advancing housing supply, the proposal indicates that:

- significant progress on approvals is to be achieved by the end of 2023;
- construction of new homes is to begin by no later than 2025;
- proponents will fully fund the necessary infrastructure upfront; and
- if the above conditions are not met, the government will begin the process to return the properties back to the Greenbelt.

Planning for Growth across Durham

The existing Growth Plan assigns an aspirational forecast of 1.3 million people and 460,000 jobs by 2051 for Durham, which is more than double the region's historic growth rate.

It is unclear if the additional population and employment that would be produced in the Greenbelt removal areas would be assigned additional growth beyond the forecasts already allocated to Durham, or whether the removal areas would be considered part of the province's existing growth forecast.

Durham is planning for and experiencing significant population and employment growth. The Region has been working diligently with our partners in the development community, other service providers and our lower-tier municipalities to plan for and execute the servicing required to support this planned growth in a manner that supports the Region's environmental sustainability objectives.

The rationale for proposed removals – i.e., the need for land to build 1.5 million homes over the next ten years – was not supported by the province's Ontario Housing Affordability Task Force which, in its [February 2022 report](#) stated that “a shortage of land isn't the cause of the problem. Land is available, both inside the existing built-up areas and on developed land outside of the greenbelts.” (p. 10)

As of year-end 2021, there were over 33,000 units across Durham within draft approved plans of subdivision and condominium. This represents a conservative estimate of approved unit supply, as it does not include units within approved site plans, nor lots in subdivision applications that are in-process but not yet draft approved (which would add another approximately 30,000 units). Durham is poised for growth within designated areas, as well as through intensification at transit-supportive densities, where there is the highest potential to deliver housing within the next decade. Due to current extensive infrastructure demands and commitments, the Region's pre-existing urban land areas and draft approved lot supply, the ability to develop within the proposed Settlement Area Boundary Expansions (SABEs) or the Greenbelt removal areas is challenging in the short term.

Servicing Implications

The ERO posting states that the Greenbelt removal areas across the GGH are “serviced or adjacent to services”. Since the expectation was that the Greenbelt was to be protected in perpetuity, servicing solutions for these lands have simply not been developed. Therefore, our Works Department has advised that no plans have been developed to extend services to these areas, and downstream infrastructure has not been oversized to accommodate extensive development within these areas.

If Environmental Assessments for roads, water or sewage servicing are required to support growth in the Greenbelt removal areas, the timeline for design and construction of the required servicing in advance of housing by 2025 may not be adequate.

There are also concerns related to the provision of other services such as the availability of electricity, and community services to support this growth, that has not been contemplated in any other plans to date.

Timing set out in the ERO posting is aggressive and does not appear to reflect whether the areas can be serviced within that timeline. In the absence of detailed information about the amount and type of development being proposed on the sites, the Region’s ability to provide a more fulsome reply is limited.

Implementation Timing and Financial Implications

The ERO posting states that “significant progress” on approvals is to be achieved by the end of 2023, just over one year from now. However, the term “significant progress” lacks clarity and is open to broad interpretation.

It is requested that the term “significant progress” be defined for consistent application to the Greenbelt removal areas. It is suggested that the term be defined to include the completion of a secondary plan (or equivalent) that is accompanied by the appropriate technical and environmental studies to the satisfaction of the lower and upper tier municipality, and the submission of proposed plans of subdivision. Significant progress should also include detailed roads, water and wastewater servicing plans that are deemed acceptable to the Region, and the advancement of an agreement that ensures the development of these lands will not impose a financial hardship on the Region’s taxpayers and water and sewer ratepayers. An analysis should be completed to look at the upfront capital costs and corresponding long-term lifecycle costs to service these new lands which will be needed to be included in future long-term servicing and asset management plans by the Region.

The ERO posting also states that it is the province's expectation that proponents would fully fund the necessary infrastructure upfront. The term "fully fund the necessary infrastructure upfront" requires clarification. The language appears to indicate that the proponents would bear all capital costs for infrastructure, including major infrastructure.

If however, it is intended that major infrastructure and facilities are to be implemented through a future front-ending arrangement for development charge funded infrastructure, then it should be made clear that the necessary infrastructure will include both the linear infrastructure and the capital costs associated with expanding the water supply and wastewater treatment plants to provide the necessary servicing capacity, as well as the Regional infrastructure associated with other Regional services such as roads, transit, social services and emergency services. Financial arrangements with the Region would need to be negotiated to ensure appropriate mechanisms are put in place including development charges, front-end financing, and cost recovery.

Environmental Impacts

There are concerns that these proposed removals will compromise the Region's environmental sustainability objectives – including climate change resilience and biodiversity protection which require conservation and restoration of natural areas such as those in the Greenbelt.

The Greenbelt Plan was introduced in 2005 to protect land from development across the GGH. The Greenbelt Plan works with the Growth Plan, to define where and how future growth should be accommodated and where urbanization should not occur. It was intended to provide permanent protection to the agricultural land base and the ecological and hydrological features, areas and functions occurring on the landscape. The province recently recognized this in its [March 2022 consultation](#) on the Greenbelt which included a key principle that "no removal or land exchanges are proposed...this proposal is about growing the size and quality of the Greenbelt, and the government will not consider the removal of any lands from the Greenbelt."

A stable Greenbelt supports the implementation of climate change mitigation and adaptation strategies from all levels of government. The continued protection of agricultural lands, water resources and natural areas will support long-term environmental sustainability and climate resilience for communities across the Greater Golden Horseshoe, including those in Durham Region. We share the provincial goal to achieve healthy and complete communities that are compact, walkable, and transit-supportive, and help reduce greenhouse gas emissions. These proposed Greenbelt removals are inconsistent with that objective.

Conclusion

The proposed Greenbelt removals raise several servicing, timing, financial and environmental impacts, and may not, in fact, advance the province's stated desire to build more homes faster by 2025. Regional staff respectfully recommend that the province focus on collaborating with all affected parties, including the development community, upper and lower tier municipalities, to redouble efforts on accelerating units already within the planning process, rather than redirecting attention by removing areas of the Greenbelt that have not been contemplated to accommodate growth.

Sincerely,

A handwritten signature in black ink, appearing to read 'Elaine Baxter-Trahair', with a long horizontal flourish extending to the right.

Elaine Baxter-Trahair
Chief Administrative Officer