

Government of Ontario Amendments to the Greenbelt Plan – FAQ

Background:

On December 16, 2022, the Government of Ontario removed 795 hectares of land from the Greenbelt within the City of Hamilton. For a better illustration of the size of the land removed, 795 hectares is a little larger than the size of two Binbrooks. Council approved a motion on February 8, 2023 that the City of Hamilton opposed the removal of these lands from the Greenbelt Plan Area. Though the City remains opposed to Greenbelt land removal, the Government of Ontario's decision is in effect and the lands are no longer within the Greenbelt Plan Area.

The lands removed from the Greenbelt Plan Area mentioned above are separate from the 2,200 hectares of land added to Hamilton's Urban Boundary by the Government of Ontario in November 2022 through its approval of the Municipal Comprehensive Review (MCR) of the City's urban land needs to the year 2051. The Provincial decision went against City Council's endorsement of a "No Urban Boundary Expansion" growth option. Information on the planning of the Urban Expansion lands can be found at <https://www.hamilton.ca/build-invest-grow/planning-development/official-plan/secondary-plans-progress>

The lands removed from the Greenbelt are not currently located within the Hamilton Urban Boundary. The City of Hamilton expects the Government of Ontario will use its powers, as expanded through *Bill 97, Helping Homebuyers, Protecting Tenants Act, 2023*, to issue a Minister's Zoning Order to approve new urban development within the former Greenbelt Plan areas. Information on *Bill 97*, including these new powers can be found at the following link: <https://pub-hamilton.escribemeetings.com/Meeting.aspx?Id=9e4efbbb-d6ab-4445-9c77-64b58781a06b&Agenda=Merged&lang=English&Item=27&Tab=attachments>

The Government of Ontario's Land and Development Facilitator has engaged with the City of Hamilton with respect to these lands and has indicated that the City will have the opportunity to provide input with respect the development objectives of the lands and to negotiate and request certain "community benefits," above and beyond standard *Planning Act* requirements.

City Council provided direction on July 14, 2023 to provide input to the Provincial Land and Development Facilitator. The City's participation in discussions with the Provincial Land and Development Facilitator would be under protest respecting these lands. As part of Council adoption of Report PED23046(a), Council provided the following direction:

- "c) That Planning and Economic Development Department staff be directed to schedule a public meeting of the Planning Committee for the purpose of obtaining public input as to the City's priorities and expectations with respect to any private development proposals within the lands removed by the Province

from the Greenbelt Plan Area; and, that staff consult with City of Hamilton Public Engagement staff to ensure: the statutory meeting meets best engagement practice as much as possible; that the statutory meeting be held in the evening, be live streamed, and be held at a publicly accessible facility that is in close proximity to the Book Road lands; and, that all MPP and MP's be extended an invitation to attend.”

Q. What is the Greenbelt Plan?

A: The Greenbelt Plan is a Provincial Plan approved in 2005 that covers approximately 810,000 hectares of land around the Greater Golden Horseshoe area. The Greenbelt Plan provides regulatory protection from urban development and establishes policies to:

1. Prevent further loss of farmland and natural heritage;
2. Restrict urban sprawl; and,
3. Work with the Growth Plan to develop vibrant communities where people can live, work, and play

Q: When were lands removed out of the Greenbelt Plan?

A: On December 16, 2022, the Government of Ontario removed approximately 795 hectares of land in the City of Hamilton from the Greenbelt Plan within the three areas here:

Greenbelt Removal Lands					
Sub Area	Gross Area (Hectares)	Total Properties	Ag/Farm Properties	<1 hectare	Approximate Agricultural Land Area (Hectares)
Book Road	727	113	34	67	572
Whitechurch	64	26	8	13	47
Fifty Road	4	2	1	1	3.5
Total	795	141	43	81	622.5

Q: How was it determined which lands were removed from the Greenbelt?

A: This was a Government of Ontario decision. The City of Hamilton was not involved in the decision to remove lands from the Greenbelt.

Q: Does the City of Hamilton support the removal of these lands?

A: No. The City of Hamilton opposes the removal of these lands from the Greenbelt Plan with City Council approving the following motion on February 8, 2023:

“(b) That the Minister’s decision to remove 795 hectares of land from the Greenbelt Plan is unnecessary and is not supported by the City of Hamilton.”

Q: How do these former Greenbelt area lands relate to the Government of Ontario’s Decision to expand the City’s Urban Boundary?

A: The lands removed from the Greenbelt Plan by the Government of Ontario are not located within the Hamilton Urban Boundary. The 795 hectares of land taken out of the Greenbelt Plan are over and above the 2,200 hectares of land added to the Urban Boundary by the Government of Ontario.

Q: Is development of these lands related to Bill 97?

A: On June 8, 2023 the Government of Ontario gave Royal Assent to Bill 97, which, among other things, amended the *Planning Act* to give the Ontario Minister of Municipal Affairs and Housing additional authorities to exempt certain subsequent approvals required to establish uses permitted by Minister’s Zoning Orders from having to align with provincial plans or local Official Plan policies. In addition, Bill 97 provides authority to the Ontario Minister of Municipal Affairs and Housing to require landowners to enter into development agreements with the Minister or municipality in matters where the Provincial Land and Development Facilitator or the Deputy Facilitator has been directed by the Minister.

Q: Who is the Government of Ontario’s Land and Development Facilitator?

A: The Provincial Land and Development Facilitator is appointed by the Ontario Minister of Municipal Affairs and Housing with the stated role of providing impartial facilitation services or by acting as a negotiator on behalf of the province.

Q: What will these lands be developed into?

A: Should development proceed through a Minister’s Zoning Order, the City of Hamilton anticipates that the lands would be predominately developed into residential uses. However, at this time no development concept or subdivision plan has been provided that shows the location, type and density of housing to be constructed.

Q: Who would approve the development of these lands?

A: The City of Hamilton expects the Government of Ontario will use its powers to issue a Minister’s Zoning Order to approve new urban development within the former Greenbelt Plan areas. This means that there would be no municipally led Secondary Plan process to establish a detailed land use plan along with policies respecting densities, design and infrastructure based on public input and technical studies.

Q: What is a Minister’s Zoning Order?

A: The *Planning Act* authorizes the Ontario Minister of Municipal Affairs and Housing to make a Minister’s Zoning Order (MZO) for regulating the use of land, buildings and structures anywhere in Ontario. If there is a conflict between a Minister’s Zoning Order and a municipal zoning by-law, the Minister’s Zoning Order prevails. Minister’s Zoning Order decisions cannot be appealed to the Ontario Land Tribunal (OLT).

Q: What is the City’s role if the Government of Ontario issues a Minister’s Zoning Order for these lands?

A: The Government of Ontario’s Land and Development Facilitator has engaged with the City of Hamilton on these lands and has indicated that the City will have an opportunity to provide input with respect to development objectives for these lands as well as to negotiate and request certain “community benefits,” above and beyond standard Planning Act requirements.

Q: What do you mean by Development Objectives?

A: Development Objectives refers to how a new neighbourhoods should look and function. This includes the types of land uses and residential densities together with the type, location and design of new streets, parks, trails and other infrastructure to support the development.

Through a municipally led planning process, these development objectives would be determined and established through a Secondary Plan which would involve the preparation of technical studies, public engagement and require approval from City Council. The Province’s decision to pursue a Minister’s Zoning Order circumvents this process.

Q: What are “Community Benefits”?

A: The Government of Ontario has not provided clear guidance on what would and would not constitute a “Community Benefit” except that it would be a contribution to the community over and above what the City can require under the *Planning Act*. Areas for consideration with respect to community benefits would include:

- provision of affordable housing.
- “re-wilding” and enhancements to the Natural Heritage System above and beyond the City’s natural heritage standards;
- protection of heritage resources;
- implementation of green development standards;
- payment of full Development Charges and Parkland Dedication, above and beyond the post-Bill 23 requirements; and,

Q: When would construction on these lands begin?

A: The Government of Ontario has indicated that significant progress on approvals and implementation of residential development of the Greenbelt removal lands is to be achieved by the end of 2023, and that development must be substantially underway by no later than the end of 2025. Furthermore, based on the Environmental Registry of Ontario posting¹, it is the City's understanding that the Province also expects that proponents would upfront the funding of any necessary infrastructure to service the subject lands, in accordance with local cost sharing policies.

Q: Does the City have to engage with the Government of Ontario's Land and Development Facilitator?

A: The City is not required to engage with the Provincial Land and Development Facilitator. City Council has decided to provide input to the Facilitator under protest following a special meeting of Planning Committee. The special Planning Committee meeting will receive feedback from Hamilton residents on what residents' priorities and expectations should be respecting these lands. In addition, City staff will be scheduling an Open House prior to the Planning Committee meeting to allow residents an additional opportunity to learn about what is happening and provide comment

Q: What is the date of the Open House and special meeting of Planning Committee? How can I participate?

A: The date of the Committee meeting has not yet been determined. Notice of the meeting will be posted on the City's website, advertised in the newspaper and communicated through Social Media. To form a delegation to speak to Planning Committee, please visit <https://www.hamilton.ca/city-council/council-committee/council-committee-meetings/request-speak-committee-council>.

Q: Can I still participate and provide comments if I cannot attend either the Open House or special meeting of Planning Committee?

A: Yes. The City will be accepting written and/or online submissions prior to the Planning Committee meeting. Details on how to provide comments will be at <https://www.hamilton.ca/build-invest-grow/planning-development/official-plan/provincial-planning-matters>

Q: What will my comments / feedback be used for?

A: To help determine the City of Hamilton's priorities for development objectives and community benefits within the lands removed from the Greenbelt to be conveyed to the Provincial Land and Development Facilitator.

¹ <https://ero.ontario.ca/notice/019-6216>

Q: I oppose any development of these lands regardless of any potential “Community Benefits”. How do I provide this comment?

A: The City of Hamilton also opposes the removal and any urban development of the lands removed from the Greenbelt Plan. City Council provided direction on July 14, 2023 to provide input to the Provincial Land and Development Facilitator under protest. Understanding the Government’s of Ontario’s powers and authority to issue a Minister’s Zoning Order to develop these lands, the City’s engagement is focused around the development objectives and community benefits associated with development.

It is recommended that any comment opposing the removal of these lands from the Greenbelt Plan be submitted directly to the Government of Ontario. Any public comments received through the City’s engagement to this effect will also be recorded and conveyed to the Province.

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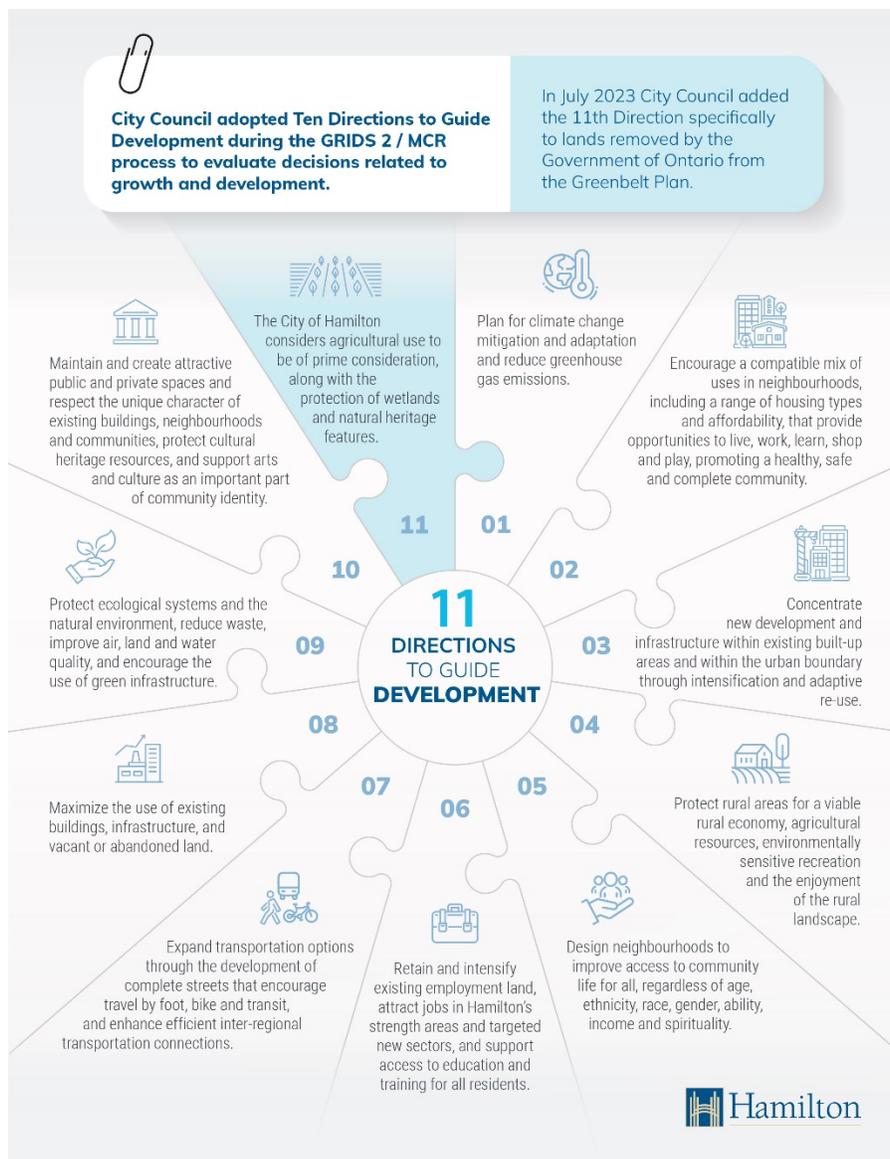
Q: What is the cost of servicing these lands for development?

A: At this time the cost of servicing the former Greenbelt lands, including any necessary infrastructure upgrades to existing water, wastewater, stormwater and transportation surrounding the lands has not been determined.

Q: What are the Ten Directions to Guide Development in the City of Hamilton?

A: As part of the City’s Growth Related Integrated Development Strategy (GRIDS2) and Municipal Comprehensive Review (MCR) work the City of Hamilton adopted the Ten Directions to Guide Development. Additional information on GRIDS 2 and the MCR can be found at <https://www.hamilton.ca/build-invest-grow/planning-development/grids/grids-2-and-municipal-comprehensive-review>

These directions are the foundational elements of the City’s growth management. In deciding to provide input to the Provincial Land and Development Facilitator, City Council added an 11th Direction that “The City of Hamilton considers agricultural use to be of prime consideration, along with the protection of wetlands and natural heritage features.”



Q: Is there a map of where these lands are located?

A:

