[Français](http://www.ontario.ca/fr/lois/loi/05g01)

Greenbelt Act, 2005

[S.o. 2005, chapter 1](https://www.ontario.ca/laws/statute/s05001)

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Definitions and interpretation

**1** (1)  In this Act,

“Greenbelt Area” means the area of land designated under section 2; (“zone de la ceinture de verdure”)

“Greenbelt Plan” means the plan established under section 3; (“Plan de la ceinture de verdure”)

“Greenbelt Plan Amendment No. 3” means the amendment to the Greenbelt Plan approved by Order in Council number 1745/2022, made on December 14, 2022 by the Lieutenant Governor in Council under this Act; (“modification no 3 du Plan de la ceinture de verdure”)

“local board” has the same meaning as in the Municipal Affairs Act, but does not include a board as defined in subsection 1 (1) of the Education Act; (“conseil local”)

“Minister” means the Minister of Municipal Affairs and Housing; (“ministre”)

“municipal planning authority” means a municipal planning authority established under section 14.1 of the Planning Act; (“office d’aménagement municipal”)

“Niagara Escarpment Plan” means the plan established under section 3 of the Niagara Escarpment Planning and Development Act; (“Plan d’aménagement de l’escarpement du Niagara”)

“Oak Ridges Moraine Conservation Plan” means the plan established under section 3 of the Oak Ridges Moraine Conservation Act, 2001; (“Plan de conservation de la moraine d’Oak Ridges”)

“prescribed” means prescribed by regulations made under this Act; (“prescrit”)

“Protected Countryside” means the areas designated as Protected Countryside in the Greenbelt Plan; (“campagne protégée”)

“public body” means a municipality, local board, ministry, department, board, commission, agency or official of a provincial or federal government or a First Nation. (“organisme public”) 2005, c. 1, s. 1 (1); 2009, c. 12, Sched. L, s. 5; 2023, c. 22, Sched. 2, s. 1.

References

(2)  A reference in this Act to a provision of the Planning Act or the Condominium Act, 1998 includes a reference to any predecessor of that provision. 2005, c. 1, s. 1 (2).

**Section Amendments with date in force (d/m/y)**

[2009, c. 12, Sched. L, s. 5](http://www.ontario.ca/laws/statute/S09012" \l "schedls5) - 14/05/2009

[2023, c. 22, Sched. 2, s. 1](http://www.ontario.ca/laws/statute/S23022" \l "sched2s1) - 06/12/2023

Designation of area

**2** (1)  The following areas of land are designated as the Greenbelt Area:

1. The Oak Ridges Moraine Area designated under section 2 of the Oak Ridges Moraine Conservation Act, 2001, but not the area of land designated as Part 1 on a plan entitled “Plan of the Boundary of the 2017 Oak Ridges Moraine Area Removal” dated May 4, 2017 and filed on that date with the Office of the Surveyor General of Ontario.

2. The Niagara Escarpment Plan Area shown on Niagara Escarpment Plan Maps 1 to 9, which are all dated April 12, 2017 and filed on that date in the offices of the Niagara Escarpment Commission.

3. The area of land designated as Parts 1 to 36, both inclusive, on a plan entitled “Plan of the Boundary of the Protected Countryside” dated February 23, 2005 and filed on that date with the Office of the Surveyor General of Ontario, the area of land designated as Parts 1 to 5, both inclusive, on a plan entitled “Plan of the Boundary of the 2017 Protected Countryside Additions” dated May 4, 2017 and filed on that date with the Office of the Surveyor General of Ontario and the area of land designated as Part 1 on a plan entitled “Plan of the Boundary of the 2022 Protected Countryside Additions” dated December 12, 2022 and filed on that date with the Office of the Surveyor General of Ontario, but not the area of land designated as Parts 1 to 34, both inclusive, on a plan entitled “Plan of the Boundary of the 2017 Protected Countryside Removals” dated May 4, 2017 and filed on that date with the Office of the Surveyor General of Ontario.

4. The area of land designated as Part 1 on a plan entitled “Plan of the Boundary of the Glenorchy Addition”, dated January 4, 2013 and filed on that date with the Office of the Surveyor General of Ontario.

5. The area of land designated as Parts 1 to 34, both inclusive, on a plan entitled “Plan of the Boundary of the 2017 Urban River Valley Area Additions” dated May 4, 2017 and filed on that date with the Office of the Surveyor General of Ontario, including the area of land designated as Part 4 on that plan even though that area of land is a portion of the area of land designated as Part 1 on the plan referred to in paragraph 3 entitled “Plan of the Boundary of the 2017 Protected Countryside Removals”.

6. The area of land designated as Parts 1 to 12, both inclusive, on a plan entitled “Plan of the Boundary of the 2022 Urban River Valley Area Additions” dated December 12, 2022 and filed on that date with the Office of the Surveyor General of Ontario. 2023, c. 22, Sched. 2, s. 2.

Public inspection of plans

(2)  Copies of the following plans are available for public inspection at the offices of the Ministry of Municipal Affairs and Housing and on a website of the Government of Ontario:

1. The plan referred to in paragraph 1 of subsection (1) entitled “Plan of the Boundary of the 2017 Oak Ridges Moraine Area Removal”.

2. All of the plans referred to in paragraphs 3 to 6 of subsection (1). 2023, c. 22, Sched. 2, s. 2.

Same

(3)  The Niagara Escarpment Plan Maps 1 to 9, referred to in paragraph 2 of subsection (1), are available for public inspection at the offices of the Niagara Escarpment Commission. 2023, c. 22, Sched. 2, s. 2.

**Section Amendments with date in force (d/m/y)**

[2009, c. 12, Sched. L, s. 5](http://www.ontario.ca/laws/statute/S09012" \l "schedls5) - 14/05/2009

[2023, c. 22, Sched. 2, s. 2](http://www.ontario.ca/laws/statute/S23022" \l "sched2s2) - 06/12/2023

Establishment of plan

**3** (1)  The Lieutenant Governor in Council may establish the Greenbelt Plan for all or part of the Greenbelt Area. 2005, c. 1, s. 3 (1).

Copies

(2)  The Minister shall ensure that a copy of the Greenbelt Plan and of every amendment to it is filed,

(a) in the offices of the Ministry of Municipal Affairs and Housing;

(b) with the clerk of each municipality that has jurisdiction in the Greenbelt Area;

(c) in the offices of the Ministry of Natural Resources; and

(d) in the offices of the Niagara Escarpment Commission. 2005, c. 1, s. 3 (2).

Not an undertaking

(3)  The Greenbelt Plan is not an undertaking as defined in subsection 1 (1) of the Environmental Assessment Act, but that Act continues to apply within the area to which the Greenbelt Plan applies. 2005, c. 1, s. 3 (3).

Not a regulation

(4)  The Greenbelt Plan is not a regulation within the meaning of Part III (Regulations) of the Legislation Act, 2006. 2005, c. 1, s. 3 (4); 2006, c. 21, Sched. F, s. 136 (1).

Retroactive operation

(5)  The Greenbelt Plan takes effect on the date specified in it which may be retroactive to a date no earlier than December 16, 2004. 2005, c. 1, s. 3 (5).

**Section Amendments with date in force (d/m/y)**

[2006, c. 21, Sched. F, s. 136 (1)](http://www.ontario.ca/laws/statute/S06021" \l "schedfs136s1) - 25/07/2007

No derogation from existing plans

**4** Subject to clause 22 (1) (c), nothing in this Act derogates from the provisions of the Oak Ridges Moraine Conservation Act, 2001 or the Niagara Escarpment Planning and Development Act in respect of applications, matters or proceedings relating to the Oak Ridges Moraine Conservation Plan or the Niagara Escarpment Plan. 2005, c. 1, s. 4; 2009, c. 12, Sched. L, s. 5.

**Section Amendments with date in force (d/m/y)**

[2009, c. 12, Sched. L, s. 5](http://www.ontario.ca/laws/statute/S09012" \l "schedls5) - 14/05/2009

Objectives

**5** The objectives of the Greenbelt Plan are,

(a) to establish a network of countryside and open space areas which supports the Oak Ridges Moraine and the Niagara Escarpment;

(b) to sustain the countryside, rural and small towns and contribute to the economic viability of farming communities;

(c) to preserve agricultural land as a continuing commercial source of food and employment;

(d) to recognize the critical importance of the agriculture sector to the regional economy;

(e) to provide protection to the land base needed to maintain, restore and improve the ecological and hydrological functions of the Greenbelt Area;

(f) to promote connections between lakes and the Oak Ridges Moraine and Niagara Escarpment;

(g) to provide open space and recreational, tourism and cultural heritage opportunities to support the social needs of a rapidly expanding and increasingly urbanized population;

(h) to promote linkages between ecosystems and provincial parks or public lands;

(i) to control urbanization of the lands to which the Greenbelt Plan applies;

(j) to ensure that the development of transportation and infrastructure proceeds in an environmentally sensitive manner;

(k) to promote sustainable resource use;

(l) any other prescribed objectives. 2005, c. 1, s. 5.

Content of plan

**6** (1)  The Greenbelt Plan may set out policies with respect to the lands to which the Greenbelt Plan applies, including,

(a) land use designations;

(b) policies to support co-ordination of planning and development programs of the various ministries of the Government of Ontario;

(c) policies to support co-ordination of planning and development among municipalities; and

(d) policies with respect to transitional matters that may arise in the implementation of the Greenbelt Plan. 2005, c. 1, s. 6 (1).

Same

(2)  The Greenbelt Plan may set out policies with respect to the areas designated by it as Protected Countryside, including,

(a) policies prohibiting any use of land or the erection, location and use of buildings or structures for, or except for, such purposes as may be set out;

(b) policies restricting or regulating the use of land or the erection, location and use of buildings or structures;

(c) policies relating to land and resource protection and land development; and

(d) policies for the economic and physical development of the land including,

(i) the management of land and water resources,

(ii) the development of major servicing, communication and transportation systems,

(iii) the identification of major land use areas and the provision of major parks and open space, and

(iv) the development of cultural, recreational and tourism facilities;

(e) policies,

(i) prohibiting official plans and zoning by-laws from containing provisions that relate to specified matters and are morerestrictive than the provisions relating to such matters that are contained in the Greenbelt Plan, and

(ii) specifying matters referred to in subclause (i);

(f) land use policies to support the long-term viability of agriculture in the Protected Countryside; and

(g) such other policies as may be prescribed. 2005, c. 1, s. 6 (2).

Decisions to conform to plan

**7** (1)  A decision that is made under the Ontario Planning and Development Act, 1994, the Planning Act or the Condominium Act, 1998 or in relation to a prescribed matter by a municipal council, local board, municipal planning authority, minister of the Crown or ministry, board, commission or agency of the Government of Ontario, including the Ontario Land Tribunal, shall conform with the Greenbelt Plan. 2005, c. 1, s. 7 (1); 2021, c. 4, Sched. 6, s. 51 (1).

Limitation

(2)  Subsection (1) does not apply to a policy statement issued under section 3 of the Planning Act. 2005, c. 1, s. 7 (2).

Actions to conform to plan

(3)  Despite any other Act, no municipality or municipal planning authority shall, within the areas to which the Greenbelt Plan applies,

(a) undertake any public work, improvement of a structural nature or other undertaking that conflicts with the Greenbelt Plan; or

(b) pass a by-law for any purpose that conflicts with the Greenbelt Plan. 2005, c. 1, s. 7 (3).

Comments, advice

(4)  Comments, submissions or advice provided by a minister of the Crown, a ministry, board, commission or agency of the Government of Ontario or a conservation authority established under section 3 of the Conservation Authorities Act that affect a planning matter relating to lands to which the GreenbeltPlan applies shall conform with the Greenbelt Plan. 2005, c. 1, s. 7 (4).

**Section Amendments with date in force (d/m/y)**

[2021, c. 4, Sched. 6, s. 51 (1)](http://www.ontario.ca/laws/statute/S21004" \l "sched6s51s1) - 01/06/2021

Conflicts with Greenbelt Plan

**8** (1)  Despite any other Act, the Greenbelt Plan prevails in the case of a conflict between the Greenbelt Plan and,

(a) an official plan;

(b) a zoning by-law; or

(c) a policy statement issued under section 3 of the Planning Act. 2005, c. 1, s. 8 (1).

Same

(2)  Despite any other Act, if there is a conflict between the Greenbelt Plan and either the Oak Ridges Moraine Conservation Plan or the Niagara Escarpment Plan, the Oak Ridges Moraine Conservation Plan or the Niagara Escarpment Plan, as the case may be, prevails over the Greenbelt Plan in its area of application. 2005, c. 1, s. 8 (2); 2009, c. 12, Sched. L, s. 5.

**Section Amendments with date in force (d/m/y)**

[2009, c. 12, Sched. L, s. 5](http://www.ontario.ca/laws/statute/S09012" \l "schedls5) - 14/05/2009

Conformity

**9** (1)  The council of a municipality or a municipal planning authority located within any of the areas designated as Protected Countryside in the Greenbelt Plan shall amend every official plan to conform with the Greenbelt Plan,

(a) no later than the date the council is required to revise an official plan in accordance with subsection 26 (1) of the Planning Act, if the Minister does not direct the council to make the amendments on or before a specified date; or

(b) no later than the day specified by the Minister, if the Minister directs the council to make the amendments on or before a specified date. 2005, c. 1, s. 9 (1); 2006, c. 23, s. 32.

Same

(2)  For the purposes of subsection (1), a provision in an official plan that relates to a matter specified under subclause 6 (2) (e) (ii) does not conform with the Greenbelt Plan if it exceeds the requirements of the Greenbelt Plan or is more restrictive than a provision in the Greenbelt Plan. 2005, c. 1, s. 9 (2).

**Section Amendments with date in force (d/m/y)**

[2006, c. 23, s. 32](http://www.ontario.ca/laws/statute/S06023" \l "s32) - 01/01/2007

Regular reviews of plan

**10** (1)  The Minister shall, in conjunction with the reviews carried on under section 17 of the Niagara Escarpment Planning and Development Act and under section 3 of the Oak Ridges Moraine Conservation Act, 2001, ensure that a review of the Greenbelt Plan is carried out every 10 years after the date the Greenbelt Plan comes into force to determine whether it should be revised. 2005, c. 1, s. 10 (1).

Consultation and public participation

(2)  During a review under subsection (1), the Minister shall,

(a) consult with any affected public bodies, including the Ministry of Natural Resources and the Niagara Escarpment Commission and the Greenbelt Council established under section 15;

(b) consult with the council of each municipality or with each municipal planning authority that has jurisdiction in the Greenbelt Area; and

(c) ensure that the public is given an opportunity to participate in the review. 2005, c. 1, s. 10 (2).

Amendment to plan

**11** (1)  The Minister may, in respect of the areas designated as Protected Countryside in the Greenbelt Plan, propose amendments to the Greenbelt Plan. 2005, c. 1, s. 11 (1).

Notice

(2)  If an amendment to the Greenbelt Plan is proposed under subsection (1), the Minister shall ensure that notice of the proposal is given in the prescribed manner,

(a) to each municipality or municipal planning authority that has jurisdiction in the Greenbelt Area to which the amendment would apply or in any abutting area; and

(b) to any other prescribed person or public body. 2005, c. 1, s. 11 (2).

Written submissions

(3)  The notice shall contain an invitation to make written submissions on the amendment within the period of time specified by the Minister in the notice. 2005, c. 1, s. 11 (3).

Consultation and public participation

(4)  If an amendment is proposed under subsection (1), the Minister shall,

(a) consult with any affected public bodies, including the Ministry of Natural Resources and the Niagara Escarpment Commission and the Greenbelt Council established under section 15;

(b) consult with the council of each municipality or with each municipal planning authority that has jurisdiction in the Greenbelt Area; and

(c) ensure that the public is given an opportunity to comment on the proposed amendment. 2005, c. 1, s. 11 (4).

Minister’s decision

**12** (1)  The Minister may, after considering any written submissions received under subsection 11 (3) and the results of any consultation under subsection 11 (4),

(a) recommend that the proposed amendment, in whole or in part, with such modifications as the Minister considers appropriate, be approved by the Lieutenant Governor in Council; or

(b) appoint a hearing officer to conduct a hearing with respect to the proposed amendment and make a written report on it. 2005, c. 1, s. 12 (1).

Limitation

(2)  The Minister shall not recommend a proposed amendment under clause (1) (a) if the proposed amendment has the effect of reducing the total land area within the Greenbelt Plan. 2005, c. 1, s. 12 (2).

Hearing officer

**13** (1)  If a hearing officer is appointed under subsection 12 (1), the hearing officer shall fix the time and place for the hearing and give notice of the hearing in the prescribed manner and to the prescribed persons and public bodies. 2005, c. 1, s. 13 (1).

Time of hearing

(2)  At least 30 days notice shall be given before the hearing is held. 2005, c. 1, s. 13 (2).

Procedures

(3)  The hearing officer may adopt rules of procedure for the hearing. 2005, c. 1, s. 13 (3).

Protection from personal liability

(4)  A hearing officer is not personally liable for anything done by him or her in good faith in the execution of his or her duty under this Act or for any neglect or default in the execution in good faith of his or her duty. 2005, c. 1, s. 13 (4).

Report

(5)  Not more than 30 days after the conclusion of the hearing or within such extended time as the Minister determines, the hearing officer shall make a written report to the Minister and to the prescribed persons and public bodies recommending whether the Lieutenant Governor in Council should approve the proposed amendment, in whole or in part, make modifications and approve the amendment as modified or refuse the proposed amendment, in whole or in part, and giving reasons for the recommendation. 2005, c. 1, s. 13 (5).

Recommendation to L.G. in C.

(6)  The Minister, upon receiving the written report of the hearing officer, shall consider the report and shall submit it to the Lieutenant Governor in Council with such recommendations in respect of the proposed amendment as the Minister considers appropriate, which recommendations may vary from those set out in the report of the hearing officer. 2005, c. 1, s. 13 (6).

Limitation

(7)  The Minister shall not recommend a proposed amendment under subsection (6) if the proposed amendment has the effect of reducing the total land area within the Greenbelt Plan. 2005, c. 1, s. 13 (7).

Decision of L.G. in C.

**14** (1)  After considering the recommendations under section 12 or 13, the Lieutenant Governor in Council may approve the proposed amendment, in whole or in part, make modifications and approve the amendment as modified or refuse the amendment, in whole or in part. 2005, c. 1, s. 14 (1).

Decision final

(2)  The decision under subsection (1) is final and not subject to appeal. 2005, c. 1, s. 14 (2).

Notice of decision

(3)  The Minister shall forward a copy of the decision made under subsection (1) to the clerk of each municipality or secretary-treasurer of each municipal planning authority that has jurisdiction in the area covered by the proposed amendment, the parties to the hearing and such other persons or public bodies as the Minister may determine. 2005, c. 1, s. 14 (3).

Statutory amendment to Plan

**14.1**The Greenbelt Plan is deemed to provide that,

(a) the lands designated as Parts 1 to 20, both inclusive, on a plan entitled “Plan of the Boundary of the 2022 Protected Countryside Removals” dated December 12, 2022 and filed on that date with the Office of the Surveyor General of Ontario are designated as Protected Countryside;

(b) the lands referred to in clause (a) that were, on December 13, 2022, part of the Natural Heritage System of the Greenbelt Plan are identified as part of the Natural Heritage System of the Greenbelt Plan;

(c) the lands designated as Parts 19 and 20 on a plan entitled “Plan of the Boundary of the 2022 Protected Countryside Removals” dated December 12, 2022 and filed on that date with the Office of the Surveyor General of Ontario are identified as Niagara Peninsula Tender Fruit and Grape Area; and

(d) the lands in the Protected Countryside that were identified as Towns/Villages by the Greenbelt Plan after Greenbelt Plan Amendment No. 3 came into effect but had been identified as Niagara Peninsula Tender Fruit and Grape Area before that amendment came into effect are identified as Niagara Peninsula Tender Fruit and Grape Area. 2023, c. 22, Sched. 2, s. 3.

**Section Amendments with date in force (d/m/y)**

[2023, c. 22, Sched. 2, s. 3](http://www.ontario.ca/laws/statute/S23022" \l "sched2s3) - 06/12/2023

Greenbelt Council

**15** (1) The Minister shall establish a council to be known in English as the Greenbelt Council and in French as Conseil de la ceinture de verdure. 2005, c. 1, s. 15 (1).

Same

(2)  The Minister may appoint one or more persons to the Council and fix the terms of reference of the Council. 2005, c. 1, s. 15 (2).

Functions

(3)  The Council shall advise the Minister on matters relating to this Act and perform such other functions as may be specified by the Minister. 2005, c. 1, s. 15 (3).

Zoning orders

**16** (1)  The Minister may make orders exercising any of the powers conferred upon the Minister under section 47 of the Planning Act in respect of the areas designated as Protected Countryside in the Greenbelt Plan. 2005, c. 1, s. 16 (1).

Same

(2)  Section 3 of the Planning Act and section 7 of this Act do not apply to an order under subsection (1) and an order need not conform to an official plan in effect in the area covered by the order. 2005, c. 1, s. 16 (2).

Same

(3)  Nothing in this Act derogates from the power of the Minister to make an order under section 47 of the Planning Act in respect of the areas designated as Protected Countryside in the Greenbelt Plan. 2005, c. 1, s. 16 (3).

Plans under the *Ontario Planning and Development Act, 1994*

**17** (1)  Nothing in this Act derogates from the power of the Minister to make a plan or an amendment to a plan under the Ontario Planning and Development Act, 1994 even if the Greenbelt Plan is in effect in the area to be covered by the plan. 2005, c. 1, s. 17 (1).

Application

(2)  Section 3 of the Planning Act and section 7 of this Act do not apply to a plan under the Ontario Planning and Development Act, 1994 made or amended by the Minister under subsection (1) and such a plan need not conform to an official plan in effect in the area in which the plan applies. 2005, c. 1, s. 17 (2).

Matters appealed

**18** (1)  If a matter relating to land within the areas designated as Protected Countryside in the Greenbelt Plan is appealed or referred to the Ontario Land Tribunal, whether under section 21 of the Ontario Land Tribunal Act, 2021 or otherwise, the Minister may notify the Tribunal that its consideration of the matter should be deferred. 2021, c. 4, Sched. 6, s. 51 (2).

Stay

(2)  If the Minister gives notice under subsection (1), all steps in the appeal or referral are stayed as of the date of the notice until the Minister gives a further notice to the Tribunal that the appeal or referral may be continued. 2021, c. 4, Sched. 6, s. 51 (2).

Same

(2.1)  Subsection (2) applies despite subsection 21 (4) of the Ontario Land Tribunal Act, 2021. 2021, c. 4, Sched. 6, s. 51 (2).

*Legislation Act, 2006*, Part III

(3)  Notices under this section are not regulations within the meaning of Part III (Regulations) of the Legislation Act, 2006. 2005, c. 1, s. 18 (3); 2006, c. 21, Sched. F, s. 136 (1).

Minister’s decision

(4)  Notices under this section are final and not subject to appeal. 2005, c. 1, s. 18 (4).

Hearing officer

(5)  If the Minister has given notice under subsection (1), the Minister may, within 30 days after the giving of notice, appoint a hearing officer to conduct a hearing at which representations may be made respecting the matter that was stayed before the Ontario Land Tribunal. 2005, c. 1, s. 18 (5); 2021, c. 4, Sched. 6, s. 51 (3).

Time and notice of hearing

(6)  The hearing officer shall fix the time and place for the hearing and give notice of the hearing in the prescribed manner and to the prescribed persons and public bodies. 2005, c. 1, s. 18 (6).

Rules of procedures

(7)  The hearing officer may make rules of procedure for the hearing. 2005, c. 1, s. 18 (7).

Hearing

(8)  The hearing officer shall conduct a hearing and make written recommendations, with reasons, to the Minister within 30 days after the conclusion of the hearing, recommending what action the Minister, with the approval of the Lieutenant Governor in Council, should take with respect to the matter, including making any decision that the Ontario Land Tribunal could have made with respect to the matter. 2005, c. 1, s. 18 (8); 2021, c. 4, Sched. 6, s. 51 (3).

Protection from personal liability

(9)  The hearing officer is not personally liable for anything done by him or her in good faith in the execution of his or her duty under this Act or any neglect or default in the execution in good faith of his or her duty. 2005, c. 1, s. 18 (9).

Extension

(10)  The Minister may extend the 30-day period set out in subsection (8) at the hearing officer’s request. 2005, c. 1, s. 18 (10).

Action by Minister with approval of L.G. in C.

(11)  The Minister may, with the approval of the Lieutenant Governor in Council, approve, modify or refuse to approve or modify all or part of the hearing officer’s recommendations. 2005, c. 1, s. 18 (11).

Decision final

(12)  The decision under subsection (11) is final and not subject to appeal. 2005, c. 1, s. 18 (12).

**Section Amendments with date in force (d/m/y)**

[2006, c. 21, Sched. F, s. 136 (1)](http://www.ontario.ca/laws/statute/S06021" \l "schedfs136s1) - 25/07/2007

[2021, c. 4, Sched. 6, s. 51 (2, 3)](http://www.ontario.ca/laws/statute/S21004" \l "sched6s51s2) - 01/06/2021

Limitations on remedies

**19** (1)  No cause of action arises as a direct or indirect result of,

(a) the enactment, amendment or repeal of any provision of this Act, including, for greater certainty, the amendments made to this Act by the Greenbelt Statute Law Amendment Act, 2023;

(b) the making, amendment or revocation of any provision of the regulations made under this Act, including, for greater certainty, the making of, amendments to and revocation of Ontario Regulation 59/05 (Designation of Greenbelt Area) made under this Act, including,

(i) the inclusion in paragraph 3 of subsection 1 (1) of that Regulation, on December 16, 2004, of the area of land designated as Part 32 on a plan entitled “Plan of the Boundary of the Protected Countryside” dated February 23, 2005 and filed on that date with the Office of the Surveyor General of Ontario, and

(ii) the amendments made to that Regulation by Ontario Regulation 567/22 made under this Act;

(c) the establishment of the Greenbelt Plan or the approval of any amendments to the Greenbelt Plan under subsection 14 (1), including, for greater certainty, the approval of Greenbelt Plan Amendment No. 3;

(d) the establishment of a plan or the approval of an amendment to a plan under the Ontario Planning and Development Act, 1994 in relation to lands to which the Greenbelt Plan applies;

(e) anything done or not done in accordance with this Act, the regulations made under it, the Greenbelt Plan or a plan referred to in clause (d), including, for greater certainty, any review or reconsideration of the Greenbelt Area and the Greenbelt Plan, or any purported failure to review or reconsider the Greenbelt Area and the Greenbelt Plan, including in relation to the land that is identified as “Featureless Lands” in the Statement of Claim filed in the Superior Court of Justice proceeding commenced at Newmarket and identified as Court File number CV-17-131956-00; or

(f) any representation or other conduct by current or former employees, officers or agents of the Crown in right of Ontario or current or former members of the Executive Council that is related, directly or indirectly, to,

(i) the actual or potential enactment of any Act or actual or potential making of any regulation made under this Act or other instrument concerning,

(A) the removal of land from the Greenbelt Area, including under Ontario Regulation 567/22 made under this Act, or

(B) the identification of any land, including by Greenbelt Plan Amendment No. 3,

(ii) the actual or potential acquisition, disposal, use or development of any land removed from the Greenbelt Area pursuant to Ontario Regulation 567/22 made under this Act or redesignated by Greenbelt Plan Amendment No. 3,

(iii) the actual or potential granting or issuance of any approval, permit, order or other instrument in respect of any land removed from the Greenbelt Area under Ontario Regulation 567/22 made under this Act or redesignated by Greenbelt Plan Amendment No. 3,

(iv) any actual or potential agreement under section 49.2 of the Planning Act in respect of any land referred to in clause 14.1 (a) of this Act, including any negotiations respecting any such actual or potential agreement,

(v) the addition of land that is identified as “Featureless Lands” in the Statement of Claim filed in the Superior Court of Justice proceeding commenced at Newmarket and identified as Court File number CV-17-131956-00 to the Greenbelt Area under Ontario Regulation 59/05 made under this Act and the designation of that land as Protected Countryside by the Greenbelt Plan, any review or reconsideration of that addition and designation or any purported failure to review or reconsider that addition and designation, or

(vi) the settlement of the Superior Court of Justice proceeding commenced at Newmarket and identified as Court File number CV-17-131956-00, including the disclosure of any information relating to that settlement, regardless of whether such information is privileged or confidential, or any purported breach of that settlement. 2023, c. 22, Sched. 2, s. 4.

No remedy

(2)  No costs, compensation or damages, including for loss of revenues or loss of profit, are owing or payable to any person and no remedy, including but not limited to a remedy in contract, restitution, tort, misfeasance, bad faith, trust or fiduciary obligation, any equitable remedy or any remedy under any statute, is available to any person in connection with anything referred to in subsection (1). 2023, c. 22, Sched. 2, s. 4.

Proceedings barred

(3)  No proceeding that is directly or indirectly based on or related to anything referred to in subsection (1) may be brought or maintained against any person. 2023, c. 22, Sched. 2, s. 4.

Application

(4)  Subsection (3) does not apply with respect to an application for judicial review, but does apply with respect to any other court, administrative or arbitral proceeding claiming any remedy or relief, including specific performance, injunction, declaratory relief or the enforcement of a judgment, order or award made outside Ontario. 2023, c. 22, Sched. 2, s. 4.

Retrospective effect

(5)  Subsections (1), (2) and (3) apply regardless of whether a cause of action on which a proceeding is purportedly based arose before, on or after the day section 4 of Schedule 2 to the Greenbelt Statute Law Amendment Act, 2023 comes into force. 2023, c. 22, Sched. 2, s. 4.

No costs award

(6)  No costs shall be awarded against any person in respect of a proceeding that cannot be brought or maintained under subsection (3). 2023, c. 22, Sched. 2, s. 4.

No expropriation or injurious affection

(7)  Nothing referred to in subsection (1) constitutes an expropriation or injurious affection for the purposes of the Expropriations Act or otherwise at law. 2023, c. 22, Sched. 2, s. 4.

Proceedings by Crown not prevented

(8)  This section does not apply with respect to proceedings brought by the Crown in right of Ontario. 2023, c. 22, Sched. 2, s. 4.

Person defined

(9)  In this section,

“person” includes the Crown in right of Ontario and its current and former employees, officers and agents, current and former members of the Executive Council and municipalities and their current and former employees, officers and agents. 2023, c. 22, Sched. 2, s. 4.

**Section Amendments with date in force (d/m/y)**

[2023, c. 22, Sched. 2, s. 4](http://www.ontario.ca/laws/statute/S23022" \l "sched2s4) - 06/12/2023

Termination of settlement agreement

**19.1**The agreement dated November 3, 2022 between Minotar Holdings Inc. and His Majesty the King in Right of Ontario as represented by the Minister of Municipal Affairs and Housing respecting the settlement of the Superior Court of Justice proceeding commenced at Newmarket and identified as Court File number CV-17-131956-00 is terminated on the day the Greenbelt Statute Law Amendment Act, 2023 receives Royal Assent. 2023, c. 22, Sched. 2, s. 4.

**Section Amendments with date in force (d/m/y)**

[2023, c. 22, Sched. 2, s. 4](http://www.ontario.ca/laws/statute/S23022" \l "sched2s4) - 06/12/2023

Conflicts

**20** In the event of conflict between this Act and any other Act, this Act prevails. 2005, c. 1, s. 20.

Non-application of *Statutory Powers Procedure Act*

**21** The Statutory Powers Procedure Act does not apply to anything done under this Act. 2005, c. 1, s. 21.

Regulations by L.G. in C.

**22** (1)  The Lieutenant Governor in Council may, by regulation,

(a) prescribe additional objectives for the Greenbelt Plan;

(b) prescribe policies for the purposes of clause 6 (2) (g);

(c) despite any other Act,vary, supplement or override any provision in the Oak Ridges Moraine Conservation Plan or the Niagara Escarpment Plan in order to facilitate the effective operation of the Greenbelt Plan;

(d) prescribe applications, matters or proceedings for the purposes of subsections 24 (1) and (3) and prescribe policies for the purposes of subsection 24 (3). 2005, c. 1, s. 22 (1); 2009, c. 12, Sched. L, s. 5.

Retroactivity

(2)  A regulation made under this section may be retroactive to a date no earlier than December 16, 2004. 2005, c. 1, s. 22 (2).

**Section Amendments with date in force (d/m/y)**

[2009, c. 12, Sched. L, s. 5](http://www.ontario.ca/laws/statute/S09012" \l "schedls5) - 14/05/2009

Regulations by Minister

**23** (1)  The Minister may, by regulation,

(a) require municipalities within the areas designated as Protected Countryside in the Greenbelt Plan to pass by-laws referred to in section 135 or 142, or both, of the Municipal Act, 2001 or in section 104 or 105, or both, of the City of Toronto Act, 2006 and specify the municipalities and the by-law provisions;

(b) prescribe powers that must be exercised by municipalities in making a by-law referred to in clause (a) that are additional to those powers referred to in section 135 or 142 of the Municipal Act, 2001 or section 104 or 105 of the City of Toronto Act, 2006;

(c) prescribe anything that is referred to in this Act as being prescribed, other than those matters described in section 22. 2006, c. 32, Sched. C, s. 22.

Retroactivity

(2)  A regulation made under clause (1) (c) may be retroactive to a date no earlier than December 16, 2004. 2005, c. 1, s. 23 (2).

**Section Amendments with date in force (d/m/y)**

[2006, c. 32, Sched. C, s. 22](http://www.ontario.ca/laws/statute/S06032" \l "schedcs22) - 01/01/2007

Transition

**24** (1)  Section 7 applies to applications, matters or proceedings commenced on or after December 16, 2004 relating to areas designated as Protected Countryside in the Greenbelt Plan except as may be otherwise prescribed. 2005, c. 1, s. 24 (1).

Non-application

(2)  Section 7 does not apply to applications, matters or proceedings commenced before December 16, 2004 relating to areas designated as Protected Countryside in the Greenbelt Plan. 2005, c. 1, s. 24 (2).

Same

(3)  Despite subsection (2), a decision referred to in section 7 with respect to an application, matter or proceeding that was commenced before December 16, 2004 and that is prescribed shall conform with such policies of the Greenbelt Plan as may be prescribed. 2005, c. 1, s. 24 (3).

Time of commencement

(4)  For the purposes of this section, an application, matter or proceeding shall be deemed to have been commenced,

(a) in the case of an official plan or its amendment or repeal, on the day the by-law adopting the plan, amendment or repeal is passed;

(b) in the case of a request for an official plan amendment by any person or public body, on the day the request is received, whether the amendment is adopted or not;

(c) in the case of a zoning by-law or its amendment, including an interim control by-law, on the day the by-law is passed;

(d) in the case of an application for an amendment to a zoning by-law, on the day the application is made;

(e) in the case of development in a site plan control area, on the day the application under subsection 41 (4) of the Planning Act is made;

(f) in the case of an application for a minor variance under section 45 of the Planning Act, on the day the application is made;

(g) in the case of an application to amend or revoke an order under section 47 of the Planning Act, on the day the application is made;

(h) in the case of an application for approval of a plan of subdivision under section 51 of the Planning Act or for approval or exemption from approval for a condominium under section 9 of the Condominium Act, 1998, on the day the application is made;

(i) in the case of an application for a consent under section 53 of the Planning Act, on the day the application is made. 2005, c. 1, s. 24 (4).

Same

(5)  Despite clause (4) (d), in the case of an application for an amendment to a zoning by-law required as a condition of approval for a plan of subdivision under section 51 of the Planning Act, as a condition of approval for a condominium under section 9 of the Condominium Act, 1998 or as a condition of a provisional consent under section 53 of the Planning Act, the application for amendment of the zoning by-law shall be deemed to have been commenced on the day the application for approval of the plan of subdivision, the application for approval of the condominium, or the application for consent is made. 2005, c. 1, s. 24 (5).

Limitation

(6)  Subsection (5) applies only if the application for approval of the plan of subdivision, the application for approval of the condominium, or the application for consent is made before December 16, 2004. 2005, c. 1, s. 24 (6).

25**-27** Omitted (amends or repeals other Acts). 2005, c. 1, ss. 25-27.

28Omitted (provides for coming into force of provisions of this Act). 2005, c. 1, s. 28.

29Omitted (enacts short title of this Act). 2005, c. 1, s. 29.

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