

Legislative  
Assembly  
of Ontario



Assemblée  
législative  
de l'Ontario

1ST SESSION, 43RD LEGISLATURE, ONTARIO  
2 CHARLES III, 2023

# Bill 136

*(Chapter 22 of the Statutes of Ontario, 2023)*

**An Act to amend the Greenbelt Act, 2005 and certain other Acts,  
to enact the Duffins Rouge Agricultural Preserve Act, 2023 and  
to repeal an Act and revoke various regulations**

**The Hon. P. Calandra**

Minister of Municipal Affairs and Housing

1st Reading      October 16, 2023

2nd Reading     November 2, 2023

3rd Reading     December 5, 2023

Royal Assent    December 6, 2023





## EXPLANATORY NOTE

*This Explanatory Note was written as a reader's aid to Bill 136 and does not form part of the law. Bill 136 has been enacted as Chapter 22 of the Statutes of Ontario, 2023.*

### **SCHEDULE 1 DUFFINS ROUGE AGRICULTURAL PRESERVE ACT, 2023**

The Schedule enacts the *Duffins Rouge Agricultural Preserve Act, 2023* and repeals the *Duffins Rouge Agricultural Preserve Repeal Act, 2022*.

Section 2 of the *Duffins Rouge Agricultural Preserve Act, 2023* defines DRAPA covenants and DRAPA easements as any covenant that an owner of land entered into or purportedly entered into with, or any easement that an owner of land granted or purportedly granted to, a conservation body under the *Conservation Land Act* on or before February 28, 2005 with respect to land in the area described in Schedule 1.

The Minister under the *Conservation Land Act* may register a notice of section 2 against the affected land in the proper land registry office. Despite the *Land Titles Act*, DRAPA covenants and DRAPA easements are binding on a person who has an interest in land described in Schedule 1 of the Act regardless of when the person acquired the interest and whether a notice of section 2 was registered against the affected land at the time the person acquired the interest.

Section 3 sets out various limitations on remedies. Among other things, this section provides that no cause of action arises as a result of the amendment or repeal of any provision of the Act, the *Duffins Rouge Agricultural Preserve Act, 2005* or the *Duffins Rouge Agricultural Preserve Repeal Act, 2022*, or as a result of anything done or not done in accordance with these Acts or 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 to specified actions.

### **SCHEDULE 2 GREENBELT ACT, 2005**

The Schedule amends the *Greenbelt Act, 2005*. Here are some highlights:

1. Currently, section 2 of the Act provides for the regulations to designate an area of land as the Greenbelt Area. The Greenbelt Area is currently set out in Ontario Regulation 59/05 (Designation of Greenbelt Area). Section 2 of the Act is re-enacted to set out the designated Greenbelt Area, which reflects the Area designated by Ontario Regulation 59/05 but also includes the area of land that was removed from that Regulation on December 14, 2022.
2. New section 14.1 of the Act provides that the Greenbelt Plan is deemed to provide that specified lands are designated or otherwise identified in the same manner as they were so designated or otherwise identified by the Plan on December 13, 2022.
3. Section 19 of the Act, which currently sets out various limitations on remedies, is re-enacted. Among other things, new section 19 provides that no cause of action arises as a result of amendments to the Act or to regulations made under the Act or 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 to specified actions.
4. New section 19.1 of the Act provides for the termination of an agreement between a specified company and His Majesty the King in Right of Ontario respecting the settlement of a court proceeding.
5. Ontario Regulation 59/05 (Designation of Greenbelt Area) is revoked.

### **SCHEDULE 3 MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING ACT**

Currently, subsection 7 (1) of the *Ministry of Municipal Affairs and Housing Act* provides for protection from personal liability for acts done in good faith by the Deputy Minister, any employee of the Ministry or anyone acting under the Deputy Minister's authority. The subsection is amended to also apply to acts done in good faith by Facilitators and Deputy Facilitators appointed under subsection 12 (2) of the Act.

### **SCHEDULE 4 OAK RIDGES MORAINÉ CONSERVATION ACT, 2001**

The Schedule amends the *Oak Ridges Moraine Conservation Act, 2001*. Here are some highlights:

1. Currently, section 2 of the Act provides for the regulations to designate an area of land as the Oak Ridges Moraine Area. The Oak Ridges Moraine Area is currently set out in Ontario Regulation 1/02 (Designation of Oak Ridges Moraine Area). Section 2 of the Act is re-enacted to set out the designated Oak Ridges Moraine Area, which reflects the Area designated by Ontario Regulation 1/02. A complementary amendment is made to section 22 of the Act.
2. Section 20 of the Act, which currently sets out various limitations on remedies, is re-enacted. Among other things, new section 20 provides that no cause of action arises as a result of amendments to the Act or to the regulations made under

the Act or 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 to specified actions.

3. New section 26 of the Act provides that Ontario Regulation 140/02 (Oak Ridges Moraine Conservation Plan) is deemed to apply as though the amendments made by Ontario Regulation 568/22 had not been made.
4. Ontario Regulation 1/02 (Designation of Oak Ridges Moraine Area) is revoked.

**An Act to amend the Greenbelt Act, 2005 and certain other Acts,  
to enact the Duffins Rouge Agricultural Preserve Act, 2023,  
to repeal an Act and to revoke various regulations**

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His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Contents of this Act**

**1 This Act consists of this section, sections 2 and 3 and the Schedules to this Act.**

**Commencement**

**2 (1) Except as otherwise provided in this section, this Act comes into force on the day it receives Royal Assent.**

**(2) The Schedules to this Act come into force as provided in each Schedule.**

**(3) If a Schedule to this Act provides that any of its provisions are to come into force on a day to be named by proclamation of the Lieutenant Governor, a proclamation may apply to one or more of those provisions, and proclamations may be issued at different times with respect to any of those provisions.**

**Short title**

**3 The short title of this Act is the *Greenbelt Statute Law Amendment Act, 2023*.**

**SCHEDULE 1**  
**DUFFINS ROUGE AGRICULTURAL PRESERVE ACT, 2023**

INTERPRETATION

**Definition**

**1** In this Act,

“DRAPA covenant” means any covenant that an owner of land entered into or purportedly entered into with a conservation body under the *Conservation Land Act* on or before February 28, 2005 with respect to land in the area described in Schedule 1; (“engagement visé par la *Loi sur la Réserve agricole de Duffins-Rouge*”)

“DRAPA easement” means any easement that an owner of land granted or purportedly granted to a conservation body under the *Conservation Land Act* on or before February 28, 2005 with respect to land in the area described in Schedule 1. (“servitude visée par la *Loi sur la Réserve agricole de Duffins-Rouge*”)

DUFFINS ROUGE AGRICULTURAL PRESERVE

**DRAPA covenants, easements valid**

**2** (1) Every DRAPA covenant and DRAPA easement is deemed to be valid and deemed to have always been valid since first granted or entered into despite the *Duffins Rouge Agricultural Preserve Repeal Act, 2022* and any action, agreement, instrument registered against the affected land or court order to the contrary taken, entered into or issued before, on or after the day Schedule 1 of the *Greenbelt Statute Law Amendment Act, 2023* comes into force.

**Registration of notice**

(2) The Minister under the *Conservation Land Act* may register a notice of this section against the affected land in the proper land registry office.

**Land Titles Act**

(3) Despite the *Land Titles Act*, the covenants and easements that are deemed to be valid under subsection (1) are binding on a person who has an interest in land described in Schedule 1 regardless of,

- (a) whether the person acquired the interest before, on or after the day subsection (1) came into force; and
- (b) whether a notice of this section was registered against the affected land at the time the person acquired the interest.

**Notice deemed valid**

(4) A notice under section 2 of the *Duffins Rouge Agricultural Preserve Act, 2005* registered in the proper land registry office against any land described in Schedule 1 is deemed to have been valid from the day it was first registered until the day the *Duffins Rouge Agricultural Preserve Repeal Act, 2022* came into force.

**Limitations on remedies**

**3** (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, the *Duffins Rouge Agricultural Preserve Act, 2005* or the *Duffins Rouge Agricultural Preserve Repeal Act, 2022*;
- (b) anything done or not done in accordance with this Act, the *Duffins Rouge Agricultural Preserve Act, 2005* or the *Duffins Rouge Agricultural Preserve Repeal Act, 2022*; or
- (c) 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 validity or legal effect of any DRAPA covenant, DRAPA easement or notice registered under this Act or the *Duffins Rouge Agricultural Preserve Act, 2005*,
  - (ii) the actual or potential enactment of any Act or the actual or potential making of any regulation or other instrument concerning the validity or legal effect of any DRAPA covenant, DRAPA easement or notice registered under this Act or the *Duffins Rouge Agricultural Preserve Act, 2005*, or
  - (iii) the actual or potential acquisition, disposal, use or development of any land referred to in Schedule 1.

**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).

**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.

**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, an injunction, declaratory relief or enforcement of a judgment, order or award made outside Ontario.

**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 Schedule 1 of the *Greenbelt Statute Law Amendment Act, 2023* comes into force.

**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).

**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.

**Proceedings by Crown not prevented**

(8) This section does not apply with respect to proceedings brought by the Crown in right of Ontario.

**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 conservation bodies as defined in subsection 3 (1) of the *Conservation Land Act* and their current and former employees, officers and agents.

**REPEAL**

*Duffins Rouge Agricultural Preserve Repeal Act, 2022*

**4 The *Duffins Rouge Agricultural Preserve Repeal Act, 2022* is repealed.**

**COMMENCEMENT AND SHORT TITLE****Commencement**

**5 The Act set out in this Schedule comes into force on the day the *Greenbelt Statute Law Amendment Act, 2023* receives Royal Assent.**

**Short title**

**6 The short title of the Act set out in this Schedule is the *Duffins Rouge Agricultural Preserve Act, 2023*.**

**SCHEDULE 1**

Those lands in the City of Pickering, in The Regional Municipality of Durham, in the Province of Ontario, that are outlined in red on map number 210 identified by the Registrar of Regulations Office on April 22, 2003 and filed at the Toronto office of the Ministry of Municipal Affairs and Housing located at 777 Bay Street.

**SCHEDULE 2  
GREENBELT ACT, 2005**

**1 Subsection 1 (1) of the *Greenbelt Act, 2005* is amended by adding the following definition:**

“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”)

**2 Section 2 of the Act is repealed and the following substituted:**

**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.

**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).

**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.

**3 The Act is amended by adding the following section:**

**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.

**4 Section 19 of the Act is repealed and the following substituted:**

**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.

**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).

**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.

**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.

**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.

**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).

**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.

**Proceedings by Crown not prevented**

(8) This section does not apply with respect to proceedings brought by the Crown in right of Ontario.

**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.

**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.

**Revocation**

**5 Ontario Regulation 59/05 (Designation of Greenbelt Area) made under the Act is revoked.**

**Commencement**

**6 This Schedule comes into force on the day the *Greenbelt Statute Law Amendment Act, 2023* receives Royal Assent.**

**SCHEDULE 3**  
**MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING ACT**

**1** Subsection 7 (1) of the *Ministry of Municipal Affairs and Housing Act* is amended by striking out “the Deputy Minister or any employee” and substituting “the Deputy Minister, the Facilitator or any Deputy Facilitators appointed under subsection 12 (2) or any employee”.

**Commencement**

**2** This Schedule comes into force on the day the *Greenbelt Statute Law Amendment Act, 2023* receives Royal Assent.

**SCHEDULE 4**  
**OAK RIDGES MORAINÉ CONSERVATION ACT, 2001**

**1 Section 2 of the *Oak Ridges Moraine Conservation Act, 2001* is repealed and the following substituted:**

**Designation of Oak Ridges Moraine Area**

**2** (1) The following area of land is designated as the Oak Ridges Moraine Area:

1. The land designated as Part 1 on a plan entitled “Plan of the Boundary of the Oak Ridges Moraine Area” and filed on October 22, 2001 with the Office of the Surveyor General of Ontario.

**Public inspection**

(2) Copies of the plan referred to in subsection (1) are available for public inspection at the offices of the Ministry of Municipal Affairs and Housing and the offices of the Ministry of Natural Resources and Forestry.

**2 Section 20 of the Act is repealed and the following substituted:**

**Limitations on remedies**

**20** (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;
- (c) anything done or not done in accordance with this Act or the regulations; or
- (d) 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 or other instrument concerning a change in designation of lands in the Plan, including under Ontario Regulation 568/22 made under this Act or section 26 of this Act,
  - (ii) the actual or potential acquisition, disposal, use or development of any land whose designation was changed under Ontario Regulation 568/22 made under this Act or section 26 of this Act, or
  - (iii) any actual or potential agreement under section 49.2 of the *Planning Act* in respect of any land whose designation was changed under Ontario Regulation 568/22 made under this Act or section 26 of this Act, including any negotiations respecting any such actual or potential agreement.

**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).

**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.

**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.

**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 2 of Schedule 4 to the *Greenbelt Statute Law Amendment Act, 2023* comes into force.

**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).

**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.

**Proceedings by Crown not prevented**

(8) This section does not apply with respect to proceedings brought by the Crown in right of Ontario.

**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.

**3 Clause 22 (1) (a) of the Act is repealed.****4 The Act is amended by adding the following section:****Statutory reversal of amendments to Plan**

**26** Ontario Regulation 140/02 (Oak Ridges Moraine Conservation Plan) made under this Act is deemed to apply as though the amendments made by Ontario Regulation 568/22 had not been made.

**Revocation**

**5 Ontario Regulation 1/02 (Designation of Oak Ridges Moraine Area) made under the Act is revoked.**

**Commencement**

**6 This Schedule comes into force on the day the *Greenbelt Statute Law Amendment Act, 2023* receives Royal Assent.**