

Appendix A – Detailed Staff Comments on Proposals

Proposal Overview	Potential Impacts on Markham	Comments to Province
<p>1. Review of A Place to Grow and Provincial Policy Statement (019-6177)</p>		
<p>The Ministry of Municipal Affairs and Housing (MMAH) is undertaking a housing-focused policy review of A Place to Grow and the Provincial Policy Statement. MMAH is seeking input on how to create a streamlined province-wide land use planning policy framework that enables municipalities to approve housing faster and increase housing supply.</p>	<p>Please refer to Appendix B for detailed comments regarding the potential impacts that are addressed under the questions posed by the Province.</p>	<p>The Growth Plan serves a distinct purpose and is intended to promote the development of complete communities by managing growth, efficiently using infrastructure and protecting employment lands and natural resources.</p> <p>The Province-wide integrated document should continue to promote the development of complete communities by managing growth, efficiently using infrastructure to support public investments, protecting employment lands against conversion, protecting and conserving cultural and natural resources, and prevent past development practices such as leapfrogging from re-occurring.</p> <p>City staff recommend that municipalities be further consulted on the Province-wide document when a draft is available.</p>
<p>2. Proposed Revocation of the Parkway Belt West Plan (019-6167)</p>		
<p>Proposal to revoke Parkway Belt West Plan (PBWP), 1978, under the Ontario Planning and Development Act, 1994, to support the Provincial government’s commitment to streamline, reduce, and</p>	<p>Most of lands in Markham within the PBWP are occupied by Highway 407, major electrical transmission corridors, a major hydro transformer facility and Milne Dam Conservation Park, and administered through a Minister's Zoning Order (MZO). The Ministry of Municipal Affairs and Housing is responsible for making decisions regarding amendments to the MZO.</p>	<p>City staff do not object to revocation of PBWP. The PBWP was created at a time to identify and protect lands for the development of intra-regional transportation and utility infrastructure. City staff recommend the province consult with municipalities on how to address transition related to Ministry Zoning Orders (MZOs) that implement the PBWP. In Markham, an MZO</p>

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<p>eliminate burdens and to potentially increase housing supply.</p>	<p>Markham's 2014 Official Plan, including associated mapping, would need to be amended to remove references to PBWP mapping and policies, and replace them based on the direction provided in Section 8.11.1, Parkway Belt West.</p> <p>Subsection 8.11.1.1 states that if lands within the PBWP are identified as surplus or removed from the PBWP Area, an amendment will be needed to re-designate the lands. Any amendments considered by Council will have regard for:</p> <ul style="list-style-type: none"> • Natural heritage and hydrologic features that shall remain in the 'Greenway' System; and • The potential land use designations identified under the PBWP overlay shown on Map 3 - Land Use. The land use designations shown on Map 3 - Land Use within the PBWP currently include 'Business Park Employment', 'Service Employment' and 'Greenway'. <p>Further analysis will be required to determine any additional land uses that would be appropriate on the lands, including the potential for residential uses.</p>	<p>(Ontario Regulation 473/73) is applicable to all PBWP lands.</p> <p>Further, additional information is required on how transit investment for infrastructure such as the 407 BRT in Markham will continue to be protected.</p>
<p>3. <u>Proposed updates to the regulation of development for the protection of people and property from natural hazards in Ontario (019-2927)</u></p>		
<p>Proposing a regulation that outlines how conservation authorities permit development and other</p>	<p>Section 1 - There is no concern from a staff perspective on the proposal for one regulation for all 36 conservation authorities, as long as it does not reduce the scope of the matters covered (i.e. natural hazards</p>	<p>City staff request that the Province ensure that if one regulation is applied to all 36 Conservation Authorities, that it does not reduce the scope of the matters covered (i.e. natural hazards and</p>

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<p>activities for impacts to natural hazards and public safety.</p>	<p>and interference with or alterations to a watercourse or wetland).</p> <p>Section 2.1 – The proposed changes include amending the definition of ‘watercourse’ from an identifiable depression in which water regularly or continuously flows, to a defined channel having a bed, and bank or sides; and updating ‘other areas’ in which the prohibitions on development apply to within 30 metres of all wetlands. The proposed changes may remove areas that are hydrologically connected to wetlands and streams. Understanding the functional ecological zone of wetlands and watercourses requires appropriate technical analysis. For example, some headwater drainage features (HDF) provide flood control, maintenance of water flow or other hydrologic functions that may be assessed to be conserved. It is a technical analysis that should confirm the geographic extent of the application of a permit.</p> <p>Section 2.1.1 – Streamlined approvals for certain low-risk development activities. The activities proposed to be exempted from a permit under the CA Act are very specific and the City defers to the TRCA for their experience regarding the identified activities. Staff note that exempting such activities from a permit may require the City to address risk and liability that would otherwise be the responsibility of the TRCA. Its unclear whether the change would result in the City having to address risk and liability.</p>	<p>interference with or alterations to a watercourse or wetland).</p> <p>City staff recommend that Council not endorse the changes to the definition of ‘watercourse’ and ‘other areas’ as this reduces the scope of the CA mandate on matters that may impact flooding and erosion hazards.</p>

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	<p>Section 2.1.2 – Areas where activities are prohibited. Staff do not have the technical expertise to comment on the delineation of the limits of areas where prohibitions apply in relation to natural hazards. It is the opinion of staff that any changes should proceed through a review of the Natural Hazards Technical Guides and not be limited in scope to streamlining approvals. The approach recommended by staff provides a comprehensive assessment that includes consideration of the likely increased extreme weather events caused by climate change.</p> <p>City staff do not have the expertise to comment on highly technical matters related to the application of permits under the conservation authority regulation, such as the appropriate complete application requirements and limitations to site-specific conditions, such that City staff rely on the technical expertise of the Toronto and Region Conservation Authority.</p>	
<p>4. Conserving Ontario’s Natural Heritage (019-6161)</p>		
<p>Seeking feedback on discussion paper entitled, “Conserving Ontario’s Natural Heritage”, to describe overarching principles that would inform the development of</p>	<p>The City of Markham already has an offsetting system implemented in partnership with the Toronto and Region Conservation Authority (TRCA). It has allowed sufficient flexibility to remove disturbed ecosystems (non-provincially significant natural features) and allows the City to secure a net ecological gain to the Greenway System.</p>	<p>City staff recommend that a ‘baseline’ natural heritage system comprising of provincially significant natural features and appropriate connected areas should remain off limits for removal and compensation.</p>

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<p>a natural heritage offsetting program.</p>	<p>The removal of protections for provincially significant features would increase development pressures on core areas of the City’s Greenway System. Provincially significant natural features are complex ecosystems that have usually evolved over hundreds of years. Ecosystems such as old growth forests or swamp wetlands cannot be easily recreated once they are removed. Most of southern Ontario’s natural habitats are now fragmented and are impacted from edge effects such as invasive species and encroachments. This should not be used to justify removal of part or all of natural areas if there is an offsetting program as this will further diminish and erode natural heritage systems. Lands in natural heritage systems in southern Ontario require management and enhancement to improve condition and the ecosystem services that they provide.</p> <p>Markham has the lowest woodland cover in York Region (8%). The changes would likely result in significantly greater pressure to remove existing woodlands and natural features.</p>	<p>Should the Province pursue an Offsetting Program, habitat removal and compensation should only be an option for simple habitats and for those that are not provincially significant. Impacts to the natural heritage system that cannot be avoided from infrastructure location and construction, where no alternatives are available, should be compensated.</p> <p>Offsetting should consider both impacts to the natural heritage land base as well as ecological/hydrological function. Staff recommend that the Province use the TRCA’s Ecosystem Compensation Protocol as a guide towards developing a provincial standard for non-provincially significant features only.</p>