

Appendix B

City of Markham Comments on the Proposed Provincial Planning Statement

Policy No.	Summary of Proposed Changes	Staff Comments
Chapter 1: Introduction		
Preamble	Changes proposed to the Vision outline the Province’s interests with an emphasis on increasing the supply and mix of housing, and specifically “building more homes for all Ontarians”. Other themes such as efficient development patterns, liveable, strong, healthy and resilient communities are not equally highlighted, and others such as the benefits of cultural heritage and archaeological resources or preparing for the impacts of a changing climate have been removed.	Staff recommend carrying forward the approach to balancing provincial interests outlined in the current Vision, and further indicating the importance of conserving cultural heritage in conjunction with new development as a provincial interest.
Chapter 2: Building Homes, Sustaining Strong and Competitive Communities		
2.1 Planning for People and Homes		
2.1.1	<p>Proposed changes to the text in this policy would require a planning authority to ensure sufficient land to meet projected needs for a time horizon of “at least 25 years” instead of “up to at least 25 years”. Planning for infrastructure, among other things, may however extend beyond this period.</p> <p>Text added to the policy also indicates that the development potential made through a Minister’s Zoning Order (MZO) shall be in addition to the projected needs over the planning horizon established in an official plan. The additional growth approved by the</p>	<p>Staff are concerned that the proposed changes, particularly those relating to development approved through an MZO, will make it challenging for a planning authority to coordinate and phase land use and infrastructure planning to accommodate and service growth with the necessary soft and hard community infrastructure. The broader implication is that historical and ongoing efforts to promote the development of compact, complete and sustainable communities will be undermined. Over the long-term this means the remaining lands available for greenfield development will be characterized by more dispersed forms or land extensive development without the public infrastructure and community amenities residents in Markham have come to expect.</p> <p>Staff recommend carrying forward language from the PPS, 2020 regarding the amount of land required to accommodate projected needs in the</p>

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	MZO would be incorporated at the time of the municipality's next official plan update.	Proposed Provincial Planning Statement, and the incorporation of development approved through MZOs in official plans, but only as growth included in the established 25 year planning horizon, not in excess.
2.1.4 a)	Proposed changes simplify the provisions planning authorities are encouraged to support to achieve <i>complete communities</i> .	N/A
2.1.4 c)	Proposed addition of policy to improve social equity and overall quality of life for people of all ages, abilities and incomes.	<p>The proposed addition introduces a diversity, equity and inclusion lens to the policies to support the achievement of complete communities. Markham's Diversity Action Plan recognizes the importance of supporting diversity, equity, inclusion, accessibility, anti-racism, and anti-discrimination as the City and its population continue to grow and evolve.</p> <p>Staff support the proposed addition of an equity lens to planning for complete communities.</p>
2.2 Housing		
2.2.1 a)	Proposed change would remove the requirement for planning authorities to establish and implement minimum targets for the provision of affordable housing, and replace it with a policy to address the full range of <i>housing options</i> including housing affordability needs.	<p>The proposed changes are concerning as they would impact the limited opportunities available to planning authorities to plan for and achieve affordable housing, and likely increase the need for affordable housing. The definition of affordable housing should also be maintained and based on income thresholds to ensure low to moderate income individuals are targeted.</p> <p>Staff recommend carrying forward policies from the PPS, 2020 in the Proposed Provincial Planning Statement requiring planning authorities to establish and implement targets for the provision of affordable housing, and the definition of "affordable" tied to income based thresholds.</p>
2.2.1 b)	Proposed addition that would require planning authorities to permit and facilitate the conversion of existing commercial and	The proposed policy would limit Markham's ability to refuse applications to convert existing office or institutional buildings for conversion to residential uses. This is concerning if the buildings are located in an employment area as

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	institutional buildings for residential use and introduce a broader range of new <i>housing options</i> in previously developed areas as forms of residential intensification.	<p>the introduction of <i>sensitive land uses</i> would impact the viability of adjacent employment uses, as well as the long term integrity and viability of the employment area.</p> <p>Markham staff are supportive of new opportunities for residential intensification, however further analysis is needed to determine appropriate locations for accommodating additional residential units and what kind of infrastructure and services are needed to support new residents in these areas.</p> <p>Staff recommend modifying the policy to clarify that only existing commercial and institutional buildings outside employment areas may be considered for conversion for residential use.</p>
2.2.1 d)	The policy emphasizes intensification in proximity to transit (corridors and station) and removed a reference to establishing development guidance or standards.	<p>These type of standards could address the local heritage context especially in areas such as heritage conservation districts that have been identified as areas where the protection of the local heritage context is important.</p> <p>Staff recommend that the new policy identify the need to take into consideration the goals and objectives of a heritage conservation district, which is a cultural heritage landscape (and a protected heritage property in the PPS, 2020) if residential intensification is proposed.</p>
2.3 Settlement Ares and Settlement Area Boundary Expansion		
N/A	Proposed deletion of policy requiring planning authorities to identify appropriate locations and promote opportunities for transit supportive development.	Staff recommend that this policy be carried forward in the Proposed Provincial Planning Statement.
2.3.4	Proposed simplification of criteria planning authorities should consider when identifying new settlement areas or settlement area boundary expansions.	The proposed removal of restrictions on settlement area boundary expansions will provide municipalities with more flexibility to direct where growth can occur, and make more land available for development. However, it will also make it challenging for municipalities like Markham to promote

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		<p>intensification and compact development that use land efficiently, and coordinate land use and infrastructure planning and delivery.</p> <p>Staff recommend carrying forward policies restricting the creation of new settlement areas and the expansion of existing settlement area boundaries outside of a comprehensive process through a municipally initiated amendment in the Proposed Provincial Planning Statement.</p>
2.3.5	Proposed addition of policy encouraging <i>Large and fast-growing municipalities</i> to plan for a minimum density target of 50 residents and jobs per gross hectare.	
2.4 Strategic Growth Areas		
2.4.1	Proposed introduction of <i>strategic growth area</i> policies from the Growth Plan requiring <i>Large and fast-growing municipalities</i> to set an appropriate minimum density target for each strategic growth area, among other things.	Markham is well positioned to implement the proposed SGA and MTSA policies. Map 1- Markham Structure in the 2014 Markham Official Plan delineates Regional Centres, key development areas on Regional Corridors and certain Local Centres and Corridors. Further, the 2022 YROP identified 23 MTSAs in Markham with minimum density targets. The MTSA delineations were generally based on the key development areas and intensification area boundaries in the 2014 Official Plan, and comments endorsed by Markham Council. The Markham MTSAs identified in the 2022 YROP will be added to the Markham official plan through the upcoming official plan review.
2.4.2.1 and 2.4.2.2	Proposed addition of <i>Major Transit Station Area</i> policies from the Growth Plan that require <i>Large and fast-growing municipalities</i> to delineate and set minimum density targets for major transit station areas on higher transit corridors.	<p>The establishment of these policies will also allow the City to modify delineated boundaries and minimum densities to reflect local planning, further future boundary delineations and minimum densities will be the responsibility of the City.</p> <p>Staff recommend supporting the inclusion of strategic growth area, and major transit station area policies in the Proposed Provincial Planning Statement as they relate to fast and large growing municipalities.</p>

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2.5 Rural Areas in Municipalities		
2.5.1 f)	Policy maintains policy encouraging municipalities to provide opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets in rural areas.	Staff recommend supporting policy 2.5.1 f) in that it acknowledges the importance of historical and cultural assets in rural areas in municipalities.
2.6 Rural Lands in Municipalities		
2.6.1 c)	The existing policy provides for residential development, including residential lot creation that is locally appropriate. Proposed revisions would permit residential development, lot creation and multi-lot residential development on rural lands where site conditions are suitable for the provision of appropriate sewage and water services.	<p>The proposed amendments would reduce a planning authority's ability to plan for and manage growth in rural areas. They also raise concerns about inefficient, sprawling development patterns, and impacts on the character of rural areas as well as the long-term viability of existing farm operations.</p> <p>Staff do not support the proposed expanded lot creation policies in rural areas.</p> <p>Staff recommend that a specific policy be considered to only address lot creation on a smaller parcel to enable protection of protected heritage resources in rural areas.</p>
N/A	Proposed removal of policy promoting recreational, tourism, and other economic opportunities in rural areas	Staff recommend that this policy be carried forward in the Proposed Provincial Planning Statement.
2.8 Employment		
2.8.1.2	Proposed addition of policy encouraging locating industrial, manufacturing and small-scale warehousing uses adjacent to <i>sensitive land uses</i> in <i>strategic growth areas</i> and other mixed use areas where frequent transit service is available, outside of <i>employment areas</i> .	Staff recommend supporting the proposed policy which would support the concept of mixed use employment priority lands contemplated in secondary plan areas.

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2.8.1.3 and 2.8.1.4	<p>Proposed addition of policy 2.8.1.3 directing planning authorities to permit a diverse mix of land uses, including residential and employment, among others, to support the achievement of complete communities.</p> <p>Proposed addition of policy 2.8.1.4 states that official plans and zoning bylaws shall not contain provisions that are more restrictive than proposed policy 2.8.13 except for purposes of public health and safety.</p>	N/A
2.8.1.5	Proposed addition of policy directing major office and major institutional development to major transit station areas or other strategic growth areas where frequent transit is available.	<p>While staff agree that major office and major institutional uses should be directed to MTSA's and strategic growth areas, in practice it is difficult to achieve office and institutional uses in mixed use areas that include residential development due to land values and market conditions. Office and institutional uses should still continue to be provided for in employment area designations in strategic locations (i.e., adjacent to highways or <i>major goods movement and facilities and corridors</i>).</p> <p>Staff recommend revising the policy to encourage the development of office and institutional uses in employment areas as well as MTSA's and SGAs.</p>
2.8.2.2 c)	Proposed addition of policy directing planning authorities to prohibit retail and office uses that are not associated with the primary employment use from employment areas.	<p>Staff are not supportive of the proposed changes, as they would limit the range of uses that can be designated in new employment areas and put existing employment lands that do not meet the new policy at risk of conversion to non-employment uses.</p> <p>Staff do not support the addition of policies that would prohibit appropriate retail and office uses from employment areas to support clusters of economic activity.</p>

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2.8.2.4	Proposed revisions to the existing employment conversion policies would enable planning authorities to remove lands from an employment area at any time, instead of only during a municipal comprehensive review, if certain criteria are met.	<p>Staff object to proposed changes that would permit privately initiated applications for employment conversions with less stringent criteria. The concern is that the proposed changes will lead to the fragmentation of Markham’s employment areas, which would have an adverse impact on the long term integrity and viability of the employment areas, protection and creation of jobs, and the local economy.</p> <p>Staff do not support privately initiated applications for employment conversions. Flexibility to consider employment conversions should be limited to municipality initiated amendments.</p>
N/A	Proposed removal of Provincially Significant Employment Zones (PSEZ) policies in the Growth Plan. In addition, as outlined in the “Proposed Approach to Implementation of the proposed Provincial Planning Statement” , the Province is seeking feedback on the need to identify PSEZs or portions of PSEZs in order to protect the lands exclusively for employment uses through an alternative approach such as a Minister’s Zoning Order (MZO). It is noted that the proposed definition of “areas of employment” introduced through Bill 97 to the <i>Planning Act</i> would be used to identify potential locations that would receive elevated levels of provincial protection from conversions to non-employment uses.	Staff do not object to the removal of the PSEZ policies, and should the Province identify potential PSEZ locations and corresponding policies recommend further consultation and opportunities for comment.
2.9 Energy Conservation, Air Quality and Climate Change		
2.9	Proposed changes would replace all the policies in this section directing planning authorities to support energy conservation	The proposed replacement of energy conservation and climate change policies point to a notable and concerning shift away from a comprehensive approach to preparing for climate change and promoting resiliency.

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	and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate. The replacement policies focus primarily on reducing greenhouse gas emissions, instead of the integrative approach in the previous policies that considered preparing for the impacts of a changing climate comprehensively through land use and development patterns.	Staff recommend carrying forward the existing Energy Conservation, Air Control and Climate Change policies and overall approach to preparing for the impacts of a changing climate from the PPS, 2020 in the Proposed Provincial Planning Statement.
Chapter 3: Infrastructure and Facilities		
3.1 General Policies for Infrastructure and Public Service Facilities		
3.1.6	Proposed policy encouraging innovative approaches in the design of schools and associated child care facilities, such as integrating them in high rise developments in <i>strategic growth areas</i> or other areas with a <i>compact built form</i> .	Markham is pursuing innovative approaches to the design and location of new schools in the Markham Centre, and Markham Road – Mount Joy secondary plan areas, including the integrating of schools in mixed use developments to support the development of compact, complete and sustainable communities. Staff support the proposed policy encouraging innovative approaches in the design and location of schools and associated child care facilities.
3.2 Transportation Systems		
N/A	Proposed deletion of policy 1.6.7.4 that encouraged minimizing the length and number of vehicle trips and supporting transit and active transportation through land use, density and mix of uses.	Staff recommend that this policy be carried forward in the Proposed Provincial Planning Statement.
Land Use Compatibility		
3.5.2	Proposed removal of criteria to demonstrate land use compatibility of development with industrial, manufacturing or other <i>major</i>	N/A

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	<p><i>facilities</i> that are vulnerable to encroachment. Proposed text would require planning authorities to ensure proposed sensitive land uses are permitted if potential impacts are minimized and mitigated.</p>	
3.6 Sewage, Water and Stormwater		
3.6.2	<p>Proposed revisions would remove a portion of the policy requiring planning authorities to promote intensification and redevelopment wherever feasible to optimize the use of <i>municipal sewage services</i> and <i>municipal water services</i>.</p>	<p>Optimizing existing infrastructure is more cost effective, sustainable and efficient and should be prioritized over constructing new infrastructure, or relying on private infrastructure.</p> <p>Staff object to the proposed changes that would remove the policy direction requiring planning authorities to promote intensification and redevelopment to optimize the use of municipal sewage services and municipal water services.</p>
Chapter 4: Wise Use and Management of Resources		
4.1 Natural Heritage		
4.1	<p>Proposed removal of all natural heritage policies with a note indicating that “As of April 6, 2023, natural heritage policies and related definitions remain under consideration by the government.” The proposed policies and definitions will be made available on the Environmental Registry of Ontario once they are ready for input</p>	<p>As of Monday, May 15, 2023 the proposed policies and definitions have not yet been added to the Environment Registry of Ontario.</p> <p>Staff will provide comments once the policies are available for review.</p>
4.3 Agriculture		
4.3.2.5	<p>Proposed introduction of a policy that would permit up to two additional residential units in <i>prime agricultural areas</i> that can meet certain criteria related to the proximity of the additional units to the principal dwelling,</p>	<p>The proposed changes raise concerns about the impact of additional residential units on the long-term viability of agricultural operations.</p> <p>Staff do not support the proposed policies that would permit additional residential units in prime agricultural areas.</p>

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	compliance with the <i>minimum distance separation formulae</i> , compatibility with surrounding agricultural operations, and provision of <i>sewage and water services</i> .	
4.3.3.1 a)	Proposed revisions to lot creation and lot adjustments in <i>prime agricultural areas</i> would shift from discouraging lot creation and/or adjustments to permitting them in accordance with provincial guidance for: a) new residential lots created from a lot or parcel that existing on January 1, 2023 and, b) residence surplus to an agricultural operation.	<p>The proposed amendments would reduce a planning authority’s ability to plan for and manage growth in agricultural areas. They also raise concerns about inefficient, sprawling development patterns, agricultural fragmentation and the long-term viability of existing farm operations.</p> <p>Staff do not support the proposed expanded lot creation policies in agricultural areas.</p> <p>Staff recommend that a specific policy be considered to only address lot creation on a smaller parcel to enable protection of protected heritage resources in agricultural areas.</p>
4.3.3.2	Proposed introduction of a policy that would prohibit official plans and zoning bylaws from including provisions that are more restrictive than proposed policy 4.3.3.1 a) except to address public health or safety concerns.	<p>The concerns noted in the comments to proposed policy 4.3.3.1 a) above are amplified by this proposed policy which would limit a planning authority’s ability to restrict lot creation or adjustments in <i>prime agricultural areas</i>.</p> <p>Staff object to any policy that would limit Markham’s ability to introduce more restrictive policies to plan for and manage growth based on local conditions and priorities.</p>
4.6 Cultural Heritage and Archaeology		
4.6.1	Proposed revisions would remove “ <i>significant</i> ” before referencing <i>built heritage resources</i> and <i>cultural heritage landscapes</i> . As a result the requirement to conserve heritage resources only applies to a <i>protected heritage property</i> , which may contain <i>built</i>	The proposed revisions to the policy in combination with the proposed removal of the definition of <i>significant</i> as it applies to cultural heritage and archaeology are concerning as they would limit a planning authority’s ability to conserve unprotected resources that have been determined to have cultural heritage value or interest.

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	<i>heritage resources or cultural heritage landscapes.</i>	<p>Staff recommend the existing Cultural Heritage and Archaeology policies in the PPS, 2020 be retained as they provide more appropriate protection of cultural heritage and archaeological resources. If policy 4.6.1 is to be retained with the proposed amendments that only refer to “protected properties”, then a new policy should be introduced that addresses <u>unprotected</u> built heritage resources and cultural heritage landscapes (now defined as being resources identified by a community).</p> <p>Suggested policy: Unprotected built heritage resources and cultural heritage landscapes shall be evaluated to determine if they should be a protected heritage property and conserved.</p>
4.6.3	Proposed revisions to the text in this policy regarding exemptions for <i>development</i> and <i>site alteration on adjacent lands to protected heritage property</i> would remove text indicating how the <i>protected heritage property</i> would be <i>conserved</i> (i.e., demonstrated through an evaluation).	<p>The proposed amendments will make it challenging for municipalities to require planning applications to demonstrate how the <i>heritage attributes</i> of a <i>protected heritage property</i> will be conserved.</p> <p>Staff recommend retaining the existing policy text to clarify how this policy would be implemented as it currently refers to evaluation and demonstrating that heritage attributes will be conserved.</p>
4.6.4	Proposed changes to the policy text regarding archaeological management plans would shift to encouragement type language and add a sub policy (4.6.4 b)) regarding strategies to identify properties for evaluation under the Ontario Heritage Act.	<p>Staff recommend replacing “encourage” with “should”, and that further guidance and clarity be provided on 4(b) to inform how this policy would be implemented.</p>
4.6.5	Proposed revisions to the text in this policy would require planning authorities to engage early with Indigenous communities and ensure their interests are considered when identifying, protecting and managing	<p>Staff recommend further guidance and clarification be provided specifically on the extent to which a planning authority shall engage with Indigenous communities regarding built heritage resources and cultural heritage landscapes (CHL) as the policy refers to identifying, protecting and managing these resources (ie. a heritage conservation district is a CHL, but</p>

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	<i>archaeological resources, built heritage resources and cultural landscapes.</i>	is engagement required for every alteration permit in a district). Staff also suggest removing the undefined term “managing” from the policy.
Chapter 5: Protecting Public Health and Safety		
N/A	Proposed removal of former policy 3.2.3 regarding on site and local re use of excess soil	N/A
Chapter 6: Implementation and Interpretation		
6.1 General Policies for Implementation and Interpretation		
6.1.6	New policy requiring planning authorities to keep their zoning and development permit bylaws up to date with their official plans and the Policy statement by establishing permitted uses, minimum densities, heights and other development standards to accommodate growth.	N/A
6.1.7	New policy requiring decisions of a planning authority to be consistent with the Policy statement even if their official plan, or other policy instruments, have not been updated to be consistent with it.	N/A
6.1.9	Revisions to this policy indicate the Province may identify performance indicators to measure the outcomes of the Policy Statement, and monitor and assess their implementation instead of making it a requirement.	N/A
6.2 Coordination		

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6.2.6	New policy that would encourage the Province and other appropriate stakeholders to undertake a coordinated approach to planning for large areas with high concentrations of employment uses that cross municipal boundaries.	Staff request further guidance and clarification as to how, where and when planning authorities should undertake a coordinated approach to planning for multi-jurisdictional employment areas. It is also recommended that municipal comprehensive review policies from the Growth Plan as they apply to employment areas be carried forward.
6.2.8	Proposed revisions would now require local municipal planning authorities to take over population and employment forecasts, identify where growth and development will take place, and identify minimum density targets in new or expanded settlement areas, among other things.	Staff recommend that policies regarding growth forecasts, the provision of a standard methodology to guide growth forecasting, and requiring municipalities to meet minimum intensification and density targets in the Growth Plan be carried forward.
Definitions		
Additional Needs housing	Additional needs housing is added as a new definition that includes housing for older persons and housing for persons with disabilities.	N/A
<i>Adjacent Lands</i>	Proposed changes would remove a portion of the definition as it relates to natural heritage, and amend a portion of the definition as it relates to a protected heritage property.	Staff recommend that the reference to ‘contiguous’ be replaced by ‘within 60 metres of’ to ensure a more accountable review of the impact of development on a protected heritage resource.
<i>Affordable</i>	The definition of <i>affordable</i> is proposed to be deleted.	The proposed policy changes will impact the City’s ability to plan for and protect affordable housing opportunities for low to moderate income individuals.

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		<p>Staff recommend that the definition of affordable housing should be maintained, and preserve the link with income thresholds to ensure low to moderate income individuals are targeted.</p>
<i>Built Heritage Resource</i>	<p>Proposed changes would remove a portion of the definition that clarifies that built heritage resources can be located on a property that may be designated under Parts IV and V of the Ontario Heritage Act, or that may be included on local, provincial, federal and/or international registers.</p>	<p>Staff recommend that the current reference to designated property and heritage registers in the PPS, 2020 continue to be included.</p>
<i>Cultural Heritage Landscape</i>	<p>Proposed changes would delete a portion of the definition that clarifies that cultural heritage landscapes have been determined to have cultural heritage value under the Ontario Heritage Act, or another land use planning mechanism.</p>	<p>Staff recommend the existing reference in the Provincial Policy Statement, 2020 to how these features are typically identified (designation or registers) continue to be included.</p>
Housing Options	<p>Proposed changes expand the definition of housing options to include a broader range of options for residential intensification (e.g., laneway housing, garden suites, rooming houses) but does not include affordable housing.</p>	<p>The proposed changes are intended to broaden the types, arrangements and densities of permitted residential units, and replace the definition of “affordable”. It is noted that increasing the supply of housing will not necessarily improve housing affordability.</p> <p>Staff recommend that the definition of affordable housing should preserve the link with income thresholds to ensure low to moderate income individuals are targeted.</p>
Large and fast growing municipalities as a defined term	<p>New term added in relation to Schedule 1 that identifies 29 municipalities that will be required to identify and focus growth and development in SGAs in their official plans as well as identify minimum density targets and</p>	N/A

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	the appropriate type and scale of development permitted in SGAs	
<i>Low and Moderate Income Households</i>	The definition of <i>low and moderate income households</i> is proposed to be deleted.	<p>This definition provided guidance on housing affordability in relation to income as housing market prices have increased much more quickly than incomes and affordable units. Housing needs will be difficult to identify without a link to incomes.</p> <p>Staff recommend that the definition of affordable housing should preserve the link with income thresholds to ensure low to moderate income individuals are targeted.</p>
<p>Other terms proposed to be imported from the Growth Plan, some with proposed modifications, that did not generate comments: <i>agricultural impact assessment; compact built form; frequent transit; higher order transit; large and fast-growing municipalities; low-impact development; major transit station area; major trip generators; strategic growth areas; transit service integration; urban growth areas; watershed planning; and water resource system.</i></p>		
<p>Other terms proposed to be removed from the Proposed Provincial Policy Statement (does not include natural heritage related definitions) that did not generate comments: <i>comprehensive review; designated growth areas; high quality; provincial and federal requirements; provincial plan; recreation; and residential intensification.</i></p>		