



Report to: General Committee

Meeting Date: March, 19, 2024

SUBJECT: City of Markham Comments on the Proposed Get It Done Act, 2024 (Bill 162)

PREPARED BY: Philip English
Planner II, Policy, Ext. 2206

REVIEWED BY: Duran Wedderburn, M.C.I.P., R.P.P.,
Manager, Policy, Ext. 2109

RECOMMENDATION:

1. That the report entitled "City of Markham Comments on the Proposed Get It Done Act, 2024 (Bill 162)" dated March 19, 2024, be received;
2. That this report be forwarded to the Minister of Municipal Affairs and Housing as the City of Markham's comments on Bill 162; and note specifically
 - That the City of Markham supports Modification 22 the proposed removal of the Future Urban Area Overlay; and
 - That the City of Markham requests the Province to amend Bill 162 to address other comments raised in the letter from the City dated December 5, 2023;
3. That this report be forwarded to York Region as the City of Markham's comments on Bill 162; and
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

The purpose of this report is to provide an overview of Bill 162, Get It Done Act, 2024 and City comments to the Province as part of the consultation that ends on March 21, 2024. In particular, amendments to the Official Plan Adjustments Act, 2023 are proposed which contain modifications to the York Region Official Plan (YROP), some of which impact Markham.

BACKGROUND:

[Bill 162, Get it Done Act, 2024](#), was introduced in the Ontario legislature on February 20, 2024. The objectives of Bill 162 are to accelerate the construction of transit, housing and infrastructure projects to support Ontario's growing population while making life more affordable for families and businesses. Bill 162 proposes several amendments to 8 statutes listed below:

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- Election Finances Act
 - Election Act
 - Taxpayer Protection Act, 1999
 - Public Transportation and Highway Improvement Act
 - Official Plan Adjustments Act, 2023
 - Highway Traffic Act
 - Photo Card Act, 2008
 - Environmental Assessment Act

Schedule 1 of Bill 162 amends the Environmental Assessment Act. The intent of this measure is to clarify that property can be acquired by expropriation for a project before the environmental assessment process is completed. This is also part of the government's ongoing efforts to streamline the environmental assessment process.

The Public Transportation and Highway Improvement Act is amended by Schedule 6, “to prohibit tolls from being charged for travel on a highway where the road authority is the Crown, unless the toll is authorized by an Act.” This measure does not affect roads in York Region or within the City of Markham including Highway 407.

This report focuses on amendments to the Official Plan Adjustments Act, 2023 in Schedule 3 of Bill 162 and further modifications to the York Region Official Plan (YROP) that, if enacted, would affect the City of Markham. Schedule 3 proposes to restore a number of provincial modifications to Official Plans including the YROP. The government is seeking feedback on proposed amendments to the Official Plan Adjustments Act, 2023 to retroactively reinstate municipally requested modifications to official plans. The commenting period ends on March 21, 2024.

The YROP was adopted by York Regional Council in June 2022 and the provincial government approved the YROP with modifications in November 2022. Some of the provincial modifications impacted Markham and can be found in the report linked here: <https://pub-markham.escribemeetings.com/filestream.ashx?DocumentId=58086>

In November of 2023, Bill 150, Planning Statute Law Amendment Act, was released which included the Official Plan Adjustments Act, 2023 that proposed to reverse provincial modifications to the YROP in November of 2022. At the request of the Minister, comments on Bill 150 were provided by the City in a [letter dated December 5, 2023](#).

In late December 2023, the Province approved the Official Plan Adjustments Act, 2023 which reversed the provincial modifications to the YROP back to the Regional Council approved version, with the exception of a few modifications, and did not address any of the comments from the City of Markham.

OPTIONS/ DISCUSSION:

Staff have reviewed the proposed amendments to the 8 pieces of legislation in Bill 162 and only have comments on Schedule 3, which proposes several amendments to the

Official Plan Amendment Act, 2023. The majority of the amendments are to restore previously identified modifications to the Official Plans of several high growth municipalities including York Region. The Province states that the modifications are in response to consultation with affected municipalities during the commenting period for the Official Plan Adjustment Act, 2023 in late fall of 2023.

Comments were provided to the Minister in December 2023 requesting certain provincial modifications to be maintained and one revision

At the request of the Minister, comments were provided from the City on the proposed Official Plan Adjustment Act stating that, “the City supports the majority of the changes proposed through Bill 150, in particular the deletions of Modification 17 (Removal of direction for local municipalities to identify Maximum Density and Height Targets) and Modifications 67-70 (Additional 58.9 hectares to Markham’s Urban Area)”

The letter also outlined the following requests to the Minister regarding changes to the Official Plan Adjustments Act, 2023:

- Maintain provincial Modification 22 –Removal of Section 4.6 – Future Urban Area (FUA) overlay and that the lands remain Agricultural
- Maintain Modifications 6, 26 and 27 that were intended to align with the adopted Regional Official Plan Amendment 7 as the matter went through a comprehensive planning process
- Revise provincial Modification 14 - 10506 and 10508 Warden Avenue - Given that the City is actively processing development applications for these lands it was requested that the portion of provincial modification 14 that applies to the lands (Policy 4.2.31) be maintained and revised by replacing the “minimum density target from 100 units per hectare” to a “maximum density of 71 units per hectare” and that the “building heights up to 25 storeys” be reduced to “19 storeys” to align with the development proposal before the City

Bill 162 proposes to remove the Future Urban Area Overlay as previously requested by the City but does not address the other two requests

While Bill 162 proposes several changes to the Official Plan Adjustments Act, 2023, only one of the City of Markham’s requests was addressed. Bill 162 reintroduces provincial modification 22 that would remove the Future Urban Area (FUA) overlay mapping and policies from the YROP that identified potential future settlement expansion lands in Markham for growth beyond 2051. Staff recommend that Council support this modification as it aligns with the previous council resolution and correspondence from the Mayor to the Minister reflecting same.

The legislation does not, however, address the other two requests bulleted above and also outlined in the letter from the Mayor to Minister Calandra.

In regard to 10506 and 10508 Warden Avenue and the revision of Modification 14, applications for Draft Plan of Subdivision, Official Plan Amendment, and Zoning By-law

Amendment are still under review by Staff. The Official Plan Amendment and Zoning By-law Amendment have gone to DSC where they were endorsed in principle. The instruments still need to be taken forward to a future Council meeting. The City's requested revision to Modification 14 will need to be formally approved for the proposed development to conform to the YROP and enable the applications to be approved.

Modifications 6, 26 and 27 add new policies to further clarify the City's ability to consider active parkland and recreational uses, including serviced playing fields and golf courses, within the linear river valleys of the Greenbelt Protected Countryside designated as Rural Area.

Next Steps

The commenting period for Bill 162 ends on March 21, 2024, and Staff recommend the City provide comments to the Province on Bill 162 supporting the proposed modification to the YROP related to the Future Urban Area Overlay and ask that it be amended to address the other requests raised in the letter from the City.

FINANCIAL CONSIDERATIONS

Not applicable

HUMAN RESOURCES CONSIDERATIONS

Not applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

The recommendations in this report support Goal 3 – Safe, Sustainable and Complete Community in Building Markham's Future Together, 2020-2023.

BUSINESS UNITS CONSULTED AND AFFECTED:

Staff from Development Planning, Engineering, Environmental Services, and Operations were consulted in the preparation of this report.

RECOMMENDED BY:

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Deputy Director, Planning & Urban Design

Giulio Cescato, MCIP, RPP
Director, Planning & Urban Design

Arvin Prasad, MCIP, RPP
Commissioner, Development Services

ATTACHMENTS:

None