



RESOLUTION OF COUNCIL MEETING NO. 5 DATED FEBRUARY 26, 2019

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**REPORT NO. 9 – DEVELOPMENT SERVICES COMMITTEE (FEBRUARY 25, 2019)**

8.3.1 CITY OF MARKHAM COMMENTS ON PROPOSED AMENDMENT 1 TO THE GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE, 2017 (10.0)

1. That the report entitled, “City of Markham Comments on Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe, 2017”, dated February 25, 2019, be received; and,
2. That this report, including specific recommendations for changes to Proposed Amendment 1, as summarized in the Revised Appendix ‘A’, be forwarded to the Assistant Deputy Minister of Municipal Affairs and Housing, and York Region, as the City of Markham’s comments on Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe, the associated proposed framework for provincially significant employment zones, and the associated proposed Ontario regulation changes; and,
3. That the Province not allow urban expansions outside of a municipal comprehensive review, except where such expansions are initiated by a local municipality, are minor and are contiguous to an existing urban area with full servicing; and,
4. That the Province be advised that the City of Markham does not support the conversion of employment lands outside of the municipal comprehensive review process; and,
5. That the Province consult with the City of Markham and York Region staff on the proposed provincially significant employment zones to further refine the mapping having regard to local planning considerations; and,
6. That the Province provide a predictable and guaranteed program of transit funding to ensure delivery of higher order transit that is critical to support intensification in Markham; and further,
7. That staff be authorized and directed to do all things necessary to give effect to this resolution.

PLEASE NOTE:

Council consented to amend Recommendation #6 in the Revised Appendix A to read as follows:

Recommendation 6: That the Province not allow urban expansions outside of a municipal comprehensive review, except where such expansions are initiated by a

local municipality, are minor and are contiguous to an existing urban area with full servicing or which promotes inter-municipal connectivity and provides a compelling public benefit to the community.

A handwritten signature in black ink, appearing to be 'K. Kitteringham', written over a horizontal line.

Kimberley Kitteringham  
City Clerk

Copy to:       Arvin Prasad  
                  John Yeh  
                  Margaret Wouters

## Revised Appendix 'A'

Consolidated Recommendations from Staff Report “City of Markham Comments on Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe, 2017”, dated Feb 25, 2019  
(in response to ERO 013-4504, 013-4505, 013-4506, 013-4507)

Recommendation 1: That the proposed Regional residential intensification target of 60% for York Region be revised to 50%, and that the Province be requested to allow for more discussions prior to finalizing Amendment 1 and the associated regulations to evaluate the impact of the intensification rate on municipalities.

Recommendation 2: That policies be included that provide municipalities with the ability to phase growth in line with delivery of infrastructure, and that a predictable and guaranteed program of transit funding be provided to ensure delivery of the higher order transit that is critical to support intensification in Markham (i.e., Yonge subway extension, remainder of Highway 7 BRT, Major Mackenzie Drive Rapid Transit Corridor, Highway 407 Transitway).

Recommendation 3: That DGA density targets should be consistent throughout the GGH, particularly for municipalities within Groups A and B.

Recommendation 4: That proposed policy 2.2.2.3 c) encouraging intensification generally throughout the delineated built-up area should be revised as follows: “to encourage intensification generally throughout the delineated built-up area in accordance with local municipal intensification strategies”.

Recommendation 5: That the following proposed higher order transit corridors in Markham be identified as Priority Transit Corridors on Schedule 5 Moving People –Transit:

- a. Yonge Subway extension to the Richmond Hill Centre/Langstaff Gateway Urban Growth Centre;
- b. Highway 7 Rapid Transit Corridor east of Markham Centre;
- c. Major Mackenzie Drive Rapid Transit Corridor; and
- d. The full extent of the Highway 407 Transitway.

Recommendation 6: That the Province not allow urban expansions outside of a municipal comprehensive review, except where such expansions are initiated by a local municipality, are minor and are contiguous to an existing urban area with full servicing or which promotes inter-municipal connectivity and provides a compelling public benefit to the community.

Recommendation 7: That proposed policy 2.2.5.10 regarding the one-window opportunity to consider conversion outside the MCR be removed.

Recommendation 8: That rather than including the proposed provincially significant employment zones in the Growth Plan, the current level of protections in the 2017 Growth Plan with respect to upper-tier official plans should be maintained, including the prohibition of

institutional and sensitive land uses in employment areas that would have qualified as ‘prime employment areas’.

Recommendation 9: That in the event provincially significant employment zones remain in the Growth Plan it is requested that, prior to providing recommendations on mapping changes, Markham staff be provided the opportunity for further discussion with Provincial staff regarding the criteria for selection of the mapped employment areas, the intent and use of the PSEZ, and refinement to the mapping to reflect local planning considerations.

Recommendation 10: That if provincially significant employment zones are included in the Growth Plan, staff support the inclusion of provincially significant employment zones in MTSAs in principle; however, provincially significant employment zones are not supported within MTSAs east of Warden Avenue in the Markham Centre Urban Growth Centre.

Recommendation 11: That proposed policy 2.2.5.8 be amended to remove reference to ‘major office uses’ and to clarify what is meant by ‘encroachment’.

Recommendation 12: That proposed policy 2.2.5.13 d) be amended by removing the reference to “...and zoning by-laws”.

Recommendation 13: That the intent behind proposed policy 2.2.5.14 regarding the redevelopment of employment lands outside of employment areas, and the Province’s definition of employment lands, be clarified.

Recommendation 14: That proposed policy 2.2.9.7 providing for the minor rounding out of rural settlements outside of an MCR be removed.

Recommendation 15: That the Province continue to provide policy incentives (e.g., inclusionary zoning) and appropriate financial incentives for Regional and local municipalities to work with the private sector to implement affordable housing targets.



Report to: Development Services Committee

Report Date: February 25, 2019

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**SUBJECT:** City of Markham Comments on Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe, 2017

**PREPARED BY:** Policy and Research Group, Development Services Commission  
Contact: Marg Wouters, MCIP, RPP, Senior Manager (ext. 2909)

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**RECOMMENDATION:**

- 1) That the report entitled, “City of Markham Comments on Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe, 2017”, dated February 25, 2019, be received;
- 2) That this report, including specific recommendations for changes to Proposed Amendment 1, as summarized in Appendix ‘A’, be forwarded to the Assistant Deputy Minister of Municipal Affairs and Housing, and York Region, as the City of Markham’s comments on Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe, the associated proposed framework for provincially significant employment zones, and the associated proposed Ontario regulation changes;
- 3) That the Province not allow urban expansions outside of a municipal comprehensive review, except where such expansions are initiated by a local municipality, are minor and are contiguous to an existing urban area with full servicing;
- 4) That the Province be advised that the City of Markham does not support the conversion of employment lands outside of the municipal comprehensive review process;
- 5) That the Province consult with the City of Markham and York Region staff on the proposed provincially significant employment zones to further refine the mapping having regard to local planning considerations;
- 6) That the Province provide a predictable program of transit funding to ensure delivery of higher order transit that is critical to support intensification in Markham;
- 7) And further that staff be authorized and directed to do all things necessary to give effect to this resolution.

**EXECUTIVE SUMMARY:**

The Province is proposing a number of changes to the Growth Plan for the Greater Golden Horseshoe, 2017 through a Proposed Amendment 1. The stated intent of the amendment is to increase housing supply; ensure a faster process for development in transit areas; attract investment and create and maintain jobs; and make growth planning easier for rural communities. The Growth Plan 2017 was the result of a 10-year review

of Provincial Plans undertaken in 2015-2017. Many of the changes in Proposed Amendment 1 relate to policy changes made as part of the 10-year review.

In general, staff support the continued focus in the Growth Plan on intensification and development of compact, complete communities supported by transit as the primary means of accommodating future growth in the inner Greater Golden Horseshoe municipalities, including York Region. The proposed simplification of the intensification and density targets is supported, however, staff recommend a 50% minimum intensification rate for York Region, rather than the 60% target proposed, and reinforce the need for a predictable program of long term transit funding to support intensification. Staff also recommend that the designated greenfield area density target (60 residents and jobs per hectare for York Region) be uniformly applied across all municipalities subject to the Growth Plan.

Other proposed major policy changes would allow for urban boundary expansions and employment land conversions outside of a municipal comprehensive review (MCR) process. Urban expansion outside an MCR process should not be allowed, except where such expansions are initiated by a local municipality, are minor and are contiguous to an existing urban area with full servicing. Staff also recommend that proposed policies allowing for employment land conversion outside of an MCR be removed, and further that prior to commenting on the proposed provincially significant employment zone mapping, staff have an opportunity to meet with the Province to understand the criteria for the selection of the zones and further refine the mapping having regard to local planning considerations.

Staff recommend that this report be forwarded to the Province as Markham's comments on Proposed Amendment 1 by February 28, 2019. Staff will report back to Development Services Committee on the final Amendment 1 once a Provincial decision has been made.

**PURPOSE:**

This report provides the City of Markham's comments on the Province's Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe, 2017.

**BACKGROUND:**

On January 15, 2019, the Minister of Municipal Affairs and Housing released Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe 2017 (the Growth Plan), which proposes a number of key policy changes. The Province has provided a 44-day commenting period which closes on February 28, 2019.

The Provincial Growth Plan, first enacted in 2006 and updated in May, 2017 after a comprehensive 10-year review, outlines the Province's growth management framework for the Greater Golden Horseshoe region (GGH) in southern Ontario. The Growth Plan, along with the Provincial Greenbelt Plan 2017 and Oak Ridges Moraine Conservation Plan 2017, provide strong provincial direction on sustainable growth management in York Region and in Markham. The York Region Official Plan (YROP) must be in

conformity with these Provincial Plans, and Markham's Official Plan, in turn, must conform with the YROP.

With the release of Proposed Amendment 1, the Province also released the following related documents:

- a Proposed Framework for Provincially Significant Employment Zones; and
- proposed modifications to Ontario Regulation 311/06 and Ontario Regulation 525/97 under the Planning Act, to implement the changes in Proposed Amendment 1 to the Growth Plan.

Since November 2018, the Province has released two other notable planning-related documents for public comment, as follows:

- The November, 2018 Housing Supply Action Plan consultation document on increasing housing supply in Ontario, which staff reported on at the January 21, 2019 and February 4, 2019 General Committee meetings, and the February 12, 2019 Council meeting; and
- Bill 66, *Restoring Ontario's Competitiveness Act*, released on December 6, 2018, and reported on at the January 28, 2019 Development Services Committee, which among other things proposed changes to the Planning Act to allow for the use of a special open-for-business zoning by-law for employment uses (this provision was subsequently withdrawn by the Province).

The Province is also considering changes to the Provincial Policy Statement (PPS), the Planning Act, and the Local Planning Appeals Tribunal (LPAT), which are expected to be released for comment in the coming months.

The comments in this report pertain only to the Proposed Amendment 1 to the Growth Plan, the associated proposed framework for provincially significant employment zones and proposed Ontario regulation changes.

#### **DISCUSSION:**

The main proposed changes to the Growth Plan are grouped into the following six areas:

- Intensification and density targets
- Major transit station areas
- Settlement area boundary expansions
- Employment planning
- Agricultural and Natural Heritage Systems
- Rural settlements

According to the Province, the changes to the policies in these areas are intended to increase housing supply; ensure a faster process for development in transit areas; attract investment and create and maintain jobs; and make growth planning easier for rural communities.

Many of the changes refer to requirements of the municipal comprehensive review (MCR). The MCR is defined in the Growth Plan as a new official plan or an official plan amendment initiated by an upper-tier or single-tier municipality under section 26 of the Planning Act that comprehensively applies the policies and schedules of the Growth Plan.

One of main components of the MCR is a land needs assessment, which considers how the Growth Plan population and employment forecasts assigned to upper-tier municipalities, should be allocated to local municipalities, considering the intensification and density targets, infrastructure requirements and other policy considerations in the Growth Plan. York Region is currently undertaking an MCR for the 2041 planning horizon under the 2017 Growth Plan.

The nature of the proposed changes in Proposed Amendment 1, staff comments on the implications for Markham, and recommendations for changes are provided below for each group.

### 1. Intensification and Density Targets

*Proposed Amendment 1 changes and associated change to Ontario Regulation 311/06: (Growth Plan policy provided in parentheses)*

- Changing the intensification target and designated greenfield area (DGA) density targets as follows: (2.2.2.1, 2.2.7.2)

Upper/Single Tier Municipality	Intensification Target	DGA Density Target
(A) City of Hamilton; York, Peel and Waterloo Regions	60 percent annually	60 residents and jobs combined per hectare
(B) Durham, Halton, and Niagara Regions; Barrie, Brantford, Guelph, Orillia, Peterborough (City)	50 percent annually	50 residents and jobs combined per hectare
(C) Kawartha Lakes, Brant, Dufferin, Haldimand, Northumberland, Peterborough (County), Simcoe, Wellington	Maintain or improve on existing targets in official plans	40 residents and jobs combined per hectare

- Simplifying phase-in for the intensification target (new targets would take effect at the next MCR with no further increase to 2031) (2.2.2.1)
- Encouraging intensification generally throughout the delineated built-up area (2.2.2.3)
- Changing measurement of the DGA density target in the inner ring so that it would be measured across the entire DGA (i.e., across both existing and any new urban area expansion lands), while retaining the same net-outs (2.2.7.2)
- Simplifying criteria for requesting alternative intensification and DGA density targets (2.2.2.4, 2.2.2.5, 2.2.7.4, 2.2.7.5)
- The 2041 planning horizon, population and employment forecasts for 2031 and 2041, and the built boundary all remain unchanged.



*Staff Comments and Recommendations:*

The intensification target in the Growth Plan represents the amount of development which must occur annually within the delineated built-up area or built boundary of municipalities. The target applies Region-wide. The built boundary, which was established by the Province when the Growth Plan was first released in 2006, represents all lands with the urban area that were developed at the time.

The DGA represents the remaining lands within an urban area that are outside the built boundary. The built boundary, and the intensification and DGA lands in Markham are identified in Figure 1.

In Proposed Amendment 1, the intensification target applicable to York Region would be 60% of all residential development occurring annually, effective as of the next MCR. Currently the 2017 Growth Plan provides for: a phased-in intensification target of 40% (i.e., the current YROP target) for each year to the next MCR; 50% for each year between the next MCR and 2031; and 60% for each year from 2031 to 2041.

Staff support the continued focus on intensification and the development of compact, complete communities supported by transit as the primary means of accommodating future growth in York Region. Staff also support the deletion of the phased-in intensification target as it simplifies implementation of the target.

However, staff have previously expressed concern about the implications of achieving a 60% Region-wide intensification target for Markham. The current YROP 40% Region-wide intensification target to 2031 translated into a target of approximately 52% for Markham. Markham Council chose a minimum 60% intensification target, which is reflected in the Markham Official Plan 2014.

The main concern, as stated in the City's October 2016 submission to the Province as part of the 10-year review of the Growth Plan, is that although a 60% intensification target is currently achievable (Markham has been successful in achieving at or near the 60% residential intensification target in recent years), a 60% target Region-wide target would likely require a 70% or higher intensification target for Markham.

Markham staff have consistently questioned the ability of the market to absorb the number of apartment buildings required to achieve an intensification target higher than the equivalent 60% intensification target (in terms of number of units per year) adopted by Markham Council for 2031 growth.

In the October 2016 comments, staff suggested that a Region-wide intensification target reflecting an effective intensification rate of around 60% in Markham for growth to 2041 would likely be achievable (i.e., closer to 50% Region-wide than 60%). Without the benefit of the Region's updated land needs assessment for the 2041 forecasts based on revised Growth Plan intensification and DGA density assumptions, it is difficult to assess the implications of a 60% Region-wide intensification target on Markham. Staff suggest

that, as the intensification target is a minimum, a more conservative target of 50% Region-wide should be reflected in the Growth Plan. This would not prevent the Region from striving to exceed the minimum target, and it may be more a realistic target in terms of allocating the Region-wide 2041 population forecast.

Staff also expressed concern that in order to support the higher intensification target, higher order transit needs to be in place. Provincial staff have confirmed that the three geographical groupings used to provide for the varying intensification and DGA targets were based on the availability of higher order transit, and therefore the ability to deliver intensification and higher DGA densities. Transit delivery has been lagging behind growth in Markham and York Region, putting the City in the difficult position of planning for higher transit-supportive densities without the required transit in place. Consistent with comments first submitted in 2015 during the 10-year review, staff recommend that the Growth Plan include policies that provide municipalities with the ability to phase growth in line with delivery of infrastructure, and that a predictable program of transit funding be provided to support intensification in Markham.

With respect to the proposed changes in the DGA density targets, staff support the proposed 60 residents and jobs per hectare target for York Region. Staff also support the proposed removal of the DGA density target of 80 residents and jobs per person for lands designated after July 2017, which staff did not consider to be achievable at the outer limit of the City.

However, staff are not supportive of lowering of DGA density targets for neighbouring regions, particularly Durham Region and Halton Region. A major underlying principle in the 2006 Growth Plan was that it established a level playing field for development throughout the GGH or at least throughout the inner ring (GTAH). The potential impact of a lower DGA density target in Durham Region and Halton Region on growth in York Region needs to be understood before a lower density target is permitted in these areas in the Growth Plan.

Finally, Proposed Amendment 1 proposes to reinstate a policy that encourages intensification generally within the delineated built-up area. This policy was originally in the 2006 Growth Plan and proved problematic as it was used by development proponents to justify intensification in established areas of the City that were not identified in the City's intensification strategy. In response to comments by Markham and other municipalities, this policy was revised in the 2017 Growth Plan. Staff again recommend that the policy be revised to clarify that intensification within the built-up area should be in accordance with municipal intensification strategies, rather than "generally throughout the delineated built-up area".

**Recommendation 1:** That the proposed Regional residential intensification target of 60% for York Region be revised to 50%.

**Recommendation 2:** That policies be included that provide municipalities with the ability to phase growth in line with delivery of infrastructure, and that a predictable

program of transit funding be provided to ensure delivery of the higher order transit that is critical to support intensification in Markham (i.e., Yonge subway extension, remainder of Highway 7 BRT, Major Mackenzie Drive Rapid Transit Corridor, Highway 407 Transitway).

**Recommendation 3:** That DGA density targets should be consistent throughout the GGH, particularly for municipalities within Groups A and B.

**Recommendation 4:** That proposed policy 2.2.2.3 c) encouraging intensification generally throughout the delineated built-up area should be revised as follows: “to encourage intensification generally throughout the delineated built-up area in accordance with local municipal intensification strategies”.

## **2. Major Transit Station Areas (MTSAs)**

### *Proposed Amendment 1 changes:*

- Simplifying the process and criteria for alternative targets. For certain MTSAs, targets lower than those established in the Plan could be approved through Minister’s approval of an official plan amendment (2.2.4.4)
- Allowing municipalities to delineate and set density targets for MTSAs in advance of the MCR, provided the protected MTSA tool under the Planning Act is still used (still subject to provincial approval) (2.2.4.5)
- Clarifying that MTSAs are within an approximate 500 to 800 metre radius of a transit station representing a 10-minute walk (previously defined as approximately 500m) (definitions)

### *Staff comments and recommendations:*

The Growth Plan requires major transit station areas (MTSAs) on the Priority Transit Corridors identified on Schedule 5 of the Growth Plan to be delineated in municipal official plans and supported by updated zoning which would implement prescribed minimum density targets and prohibit land use or built form that would adversely affect the achievement of the minimum density targets. The minimum densities specified are 200 residents and jobs for subway stations, 160 residents and jobs for bus rapid transit, and 150 residents and jobs for Express Rail GO stations.

Staff are supportive of the increased flexibility in the geographical delineation of MTSAs (from a 500m radius to an 800m radius), the simplified process for requesting alternative targets, and the ability to delineate and set density targets in official plans in advance of an MCR. The duration of an MCR, and the intervening period between MCRs, can be several years during which time detailed planning for various higher order transit corridors may be progressing. Allowing revisions to the delineation and setting of density targets for MTSAs in advance of a municipal comprehensive review could help to provide justification for higher order transit stations, and ensure development outcomes are achieved (as MTSA policies are not appealable).

With respect to alternative density targets, although the provision for averaging the minimum densities across four or more MTSAs along the same Priority Transit Corridor or subway line has been removed, staff are satisfied that the provisions for alternative density targets will accommodate certain stations in Markham that have limited development potential.

Although no changes to the Priority Transit Corridors identified in Schedule 5 are proposed, consistent with the October 2016 comments, staff continue to recommend that a number of Markham's transit projects critical to Markham's intensification initiatives (such as the Yonge Subway extension to the Richmond Hill/Langstaff Urban Growth Centre), be added to Schedule 5.

**Recommendation 5:** That the following proposed higher order transit corridors in Markham be identified as Priority Transit Corridors on Schedule 5 Moving People – Transit:

- a. Yonge Subway extension to the Richmond Hill Centre/Langstaff Gateway Urban Growth Centre;
- b. Highway 7 Rapid Transit Corridor east of Markham Centre;
- c. Major Mackenzie Drive Rapid Transit Corridor; and
- d. The full extent of the Highway 407 Transitway.

### **3. Settlement Area Boundary Expansions**

#### Proposed Amendment 1 changes:

- Introducing new policy that allows municipalities to adjust settlement area boundaries outside of the MCR if there is no net increase in land within settlement areas, subject to criteria (2.2.8.4)
- Introducing new policy that allows municipalities to undertake settlement area boundary expansions that are no larger than 40 hectares outside the MCR process, subject to specific criteria (2.2.8.5, 2.2.8.6); and
- Clarifying policy to focus on outcomes rather than specifying types of studies to justify the feasibility and location of settlement area boundary expansions (2.2.8.3).

#### Staff comments and recommendations:

The current Growth Plan only permits settlement area boundary expansions (i.e., urban area expansions) through an MCR. The MCR process ensures that decisions about the need for urban expansion are undertaken in a comprehensive, integrated manner, taking into consideration natural heritage and agricultural systems, water resource systems, and the availability of infrastructure and public service facilities.

It is encouraging that the Province has recognized that local autonomy in growth planning needs to be balanced with Provincial policy, which is important given that the interval between MCRs may be five or more years. Any urban expansion outside of an MCR should be minor, be initiated by a local municipality, and be contiguous to an existing urban area with full servicing.

Staff are also supportive of the proposed replacement of prescribed studies in favour of focus on outcomes in identifying the analysis needed to support urban expansions, as long as the comprehensive analysis is still undertaken.

**Recommendation 6:** That the Province not allow urban expansions outside of a municipal comprehensive review, except where such expansions are initiated by a local municipality, are minor and are contiguous to an existing urban area with full servicing.

#### **4. Employment Planning**

##### Proposed Amendment 1 changes:

- Providing a one-time window to allow municipalities to undertake some conversions in advance of the next MCR, where appropriate, and where subject to criteria (including requirements to maintain a significant number of jobs) (2.2.5.10)
- Introducing provincially significant employment zones (29) identified by the Minister that must be protected and cannot be converted outside the MCR (2.2.5.12, 5.2.2.1)
- Removing requirement for an employment strategy and changing density targets for employment areas (to multiple targets from a single target) (2.2.5.13)
- New policy ensuring space be retained for a similar number of jobs when redeveloping employment lands (2.2.5.14)
- Clarifying that non-employment uses within office parks should be limited and changing definition of office parks (2.2.5.16, definitions)
- Clarifying direction on locating and preserving employment areas adjacent to major goods movement facilities and corridors (2.2.2.5)
- Clarifying that upper-tier and single-tier municipalities can designate employment areas at any time before the next MCR, including adding existing lower-tier municipal designations (2.2.5.6.)
- Removing the ‘prime employment area’ designation while clarifying the direction regarding the interface between employment area and non-employment (2.2.5.7)
- Clarifying direction on buffering around industrial/manufacturing uses to protect these uses against encroachment (2.2.5.8)

##### Staff comments and recommendations:

Staff’s interpretation of the proposed changes to the employment land protection framework is that it represents a loosening of controls on employment land conversions, which is not supported.

Under the current 2017 Growth Plan, conversion of employment lands to non-employment uses can only be considered during an MCR. Through Proposed Amendment 1, the Province is proposing a one-time window of allowing municipalities to consider conversions outside of an MCR, for employment areas not within provincially significant employment zones (described in further detail below). Moreover, two conversion ‘tests’ related to maintaining a sufficient supply of employment lands (arguably the most important criteria) do not apply during this one-time window, and applications are only required to maintain a ‘significant number of jobs’ on the lands.

Staff have consistently held the view that employment land conversions must be evaluated in a comprehensive manner as part of an MCR as was the case during the consideration of employment conversion requests prior to Markham Council adoption of the 2014 Official Plan, and therefore do not support policy 2.2.5.10 which would allow for conversions outside of an MCR. Although the Provincial guidance documents suggest the consideration of conversions outside of an MCR is a ‘one-time window’ before the next MCR, the policy as proposed would appear to allow for conversions between subsequent MCRs as well.

In addition, staff do not support the criteria regarding the maintenance of a significant number of jobs on the lands, as it is very difficult, if not impossible, to guarantee that any jobs are delivered when employment lands are converted to another use, and the magnitude of ‘significant number of jobs’ is not defined. The ‘significant number of jobs’ criteria is also problematic as it does not differentiate between the difference in quality of jobs related to employment areas (manufacturing, processing, etc) versus the jobs associated with other employment uses (e.g., retail and service).

The Province is proposing to remove the ‘prime employment area’ designation, but include mapping for ‘provincially significant employment zones’ (PSEZ) in the Growth Plan. Employment areas within the PSEZ could only be considered for conversions during an MCR, and any decisions/official plan amendments arising from the Region’s MCR conformity exercise are subject to approval by the Province.

The 2017 Growth Plan already provides for this level of control through the Regional Official Plan, which is required to contain employment area mapping and appropriate policies for protection against conversions. The Province is the approval authority for Regional Official Plans. It is unclear what additional protection is provided through similar mapping in the Growth Plan. Staff support the inclusion of employment areas in the Growth Plan only if a higher level of protection of the lands will be afforded, over and above the level of protection already provided in the Regional Official Plan.

The ‘prime employment area’ designation, introduced in the 2017 Growth Plan, provided additional protection for certain land intensive employment uses that relied on major goods movement facilities and corridors, in the form of prohibition of institutional and sensitive land uses, as well as residential uses. With the proposed deletion of the ‘prime employment area’ designation this additional level of protection (prohibiting institutional and sensitive land uses) is being removed – the policies for PSEZ only limit sensitive land uses, and are silent on institutional uses. Staff recommend that the level of protection of the ‘prime employment area’ designation be added to the new PSEZ, if they remain in the Growth Plan.

Of the 29 proposed ‘provincially significant employment zones’ identified in the Growth Plan, only one zone (zone 7) is identified in Markham. Zone 7 extends mainly along the Highway 404/Highway 407/Woodbine Ave corridor (see Appendices ‘B’ and ‘C’). Although the Province is seeking comments on this proposed mapping before the February 28<sup>th</sup> commenting deadline, prior to making any recommendations about the

mapping, staff require further discussion with the Province to understand how these employment areas were selected (i.e., why other employment lands in Markham were not included in the mapping), the intent and use of the PSEZ, and to consider refinement to the mapping to reflect local planning considerations.

Staff also request clarification on the proposed process for the Province to review an update the PSEZ in response to a municipal request, as provided for in proposed policy 5.2.2.3.

The Province is also seeking input on whether PSEZ could be part of an MTSA. Staff support the identification of PSEZ within MTSA's, as high density employment areas (developed with offices) are appropriate near transit stations on higher order transit corridors such as Highway 7.

With respect to the other proposed changes, staff strongly support the proposed wording change to policy 2.2.5.7 d) to replace reference to 'integrating employment areas and non-employment areas' with 'providing an appropriate interface between employment areas and non-employment areas'. Staff had requested a similar change in our October 2016 comments on the 2017 Growth Plan.

Staff also support the new policy 2.2.5.8 regarding protection of industrial, manufacturing and such uses against negative impacts caused by sensitive land uses and major retail uses, but would remove 'major office uses' from this list, and would suggest clarification of what specifically is meant by 'encroachment'.

Proposed Amendment 1 introduces a new policy for existing office parks that ensures non-employment uses, if appropriate, would be limited and not negatively impact the primary function of the area. A revision to the definition of office park is also proposed which removes reference to office parks being defined as employment areas. The additional policy limitation on non-employment uses would be more useful if the original definition of office park as being an employment area were maintained. It is unclear why ancillary uses should be limited in office parks that are not protected employment areas, as it would be in those very areas that a mix of uses should be supported.

Similarly, staff question the rationale behind the proposed new policy 2.2.5.14 which states that "outside of employment areas, the redevelopment of any employment lands should retain space for a similar number of jobs to remain accommodated on the site." In Markham's Official Plan, 'employment lands' are defined as the equivalent of 'employment areas' and are subject to protection policies. Employment uses outside of employment areas/lands would consist mainly of retail plazas, and small individual commercial uses. It is not clear if these employment uses (rather than employment lands) are being referred to in the new policy 2.2.5.14. It is also not clear how the requirement of providing space for a number of jobs would be calculated or implemented.

With respect to the proposed changes to policies related to employment density targets, staff support identification of specific density targets for specific employment areas

(rather than one overall average density target) but staff continue to question (as in the October 2016 comments) how that density target is to be applied. Staff are particularly concerned with the proposed policy 2.2.5.13 d) which states that the minimum employment targets will be implemented in zoning by-laws. This requirement was included in the 2017 Growth Plan, but staff maintain that a municipality should not be put in a position of having to deny an application, or require a zoning amendment, for a legitimate employment use in an employment area because it does not meet a minimum density. Although staff support minimum density requirements for residential development, it is much more problematic to require minimum densities for employment area uses.

**Recommendation 7:** That proposed policy 2.2.5.10 regarding the one-window opportunity to consider conversion outside the MCR be removed.

**Recommendation 8:** That rather than including the proposed provincially significant employment zones in the Growth Plan, the current level of protections in the 2017 Growth Plan with respect to upper-tier official plans should be maintained, including the prohibition of institutional and sensitive land uses in employment areas that would have qualified as ‘prime employment areas’.

**Recommendation 9:** That in the event provincially significant employment zones remain in the Growth Plan it is requested that, prior to providing recommendations on mapping changes, Markham staff be provided the opportunity for further discussion with Provincial staff regarding the criteria for selection of the mapped employment areas, the intent and use of the PSEZ, and refinement to the mapping to reflect local planning considerations.

**Recommendation 10:** That staff support the inclusion of provincially significant employment zones in MTSAs.

**Recommendation 11:** That proposed policy 2.2.5.8 be amended to remove reference to ‘major office uses’ and to clarify what is meant by ‘encroachment’.

**Recommendation 12:** That proposed policy 2.2.5.13 d) be amended by removing the reference to “...and zoning by-laws”.

**Recommendation 13:** That the intent behind proposed policy 2.2.5.14 regarding the redevelopment of employment lands outside of employment areas, and the Province’s definition of employment lands, be clarified.

## **5. Agricultural and Natural Heritage Systems**

### **Proposed Amendment 1 changes and associated changes to Ontario Regulation 525/97:**

- Provincial mapping of the agricultural land base and the Natural Heritage System for the Growth Plan will not apply until it has been implemented in upper-tier and single-tier official plans (4.2.2.4, 4.2.6.8)



- During the period before provincial mapping is implemented in upper-tier and single-tier official plans, the Growth Plan policies for protecting prime agricultural areas and natural heritage systems and features will apply to municipal mapping (4.2.2.4, 4.2.6.8)
- Clarifying that municipalities can request technical changes to mapping and that provincial mapping can be updated and re-issued in response to such requests (5.2.2.3)
- Allowing municipalities to refine and implement provincial mapping in advance of the MCR (4.2.2.5, 4.2.6.9)
- Clarifying that once provincial mapping has been implemented in official plans, further refinements may only occur through an MCR (4.2.2.5, 4.2.6.9)

*Staff comments and recommendations:*

Staff are supportive of the proposed policy changes. Staff agree that the provincial mapping needs to be verified/ground-truthed by municipalities before being embedded in upper-tier official plans, and that this work can occur outside of an MCR. Staff have no recommended changes to these proposed policies.

## **6. Rural Settlements**

*Proposed Amendment 1 changes:*

- Introducing new defined term ‘rural settlement’ as a subset of ‘settlement areas’ and removing the term ‘undelineated built-up areas’ (definitions)
- Clarifying that rural settlements are not part of the designation greenfield area (definitions)
- Introducing new policy that allows minor rounding out of rural settlements not in the Greenbelt Area, outside of an MCR subject to criteria (2.2.9.7)

*Staff comments and recommendations:*

Rural settlements include existing hamlets or similar small settlement areas that are long-established and identified in official plans. These communities are serviced by individual private on-site water and wastewater systems and contain a limited amount of undeveloped lands that are designated for development. Examples of rural settlements in Markham are the hamlets of Almira, Dickson Hill, Locust Hill and Cedar Grove, the latter two being within the Greenbelt Plan Area.

Staff do not support the new proposed policy allowing the minor rounding of hamlets. There is no direction in the proposed policy on what ‘minor rounding out’ means with respect to acceptable land area increases, leaving the possibility that substantial subdivisions or non-residential development could be approved without being considered as part of a comprehensive MCR process.

**Recommendation 14:** That proposed policy 2.2.9.7 providing for the minor rounding out of rural settlements outside of an MCR be removed.

**Additional Proposed Changes*****Proposed Amendment 1 changes:***

- Removing the requirement for upper-tier municipalities to develop a municipal housing strategy (2.2.6.1)

***Staff comment and recommendations:***

Although the requirement for a housing strategy is proposed to be removed, the Growth Plan still outlines the need for upper-tier municipalities to plan for housing choice through the same criteria that were listed as components of a housing strategy. These include achieving minimum intensification and density targets, identifying a range and mix of housing options and densities including second units and affordable housing, establishing targets for affordable ownership and rental housing, and identifying land use and financial tools to support the implementation of housing choices.

Staff continue to support planning for a mix of housing types and affordable housing and, consistent with comments submitted in 2015 during the 10-year review, recommend that the Province continue to provide policy incentives (e.g., inclusionary zoning) and appropriate financial incentives for Regional and local municipalities to work with the private sector to implement affordable housing targets.

***Recommendation 15:*** That the Province continue to provide policy incentives (e.g., inclusionary zoning) and appropriate financial incentives for Regional and local municipalities to work with the private sector to implement affordable housing targets.

**NEXT STEPS:**

It is recommended that this report be forwarded to the Ministry of Municipal Affairs and Housing as the City of Markham's comments on Proposed Amendment 1 to the Growth Plan, prior to February 28, 2019.

In anticipation of proposed changes to the Provincial Policy Statement, Planning Act and Local Planning Appeal Tribunal being released in the coming months, staff request that the Province allow a minimum of 60 days for comment on these documents in order to ensure municipalities have sufficient time to fully understand the proposed changes and to provide comments through their councils.

Staff will report back to Committee on the final Amendment 1 to the Growth Plan, once it is released.

**HUMAN RESOURCES CONSIDERATIONS:**

Not applicable.

**FINANCIAL CONSIDERATIONS:**

Not applicable

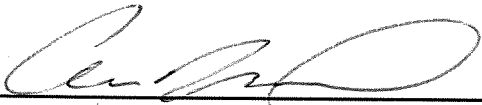
**ALIGNMENT WITH STRATEGIC PRIORITIES:**

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The comments in this report on Proposed Amendment 1 to the Growth Plan support the City's efforts to enable a strong economy, manage growth, protect natural heritage and agriculture, and maximize infrastructure investments in areas already planned for growth, which are key elements of the Engaged, Diverse and Thriving City; Safe and Sustainable Community; and Stewardship of Money and Resources strategic priorities.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

Comments from the Planning and Economic Development departments were included in this report.



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**Arvin Prasad, R.P.P., M.C.I.P.**  
**Commissioner, Development Services**

**FIGURES:**

Figure 1: Lands Subject to Intensification and Designated Greenfield Area Targets

**ATTACHMENTS:**

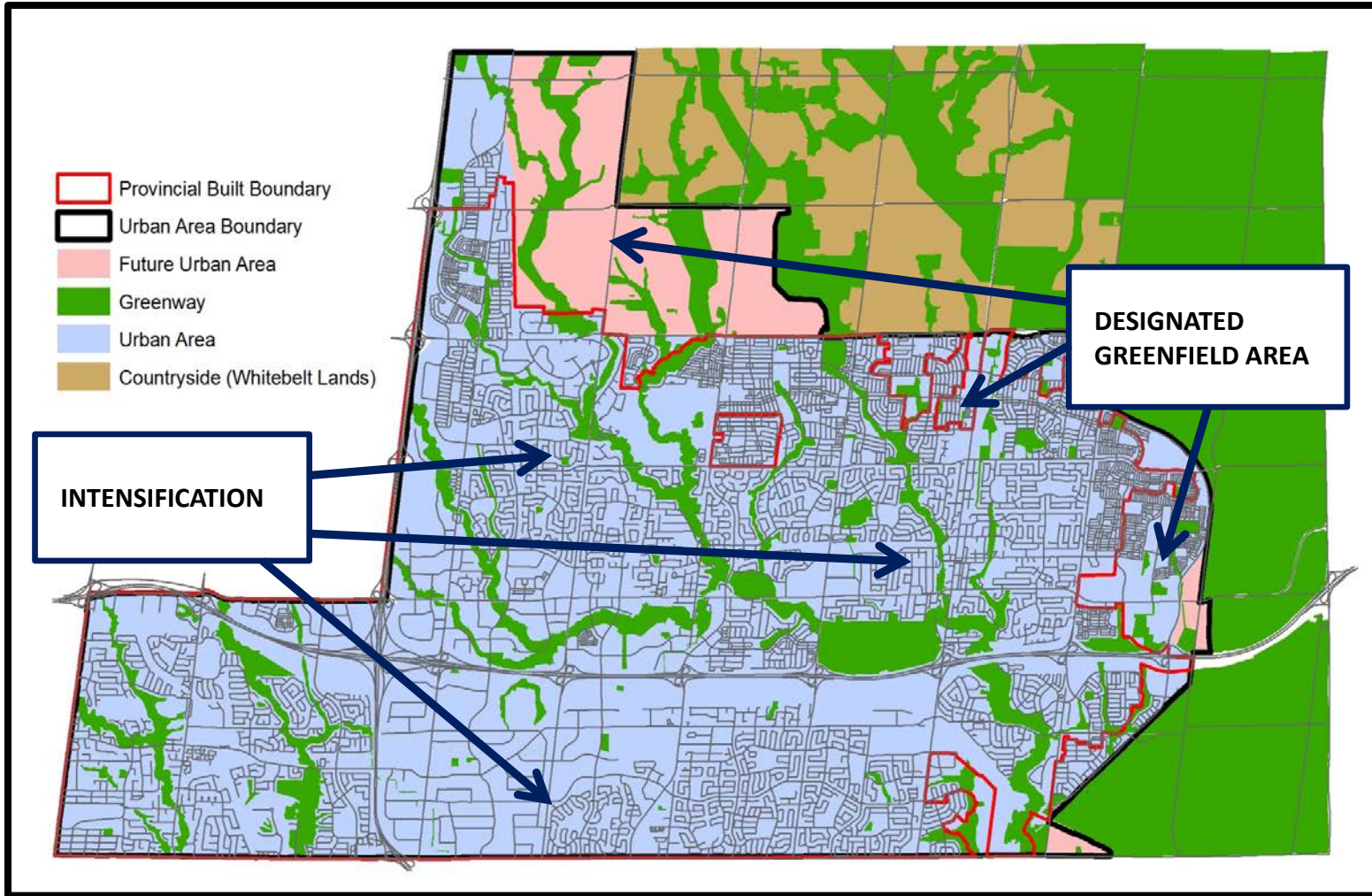
Appendix 'A': Consolidated Recommendations from Staff Report "City of Markham Comments on Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe, 2017", dated February 25, 2019

Appendix 'B': Proposed Provincially Significant Employment Zones

Appendix 'C': Proposed Provincially Significant Employment Zones in Markham

*Q:/development/planning/policy/provincial initiatives/growth plan/DSC Rpt 25feb19 Amendment 1 to Growth Plan.doc*

**Figure 1: Lands Subject to Intensification and Designated Greenfield Area Targets**



## Appendix 'A'

### **Consolidated Recommendations from Staff Report “City of Markham Comments on Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe, 2017”, dated Feb 25, 2019 (in response to ERO 013-4504, 013-4505, 013-4506, 013-4507)**

**Recommendation 1:** That the proposed Regional residential intensification target of 60% for York Region be revised to 50%.

**Recommendation 2:** That policies be included that provide municipalities with the ability to phase growth in line with delivery of infrastructure, and that a predictable program of transit funding be provided to ensure delivery of the higher order transit that is critical to support intensification in Markham (i.e., Yonge subway extension, remainder of Highway 7 BRT, Major Mackenzie Drive Rapid Transit Corridor, Highway 407 Transitway).

**Recommendation 3:** That DGA density targets should be consistent throughout the GGH, particularly for municipalities within Groups A and B.

**Recommendation 4:** That proposed policy 2.2.2.3 c) encouraging intensification generally throughout the delineated built-up area should be revised as follows: “to encourage intensification generally throughout the delineated built-up area in accordance with local municipal intensification strategies”.

**Recommendation 5:** That the following proposed higher order transit corridors in Markham be identified as Priority Transit Corridors on Schedule 5 Moving People –Transit:

- a. Yonge Subway extension to the Richmond Hill Centre/Langstaff Gateway Urban Growth Centre;
- b. Highway 7 Rapid Transit Corridor east of Markham Centre;
- c. Major Mackenzie Drive Rapid Transit Corridor; and
- d. The full extent of the Highway 407 Transitway.

**Recommendation 6:** That the Province not allow urban expansions outside of a municipal comprehensive review, except where such expansions are initiated by a local municipality, are minor and are contiguous to an existing urban area with full servicing.

**Recommendation 7:** That proposed policy 2.2.5.10 regarding the one-window opportunity to consider conversion outside the MCR be removed.

**Recommendation 8:** That rather than including the proposed provincially significant employment zones in the Growth Plan, the current level of protections in the 2017 Growth Plan with respect to upper-tier official plans should be maintained, including the prohibition of institutional and sensitive land uses in employment areas that would have qualified as ‘prime employment areas’.

**Recommendation 9:** That in the event provincially significant employment zones remain in the Growth Plan it is requested that, prior to providing recommendations on mapping changes, Markham staff be provided the opportunity for further discussion with Provincial staff regarding the criteria for selection of the mapped employment areas, the intent and use of the PSEZ, and refinement to the mapping to reflect local planning considerations.

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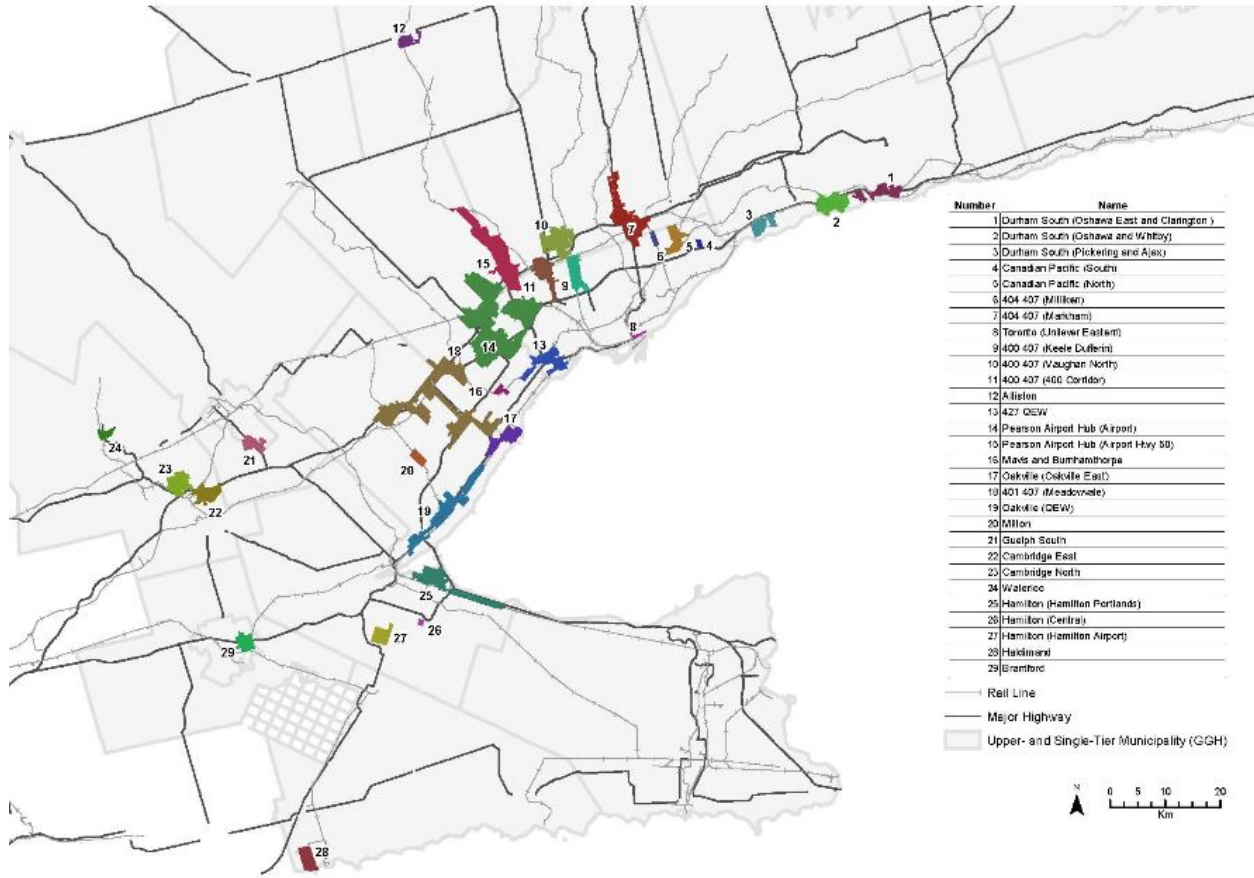
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**Recommendation 15:** That the Province continue to provide policy incentives (e.g., inclusionary zoning) and appropriate financial incentives for Regional and local municipalities to work with the private sector to implement affordable housing targets.

## Appendix 'B'



**Proposed Provincially Significant Employment Zones**

Proposed Provincially Significant Employment Zones in Markham

Zone 7: 404 407 (Markham)

