



July 30, 2019

The Honourable Doug Ford  
Premier of Ontario  
Room 281, Legislative Building  
Queen's Park, Toronto M7A 1A1  
Email: [doug.ford@pc.ola.org](mailto:doug.ford@pc.ola.org)

**RE: CITY OF MARKHAM COMMENTS ON CERTAIN PROPOSED REGULATIONS  
UNDER THE PLANNING ACT AND LOCAL PLANNING APPEAL TRIBUNAL ACT  
RELATED TO BILL 108, MORE HOMES, MORE CHOICE ACT, 2019 (10.0)**

Dear Premier:

This will confirm that at a meeting held on July 26, 2019, the Council of the City of Markham adopted the following resolution:

Whereas the City of Markham recognizes that the *More Homes, More Choice Act 2019*, (Bill 108) received Royal Assent on June 6, 2019; and,

Whereas the City of Markham reaffirms its concerns with Bill 108 as outlined in the May 28, 2019 Council resolution submitted to the Province of Ontario prior to the commenting deadline, and in particular, the following clauses:

- *“That the Province of Ontario leave development charges as the tool to recover the costs of hard and soft services as currently obtained, and that if a community benefits charge is being considered, that it be restricted to section 37 and parkland dedication as it relates to providing affordable housing in municipalities across Ontario.” and,*
- *“That the proposed Local Planning Appeal Tribunal process that reverts back to a “de novo” hearing process is not supported. The Province should carry forward the current test for the appeal of a Planning Act application requiring the Local Planning Appeal Tribunal to evaluate a municipal decision on a planning application based on its consistency with the Provincial Policy Statement, and conformity with Provincial Plans, as well as Regional and local Official Plans, or if the Province is unwilling to restore the appeal test, the Province should revise Bill 108 to provide for more deference to Council’s decisions.”*

Now therefore be it resolved:

1. That the report dated July 26, 2019, entitled “City of Markham Comments on Certain Proposed Regulations Under the *Planning Act* and *Local Planning Appeal Tribunal Act* related to Bill 108, *More Homes, More Choice Act, 2019*”, be received; and,
2. That this report, with recommendations from the City of Markham on certain proposed regulations to the *Planning Act* and the *Local Planning Appeal Tribunal Act* related to Bill 108, *More Homes, More Choice Act, 2019*, (Environmental Registry of Ontario Proposal No. 019-00181 and Proposal No. 19-MAG007) be forwarded to the Premier of Ontario, Minister of Municipal Affairs and Housing, all York Region MPPs and the Regional Municipality of York; and,
3. That the proposed transition rules under the *Local Planning Appeal Tribunal Act, 2017* apply to *Planning Act* appeals where the Tribunal has not provided written notice that an appeal is valid, and that appeals which have received a Notice of Validation proceed under the Bill 139 requirements; and,
4. That the City of Markham requests the Province of Ontario to maintain the ability to appeal a community planning permit system implementing by-law from Ontario Regulation 173/16 “Community Planning Permits” when the Minister issues an order to require a local municipality to adopt or establish a system; and,
5. That the City of Markham supports the proposed Provincial Regulations pertaining to additional residential units as long as they do not preclude the ability of the municipality to restrict through the zoning by-law where additional units are permitted, in accordance with the Regulations; and further,
6. That staff be authorized and directed to do all things necessary to give effect to this resolution.

If you have any questions, please contact John Yeh at 905-477-7000 ext. 7922.

Yours sincerely,



Kimberley Kitteringham  
City Clerk

[Appendix A](#)  
[Appendix B](#)  
[Presentation](#)

Copy to:      The Honourable Steve Clark, Minister of Municipal Affairs and Housing  
                 MPPs, York Region  
                 C. Raynor, Regional Clerk, Regional Municipality of York  
                 J. Yeh, Manager, Strategy and Innovation