

**COUNCIL – NOVEMBER 19, 2024**

**STAFF COMMUNICATIONS**

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**Distributed November 15, 2024**

**Subject**

SC1. Memorandum from the Deputy City Manager, Infrastructure Development and the Deputy City Manager, Planning, Growth Management, and Housing Delivery, dated November 19, 2024. Bill 212: Reducing Gridlock, Saving You Time Act, 2024

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**STAFF COMMUNICATION  
FOR INFORMATION ONLY**

**SC 1  
Staff Communication  
Council – November 19, 2024**

**DATE:** November 19, 2024

**TO:** Mayor and Members of Council

**FROM:** Vince Musacchio, Deputy City Manager, Infrastructure Development  
Haiqing Xu, Deputy City Manager, Planning, Growth Management, and  
Housing Delivery

**RE: STAFF COMMUNICATION – November 19, 2024 Council Meeting  
Bill 212: *Reducing Gridlock, Saving You Time Act, 2024***

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## **1. Purpose**

The purpose of this Staff Communication is to provide the Mayor and Council information regarding Bill 212 *Reducing Gridlock, Saving You Time, Act 2024* (“Bill 212”).

Bill 212 is proposed by the Minister of Transportation, and it seeks to expedite construction of “priority highway projects”, such as the Highway 413 Project, by allowing for early works construction, removing it from the Environmental Assessment process, replacing it with a new Environmental Impact Assessment Review (“EIAR”), allowing for 24-hour construction and delivery of goods and services, overriding the *Planning Act* and *Expropriation Act* and municipal by-laws, and limiting public input.

Bill 212 passed through First Reading on October 21, 2024, Second Reading on November 7, 2024, and is currently being reviewed by the Standing Committee on Heritage, Infrastructure and Cultural Policy. Bill 212 is also posted on the Environmental Registry of Ontario and Regulatory Registry of Ontario with the comment period closing on November 20, 2024.

Bill 212, if passed, will amend three pieces of legislation:

1. *Building Broadband Faster Act, 2021*
2. *Highway Traffic Act, 1990*
3. *Towing, and Storage Safety and Enforcement Act, 2021.*

Bill 212, if passed, will create two new pieces of legislation:

1. *Building Highways Faster Act, 2024* ([ERO no. 019-9265](#))
2. *Highway 413 Act, 2024* ([ERO no. 019-9213](#)).

These proposed two new pieces of legislation, and their local impacts, are the focus of this communication.

## 2. Analysis

### **Building Highways Faster Act, 2024**

Schedule 2 of Bill 212 introduces the *Building Highways Faster Act, 2024* (“BHFA”), which aims to expedite construction on "priority highway projects" such as the Highway 413 Project, Bradford Bypass Project, and Garden City Skyway Bridge Twinning Project, by streamlining existing processes to reduce delays.

Locally, the BHFA impacts the City in several ways with regards to utility relocation, expropriation, and goods and services delivery.

The BHFA will empower the Minister to require utility companies to remove, relocate or adjust their infrastructure for a priority highway project. It will also compel owners and operators of infrastructure that could be affected by a priority highway project to provide requested information to the Minister and allow for site inspections (including taking samples, conducting tests, installing monitoring equipment, and alter features) to aid in planning, design, or construction of priority highway projects. Compensation procedures with respect to these Ministerial actions are also provided.

Regarding expropriation, the BHFA eliminates the right of a property owner whose land has been expropriated by the Minister for a priority highway project to request an adjustment of the date when the government takes possession of their property. Furthermore, the utility re-location and site inspection provisions do not constitute an expropriation or injurious affection under the *Expropriations Act*.

Finally, new regulations under the BHFA can override certain municipal by-laws, such as a restriction related to noise, that could delay the delivery of goods and services to priority highway projects. Exceptions to the override include bridge weight restrictions, speed limits, and road closures for maintenance, construction, and special events. This may result in an increase in complaints from residents during construction, for which the City would have little to no ability to respond to.

### **Highway 413 Act**

Schedule 3 of Bill 212 establishes the *Highway 413 Act, 2024* (“Act”), which defines the Highway 413 Project as a new highway extending from Highway 400 to the 401/407 interchange, with extensions to Highways 427 and 410. This proposed Act exempts the project from the standard *Environmental Assessment Act* process, replacing it with a new Environmental Impact Assessment Report (“EIAR”), detailed below.

Before the EIAR is completed, the Minister can authorize early work on the Highway 413 Project, including land acquisition, construction contracts, and necessary authorizations. Early works specified within Vaughan by the proposed Act would include fencing along the Highway 427 extension and the 413 route.

The Act mandates several key requirements, including an Indigenous Consultation Plan, an Assessment of Environmental Impacts, and draft and final EIAR. The EIAR will outline the project's purpose, preliminary design, location, and connections to Highways 427 and 410. It will review alignment alternatives considered since 2012, summarize environmental conditions, document recent studies, and provide mitigation and monitoring plans. It will also list required permits and offer a consultation record detailing public and Indigenous feedback and the Minister's response to concerns.

Once the draft EIAR is prepared, it will be circulated to affected Indigenous communities, municipal clerks, relevant federal ministries, and individuals who have expressed interest. After receiving feedback, the final EIAR will be posted, marking the last step before construction.

Importantly, the proposed Act exempts the project from both the *Planning Act's* requirement to be consistent with the Provincial Planning Statement, 2024, and from Part II – Public Participation in Government Decision-Making of the *Environmental Bill of Rights, 1993*. Therefore, once the EIAR is finalized, no further public notice or opportunity for comment will be provided.

For more information, contact Max B. Rubin, Legal Counsel, Planning Law, ext. 3643

**Approved by**



Haiqing Xu, Deputy City Manager,  
Planning, Growth Management and Housing Delivery



Vince Musacchio  
Deputy City Manager, Infrastructure Development