

Send electronically

November 24, 2022

Paula Kulpa
Heritage Branch, Ministry of Citizenship and Multiculturalism
400 University Avenue, 5th Floor
Toronto, ON M7A 2R9

Subject: Bill 23 – *More Homes Built Faster Act, 2022*
Comments from City of Pickering – ERO Posting 019-6196
File: L-1100-058

Please find attached comments from the City of Pickering with respect to Environmental Registry Ontario Posting 019-6196. Thank you for your consideration.

These comments are also being forwarded to Council of the Corporation of Pickering for their receipt and endorsement.

Yours truly



Marisa Carpino, M.A.
Chief Administrative Officer

MC
Attachment

ERO Posting	City of Pickering Comments
<p>ERO Posting 019-6196 (Closing November 24, 2022)</p>	<p>Proposed changes to the <i>Ontario Heritage Act</i> and Regulations</p> <p>New requirements for Municipal Registers and inclusion of non-designated properties on the Municipal Register: Proposed legislative changes to municipal practices around the inclusion of non-designated properties on a municipal register and the associated timelines, will create additional administrative, planning/heritage, and financial resource demands on the City.</p> <p>Increasing the standard for including a non-designated property on a municipal register will generally weaken the City's heritage protection ability, will result in a reduction in the number of listed properties, and will limit how long future listings last.</p> <p>It is recommended that the Province does not change the criteria set out in O. Reg. 9/06 (Criteria for determining cultural heritage value or interest), and that it does not move forward with the requirement for either designated or non-designated register properties to meet two of these criteria.</p> <p>The proposal requiring a review of listed properties and decision-making on whether or not to designate within two years of the amendments coming into force, will create a resource burden, both financial and staffing, to the City. Although there may initially be a large number of properties designated, the proposal ultimately puts heritage properties at a high risk of complete loss.</p> <p>It is recommended that the Province not move forward with the proposal regarding removing properties from the register.</p>
	<p>An increase in the threshold for designation of individual properties and new limitations on designation for properties subject to proposed development</p> <p>Increasing the threshold for designation of individual properties will limit the number of properties that can be designated. It will prevent certain properties that have heritage value within, and to, a community from being protected. This proposal ultimately results in placing some heritage properties at risk of loss.</p> <p>In addition, should Council propose to amend an existing bylaw, the amended bylaw would need to meet the new threshold for designation. This could result in the loss of some heritage properties.</p> <p>It is recommended that the Province not move forward with the proposal for increasing the threshold for designation of individual properties and proposed new limitations on designation for properties subject to proposed development.</p>

The criteria in O. Reg. 9/06 (Criteria for determining cultural heritage value or interest) reflect long standing concepts in the field of heritage conservation that evolved over decades and align with international standards. They were codified in 2006, ensuring consistency across municipalities.

It is recommended that any proposed changes to the criteria in O. Reg. 9/06 (Criteria for determining cultural heritage value or interest) be determined by the Province and the municipalities.

Prohibiting Heritage Designation once a Planning Application has been made under the *Planning Act*

The proposal that a municipality can only issue a notice of intent to designate (NOID) if a property is already included on the municipal register will surely result in the loss of cultural heritage resources. Often a municipality will not be aware of a heritage property until a planning application is submitted and there is a review of the subject property and a more detailed Heritage Impact Assessment is undertaken. Most municipalities don't have the resources (staff and financial) to undertake a comprehensive municipality-wide survey and analysis of all potential cultural heritage resources within its boundaries. This work would have to be done to ensure that all cultural heritage resources are identified on the heritage register so that when a planning application is made there would be certainty about any cultural heritage resources present on the site.

It is recommended that the Province not move forward with the proposal to prohibit a heritage designation once a planning application has been made under the *Planning Act*.

Changes to Heritage Conservation Districts

The proposed requirement to apply prescribed criteria to determine a HCD's cultural heritage value or interest may add a measure of complication to designating a HCD. In addition, the proposal that the HCD must meet two or more of the criteria in order to be designated, may limit the number of properties included in a HCD, and ultimately result in the loss of some heritage properties.

It is recommended that the Province consult with municipalities prior to making any changes to the requirements for Heritage Conservation Districts.