



Friday, December 9, 2022

**To be sent via email to paula.kulpa@ontario.ca and Michael.Ford@ontario.ca**

The Honourable Michael Ford  
Minister of Citizenship and Multiculturalism  
Government of Ontario  
14th Floor, 56 Wellesley St. W.  
Toronto, ON M7A 2E7

Dear Minister Ford,

**RE: Proposed Changes to the Ontario Heritage Act and its regulations: Bill 23 (Schedule 6) - the Proposed More Homes Built Faster Act, 2022**

The City of Guelph (the City) welcomes the opportunity to provide feedback on the proposed changes to the Ontario Heritage Act and its regulations: Bill 23 (Schedule 6) - the Proposed More Homes Built Faster Act, 2022. This submission will provide staff comments from the City's Planning and Building Services perspective.

The City of Guelph is concerned that the changes to the Ontario Heritage Act proposed in The More Homes Built Faster Act (Bill 23, Schedule 6) introduces significant uncertainty and proposes changes to heritage conservation in Ontario that have no evidentiary relationship to increasing the housing supply. Specifically, the proposed changes to Municipal Registers in Section 27, Designations in Section 29, and Heritage Conservation Districts in Section 41 will drastically reduce the municipal ability to protect significant built heritage resources and cultural heritage landscapes.

The proposed changes to Section 27 of the Ontario Heritage Act drastically alters how municipalities have utilized heritage registers to-date. The proposed changes to Section 27(15-18) penalize previous efforts to list significant built heritage resources on the municipal register by removing non-designated listed properties from the register two years after Bill 23 comes into effect. This is not enough time for municipalities to designate properties and by ending the timeframe there is an opportunity to provide stability. This, combined with the requirement in Section 27(18), that properties removed from the register not be re-listed for 5 years, effectively guarantees that, in two years' time, the majority of the City of Guelph's significant built heritage resources will have no heritage protection. The risk posed to heritage resources by changes to Section 27 are further compounded by Section 29(1.2), that prohibits Council from issuing a Notice of Intention to Designate after a prescribed event if a property is not listed on the municipal register.

The proposed changes to O. Reg 9/06, that properties meet two of the criteria to be eligible for designation, fundamentally changes the way the Province of Ontario has defined cultural heritage since the regulation was introduced in 2005. Municipalities across Ontario have made great strides to address reconciliation, diversity, equity, and inclusion in heritage conservation through the recognition and protection of heritage resources that convey the histories of marginalized communities. The requirement for properties to meet two of the criteria will thwart such initiatives and continue to overvalue the architecture and well-documented histories of European settlers. This change does not “provide further rigour in the designation process;” rather it restricts the ability of municipalities to designate underrepresented cultural heritage resources.

The changes proposed in Section 27(15-18) and Section 29(1.2) will force municipalities to pursue the designation of Heritage Conservation Districts (HCDs) as the most cost and time effective strategy to protect the maximum amount of non-designated properties listed on the municipal register in the shortest amount of time. The proposal to introduce criteria for the designation of HCDs in Section 41(1.b) may, like the changes to O. Reg 9/06, restrict the location of HCDs to more affluent, less diverse, neighbourhoods.

The City is extremely concerned with the revision of section 25.2 and new Section 25.2(3.1). As a city with a significant Heritage resource which is owned by the province, we are concerned for the protections of this valuable resource, and the proposed exemptions from having to comply with heritage standards and guidelines.

Fundamentally, the changes to the Ontario Heritage Act detailed in Bill 23 contradict the provincial government’s own heritage policies in the Provincial Policy Statement, specifically Section 2.6.1 that states, “Significant built heritage resources and significant cultural heritage landscapes shall be conserved.” The changes proposed to municipal heritage registers makes certain that significant built heritage resources and cultural heritage landscapes will be lost. Heritage and housing are not mutually exclusive categories, and heritage conservation should be embraced as a valuable tool in solving the housing crisis.

Thank you for the opportunity to provide feedback on the discussion paper entitled Conserving Ontario’s Natural Heritage.

Regards,



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