

**Community Development Department**

The City of Cambridge  
50 Dickson Street, 3<sup>rd</sup> Floor  
P.O. Box 669  
Cambridge ON N1R 5W8  
Tel: (519) 623-1340 ext. 4571  
E-mail: [PrimeL@cambridge.ca](mailto:PrimeL@cambridge.ca)

November 24, 2022

The Hon. Michael Douglas Ford  
Minister of Citizenship and Multiculturalism  
56 Wellesley Street West, 14<sup>th</sup> Floor  
Toronto, ON M7A 2E7

Sent by e-mail only: [Michael.Ford@ontario.ca](mailto:Michael.Ford@ontario.ca)

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

Sent by e-mail only: [Paula.Kulpa@ontario.ca](mailto:Paula.Kulpa@ontario.ca)

**Re: Proposed amendments to the *Ontario Heritage Act*  
ERO Number 019-6196**

Dear Minister Michael Ford,

The City of Cambridge staff is providing this submission in response to the proposed amendments to the *Ontario Heritage Act* through Bill 23 (Schedule 6) – the *More Homes Built Faster Act, 2022* posted for comment on the Environmental Registry of Ontario by the Heritage Branch of the Ministry of Citizenship and Multiculturalism (“MCM”). Included are comments from staff at the City of Cambridge as well as comments from the City’s Municipal Heritage Advisory Committee.

Please see below comments:

City of Cambridge staff has concerns with the proposed amendments to the *Ontario Heritage Act* through Bill 23 (Schedule 6). The proposed changes represent an unbalanced approach to target heritage policy in an effort to expedite an increase in housing supply. It is expected that the changes will result in fewer properties protected under the *Ontario Heritage Act* within the City of Cambridge, less oversight or review of development applications on or near heritage properties, additional demolition or removal of heritage structures, more incompatible development, and more unsympathetic alterations and additions. It is anticipated that fewer Heritage Impact Assessments, Conservation Plans, Salvage Plans, and Heritage Permits will be reviewed by heritage staff, MHAC and Council as needed.

Further, the City's Heritage Register will be significantly downgraded over a two-year period through the MCM's proposed two-year removal or designation requirement for listed, non-designated properties. In addition, it is anticipated that fewer properties will be designated under Part IV of the *Ontario Heritage Act* given more stringent evaluation criteria and a freeze on designations carried out in response to development applications or "prescribed events".

Lastly, staff are concerned that in light of proposed changes to the *Planning Act*, less site plan review will mean less staff input on design and architectural compatibility of new development with onsite or adjacent heritage properties. The lack of landscape review on smaller development projects (less than ten units) will also mean a lack of assurance of character compatibility with regards to trees and other landscape features on heritage properties or within heritage character areas.

Overall, staff has concerns with the proposed changes to the *Ontario Heritage Act*. Staff are of the opinion that the changes will result in a significant increase in incompatible development, an increase in the demolition of valuable heritage structures, and fewer protections for significant heritage properties. All of these changes have the potential to significantly impact significant cultural heritage properties, heritage conservation districts, cultural heritage landscapes, and streetscapes within the City of Cambridge.

Considering the aforementioned, staff at the City of Cambridge request consideration of the following recommendations on three chief concerns:

**1) Staff request that additional consultation take place on Bill 23, Schedule 6 with municipalities, heritage organizations, and Indigenous communities.**

The reduced consultation period and the lack of consultation with important stakeholders are concerns of staff at the City of Cambridge. Additional consultation should take place, and thoroughly considered, before Bill 23 comes into force.

- 2) Staff request that the MCM re-consider the implementation of changes to municipal registers, most notably the requirement that “non-designated properties currently included on the register after the proposed amendment comes into force would have to be removed if council does not issue a NOID within two years of the property being included.”**

The changes will also result in a considerable amount of staff time diverted from other important municipal projects in order to assess properties and determine their cultural heritage value. Staff are of the opinion that the proposed two-year time limit for review of listed properties is not sufficient or reasonable to adequately assess a large number of properties for designation or de-listing.

Heritage Planning staff encourage the provincial government to reconsider their position on removing heritage properties from Municipal Heritage Registers because the purpose of good heritage planning is to promote and encourage the adaptive reuse of buildings that already exist. Cambridge has had many successful conversions of heritage buildings into multi-unit residences over the last 10 years. The City of Cambridge has had success in attracting investors and developers who seek heritage properties to adaptively reuse, rehabilitate and convert into high end condos, studio spaces for artists and multi-generational families. The Blacksmith Lofts, the Gaslight District and the former Dickson School are just a few examples of successful heritage building conversions into thriving residential areas in Cambridge.

- 3) Staff request that the MCM re-consider the implementation of changes to the new 90-day restriction on issuance of a NOID when a “prescribed event” occurs, further restricting it only to listed non-designated properties.**

This change will leave numerous heritage properties that are not listed vulnerable to demolition. Given that municipal registers will be largely vacant of non-designated properties as a result of the two-year requirement for removal or designation, this further restriction to the 90-day trigger in relation to “prescribed events” will mean that nearly all properties will be ineligible for designation as soon as a development application is submitted. This proposed amendment does not reflect the reality that heritage designation can be employed in a manner that both supports development and protects the heritage attributes of properties.

Yours truly,



Lisa Prime  
Chief Planner

## Comment summary – Cambridge Municipal Heritage Committee

The Cambridge Municipal Heritage Committee has reviewed the proposed amendments to the *Ontario Heritage Act* through Bill 23 (Schedule 6) – the proposed *More Homes Built Faster Act, 2022* and provided comments to staff at the City of Cambridge at its regular meeting on November 17, 2022, and in writing. The following is a summary of themes presented in comments submitted:

- Committee members communicated significant concern for the potential impacts of the proposed legislation on heritage properties within Cambridge.

“Bill 23 has the power and seemingly, the intent to destroy our heritage, both natural and built, and create a future free of the municipal tools needed to control development in a manner that makes our municipalities livable. Many of the Bill 23 proposals specifically target the existing stock of built and natural heritage. Existing designated heritage buildings will lose their current protections, and future designations will undergo complex yet ambiguous qualifying criteria, thereby greatly diminishing the range and number of protected properties.”

- Committee members communicated concern with the proposed two-year timeline in which municipalities must remove or designate listed properties.

“Also threatened are all listed properties on Heritage Registers – the proposal that those listed on the register could be protected by designation would make sense, but only if there were provisions to greatly increase the municipal heritage staff and to greatly increase the time limit. These required staff and time increases have not been provided, and as a result, these properties will be at risk as they will lose listed status and lose any record of ever being considered worthy of heritage designation.”

“Currently, the heritage staffing compliment is overwhelmed with heritage work, and this concerns me if we need to designate properties faster and in a higher number to combat the proposed changes to listed properties. I fear that this will lead to many deserving properties having no protection.”

- Committee members communicated concern for adequate protections for heritage conservation districts

“Heritage Conservation District plans will be endangered. Existing HCDs would be subject to a process that would allow Heritage Conservation District Plans to be amended or repealed, again throwing away countless years of municipal work, and leaving them exposed to policy-free development. The creation of any

future HCD is questionable as they would be subject to non-specific proposed regulations.”

- Committee members communicated concern for higher threshold for designations under Section 29

“It calls into question the benefit of incentives for designation if it takes considerable time to designate along with the increased stringency in criteria to have a property designated. The change from meeting one criteria to two is devastating and that cannot be emphasized enough as we will lose properties that are deserving protection for cultural/associative value that don't meet other criteria and similarly, architecturally significant properties that are just stunning examples of craftsmanship of the era.”

- Committee members communicated concern for the reduced consultation role for heritage committees, for removing listed properties for example

“The years of work completed by city staff and members of MHAC (formerly LACAC) will have gone to waste and it calls into question the validity of bodies like MHAC if our ability to serve as heritage advisors will be severely dampened.”

- Committee members communicated support for adaptive reuse of heritage properties for housing purposes and wish to convey to the MCM that housing goals can be achieved while also conserving heritage value, providing additional units to assist in meeting housing targets.