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To: Heritage Branch, Citizenship, Inclusion and Heritage Division,

Ministry of Citizenship & Multiculturalism

From: The Oakville Lakeside Residents Association (OLRA), Heritage Committee

Date: November 24, 2022

**Dear Sirs/Mesdames:**

On October 25, 2022, Bill 23 was introduced in the Ontario Legislature. If passed, it will make a number of very consequential changes to numerous planning and development statutes, including the *Planning Act*, the *Heritage Act*, the *Development Charges Act, 1997,* the *Municipal Act*, and the *Conservation Authorities Act*.

Our Association is opposed to the changes currently proposed in Bill 23 as we believe it will substantially reduce our ability to protect and preserve our important cultural, natural and built forms of heritage.

Within the boundaries of the Oakville Lakeside Residents Association there are two heritage conservation districts. One of them, the Old Oakville Heritage Conservation District is one of the oldest in Ontario and is recognized by residents and visitors alike for its unique characteristics as a cultural heritage landscape and desirable tourism destination. The OLRA Heritage Working Group is at present collaborating with the Town of Oakville, in compliance with Ontario Heritage Act requirements, on a refresh of the Old Oakville Heritage District Plan. Therefore, as custodians for this important heritage area, we have an active interest in the preservation and protection of the Town’s heritage resources and living history.

**Heritage matters for a number of reasons:**

* **Economic Impact**

As Cultural Heritage tourism destinations, Heritage Conservation Districts, heritage properties and cultural heritage landscapes attract domestic and international visitors to and within the Province. Ontario’s “Doors Open” Program is just one example of a successful cultural tourism attraction that leverages our province’s heritage resources. The tourism economic multiplier effect makes a positive contribution to Ontario’s overall economy. Restaurants, galleries, theatres, small businesses such as antique stores, bakeries, clothing, artisans, just to name a few, spring up around and in these heritage districts such as, Niagara on the Lake, Oakville’s Historic Downtown and its Old Oakville HCD, Unionville Downtown, Dundas, Port Hope, Kingston and many others.

* **Environmental Impact**

From an environmental impact perspective, it actually turns out that one of the most effective ways to mitigate greenhouse gas emissions is to reuse existing buildings and not build new buildings, even “super green” new buildings. According to the National Trust of Canada, the carbon it takes for “new builds” is rarely offset by the operational efficiency of existing infrastructure. Therefore, maintaining and reusing an old building is one of the best climate strategies that the province can adopt.

* **Our Connection to Our Past & Future Legacy;**

The preservation of heritage districts, properties and cultural heritage landscapes is our legacy gift to future generations of Ontarians. And as a living history, it provides the opportunity for people to live and experience our history and foster cross-cultural understanding. Heritage goes beyond the built form to include landscapes, streetscapes and the history and stories of the characters and events that have shaped our communities. According to UNESCO, heritage is “our legacy from the past, what we live with today and what we pass on to future generations”. Our cultural, natural and built heritage are irreplaceable and once lost due to bad planning, are lost forever.

**The Impact of Bill 23**

The Bill as it is presently written will significantly degrade the ability to protect heritage districts, individual heritage properties and cultural heritage landscapes. Some of the specifics that stand out include:

* Requiring communities to drop “listed” properties from their heritage registers if they are not designated in two years and requiring that the standard for designation be increased from one to two cultural heritage value criteria means that many potential important cultural heritage properties and landscapes could be dropped without appropriate consideration given the resource requirements associated with designation; and the complexities associated with criteria
* The new “as of right” ability for any residential property to have up to three units together with the removal of site plan assessments for developments under 10 units and the removal of any architectural design element means that such developments in a Heritage District may not have to comply with heritage guidelines requiring being sympathetic to the existing heritage property and the surrounding neighbourhood
* The elimination of third party appeals to the Ontario Land Tribunal by community organizations and residents – only developers and municipalities will have that right. This removes the rights of taxpayers to raise their voice on issues of importance to the local area
* The ability of the Lieutenant Governor in Council to override the requirements of the Heritage Act if it is of the opinion that one of the government’s priorities for transit, housing, health and long-term care, other infrastructure or other priorities needs to be advanced. This is a very significant power which could easily be used to advance an agenda that is antithetical to heritage conservation. Even designated properties, districts, and historic downtowns of small-town Ontario are in potential danger.
* By making it more difficult through the enactment of Bill 23, to achieve or retain Heritage Conservation District Designations, is in effect trading our history for the profit of developers without solving for the real issues of housing supply and affordability.

**In Summary**

**We believe that more time is required to truly consult with stakeholders to properly address the goals and challenges the Province faces regarding affordable housing. It is critical that this be done in a manner that doesn’t negatively impact our cultural, natural and built form heritage. For the above reasons, we are opposed to the proposed changes in Bill 23.**

**Heritage matters!**

Respectfully submitted,

The Ontario Lakeside Residents Association,

per Catherine Hurley, Board Director

& Chair, Heritage Committee