

May 10, 2024

The Ontario Association of Heritage Professionals (OAHP) in partnership with its parent organization, the Canadian Association of Heritage Professionals (CAHP), respectfully submits the following comments related to the proposed changes to the *Proposed Planning Act, City of Toronto Act, 2006, and Municipal Act, 2001 Changes (Schedules 4, 9, and 12 of Bill 185 - the proposed Bill 185, Cutting Red Tape to Build More Homes Act, 2024)*.

Our organization represents more than 400 heritage professionals living and working in the province of Ontario, the majority of whom are actively involved in countless development and revitalization projects in both the public and private sectors.

We continue to reiterate that it is commendable to streamline and remove unnecessary bureaucracy to provide more affordable housing, but we urge the Province to ensure the path forward to addressing the housing crisis is not at the expense of built heritage resources, cultural heritage landscapes, and archaeological resources. While cultural heritage is often positioned as a barrier to development, the reality is that an effective and efficient heritage program can assist with the management of change. We recognize that heritage must have a function or role in the life of the community to be effective, and there are creative and innovative solutions that can address both heritage and other provincial interests.

We also reiterate that OAHP members are willing to provide their expertise and further insight by participating in stakeholder consultation, working groups or advisory bodies. We also would be pleased to assist with identifying potential barriers and issues with proposed legislation and regulations from a practical, solutions-based approach.

While the proposed changes to the *Planning Act* as outlined in *Bill 185* do not explicitly name cultural heritage resources, there are several proposed changes that will have implications for the

conservation of cultural heritage resources in the Province. OAHF has reviewed the proposed changes and provides the comments and suggestions below.

1. Loss of Regional Planning Authority

OAHF is concerned with the loss of Regional Planning Authorities. Regions play a key role in the identification of cultural heritage resources at a broader, regional level. For instance, the Heritage Planning Advisory Committee (HPAC) and cultural heritage planning staff at the Region of Waterloo have been key in inventorying known cultural heritage resources and providing educational tools and policy support/guidance to local area municipalities. Further, they have played a key role in liaising with area municipal and regional staff across various disciplines to inventory known bridges, public buildings, and scenic roads of cultural heritage value. Subsequently, they have assisted with integrating these resources into transportation and/or infrastructure upgrades either through documentation and commemoration or the inclusive development of engineering solutions to retain the bridges, structures, and roadways. This regional participation in the planning process has resulted in the retention of the Region of Waterloo's unique sense of place while addressing innovative solutions to transportation and infrastructure requirements.

2. Appeals to the Ontario Land Tribunal

OAHF echoes the sentiments of the Architectural Conservancy of Ontario that local involvement in development planning is essential. Citizens need a voice in ensuring proposed housing developments do not unintentionally threaten their cultural values.

3. Removal of Requirements for Pre-Consultation

OAHF is concerned about the removal of the requirement for pre-consultation. This change appears to add uncertainty to the process. Heritage and archaeological requirements (i.e., requirements of the *Ontario Heritage Act*) are flagged at this point in the process. There is a risk for developers/applicants who may be unaware of their obligation under the *Ontario Heritage Act* to proceed with an application without considering cultural heritage resources and

completing studies necessary to assist in their identification and/or conservation. The application may then be deemed incomplete, and the developer/applicant would be required to not only complete the relevant cultural heritage and archaeological studies, but also amend other portions of the application to reflect the findings of these studies, in effect slowing down the development process.

4. Universities Exempt from the Planning Act

It is unclear how archaeological and heritage obligations would be triggered on university properties if they are exempt from the *Planning Act*. Many archaeological sites are known to exist on university campuses, and many contain cultural heritage resources protected under the *Ontario Heritage Act*. Exempting universities from following the *Planning Act* may lead to these resources being impacted by development projects.

Thank you for the opportunity to provide our input.



Kayla Jonas Galvin, MA, RPP, MCIP, CAHP
President
Ontario Association of Heritage Professionals



Andrew Waldron, CAHP
Executive Director
Canadian Association of Heritage Professionals