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## City Council

### Motion without Notice

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| MM28.30 | ACTION |  |  | Ward: All |
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**Responding to Bill 108, Schedule 11 before proclamation of the Regulations by the Province of Ontario - by Councillor Mike Layton, seconded by Councillor Kristyn Wong-Tam**

*\* This Motion has been deemed urgent by the Chair.*

*\* This Motion is not subject to a vote to waive referral. This Motion has been added to the agenda and is before Council for debate.*

### Recommendations

Councillor Mike Layton, seconded by Councillor Kristyn Wong-Tam, recommends that:

1. City Council direct the Chief Planner and Executive Director, City Planning, to write to the Province of Ontario, requesting:
  - a. clarity of its plans in relation to the filing of the regulation required for implementation of Schedule 11 of the Ontario Heritage Act;
  - b. public consultation regarding the proposed Regulation; and
  - c. the revised Heritage Toolkit be made public before the Regulation is filed.

### Summary

Bill 108 was given Royal Assent in June 2019 but Schedule 11 has not been proclaimed. Neither have the Regulations required by Bill 108 been issued. Proclamation of the Act and filing of the Regulations were expected on January 1 2021, however this did not happen, and there has been no explanation provided by the Government and no announcement as to any revised schedule.

The proposed legislation will have significant impacts to the City relating to heritage conservation (identification, notification, application processes, timelines

and protection). Most importantly, it will remove Council's final authority for Part IV designations.

Staff have reported to Toronto Preservation Board on the delay in the implementation of the Ontario Heritage Act legislation and also the failure to issue an update of the Heritage Toolkit, which was required to assist staff in dealing with the administration of the changes. During the Toronto Preservation Board discussion it was noted that the changes would have a serious impact on City Planning's Heritage Planning section.

It is important that City Council intervene as soon as possible and before Schedule 11 has been proclaimed to ensure City Planning have the tools available to them to continue to protect our heritage properties.

### **Background Information (City Council)**

Member Motion MM28.30

(January 29, 2021) Transmittal from the Toronto Preservation Board on Update on the Implications for the City of Toronto of the Province's delay in Implementing Bill 108

(<http://www.toronto.ca/legdocs/mmis/2021/mm/bgrd/backgroundfile-163328.pdf>)