

## North York Community Preservation Panel

June 19, 2019

Committee Clerk  
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### RE: **PB7.9 City-wide Heritage Survey Feasibility Study**

Dear Vice-Chair and Members, Toronto Preservation Board,

The North York Community Preservation Panel (NYCPP) is in strong support of the proposed Study. The Panel has participated in previous consultations leading up to this final report and congratulates staff on the proposal. A comprehensive survey for candidate heritage properties that deserve to be listed, but not yet designated, is long overdue, and is a tried-and-true method for identifying properties of cultural heritage interest.

The delay in reporting on and establishing a comprehensive survey for the City of Toronto is lamentable. The Ontario Heritage Act amendments in 2005 provided that a municipality merely had to provide in the Register "a description of the property that is sufficient to readily ascertain the property." If Toronto had used the 2005 legislation innumerable properties would have received immediate temporary protection against demolition. Instead, Toronto chose to keep on listing, but only after conducting exhaustive research and analysis. Today we have a backlog of some 300 outstanding nominations for listing.

Unfortunately the situation has changed significantly for the worse since June 6 2019 when the Ontario government passed third reading of amendments to the Ontario Heritage Act. The Ontario government is making it much more difficult for municipalities to list properties. When the Act is proclaimed the listing process will be entirely different from the present process. Rather than providing "a description of the property that is sufficient to readily ascertain the property", municipalities will be obliged to give notice to the property owner, and the property owner can appeal the listing, just like the old rules for appealing a Notice of Intention to Designate. The listing

notice must include, in addition to “a description of the property that is sufficient to readily ascertain the property,” “a statement explaining why the council of the municipality believes the property to be of cultural heritage value or interest.” So, we can expect that property owners, especially the well-heeled will contest this new requirement.

The backlog of 300 nominations for listing is really a separate problem from the proposed comprehensive survey. We suggest that the backlog be addressed as a matter of urgency and before the comprehensive survey is up and running. All listings can be appealed once the amendments to the Act are proclaimed, but the existing legislation remains in force until the amended Act is proclaimed.

As such, we strongly recommend:

- **That the City expedite review and processing of the 300 nominated properties, plus the candidate “block listings” identified in Cultural Heritage Resource Assessments (CHRA), such as Laird in Focus, and report to Toronto Preservation Board, and City Council by the fourth quarter of 2019.**

Respectfully submitted,

*Geoff Kettel*

Geoff Kettel  
Chair

c.c. Gregg Lintern  
Mary MacDonald  
Anson-Cartwright  
Gary Miedema