



PB18.1

Proposed New Ontario Heritage Act Regulations

Bill 108: Section 11, Ontario Heritage Act

- **NEW** “Heritage Principles” for Council to consider, prescribed by regulation
- **NEW** 90-day designation prohibition after a “prescribed event” as defined by the regulations and subject to exceptions also contained in the regulations
- **NEW** definition of alteration
- **NEW** permission required for demolition of heritage attributes, with appeals heard by the LPAT
- **NEW** mandatory complete application process for certain application types

LPAT to hear appeals in matters of designation, demolition and alteration

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Timing

- Draft regulations have been posted for comment and are under review
- Anticipate amendments and regulations will come into force January 1, 2021

Getting ready.....

Bill 108: Section 11, Ontario Heritage Act

Changes to the Municipal Code approved by City Council, October 27

- Stand-alone individual Part IV designation reports routed through Planning and Housing Committee
- Chief Planner granted authority to report directly to Council when urgent on Ontario Heritage Act matters
- Chief Planner or designate delegated authority to agree to time extensions and to execute Heritage Easement Agreements
- New application types and requirements

Review of Proposed New Ontario Heritage Act Regulations

Heritage Principles:

...the following are the principles that a council of a municipality shall consider when the council exercises a decision-making authority under a provision set out in subsection (1) or (2):

1. Property that is determined to be of cultural heritage value or interest should be protected and conserved for all generations.
2. Decisions affecting the cultural heritage value or interest of a property or heritage conservation district should,
 - i. minimize adverse impacts to the cultural heritage value or interest of the property or district,
 - ii. be based on research, appropriate studies and documentary evidence, and
 - iii. demonstrate openness and transparency by considering the views of all interested persons and communities.

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Heritage Principles continued:

3. Conservation of properties of cultural heritage value or interest should be achieved through identification, protection and wise management, including adaptive reuse where appropriate.

For the purpose of this section,

“adaptive reuse” means the alteration of a property of cultural heritage value or interest to fit new uses or circumstances while retaining the heritage attributes of the property.

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Draft Regulations:

The Regulations also include:

- Definition of the prescribed event
Complete application for OPA, Rezoning, Plan of Subdivision
- Exceptions to the prescribed event
Mutual extension, emergencies, insufficient time to consult, new information
- Information and Material
Minimum application requirements
- Transition

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Next Steps:

- City comment on the Regulations
- Development of application forms and related heritage planning and IBMS/Toronto Building/Clerks/Community Planning and Legal processes
- Update Heritage Impact Assessment (HIA) Terms of Reference
- New Terms of Reference: Cultural Heritage Evaluation Report (CHER)
- Review options for fees
- Review existing applications not subject to transition clauses
- City Planning, City Clerk and City Legal Bill 108 implementation team to advance all technical and legal requirements