

Implementation of Ontario Heritage Act Amendments, as of July 1, 2021

Part IV designations

Planning and Housing Committee

September 21, 2021



Bill 108

In June 2019, the More Homes, More Choice Act, 2019 (Bill 108) received Royal Assent. Schedule 11 of this Act included amendments to the Ontario Heritage Act (OHA).

The Bill 108 Amendments to the OHA came into force on July 1, 2021, which included a shift in Part IV designations related to certain Planning Act applications.

Section 29(1.2) of the OHA now restricts City Council's ability to give notice of its intention to designate a property under the OHA to within 90 days after the City Clerk gives notice of a complete application (the “prescribed event”).

Prescribed Event: What is it?

- Affects the timing of Council's ability to designate under the OHA, where a property is subject to an Official Plan Amendment, Zoning By-law Amendment or a Plan of Subdivision
- Council must state its Intention to Designate within 90 days of the Clerk giving notice that **a planning application is complete**
- If the City does not designate within this time Council loses the opportunity to do so for the duration of an application
- Council must consult with the Toronto Preservation Board, state its Intention to Designate, and serve notice of its intent all prior to the 90 day period expiring

Other Designation Amendment Highlights

New two-part objection and appeal process

Appeals heard by the Ontario Land Tribunal



Implementation

Stand-alone Part IV designation reports routed through Planning and Housing Committee to streamline and consolidate committee path to Council and to confirm the City-wide significance of designated heritage properties (all other heritage reports remain on the Community Council agendas)

Objection reports prepared for PHC following post-Council objection period expiry

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