



# Bill 23 – Proposed Amendments to the Ontario Heritage Act

# Agenda

- 1. Heritage Register – Section 27**
- 2. Designation – Section 29**
- 3. Heritage Conservation Districts**
- 4. Other Proposed Changes**
- 5. The City of Toronto's Heritage Register**

## Section 27

*(1.1) The clerk of the municipality shall ensure that the information included in the register is accessible to the public on the municipality's website.*

*(3b.) Where criteria for determining whether property is of cultural heritage value or interest have been prescribed for the purposes of this subsection, the property meets the prescribed criteria.*

- Criteria may be prescribed for listing

*(7), (13) Objection*

- All owners of listed properties would be able to file a notice of objection to having their property included on the City's Heritage Register

# Section 27

*(15), (16) Removal of non-designated property*

- Listed properties must be removed from the Register If Council does not give a notice of intention to designate the property on or before the second anniversary of the day the property was included in the register.
- *Properties included on the Register as of the day before the More Homes Built Faster Act, 2022 comes into force must be removed from the Register If Council does not give a notice of intention to designate on or before the second anniversary of the Act coming into force.*

*(17) Consultation not required*

- Consultation with the Toronto Preservation Board is not required if a property is removed from the Register because the two year time period has elapsed.

## Section 27

*(18 )Prohibition re including property in register, subss.*

- Properties removed from the Register under subsections 14 – 16 may not be listed again for a period of five years.

# Section 27

## Key Points:

- The Register must be accessible on the City's website
- The Lieutenant Governor in Council may prescribe a criteria for listed properties
- Any property owner may file a notice of objection to having their property included in the Register
- Listed properties must be removed from the Register after two years (TPB consultation is not required), including provincially-owned properties (which cannot be designated)
- Properties removed from the Register under subsections 14 -16 of the Act may not be listed on the Register again for a period of five years.

# Section 29

## *(1.2) Limitation*

- If a property is subject to a prescribed event Council may not give notice of intention to designate the property if it has not already been listed.

# Section 29

## Key Points:

- Properties subject to a prescribed event cannot be designated unless they are already listed on the Register before the prescribed event occurs



# Section 41 and 41.1

*41 (1) The council of the municipality may, by by-law, designate the municipality or any defined area or areas of it as a heritage conservation district if,*

*(b) where criteria for determining whether a municipality or an area of a municipality is of cultural heritage value or interest have been prescribed, the municipality or any defined area or areas of the municipality meets the prescribed criteria.*

## *41.(5.1) Content of Plan*

*Where criteria have been prescribed for the purposes of clause 41 (1) (b), the statement referred to in clause (5) (b) of this section must explain how the heritage conservation district meets the prescribed criteria*

## Section 41 and 41.1

*41(10.2) If the council of a municipality wishes to amend a by-law made under this section, the council of a municipality shall do so in accordance with such process as may be prescribed, which may require the municipality to adopt a heritage conservation district plan for the relevant district.*

*41(10.3) If the council of a municipality wishes to repeal a by-law made under this section, the council of a municipality shall do so in accordance with such process as may be prescribed.*

*41.1(13) If the council of a municipality wishes to amend a by-law passed under subsection (2), the council of a municipality shall do so in accordance with such process as may be prescribed.*

*41.1 (14) If the council of a municipality repeals a by-law passed under subsection (2), the council of a municipality shall do so in accordance with such process as may be prescribed.*

# Section 41 and 41.1

## Key Points

- Criteria may be prescribed for Heritage Conservation Districts and a plan must meet this criteria
- The Act will allow for the amendment of a Heritage Conservation District by-law and Heritage Conservation District Plan
- The Act will allow for the repeal of a Heritage Conservation District by-law and Heritage Conservation District Plan
- The repeal process is NOT specified in the legislation but will likely be set out in the regulations

# Other Proposed Changes

## *(3.1) Minister's review of determination*

- *Minister can review determination of whether a property has cultural heritage value of interest for provincially owned properties or provincially occupied properties.*

# Other Proposed Changes

## *(7) Exemption re compliance*

*The Lieutenant Governor in Council may, by order, provide that the Crown in right of Ontario or a ministry or prescribed public body is not required to comply with some or all of the heritage standards and guidelines approved under this section in respect of a particular property, if the Lieutenant Governor in Council is of the opinion that such exemption could potentially advance one or more of the following provincial priorities:*

- 1. Transit.*
- 2. Housing.*
- 3. Health and Long-Term Care.*
- 4. Other infrastructure.*
- 5. Such other priorities as may be prescribed.*

# Other Proposed Changes

## Key Points:

- The minister can review whether provincially owned or occupied properties have heritage value
- Heritage standards and guidelines may not apply if an exemption by order for a specific property may advance on or more of the following provincial priorities:
  1. Transit
  2. Housing
  3. Health and Long-Term Care
  4. Other infrastructure
  5. Such other priorities as may be prescribed

# The History of the City's Heritage Register

- The City of Toronto began its Inventory of Heritage Properties (today the Heritage Register) in 1972, to give guidance and authority to municipalities seeking to conserve their pasts
- The first list was adopted by Council on June 20, 1973. Additional list followed as the Toronto Historical Board surveyed more of the former City of Toronto.





# The History of the City's Heritage Register

- **310** properties that are listed on the Register today were added in 1973
- **876** of the properties listed on the Register today were added before the end of 1976



93 Power St - Listed June 20, 1973 [ACO Toronto](#).  
Bob Krawczyk.



Wheat Sheaf Tavern, c. 1849. Listed June 20, 1973. Bob Krawczyk, [ACO Toronto](#).



# The History of the City's Heritage Register

At amalgamation, the heritage registers of the former municipalities were consolidated into the City's Heritage Register. The following number of properties that were added remain listed today:

- East York: **22**
- Etobicoke: **221**
- North York: **76**
- Scarborough: **82**
- Toronto: **1190**
- York: **10**



5 Eireann Quay; Canada Malting Co, 1928 - Listed June 20, 1973, [ACO Toronto](#). Bob Krawczyk.

# The Heritage Register Today

As of November 7, 2022 the City of Toronto's Heritage Register includes 11009 properties:

- Listed **3973**
- Part IV **1403**
- Part V **5608**
- Intention **25**

**If not designated within 2 years, 3973 properties will be required to be removed.**



32 Jason Road, pre- 1830 - Listed Sept. 27, 2006

# The Heritage Register Today

The **3973** properties listed in the Register are found across the city:

- Toronto and East York: **3313**
- Etobicoke York: **84**
- North York: **329**
- Scarborough: **247**



190 Exbury Rd 1968-70 - Listed Jan. 27, 28, 29, 2004  
[ACO Toronto](#). Bob Krawczyk.



# The Heritage Register Today



651 Fleet St, 1861-  
Listed June 20, 1973



1904 Queen St E, 1905 - Listed June 20,  
1973 [ACO Toronto](#). Bob Krawczyk.



Parkway Plaza Grocery Store, 1958.  
Listed Jan. 28, 2009. Chen Shaowei, [ACO Toronto](#).



41 Weybourne Cres, 1956 - Listed Oct 17, 1983  
[Toronto Public Library](#)

---

Proposed Amendments to the Ontario Heritage Act

# Questions/Discussion



University College, 1856. Listed June 20, 1973. Bob Krawczyk, [ACO Toronto](#).