

July 31, 2024

The Heritage Advisory Committee for the Municipality of South Huron wishes to thank South Huron Council for their support of resolution 128-2024 of March 18, responding to the Town of Coburg's request of February 28 for support regarding a proposed amendment to subsection 27(16) of the Ontario Heritage Act.

In addition to the concerns South Huron council supported in resolution 128-2024, our committee would like to add that we have additional concerns about amendments to the Ontario Heritage Act implemented by Bill 23 that have direct impact on our local community and - more broadly - the Province of Ontario.

Specifically, subsection 29 (1.2) of the Heritage Act traditionally provided that if a prescribed event occurs, a notice of intention to designate a property must be given within 90 days of the prescribed event. These prescribed events include the submission of development applications under the Planning Act, for example. However, with changes from Bill 23, this subsection is re-enacted to also provide that the municipality may only give a notice of intention to designate the property within 90 days if the property was already included in the register under subsection 27 (3) as of the date of the prescribed event.

This raises significant concerns for our committee. Specifically, we are troubled by the proposed amendments that would limit the authority of municipal councils to designate properties that are not already listed on a municipal register. In South Huron, like many other municipalities around Ontario, there are countless significant structures that are not yet listed under subsection 27 (3), and these changes significantly limit efforts of council to react to proposed demolitions of significant heritage properties in our municipality after planning applications are made.

We believe that these changes have the potential to undermine the effectiveness of heritage preservation efforts in our community and across the province. By weakening the protections afforded to heritage properties and reducing the ability of municipalities to designate and safeguard significant sites, we risk irreparable loss to our built and cultural heritage.

We urge council to carefully consider the implications of the changes to the Ontario Heritage Act under Bill 23 and to advocate for amendments that strengthen rather than weaken heritage preservation efforts. Specifically, we would ask that the province re-establish the 90 day period that had previously been a part of the Ontario Heritage Act for all properties, not just those already listed in the register under subsection 27 (3).

We ask that you pass a resolution to add our specific concerns to those you have already supported, and communicate these to the Province of Ontario. We also ask that you circulate this letter and seek the support of other municipalities.

Thank you for your attention to this important matter, and we look forward to our continued work together.

Sincerely,

South Huron Heritage Advisory Committee

Sample Resolution:

Whereas prior to Royal Assent of the More Homes Built Faster Act, 2022 Subsection 29(1.2) of the Ontario Heritage Act provided Council of a Municipality the opportunity to give a notice of intention to designate a property within 90 days of a prescribed event; and

Whereas the More Homes Built Faster Act, 2022 amended Subsection 29(1.2) of the Ontario Heritage Act to provide that Council may give notice of intention to designate a property only if the property is listed in the register under subsection 27 (3), or a predecessor of that subsection, as of the date of the prescribed event;

Whereas the Heritage Advisory Committee has noted concerns regarding this amendment limiting the authority of municipal councils to designate properties with the potential to undermine the effectiveness of heritage preservation efforts across the province; and

Whereas the Heritage Advisory Committee has provided correspondence, attached hereto, to South Huron Council in relation to the concerns requesting Council support and to communicate these concerns to the Province and forward a copy of this motion to the Association of Municipalities of Ontario, Municipal Councils across the province, and Provincial MPP.

Now therefore be it resolved that the Corporation for the Municipality of South Huron request the Province reconsider the amendment to Subsection 29(1.2) of the Ontario Heritage Act; and that this motion and attached correspondence be forwarded to the Premier of Ontario, Minister of Municipal Affairs and Housing, Minister of Citizenship and Multiculturalism, Association of Municipalities of Ontario, Municipal Councils across the province and MPP Thompson.