

Housing Supply Action Plan: What Bill 108 and Changes to the Growth Plan Mean to You

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Bill 108: Amendments to the *Ontario Heritage Act*

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New or Expanded Rights of Appeal to LPAT

- Proposed new heritage designation by-law or substantive amendment to existing heritage designation by-law
- Application to repeal a heritage designation by-law
- Application to alter a designated property that is likely to affect the property's heritage attributes
- Demolition or removal of any of the property's heritage attributes

New Deadlines for Municipal Actions

- Confirmation of “complete application” for alteration or demolition / removal – 60 days
- Issuance of a notice of intention to designate after a “prescribed event” – 90 days
- Passage of heritage designation by-law after issuance of a notice of intention to designate – 120 days

Listing on the Heritage Register

- Municipality to notify the property owner and provide an explanation within 30 days of listing a non-designated property
- Right of property owner to object to the listing and council to reconsider its decision – but no right of appeal
- Owner of property listed on heritage register to give minimum 60 days' notice prior to demolition or removal of a building or structure

Provincial Direction to Municipalities

- Municipal councils to consider “prescribed principles” when exercising a decision-making authority under a prescribed provision of Part IV or Part V
- Heritage designation by-laws must comply with any prescribed requirements, including in relation to the statement of cultural heritage value or interest and a description of heritage attributes
- Enhanced Ministry guidance regarding cultural heritage landscapes (not part of Bill 108)

Miscellaneous Amendments

- Clarification that “alteration” does not include “demolition or removal” for certain provisions
- Clarification that consent of council is required to demolish/remove a building or structure from a designated property, whether or not such demolition/removal would affect the property’s heritage attributes
- “Complete application” requirements for alteration or demolition / removal applications may be established by regulation and may be set out in a municipal by-law or other prescribed instrument

Next Steps

- *Ontario Heritage Act* amendments will not come into force until a date to be proclaimed
- Ministry will be preparing a series of regulations to implement the amendments, including transitional matters
- Ministry has confirmed that regulations will be issued in draft form and subject to public review and comment, together with stakeholder meetings

Thank You!

Questions?

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