

Comments on Proposed Regulation under the Ontario Heritage Act (Bill 108)

Introduction

This submission represents the Town of Halton Hills' review and response to the Proposed Regulation under the Ontario Heritage Act (Bill 108). The proposed changes were placed on the Environmental Registry of Ontario as a Policy Proposal Notice (ER Number: 019-1348) on September 21, 2020 with a comment period ending November 5, 2020. The Town of Halton Hills welcomes this opportunity to have its voice heard by responding to the draft regulation.

Comments

1. Principles that a municipal council shall consider when making decisions under specific parts of the OHA.

Town staff are supportive of the proposed principles to guide municipal decision-making under the *Ontario Heritage Act*. The proposed principles are in line with the Town's Official Plan policy.

2. Mandatory content for designation by-laws.

Town staff are supportive of the proposed mandatory content for designation by-laws as the requirements are in line with existing practice within the municipality.

3. Events which would trigger the new 90-day timeline for issuing a Notice of Intention to Designate (NOID) and exceptions to when the timeline would apply.

Town staff are generally supportive of the proposed events which would trigger the new 90-day timeline for issuing a Notice of Intention to Designate (NOID) and exceptions to when the timeline would apply. However, further clarification is needed in regards to other events that are not identified, including a site plan application or Committee of Adjustment application, and whether this 90-day timeline would apply with those applications.

Additionally, further clarification is needed regarding the expiration of a timeline following the closure of a planning application. As written, a municipality would be able to issue a Notice of Intention to Designate a property following the completion and closure of an application for Official Plan Amendment, Zoning By-law Amendment, and Plans of Subdivision. Can a municipality identify within the 90 day timeline that they will issue a NOID following planning approvals, effectively after that timeline?

4. Exceptions to the new 120-day timeline to pass a designation by-law after a notice of intention to designate has been issued.

Town staff are supportive of the proposed timeline for designation by-laws to be passed within 120 days of issuing a NOID, as exceptions include mutual agreement, emergency situations, or new and relevant information.

5. Minimum requirements for complete applications for alteration or demolition of heritage properties.

Town staff are supportive of the proposed minimum requirements for complete application for alteration or demolition of heritage properties.

6. Steps that must be taken when council has consented to the demolition or removal of a building or structure, or a heritage attribute.

Town staff are supportive of the proposed steps following Council's consent to a demolition or removal of a building, structure, or heritage attribute within a designated property. This amendment will allow for demolition of individual elements within a property without the requirement to repeal the designation by-law thereby ensuring a property's long-term conservation under the *Ontario Heritage Act* while allowing change.

7. Information and material to be provided to Local Planning Appeal Tribunal (LPAT) when there is an appeal of a municipal decision to help ensure that it has all relevant information necessary to make an appropriate decision.

Town staff have no concerns with the identified information and material to be provided to the LPAT in the event of an appeal.

8. Housekeeping amendments related to amending a designation by-law and an owner's reapplication for the repeal of a designation by-law.

Town staff have no concerns with the housekeeping amendments related to the amending of a designation by-law and by-law repeal.

9. Transition provisions.

Town staff have no concerns with the proposed transition provisions for matters underway prior to the proclamation of the amended *Ontario Heritage Act* and related Regulation.