

October 21, 2019

Re: Proposed changes to the Provincial Policy Statement

**ERO number**

019-0279

**Notice type**

Policy

**Act**

Planning Act, R.S.O. 1990

**Posted by**

Ministry of Municipal Affairs and Housing

The Ministry has posted the proposed changes and asked that the following questions be considered:

Do the proposed policies effectively support goals related to increasing housing supply, creating and maintaining jobs, and red tape reduction while continuing to protect the environment, farmland, and public health and safety?

Do the proposed policies strike the right balance? Why or why not?

How do these policies take into consideration the views of Ontario communities?

Are there any other policy changes that are needed to support key priorities for housing, job creation, and streamlining of development approvals?

Are there other tools that are needed to help implement the proposed policies?

Ontario Association of Heritage Professionals (OAHP) Response to changes to the Provincial Policy Statement.

**Introduction**

The Ontario Association of Heritage Professionals (OAHP) is the Ontario chapter of the Canadian Association of Heritage Professionals (CAHP). OAHP represents over 500 professional members in the fields of land use planning, architecture, conservation, trades, landscape architecture, history, engineering and archaeology. OAHP members work in the private, public and not-for-profit sectors. OAHP's private sector professionals work for municipalities, provincial ministries and agencies, developers and private property owners. Many of our members also work as trainers and educators at post-secondary institutions. On a daily basis, OAHP members work on the identification and conservation of properties of local, provincial and national significance.

CAHP has defined a Heritage Professional as, "a person who has specialized knowledge in the conservation and stewardship of cultural heritage and is supported by formal training and/or work experience. The Professional conforms to accepted technical and ethical standards and works in accordance with the regulations and guidelines of their specialty heritage fields and jurisdictions of practice." CAHP members follow a code of conduct and ethics established by the Association to ensure the interests of our clients and the public are served during the course of our work.

As the proposed amendments extend and entrench the effects of the changes to the Ontario Heritage Act (Bill 108) and substantially alter the course of heritage conservation in Ontario and in the absence of supporting documents such as regulations and guidelines, OAHF requests that the commenting period be extended to allow for consultation with a wider span of stakeholders and with the intent of seeking consensus on the desired outcomes of the proposed amendments.

With respect to the five questions asked by the Ministry:

Do the proposed policies effectively support goals related to increasing housing supply, creating and maintaining jobs, and red tape reduction while continuing to protect the environment, farmland, and public health and safety?

The absence of cultural heritage assets and values from the foregoing list of items to be protected is disturbing. These are among the most important aspects of any community and are crucial to the existence of vibrant, engaging communities in which a wide range of residents and visitors participate in and enjoy a, well-rounded environment. The most cherished, most visited, and most desirable locations on earth all have a very strong, visible, and integrated component of cultural heritage assets. Removing the protection of the assets to enable fast-tracking of redevelopment is short-sighted and in no one's best interest.

Do the proposed policies strike the right balance? Why or why not?

The perception that consideration for and protection of cultural heritage assets represents an insurmountable or at least unreasonable impediment to development is a position that is promulgated by those looking for short term gain at the expense of our future communities. No place is a museum and change is a constant, but the change must be measured and considered and must not destroy the best of what we have now in the rush to build new. Balance by definition means consisting of parts of equal weight and value on opposing sides of a fulcrum. Balance requires the broadest consideration of all aspects of proposed development, not single-minded striving for a narrow vision and goal.

How do these policies take into consideration the views of Ontario communities?

The policies consider the views of communities from a restricted perspective. The focus is almost entirely on facilitating development, to the detriment of many other considerations. Of the five stated goals, only one gives even a nod to preserving the best of what we have and using it to enhance what we can achieve. Even the single goal that aims to protect and preserve is aimed at the nebulous concepts of "the environment and public safety". This is a motherhood statement that one cannot argue with but it is woefully lacking in protection for so many important elements of our existing communities. The emphasis is squarely on easing the ability to build what one wants where one wants at the lowest cost for the greatest profit. The goals as stated are:

Encourage the development of an increased mix and supply of housing

Protect the environment and public safety

Reduce barriers and costs for development and provide greater predictability

Support rural, northern and Indigenous communities

Support the economy and job creation

Are there any other policy changes that are needed to support key priorities for housing, job creation, and streamlining of development approvals?

It seems that there ought to be additional key priorities rather than more emphasis on achieving only these three priorities.

Are there other tools that are needed to help implement the proposed policies? The tools that are required have been deliberately eliminated. The growth of vibrant, livable, economically successful, and exciting communities is dependent upon preserving and enhancing the best of what we have while integrating it with the best of what we want for the future. Removing protection for some of our communities' most important assets builds a pathway to destruction of the very things that make developments successful in the long term.

Other concerns for our members include changes in definitions that have insidious effects:

- PPS,2014 definition was: *Significant* means in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people. New: *Significant* means in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes for determining cultural heritage value or interest are established by the Province under the authority of the Ontario Heritage Act. National and international criteria are established by the certifying bodies.
- In PPS 2104 the criteria for determining significance allowed for municipal approaches that achieve or exceed the same objective as the provincial criteria. This allowance has been removed for significant cultural heritage resources in the proposed changes. This could allow for changes to how significance is determined by either Ministerial direction or through regulation has the potential reduce the importance of a local community's ability to determine the "community value" of their cultural heritage resources.
- Definitions of Built Heritage Resources and Cultural Heritage Landscapes - The proposed changes to these definitions and the definition of significance emphasize cultural heritage resources that are already identified in some manner, through designation or registers. The definitions appear to exclude, or do not allow for, the identification of additional cultural heritage resource through the planning process. This is troublesome as recognized cultural heritage resources represent only a fraction of Ontario's history. The absence of formal recognition does not mean a property does not have cultural heritage value or interest, only that someone has not yet examined the property to determine if it may have cultural heritage value or interest, or formalized a determination that has been previously completed. This coupled with the proposed changes to the OHA which outlines a more onerous designation and listing process, puts heritage at risk.

Sincerely,



Mark Shoalts, P.Eng., CAHP

President, Ontario Association of Heritage Professionals