**Ontario Archaeological Society Statement on Bill 23 - The Proposed More Homes Built Faster Act**

Dear Members,

The Ontario Archaeological Society (OAS) recognizes that Ontario faces significant housing challenges. Availability and affordability of safe housing supply is a critical component of the ongoing vitality and versatility of **all** Ontario communities. Careful and thoughtful legislation may help alleviate the current challenges.

With this in mind, the OAS expresses significant concern that the [omnibus Bill 23](https://www.ontario.ca/page/more-homes-built-faster) has not undergone the sufficient consultation necessary to appreciate the scope and scale of the proposed changes. This bill was proposed in late October with less than 30 days available for comments. At the highly successful OAS Symposium in Hamilton/Burlington, there was much discussion among participants about Bill 23. The implications of this bill, while not explicitly discussing archaeology (which is problematic in itself), include many proposed changes that will nevertheless effect the management of archaeological sites and resources. For example, removing the planning policy and approval responsibilities from particular upper-tier municipalities may limit the applicability and effectiveness of archaeological management plans developed at these levels of government (e.g., Simcoe County). These plans typically streamline municipal decision making with respect to archaeology responsibilities and enable more predictable land use planning. There are also proposed changes to the Ontario Heritage Act, which directly affect archaeology.

**We note the limited mention (or omissions) of Indigenous,** **Black, Franco-Ontarian, and 2SLGBTQIA+ peoples** **in this proposed bill, as if these changes have no implications for them.** Ontario is comprised of the traditional territories of the First Nations, Métis, Inuit, and Non-status traditional land stewards (some of whom are OAS members, or are working together with members). Powers to exempt provincial properties from all or parts of the Standards and Guidelines for Conservation of Provincial Heritage Properties may also remove an important trigger for archaeological assessments on these properties. These same changes may also limit Indigenous and other stakeholder consultation with respect to new and existing provincial heritage properties, creating the need to develop parallel processes that would persist despite the non-application of the Conservation Standards and Guidelines.

It is also not clear if these are intended or unintended consequences of the proposed bill. If unintended, these examples reinforce the magnitude of the proposed changes, and the potential for making homes more difficult to build and the overall process slower. The changes proposed in Bill 23 must take care to avoid eliminating existing measures that promote responsible and efficient planning in cities, towns or in the Green Belt.

Given the scale of the proposed changes, **significant consultation** **is needed** with those individuals and groups who are most familiar with existing processes and the implications of the proposed changes. This includes Indigenous and other stakeholder communities, private and public planners, Crown agencies, conservation authorities, developers, and professional bodies. The fewer the participants from this wide array of rights holders and stakeholders who contribute meaningfully to these changes, the higher the probability of significant, far-reaching, and counter-productive unintended consequences.

If you have not done so already, we encourage you to submit comments on the Environmental Registry of Ontario (ERO) about all aspects of Bill 23. There is very limited time left with the deadline set at **11:59 pm EST on Thursday, November 24th**.

<https://ero.ontario.ca/notice/019-6162>

Here are comments from other heritage professionals about the complicated set of proposed changes within Bill 23:

Ontario Heritage Professionals:

<https://www.facebook.com/OntHeritagePro>

Architectural Conservancy Ontario:

<https://acontario.ca/show_news.php?nid=80&fbclid=IwAR0pJi0ktU5Bcnzbu_7P8b7VbFN5HZ7WHOdT4RprQTKRoe5kc_AIA9x6ONE>

Comments from these lawyers:

[https://gowlingwlg.com/en/insights-resources/articles/2022/bill-23-a-re-build-of-foundation-for-housing/](https://gowlingwlg.com/en/insights-resources/articles/2022/bill-23-a-re-build-of-foundation-for-housing)

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