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**Architectural Conservancy Ontario**

**Comments on Proposed Planning Act, City of Toronto Act, 2006, and Municipal Act, 2001 Changes (Schedules 4, 9, and 12 of Bill 185 - the proposed Bill 185, Cutting Red Tape to Build More Homes Act, 2024) ERO 019-8369**

Architectural Conservancy Ontario (ACO), Ontario's lead non-governmental organization on built heritage and cultural heritage places, is very concerned about four changes proposed in Bill 185.

1) Limit third party appeals  
Along with developers, planners, environmentalists and a host of Ontario citizens, ACO deplores the proposals to limit third-party appeals for official plans, official plan amendments, zoning by-laws, and zoning by-law amendments.

It is local citizens who are most aware of and best understand what is important about their community. Recognizing the importance of understanding and reflecting local values, since 1975 the province has wisely mandated that heritage conservation, preservation and protection be delivered by local municipalities. This is increasingly important, given the experience of recent years. Events like Black Lives Matter, Red Dress Day, the proclamation of National Day for Truth and Reconciliation, etc. show that ideas of what should be conserved, preserved and protected are constantly changing, and will vary from place to place as the composition of our communities changes.

So local involvement in development planning is essential. Citizens need a strong voice in ensuring that proposed housing and other projects do not unintentionally threaten other provincial policy goals. Citizens need the safety net of launching an Ontario Land Tribunal appeal should efforts to offer helpful advice to development proponents fail.

2) Limit ability of municipalities to require pre-application consultations

Pre-application consultations are essential for the early “heads up” identification of heritage resources. Despite the availability of information on heritage properties in most municipalities, citizens are often unaware of the need to consider the heritage aspects of the property they may wish to develop and what options are available to them. This means consultation with knowledgeable municipal staff is essential. The earlier applicants become aware of heritage concerns, the better and more likely it will be that applicants can make informed and profitable decisions while respecting the community’s heritage concerns.

3) Remove planning responsibilities from upper-tier municipalities

Abruptly removing upper-tier responsibility for cultural heritage planning creates a huge knowledge and guidance gap that in many cases lower-tier municipalities cannot possibly replace without additional funding and guidance from the province. The proposal makes no mention of such measures.

4) Exempt publicly-funded universities from the Planning Act and planning provisions of the City of Toronto Act, 2006 for university-led projects

Exempting universities from their communities’ land use planning policies and plans represents a flagrant breach of Ontario’s policy-led planning system. Further, most Ontario university grounds contain archaeological sites and cultural heritage resources (e.g. Lakehead University has eleven *known* archaeological sites, many universities have hosted archaeological field school digs on their grounds). Ontario’s Education Act states: "A strong public education system is the foundation of a prosperous, caring and civil society." Surely, respect for the culture and heritage of others is an important component of the caring and civil society we are trying to create in Ontario. Universities should be modelling good and respectful behaviour for all of us.

ACO acknowledges the housing crisis is real, but ACO wants to ensure that the new housing Ontario is creating will endure. We want housing and communities that last.

The government’s moves, reflected in the proposals above, to shut-out or short-cut the consideration and approval of complex housing projects will unfortunately result in poorer quality applications, poorer quality housing, and poorer quality communities across Ontario. Not only will democratic decision-making suffer; all of us who live in Ontario risk a poorer quality built environment.

**ACO therefore recommends that the proposed changes in 1) - 4) above be removed from Bill 185.**

ACO is the largest heritage advocacy organization in Ontario with 16 branches across the province. Our objective is to promote the identification, conservation and reuse of buildings, structures, districts and landscapes of cultural heritage significance. Under our Keep, Fix and Reuse slogan, we advocate for socially and environmentally sustainable solutions for Ontario’s older building stock.

Thank you for the opportunity to comment on this proposal.

May 10, 2024