

OAHP/CAHP Submission

Proposed Changes to the Ontario Heritage Act and its regulations: Bill 23 (Schedule 6) - the Proposed More Homes Built Faster Act, 2022

The Ontario Association of Heritage Professionals (OAHP) in partnership with its parent organization, the Canadian Association of Heritage Professionals (CAHP), respectfully submits the following comments related to the Proposed Changes to the *Ontario Heritage Act* and its regulations: *Bill 23 (Schedule 6) - the Proposed More Homes Built Faster Act, 2022*. Our organization represents more than 400 heritage professionals living and working in the province of Ontario, the majority of whom are actively involved in countless development and revitalization projects in both the public and private sectors.

OAHP is a Chapter of CAHP, a national professional organization that serves qualified heritage professionals in the public, private and not-for-profit sectors. CAHP establishes standards of practice, shares knowledge about heritage conservation, and supports the involvement of heritage professionals whenever places of heritage value are being identified, preserved, restored and rehabilitated. As part of its mandate, the organization also fosters and promotes public and legislative support for heritage conservation.

Our submission is based on input from our membership as these changes will have a direct impact on their work as heritage professionals. We have provided comments on the proposed changes to the *Ontario Heritage Act* in the attached table (see Attachment A).

As an organization, we welcome the Province's commitment to addressing the current housing crisis. We agree that affordable, inclusive and safe housing is a critical issue that must be addressed. However, evidence from across the province shows that heritage conservation

and housing development can be mutually beneficial. Reuse and adaptation of existing buildings and neighbourhoods, combined with well-designed and well-planned infill, can and will result in new homes for Ontarians.

Meeting the targets of the *Report of the Housing Affordability Task Force* will require creative solutions. It is imperative to include existing buildings in these discussions because of their role in sustainable, healthy, and resilient communities. According to the 2022 Report from the federal Net-Zero Advisory Board¹ over two thirds of existing houses in Canada will still exist in 2050. Further, building renovation is a significant component of the construction industry.² Our members contribute to this industry in a variety of ways including as tradespeople, engineers, architects, and planners. However, our members, with their unique understanding of the challenges and opportunities of working with older structures, have not been part of the dialogue to date. We are disappointed that the proposed amendments did not involve consultation with stakeholders, such as ourselves as we believe we can be part of the solution along with other key heritage stakeholders such as the Architectural Conservancy of Ontario and Community Heritage Ontario. Heritage conservation and building reuse must be part of the discussion when exploring how to create more housing.

We recognize that the existing heritage system needs review and revision. However, Bill 23 as proposed, introduces significant uncertainty. It will have unintended consequences and in our professional opinion, could result in greater delays and confusion. There is already a lack of skilled professionals in our field, and these changes will exacerbate this issue. The proposed amendments would mean that non-designated properties currently included on a municipal

¹ Net-Zero Advisory Body (2022) *The Net-Zero Advisory Body's Submission to the Government of Canada's 2030 Emissions Reduction Plan*. Canada. Available at: https://nzab2050.ca/publications/news_feed/submission-for-canada-s-2030-emissions-reduction-plan

² "According to CHBA's *Economic Impacts of Home Renovation and Repair*, there were 699 064 jobs, \$42.5 billion dollars in wages and \$81.6 billion dollars in investment generated through home renovation and repair in Canada in 2018 (CHBA, 2018). In comparison, the economic impacts related to new construction were lower. In 2018, new construction generated 566 472 jobs, \$34.4 billion dollars in wages and \$79.2 billion in investment value (CHBA, 2018). Any regulatory measure or non-regulatory instrument to facilitate the uptake of alterations to existing buildings may increase the economic potential of this industry provided that the regulatory measures are reasonable." Government of Canada (2020) *Final report - Alterations to existing buildings* Available at: <https://nrc.canada.ca/en/certifications-evaluations-standards/codes-canada/codes-canada-publications/final-report-alterations-existing-buildings>

register would have to be removed if council does not issue a notice of intention to designate (NOID) within two years of the amendments coming into force. It is not feasible to review all of these properties for designation within two years. To remove these properties from consideration of future developments is a waste of all the time and money that was spent reviewing and compiling these registers. With the proposed removal of planning responsibility from many regional and county governments, our field will see a further reduction in professional capacity as well as existing technical studies (such as archaeological management plans) that are critical to heritage management in this province. This uncertainty in the process is not good for homebuilders, communities or heritage experts. In some cases, it will also result in increased costs to homebuilders and tax-payers.

Further, increasing the threshold for listing and designation under Part IV of the *Ontario Heritage Act* will make it more difficult to address reconciliation as well as issues of equity, diversity and inclusion in the protection of cultural heritage resources in Ontario. There are many properties that reflect underrepresented groups that would no longer meet the criteria for designation under Section 29 Part IV. This will mean that the current inequity in the criteria will continue to assign more value to the contributions of architecture and well-documented histories rather than recognizing the diverse stories that make up Ontario's history. Any revision to provincial criteria must ensure that underrepresented communities can still protect the cultural heritage resources that are important to them. This is a significant concern for our membership as many of our members have been directly involved in efforts to rethink traditional understandings of heritage designations and listings.

When the *Report of the Ontario Housing Affordability Task Force* was released earlier this year, OAHF supported recommendation 4, "Permit "as of right" conversion of underutilized or redundant commercial properties to residential or mixed residential and commercial use"; however, there are significant barriers that inhibit the conversion of existing buildings in Ontario, such as building code limitations/requirements and a lack of skilled trades. Introducing policies

to support reuse or repurposing of existing buildings and the removal of certain 'new build' requirements for existing buildings would lead to more housing faster. Addressing these barriers and providing incentives for the conversion and expansion of existing buildings as well as additional adaptive re-use training programs would increase the ability for the Province to provide affordable and sustainable housing.

We urge the Province to ensure that the path forward to addressing the housing crisis is not at the expense of built heritage resources, cultural heritage landscapes, and archaeological resources. While cultural heritage is often positioned as being a barrier to development, the reality is that an effective and efficient heritage program can assist with the management of change. We recognize that heritage must have a function or role in the life of the community to be effective, and there are creative and innovative solutions that can address both heritage and other provincial interests.

CAHP and OAHP support intensification, including well-designed and well-planned infill as well as the conversion and adaptation of existing buildings to allow for more homes to be constructed. We would encourage avoidance of zoning tools that incentivize the demolition of existing building stock and impact both the environment and affordability. We would support tools that encourage subdivision of single unit homes into multi-family buildings and give credits for the reuse of existing buildings and materials or incorporating cultural heritage resources into new developments. We are pleased to submit the attached examples of the successful reuse and conversion of existing buildings for housing, submitted to us by our membership, as innovative approaches to land use planning and community building (see Attachment B).

We would also reiterate that OAHP members are willing to provide their expertise and further insight by participating in stakeholder consultation, working groups or advisory bodies. We also would be pleased to assist with identifying potential barriers and issues with proposed legislation and regulations from a practical, solutions-based approach. This includes assisting with changes to the *Planning Act* and *Provincial Policy Statement*/Growth Plan, the *Ontario*

Heritage Act, and the *Conservation Authorities Act*. We will be submitting further comments on amendments to each of these on the Environmental Registry of Ontario.

Thank you for the opportunity to provide you with our input.

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Attachment A - Comments on Bill 23, Schedule 6 Ontario Heritage Act

Attachment B - Examples of Heritage Buildings Supporting Affordable and New Housing