



Ontario
Home Builders'
Association

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Ministry of the Heritage, Sport, Tourism and Culture Industries
Programs and Services Branch - Heritage, Tourism and Culture Division
401 Bay Street
Toronto, ON
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RE: Updates to the Ontario Heritage Toolkit (ERO # 019-2770)

The Ontario Home Builders' Association (OHBA) thanks the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) for providing an opportunity to share feedback on the proposed updates to the Ontario Heritage Toolkit. OHBA has commented and made previous submissions to both the Ministry and government on ways to improve the practical impacts of the Ontario Heritage Act (the "OHA") and streamline the processes involved.

OHBA has long maintained that a significant barrier to the timely delivery of new housing in Ontario is the application of designating and conserving cultural heritage resources, including various processes under the OHA. OHBA continues to support the need for heritage policies and our industry has appropriately conserved and included cultural heritage resources into new housing, commercial and mixed-use developments.

However, the proposed Heritage Toolkit fails to provide greater clarity on the application of the OHA consistent with provincial policy, how to apply the criteria for designation under O.Reg 9/06., and ultimately fails to provide a useful guide on the new information and processes for municipalities. This presents a distinct challenge in that it is unclear whether all Ontario municipalities and their relevant municipal heritage committees have the combination of expertise, staffing and funding to adequately apply this new Toolkit in a fair manner that balances heritage conservation with sustainable development.

Further, there is no reference to the consideration of impacts on property owners and/or impacts on increasing housing supply in the draft Toolkit. OHBA recommends that the Toolkit include consideration of potential impacts on the property owner(s).

Ultimately, the Ontario Heritage Toolkit does not provide any added clarity to Ontario builders, developers or renovators who seek to navigate a fair, transparent and equitable process. Many common OHBA concerns remain unaddressed, even following the MHSTCI sessions held for the Toolkit, including a clearer definition of the highly ambiguous terminologies such as "heritage attributes" found in the OHA.

Furthermore, it should be noted that current and future federal, provincial and municipal infrastructure investments may be challenged by the municipal application of the OHA and these guidance documents. Focusing on the federal-provincial-municipally funded Ontario Line in Toronto, it is possible that the interpretation and application of OHA regulations and this guide may significantly undermine the full potential of the necessary housing and employment development opportunities in the corridor.

It will continue to be important for the Ontario government to assess and evaluate if the toolkit actually improves the OHA municipal implementation process, or if it creates more confusion and conflict, in which case the provincial government will need to re-engage with stakeholders.