



Municipal Heritage Committee Report

Report Number: KLMHC2024-066
Meeting Date: December 9, 2024
Title: **Proposed Amendments to the Ontario Heritage Act through Bill 227**
Description: Review of proposed amendments to Part II of the Ontario Heritage Act
Author and Title: Emily Turner, Economic Development Officer – Heritage Planning

Recommendation:

That Report KLMHC2024-066, **Proposed Amendments to the Ontario Heritage Act through Bill 227**, be received for information.

Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

In November 2024, the provincial government tabled Bill 227, the Cutting Red Tape, Building Ontario Act, which proposed various amendments to 36 different pieces of legislation. This included amendments to the Ontario Heritage Act by the Ministry of Citizenship and Multiculturalism (MCM). The proposed amendments were posted on the Environmental Registry of Ontario for commenting on November 20, 2024 and is open for thirty days until December 20, 2024.

The proposed amendments to the Act are to Part II, Section 10 which govern the powers of the Ontario Heritage Trust. Specifically, MCM is proposing the to streamline the approval process for conservation easements held by the Trust to allow the Trust to respond more quickly to requests to fully or partially release a conservation easement that does not impact the heritage attributes of a property. Currently, the Trust must obtain Minister's consent to release all or part of an easement and the proposed amendments would eliminate the need for ministerial approval. Instead, the request for a release of easement would be reviewed by the Trust with its Board of Directors ultimately approving the release.

The Ministry considers that this amendment will have a limited impact on the heritage attributes of properties that are subject to conservation easements held by the Trust as any additional requirements would remain in place after the full or partial release of the easement, including designation under Part IV or V of the Act and archaeological requirements under Part VI of the Act. At the same time, the streamlined process is intended to help the Trust respond more quickly to proposals to alter easement agreements to facilitate development. The proposed amendment is attached to this report as Appendix A.

The proposed amendments are currently open for commenting and this report is intended to provide the background to the Committee regarding the proposed changes to the Act, should the Committee wish to comment.

Rationale:

The proposed amendments are under Part II of the Act which governs the activities of the Ontario Heritage Trust. This section of the Act has limited impact on municipal operations. The amendments exclusive address heritage easement agreements held by the Ontario Heritage Trust and do not impact the work of municipalities regarding

designation or the entering into easement agreements, except with regard to properties locally that are protected by OHT easements.

In Kawartha Lakes, there are no municipally heritage designated properties that are subject to an easement agreement by the Ontario Heritage Trust. There is only one Trust protected property in Kawartha Lakes: Fleetwood Creek Natural Area south of Bethany. Fleetwood Creek is owned by the Ontario Heritage Trust and managed by Kawartha Conservation. It is not impacted by this legislative change and has broad environmental protections as an area of natural and scientific interest (ANSI) and archaeological protections due to the large Wendat complex site on the property.

The Committee may choose to comment on the proposed legislative change should it feel comments are necessary.

Other Alternatives Considered:

Should the Committee choose to comment on the proposed amendments, it could discuss those comments in the meeting and pass the following resolution:

That Report KLMHC2024-066, **Proposed Amendments to the Ontario Heritage Act through Bill 227**, be received; and

That comments be provided to staff by the Chair.

Financial/Operation Impacts:

There are no financial or operational impacts as a result of the recommendations of this report.

Consultations:

Ministry of Citizenship and Multiculturalism

Attachments:

Appendix A – Bill 227 Proposed Amendments



Adobe Acrobat
Document

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