

Planning Department Update

Heritage Burlington

May 15, 2019



City Planning Policy Projects

- Adopted Official Plan (OP)
 - HB supported new heritage policies for the new OP in Nov. 2017
 - New OP was adopted by Council in April 2018
 - City staff currently working with Region staff to resolve some areas of non-conformity in the Adopted OP
 - Council has directed a Scoped Review of the Adopted OP (focus: Downtown and Neighbourhood Centres)
 - Terms of Reference for the Scoped Review will be discussed at Planning & Development Committee on May 21, 2019
 - Public Engagement Strategy to be developed in June 2019
- Mobility Hubs Area-Specific Planning study is on hold
- Interim Control By-law (ICBL)
 - Council enacted an ICBL in March 2019, freezing development in Downtown and Burlington GO area for one year
 - ICBL allows City to study role of the Downtown bus terminal and Burlington GO
 - ICBL study will inform the Scoped OP Review
- Staffing Update

Provincial Policy Update

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Provincial Policy Update

- Amendment 1 to the [Growth Plan](#) for the Greater Golden Horseshoe is approved
- [Provincially Significant Employment Zones](#)
- Province has introduced [Bill 108](#) (Housing Supply Action Plan)
 - Reverses many of the changes made last year by Bill 139
 - Changes to multiple Acts
 - [Heritage Act](#)
 - Planning Act
 - Local Planning Appeal Tribunal Act
 - Development Charges Act and Education Development Charges Act
 - Environmental Assessment Act and Environmental Protection Act
 - Conservation Authorities Act
 - Ontario Building Code
 - Endangered Species Act
 - etc
 - Comments due to Province June 1, 2019
 - Staff will present report to Council on May 27, 2019

Relevant Changes for Heritage

- Local Planning Appeal Tribunal (LPAT)
 - LPAT name stays, but back to OMB rules
- Planning Act
 - Less time for municipalities to review development applications = less time for consultation with Heritage Burlington and the general public
 - Council decisions appealable to LPAT
 - City required to permit additional units in homes
 - Community Benefits Charge and Parkland Dedication

Changes to Heritage Act

- New “Prescribed Principles”
 - Council must consider these before designating properties
- Less municipal oversight over provincially-leased heritage properties
- New process for listing non-designated properties on Register
 - City must notify owner after listing their property
 - City must explain reasons for listing
 - Formal mechanism for owner to object (but no appeal right)
- New “Prescribed Events”
 - When a “prescribed event” occurs, Council has 90 days to make a now-or-never decision to designate the property
- Changes to Process for Enacting/Amending/Repealing a Designation
 - Time limit for Council to designate a property after stating an intention to do so

Changes to Heritage Act

- Appeals
 - Designations and Heritage Permits now appealed to LPAT, not Conservation Review Board (CRB)
 - LPAT can overturn Council decisions
 - LPAT not specialists in cultural heritage issues like CRB
- Changes to Heritage Permit process
 - New time limit for City to deem an application complete
- New definition of “Alter”
 - Removal of a protected attribute from a property is now treated like demolition of the building/structure, not alteration of the building/structure
- Still to come (separate from Act amendments):
 - New regulations to define “prescribed principles” and “prescribed events”
 - New guidance document for Cultural Heritage Landscapes