

# Memorandum to Council

Planning and Development Department

Policy and Heritage Planning

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**To:** Mayor and Members of Council

**CC:** Roger Saunders, Commissioner,  
Planning & Development

**Acknowledged by M. Gaskell,  
Chief Administrative Officer**

**From:** Ed Belsey, Senior Manager, Policy &  
Heritage Planning

**Date:** June 21, 2024

**File #:** PDP 25-24

**Subject:** Homeowner Protection Act (Bill 200);  
Review of the Municipal Heritage Register

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The purpose of this memo is to provide a brief overview of the changes to the Ontario Heritage Act and provide further recommendation regarding report PDP 25-24, Review of the Municipal Heritage Register, which was considered at Committee of the Whole on June 3, 2024.

## Background/Overview

On May 27, 2024, the Province introduced Bill 200 the *Homeowner Protection Act, 2024*. Bill 200 amends various acts, including the *New Home Construction Licensing Act, 2017*; the *Ontario New Home Warranties Plan Act*; the *Personal Property Security Act*; the *Planning Act*; and the *Ontario Heritage Act*.

On June 6, 2024, Bill 200 received Royal Assent.

The main purpose of Bill 200 was to address matters related to home construction and purchase such as providing additional protection regarding business practices and securities; review times for purchase agreements.

The focus of this memo, however, is regarding the changes to the *Ontario Heritage Act* and its impact on the Town's Municipal Heritage Register Review.

The main changes and impacts of the Amendments to the *Ontario Heritage Act* under Schedule 2 of Bill 200, are as follows:

**Deadline for Review of Municipal Heritage Register:**

- Previously, if an undesignated property was included in a municipality's Register as of December 31, 2022, the property would be deemed removed from the Register by January 1, 2025, unless Council had issued a Notice of Intention to Designate the property.
- Bill 200 now extends this deadline to January 1, 2027, or any later date prescribed.

**'Moratorium' for Relisting:**

- Previously, the Ontario Heritage Act did not include certain provisions regarding Council's 'voluntary' removal of property(s) from the Register prior to the deadline.
- Bill 200 has introduced provisions that clarify that if a property is removed from the Register, a 'moratorium' regarding adding it back begins at the time of removal from the Register

Report PDP 25-24 included the following recommendation, which was carried at the June 3, 2024 Committee of the Whole meeting:

*That Council authorize the immediate removal of all remaining properties from the Municipal Heritage Register prior to December 31, 2024, save and except those that are the subject of on-going development applications, so that they are not subject to a five-year moratorium under Bill 23, the More Homes Built Faster Act (2022), and so that they can be further researched and brought forward for Council's consideration for designation at a later date, where appropriate.*

**Recommendation**

Given that the timeline for review of Municipal Heritage Registers has now been extended by two (2) years, to December 31, 2026, and given that timelines for the 5-year 'moratorium' on adding properties back to the Register commences when a property is removed, **it is recommended that recommendation 5 be struck from Report PDP 25-24.**

Recommendation 5 (formerly 4) can be reconsidered through future reports regarding the Municipal Heritage Register Review.

Should you have any questions regarding the information, please contact the undersigned.

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