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Provincial Planning Initiatives and Heritage Conservation: New Opportunities

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Conserving Cultural Heritage Resources in Land Use Planning

- The conservation of cultural heritage and archaeological resources is a matter of provincial interest in land use planning in Ontario

- Since 2004, key new planning policies and legislation have been developed to enhance the ability of municipalities to conserve heritage, including:

  - New Ontario Heritage Act 2005

  - New Planning Act Provincial Policy Statement 2005 that includes stronger heritage policies

  - New Planning Act Amendments (Bill 51) as part of Planning Reforms 2006-2007

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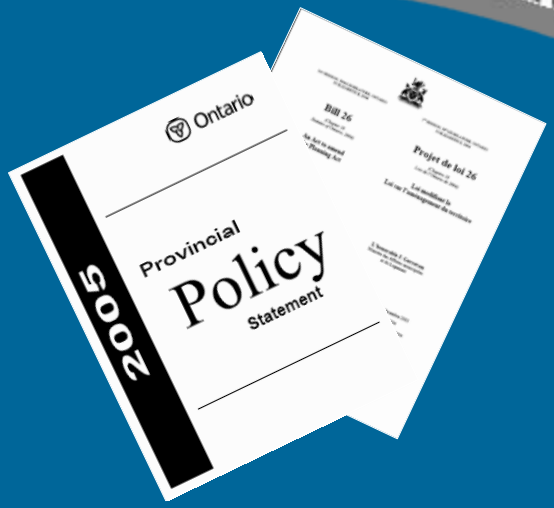
Provincial Policy Statement, 2005 and The *Strong Communities (Planning Amendment) Act*, *2004*

Planning Act Bill 51, 2007



The Greenbelt Plan, 2005

The *Places to Grow Act*, 2005

Growth Plan for the GGH, 2006

Ontario's Rural Plan, 2004

Slide Source: Ministry of Municipal Affairs and Housing

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Provincial Policy Statement 2.6 - 2005
Cultural Heritage and Archaeology

2.6.1 *Built heritage resources* and *cultural heritage landscapes*

2.6.2 *Archaeological resources* and *areas of archaeological potential*

2.6.3 *Adjacent lands* and *protected heritage property*

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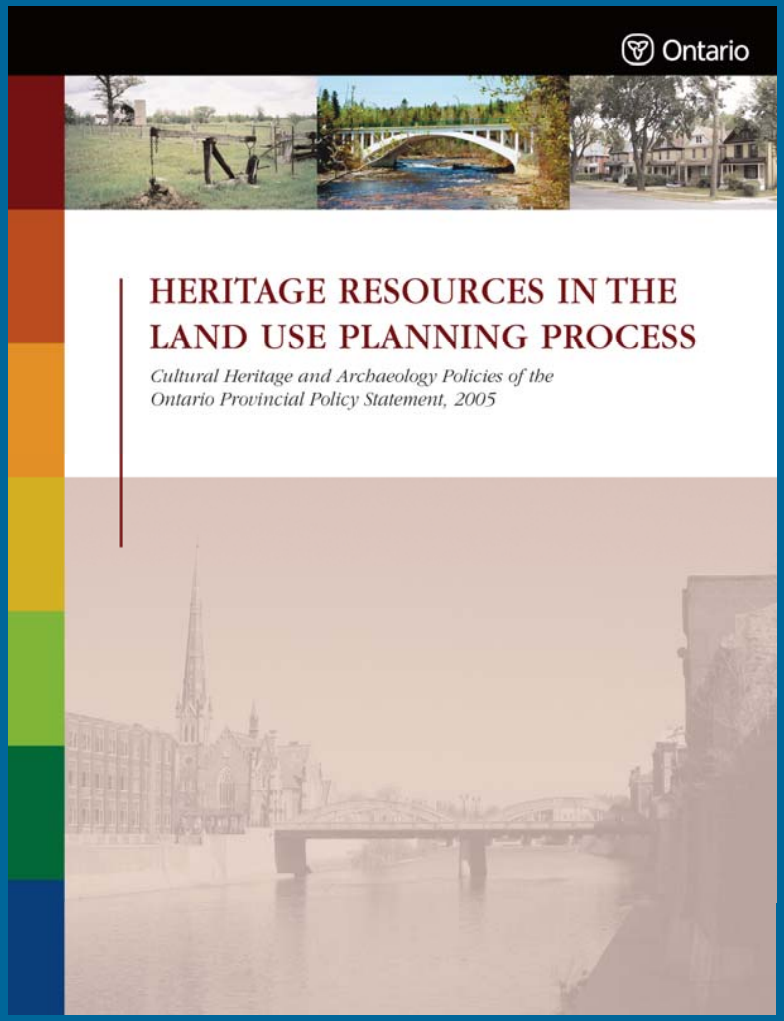

Tool Kit PPS InfoSheets - 2006

- Illustrates the three primary types of cultural heritage resources

- How to apply the Cultural Heritage and Archaeology Policies of the Ontario Provincial Policy Statement PPS 2.6, 2005

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Municipalities now have a variety of planning tools for heritage conservation including:

- Heritage Listing and Designations
  - new Ontario Heritage Act, Parts IV and V
- Heritage Inventories, Archaeological and\or Heritage Master Plans
- Official Plans- stronger relationship to PPS * [new 2007]
- Development Permit System * [new 2007]
- Site Plan Control *[new 2007]
- Minimum and Maximum Height and Density *[new 2007]
- Community Improvement Plans *[new 2007]

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Municipal Official Plans

Municipal Official Plans

- Official Plan (OP) heritage policies create a local context for land use planning decisions and recognizing resources having cultural heritage value or interest

- A full range of OP policy areas is recommended:
  -built heritage
  -cultural heritage landscapes
  -archaeological sites and potential areas
  -impact assessments
  -design guidelines, etc.

- Carefully worded set of heritage policies in OPs is key

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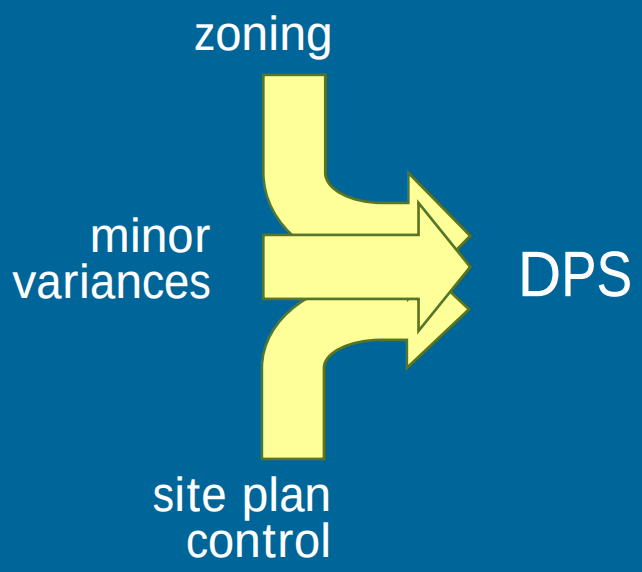
- New Planning Reform 2007 provisions for Official Plan (OP) documents:
  - Updated no less frequently than every 5 years
  - Have regard to matters of provincial interest
  - Be consistent with the PPS
  - Conform to provincial plans (e.g. Growth Plan, Greenbelt Plan, Oak Ridges Moraine Plan, Niagara Escarpment Plan)

Development Permit System

What is the Development Permit System (DPS) ?

- New development approvals framework which combines 3 existing systems into 1
- Replaces zoning, site plan, minor variance in the area where a DPS is established
- *Optional* new tool – municipalities may choose to use
- Does not include lot creation or building permit processes



Slide Source: Ministry of Municipal Affairs and Housing

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DPS Benefits

- Development Permit System (DPS) Streamlining
  - 1 application & approval instead of 3
  - Faster timelines (45 days vs 120 days)
  - Ability to enhance “complete application” requirements
  - Ability to delegate approvals
  - Policy-led approach (full appeals at time system established; only development applicant appeal at permit stage)
  - Opportunities to incorporate site alteration and tree-cutting by-laws

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- Strong Communities and Development Permits
  - Broad range of conditions of approval
  - Ability to regulate community / exterior building design
  - Ability to request specified facilities, services and matters for height/density, including increases of these
  - Flexibility in uses: permitted /discretionary and flexibility in development standards

- Potential uses of Development Permits: where municipality has future vision and wants to facilitate building that vision

- Examples:
  - intensification, brownfields, groundwater/surface water protection, community building, mixed use development
  - planning in heritage conservation districts, cultural heritage landscapes, heritage areas

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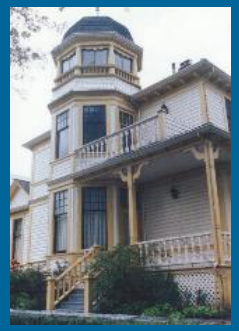
Site Plan Control

- New Authority for Exterior Architectural / Urban Design
  - Site plan control matters can now include – subparagraph 41(4)2.(d):
    - Matters relating to <u>exterior</u> design, including character, scale and their exterior sustainable design

Slide Source: Ministry of Municipal Affairs and Housing

- New Authority for Exterior Architectural / Urban Design
  - For example, site plans may be approved subject to:
    - Consideration or incorporation of identified heritage resources within the site plan area
    - New building form and massing made compatible with existing surroundings, especially if they are of heritage interest



Minimum and Maximum Height and Density

- Enabling and Clarified Authority
  - *Planning Act* now clarifies that municipalities can regulate minimum as well as maximum height and density of development through zoning – ss. 34(3)

vs.

Image Source: Ontario Growth Secretariat,
Ministry of Public Infrastructure Renewal

Community Improvement Plans

- Supporting Sustainable Development
  - Clarifying matters that could be considered eligible costs is intended to also support more brownfield redevelopment opportunities

Slide Source: Ministry of Municipal Affairs and Housing

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- Expanded Scope – ss. 28(2) & (4.0.1)
  - Upper–Tier involvement
  - Prescribed upper-tiers can now establish their own CIPs on a regional planning scale for purposes set out in regulation

- Joint Participation - ss. 28(7.2)
  - Upper-tier municipalities can provide grants and loans to lower-tier CIPs, and vice versa, on a voluntary basis

- **Transparent and accessible process**
  - greater participation and consultation
- **Up-front Planning/Information**
  - fewer surprises
- **New tools and flexibility**
  - moving toward sustainability, which heritage conservation and environmental protection is a part of

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- **Many new tools are now available for municipalities and communities under the new Ontario Heritage Act, Planning Act, and Provincial Plans for conservation planning**

Early identification and application of these tools to conserve cultural heritage is key!

Towards creating stronger communities...

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