

**From:** Devanne Kripp [mailto:dkripp@grimsby.ca]  
**Sent:** November 4, 2020 9:50 AM  
**To:** 'doug.fordco@pc.ola.org' <doug.fordco@pc.ola.org>

Subject: Proposed Regulation under the Ontario Heritage Act – Bill 108

Dear Hon. Doug Ford:

At its meeting of October 19, 2020, the Town of Grimsby Committee of the Whole passed the following resolution, which was subsequently approved by Council on November 2, 2020:

Moved by Councillor Bothwell; Seconded by Councillor Freake;

Resolved that the Report PA20-22 dated October 19, 2020, be received; and,

Moved by Councillor Bothwell; Seconded by Councillor Freake;

Resolved that the Report PA20-22 dated October 19, 2020, be received; and,

That the report be endorsed and submitted to the Province, along with the following motion, as the Town of Grimsby's comments to the Environmental Registry.

WHEREAS Royal Assent has been granted to Bill 108 entitled 'More Homes, More Choice Act, 2019' on June 6, 2019; and,

WHEREAS Schedule 11 of Bill 108 contains amendments to the Ontario Heritage Act which require appeals under the Ontario Heritage Act to be heard by the Local Planning Appeal Tribunal not the Conservation Review Board; and,

WHEREAS the Conservation Review Board is an adjudicative tribunal that, through the mandate provided by the Ontario Heritage Act, considers a number of matters such as:

- The proposed designation of a property as having cultural heritage value or interest;
- Applications for the repeal of a By-law on a specific property;
- Applications related to the alteration of a property covered by a By-law; and,
- Matters related to archaeological licensing, and,

WHEREAS Schedule 11 of Bill 108 will come into effect on a date to be proclaimed by the Lieutenant Governor; and,

WHEREAS the Local Planning Appeal Tribunal are not experts in heritage matters unlike members of the Conservation Review Board; and,

WHEREAS the Local Planning Appeal Tribunal decisions are binding decisions unlike the Conservation Review Board non-binding recommendations; and,

WHEREAS the Ontario Heritage Act provides a means for municipalities to protect and preserve the cultural heritage value or interest of the municipality for generations to come; and,

WHEREAS the Conservation Review Board currently provides reports to municipal council's setting out its findings of fact, and its recommendations so that a final decision can be rendered by municipalities about what is valuable in their community;

WHEREAS the Town of Grimsby remains committed to the preservation and protection of property of cultural heritage value or interest;

NOW THEREFORE BE IT RESOLVED THAT the Town of Grimsby strongly recommends that Schedule 11 of Bill 108 be amended to remove the powers provided to the Local Planning Appeal Tribunal, retaining authority for hearing certain appeals by the Conservation Review Board; and,

BE IT FURTHER RESOLVED THAT the Town of Grimsby strongly recommends that Schedule 11 of Bill 108 be amended to return the authority for final decisions to municipal council's as the elected representative of the communities wherein the property and its features of cultural heritage value exist; and,

BE IT FURTHER RESOLVED THAT a copy of this motion be sent to the Honourable Doug Ford, Premier of Ontario, Lisa McLeod the Minister of Heritage, Sport, Tourism and Culture Industries, Andrea Horwath, MPP and Leader of the

Official Opposition and the Ontario NDP Party, MPP Steven Del Duca Leader of the Ontario Liberal Party, Mike Schreiner MPP and Leader of the Green Party of Ontario, Sam Oosterhoff MPP Niagara West; and,

BE IT FURTHER RESOLVED THAT a copy of this motion be sent to the Association of Municipalities of Ontario (AMO), all MPP's in the Province of Ontario, the Niagara Region and all Municipalities in Ontario for their consideration."

We strongly recommend that the Ontario government consider amendments to Bill 108 to return the final authority to municipal Council's to determine what is of cultural heritage value or interest in their communities with the benefits of the expert and professional advice provided by the Conservation Review Board.

***CARRIED***

*YES: Councillors Bothwell, Dunstall, Freake, Kadwell, Ritchie, Sharpe, Vaine, Vardy and Mayor Jordan*

A copy of the report has been enclosed.

Regards,

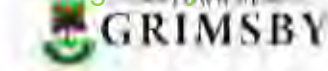
**Devanne Kripp, Dipl. M. A.**

Deputy Town Clerk

905 945 9634 ext. 2177

Town of Grimsby | 160 Livingston Avenue, P.O Box 159 | Grimsby ON L3M 4G3 |

[www.grimsby.ca](http://www.grimsby.ca)



This email and any accompanying attachments may contain confidential and/or privileged information for the sole use of the intended recipient. Any review, disclosure, or distribution by others is strictly prohibited. If you have received this email in error, please contact the sender immediately and delete all copies.

-

Laura Moy

Director Corporate Services & Clerk