

ACO ERO Submission on Review of A Place to Grow and Provincial Policy Statement

Architectural Conservancy Ontario (ACO) is the largest heritage advocacy organization in Ontario with 17 branches across the province. Through education and advocacy, we encourage the conservation and reuse of structures, districts and landscapes of architectural, historic and cultural significance, to inspire and benefit Ontarians.

ACO supports in principle the creation of a new streamlined, province-wide, land-use planning policy instrument that would integrate the provisions of the Provincial Policy Statement and A Place to Grow. While the government's current review is housing-focussed, any new policy instrument should combine the best aspects of both of the existing policy documents.

In particular, we wish to see that existing policies with respect to cultural heritage (used here to encompass archaeological resources) are retained intact in any new instrument.

Matters of Provincial Interest

Section 2 of the Planning Act identifies a list of matters of provincial interest. This includes clause (j) relating to housing supply:

“the adequate provision of a full range of housing, including affordable housing”;

as well as clause (d) relating to the conservation of cultural heritage:

“the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest.”

ACO notes that this statutory list is not prioritized and the matters do not appear in any particular order. All are equally of provincial importance in land-use planning.

Provincial policies “work together”

The Provincial Policy Statement (PPS) recognizes “the complex interrelationships among environmental, economic and social factors in land-use planning.” Although setting out a diverse range of planning policies, the PPS “is to be read in its entirety and the relevant policies applied to each situation.” The clear direction is that planning decisions must consider all applicable policies and determine “*how they work together.*” (emphasis added) Although some policies may be more directive or detailed than others, there is no implied priority to the policies.

Provincial policies with respect to the provision of a full range of housing for Ontarians are of great importance. So are policies with respect to other matters of provincial interest such as the conservation of cultural heritage. The genius of our planning system is that different public policy objectives can be met without sacrificing or discounting one in favour of another. Planning is not a zero-sum game; the best decision is always the one that advances the most public policy goals. Over the years Ontario's planning appeal tribunals, from the Ontario Municipal Board to the Ontario Land Tribunal, have recognized this in their decisions.

Cultural heritage policies and “flexibility”

The proposal sets out a number of potential “core elements” of the new policy instrument. With respect to cultural heritage, the proposal calls for “Policy direction that provides for the identification and continued conservation of cultural heritage resources *while creating flexibility to increase housing supply* (emphasis added).”

ACO is concerned that in the name of “flexibility” the longstanding cultural heritage policies of section 2.6 of the PPS may be distorted or watered down. These policies and their supporting definitions have evolved and been carefully honed over decades; they are appropriately strong and must not be weakened.

With respect to flexibility:

1. As discussed above, Ontario’s policy framework for land-use planning already provides inherent flexibility and accommodation: *read and applied correctly*, no one policy is limiting or standing in the way of another policy. Again, the challenge is to reconcile different policies — to make them “work together” — to achieve the best outcome.
2. With respect to the cultural heritage policies in section 2.6 specifically, a common thread is the direction to “conserve” heritage resources. The term “conserve” is carefully defined in the PPS and allows for considerable elasticity in conservation approaches. *Interpreted correctly*, it does *not* mean to save at all costs. (Recent tribunal decisions have even concluded that a designated building can be demolished subject to conditions.)

Cultural heritage and housing

Provincial housing supply objectives and cultural heritage objectives should be seen, not as conflicting, but as complementing and reinforcing each other.

Far from an impediment to the provision of housing, cultural heritage resources can be integrated and adaptively re-used, creating unique housing developments, rich with history, vintage architectural quality and neighbourhood character supportive of community identity, congruent with existing PPS and A Place to Grow objectives.

There are countless examples of older buildings being kept and reused for housing purposes, either on their own or integrated into new development. Here are two:

- 245 Carlaw Avenue, south of Dundas Street East, Toronto — conversion of manufacturing premises to housing with rear infill additions, these included heritage properties such as the former Wrigley’s Gum Co. headquarters and factory
- The Waterworks, 505 Richmond Street West, Toronto — adaptively re-used public works building including a new high-rise tower for housing as well as a YMCA and a food hall

ACO notes that the current PPS definition of “residential intensification”, used in the section 1.4 housing policies, recognizes *this potential for repurposing* in clauses (e) and (f):

“e) the conversion or expansion of existing industrial, commercial and institutional buildings for residential use”

“f) the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, additional residential units, rooming houses, and other housing options.”

In drafting the proposed new policy instrument, *the province should give greater attention and emphasis to this potential for re-use of Ontario’s existing building stock for housing and other purposes*. For environmental and climate change reasons — compare the carbon/greenhouse gas impacts of new construction (and the new public infrastructure often required to service it), compared to re-use of current, already serviced buildings — the most sustainable options are those that keep, fix and reuse our older buildings.

Conclusions

Mindful of this government’s goal of substantially increasing housing supply across the province, ACO strongly recommends that the proposed new policy instrument for land-use planning:

- move forward, not backward, in refining the suite of provincial land-use policies: strengthening as appropriate the province’s housing policies while also retaining the current cultural heritage policies (recently updated in the PPS 2020)
- continue to provide up-front direction that the provincial planning policies “work together”
- in strengthening housing policies, provide more and better direction on sustainable, re-use housing options
- ensure that municipalities are provided with clear and current provincial guidance on interpreting and implementing the province’s planning policies (ACO notes that the Ministry of Citizenship and Multiculturalism’s guide *Heritage Resources in the Land Use Planning Process*, part of the Ontario Heritage Tool Kit, is more than a decade out of date)

The current ERO proposal is pitched at a high level without the text of specific proposed policies. ACO urges the government to *circulate or post a draft of the new instrument for public comment prior to its approval*.

Thank you for the opportunity to comment.

Architectural Conservancy Ontario, December 2022