



November 8, 2023

Re: ERO Number 019-7684 - Proposed changes to the Ontario Heritage Act and O.Reg. 385/21 General with respect to certain alteration requests

I am writing on behalf of the Catholic Archdiocese of Toronto in response to the proposed changes to the Heritage Act and O.Reg. 385/21 General, posted on the Environmental Registry as number 019-7684.

There are 225 Catholic Churches in the Archdiocese of Toronto caring for the spiritual needs of close to two million Catholics. Approximately 120 of our properties are listed or designated under the Act and many more are of an age or design placing them potentially subject to the Act. It is our expectation that many of these buildings will be undergoing restoration or renovation in the coming years. The proposed changes will undoubtedly simplify the approval process in terms of time and cost.

It was our experience in restoring St. Michaels Cathedral Basilica in Toronto that approvals for the renovations were required. While the building was not designated when the project started, the City of Toronto moved to bring a designation by-law forward during the process. There was considerable negotiation and study to determine how to balance heritage element alterations with the need for restoration and specific faith requirements.

A successful 'work-around' was found at the time that mirrors the proposed legislation. The City agreed to specifically exclude a list of the liturgical elements in the worship space, such that alterations would not require a permit under the Heritage Act provisions. This process was time-consuming. The new provisions would have reduced the time and cost of a permitting process and certainly will for any similar situations in the future.

We also worked with the City of Toronto to include policies in their Official Plan that again mirror the proposed legislation. Policies 47 through 53 of Section 3.1.6, while mirroring the exclusion of liturgical elements, the 'ecclesiastical exemption', from a statutory perspective have no impact on the City's decision-making process under the Heritage Act. The proposed legislation will implement these policies and bring into effect an appropriate scope and process to balance the needs of faith communities and the preservation of our heritage.

The policies from the Toronto Official Plan are as follows:

HERITAGE PLACES OF WORSHIP

47. Religious heritage properties constitute a substantial portion of the City's cultural and architectural heritage. Those religious heritage properties that remain in active use for worship purposes will be subject to the policies of this Section of the Plan which, in the event of any conflict, will take precedence over the other policies of this Plan.
48. Religious properties may be listed on the Heritage Register and designated under Parts IV and V of the *Ontario Heritage Act*. The designating by-law will be consistent with the policies of this Official Plan.



49. The liturgical elements of any religious heritage property in active use for worship will be excluded from the heritage conservation provisions of this Plan. For the purposes of this section, “liturgical element” means a building element, ornament or decoration that is a symbol or material thing traditionally considered by a religious organization to be part of the rites of public worship.
50. Faith groups will advise the City as to the identified liturgical elements to be identified in the designating by-law.
51. So long as the place of worship remains in active use for religious purposes interior alterations related to the rites of worship including removal, alteration or installation of structures, fixtures and/or liturgical elements will not be subject to the heritage policies of this Plan.
52. If a heritage review is required for the interior alterations not related to the rites of worship it will be undertaken by the City and faith groups with the mutual goal of conserving the property’s cultural heritage values and respecting and protecting the faith group’s rites of worship.
53. The City will, in consultation with faith groups, establish a protocol to implement these policies.

In summary, the Archdiocese of Toronto believes the proposed legislation is appropriate, necessary and reflective of a reasoned approach to balancing the needs of religious communities, freedoms and heritage conservation.

We appreciate the efforts of the province to address the challenges noted in this brief, amendments that will help the many diverse religious denominations throughout the Province of Ontario ensure that they can maintain and enhance places of worship in a timely and efficient manner.

Places of worship serve as a respite of hope and peace in our community while also strengthening our province through countless outreach programs and initiatives, inspiring those motivated by their faith to help others. We remain committed to ongoing dialogue regarding this and any other relevant matters relating to places of worship in the Province of Ontario.

Sincerely,

A handwritten signature in black ink, appearing to read "Neil MacCarthy".

Neil MacCarthy
Director, Public Relations & Communications
Archdiocese of Toronto