

December 1, 2023

****SUBMITTED ELECTRONICALLY****

Attn: Heritage Branch, Ministry of Citizenship and Multiculturalism
400 University Avenue, 5th Floor
Toronto, ON
M7A 2R9

RE: Environmental Registry of Ontario Posting 019- 7684: Proposed changes to the *Ontario Heritage Act* and *O. Reg. 385/21 General* with respect to certain alteration requests

Please accept this letter in response to Environmental Register of Ontario (ERO) proposal 019-7684 which seeks amendments to matters related to Section 33 of the *Ontario Heritage Act* and *O. Reg 385/21 General*.

Proposal Summary and General Comments

Staff understand that the Province is looking to amend Section 33 of the *Ontario Heritage Act* and *O. Reg 385/21 General*, to provide more certainty to religious organizations and Indigenous communities and Indigenous organizations who need to make modifications to designated heritage buildings and properties for purposes of their religious practices. This would be achieved by limiting municipalities' ability to consent to alterations with terms and conditions if the following criteria are met, being:

- The building, or part thereof, to be altered is primarily used for religious practices;
- The heritage attributes to be altered are connected to religious practices;
- The alteration of the heritage attributes is required for religious practices;
- Any additional conditions prescribed by regulation (this would be a new regulation making authority); and;
- The applicant provides council with an affidavit or sworn declaration that the application meets the conditions in the Act or prescribed in regulation.

Staff also understand that the proposal seeks to introduce new approval timelines, including timelines regarding deeming an application to alter a designated building complete or incomplete.

Responses to ERO Questions

1. **ERO Question:** Is 30 days a sufficient time for municipalities to process applications and determine if they are complete?

Staff are of the opinion that a 30-day review window is appropriate to review and determine if an application to alter a designated building or property is complete.

2. **ERO Question:** Are there any further conditions that should be applied to these types of applications?

None at this time.

3. **ERO Question:** Is the list of information and materials required as part of complete application sufficient? Are there any materials or information that is missing or should be removed?

Staff recommend that applicants be required to provide an explanation as to whether the proposed alteration will or could negatively impact other heritage attributes of the heritage building or property.

4. **ERO Question:** Are the types of buildings listed considered by religious organizations to be reflective of what are commonly thought of, or referred to as a place of worship? Do Indigenous communities and organizations consider the definition as reflective of buildings where their religious and spiritual Indigenous practices might take place? Are there modifications or additions to the definition that religious organizations, Indigenous communities or Indigenous organizations would suggest?

Staff are of the opinion that the general description of 'religious building' is sufficient to communicate the intent of the legislation.

Regarding indigenous organizations, staff are of the opinion that the Province should consult directly with all Indigenous communities as to determine if the proposed definition is appropriate.

5. **ERO Questions** for municipalities:

- a. How many applications do you receive each year from municipally designated heritage properties that are primarily used for religious practices or Indigenous spiritual or religious practices requesting an alteration to identified heritage attributes connected to those practices?

There are no designated heritage properties in Barrie that are used primarily for religious practices or Indigenous spiritual or religious practices.

- b. How long does it typically take to review such an application (in hours)? How long do you believe it would take under the revised process and requirements?

The review process, including collecting and reviewing the required material, advising applicant and the Trust, as required, conducting the review, presenting to Heritage Committee, and writing a staff report, can take anywhere between 1-5 days (7-35 hours) of work, depending on the complexity of the file. Given that there is no relief from the legislative requirement to consult with Committee and obtain Council approval, no time savings are anticipated.

- c. What level of employee in your organization typically undertakes this work (e.g., administrative staff, management)?

A planner, who is also the Heritage Committee staff liaison, administers the entirety of the designated heritage building alteration program. This work is reviewed and approved by their direct supervisor. Staff reports, when required, are reviewed by the senior and executing management team.

Thank you for providing the opportunity to comment on this proposal.

Respectfully,



Michelle Banfield, RPP,
Director of Development Services

cc: Michael Prowse, CAO, City of Barrie
Bala Araniyasundaran, P.Eng, PMP, General Manager of Infrastructure and Growth Management, City of Barrie
Wendy Cooke, Clerk, City of Barrie