SCHEDULE 14
ONTARIO HERITAGE ACT

1 Section 33 of the *Ontario Heritage Act* is amended by adding the following subsections:

Alteration of building used for religious practices

(18) The council shall consent to an application to alter or permit the alteration of a building, or part thereof, on property under subsection (1), without terms or conditions, where the following conditions are met:

1. The building, or part thereof, to be altered is primarily used for religious practices.

2. The heritage attributes are connected to religious practices.

3. The alteration of the heritage attributes is required for religious practices.

4. Any prescribed conditions.

5. The applicant provides the council with an affidavit or sworn declaration that the application meets the conditions set out in paragraphs 1 to 4.

6. The applicant provides the council with any information and material prescribed under subsection (2).

Indigenous religious or spiritual practices

(19) For the purposes of subsection (18), religious practices include Indigenous religious or spiritual practices.

Notice re incomplete application

(20) The council shall, in accordance with the prescribed time period, notify the applicant if the affidavit or sworn declaration required under paragraph 5 of subsection (18) is not complete or if any information and material required under paragraph 6 of subsection (18) is not provided.

Same

(21) For greater certainty, the council shall provide additional notice in accordance with subsection (20) if the applicant resubmits an affidavit or sworn declaration that remains incomplete or if any information and material required is still not provided.

Notice re consent

(22) Upon receiving the complete affidavit or sworn declaration required under paragraph 5 of subsection (18) and all information and material required under paragraph 6 of subsection (18), the council shall, in accordance with the prescribed time period, serve notice of its consent to the application under subsection (18) on the applicant and the Trust.

Deemed consent, incomplete application

(23) If the council receives an affidavit or sworn declaration required under paragraph 5 of subsection (18) that is incomplete or if any information and material required under paragraph 6 of subsection (18) is not provided by the applicant, and the council fails to provide the applicant with notice of an incomplete application in accordance with subsection (20) or (21), as the case may be, the council shall be deemed to have consented to the application.

Deemed consent, complete application

(24) If the council receives the complete affidavit or sworn declaration required under paragraph 5 of subsection (18) and all of the information and material required under paragraph 6 of subsection (18) but does not provide notice of consent to the applicant in accordance with the time period prescribed under subsection (22), the council shall be deemed to have consented to the application.

Reliance on affidavit or sworn declaration

(25) For greater certainty, the council shall rely exclusively on the affidavit or sworn declaration under paragraph 5 of subsection (18) to demonstrate that the application meets the conditions under paragraphs 1 to 4 of subsection (18).

Non-application, subss. (3) to (14)

(26) Subsections (3) to (14) do not apply to an application to alter under subsection (18).

2 Subsection 70 (1) of the Act is amended by adding the following clause:

 (j.1) defining terms for the purposes of subsections 33 (18) and (19);

3 Section 71 of the Act is amended by adding the following clauses:

(e) facilitate the implementation of amendments to this Act made by Schedule 14 to the *Less Red Tape, More Common Sense Act, 2023*;

(f) deal with any problems or issues arising as a result of the enactment of a provision of this Act by Schedule 14 to the *Less Red Tape, More Common Sense Act, 2023*.

Commencement

4 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.