

Alteration of Buildings Used for Religious Practices – Subsections 33 (18), (20) and (22) of the Act

Additional conditions under para 4, s. 33 (18) of the Act

6.1 The following conditions are prescribed for the purposes of paragraph 4 of subsection 33 (18) of the Act:

1. The alteration is not for the purposes of an addition to a building.
2. The alteration is required for one of the following:
 - i. An Indigenous community or Indigenous organization.
 - ii. A religious organization that is not an Indigenous organization if the organization is a registered charitable organization under the laws of Ontario or Canada.
3. The affidavit or sworn declaration required under paragraph 5 of subsection 33 (18) of the Act is sworn or affirmed by an individual with authority to represent the entity referred to in paragraph 2 of this section for whom the alteration is required. O. Reg. 187/24, s. 2.

Information and material re s. 33 (18) of the Act

6.2 The following information and material shall accompany an application under subsection 33 (1) of the Act in respect of which subsection 33 (18) of the Act applies:

1. The information and material set out in paragraphs 1 to 3 of subsection 6 (1) of this Regulation.
2. Photographs that depict the existing building and the described heritage attributes of the building that would likely be affected by the proposed alteration, including the condition and context of the attributes.
3. A site plan or sketch that illustrates the location of the building subject to the proposed alteration.
4. Identification of the heritage attributes of the building that are connected to religious practices and a description of the potential impacts of the proposed alteration on those heritage attributes.
5. Drawings and written specifications of the proposed alteration.
6. An indication of whether the proposed alteration is required for the owner or for a tenant.
7. If the proposed alteration is required for a religious organization that is not an Indigenous organization, the registered charity number of the religious organization. O. Reg. 187/24, s. 2.

Time periods under s. 33 (20) and (22) of the Act

6.3 (1) A 60-day time period is prescribed for the purposes of subsections 33 (20) and (22) of the Act. O. Reg. 187/24, s. 2.

(2) The 60-day time period referred to in subsection (1) commences on the day that the application is served on the municipality. O. Reg. 187/24, s. 2.

Definition of building under s. 33 (18) of the Act

6.4 For the purposes of subsection 33 (18) of the Act,

“building” means,

(a) with respect to an alteration that is required for an Indigenous community or organization, a building that the Indigenous community or organization has identified as a place used for Indigenous religious or spiritual practices, or

(b) with respect to an alteration that is required for a religious organization that is not an Indigenous organization, a building that the religious organization has identified as a church, mosque, synagogue, temple, chapel or other place of worship, but not a building where the primary function is to provide education, healthcare, long-term care, community services, social services or commercial, institutional or industrial operations, even if the building contains a space within it dedicated to religious practices. O. Reg. 187/24, s. 2.