

City of Mississauga  
**Corporate Report**



<p>Date: October 25, 2024</p> <p>To: Chair and Members of Heritage Advisory Committee</p>	<p>Originator's files:</p>
<p>From: Jodi Robillos, Commissioner of Community Services</p>	<p>Meeting date: November 12, 2024</p>

## Subject

**Objection to Heritage Designation, 719 Dundas Street East (Ward 3)**

## Recommendation

That the property at 719 Dundas Street East (Ward 3) be designated for its physical, historical and associative but that the Designation Bylaw be held until such time as the City and the Anglican Diocese of Toronto have completed discussions on all churches subject to designation as outlined in the Corporate Report dated October 25, 2024 from the Commissioner of Community Services.

## Executive Summary

- The Notice of Intention to Pass a By-law to Designate was issued on August 14, 2024 after a recommendation to designate at the Heritage Advisory Committee on July 23, 2024 and Council decision to designate on July 31, 2024.
- The Notice of Objection to designate the property was received September 12, 2024.
- Staff have reviewed the objection and note that it does recognize the heritage and history of the church as well as our efforts to conserve it.
- Staff recommend that the property stand for designation and that continued efforts to discuss the designation with the Anglican Diocese move forward.

## Background

The property at 719 Dundas Street East, St. John the Baptist Anglican Church was reviewed for heritage designation as part of the City's response to the *More Homes Built Faster Act*, which amended the *Ontario Heritage Act* to limit listed properties on the City's Heritage Register to a two-year period, unless those properties are designated.

Heritage Planning staff are currently completing the review, evaluation and analysis of all properties listed on the City's Heritage Register and are bringing forward all candidates which meet the criteria for designation under Ontario Regulations 9/06 and 569/22.

The property at 719 Dundas Street East was identified as property that meets the criteria based on its architectural, historical and associative value and heritage attributes noted in the revised designation statement. The Heritage Advisory Committee recommended designation on July 23, 2024, with Council approving the recommendation on July 31, 2024. The Notice of Intention to Pass a By-law to Designate, issued under S 29(3) of the *Ontario Heritage Act* was published on August 14, 2024.

A Notice of Objection to the Designation along with a supporting Heritage Evaluation report which it references was received on September 12, 2024, Appendix 1. Under Section 29(5) of the *Ontario Heritage Act*, a person who objects may do so by issuing notice within the proscribed timelines to the City Clerk. This objection was received within said timelines. Section 29(6) of the *Act* requires Council to consider the objection and make a decision whether or not to withdraw the Notice of Intent to Designate within 90 days of the proscribed timelines noted above.

## Comments

The Notice of Objection received has two concerns related to designation; that a designation would create binding restrictions on the property and that the matter must be discussed with the Toronto Anglican Diocese.

Staff note that the concern of binding restrictions is one commonly received and is reflective of a general attitude towards Heritage Planning and heritage designations which does not align with City practice and procedure. Of note for this property is that as of July 1, 2024, The *Ontario Heritage Act* has been amended to include Part IV, Section 33 (18), which states that Council will consent to an alteration to part of the building if the building is used primarily for religious practices and if the heritage attributes are in part or whole in function for religious practices. This new addition to the Act significantly removes any perceived restrictions to any building used for religious practices which is designated under the Act.

Other concerns raised in the objection pertain to the ownership of the property under the Toronto Anglican Diocese. It is understood that the Anglican Diocese is organized as the owners of each Anglican property within its jurisdiction, passing the management of each property down to each congregation. The Diocese has provided the City with notice that it wishes to discuss 719 Dundas Street East, along with three other churches identified for designation; Trinity Anglican, Port Credit (Ward 1) and Trinity Anglican Streetsville (Ward 11), and St. Peter's Anglican Church (Ward 8). Reviewing all four churches together with the Diocese will allow staff to address concerns and come to a fruitful conclusion to the designation process for this property.

Therefore, staff are recommending that the property continue to be considered for designation, as the Objection did not raise any concerns about the heritage attributes or heritage character of the property as outlined in the Notice of Intention to Pass a By-law to Designate, but staff recommend withholding the bylaw from passing at Council until discussions with the Diocese are complete.

## Financial Impact

There are no financial impacts resulting from the Recommendations in this report.

## Conclusion

A Notice of Objection to the designation of 719 Dundas Street East has been received. Staff have reviewed the Notice of Objection and recommend that the property continue to stand for designation but that further discussions regarding it and other Anglican Churches is required with the Anglican Diocese.

## Attachments

Appendix 1: Notice of Objection

A handwritten signature in black ink, appearing to read "Jodi Robillos", is written over a solid black horizontal line.

Jodi Robillos, Commissioner of Community Services

Prepared by: John Dunlop, Manager, Indigenous Relations, Heritage and Museums