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**ONTARIO HERITAGE TRUST
ORDER-IN-COUNCIL APPOINTMENT OF
RUDY SANTOS***

Prepared for:

Standing Committee on
Government Agencies

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INTRODUCTION

This paper is prepared for Members participating in the Committee's review of the Order-in-Council appointment of Rudy Santos to the Board of the Ontario Heritage Trust. It describes the operations of the Trust, presents information about the appointee, and identifies possible lines of questioning.

THE ONTARIO HERITAGE TRUST

Enabling Statute		Responsible Ministry	
Ontario Heritage Act, R.S.O. 1990, c. O.18, s. 5		Heritage, Sport, Tourism and Culture Industries	
Agency Type		Most Recent Annual Report	
Operational Enterprise		2018-19	
Activities of the Agency			
Activities of the Ontario Heritage Trust include the following:			
• advise and make recommendations to the Minister on any matter relating to the conservation, protection and preservation of the heritage of Ontario; • receive, acquire and hold property in trust for the people of Ontario; • support, encourage and facilitate the conservation, protection and preservation of the heritage of Ontario; • preserve, maintain, reconstruct, restore and manage property of historical, architectural, archaeological, recreational, aesthetic, natural and scenic interest; and • conduct research, educational and communications programs necessary for heritage conservation, protection and preservation.¹			
Board Membership ²			
Statutory No. of Members		≥12	
No. Appointed by Cabinet		≥12	
Term of Office		Remuneration Expenses ⁴	
Three years; members may be reappointed for terms not exceeding three years each. ³			

¹ [Ontario Heritage Act](#), R.S.O. 1990, c. O.18, s. 7.

² [Ibid.](#), s. 5(2).

³ [Ibid.](#), s. 5(5).

⁴ [Ibid.](#), s. 14(1).

CURRENT OPERATIONS

All powers of the Board are exercised in accordance with policies and priorities determined by the Minister, and include the following:

- receive and acquire by purchase, donation, lease, public subscription, grant, bequest or otherwise, property of historical, architectural, recreational, aesthetic, natural and scenic interest for the use, enjoyment and benefit of the people of Ontario;
- hold, preserve, maintain, reconstruct, restore, manage and lease for a term of five years or less such a property;
- enter into agreements, covenants, and easements with owners of real property for the protection and preservation of Ontario's heritage;
- borrow money (subject to the provision of a guarantee by the Lieutenant Governor in Council) for carrying out the objects of the Trust;
- conduct and arrange exhibits or other cultural or recreational activities to inform and stimulate public interest in heritage matters;
- enter into agreements with prospective donors, subject to conditions governing the use of property;
- enter into agreements with persons respecting any matter within the objects of the Trust and provide financial assistance to persons who are parties to such agreements for prescribed purposes;
- invest its funds;
- engage the services of experts and other persons;
- undertake programs of research and documentation of matters relating to Ontario's heritage;
- with the consent of property owners, place markers, signs, cairns or other interpretive facilities on property for the interest and guidance of the public; and
- provide assistance, advisory services and training to individuals and organizations in Ontario with similar aims and objectives to those of the Trust.

PROGRAMS

Commemoration

The Trust commemorates Ontario Heritage in the following ways:

- **Provincial Plaques:** the Trust's oldest program activity features nearly 1,300 distinctive plaques, including 22 international plaques, telling stories about people, places, and events. In recent years, the Trust has broadened the scope of the plaque program to

include stories from previously under-represented groups of Ontarians.⁵

- **Premiers' Gravesites:** launched in 2007, the program commemorates each premier's gravesite with a bronze marker and the provincial flag, wherever possible.⁶

Recognition Programs

The Trust has two programs recognizing outstanding contributions made by groups or individuals to identifying, preserving, protecting and promoting Ontario's heritage.

The Lieutenant Governor's Ontario Heritage Awards honour "exceptional contributions to heritage conservation, environmental sustainability and biodiversity, and cultural and natural heritage."⁷

The Young Heritage Leaders program "celebrates youth achievements in identifying, preserving, protecting and promoting local heritage."⁸

Doris McCarthy Artist-in-Residence Program

The Trust's Doris McCarthy Artist-in-Residence Centre is a living and working incubator for visual artists, musicians and writers of all disciplines. The Centre

- promotes excellence in Canadian art, music and writing;
- embraces a multi-disciplinary vision of the arts;
- animates artist Dorothy McCarthy's (1910-2010) home and studio, Fool's Paradise, with a viable and appropriate use;
- demonstrates the inspirational value of the landscape and restorative qualities of the environment; and
- contributes to the artistic and cultural legacy of Dorothy McCarthy.⁹

Doors Open Ontario

In 2002, the Trust launched Doors Open Ontario, which allows visitors and residents to visit heritage properties that may not otherwise be open to the public. The program hosted over 486,000 visitors at approximately 900 heritage sites in 2018-19.¹⁰

⁵ Ontario Heritage Trust (OHT), [Shifting the Narrative](#).

⁶ OHT, [Premiers' Gravesites Program](#).

⁷ OHT, [Lieutenant Governor's Ontario Heritage Awards](#).

⁸ OHT, [Young Heritage Leaders](#).

⁹ OHT, [Doris McCarthy Artist-in-Residence Program](#).

¹⁰ OHT, [Annual Report 2018-19](#), p. 4.

Heritage Week

In 1985, the Ontario government designated the third week in February as Heritage Week, and in 2005, the Trust assumed responsibility for planning and leading Heritage Week events. In February 2020, the Trust, along with local partners, organized events in 20 Ontario communities, which included tours, seminars and exhibits.¹¹

HERITAGE REGISTER

The *Ontario Heritage Act* mandates the Trust to maintain a public register of all designated heritage properties in the province. The [register](#) includes individual properties, heritage conservation districts, archaeological sites, and properties that, in the opinion of the Minister of Heritage, Sport, Tourism and Culture Industries, are of cultural heritage value or interest.¹²

PROVINCIAL SUPPORT

Under the Act, the Trust has a general fund and a reserve fund. The capital of the reserve fund may not be expended (apart from making investments, subject to the conditions of the *Trustee Act*) without the consent of the Lieutenant Governor in Council.¹³ The Act also states that the Minister may make grants to the Trust upon terms and conditions the Minister considers advisable and may allocate grants to the general fund or the reserve fund.¹⁴

According to the Trust's Statement of Operations in its most recent Annual Report, the Trust received about \$4 million (operating), about \$843,000 (capital) and \$249,000 (special) in Ministry grants in 2019 (compared with about \$3 million, \$1 million and \$322,000 in 2018). The Trust's total revenue, including grants, was about \$12 million in 2019. Approximately \$5.2 million of the non-grant revenue was generated from rental and licencing fees for the Trust's heritage properties.¹⁵

RECENT DEVELOPMENTS

In September 2018, the Trust reopened public access to its Cheltenham Badlands property after three years of closure. The property contains a rare geological formation, and it had been closed for the construction of a boardwalk and parking lot. The new facilities are intended to allow the public to access the site while

¹¹ OHT, [Community events](#).

¹² *Ontario Heritage Act*, s. 23.

¹³ *Ibid.*, s. 13.

¹⁴ *Ibid.*, s. 17.

¹⁵ OHT, *Annual Report 2018-19*, p. 22.

protecting it from degradation.¹⁶ The site has drawn almost 120,000 visitors since it reopened.¹⁷

In July 2020, the Trust announced that it would hold a virtual Doors Open Ontario during the 2020 season due to the COVID-19 pandemic.¹⁸ In August, [Digital Doors Open](#) was launched highlighting three Black heritage sites in Chatham-Kent: the Uncle Tom's Cabin Historic Site in Dresden, the Buxton National Historic Site, and the Chatham-Kent Black Historical Society.¹⁹ Digital Doors Open includes photos, virtual tours, videos, searchable collections, online games and activities regarding Ontario's heritage sites. The Trust has been adding new content regularly throughout the summer and fall.

In mid-January 2021, the Province started a demolition project on the Dominion Wheel and Foundries Company site (located at 153-185 Eastern Avenue in Toronto) that includes four buildings, all constructed between 1917 and 1929. The City of Toronto added these provincially-owned buildings to its heritage register in 2004.²⁰ (Provincially owned heritage properties are not subject to designation by municipalities and exempt from the provisions of [Part IV](#) of the *Ontario Heritage Act*.) On January 21, 2021, the St. Lawrence Neighbourhood Association commenced a court application seeking court orders that would stop the demolition of the buildings on the site. The next day, the Province temporarily paused the demolition. On January 29, the Divisional Court of Ontario granted an order of prohibition to prevent destruction of any heritage features of the buildings pending final determination of a court order. A court hearing is scheduled to take place on February 26, 2021.²¹ Depending on subsequent developments on the matter, the Province may or may not involve the Trust on the future of the site.

On January 21, 2021, the *Toronto Star* reported that Metrolinx informed the City of Toronto that the Province intends to take ownership of two municipally-owned properties at 25 Berkeley St. and 271 Front St. E., both of which are on a parcel known as the [First Parliament site](#) that is [registered](#) under the Ontario Heritage Act Register.²² Metrolinx stated that the properties on the site are required for the

¹⁶ Karen Martin-Robbins, "[West Caledon Badlands will reopen to public](#)," *Toronto Star*, September 11, 2018.

¹⁷ OHT, [2019-20 Impact Report](#), p. 6.

¹⁸ *Canada NewsWire*, "[Doors Open Ontario is going digital for 2020](#)," July 23, 2020.

¹⁹ Ellwood Shreve, "[Doors Open Ontario goes digital, featuring Chatham-Kent Black historic sites](#)," *Chatham Daily News*, August 6, 2020.

²⁰ The *Ontario Heritage Act* allows a municipality to include provincially owned heritage properties in the municipal register. Including a provincially owned heritage property in the municipal register indicates to the Province, as the property owner/manager, that the property has cultural heritage value or interest to the local community (Ministry of Heritage, Sport, Tourism and Culture Industries, [The Municipal Register of Heritage Properties](#)).

²¹ City of Toronto, [Stopping the Demolition to Protect Ontario's Heritage at the Dominion Foundry Buildings](#) (Report for Action), February 1, 2021.

²² The First Parliament site is where the first purpose-built parliament buildings were constructed in 1797, establishing York (now Toronto) as the capital of Upper Canada. These buildings are also best known for being burned down by the Americans during the War of 1812 (City of Toronto, [First Parliament Project Details](#)).

construction of the Corktown station on the Ontario Line.²³ The City of Toronto completed a [heritage interpretation strategy](#) in 2018 for the site and is currently developing a master plan to guide development in the area over the next 10 to 20 years. It is believed that the site has archaeological significance and contains many historical artefacts underground. The Trust is expected to be a party to discussions regarding the future of the site.²⁴

THE WITNESS

The witness, Rudy Santos, is seeking appointment as a part-time member.

According to the Office of the Premier, the witness, of Toronto, is a Managing Director for RCS Media Solution, and a former National Account Manager for Outfront Media. He holds a Bachelor of Commerce from Ryerson University.

POSSIBLE QUESTIONS

1. *What has motivated the witness to seek this appointment?*
2. *What is the witness's understanding of the activities outlined for the Ontario Heritage Trust in the Ontario Heritage Act?*
3. *What particular skills or interests does the witness bring to the Ontario Heritage Trust?*
4. *In the witness's opinion, what challenges, if any, does the Trust face in achieving its objectives?*

²³ *Toronto Star*, "Province wants First Parliament land for subway: Wong-Tam calls for Ontario to work with city to preserve site's heritage," January 21, 2021.

²⁴ Trevor Dunn, "[Toronto councillors warn First Parliament area 'not for sale' as province seeks to seize historic site](#)," *CBC News*, January 22, 2021.