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Property Management

Canon Robert Saffrey, ODT – Executive Director
Wendy Pearson – Property Resources Coordinator

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Team

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Growing in Christ

- Governance Pilot Project (Canon 6)
- Rectory Policy
 - A new Rectory Policy for the Sale and Replacement of Rectories came into effect on March 30, 2021
 - Churches are now permitted to sell their rectories if they follow the guidelines of the new policy found on the Diocese website link below
<https://www.toronto.anglican.ca/parish-administration/policies-guidelines/>

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Questions

1. Who has corporate signing authority in your congregation for real property matters?

2. Who is the registered owner of parish property?

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Current Legal Framework

- *Religious Organizations' Lands Act* (Ontario) R.S.Q. (1990) c. R23
- *The Constitution & Canons* (i.e. by-laws)

<https://www.toronto.anglican.ca/churchwarden-resources/constitution-and-canons/>

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Incumbent and Churchwardens

Anglican Church of Canada Act (Ontario) S.Q.(1979) c. 46

1.-(2) The person or other incumbent of the church for the time being and the churchwardens thereof shall, for the purposes of *The Religious Organizations' Lands Act*, 1979 be deemed to be **trustees** within the meaning thereof.

2.-(1) Land shall not be sold or leased, mortgaged or otherwise encumbered under the powers conferred by *The Religious Organizations' Lands Act*, 1979 except with the **consent of the vestry** of the church or congregation interested therein **and of the bishop** of the diocese **and the executive committee of the synod of the diocese**, and the consent of the vestry given in accordance with the rules and canons of the church shall be deemed to be the consent of the congregation.

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The following **ALL** require permission from Synod Council:


1. **Purchases & Transfers** (i.e. sale, severance)
2. **Building or Structural Alterations** (requiring a Building Permit)
3. **Mortgages &/or Encumbrances**
4. **Loans/financial obligations** ("not expected to be liquidated within one (1) year")
5. **License Agreements***
6. **Lease Agreements** (both Residential* & Commercial)

* Templates provided for use

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Procedure Pursuant to Canon 6

- Governance Pilot Project
- Risk and Governance Committee does much of the same work formerly done by the Trusts Committee
- Synod Council's Decision-making Authority and Delegation of Authority Policy


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Procedure Pursuant to Canon 6

The Risk and Governance Committee approves the following:

Grants:

- Baker Foundation Grants
- Mabel A Carleton Fund Grants
- Winifred Walton Ferguson Trust Grants
- Send materials to the Property Resources Coordinator

Documentation must be received at least 2 weeks in advance of the meeting date



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Procedure Pursuant to Canon 6

The Risk and Governance Committee approves the following:

- Licenses and Parking Licenses (**RED** Checklist & Attestation)
- Residential Tenancy Leases (**YELLOW** Checklist & Attestation)
- Some Building Alterations (**GREEN** Checklist & Attestation)



Canon 6

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RED Checklist & Attestation

License Agreements and Parking License Agreements

Simplified Canon 6 procedure for certain low-risk items:

- Complete all due diligence items, email a fully completed and signed Checklist to canon6@toronto.anglican.ca
- Once you've submitted your checklist, sign the License Agreement and allow occupancy.



Canon 6


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YELLOW Checklist & Attestation

Residential Tenancy Leases

Simplified Canon 6 procedure for certain low-risk items:

- Complete all due diligence items, email a fully completed and signed Checklist to canon6@toronto.anglican.ca
- Once you've submitted your checklist, sign the Lease Agreement and allow occupancy.



Canon 6

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GREEN Checklist & Attestation

Renovations requiring a Building Permit and hard construction cost LESS than \$100,000:

Simplified Canon 6 procedure for certain low-risk items.

- Complete all due diligence items, email a fully completed and signed Checklist to Diocesan Centre.
- Send signed Checklists to: canon6@toronto.anglican.ca
- Once a fully completed and signed Checklist is submitted, parish may proceed with project.



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


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Procedure Pursuant to Canon 6

The Risk and Governance Committee recommends approval to Synod Council regarding the following:

- Purchases, Sales, Mortgages or Loans, Commercial Agreements (Licenses & Leases)
- Area Bishop, and Vestry support
- Documentation to support the request as outlined in Canon 6 and the Procedure Pursuant to Canon 6 as Prescribed by the Synod Council.
- Send materials to the Property Resources Coordinator.

Documentation must be received at least 2 weeks in advance of the meeting date



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Procedure Pursuant to Canon 6

The Risk and Governance Committee recommends approval to Synod Council regarding the following:

Two-Step Approval Process for Building or Structural Alterations with hard costs greater than \$100,000

- Area Bishop, and Vestry support
- Documentation to support the request as outlined in Canon 6 and the Procedure Pursuant to Canon 6 as Prescribed by the Synod Council
- Most projects require a two-step process: Approval in Principle AND Final Approval. **Requests must receive Final Approval before project start.**
- Send materials to the Property Resources Coordinator

Documentation must be received at least 2 weeks in advance of the meeting date


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Next Steps

Contact us, we are here to help.

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