



**BY-LAW NO. 2020-xxxx**

A By-law to delegate Council's power under the Ontario Heritage Act for certain types of alterations to properties designated under Part IV and Part V of the Ontario Heritage Act.

**WHEREAS** Section 28 of the Ontario Heritage Act, R.S.O. 1990 provides that the council of a municipality may by by-law establish a municipal heritage committee to advise and assist the council on matters relating to Parts IV and V of the Ontario Heritage Act, and such other heritage matters as the council may specify by by-law;

**AND WHEREAS** Council for the Corporation of the Town of Halton Hills considered it desirable to have a municipal heritage committee and established the Heritage Halton Hills Committee (formerly LACAC) by By-law 89-0036, as amended through by By-law Nos. 93-075, 95-187, and 01-026;

**AND WHEREAS** Council for the Corporation of the Town of Halton Hills now deems it necessary and in the public interest to repeal and replace By-law 89-0036, as amended through by By-law Nos. 93-075, 95-187, and 01-026;

**AND WHEREAS** on May 25, 2020, Council for the Town of Halton Hills adopted Report No. PD-2020-0022, dated May 15, 2020, in which certain recommendations were made relating to the Heritage Halton Hills Committee By-law;

**NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF HALTON HILLS ENACTS AS FOLLOWS:**

1. A Municipal Heritage Committee, to be known as Heritage Halton Hills, is hereby established to advise and assist Council on matters relating to Parts IV and V of the Ontario Heritage Act.
2. The Terms of Reference for Heritage Halton Hills are attached hereto as Schedule "A" and form part of this By-law.

**BY-LAW** read and passed by the Council for the Town of Halton Hills this 25th day of May, 2020.

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MAYOR – RICK BONNETTE

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CLERK – SUZANNE JONES

## **SCHEDULE “A” TO BY-LAW NO. 2020-xxxx**

### **HERITAGE HALTON HILLS TERMS OF REFERENCE**

#### **1. Background and Mandate**

Heritage Halton Hills, the Town of Halton Hills’ Municipal Heritage Committee, was established on March 13, 1989 (By-Law 1989-0036) as the Local Architectural Conservation Advisory Committee (LACAC), per Section 28 of the *Ontario Heritage Act*. On May 25, 1993, the Committee was renamed Heritage Halton Hills (By-Law 1993-0075).

The mandate of Heritage Halton Hills is to advise Council and make recommendations on the designation of property, applications for repeal of designations, applications for alterations, and/or removal or demolition of Part IV and Part V properties, as outlined in Section 28 of the *Ontario Heritage Act*. Council is required, under the *Ontario Heritage Act*, to consult with Heritage Halton Hills (the Municipal Heritage Committee) on matters such as:

- Listing properties on a Municipal Heritage Register (Section 27);
- Designation of individual properties (Section 29);
- Amendment of a designation by-law (Section 30);
- Repealing the designations of individual properties (Section 31 & 32);
- Alterations to designated properties (Sections 33);
- Demolitions of designated properties (Section 34 and 42);
- Easements and covenants to conserve buildings of cultural heritage value (Section 37); and,
- Defining and designation of heritage conservation districts (Section 40).

#### **2. Goals and Objectives**

In addition to fulfilling its mandate as an advisory committee to Council, Heritage Halton Hills will promote the conservation and celebration of the Town of Halton Hills’ unique local history and will serve to assist local residents in developing an understanding and appreciation of the community’s beginnings, development, and future. Heritage Halton Hills may, in accordance with policies and priorities determined by Council and in their discretion, consider it appropriate to undertake the following initiatives:

- Promote the history and heritage of the Town of Halton Hills through public outreach, education, exhibits, tours, and special events;
- Identify and evaluate properties and areas of cultural heritage value or interest for designation under the *Ontario Heritage Act* or addition to the Town’s Heritage Register;
- Provide the rationale for resources to carry out Heritage Halton Hills’ mandate;
- Participate in various Town committees to provide heritage input as required;
- With the consent of the owners of property, place markers, signs, cairns or other interpretive facilities in or on the property in the interest of the public;
- Sponsor or participate in programs that honour individuals who have contributed to heritage conservation in the Town of Halton Hills.

#### **3. Reporting Relationship**

The Committee is to serve as an advisory body to Council and does not have any delegated authority. Recommendations requiring implementation, expenditures, reports, or staff actions must be considered by staff and/or Council. Council may cause the Committee to review and report on matters pertaining to the Committee’s mandate.

## **4. Committee Composition**

The Term of Office for Citizen members and Council members on Heritage Halton Hills shall run concurrent with the term of Council, or until successors are appointed. The Chair of the heritage Halton Hills will be appointed by the Mayor. At the first meeting of the new term of Heritage Halton Hills, the members shall appoint, from among their number, a Vice-Chair. All members are subject to the Town of Halton Hills Procedural By-law, a by-law to adopt procedures for the calling, place, proceedings and providing public notice of meetings of the Council and its Committees and to provide rules for the conduct of its Members.

Heritage Halton Hills shall consist of the following members:

- One Council member, who will be appointed by the Mayor as Chair;
- A minimum of 5 and maximum of 10 volunteer citizen members;
- Town of Halton Hills Planning Staff representative (non-voting member); and,
- The Mayor of the Town of Halton Hills shall be an ex-officio member.

The Clerk will provide organizational and procedural support to the Committee. Other staff and delegates may be invited to provide input at times, however they are not to be counted towards quorum and do not have voting privileges.

## **5. Sub-Committees**

Heritage Halton Hills may establish sub-committees from time to time to deal with specific issues. These sub-committees make recommendations to Heritage Halton Hills. All appointed members of the sub-committee have the right to vote. The Chair of the sub-committee will be appointed at the first meeting of the sub-committee.

## **6. Meetings**

An annual schedule of monthly meetings will be prepared by the Clerk in consultation with the Chair prior to December 31 of the preceding year. Meetings will not be planned in July, August, or December unless required to address legislative timelines for applications under the *Ontario Heritage Act*. Meetings will be typically held nine times per year, generally the third Wednesday of the month beginning at 6:30 p.m. and completed within 2 hours unless a vote by members to extend the time to a specified time has been approved. However, meetings may be cancelled if there are no urgent issues or agenda items.

### *Meeting Procedures*

#### **1. Quorum**

A majority of members including the Chair shall constitute quorum.

#### **2. Agenda**

The Chair of Heritage Halton Hills and Town staff shall submit agenda content to the Clerk by no later than noon, one week prior to the scheduled meeting date. If no substantive agenda content is received by the content deadline, the meeting will be cancelled. The business of each meeting shall be taken up in the order in which it is listed on the agenda, unless otherwise agreed to by members present. The agenda will be posted on the Town's Website a minimum of 48 hours prior to the scheduled meeting date.

#### **3. Minutes**

Minutes shall briefly outline the substance of each item listed on the agenda, including action items and recommendations. Minutes will be received by the Committee at the next meeting following approval by Council.

#### **4. Rules of Order**

Members are encouraged to ask questions engage in discussion and share feedback following presentations and delegations. The Committee Chair shall maintain order and decorum during the meeting and decide the order of questions.

Members shall indicate to the Chair their desire to speak and wait to be acknowledged by the Chair before speaking. Only one member shall speak at a time. All members are equal and no member has seniority over another member. No member shall interrupt another member while speaking.

#### **5. Conflict of Interest**

Members shall adhere to the Town's policies relating to the Disclosures of Pecuniary Interest or Conflicts of Interest as identified in the Town of Halton Hills Procedural By-law. It is the responsibility of Members to identify and disclose any conflict of interest as defined under the *Municipal Conflict of Interest Act*. Members shall provide written notification of a pecuniary interest or conflict of interest to the Clerk at the opening of a meeting, prior to any discussion on the matter, and shall not take part in discussion or vote on such matter. Members shall not in any way attempt to influence the voting on a matter before, during or after the meeting. Where a member is absent from a Meeting which included a matter on which they have a conflict of interest, the member shall disclose the conflict at the next meeting they attend. All disclosed conflicts of interest shall be recorded in the meeting minutes and in the Town's Conflict of Interest Declaration Registry.