



NORTH DUMFRIES HERITAGE ADVISORY COMMITTEE TERMS OF REFERENCE

1. Role

The Heritage Advisory Committee (the Committee) in their role as an advisory body is to recommend and assist Township Council on heritage matters related to statutory roles as outlined in Part IV and Part V of the *Ontario Heritage Act*, and non-statutory roles such as education and promotion of cultural heritage resources, development applications applied for under the authority of the *Planning Act*, and undertakings proposed through the Environmental Assessment Act. The review will involve providing advice on cultural heritage resources and other related heritage matters as Council may specify.

2. Mandate and Responsibilities

2.1 Statutory Role of Heritage Advisory Committee – Ontario Heritage Act:

The Heritage Advisory Committee will:

The Township of North Dumfries Council is required under the *Ontario Heritage Act*, to consult with the Heritage Advisory Committee on various matters regarding non-designated (listed) properties, designated properties, heritage conservation districts, and entering into easements or covenants pertaining to designated properties. As such, the statutory role of the Committee is defined as:

- i) Heritage Register Non-Designated (Listed): The Committee will advise Council on properties to be added or to be removed from the Heritage Register.
- ii) Designation of Property: The Committee will advise Council prior to the designation of a property.
- iii) Repeal of Designation By-law: The Committee will advise Council prior to the repeal of a by-law or part thereof designating the property.
- iv) Amendment of Designation By-law: The Committee will advise Council prior to the amendment of a by-law or part thereof designating a property.
- v) Alteration of Designated Property: The Committee will advise Council on applications to alter a designated property where such proposed alteration

may affect the reasons for designation as set out in the by-law designating the property.

- vi) Demolition – Designated Property: The Committee will advise Council on applications to demolish or remove any structure on designated property.
- vii) Easements/Covenants: The Committee will advise Council before passing by-laws entering into easements or covenants with the owners of real property, or interests therein, for the conservation of buildings of historical or architectural value or interest.
- viii) Heritage Conservation Districts: The Committee will advise Council on a study regarding a heritage conservation district, before passing a by-law adopting a heritage conservation district plan, or on an application to demolish or remove any building or structure on a property in a heritage conservation district.

2.2 Non-Statutory Role of Heritage Advisory Committee – Ontario Heritage Act:

- i) Demolition – Non-Designated (Listed) Property: The Committee may advise Council when a notice is received from an owner to demolish or remove a building or structure that is on a non-designated (listed) property.

2.3 Non-Statutory Role of Heritage Advisory Committee – Other:

- i) Promote public participation in heritage matters through education, engagement and stewardship campaigns that are designed to raise the profile and importance of heritage resources located throughout the Township;
- ii) Develop a community recognition program for heritage conservation for the consideration and approval of Council;
- iii) Provide advice and recommendations to Council as to how the conservation of heritage resources and cultural landscapes may be achieved through the adoption of appropriate policies, such as Official Plans, Zoning By-laws and other potential instruments;
- iv) Comment and recommend to Council on various *Planning Act* or *Environmental Assessment* undertakings which may impact upon a cultural heritage resource;
- v) The Committee will provide advice to Council on scoping or waiving the requirement for a Cultural Heritage Impact Assessment (CHIA) and will assist the Township in the review of draft and final CHIAs as per the Township of North Dumfries Cultural Heritage Impact Assessment Terms of Reference (Revised November 2018);

- vi) Advise Council as to new heritage legislation initiatives and the implications arising from the new provisions; and,
- vii) Undertake special projects and/or assignments as identified by Council associated with heritage resources, cultural landscapes and other similar matters.

3. Reporting Structure and Work Plan

The Heritage Advisory Committee is to serve as an advisory body to Council. The Committee does not have any delegated authority or decision making capacity. Recommendations which require Council action will be placed on the Council Agenda for consideration.

Recommendations requiring implementation and/or expenditures will be reviewed by Staff and considered by Council.

The Committee will make a presentation to Council in the form of an annual report outlining the accomplishments of the Committee for the previous year and establishing a work plan for the future year.

Typically, on business matters on the Agenda, decisions are made based upon group consensus of those members present at the meeting and would be recorded accordingly in the Minutes of Meeting. Where a Recommendation is made to Council on an action item, a Resolution carried by the voting majority will be required.

In the event of a tie vote, the motion will not carry.

4. Committee Composition and Qualifications

The Heritage Advisory Committee shall be comprised of a minimum of five members with a maximum of nine members. One member of Council shall be appointed to the Committee by Council. The Mayor shall be an ex-officio member. Council shall appoint members to the Committee by By-law. The appointments to the Committee shall run concurrent with the term of Council.

The appointed members to the Committee present at the scheduled meeting will be deemed to be the voting members.

Members to the Committee will be appointed by Council from an advertised recruitment campaign. Members will be selected based upon their special expertise, experience, dedication and commitment to the Committee's mandate.

The membership of the Committee will be reviewed and evaluated annually by Council based on the ability of members to carry out their advisory duties, attendance and participation. Council has the ability to remove members from the Committee should they fail to fulfil their responsibilities to the Committee.

In order to maintain a high level of commitment and ensure business continuity, members may be required to resign if they have been absent for more than two (2) consecutive meetings without good cause.

Resignation of a member during the term must be given in writing to the Township Clerk. Township Council will review and consider whether to undertake a recruitment campaign to backfill the vacancy, however, at no point will the membership of the Advisory Committee be less than five (5) members.

5. Appointment of Chair and Vice-Chair

The Chair of the Committee shall be a member of Council appointed to the Committee by Council. The Vice-Chair shall be elected by a voting majority by the appointed members. The Chair and Vice-Chair positions will be for the term of Council.

The Chair shall be responsible for conducting the meeting in accordance with the relevant Township By-laws and procedures and will facilitate the discussion at each meeting pursuant to the published meeting Agenda and the Committee's mandate. The Vice-Chair will act in the capacity of the Chair in the absence of the Chair.

The Chair will work with the Recording Secretary to prepare meeting Agendas and the circulation of material to the Committee in advance of the meeting date.

6. Committee Administration

A Recording Secretary will be provided from a pool of Township Staff. The Recording Secretary will provide support with Agenda preparation, taking of Meeting Minutes, and will provide organizational and procedural support to the Committee.

Technical support on Agenda items may necessitate from time to time the presence of Staff to appear before the Committee at scheduled meetings. Technical support and the requested presence of Staff will be coordinated through the Reporting Secretary and the appropriate Department Head.

Staff resource liaison and support to the Committee do not have voting privileges. All Committee Agendas and Minutes of Meeting will be posted by the Recording Secretary on the Township's website.

The Committee Meeting Schedule will be posted on the Township's website.

Agendas will be circulated to the Committee and posted on the Township's website a minimum of six (6) calendar days prior to the scheduled meeting date.

7. Sub-Committees and Working Groups

The Heritage Advisory Committee may form sub-committees and working groups as may be necessary to complete specific tasks related to the Committee's mandate and work plan. These sub-committees and working groups must be comprised of Committee members.

8. Conduct

The action of all appointed members of the Committee shall be governed by the Code of Conduct for Employees & Volunteers.

Where not otherwise specified in these Terms of Reference, conduct and procedures of the Committee will be governed by the relevant sections of the Township's Procedural By-law.

9. Meetings

It is expected that the Committee will meet at least four (4) times a year on a quarterly basis. Meetings for the year will be established at the beginning of each calendar year during the term. The Committee may choose not to hold meetings during the summer months (July / August) or if there are insufficient Agenda items requiring consideration with regard to the workplan.

All Committee meetings are open to the public and are subject to the provisions of Section 239 of the *Municipal Act*.

Meetings of the Committee shall not conflict with regular meetings of Regular Council, Council Committee of the Whole, or, Council – Planning Meeting.

The Chair may call additional meetings to discuss urgent or time sensitive matters, but must give a minimum of eight (8) calendar days Notice to members and to the Public. All regular meetings of the Committee will be scheduled for a weeknight (Monday to Thursday), commencing no earlier than 6:30 pm

10. Quorum

The calculation of quorum to conduct business of the Heritage Advisory Committee is a simple majority of members in good standing.

If quorum is not present at the advertised time of the circulated meeting agenda, then the members shall wait an additional fifteen (15) minutes. If quorum is not achieved after the lapsing of fifteen (15) minutes then the Chair will declare the meeting adjourned until the next regularly scheduled Committee meeting and the Recording Secretary will record the names of the Committee members present.

11. Renumeration

Members of the Heritage Advisory Committee serve without remuneration. Compensation for any expenses related to carrying out their duties as a Committee member must be pre-approved by the Chief Administrative Officer and is contingent upon funds available in the Department's operating budget.

12. Review of Terms of Reference

With the commencement of the term of Office by Council, the Terms of Reference will be reviewed. Council at any time during the term of Office may review and amend the Committee's Terms of Reference.