

Authority: Notice of Motion J14), Moved by Councillor Ashton, seconded by Councillor Silva, as adopted by the City of Toronto Council on November 23, 24 and 25, 1999; and Economic Development Committee Report No. 6, Clause No. 2, as adopted by City of Toronto Council on April 13, 14 and 15, 1999  
Enacted by Council: November 25, 1999

## **CITY OF TORONTO**

### **BY-LAW No. 794-1999**

#### **A By-law to Revise the Powers of the Toronto Historical Board and to provide for it to be known as “Heritage Toronto”.**

WHEREAS the City of Toronto Act, 1958 authorized the establishment of the Toronto Historical Board; and

WHEREAS section 72 of the City of Toronto Act, 1997 [No. 2] specifically provides that the Toronto Historical Board incorporated by Statutes of Ontario 1958 is continued under the name Toronto Historical Board; and

WHEREAS section 76 of the City of Toronto Act, 1997 [No. 2] authorizes City Council to, by-law, impose restrictions on the statutory powers of the Toronto Historical Board; and

WHEREAS City Council at its meeting of December 16 and 17, 1998 endorsed the continued existence of an arms-length charitable foundation to facilitate fundraising and the development of a broad range of heritage projects throughout the City; and

WHEREAS City Council at its meeting of April 13, 14 and 15, 1999 endorsed a framework for the Toronto Historical Board to continue to fill this function in the context of a new structure for the delivery of heritage and museum services;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. (1) “Commissioner” means Commissioner of Economic Development, Culture and Tourism;
- (2) “Council” means Council of the City of Toronto;
- (3) “Heritage Toronto” means the Toronto Historical Board;
- (4) “Museum Management Board” means a community museum management board established under clause (e) of paragraph 58 of section 207 of the Municipal Act;
- (5) “Museum Board” means the Toronto Historical Museum Board;
- (6) “Toronto Preservation Board” means the Toronto Community Local Architectural Conservation Advisory Committee and its six (6) community Local Architectural Conservation Advisory Committee (LACAC) panels.

2. The Toronto Historical Board shall be known as “Heritage Toronto” as continued under section 72 of the City of Toronto Act, 1997 [No. 2].
3. Heritage Toronto shall be a local board and a body corporate having the following responsibilities:
  - (a) provide advice and direction on global heritage issues;
  - (b) serve as an advocate respecting heritage issues;
  - (c) organize and carry out major fund-raising drives on behalf of the Museum Board, the Community Museum Management Boards, the Toronto Preservation Board, and heritage issues generally;
  - (d) ensure that any privately-donated funds received are applied to the specific purpose designated by the donor;
  - (e) establish and manage publicity and public programs, including awards programs, respecting city-wide heritage issues and to otherwise promote public awareness of the City’s heritage;
  - (f) serve as a liaison with the broader heritage community;
  - (g) serve as a focal point for volunteer sector groups;
  - (h) assist and advise in the development of the Heritage Master Plan;
  - (i) carry out such other duties relating to the City’s history and development as the Council may assign.
4. (1) Heritage Toronto shall be composed of up to twenty-one (21) members, who shall be appointed by City Council and nominated as follows:
  - (i) three representatives of Museum Management Boards;
  - (ii) three representatives of community LACAC panels;
  - (iii) the Chair of the Toronto Heritage Foundation;
  - (iv) one (1) representative from the Toronto Historical Association;
  - (v) one (1) representative of the aboriginal community;
  - (vi) two (2) members of City Council.
  - (vii) six (6) to ten (10) citizen members.
- (2) Representation appointed from the Museum Management Boards and the Community LACAC panels must ensure that there is one person appointed representing each of the Community Council areas of the City.
- (3) The persons appointed as members of Heritage Toronto shall hold office for a term consistent with the City’s policy on Citizen Appointments to City of Toronto Agencies, Boards and Commissions and External Special-Purpose Bodies.
- (4) Members shall be eligible for re-appointment.

(5) In the case of a vacancy from any cause the member appointed to fill the vacancy shall hold office for the balance of the term of the member whose place is vacant.

(6) A member shall cease to be a member of Heritage Toronto if absent from three (3) successive meetings of the Board without being authorized to do so by a resolution of Heritage Toronto entered upon its minutes.

**5.** The members of Heritage Toronto shall serve without remuneration.

**6.** (1) All ordinary meetings of Heritage Toronto shall be open, and no person shall be excluded from a meeting except for improper conduct.

(2) A quorum shall consist of a simple majority of the members, excluding City Councillors who are members.

**7.** Heritage Toronto shall keep minutes of its meetings and shall keep all papers and documents pertaining to the business of the Board, and all books, documents and files kept by Heritage Toronto shall be open to the inspection of the members of Council or of any other person or persons appointed for that purpose by Council.

**8.** Heritage Toronto shall, as soon as possible after the first meeting in each term, elect a Chair and Vice-Chair.

**9.** Heritage Toronto shall meet at least eight (8) in every calendar year and, in addition, at any time at the request of a majority of the members of Heritage Toronto or at the request of the Chair or Vice-Chair.

**10.** (1) Heritage Toronto shall submit an annual budget of its estimated revenues and expenditures in a form satisfactory to the City Treasurer and Chief Financial Officer and, when money is provided by Council, the Commissioner shall pay out the money as Heritage Toronto may from time to time require.

(2) Immediately after the end of each year, Heritage Toronto shall submit its annual report to Council through the Economic Development and Parks Committee, including a complete audited and certified financial statement of its affairs, with a revenue and expense account, balance sheet and profit and loss statement, including private donations and the terms upon which any private donations were given during the preceding year.

(3) The City Auditor shall be the Auditor of Heritage Toronto, and all books, documents, transactions, minutes and accounts of Heritage Toronto shall at all times be open to his or her inspection.

(4) Except as to any funds received from a private donor for a specific purpose, Heritage Toronto shall pay over any net revenue to the City.

**11.** (1) Heritage Toronto shall not at any time act in a manner that is contrary to or inconsistent with any legal obligation of the City.

(2) Heritage Toronto shall not manage or control any property without the prior approval of City Council.

**12.** (1) To the extent of any conflict between this by-law and any by-laws of the former municipalities, this by-law prevails.

(2) To the extent of any conflict between this by-law and By-law No. 795-1999, being a by-law to establish the Toronto Preservation Board and Community LACAC Panels and By-law No. 793-1999, being a by-law to establish the Toronto Historical Museum Board and Nine Community Museum Management Boards, the latter two by-laws prevail.

(3) No member of Heritage Toronto nor any member of Council shall have any contract with Heritage Toronto or be monetarily interested, directly or indirectly, in any contract or work relating to the operations or functions of the Board.

**13.** This by-law comes into effect on January 1, 2000.

ENACTED AND PASSED this 25th day of November, A.D. 1999.

CASE OOTES,  
Deputy Mayor

NOVINA WONG,  
City Clerk

(Corporate Seal)