

Authority: Economic Development and Parks Committee Report No. 5, Clause No. 15,
as adopted by City of Toronto Council on May 30, 31 and June 1, 2001
Enacted by Council: June 1, 2001

CITY OF TORONTO

BY-LAW No. 380-2001

To repeal and replace Article III, Toronto Preservation Board, of Chapter 103, Heritage, of the City of Toronto Municipal Code.

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

1. Article III, Toronto Preservation Board; Community Local Architectural Conservation Advisory Committee Panels, of Chapter 103, Heritage, of the City of Toronto Municipal Code is repealed and replaced with the following:

ARTICLE III Preservation Board; Community Preservation Panels

§103-16. Definitions

As used in this article, the following terms shall have the meanings indicated:

ACT - The *Ontario Heritage Act*, R.S.O. 1990, c.O.18.

BOARD - The Toronto Preservation Board established under § 103-17A.

COMMISSIONER - The Commissioner of Economic Development, Culture and Tourism, or his or her designate.

COMMUNITY COUNCIL - A committee of Council established under section 7 of the *City of Toronto Act, 1997 (No.1)*.

HERITAGE EASEMENTS OR COVENANTS - An easement agreement or covenant between the City of Toronto and owners of real property, or interests therein, for the conservation of buildings of historic or architectural value or interest.

HERITAGE PROPERTIES - Properties which are of historic or architectural value or interest.

LISTED - Listed on the City of Toronto's Inventory of Heritage Properties, and "listing" has a corresponding meaning.

NATURAL HERITAGE - Features and areas, such as significant wetlands, fish habitat, woodlands, valleylands, portions of the habitat of endangered and threatened species, wildlife habitat, and areas of natural and scientific interest, which are important for their geological, environmental and social values as a legacy of the natural landscapes of an area.

PANEL - A community preservation panel established under § 103-18A.

PROPERTY(IES) - Real property and includes all buildings and structures thereon.
STAFF - Employees of the City of Toronto.

§ 103-17. Toronto Preservation Board

- A. A local architectural conservation advisory committee to be known as the Toronto Preservation Board (the “Board”) is hereby established.
- B. Composition; qualifications
- (1) The Board shall consist of the Chair or designate of each panel, five (5) citizens to be appointed by Council and up to three (3) members of Council.
 - (2) The citizens appointed shall possess special interests or knowledge that will assist the Board in fulfilling its responsibilities, such as expertise in architecture, archaeology, planning, landscape architecture, local history, natural heritage, land development and law.
 - (3) The members shall hold office until their successors are appointed.
 - (4) Where a vacancy occurs for any reason, Council shall appoint a person qualified to be a member, who shall hold office for the remainder of the term for which his or her predecessor was appointed.
- C. The Board shall, with the assistance of staff, advise and assist Council on all matters relating to Parts IV and V of the Act, including:
- (a) designation of individual heritage properties or of heritage conservation districts and listing of heritage properties worthy of designation;
 - (b) applications to alter, demolish or remove designated or listed heritage properties;
 - (c) applications to repeal by-laws which designate individual properties as heritage properties;
 - (d) authorizing entering into heritage easements or covenants;
 - (e) an inventory of designated and listed heritage properties;
 - (f) the criteria and process for listing and designating heritage properties;
 - (g) archaeological issues on designated or listed heritage properties;
 - (h) grants for the preservation of heritage properties; and
 - (i) such other duties relating to heritage preservation issues as may be assigned to it by Council.

- D. The Board shall advise Council through the City's Economic Development and Parks Committee or its successor committee on City-wide heritage matters set out in this article and through Community Councils on local heritage issues.
- E. Budget proposal; operating expenditures
- (1) The Board shall submit, at a time satisfactory to the Commissioner, an annual budget proposal.
 - (2) The Board shall not make or incur liability for any operating expenditure.
- F. The persons appointed to the Board, with the exception of members of Council, 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".
- G. Organization, meetings
- (1) The Board shall, as soon as possible after the first meeting in each term, elect a Chair and Vice Chair.
 - (2) The Board shall meet at least ten times in every calendar year and, in addition, at any time at the request of a majority of the members of the Board or at the call of the Chair.
 - (3) Minutes and records
 - (a) The Board shall keep proper minutes and records 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 the Board shall be open to the inspection of the members of Council or of any other person or persons appointed for that purpose by Council.
 - (b) The Board shall forward true copies of the minutes and records to all members of the Board, the City Clerk and the Commissioner as soon as possible after each meeting.
 - (4) A majority of the members of the Board, excluding members of Council, constitutes a quorum of the Board.
- H. The Board shall ensure that programs operated by the Board comply with City policies including access, equity and anti-racism.

§ 103-18. Community Preservation Panels

- A. A community preservation panel is hereby established for each area represented by a community council.

B. Composition

- (1) Each panel shall consist of a minimum of five (5) and a maximum of eleven (11) citizen members and a maximum of two (2) Councillors at the discretion of community council.
- (2) The panel members shall be nominated by community council.

C. Within its geographical area, each panel may:

- (1) recommend properties within the local community which should be considered by the Board for designation as heritage properties;
- (2) list and monitor heritage properties, including those properties at risk, for review and discussion by the Board;
- (3) research into properties being proposed for listing or designation as heritage properties, public programs and other preservation-related issues;
- (4) provide for public awareness and promotion of issues relating to heritage properties and natural heritage, in cooperation with Heritage Toronto and other heritage groups, as required;
- (5) promote neighbourhood heritage and history;
- (6) arrange to erect plaques or markers, or both, on community sites of local interest;
- (7) provide for local community activities recognizing the efforts of citizens to protect, preserve or promote heritage properties;
- (8) coordinate related heritage activities with local museums, societies, the Toronto District School Board and similar organizations within the community (responsibility shared with the Board);
- (9) advocate, in co-operation with Heritage Toronto and other community heritage organizations, as required;
- (10) undertake such other duties relating to heritage preservation issues as may be assigned to it by Council.

D. Each panel shall report to the local community council, except as set out in Subsections C(1) and (2) and Subsection F(3)(b).

E. The persons appointed to a panel, except for members of Council, 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".

F. Organization; meetings; quorum

- (1) Each panel shall, as soon as possible after the first meeting in each term, elect a Chair and Vice Chair.
- (2) Each panel shall meet at least six times in every calendar year and, in addition, at any time at the request of a majority of the members of the panel or at the call of the Chair.
- (3) Minutes and records.
 - (a) Each panel shall keep proper minutes and records of its meetings and shall keep all papers and documents pertaining to the business of the panel, and all books, documents and files kept by each panel shall be open to the inspection of the members of Council or of any other person or persons appointed for that purpose by Council.
 - (b) Each panel shall forward true copies of the minutes and records to all members of the panel, the City Clerk and the Commissioner as soon as possible after each meeting.
- (4) Where a vacancy occurs for any reason, community council shall recommend, through the Nominating Committee, appointing a person qualified to be a member, who shall hold office for remainder of the term for which his or her predecessor was appointed.
- (5) Members shall hold office until their successors are appointed.
- (6) A majority of the members of a panel, excluding members of Council, constitutes a quorum of the panel.

G. The panels shall ensure that programs operated by each panel comply with City policies respecting access, equity and anti-racism.

§ 103-19. Administration; conflicting provisions

A. To the extent of any conflict between this article and any by-laws of the former municipalities, this article prevails.

ENACTED AND PASSED this 1st day of June, A.D. 2001.

CASE OOTES,
Deputy Mayor

JEFFREY A. ABRAMS,
Acting City Clerk

(Corporate Seal)