

Authority: Policy and Finance Committee Report No. 7, Clause No. 22, as adopted by  
City of Toronto Council on September 28, 29, 30 and October 1, 2004  
Enacted by Council: October 28, 2004

**CITY OF TORONTO**

**BY-LAW No. 885-2004**

**To amend Chapter 103, Heritage, Article II, Heritage Toronto, of the City of Toronto  
Municipal Code to clarify the role of Heritage Toronto.**

WHEREAS it is desirable to clarify the role of Heritage Toronto; and

WHEREAS Council has approved changes in the governance and operation of Heritage Toronto;

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

**1. Section 103-4. Definitions, is amended as follows:**

- A. By deleting the definition of Toronto Preservation Board and substituting the following:

TORONTO PRESERVATION BOARD – The Toronto Municipal Heritage Committee and its Community Preservation Panels.

- B. By adding the following definitions

DESIGNATED FUNDS – Funds designated by a donor for a specific purpose.

MEMBER – A person appointed to the Board by Council.

UNDESIGNATED FUNDS – Operating funds allocated through the City's budget process or donated by members of the public for a non-specific purpose to be used for the general operations of Heritage Toronto.

**2. Section 103-6. Responsibilities, is amended by deleting subsections A., B., C., and F. and substituting the following:**

- A. Provide advice from a community perspective to the City, civic organizations and members of the public regarding heritage issues.
- B. Promote and educate the public regarding heritage issues.
- C. Organize and carry out fundraising drives in consultation with and on behalf of the Museum Board, the Museum Management Boards, the Toronto Preservation Panels, and the Toronto Preservation Board for the purposes of heritage research, education and the delivery of community-based heritage products and services.

- F. Serve as a liaison with the heritage community and promote public awareness of the City's heritage resources.
3. Section 103-7. Membership; representation; term; appointment; vacancies; removal, is amended as follows:
- A. By deleting subsection A and substituting the following:
- A. Heritage Toronto shall be composed of up to 27 members, who shall be appointed by City Council and nominated as follows:
- (1) Two members nominated by each Community Council from the Museum Board, the Preservation Panels or interested citizens.
  - (2) One member nominated by the Toronto Historical Association.
  - (3) One member nominated by the Aboriginal community.
  - (4) Two members of City Council.
  - (5) Fifteen citizen members.
- B. By deleting subsection B.
- C. By renumbering Subsection C as subsection B.
- D. By renumbering subsection D as subsection C.
- E. By renumbering subsection E as subsection D.
- F. By renumbering subsection F as subsection E.
4. Section 103-11. Officers, is deleted and replaced by the following:
- § 103-11. Officers; committees
- A. Heritage Toronto shall as soon as possible after the first meeting in each term, elect a Chair and other officers as determined by the Board.
- B. Heritage Toronto may establish committees to enlist public support for the work of Heritage Toronto.
5. Section 103-12. Frequency of meetings, is amended by deleting all of the words in this section and substituting the following:

The Board shall meet at least six times in every calendar year and at any other time at the request of the Chair or a majority of the Board members.

6. Section 103-13. Budget; annual report; is amended as follows:
- A. By deleting the word “Commissioner” in subsection A and substituting the words “The Chief Financial Officer and Treasurer.”
  - B. By changing subsection C to Subsection D
  - C. By deleting the exiting subsection D and substituting the following:
    - D. The cost of the audit shall be borne by Heritage Toronto.
  - D. By adding the following subsections:
    - C. Quarterly variance reports shall be submitted to the City to explain any deviations from the approved budget.
    - E. A copy of the audited statements shall be forwarded to the Audit Committee, the Chief Financial Officer and Treasurer, the Auditor General and the Commissioner.
    - F. Any designated funds shall be used by Heritage Toronto for the purpose specified by the donor.
    - G. Heritage Toronto shall manage its operations within available financial resources and shall not incur a deficit on designated funds.
    - H. In the event that Heritage Toronto incurs a deficit on undesignated funds, Council may require Heritage Toronto to adjust its operating budget, programs and activities to ensure that revenues and expenditures are financially sustainable.
    - I. The City shall be responsible for the net operating deficits of Heritage Toronto.
    - J. Heritage Toronto shall pay all net revenue from undesignated funds to the City.
    - K. Any funds that are not designated shall be deemed to be undesignated funds.
7. Section 103-14. Legal obligations; management of property, is amended by deleting subsection B and substituting the following:
- B. Heritage Toronto shall not accept any donations of real property without the prior approval of Council which shall include the approval of the use and disposition of the property.

- C. The net proceeds of any real property transaction shall be retained by Heritage Toronto.

ENACTED AND PASSED this 28th day of October, A.D. 2004.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)