



STAFF REPORT ACTION REQUIRED

Divisional Policy and Process Governing the Toronto Preservation Board and Community Preservation Panels

Date:	February 23, 2007
To:	Planning and Growth Management Committee Toronto Preservation Board
From:	Chief Planner and Executive Director, City Planning Division
Wards:	All
Reference Number:	pg070014

SUMMARY

The City's Policy for Citizen Nomination to City Agencies, Boards, Commissions and Corporations (ABCCs) provides for a two-term limit on citizen members.

Concerns were raised by members of the Community Preservation Panels (CPPs) that an application of this policy would eliminate many citizen members from reappointment for the 2007-2010 Council term.

In September 2007 Council confirmed that the City's general policy did not apply to the Toronto Preservation Board (TPB) and CPP but directed that policies and processes regarding citizen appointment to such bodies should be developed by the City Planning Division.

This report recommends that, to ensure continuity on the CPPs, a two-term limit be put in place for new citizen members appointed to the TPB and CPPs but that no existing citizen members of the CPPs be precluded from serving in the future only because they have served two or more terms. The two-term limit is recommended for the TPB as several new citizen members have been appointed each term, thereby providing continuity.

Other minor amendments to Chapter 103 – Heritage of the Municipal Code are also recommended to bring the policies and processes in line with current structure and practice.

RECOMMENDATIONS

The Chief Planner and Executive Director, City Planning Division recommends:

1. That Council adopt the policy and process listed in Attachment 1, as the City Planning Division's policy and process governing the Toronto Preservation Board and Community Preservation Panels, effective immediately; and
2. the City of Toronto Municipal Code, Chapter 103, Heritage, be amended to include the policy and process adopted in Recommendation 1; and
3. the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including the introduction of any necessary bills.

Financial Impact

This report has no financial impact.

DECISION HISTORY

At its meeting of September 25, 26 and 27, 2006 City Council adopted Clause 22 of Report 7 of the Policy and Finance Committee. By doing so Council confirmed that the present Policy for Citizen Nomination to City Agencies, Boards, Commissions and Corporations (ABCCs) does not apply to the Toronto Preservation Board (TPB) or Community Preservation Panels (CPPs).

Council also directed the Chief Planner and Executive Director, City Planning Division, to prepare a report recommending a policy and process for citizen nominations and membership on the TPB and CPPs, including reappointment limits, after consultation with members of the TPB and CPPs.

ISSUE BACKGROUND

Until the report mentioned in the Decision History section was approved by Council, it was thought that the City's Policy for Citizen Nomination to City Agencies, Boards, Commissions and Corporations (ABCCs) applied to the TPB and CPP. This policy does not permit citizen members of ABCCs to serve more than two consecutive terms,

In June 2006, members of the Scarborough Community Preservation Panel voiced a concern that many members of that group had already served two terms. If reappointments were not permitted continuity of operations in this group could be hindered. This concern was echoed by the other CPPs.

The above report dealt with that issue. However, Council has indicated that the Standing Committee responsible for advisory groups for which it has oversight (the Planning and Growth Management Committee is responsible for the TPB and the CPPs) may consider policies and procedures for citizen nominations.

This report fulfils Council's direction. As directed by Council, staff has consulted with the Chairs of the four CPPs, who also sit on the TPB.

COMMENTS

All citizens seeking appointment or reappointment to the TPB or CPPs are required to make an application, participate in an interview and selection process designed to determine the most qualified candidates and be appointed by Council.

To address the question of an appropriate length of service staff recommend that new citizen members of the CPPs, appointed for the first time for the present term of Council (2007-2010), be limited to two consecutive terms. However, no citizen members who are currently members of the CPPs would be precluded from serving in the future simply because they have served two or more terms. This provision will ensure continuity on the CPPs in the short-term while encouraging the CPPs to bring new members into their groups in the long term.

Membership on the TPB has been more fluid, with some new citizen members joining the TPB for each term. Given the current membership, continuity is not an issue if members who have served for two terms are precluded from reappointment. For the TPB, staff recommend that the two-term limit be put in place and that it apply to the selection process for citizen members of the TPB that will commence in spring 2007 for the 2007-2010 term. For clarity, the limit will not apply to the four Chairs (or their designates) of the CPPs, who are also members of the TPB.

Staff are also taking this opportunity to recommend some changes to Chapter 103, Article III (Preservation Board and Community Preservation Panels) which reflect changes in committee responsibilities, staff positions and minor amendments to clarify responsibilities in line with the current operations of the TPB and CPPs (Attachment 1).

The Recommendations above reflect a consensus among the four CPP Chairs (who are also members of the TPB) and staff. The TPB will also consider this report at its regular meeting on March 1, 2007 and will report its advice to the Planning and Growth Management Committee.

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SIGNATURE

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Attachment 1: Policy and Process Governing the Toronto Preservation Board and
Community Preservation Panels

**Policy and Process Governing the Toronto Preservation Board
and Community Preservation Panels**

PROPOSED AMENDMENTS TO CHAPTER 103 – HERITAGE- ARTICLE III

Ch. 103 Article III	Proposed Amendment	Notes
GENERAL AND INTRODUCTORY		
Throughout	Change all references to the “General Manager of Economic Development and Culture” to “Chief Planner and Executive Director, City Planning Division”	Realignment of responsibility for TPB and CPPs
Throughout	Change all references to “listing or designation as heritage properties” to “inclusion on the Inventory of Heritage Properties”	Clearer wording
Throughout	Replace all references to “Planning and Transportation Ctte” to “Planning and Growth ManagementCtte”	Realignment of responsibility for TPB
Definitions	Remove definition of Natural Heritage, also remove reference to Natural Heritage in 103-18 C (4)	Term is ambiguous. Natural Heritage as currently defined is not dealt with by the TPB or CPP
103-17 and 103-18	Include a provision that will allow the TPB and CPP to remove a member who has been absent for 3 consecutive meetings without reasonable excuse	Will assist with attaining quorum
TORONTO PRESERVATION BOARD		
103-17 A	Change “local architectural conservation advisory committee” to “municipal heritage committee”	Term now used in the <i>Ontario Heritage Act (OHA)</i>
103-17 C (7)	Delete reference to “archaeological issues on...heritage properties”	Archaeological resources relating to individual properties is a provincial responsibility
103-17 C (7)	Replace above deletion with “Cultural Heritage Landscapes”	This is an area for which Council may seek advice from the TPB
103-17 F	Replace “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” with “for a maximum of two consecutive terms”	The City’s Policy is not applicable to the TPB

COMMUNITY PRESERVATION PANELS		
103-18 B (1)	Increase maximum number of citizen members for each Panel to 15	This will allow Panels with many qualified applicants to make full use of them.
103-18 B (3)	Add section to require that Panel members shall have “special interests or knowledge that will assist the Panel in fulfilling its responsibilities”	Will assist with selection process
103-18 C (2)	Delete “List and”	The Panels do not list, instead they refer proposed listings to the TPB
103-18 D	Replace this sentence with “Report to the Toronto Preservation Board” and number it 103-18 C (11)	The Panels report to the TPB, not Community Council
103-18 E	Replace “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” with “for a maximum of two consecutive terms, except that no citizen member of a Panel who served during the 2004-2006 term will be precluded from future service only because he or she will serve more than two consecutive terms”	The City’s Policy is not applicable to the TPB. This policy will ensure short-term continuity while encouraging the Panels in the future to recruit new members