Adopted by Council on April 11, 2023
Motion: 2023-244

Heritage Designation Working Group
Terms of Reference

Purpose

Bill 23, the *More Homes Built Faster Act*, received Royal Assent on November 28, 2022. The Act amends the *Ontario Heritage Act* (OHA) and regulatory changes to O. Reg. 9/06 and O. Reg. 385/21 to implement the legislative changes effective January 1, 2023.

The purpose of the Heritage Designation Working Group is to review the process and procedures related to municipal registers to ensure the municipality meets the changes proposed by Bill 23, recommend any changes if necessary, and review the current municipal registers before the legislated deadline.

Execute the duties of the Working Group with the understanding that it functions as a working group of the Built & Cultural Heritage Advisory Committee (BCHAC) not independently.

The key goal is to support the mandate of providing advice, assistance and recommendations to Council on matters related to heritage expertise with the Working Group being a method for BCHAC members to collaborate with staff to promote efficiency in the heritage designation process.

Responsibilities

The responsibility of the Heritage Designation Working Group is to:

1. Review the process and procedures related to municipal registers, including the process and requirements around removal and inclusion of non-designated properties on the municipal registers, to ensure it meets the changes proposed by Bill 23, and recommend any changes if necessary.;

2. Review and identify non-designated properties included on a municipal register that do not meet the regulation;

3. Recommend the removal the listed properties from the register that do not meet the regulation. Properties owners of the recommended list will be notified and can request the property be designated.

4. Recommend the listed properties from the register that meet the regulation for designation. Properties owners of the recommended list will be notified and can request the property not be designated.

5. Coordinate early involvement in the designation process with County Staff;

6. For newly designated properties, review the criteria for designation, as prescribed in regulation;

7. Work with municipal staff to ensure the municipal registers and designation list are updated, develop a list of frequently asked questions regarding heritage designation, and make it available on a publicly accessible website;

8. Consult with appropriate technical experts in specialized fields on an as needed basis, at no cost to the municipality; and

9. It is the responsibility of all members to comply and work with County procedures, By-laws and Provincial legislation, with guidance from staff including:

    a. Council's Code of Conduct
    b. Ontario Heritage Act
    c. Conservation Authorities Act
    d. County Accountability and Transparency Policy
    e. County Procedural By-law
    f. Other applicable County By-laws and policies
    g. Municipal Act
    h. Planning Act
    i. Municipal Freedom of Information and Protection of Privacy Act
    j. Municipal Conflict of Interest Act

Membership

The membership should include:

- Minimum of two (2) members of the Built & Cultural Heritage Advisory Committee, selected by the Committee, as long as it does not constitute a quorum of BCHAC.
- Minimum of two (2) members of the public.

Term

The term of office for the Heritage Designation Working Group will be the term of Council.

Staff Support

While the Clerk's Office provides procedural support, the entire Corporation will provide input and support to the Working Group as required, with the approval of the CAO and/or the relevant Director.

Reporting Relationship to Council

The Working Group will act as a resource to the Built & Cultural Heritage Advisory Committee (BCHAC) and does not have any delegated authority. Recommendations for implementation will be provided to Council via BCHAC.

The Working Group will report to BCHAC. The Working Group is intended to support BCHAC in their advisory role to Council.

Finances

No member shall receive remuneration for services. A member is entitled to reimbursement for any reasonable out-of-pocket expenses that have been pre-approved by the CAO or Council