



**OAKVILLE**

Heritage Oakville Committee

Terms of Reference

Approved by Council on July 5, 2004

(Revised February 20, 2006)

(Revised August 9, 2006)

Revised March 19, 2007)

(Revised March 3, 2008)

## The Terms of Reference

*Committee:* Heritage Oakville (LACAC)

### 1. Enabling Legislation

The LACAC component of the Heritage Oakville Committee is provided for under Part IV, Section 28 of the *Ontario Heritage Act*.

The legislation states: "That Council of a municipality may, by by-law establish a municipal heritage committee to advise and assist the Council on all matters relating to this Part ("Conservation of Property of Cultural Heritage Value or Interest") and Part V ("Heritage Conservation Districts") and such other heritage matters as the Council may specify by by-law.

**The Oakville Heritage Committee is established by By-law 1976-186, revised under By-law 2000-154. Name changed by Resolution of Council on February 1, 2001.**

1976-186 – A by-law to establish a Local Architectural Conservation Advisory Committee.

2000-154 – A by-law to revise By-law 1976-186 (Schedule A) – Composition of the Local Architectural Conservation Advisory Committee.

The resolution states:

September 6, 2000

"That Council approve By-law 2000-153 to adopt Amendment Number 187 to the Oakville Official Plan to remove reference to the Heritage Review Committee.

That Council approve By-law 2000-154 amending Schedule "A: of By-law 1976-186 to implement the following:

Committee Composition – 10 members total including 2 Councillors, 3 members at-large, 1 member representing the Trafalgar Chartwell Residents Association, 2 members representing Oakville Lakeside Residents Association {one from each heritage district}, 1 member representing the Bronte Historical Society, and 1 member representing the Oakville Historical Society.

That Council repeal By-law 1996-11 [a by-law related to the Heritage Review Committee].

That the common name of the LACAC committee be 'Heritage Oakville'.

That the present two committee structure be retained until February 2001 to handle their respective responsibilities until Council can complete the interview and selection for the new committee".

**The new Terms of Reference resulting from the Corporate Committee Rationalization Project were adopted by Council on July 5, 2004, with the following amendments:**

- Section 1 – "Enabling Legislation" – to reflect the current language of the *Ontario Heritage Act*, and
- Section 2 – "Mandate" – to delete the words "and permit infractions" from the first paragraph and include reference to the Town's Official Plan and Individual Heritage By-laws in the fourth paragraph.

**The Heritage Oakville Committee (LACAC) Terms of Reference were revised by Council on February 13, 2006, as follows:**

- A) Proposed 2006 Heritage Oakville Meeting Schedule for Additional Meetings
1. That the 2006 monthly meeting schedule attached as Appendix A to the Planning Services Department report dated January 12, 2006 be received as amended;(that meetings will be held the 2<sup>nd</sup> Tuesday of the month);
  2. That the concept of an additional monthly meeting of Heritage Oakville for a trial period of one year to deal with matters other than the Heritage Permit applications be approved; and
  3. That after the completion of the trial period to hold one additional meeting per month, Heritage Oakville report back to Planning and Development Council and if necessary, the Clerk be authorized to revise the Terms of Reference for the Committee accordingly.

**The Heritage Oakville Committee (LACAC) Terms of Reference were revised by Council on August 9, 2006, as follows:**

1. That the Heritage Oakville Committee membership include the addition of a representative member from the Trafalgar Township Historical Society; and
2. That the Heritage Oakville Committee Terms of Reference be amended to reflect the addition of the Trafalgar Township Historical Society membership.

**The Heritage Oakville Committee (LACAC) Terms of Reference were revised by Council on March 19, 2007, as follows:**

1. That additional bi-monthly meetings of the Heritage Oakville Committee to address general heritage planning matters be approved;
2. That the Terms of Reference for the Heritage Oakville Committee be amended as follows:
  - (a) Section 2 – “Mandate” – insert the following new paragraph immediately after the second paragraph, “The Committee shall provide input to Planning Staff on heritage planning matters.”
  - (b) Section 5 – “Meeting Schedule” – in the second paragraph, replace the words “Heritage Oakville Committee normally holds meetings on the 1<sup>st</sup> Tuesday each month with:  
  
“The Heritage Oakville Committee normally holds meetings as follows:
    - 1) on the 2<sup>nd</sup> Tuesday of each month for the purposes of considering heritage permit applications; and
    - 2) on the 4<sup>th</sup> Tuesday of alternate months for the purposes of considering heritage planning matters.

In order to comply with legislative deadlines established pursuant to the *Ontario Heritage Act*, the *Building Code Act* and the other legislation, it may be necessary under special circumstances for heritage permit matters to be considered at heritage planning meetings and vice versa.”

- (c) Section 6 – “Reporting Requirements and Method” – in the second paragraph of the subsection addressing Specific Requirements replace the words “Written reports/minutes from this Committee shall be submitted to the Planning and Development Council Committee after each meeting.” with “Written report/minutes including recommendations regarding heritage permit applications from this Committee shall be submitted to the Planning and Development Council Committee after each meeting. Resolutions of the Committee with respect to heritage planning matters shall be referred to Staff and incorporated into a Planning Staff report for Council’s consideration.”
3. That the Clerk’s Department and Planning Services Department provide the necessary support services for these additional meetings.

**The Heritage Oakville Advisory Committee’s Terms of Reference were revised by Council on March 3, 2008, as follows:**

The resolution states, in part:

- “1. That Advisory Committee Terms of Reference be amended to delete the mandate for any agency representatives within the “Membership Composition” section and include the provision for such representation as criteria to be considered for qualifications of members as citizen appointments, effective January 1, 2009;
2. That budget provisions not be included in any Advisory Committee Terms of Reference, recognizing that where funding may be required for a given project, such requests would be subject to Council’s approval on an individual basis;
3. That the usual term of membership for Advisory Committees be extended to be no greater than four (4) years and that appointees to such Committees continue to be limited to serving a maximum to two (2) consecutive terms on any one Committee;
4. That all Advisory Committee Terms of Reference, appended to the January 28, 2008 report of the Clerk’s Department be approved as amended to incorporate the staff recommendations as noted.”

## 2. Mandate

The mandate of the Heritage Oakville Committee is to advise Council and make recommendations on heritage designations, applications for repeal of designations, applications for alterations, and/or removal/demolition of Part IV and Part V properties under the *Ontario Heritage Act*.

The Committee shall review all development applications referred to it by Council and/or staff and provide input as to the effect that such applications may have on existing heritage designations or properties.

The Committee shall provide input to Planning Staff on heritage policy matters as they relate to planning applications.

The Committee shall provide public awareness of Oakville's heritage and shall research and provide advice as to the availability of property grant applications.

In addressing its responsibilities, the Committee shall comply with the Official Plan and the Heritage Policies adopted by Council, including:

- a) Old Oakville Heritage Conservation District – 1982;
- b) First and Second Street Heritage Conservation District – 1991;
- c) Trafalgar Road Heritage Conservation District – September 1994;
- d) Individual Heritage Bylaws.

The Heritage Oakville Committee will not be responsible for the following:

1. Inspections of work performed at individual properties;
2. Administrative matters including directing staff and budgeting;
3. Preparation of grant applications.

### **Alignment with Corporate Strategic Goals**

This mandate shall meet with the following Corporate strategic goals:

1. To be accountable in everything we do.
2. To treat everyone with respect.
3. To enhance our cultural environment.

### **Deliverables**

The Heritage Oakville Committee will accomplish its mandate by:

1. Providing comments to Council on all heritage applications;
2. Commenting on various development applications which may impact existing or potential heritage properties or districts when required;
3. Promoting public awareness of Oakville's heritage;
4. Recommending appropriate designated property grant applications;
5. Reviewing the heritage registry annually; and
6. Prepare an annual report to Council outlining the committee's achievements during the year.

**Timeframe**

This Committee's mandate will be examined every four years unless otherwise identified in **Term 9. Completion Criteria.**

**3. Type of Committee**

Statutory Committee

**4. Membership and Roles and Responsibilities****1. Composition**

The Heritage Oakville Committee is composed of the following 11 Members:

<b>Role</b>	<b>Member Name</b>
<b>Committee Chair</b>	To be determined.
<b>Vice Chair</b>	To be determined
<b>Councillor(s)</b>	2 members of Council
<b>Committee Member(s)</b>	9 Citizens-at-Large
<b>Support Staff</b>	Committee Coordinator, Clerk's Department
<b>Departmental Representatives</b>	Heritage Planner, Planning Services Other Department Representatives as Required
<b>External Resources</b>	

**2. Qualifications**

Qualifications include the skills, knowledge, and experience committee members need to contribute effectively to the accomplishment of the committee's objectives. For this Committee the qualifications include a knowledge or interest of heritage buildings.

Where possible, appointments to the Committee shall include representatives of the following organizations/associations:

- Bronte Historical Society
- Oakville Historical Society
- Oakville Lakeside Residents Association
- Trafalgar Chartwell Residents Association
- Trafalgar Township Historical Society

## 5. Meeting Schedule

The number of meetings shall be sufficient to address the mandate of the Committee and shall be determined at the first meeting of the year.

The Heritage Oakville Committee normally holds meetings as follows:

- 1) on the second Tuesday of each month for the purposes of considering heritage permit applications; and
- 2) on the fourth Tuesday of alternate months for the purposes of considering heritage policy matters.

In order to comply with legislative deadlines established pursuant to the *Ontario Heritage Act*, the *Building Code Act* and the other legislation, it may be necessary under special circumstances for heritage permit matters to be considered at heritage policy meetings and vice versa.

Meetings shall commence at 9:30 a.m., unless determined otherwise by the Committee.

Established meeting dates and times shall not be changed unless circumstances warrant special consideration.

Three or more consecutive cancellations of meetings shall result in a report to Council for evaluation as to the Committee's mandate and functionality except in the following situations:

- Some committees may determine that meetings shall not be held during the summer months and possibly December to recognize holiday schedules as they relate to quorum requirements.
- During a Municipal election year, meetings shall be cancelled where possible in the last quarter.

## **6. Reporting Requirements and Method**

### **Specific Requirements**

This Committee is established by Council and reports to the Planning and Development Council Committee.

Written report/minutes including recommendations regarding heritage permit applications from this Committee shall be submitted to the Planning and Development Council Committee after each meeting. Resolutions of the Committee with respect to heritage planning matters shall be referred to Staff and incorporated into a Planning Staff report for Council's consideration.

That the Clerk's Department and Planning Services Department provide the necessary support services for these additional meetings.

### **General Requirements**

All minutes or reports of meetings shall be circulated to Council for necessary action after each meeting.

This Committee shall provide an annual report to the appropriate Standing Committee of Council or to a special meeting of Council convened for the purpose of reviewing all Committee Annual Reports.

This committee shall make recommendations to Council through its Standing Committees in response to a request from either Council or staff in the area of the Committee's mandate.

Committees may make recommendations on issues within their mandate for Council's consideration.

### **Annual Report**

Committee mandates and achievements shall be included in the Committee's Annual Report and Work Plan.

## 7. Budget and Resources

Committees are not given a budget; however, under special circumstances Council may approve one time expenditures to help committees achieve their goals and objectives. Any financial requirement of a committee should be identified prior to the approval of the annual operating budget by Council.

### Resource Budget

The following Town of Oakville staff resources will be required per meeting for the successful operation of this Committee:

<b>Staff Resource</b>	<b>Time Commitment (FTE equivalent) Per Meeting</b>
Staff #1 Committee Co-coordinator	FTE 18 hours
Staff #2 Planning Staff (Heritage Planner)	FTE 17 hours
Staff #3	FTE
Total	FTE 35 hours

## 8. Code of Conduct

All employees and volunteers will be guided by the Town of Oakville's policies and procedures including the Code of Conduct, Workplace Harassment, Discrimination Prevention Policy and Conflict Resolution Policy.

Such policies support a positive and respectful workplace that is free from personal harassment and workplace conflict.

Workplace conflict occurs when two or more parties have interests to some degree that are or can be perceived as being at odds which disrupts the cohesive relationships necessary for a productive and harmonious workplace.

Personal harassment is any unwelcome behaviour, conduct or communications directed at an individual that is offensive to that individual. It is persistent and creates an intimidating, offensive or embarrassing work environment.

All staff and volunteers will refrain from personal harassment and workplace conflict behaviour, including offensive remarks or other actions that create intimidating, hostile or humiliating working conditions under this policy.

### **Conflict of interest**

Committee members are deemed not to have pecuniary conflict of interest in that they have no decision making ability. However members should be cognizant of perceived conflict in terms of issues which may serve to benefit them personally. Members shall not use their status on committees for personal or political gain.

Committee members shall have regard for the Corporate Policy addressing the use of corporate resources during an election year.

## 9. Completion Criteria

The mandate of the Heritage Oakville Committee will be considered complete when the goals set out in **2. Mandate** have been accomplished. A final report to the Planning Development Council Committee will outline the details of these goals and any required next steps.

Additional completion criteria include:

1. Adoption of an alternate process to address heritage designations and preservation.