

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. 004-2015

A BY-LAW TO APPOINT A MUNICIPAL HERITAGE COMMITTEE FOR THE TOWN OF MILTON, AND TO REPEAL BY-LAW NOS. 103-2009 AND 020-2011

WHEREAS the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, as amended (the "Act") authorizes a municipal council to establish a municipal heritage committee to advise and assist the council on matters relating to Parts IV and V of the Act;

AND WHEREAS the Council of the Corporation of the Town of Milton approved By-law No. 103-2009 on August 24, 2009, being a By-law to appoint a Municipal Heritage Committee;

AND WHEREAS Council is desirous of repealing By-laws No. 103-2009 and 020-2011 and replacing them with By-law No. 004-2015 appointing a heritage committee for the Town of Milton;

NOW THEREFORE the Council of the Corporation of the Town of Milton hereby enacts as follows:

1. **THAT** Council hereby appoints a heritage committee for the Town of Milton, which committee shall be known as "Heritage Milton".
2. **THAT** the terms of reference for the heritage committee be approved as attached as Schedule "A" to this By-law.
4. **THAT** By-law Nos. 103-2009 and 020-2011 are hereby repealed.
5. **THAT** this By-law shall come into full force on the day it is passed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED this 26th day of January, 2015.

Gordon A. Krantz Mayor

Troy McHarg Town Clerk

SCHEDULE "A" TO BY-LAW NO. 004-2015

HERITAGE MILTON - TERMS OF REFERENCE

1. Mandate

The mandate of Heritage Milton is to provide advice with respect to matters related to Parts IV and V of the *Ontario Heritage Act* and to assist with the implementation of the Town's Official Plan policies pertaining to built heritage resources.

2. Core Activities

The core activities of Heritage Milton are:

- To provide advice with respect to the designation of individual heritage properties or specific areas under the *Ontario Heritage Act*;
- To review and comment with respect to all applications for development approval and for demolition permits affecting heritage resources;
- To offer assistance relating to the conservation of buildings and heritage conservation districts, as well as the promotion of heritage conservation; and
- To offer advice to property owners with respect to appropriate conservation/maintenance practices and, to the extent practical, assist in facilitating heritage conservation work.

3. Composition

Heritage Milton shall consist of five (5) to seven (7) members and shall include the following representation:

- 1 citizen referral from the Milton Historical Society *
- 1 citizen referral from the Nassagaweya Historical Society*
- 2 Milton Council Representatives
- 1 to 3 citizen representatives

*An alternate person shall also be identified to attend meetings in the absence or inability of the appointed representative to attend.

4. Term

The members of the Committee shall hold office for the term of the Council that appointed them, but shall continue to exercise the duties of the office until successors are appointed by a successor Council.

In the event of a vacancy on the Committee, Town Council shall appoint another eligible person for the unexpired portion of the term, as soon as reasonably possible after the vacancy occurs.

Town Council may remove any member of the committee at any time for any reason.

5. Frequency of Meetings

Heritage Milton shall meet once per month within the Town Hall, in accordance with the Committee's established schedule. Additional meetings may be held at the call of the Chair.

6. Selection of the Chair

The Committee shall elect a Chair from among the members at the start of each term.

When the Chair is absent, the Committee shall appoint another Member to sit as acting Chair.

The Chair shall preside over the meetings of Heritage Milton and assist the Committee in reaching consensus with respect to the matters referred to it.

7. Public Access and Delegations

All meetings of Heritage Milton are open to the public.

Delegations shall address Heritage Milton with respect to matters listed on the agenda for a maximum of ten (10) minutes unless approval of the Committee is obtained by the Chair to extend or limit the speaking time for the delegation concerned.

Upon the completion of a presentation to Heritage Milton by a delegation, any discourse between Committee members and the delegation shall be limited to members asking questions for clarification and obtaining additional, relevant information only. Committee members shall not enter into debate with the delegation respecting the presentation.

All presentation materials to be considered by Heritage Milton shall be legible, and filed whenever possible with the Town no later than two (2) days prior to the

finalization of the respective agenda and shall be included as part of the supporting material attached to the agenda.

8. Sub-Committees

At the discretion of the Committee, sub-committees may be appointed to deal with specific issues; such sub-committees shall be ad hoc in nature, with a specific, clearly articulated mandated.

All sub-committees shall be reviewed at the start of each term to determine whether they need to continue.

9. Conflict of Interest

Where a member of the Committee, either on his or her own behalf or while acting for, by, with, or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the Committee at which the matter is the subject of consideration he or she shall:

- Prior to any consideration at the meeting, disclose his or her pecuniary interest and the general nature thereof;
- Not take part in the discussion of any question in respect of the matter and shall leave the room in which the matter is being considered; and
- Not attempt in any way whether before, during or after the meeting to influence the discussion on any such matter.

Where the interest of a member of the Committee has not been disclosed as required above, by reason of his or her absence from the meeting referred to therein, the member shall disclose his or her interest and otherwise comply with the above directions at the first meeting of the Committee attended by him or her after the meeting referenced above.

10. Public Communications

When appearing before a Town of Milton Standing Committee or Milton Council on behalf of or as a representative of Heritage Milton, members shall present the Committee's official position on a particular matter. However, where a Heritage Milton member appears before a Town of Milton Standing Committee or Town Council and clearly indicates that they are appearing on behalf of another organization or as a citizen and not in their capacity as a member of Heritage Milton, they may present a position which is their personal position or is the position of the organization they represent.

Only statements, positions or opinions that have been authorized by Milton Council through specific direction or through Heritage Milton's fulfillment of the core activities listed in section 2 shall be released publicly as the Committee's positions or opinions.

Heritage Milton shall not declare that the Committee's position is the official position of the Town of Milton.