

THE CORPORATION OF THE CITY OF KENORA

BY-LAW NUMBER 133 - 2005

**A BY-LAW TO ESTABLISH TERMS OF REFERENCE FOR THE CITY OF
KENORA HERITAGE COMMITTEE**

WHEREAS Section 28 of the Ontario Heritage Act, as amended, authorizes a council of a municipality to establish one Local Architectural Conservation Advisory Committee (LACAC) that is made up of five or more people; and

WHEREAS the Council of the Corporation of the City of Kenora deems it necessary and expedient to establish such a Committee; and

WHEREAS the primary focus of the Committee will be in an advisory capacity to council on heritage issues as defined by the statutory requirement of the Ontario Heritage Act, as well as other assigned duties as defined by Council through this Terms of Reference;

NOW THEREFORE the Council of the Corporation of the City of Kenora hereby enacts the following with respect to the Terms of Reference:-

1.0 AIMS AND OBJECTIVES

- 1.1** To advise and assist Council on all matters relating to designation under Part IV and Part V of the *Ontario Heritage Act* R.S.O. 1990, c.O.18.
- 1.2** To search out, assess, and recommend to Council for designation any real property, including built features, natural features, artifacts, and other, which, in the opinion of Heritage Kenora, is of historical and/or architectural merit, as established by the general criteria contained in the *Ontario Heritage Act*.
- 1.3** To advise and assist the citizens of the City of Kenora in the conservation of its cultural heritage resources, thereby contributing to the goals and objectives of the City's Official Plan.
- 1.4** To advise and assist Council on matters involving the protection of cultural and heritage values within the City of Kenora.
- 1.5** To provide advice and recommendations with respect to the development of cultural and heritage facilities and programs within the City of Kenora.

2.0 MEMBERSHIP AND RESPONSIBILITIES

- 2.1** Heritage Kenora shall consist of a maximum of 10 members appointed by Council and shall include a minimum of:
 - One (1) member of Council
 - Museum Director
 - City Planner

- Economic Development Officer
- One (1) member of the Lake of the Woods Historical Society
- One (1) member of the City of Kenora Harbourtown Centre Committee
- City of Kenora Parks Supervisor
- Three (3) members from the community-at-large.
- One (1) representative from the Government of Ontario - ex-officio
- One (1) representative from the Government of Canada – ex-officio

City of Kenora resource staff may be requested as required to provide support for the Committee.

- 2.2** Members shall be appointed for a term concurrent with the term of Council. Upon expiry of a Member’s term of appointment, the member may be re-appointed for an additional term by Council.
- 2.3** Members will be selected on the basis of their demonstrated interest, knowledge and/or expertise in heritage matters.
- 2.4** Community-at-large members will generally be residents or taxpayers in the City of Kenora.
- 2.5** A Chair and Vice-Chair will be elected by majority vote among the members at the first meeting of each calendar year. The Chair will be expected to be available to meet with the City Property and Planning Committee and Harbourtown Centre Committee as required.
- 2.6** In the absence of the Chair, the Vice-Chair will assume the responsibilities and privileges of the Chair.
- 2.7** In the absence of both the Chair and the Vice-Chair, the quorum will appoint, from among its members, a Chair for the particular meeting, who shall be subject to all the normal responsibilities and privileges assigned thereto.
- 2.8** All members will be expected to devote some time between meetings to work on matters before Heritage Kenora.
- 2.9** Members who are unable to attend a meeting must notify the Secretary of Heritage Kenora and their name will appear under “Regrets” in the minutes.
- 2.10** By majority vote, Heritage Kenora may recommend to Council, replacement of any member who misses three consecutive full meetings, subject to circumstances surrounding the absence. Members requesting a temporary leave of absence or intending to

resign should provide adequate written notification to the Chair, prior to such action.

- 2.11** Members who have served for one term and wish to resign, or in the case of Councillors who are not re-elected, become Honourary Members. Honourary Members are welcome to attend the meetings and request agendas and minutes, but do not have voting privileges.

3.0 MEETINGS

- 3.1** Heritage Kenora shall meet on a regularly scheduled date, to be determined by the committee. All meetings of Kenora Heritage are open to the public.
- 3.2** Quorum for a full meeting of Heritage Kenora will be 50% of the current membership, plus one.
- 3.3** All meetings of Heritage Kenora will be chaired by the Chair, or in the absence of the Chair, the Vice-Chair, or in the absence of both, a member appointed in accordance with section 2.7.
- 3.4** All recommendations to Council by Heritage Kenora will be determined by a majority vote of the members present at the meeting.
- 3.5** Heritage Kenora may establish sub-committees for various matters, issues or proposals, as required. Such sub-committees may include non-committee members, with the approval of Heritage Kenora, provided that the sub-committee is chaired by a member of Heritage Kenora. Subcommittees shall report to Heritage Kenora through the sub-committee Chair.

4.0 DECLARATION OF PECUNIARY INTEREST

- 4.1** Members of the Committee shall be governed by the applicable legislation pertaining to conflict of interest as it applies to Municipal governments in the Province of Ontario.

5.0 FINANCING

- 5.1** Members of Heritage Kenora will receive no remuneration for their involvement in Heritage Kenora's activities.
- 5.2** Financial support for Heritage Kenora will be reviewed annually, as part of the City's regular budget preparation process. Additional, special project funding requests may also be submitted by Heritage Kenora for consideration by Council.

6.0 REPORTING

6.1 Heritage Kenora is a Local Architectural Conservation Advisory Committee established by Council and will report directly to Council, on an annual basis and more frequently if required.

6.2 Heritage Kenora will liaise with the Harbourtown Centre Committee on matters relating to the downtown core, and the Planning and Property Committee on matters relating to the remainder of the City.

7.0 STAFF LIAISON AND SUPPORT SERVICES

7.1 Administrative support will be provided by the City's Community Services and Planning Departments.

8.0 EFFECT

8.1 THAT this by-law shall take effect and come into force upon third and final reading thereof.

BY-LAW READ A FIRST AND SECOND TIME THIS 24 day of Oct., 2005
BY-LAW READ A THIRD AND FINAL TIME THIS 24 day of Oct., 2005

THE CORPORATION OF THE CITY OF KENORA:

per: _____ D. S. Canfield MAYOR

per: _____ J. L. McMillin CLERK