

# Town of Perth

## Heritage Perth Advisory Panel (HPAP)

Subject:	<b>Terms of Reference</b>	Effective:	<b>February 21, 2017</b>
Applies to:	Heritage Perth Advisory Panel	Approval:	<b>By-law No. 2014-4488</b>
Issued by:	Director of Community Services	Amended by:	<b>By-law No. 2014-4488-1</b>

### A. **Background**

The role of the Heritage Perth Advisory Panel is advisory and consultative.

The Heritage Perth Advisory Panel has been established to provide a holistic view of heritage issues affecting the Perth community including but not limited to: the Perth Museum (National Historic Site), Municipal Heritage Designations, Heritage Conservation Districts, Municipal Heritage Register, Cultural Planning, the Perth Town Crier, and the Old Burying Grounds.

### B. **Authority**

1. Authority transfer is restricted to the scope described herein, unless an amendment is explicitly authorized by Council.
2. The Heritage Perth Advisory Panel will make recommendations to the Committee of the Whole on matters pertaining to the Perth Museum, Municipal Heritage Designations, the Downtown Perth Heritage Conservation District, the Perth Town Crier, the Old Burying Ground, Cultural Planning, as well as on heritage issues of a general nature affecting the community.
3. The Heritage Perth Advisory Panel shall fulfill the role of the "Municipal Heritage Committee", as prescribed by Section 28(1) of the *Ontario Heritage Act*.
4. Once established by Council, the Council is required under the *Ontario Heritage Act* (the "Act") to consult with the Panel on:
  - The designation of individual properties and of Heritage Conservation Districts;
  - Applications to alter designated properties;
  - Applications to demolish or remove properties of cultural heritage value or interest;
  - Applications to repeal designation by-laws, and;
  - Easements and covenants.

In particular, under Part IV of the Act, Council is required to consult with the Panel:

- When updating the Municipal Register of Heritage Properties;
- Before serving Notice of Intent to designate a property;
- Before amending a by-law or designated property;
- Before repealing a by-law, or part thereof of, designating a property;
- Before considering an application from an owner of a designated property to repeal the by-law, or part thereof, designating the property;
- On an application to alter a designated property where the alteration is likely to affect the heritage attributes (listed in the statement of heritage value or interest) as set out in the by-law designating the property;

- Before delegating power to an employee or official of the municipality to consent to minor alterations of individually designated property;
- On an application to demolish or remove any building or structure on designated property;
- Before passing by-laws to establish easements or covenants with owners of real property for conserving properties of cultural value or interest.

In particular, under Part V of the Act, Council is required to consult with the Panel:

- Before passing a by-law to define a study area for a future Heritage Conservation District;
- Before a proposed Heritage Conservation District is passed;
- Before Council delegates, by by-law, its powers to grant permits for alteration of property situated in a Heritage Conservation District; and,
- On an application to demolish or remove any building or structure on property in a Heritage Conservation District.

5. The Heritage Perth Advisory Panel shall:

- Encourage and develop volunteer groups to assist in further development of Heritage assets including the Perth Museum, Old Burying Grounds, etc.
- Undertake fundraising initiatives that support the Perth Museum's capital and operating needs.
- Make recommendations regarding the distribution, acceptance, acquisition, sharing, removal or disposition with regards to artifacts, records, literature, goods and materials and policies governing such matters in the operation of the Museum as per Council approved policies.
- Make recommendation regarding the production, copy and distribution of historical publications and documents relating to the history of the Town of Perth.

6. The Heritage Perth Advisory Panel:

1. Shall not communicate externally on behalf of Council except as related to the scope;
2. Shall not authorize any expenditures;
3. Shall have the authority to assign special projects, research or matters that arise from time to time to its members that are within the scope of these terms of reference. The responsibility for these assignments remains with the Heritage Perth Advisory Panel or designate.

**C. Scope**

1. The Heritage Perth Advisory Panel shall give consideration to any heritage issues of a general nature affecting the community.
2. Issues of an administrative or staffing nature shall not form part of the scope.
3. Make recommendations on general heritage matters to the Committee of the Whole.
4. Govern the role of the Perth Town Crier under the Town Crier Code of Conduct Guidelines.
5. Identify Cultural Heritage Properties by examining, researching and evaluating all the properties and areas that may deserve protection now and in the future.

6. Involve the community to develop partnerships that support heritage conservation (e.g. Ontario Heritage Trust Doors Open Event, Algonquin College Perth Campus Heritage Programs).
7. Educate and inform the community on appropriate conservation and maintenance practices through newsletters, descriptive guides, plaques, exhibits, and other educational materials about notable buildings, streets, landscapes and districts to raise awareness of the unique qualities of properties of heritage value or interest.
8. Take a lead role in Municipal Cultural Planning as it relates to local cultural development by broadly defining/mapping local cultural resources (including cultural heritage properties) and leverage them for economic development and community building.

#### **D. Reports To**

The Heritage Perth Advisory Panel shall report to the Committee of the Whole.

#### **E. Composition**

##### **A. Membership**

- a. Qualifications:  
Citizen members demonstrating: an understanding of heritage conservation approaches (buildings, structures and landscapes); knowledge of historical research (analysis and interpretation); trades-work (stonemasonry or heritage carpentry); expertise in architectural history including local vernacular and landscape architecture; and; curatorial, marketing, fundraising and/or cultural backgrounds shall be preferred.
- b. Voting Members:  
The Heritage Perth Advisory Panel shall consist of five (5) members at large, and two (2) members of Council.
- c. Non-Voting Members: None.
- d. Absence:  
Any citizen member who is absent from three (3) consecutive regular meetings without leave of absence or without satisfactory reason shall forthwith cease to be a member and the Recording Secretary/Technical Advisor shall advise the Clerk.
- e. Resignation of Citizen Members:  
Any member wishing to resign shall provide their resignation in writing to the Chair with a copy to the Clerk.
- f. Filling Vacancies:  
Vacancies shall be filled per the Procedure By-law.
- g. Term:
  1. Membership:  
To qualify, applicants must be a Canadian citizen, a resident or taxpayer of Perth. Due to the heritage nature and expertise required for this Panel, one (1) member may reside outside the municipality.
  2. Standing Advisory Panel:  
The Panel is a standing Advisory Panel of the Council and its term is indefinite and may be only disbanded by Council.

**B. Structure:**

- a. Chair and Vice-Chair:  
A Chair and Vice-Chair shall be elected at the first meeting.

**C. Support Resources:**

- a. Technical Advisor: The Director of Community Services and/or their designate shall be technical advisor.  
b. Recording Secretary: The Director of Community Services shall be responsible for ensuring a staff member is available as a Recording Secretary for meetings.  
c. Attendance by the Technical Advisor (or designate) and Recording Secretary shall be mandatory for all meetings.

**F. Procedures**

All applicable Federal, Provincial and Municipal legislation and regulations shall be adhered to. This includes, but is not limited to, the Town of Perth's:

1. Accountability and Transparency Policy
2. Procedure By-law
3. Procurement By-law

In addition to the above general provisions, the following shall be required:

- a. Establish a meeting schedule and publish same. The schedule shall include at least six (6) regular meetings per year. It is contemplated that, subject to scheduling issues, one regular meeting will be held in every calendar month, with allowances for summer and Christmas hiatuses.
- b. All sitting members eligible to vote, including the Chair, must vote.
- c. Solicit, document and consider public input where appropriate.
- d. Distribute the agenda as per Procedure By-law, s. 11.1.5 and send the agenda, with any associated reports attached, to the members of Council, through the Clerk, in a timely fashion.
- e. Distribute the minutes as per Procedure By-law, s. 15.2.2 and send draft minutes to members of the Council, through the Clerk, in a timely fashion.
- f. Provide the approved minutes, signed by the Chair and Recording Secretary, to the Clerk for the official records. With respect to the last meeting prior to an election, the minutes shall be approved as per the Procedure By-law.

**G. Quorum**

Reference Procedure By-law, s.10.2.

**H. Remuneration**

There is no annual stipend for members of the Heritage Perth Advisory Panel.