



By-law 2021-xx

A BY-LAW IN RESPECT TO THE MANDATE AND OPERATION OF THE CITY'S MUNICIPAL HERITAGE COMMITTEE (Heritage Markham)

WHEREAS the Council of the City of Markham is desirous of fostering an interest in and awareness of the City's cultural heritage resources, as well as providing for the protection, conservation, celebration and commemoration of these resources;

AND WHEREAS Council desires to be advised and assisted in this regard by members of the community with an interest, expertise and knowledge in this area;

AND WHEREAS Council of the Town of Markham did enact By-law 173-75 pursuant to Section 28 of the *Ontario Heritage Act* to establish a Local Architectural Conservation Advisory Committee on October 28, 1975, hereinafter referred to as the Heritage Markham Committee;

AND WHEREAS Council did enact By-law 54-91 on February 26, 1991 to adopt a procedural by-law in respect to the operation of the Heritage Markham Committee;

AND WHEREAS the Province of Ontario amended the *Ontario Heritage Act* in 2002 specifying that every local architectural conservation advisory committee established by the council of a municipality before the day subsection 2 (7) of Schedule F to the *Government Efficiency Act, 2002* comes into force is continued as the municipal heritage committee of the municipality;

AND WHEREAS Council deems it appropriate to adopt a new by-law in respect to the mandate and operation of the City's municipal heritage committee;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM ENACTS AS FOLLOWS:

1. That By-law 54-91 – A By-law in respect to the operation of the Town of Markham Local Architectural Conservation Advisory Committee (Heritage Markham) be repealed;
2. That the function of the Heritage Markham Committee is to advise and assist Council in matters relating to the identification, protection, conservation, use and/or management, celebration and commemoration of cultural heritage resources within the City in such a way that their heritage values, attributes and integrity are retained;
3. That subject to the *Ontario Heritage Act*, R.S.O. 1990, c.O.18, as amended from time to time, and to such limitations and restrictions as Council may herein and hereafter impose either by by-law or resolution, the Heritage Markham Committee shall provide advice to Council on:
 - statutory matters pursuant to the *Ontario Heritage Act* that require the input of a municipal heritage committee, (unless those matters have been delegated to staff through a delegation by-law), and
 - non-statutory matters as identified by Council which involve or affect cultural heritage resources, including but not limited to, review of development and building permit applications and public works; maintaining a heritage register; research, evaluation and classification of properties; protection mechanisms; policy development and review;

financial assistance opportunities; and education, promotion and commemoration; and

4. That Terms of Reference for the Heritage Markham Committee shall be adopted to address the mandate and operation of the committee, including but not limited to, the identification of statutory and non-statutory responsibilities, the organization of the committee (such as composition, qualifications, terms of service, officers), the organization of meetings (such as scheduling, sub-committees, agendas, quorum, delegations, conflicts), annual budget, role of committee members, role of City staff and reporting methods.

Read a first, second, and third time and passed on the 9th day of March, 2021.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

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