



GEORGINA

**THE CORPORATION OF THE
TOWN OF GEORGINA
Georgina Heritage Advisory Committee Agenda**

Wednesday, October 21, 2020

6:30 PM

Pages

1. CALL TO ORDER

“We would like to begin today’s meeting by acknowledging that the Town of Georgina is located over lands originally used and occupied by the First Peoples of the Williams Treaties First Nations and other Indigenous Peoples and thank them for sharing this land. We would also like to acknowledge the Chippewas of Georgina Island First Nation as our close neighbour and friend, one with which we strive to build a cooperative and respectful relationship.”

2. ROLL CALL

3. INTRODUCTION OF ADDENDUM ITEM(S)

4. APPROVAL OF AGENDA

5. DECLARATION OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

6. ADOPTION OF MINUTES

That the following minutes be adopted as presented:

1. Minutes of the Committee Meeting held on September 23, 2020.

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7. SPEAKERS

1. Karen Wolfe, Friends of the Dam/ Georgina Historical Society

Requesting the Committee consider designating the Pefferlaw Dam and the Robert Johnston Cemetery.

8. DELEGATIONS/ PETITIONS

9. PRESENTATIONS

10. REPORTS

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	The Province is proposing a new regulation under the Ontario Heritage Act (OHA) associated with amendments made through the More Homes, More Choice Act, 2019.	
12.	MOTIONS/ NOTICES OF MOTION	
13.	OTHER BUSINESS	
1.	299 Hedge Road By-law attached	42
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3.	Discussion about designating Johnston Cemetery	50
4.	Discussion about removing 30 Hadden from the Heritage Register	
5.	Discussion about the Orchard Beach Plaque	
6.	Language for Mill Pond and Malone Wharf Plaque's	53
7.	Proposed 2021 Schedule	54
14.	CLOSED SESSION	
15.	MOTION TO ADJOURN	
	That the meeting adjourn at	



GEORGINA

**THE CORPORATION OF THE
TOWN OF GEORGINA**

Georgina Heritage Advisory Committee Minutes

Date: Wednesday, September 23, 2020
Time: 6:30 PM

Members of
Committee Present: Councillor Frank Sebo
Terry Russell
Wei Hwa
Allan Morton
Deirdre Lawrence
Krista Barclay

Members of
Committee Absent: Denise Roy

Staff Present: Sandra Dipietrantonio, Records Coordinator
Racheal Rossetti, Committee Services Coordinator

Others Present: Tolek Makarewicz, Senior Policy Planner

4. APPROVAL OF AGENDA

RESOLUTION NO. GHAC-2020-0011

Moved By Allan Morton
Seconded By Deirdre Lawrence

That the September 23, 2020, Committee agenda be adopted as amended with Allan Morton giving the update on the interpretive signs.

Carried

6. ADOPTION OF MINUTES

In February 19, 2020 the following items be corrected:

- Under Roll call: Deirdre's first name is spelled incorrectly.
- On Page 7: Item #4 GHC award: Deirdre handed out a draft paragraph describing details of the Heritage Recognition Award.

RESOLUTION NO. GHAC-2020-0012

Moved By Deirdre Lawrence

Seconded By Allan Morton

That the following minutes be adopted as amended:

1. Minutes of the Committee Meeting held on February 19, 2020.

Carried

7. SPEAKERS

1. Paul Brady, Bonnie Park/Lorne Park

Mr. Brady is in attendance of the meeting to answer any questions about his designation request for Bonnie Park/Lorne Park.

- Mr. Paul Brady thinks Bonnie Park/ Lorne Park needs protection.
- Mr. Wayne Phillips supports Mr. Brady's application to designate Bonnie Park/Lorne Park.
- Allan and Dee support the designation of Bonnie Park/Lorne Park.

RESOLUTION NO. GHAC-2020-0013

Moved By Allan Morton

Seconded By Krista Barclay

That the Committee receive the speakers.

Carried

10. REPORTS

RESOLUTION NO. GHAC-2020-0016

Moved By Krista Barclay

Seconded By Deirdre Lawrence

That the Committee receive the reports as presented.

Carried

1. Demolition Reports

RESOLUTION NO. GHAC-2020-0014

Moved By Allan Morton

Seconded By Deirdre Lawrence

That the Committee accept the Demolition Reports as written.

Carried

2. Application for a Permit to Demolish

2905 Baseline Road

- This property is Listed not Designated.
- There was a complaint about the main building and one of the accessory buildings.
- The property owner is asking for permission to demolish the buildings on the property, the by-law department is more concerned about the safety of the building.
- If the Committee could get permission to enter the property and get a preservation by record through photo documentation, then the Committee would be open to demolition.
- Mike Hutchinson will reach out to the property owner with this request.

3. 30 Hadden Road

Permit for substantial renovations

Staff have received updated information pertaining to item # 3 from the Building Division confirming a building permit has already been issued on July 27th. In accordance with regulations surrounding building permit issuance, they cannot legally hold the permit as the property is only listed and not designated.

Invite the owner to the next meeting to discuss taking the property off the register.

4. Designation: Bonnie Park/Lorne Park PIN 03518-0512 (LT)

The attached report is for information purposes only.

- On June 7, 2017 the Georgina Heritage Advisory Committee requested Bonnie Marina and Bonnie Park be designated. A Jackson's Point Plan and study was underway at the time so Council included a Heritage Impact Assessment to get a bit more information. There was an evaluation under criteria from Ontario Regulation 9/06; this resulted in Council placing the property on the Heritage Register.

RESOLUTION NO. GHAC-2020-0015

Moved By Deirdre Lawrence

Seconded By Allan Morton

That the Committee recommend to designate Bonnie Park/Lorne Park to Council.

5. 299 Hedge Road

Potential permit for demolition or major renovation

Advisement: Questions may be circulated prior to the meeting.

- The Committee wants to ensure the cultural heritage features are preserved during the renovation process which includes the front of the house remaining consistent.
- The Committee indicates if there is a photographic record of the house appearing different than the current state then the Committee is open to renovations to bring the house back to the original look.
- This photographic record can be found through the Georgina Archives.

Carried

11. GENERAL INFORMATION ITEMS

1. Heritage Incentives Update
2. 2019 Public Street Name Campaign
4. Information Purposes Only - Georgina Heritage Committee Award

Council Resolution:

RESOLUTION NO. C-2020-0107

Moved By Councillor Sebo, Seconded By Councillor Harding

That Council approve an annual Heritage Recognition Award through the Georgina Heritage Advisory Committee to be awarded during Heritage Month of June to recognize a nominee for their contribution to the preservation of the history of our town and to encourage others through public awareness to become knowledgeable and appreciative of our past and that this direction be referred to the appropriate staff for coordination.

Carried.

13. OTHER BUSINESS

1. Distribution of Plaques
 - Staff to distribute archival information for Orchard Beach's Plaque and bring this item to October's meeting.
 - The Committee discussed potentially distributing the 5 plaques for different properties during Heritage Month in 2021.
 - Involve the Communications department and put out a blast on social media about when the plaque's will be presented to bring awareness to where the historically significant properties are.
 - Put this item on the March 2021 agenda to discuss options for distribution.

2. Interpretive Signs

- a. Mill Pond
- b. Malone Point

Councillor Sebo verbal update

- Allan to provide staff with verbage for Mill Pond and Malone Point.
- Councillor Sebo will get a bench overlooking the fountain; the Chair from the Sutton BIA are going to start the process. The cost of the bench is \$2500, a portion will be covered by the BIA and hopefully a portion will be covered by the Kingsman of Georgina and if there is a shortfall then Councillor Sebo will use his discretionary fund. The plaque for Mill Pond should be located close to the bench. Stephanie Fraser coordinates the installation for benches, and she would be able to assist with determining the location of the sign. Involve the Communications department for the verbage from the sign.

15. MOTION TO ADJOURN

RESOLUTION NO. GHAC-2020-0017

Moved By Allan Morton
Seconded By Wei Hwa

That the meeting adjourn at 8:16pm.

Carried

Terry Russell, Chair

Racheal Rossetti,
Committee Services Coordinator



Building Permit Listing

DEMOLITION

Permit Type : [210] To [210]
 Permit No. : All
 District : All
 Area : All
 Plan : All
 Lot : All
 Project Code : All
 Issue Date : [16 Sep 2020] To [14 Oct 2020]
 Completed Date : All

Block : All
 Section : All
 Town : All
 District Lot : All
 Zone : All
 Permit Status : All
 Print Permit w/ No Inspections Since :
 Print Name and Address : No (Hide Owner's Phone #)

Permit No.	Owner Name	Issue Date	Roll No.	Project Value	Fee
200593		01-Oct-2020	000 04457500.0000	0.00	594.00
<p>Address:</p> <p>District:</p> <p>Area:</p> <p>Zone:</p> <p>Expiry Date: 01-Oct-2021</p> <p>Project Address: 609 DUCLOS POINT RD</p> <p>Contractor Name:</p> <p>Construction Purpose: DEMOLITION SFD AND BOAT HOUSE</p>					
Legals:					
200787		28-Sep-2020	000 14626800.0000	0.00	863.00
<p>Address:</p> <p>District:</p> <p>Area:</p> <p>Zone:</p> <p>Expiry Date: 28-Sep-2021</p> <p>Project Address: 404 THE QUEENSWAY S</p> <p>Contractor Name:</p> <p>Construction Purpose: DEMOLISH EXIST. COMMERCIAL BLDG</p>					
Legals:					
200849		17-Sep-2020	000 14126900.0000	0.00	216.00
<p>Address:</p> <p>District:</p> <p>Area:</p> <p>Zone:</p> <p>Expiry Date:</p> <p>Project Address: 344 MIAMI DR</p> <p>Contractor Name:</p> <p>Construction Purpose: DEMOLISH EXISTING SINGLE FAMILY DWELLING</p>					
Legals: Plan : 299 Lot : 131					
201015		14-Oct-2020	000 12046300.0000	0.00	270.00
<p>Address:</p> <p>District:</p> <p>Area:</p> <p>Zone:</p> <p>Expiry Date: 14-Oct-2021</p> <p>Project Address: 411 BOUCHIER ST</p> <p>Contractor Name:</p> <p>Construction Purpose: DEMOLISH EXIST GARAGE & CARRIAGE HOUSE</p>					
Legals:					

Summary For This Run:

No. of DEMOLITION Listed : 4

Total Construction Value : 0.00

Total Fees : 1,943.00

Caution:

This consultation draft is intended to facilitate dialogue concerning its contents. Should the decision be made to proceed with the proposal, the comments received during consultation will be considered during the final preparation of the regulation. The content, structure, form and wording of the consultation draft are subject to change as a result of the consultation process and as a result of review, editing and correction by the Office of Legislative Counsel.

CONSULTATION DRAFT

ONTARIO REGULATION

to be made under the

ONTARIO HERITAGE ACT

GENERAL

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PRINCIPLES

Principles

1. (1) The following provisions are prescribed for the purpose of section 26.0.1 of the Act:

1. Section 29 of the Act.
2. Section 30.1 of the Act.
3. Section 31 of the Act.
4. Section 32 of the Act.
5. Section 33 of the Act.
6. Section 34 of the Act.

(2) The following provisions are prescribed for the purpose of section 39.1.2 of the Act:

1. Section 41 of the Act.
2. Section 41.1 of the Act.
3. Section 42 of the Act.

(3) For the purpose of sections 26.0.1 and 39.1.2 of the Act, the following are the principles that a council of a municipality shall consider when the council exercises a decision-making authority under a provision set out in subsection (1) or (2):

1. Property that is determined to be of cultural heritage value or interest should be protected and conserved for all generations.

2. Decisions affecting the cultural heritage value or interest of a property or heritage conservation district should,
 - i. minimize adverse impacts to the cultural heritage value or interest of the property or district,
 - ii. be based on research, appropriate studies and documentary evidence, and
 - iii. demonstrate openness and transparency by considering the views of all interested persons and communities.
3. Conservation of properties of cultural heritage value or interest should be achieved through identification, protection and wise management, including adaptive reuse where appropriate.

(4) For the purpose of this section,

“adaptive reuse” means the alteration of a property of cultural heritage value or interest to fit new uses or circumstances while retaining the heritage attributes of the property.

RULES RE SECTION 29 OF THE ACT

Prescribed events, s. 29 (1.2) of the Act

2. (1) For the purposes of subsection 29 (1.2) of the Act, the following events are prescribed in respect of a property in a municipality:

1. A council or planning board, as applicable, has completed giving notice in accordance with clause 22 (6.4) (a) of the *Planning Act* of a request for amendment referred to in that clause, if the subject land to which the amendment applies includes the property.
2. A council has completed giving notice in accordance with clause 34 (10.7) (a) of the *Planning Act* of an application for an amendment to a by-law referred to in that clause, if the subject land to which the amendment applies includes the property.
3. A council or planning board, as the approval authority, has completed giving notice in accordance with subsection 51 (19.4) of the *Planning Act* of an application referred to

in that clause, if the subject land to which the application applies includes the property.

Prescribed exceptions, s. 29 (1.2) of the Act

3. (1) The following exceptions are prescribed for the purposes of subsection 29 (1.2) of the Act:

1. If an event described in section 2 has occurred in respect of a property, the owner of the property and the council of the municipality may,
 - i. at any time after the event, agree that the period of time under subsection 29 (1.2) of the Act does not apply to the property, or
 - ii. within 90 days after the event, agree to extend the applicable period of time under subsection 29 (1.2) of the Act after which the council may not give a notice of intention to designate the property.
2. If an event described in section 2 has occurred in respect of a property and the day on which the event occurred falls within a period when an emergency has been declared to exist in the municipality in which the property is situate, or in any part thereof, under the *Emergency Management and Civil Protection Act* by the head of the council of the municipality, the 90-day period set out in subsection 29 (1.2) of the Act does not begin until the day immediately after the day on which the emergency has terminated.
3. If an event described in section 2 has occurred in respect of a property and during the 90-day period set out in subsection 29 (1.2) of the Act an emergency is declared to exist in the municipality in which the property is situate, or in any part thereof, under the *Emergency Management and Civil Protection Act* by the head of the council of the municipality, the following rules apply:
 - i. The 90-day period is terminated on the day the emergency is declared.
 - ii. A new 90-day period commences on the day immediately after the day on which the emergency is terminated.

4. If the following criteria are satisfied, the municipality may, within 15 days after the end of 90-day period set out in subsection 29 (1.2) of the Act, pass a resolution stating that the municipality has not consulted with its municipal heritage committee regarding the designation of the property and may elect, by the same resolution, that the period of time for the purposes of subsection 29 (1.2) is 180 days, and if the council passes such a resolution, the period of time for the purposes of subsection 29 (1.2) is the period set out in the resolution:
 - i. An event described in section 2 has occurred in respect of the property.
 - ii. The municipality has established a municipal heritage committee.
 - iii. The municipality has not consulted with its municipal heritage committee regarding designation of the property in accordance with subsection 29 (2) of the Act by the end of the 90-day period set out in subsection 29 (1.2) of the Act.
5. If an event described in section 2 has occurred in respect of a property and after the occurrence of the event the council of the municipality in which the property is situated passes a resolution stating that the municipality has received new and relevant information relating to the property or the event, the following rules apply:
 - i. If the resolution is passed within the 90-day period set out in subsection 29 (1.2), the council may elect, by the same resolution, that the period of time for the purposes of that subsection is 180 days after the resolution is passed and if the council so elects, the period of time for the purposes of that subsection is the period set out in the resolution.
 - ii. If the resolution is passed at any time after the 90-day period set out in subsection 29 (1.2), the council may elect, by the same resolution, that the restriction imposed by subsection 29 (1.2) of the Act does not apply for a period of 180 days commencing on the day the resolution is passed and, if the council so elects, the restriction under subsection 29 (1.2) of the Act does not apply for the period set out in the resolution.
6. If an event described in section 2 has occurred in respect of a property, subsection 29 (1.2) of the Act no longer applies to restrict the council of the municipality in which

the property is situate from giving a notice of intention to designate the property as of the day on which the event is finally disposed of under the *Planning Act*.

(2) If the council passes a resolution referred to in paragraph 4 of subsection (1), the council of the municipality shall, within 15 days after the day on which the resolution was passed, ensure that notice of the new period of time set out in the resolution is served on the owner of the property, and the notice shall include the reasons for the new period of time.

(3) If the council passes a resolution under subparagraph 5 i of subsection (1), the council shall, within 15 days after the day on which the resolution was passed, ensure that notice of the new period of time set out in the resolution is served on the owner of the property, and the notice shall include the reasons for the new period of time.

(4) If the council passes a resolution under subparagraph 5 ii of subsection (1), the council shall, within 15 days after the day on which the resolution was passed, ensure that notice is served on the owner of the property and the notice shall contain,

- (a) a statement explaining that the restriction imposed by subsection 29 (1.2) of the Act does not apply for a period of 180 days commencing on the day the resolution was passed; and
- (b) the reasons why the restriction does not apply for that period of time.

(5) For the purposes of paragraph 5 of subsection (1), “new and relevant information” means information or materials that satisfy all of the following:

1. The information or materials affect or may affect,
 - i. the determination of the cultural heritage value or interest of the property, or
 - ii. an evaluation of the potential effect of the *Planning Act* application giving rise to the event on any cultural heritage value or interest of the property.
2. The information or materials are received by council after the relevant event occurred.

3. The information or materials do not form part of the information and materials that were provided to the municipality under the *Planning Act* for the purposes of the relevant event described in section 2.

Prescribed circumstances, s. 29 (8) para. 1

4. (1) The following circumstances and corresponding periods of time are prescribed for the purpose of paragraph 1 of subsection 29 (8) of the Act:

1. If, before the end of the 120-day period referred to in paragraph 1 of subsection 29 (8) of the Act, the council and the owner of the property agree to a period of time other than the period set out in that paragraph, the period of time for the purposes of that paragraph is the period that the council and the owner have agreed upon.
2. If any part of the 120-day period referred to in paragraph 1 of subsection 29 (8) of the Act falls within a period when an emergency has been declared to exist in the municipality in which the property is situate, or in any part thereof, under the *Emergency Management and Civil Protection Act* by the head of the council of the municipality, the period of time for the purposes of paragraph 1 of subsection 29 (8) of the Act is 120 days after the day on which the emergency has terminated.
3. If, during the 120-day period referred to in paragraph 1 of subsection 29 (8) of the Act, the council passes a resolution stating that the municipality has received new and relevant information relating to the property and elects, by the same resolution, that the period of time for the purposes of that paragraph is 180 days after the resolution is passed, the period of time for the purposes of that paragraph is the period set out in the resolution.

(2) If the council has passed a resolution referred to in paragraph 3 of subsection (1), the council shall ensure that notice of the new period of time is served on the owner of the property, and the notice shall include the reasons for the new period.

(3) For purposes of paragraph 3 of subsection (1), “new and relevant information” means information or materials that satisfy the following:

1. The information or material affects or may affect any of the matters set out in paragraph 2 of subsection 29 (8) of the Act.

2. The information or materials are received by council after notice of intention to designate the property has been published under clause 29 (3) (b) of the Act.

Designation by municipal by-law, requirements

5. (1) The following requirements are prescribed for the purpose of paragraph 2 of subsection 29 (8) of the Act:

1. The by-law must identify the property by,
 - i. the municipal address of the property, if it exists,
 - ii. the legal description of the property, including the property identifier number that relates to the property, and
 - iii. a general description of where the property is located within the municipality, for example, the name of the neighbourhood in which the property is located and the nearest major intersection to the property.
2. The by-law must contain a site plan, scale drawing, aerial photograph or other image that identifies each area of the property that has cultural heritage value or interest.
3. The statement explaining the cultural heritage value or interest of the property must identify which of the criteria set out in subsection 1 (2) of Ontario Regulation 9/06 (Criteria for Determining Cultural Heritage Value or Interest) made under the Act are met and must explain how each criterion is met.
4. The description of the heritage attributes of the property must be brief and must explain how each heritage attribute contributes to the cultural heritage value or interest of the property.
5. The by-law may list any physical features of the property that are not heritage attributes.

(2) For clarity, the requirements set out in subsection (1) apply for the purposes of subsection 29 (8) of the Act, as set out in the Schedule.

AMENDMENT OF DESIGNATING BY-LAW

Amending by-laws, modified s. 29 of the Act

6. The Schedule sets out section 29 of the Act, as modified, that applies to an amending by-law for the purposes of subsection 30.1 (1) of the Act.

REAPPLICATION FOR REPEAL OF BY-LAW – SUBSECTION 32 (18) OF THE ACT

Prescribed circumstances and time periods

7. For the purposes of subsection 32 (18) of the Act, the following are the prescribed circumstances and applicable time periods in which an owner of property may not reapply to have a by-law or part thereof designating a property repealed, except with the consent of council:

1. In circumstances where a council refuses an application under paragraph 1 of subsection 32 (5) of the Act and a notice of appeal is not given within the time period specified in subsection 32 (7) of the Act, the time period is 12 months after the service of the notice of the council's decision under subparagraph 1 i of subsection 32 (5) of the Act.
2. In circumstances where an owner of the property appeals a decision of council to refuse the application under subsection 32 (7) of the Act and the Tribunal dismisses the appeal under paragraph 1 of subsection 32 (12) of the Act, the time period is 12 months after the date of the Tribunal's decision under paragraph 1 of subsection 32 (12) of the Act.
3. In circumstances where an owner of the property appeals a decision of council to refuse the application under subsection 32 (7) of the Act and the Tribunal dismisses the appeal under subsection 32 (13) of the Act, the time period is 12 months after the date of the Tribunal's decision under subsection 32 (13) of the Act.
4. In circumstances where a person appeals the council's decision to consent to an application and to pass a repealing by-law under subsection 32 (8) of the Act and the Tribunal allows the appeal in whole or in part under paragraph 2 of subsection 32 (12) of the Act, the time period is 12 months after the date of the Tribunal's decision under paragraph 2 of subsection 32 (12) of the Act.

INFORMATION AND MATERIAL – SUBSECTIONS 33 (2) AND 34 (2) OF THE ACT

Prescribed information and material

8. (1) For the purpose of subsections 33 (2) and 34 (2) of the Act, the following information and material shall accompany an application:

1. The name, address, telephone number and, if applicable, the email address of the applicant.
2. The name of the municipality from which consent is being requested.
3. A description of the property that is the subject of the application, including such information as the concession and lot numbers, reference plan and part numbers, and street names and numbers.
4. Photographs that depict the existing buildings, structures and heritage attributes that are affected by the application and their condition and context.
5. A site plan or sketch that illustrates the location of the proposed alteration, demolition or removal.
6. Drawings and written specifications of the proposed alteration, demolition or removal.
7. The reasons for the proposed alteration, demolition or removal and the potential impacts to the heritage attributes of the property.
8. All technical cultural heritage studies that are relevant to the proposed alteration, demolition or removal.
9. An affidavit or a sworn declaration by the applicant certifying that the information required under this section and provided by the applicant is accurate.

(2) The information or material referred to in subsection (1) must also include any information or material that is required to accompany an application by a municipal by-law, resolution or official plan.

(3) The owner of the property shall serve an application made under subsection 33 (1) or 34 (1) of the Act on the council of the municipality.

(4) Use of a municipality's electronic system to submit an application mentioned in subsection (3) is a method for the purpose of clause 67 (1) (d) of the Act.

(5) Service using a municipality's electronic system is effective on the day the application is submitted unless the application was submitted after 5 p.m., in which case it is effective on the following day. If the day on which service would be effective is a Saturday or a holiday, service is instead effective on the next day that is not a Saturday or a holiday.

(6) For the purpose of paragraph 2 of subsection 33 (7) of the Act and paragraph 2 of subsection 34 (4.3) of the Act, an application is considered to have commenced on the day that it is served on the council of the municipality.

REQUIRED STEPS – SECTION 34.3 OF THE ACT

Council consents to application under s. 34 of the Act

9. (1) The following steps are prescribed for the purposes of subsection 34.3 (1) of the Act:

1. After the demolition or removal of a building, structure or heritage attribute on the property is complete, the council of the municipality shall, in consultation with the municipal heritage committee established under section 28 of the Act, if one has been established, make one of the following determinations:
 - i. The property continues to have cultural heritage value or interest and, despite the demolition or removal, the statement explaining the cultural heritage value or interest of the property and the description of the heritage attributes of the property are accurate and do not need to be amended.
 - ii. The property continues to have cultural heritage value or interest but, as a result of the demolition or removal, the statement explaining the cultural heritage value or interest of the property or the description of the heritage attributes of the property is no longer accurate and needs to be amended.
 - iii. The property no longer has cultural heritage value or interest as a result of the demolition or removal.

2. If the council makes the determination described in subparagraph 1 i, the clerk of the municipality shall ensure that notice of the determination is served on the Trust.
3. If the council makes the determination described in subparagraph 1 ii,
 - i. the council shall,
 - A. pass a by-law that amends the by-law made under section 29 of the Act designating the property to update the statement of cultural heritage value or interest and the description of the property's heritage attributes to reflect the changes resulting from the demolition or removal, and
 - B. ensure that the amending by-law complies with the requirements set out in section 5 and includes a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property, and
 - ii. the clerk of the municipality shall,
 - A. ensure that a copy of the amending by-law is served on the owner of the property,
 - B. publish notice of the amending by-law in a newspaper having general circulation in the municipality, and
 - C. ensure that a copy of the amending by-law is registered against the property affected by the amending by-law in the appropriate land registry office and that a copy of the registered amending by-law is served on the Trust.
4. If the council makes the determination described in subparagraph 1 iii,
 - i. the council shall pass a by-law to repeal the by-law or the part thereof designating the property under section 29 of the Act, and

- ii. the clerk of the municipality shall,
 - A. ensure that a copy of the repealing by-law is served on the owner of the property,
 - B. publish notice of the repealing by-law in a newspaper having general circulation in the municipality,
 - C. ensure that a copy of the repealing by-law is registered against the property affected by the repealing by-law in the appropriate land registry office and that a copy of the registered repealing by-law is served on the Trust, and
 - D. ensure that any reference to the property is deleted from the register referred to in subsection 27 (1) of the Act.
- 5. If, as part of the removal mentioned in paragraph 1, a building or structure is moved to another property,
 - i. the council of a municipality shall, in consultation with the municipal heritage committee established under section 28 of the Act, determine if the other property meets the criteria referred to in clause 29 (1) (a) of the Act,
 - ii. if it is determined under subparagraph i that the other property meets the criteria, the council of a municipality may pass a by-law designating the other property to be of cultural heritage value or interest, and
 - iii. if a designating by-law is passed under subparagraph ii, the council of a municipality shall ensure that the by-law complies with the requirements set out in section 5 and includes a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property.
- 6. If a designating by-law is passed under subparagraph 5 ii, the clerk of the municipality shall,

- i. ensure that a copy of the designating by-law is served on the owner of the property affected by the designating by-law,
- ii. publish notice of the designating by-law in a newspaper having general circulation in the municipality, and
- iii. ensure that a copy of the designating by-law is registered against the property affected by the designating by-law in the appropriate land registry office and that a copy of the registered designating by-law is served on the Trust.

(2) A by-law passed under this section comes into force on the day the by-law is passed.

(3) A designating by-law passed under subparagraph 5 ii of subsection (1) is deemed to be a by-law passed under subsection 29 (1) of the Act.

(4) For greater certainty, sections 29, 30.1 and 31 of the Act do not apply in respect of passing a by-law under this section, but sections 30.1 and 31 of the Act apply in respect of an amendment or repeal of a by-law or part thereof passed under this section.

RECORD OF DECISION

Record of decision under s. 29 of the Act

10. (1) If a notice of appeal under section 29 of the Act is given within the time period specified in subsection 29 (11) of the Act, the clerk of the municipality shall ensure that the record of the decision under subsection 29 (8) of the Act to pass a by-law designating a property is forwarded to the Tribunal within 15 days after the notice of appeal is given to the clerk of the municipality.

(2) The following material and information must be included in a record of the decision referred to in subsection (1):

1. A certified copy of the notice of intention to designate the property.
2. A certified copy of the by-law.

3. A certified copy of the notice referred to in paragraph 4 of subsection 29 (8) of the Act.
4. A copy of any report considered by council.
5. A statement by an employee of the municipality as to how the decision of council considered the principles set out in subsection 1 (3) when the council exercised its decision-making authority.
6. The original or a certified copy of all written submissions and comments related to the decision and the dates they were received.
7. If a public meeting was held that related to the decision,
 - i. a copy of the minutes; and
 - ii. a list of all persons and public bodies that made oral submissions that related to the decision and, if available, the record of those submissions.
8. Any additional material or information that the council considered in making its decision.
9. An affidavit or sworn declaration by an employee of the municipality that contains a certificate that all the material and information required under this section is accurate.

(3) The following material and information must be included in a record of the decision under subsection 29 (6) of the Act to be forwarded to the Tribunal as required by subsection 29 (14) of the Act:

1. The original or a certified copy of every notice of objection served on the clerk of the municipality under subsection 29 (5) of the Act, and the date on which each notice was served.

Record of decision under s. 30.1 of the Act

11. (1) References in this section to section 29 of the Act are references to that section as it applies to an amending by-law mentioned in subsection 30.1 (1) of the Act, as modified in the Schedule.

(2) The following rule applies if the council to a municipality proposes under section 30.1 of the Act to amend a by-law designating property and the exception set out in subsection 30.1 (2) of the Act does not apply to the amending by-law:

1. If a notice of appeal under section 30.1 of the Act is given within the time period specified in subsection 29 (11) of the Act, the clerk of the municipality shall ensure that the record of the decision under subsection 29 (8) of the Act is forwarded to the Tribunal within 15 days after the notice of appeal is given to the clerk of the municipality.

(3) The following material and information must be included in a record of the decision referred to in paragraph 1 of subsection (2):

1. A certified copy of the notice of proposed amendment to the by-law designating the property.
2. A certified copy of the by-law that is the subject to the proposed amendment.
3. A certified copy of the amending by-law.
4. A certified copy of the notice referred to in paragraph 4 of subsection 29 (8) of the Act.
5. The material and information described in paragraphs 4 to 9 of subsection 10 (2).

(4) The following material and information must be included in a record of the decision under subsection 29 (6) of the Act to be forwarded to the Tribunal as required by subsection 29 (14) of the Act:

1. The original or a certified copy of every notice of objection served on the clerk of the municipality under subsection 29 (5) of the Act and the date on which it was served.

(5) The following rule applies if the council to a municipality proposes under section 30.1 of the Act to amend a by-law designating property and the exception set out in subsection 30.1 (2) applies to the amending by-law:

1. If a notice of appeal is given within the time period specified in subsection 30.1 (10) of the Act, the clerk of the municipality shall ensure that the record of the decision under subsection 30.1 (9) of the Act to pass an amending by-law is forwarded to the Tribunal within 15 days after the notice of appeal is given to the clerk of the municipality.

(6) The following material and information must be included in a record of the decision referred to in paragraph 1 of subsection (5):

1. A certified copy of the notice referred to in subparagraph 1 ii of subsection 30.1 (9) of the Act.
2. The material and information described in paragraphs 1, 3, 4 and 5 of subsection (3).

(7) The following material and information must be included in a record of the decision under subsection 30.1 (7) of the Act to be forwarded to the Tribunal as required by subsection 30.1 (14) of the Act:

1. The original or a certified copy of every notice of objection filed with the clerk of the municipality under subsection 30.1 (6) of the Act and the date on which it was filed.

Record of decision under s. 31 of the Act

12. (1) If a notice of appeal under section 31 of the Act is given within the time period specified in subsection 31 (9) of the Act, the clerk of the municipality shall ensure that the record of the decision under subsection 31 (8) of the Act to pass a repealing by-law is forwarded to the Tribunal within 15 days after the notice of appeal is given to the clerk of the municipality.

(2) The following material and information must be included in a record of the decision referred to in subsection (1):

1. A certified copy of the notice of intention to repeal the by-law or part thereof designating property.
2. A certified copy of the repealing by-law.
3. A certified copy of the by-law that is subject to the repealing by-law.
4. A certified copy of the notice referred to in paragraph 2 of subsection 31 (8) of the Act.
5. The material and information described in paragraphs 4 to 9 of subsection 10 (2).

(3) The following material and information must be included in a record of the decision under subsection 31 (6) of the Act to be forwarded to the Tribunal as required by subsection 31 (13) of the Act:

1. The original or a certified copy of every notice of objection served on the clerk of the municipality under subsection 31 (5) of the Act and the date on which it was served.

Record of decision under s. 32 of the Act

13. The following material and information must be included in a record of the decision under subsection 32 (5) of the Act to be forwarded to the Tribunal as required by subsection 32 (11) of the Act:

1. A certified copy of the application to repeal a by-law or part thereof designating the property.
2. A certified copy of the notice of application referred to in subsection 32 (3) of the Act.
3. A certified copy of the by-law designating the property.
4. The original or a certified copy of every notice of objection served on the clerk of the municipality under subsection 32 (4) of the Act and the date it was served.

5. If the appeal relates to a decision to refuse the application, a certified copy of the notice referred to in subparagraph 1 ii of subsection 32 (5) of the Act.
6. If the appeal relates to a decision to consent to the application,
 - i. a certified copy of the by-law repealing the by-law or part thereof, and
 - ii. a certified copy of the notice referred to in subparagraph 2 ii of subsection 32 (5) of the Act.
7. The material and information described in paragraphs 4 to 9 of subsection 10 (2).

Record of decision under s. 33 of the Act

14. (1) If a notice of appeal under section 33 of the Act is given within the time period specified in subsection 33 (9) of the Act, the clerk of the municipality shall ensure that the record of the decision under subsection 33 (6) of the Act is forwarded to the Tribunal within 15 days after the notice of appeal is given to the clerk of the municipality.

(2) The following material and information must be included in a record of the decision referred to in subsection (1):

1. A certified copy of the by-law designating the property.
2. The original or a certified copy of the material and information described in section 8 received by the council, and any material or information that the council required under subsection 33 (3) of the Act.
3. A certified copy of the notice informing the applicant that the application is complete that was served on the applicant under subsection 33 (4) of the Act and the date it was served.
4. A certified copy of any records relating to a notification referred to in subsection 33 (5) of the Act.

5. A certified copy of the notice of the council's decision referred to in clause 33 (6) (b) of the Act.
6. The material and information described in paragraphs 4 to 9 of subsection 10 (2).

Record of decision under s. 34.1 of the Act

15. (1) If a notice of appeal under section 34.1 of the Act is given within the time period specified in subsection 34.1 (2) of the Act, the clerk of the municipality shall ensure that the record of the decision under subsection 34 (4.2) of the Act is forwarded to the Tribunal within 15 days after the notice of appeal is given to the clerk of the municipality.

(2) The following material and information must be included in a record of the decision referred to in subsection (1):

1. A certified copy of the by-law designating the property.
2. The original or a certified copy of the material and information described in section 8 received by the council, and any material or information that the council required under subsection 34 (3) of the Act.
3. A certified copy of the notice informing the applicant that the application is complete that was served on the applicant under subsection 34 (4) of the Act and the date it was served.
4. A certified copy of any records relating to a notification referred to in subsection 34 (4.1) of the Act.
5. The original or a certified copy of the notice of the council's decision referred to in clause 34 (4.2) (b) of the Act.
6. The material and information described in paragraphs 4 to 9 of subsection 10 (2).

Record of decision under s. 40.1 of the Act

16. (1) If a notice of appeal under section 40.1 of the Act is given within the time period specified in subsection 40.1 (4) of the Act, the clerk of the municipality shall ensure that the

record of the decision under subsection 40.1 (1) of the Act is forwarded to the Tribunal within 15 days after the notice of appeal is given to the clerk of the municipality.

(2) The following material and information must be included in a record of the decision referred to in subsection (1):

1. A certified copy of the by-law made under subsection 40.1 (1) of the Act.
2. A certified copy of the notice referred to in subsection 40.1 (3) of the Act.
3. The material and information described in paragraphs 4, 6, 7, 8 and 9 of subsection 10 (2).

Record of decision under s. 41 of the Act

17. (1) If a notice of appeal under section 41 of the Act is given within the time period specified in subsection 41 (4) of the Act, the clerk of the municipality shall ensure that the record of the decision under subsection 41 (1) of the Act is forwarded to the Tribunal within 15 days after the notice of appeal is given to the clerk of the municipality.

(2) The following material and information must be included in a record of the decision referred to in subsection (1):

1. A certified copy of the by-law made under subsection 41 (1) of the Act.
2. A certified copy of the notice referred to in subsection 41 (3) of the Act.
3. A certified copy of the heritage conservation district plan adopted by a by-law under subsection 41.1 (1) of the Act.
4. A certified copy of the information referred to in clause 41.1 (6) (a) of the Act.
5. The original or a certified copy of all written submissions and comments related to the decision, including any written submissions referred to in subsection 41.1 (11) of the Act, and the dates they were received.

6. For every public meeting referred to in clause 41.1 (6) (b) of the Act that is held,
 - i. a copy of the notice of the public meeting referred to in subsection 41.1 (7) of the Act,
 - ii. a copy of the minutes, and
 - iii. a list of all persons that made oral representations referred to in subsection 41.1 (9) of the Act and, if available, the record of those representations.

7. For every public meeting that is held that related to the decision but was not a meeting referred to in clause 41.1 (6) (b) of the Act,
 - i. a copy of the minutes,
 - ii. a list of all persons and public bodies that made oral submissions that related to the decision and, if available, the record of those submissions.

8. The material and information described in paragraphs 4, 5, 8 and 9 of subsection 10 (2).

Record of decision under s. 41.1 of the Act

18. (1) If a notice of appeal under section 41.1 of the Act is given within the time period specified in subsection 41 (4) of the Act, as made applicable by subsection 41.1 (4) of the Act, the clerk of the municipality shall ensure that the record of the decision under subsection 41.1(2) of the Act is forwarded to the Tribunal within 15 days after the notice of appeal is given to the clerk of the municipality.

(2) The following material and information must be included in a record of the decision referred to in subsection (1):

1. A certified copy of the by-law under subsection 41 (1) of the Act.
2. A certified copy of the by-law under subsection 41.1 (2) of the Act.

3. A certified copy of the heritage conservation district plan adopted under subsection 41.1 (2) of the Act.
4. A certified copy of the notice referred to in subsection 41.1 (3) of the Act.
5. A certified copy of the information referred to in clause 41.1 (6) (a) of the Act.
6. The original or a certified copy of all written submissions and comments related to the decision, including the written submissions referred to in subsection 41.1 (11) of the Act, and the dates they were received.
7. For every public meeting referred to in clause 41.1 (6) (b) of the Act that is held,
 - i. a copy of the notice of the public meeting referred to in subsection 41.1 (7) of the Act,
 - ii. a copy of the minutes, and
 - iii. a list of all persons that made oral representations referred to in subsection 41.1 (9) of the Act and, if available, the record of those representations.
8. The material and information described in paragraphs 4, 5, 8 and 9 of subsection 10 (2).

Record of decision under s. 42 of the Act

19. (1) If a notice of appeal under section 42 of the Act is given within the time period specified in subsection 42 (7) of the Act, the clerk of the municipality shall ensure that the record of the decision under subsection 42 (4) of the Act is forwarded to the Tribunal within 15 days after the notice of appeal is given to the clerk of the municipality.

(2) The following material and information must be included in a record of the decision referred to in subsection (1):

1. If a heritage conservation district plan was adopted by a by-law under subsection 41.1 (1) or (2) of the Act, a certified copy of the plan.

2. The original or a certified copy of the information required under subsection 42 (2.2) of the Act.
3. A certified copy of the notice of receipt referred to in subsection 42 (3) of the Act.
4. If the council refused the application for a permit under section 42 of the Act, a copy of the notice referred to in clause 42 (4) (b) of the Act.
5. If the council approved the application for a permit under section 42 of the Act with terms or conditions attached, a copy of the permit.
6. The material and information described in paragraphs 4, 5, 6, 7, 8 and 9 of subsection 10 (2).

TRANSITION

Transitional rules

20. (1) Except as provided otherwise, references in this section to a provision of the Act are references to the provision as it read immediately before the day this section comes into force.

(2) A matter or proceeding that is mentioned in subsection (3) and commenced before the day this section comes into force shall be continued and disposed of under the Act as it read before that date.

(3) For the purposes of subsection (2), a matter or proceeding shall be deemed to have been commenced,

- (a) in the case of the designation of property by by-law under section 29 of the Act, on the date of the publication of a notice of intention to designate under clause 29 (3) (b) of the Act;
- (b) in the case of the amendment of a by-law designating property under section 30.1 of the Act,

- (i) if subsection 30.1 (2) of the Act does not apply to the notice, on the date of the publication of the notice of proposed amendment under clause 29 (3) (b) of the Act, as made applicable by subsection 30.1 (1) of the Act, or
 - (ii) if subsection 30.1 (2) of the Act applies to the notice, on the day the notice of proposed amendment is received by the owner of the property;
- (c) in the case of the repeal of a by-law or part thereof designating property under section 31 of the Act, on the date of the publication of a notice of intention to repeal a by-law or part thereof under clause 31 (3) (b) of the Act;
- (d) in the case of an application to repeal a by-law or part thereof designating a property under section 32 of the Act, on the day the application is received by the council of the municipality;
- (e) in the case of an application for consent to alter or permit the alteration under section 33 of the Act, on the day the application is received by the council of the municipality;
- (f) in the case of an application for consent to demolish or remove or permit demolition or removal under section 34 of the Act, on the day the application is received by the council of the municipality;
- (g) in the case of an application for consent to alter, demolish or remove or permit the alteration, demolition or removal under section 34.5 of the Act, on the day the application is received by the Minister;
- (h) in the case of the designation of a study area under section 40.1 of the Act, the day on which the by-law is passed under that section;
- (i) in the case of the designation of a heritage conservation district under section 41 of the Act, the day on which the by-law is passed under that section;
- (j) in the case of the adoption of a heritage conservation district plan under subsection 41.1 (2) of the Act, the day on which the by-law is passed under that section;

- (k) in the case of an application described in subsection 42 (2.1) of the Act, the day on which the application is received by the council of the municipality.

(4) Despite subsection (2), if a notice of intention to designate a property under subsection 29 (1) of the Act was published in accordance with clause 29 (3) (b) of the Act before the day this section comes into force and the council of the municipality has not passed a by-law designating the property and has not withdrawn the notice of intention to designate before that day, the notice of intention to designate the property is deemed to be withdrawn unless the council of the municipality passes a by-law designating the property within 365 days after the day this section comes in force in accordance with section 29 of the Act.

(5) For the purposes of subsection (4), if a person objects to a proposed designation under subsection 29 (5) of the Act, the 365-day period referred to in that subsection shall be counted by excluding every day that is after the day the person serves the notice of objection under subsection 29 (5) of the Act and that is before the earliest of the following:

1. The day the Review Board makes a report to council under subsection 29 (12) of the Act.
2. If the person who served the notice of objection withdraws the objection, the day on which the person serves notice of withdrawal in accordance with subsection 29 (15) of the Act.

(6) If a notice of intention to designate is deemed to be withdrawn under subsection (4), the municipality shall cause a notice of withdrawal,

- (a) to be served on the owner of the property and on the Trust; and
- (b) to be published in a newspaper having general circulation in the municipality.

(7) Despite subsection (2), the following rules apply if an application for consent to demolish or remove or permit demolition or removal under section 34 of the Act is received by the council of the municipality before the day this section comes into force and the council of a municipality has consented to the application under subclause 34 (2) (a) (i) or (i.1) of the Act or is deemed to have consented to the application under subsection 34 (4) of the Act or the Tribunal has ordered that the municipality give its consent under clause 34.1 (6) (b) of the Act:

1. If the council has not passed a repealing by-law under section 34.3 of the Act, the application shall be continued and disposed of in accordance with section 34.3 of the Act as it reads on and after the day this section comes into force.
2. If the council has passed a repealing by-law under section 34.3 of the Act, the application shall be continued and disposed of in accordance with section 34.3 of the Act as it read immediately before the day this section comes into force.

(8) Subsection 29 (1.2) of the Act, as it reads on and after the day this section comes into force, does not apply with respect to a property in a municipality if the event prescribed by section 2 of this Regulation occurred before the day this section comes into force.

Commencement

21. [Commencement]

SCHEDULE

SECTION 29 OF THE ACT AS MODIFIED FOR THE PURPOSES OF SUBSECTION 30.1 (1) OF THE ACT

Amendment of designating by-law

29. (1) The council of a municipality may, by by-law, amend a by-law designating a property within the municipality to be of cultural heritage value or interest if the amendment is made in accordance with the process set out in this section.

Notice required

(1.1) Subject to subsection (2), if the council of a municipality intends to amend a by-law designating a property within the municipality to be of cultural heritage value or interest, it shall cause a notice of proposed amendment to be given by the clerk of the municipality in accordance with subsection (3).

Consultation

(2) Where the council of a municipality has appointed a municipal heritage committee, the council shall, before giving a notice of proposed amendment, consult with its municipal heritage committee.

Notice of proposed amendment

(3) A notice of proposed amendment shall be,

- (a) served on the owner of the property and on the Trust; and

- (b) published in a newspaper having general circulation in the municipality.

Contents of notice

(4) A notice of proposed amendment that is served on the owner of property and on the Trust under clause (3) (a) shall contain,

- (a) an adequate description of the property so that it may be readily ascertained;
- (b) an explanation of the purpose and effect of the proposed amendment; and
- (c) a statement that notice of objection to the notice of proposed amendment may be served on the clerk within 30 days after the date of publication of the notice of proposed amendment in a newspaper of general circulation in the municipality under clause (3) (b).

Same

(4.1) A notice of proposed amendment that is published in a newspaper of general circulation in a municipality under clause (3) (b) shall contain,

- (a) an adequate description of the property so that it may be readily ascertained;
- (b) an explanation of the purpose and effect of the proposed amendment;
- (c) a statement that further information respecting the notice of proposed amendment is available from the municipality; and
- (d) a statement that notice of objection to the notice of proposed amendment may be served on the clerk within 30 days after the date of publication of the notice of proposed amendment in a newspaper of general circulation in the municipality under clause (3) (b).

Objection

(5) A person who objects to a proposed amendment to a designating by-law shall, within 30 days after the date of publication of the notice of proposed amendment, serve on the clerk of the municipality a notice of objection setting out the reason for the objection and all relevant facts.

Consideration of objection by council

(6) If a notice of objection has been served under subsection (5), the council of the municipality shall consider the objection and make a decision whether or not to withdraw the notice of proposed amendment within 90 days after the end of the 30-day period under subsection (5).

Notice of withdrawal

(7) If the council of the municipality decides to withdraw the notice of proposed amendment, either of its own initiative at any time or after considering an objection under subsection (6), the council shall withdraw the notice by causing a notice of withdrawal,

- (a) to be served on the owner of the property, on any person who objected under subsection (5) and on the Trust; and
- (b) to be published in a newspaper having general circulation in the municipality.

If no notice of objection or no withdrawal

(8) If no notice of objection is served within the 30-day period under subsection (5) or a notice of objection is served within that period but the council decides not to withdraw the notice of proposed amendment, the council may pass a by-law amending the by-law designating the property, provided the following requirements are satisfied:

1. The amending by-law must be passed within 365 days after the date of publication of the notice of proposed amendment under clause (3) (b) or within such other period of time that is mutually agreed upon by the council and the owner of the property.
2. The by-law designating the property, as amended, must include a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property and must comply with such requirements in relation to the statement and the description as may be prescribed and with such other requirements as may be prescribed.

3. The council must cause the following to be served on the owner of the property, on any person who objected under subsection (5) and on the Trust:
 - i. A copy of the amending by-law.
 - ii. A notice that any person who objects to the amending by-law may appeal to the Tribunal by giving the Tribunal and the clerk of the municipality, within 30 days after the date of publication under paragraph 4, a notice of appeal setting out the objection to the by-law and the reasons in support of the objection, accompanied by the fee charged under the *Local Planning Appeal Tribunal Act, 2017*.
4. The council must publish notice of the amending by-law in a newspaper having general circulation in the municipality, which must provide that any person who objects to the by-law may appeal to the Tribunal by giving the Tribunal and the clerk of the municipality, within 30 days after the date of publication under this paragraph, a notice of appeal setting out the objection to the by-law and the reasons in support of the objection, accompanied by the fee charged under the *Local Planning Appeal Tribunal Act, 2017*.

Deemed withdrawal

(9) If the council of the municipality has not passed an amending by-law under subsection (8) within the time set out in paragraph 1 of that subsection, the notice of proposed amendment is deemed to be withdrawn and the municipality shall cause a notice of withdrawal,

- (a) to be served on the owner of the property, on any person who objected under subsection (5) and on the Trust; and
- (b) to be published in a newspaper having general circulation in the municipality.

Same

(10) For clarity, the deemed withdrawal of a notice of proposed amendment under subsection (9) does not prevent the council from giving a new notice of proposed amendment in accordance with this section.

Appeal to Tribunal

(11) Any person who objects to the amending by-law may appeal to the Tribunal by giving the Tribunal and the clerk of the municipality, within 30 days after the date of publication under

paragraph 4 of subsection (8), a notice of appeal setting out the objection to the by-law and the reasons in support of the objection, accompanied by the fee charged under the *Local Planning Appeal Tribunal Act, 2017*.

If no notice of appeal

(12) If no notice of appeal is given within the time period specified in subsection (11),

- (a) the amending by-law comes into force on the day following the last day of the period; and
- (b) the clerk shall ensure that a copy of the amending by-law is registered against the properties affected by the by-law in the appropriate land registry office and that a copy of the registered by-law is served on the Trust.

If notice of appeal

(13) If a notice of appeal is given within the time period specified in subsection (11), the Tribunal shall hold a hearing and, before holding the hearing, shall give notice of the hearing to such persons or bodies and in such manner as the Tribunal may determine.

Forwarding of record of decision

(14) If the council of the municipality made a decision on a notice of objection under subsection (6) and if a notice of appeal is given within the time period specified in subsection (11), the clerk of the municipality shall ensure that the record of the decision under subsection (6) is forwarded to the Tribunal within 15 days after the notice of appeal is given to the clerk of the municipality.

Powers of Tribunal

(15) After holding the hearing, the Tribunal shall,

- (a) dismiss the appeal; or
- (b) allow the appeal in whole or in part and,
 - (i) repeal the amending by-law,
 - (ii) amend the amending by-law in such manner as the Tribunal may determine,

- (iii) direct the council of the municipality to repeal the amending by-law, or
- (iv) direct the council of the municipality to amend the amending by-law in accordance with the Tribunal's order.

Dismissal without hearing of appeal

(16) Despite the *Statutory Powers Procedure Act* and subsections (13) and (15), the Tribunal may, on its own motion or on the motion of any party, dismiss all or part of the appeal without holding a hearing on the appeal if,

- (a) the Tribunal is of the opinion that,
 - (i) the reasons set out in the notice of appeal do not disclose any apparent ground upon which the Tribunal could allow all or part of the appeal, or
 - (ii) the appeal is not made in good faith, is frivolous or vexatious, or is made only for the purpose of delay;
- (b) the appellant has not provided written reasons in support of the objection to the amending by-law;
- (c) the appellant has not paid the fee charged under the *Local Planning Appeal Tribunal Act, 2017*; or
- (d) the appellant has not responded to a request by the Tribunal for further information within the time specified by the Tribunal.

Representations

(17) Before dismissing all or part of an appeal on any of the grounds mentioned in subsection (16), the Tribunal shall,

- (a) notify the appellant of the proposed dismissal; and

- (b) give the appellant an opportunity to make representations with respect to the proposed dismissal.

Coming into force

(18) If one or more notices of appeal are given to the clerk within the time period specified in subsection (11),

- (a) the amending by-law comes into force when all of such appeals have been withdrawn or dismissed;
- (b) if the amending by-law is amended by the Tribunal under subclause (15) (b) (ii), the amending by-law, as amended by the Tribunal, comes into force on the day it is so amended; or
- (c) if the amending by-law is amended by the council pursuant to subclause (15) (b) (iv), the amending by-law, as amended by the council, comes into force on the day it is so amended.

Registration of by-law

(19) The clerk of a municipality shall ensure that a copy of an amending by-law that comes into force under subsection (18) is registered against the properties affected by the by-law in the appropriate land registry office and that a copy of the registered by-law is served on the Trust.

THE CORPORATION OF THE TOWN OF GEORGINA

IN THE

REGIONAL MUNICIPALITY OF YORK

BY-LAW NO. 86-152 (HO-1)

BEING A BY-LAW TO DESIGNATE A MUNICIPAL RESIDENCE IN THE TOWN OF GEORGINA AND/OR BUILDING OF HISTORIC AND ARCHITECTURAL SIGNIFICANCE.

WHEREAS this Council has the authority under subsection 6 of Section 29 of the Ontario Heritage Act to enact by-laws to designate real property, including exteriors of buildings, as described in Schedule "A" attached hereto to be of historic or architectural value or interest;

AND WHEREAS this Council has caused to be served upon the owners of the lands and premises known municipally as Part of Lot 5, Concession 8 (G) and identified as roll number 035-398 in the Town of Georgina and upon the Ontario Heritage Foundation notice of intention to so designate the described property and has caused such notice of intention to be published in a newspaper having a general circulation in this Municipality, once for each of three consecutive weeks;

AND WHEREAS no notice of objection to the proposed designation of the described property has been served on the Clerk of this Municipality within the time prescribed by the said statute;

AND WHEREAS this Council's reasons for the proposed designation are as set forth in Schedule "B" attached hereto;

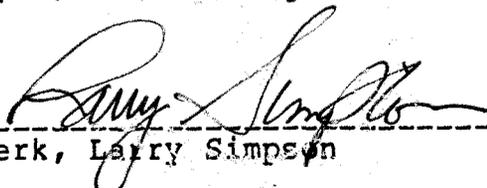
NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF GEORGINA ENACTS AS FOLLOWS:

1. There is hereby designated as being of architectural value and/or historical value or interest, the real property and exterior of the property known municipally as Part of Lot 5, Concession 8 (G) and identified as roll number 035-398 in the Town of Georgina, and more particularly described in Schedule "A" attached hereto.
2. The Clerk is hereby authorized and directed to cause a copy of this by-law to be registered against the property described in Schedule "A" attached hereto in the Land Registry Office.
3. The Clerk is hereby authorized and directed to cause a copy of this by-law to be served upon the owner of the property and upon the Ontario Heritage Foundation and to cause a notice of this by-law to be published in a newspaper having general circulation in the Town of Georgina.

READ a first and second time this 28th day of August 1986.

READ a third time and finally passed this 28th day of August, 1986.

Mayor, John S. Rogers



Clerk, Larry Simpson

SCHEDULE "A"

DESCRIPTION OF THOMAS MOSSINGTON HOUSE

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Town of Georgina in the Regional Municipality of York, and being composed of Part of Lot 5, Concession 8 (G) identified as roll number 035-398 according to the Assessment rolls.

SCHEDULE "B"

REASONS FOR DESIGNATING THE THOMAS MOSSINGTON HOUSE

HISTORICAL

The house is believed to have been built in 1822 by Joseph Periguine and purchase in 1829 by Thomas Mossington, a retired naval officer and one of the early settlers in the area who named the house "Plumstead" after his home in England. Thomas Mossington was a Shareholder of "The Simcoe", the first steamboat to sail Lake Simcoe in 1832. He also was the Designer, Master Builder, clerk of the works and foreman of the original Saint George's Church erected in 1838 on the south shore of Lake Simcoe and was one of the original Church Wardens. In 1833 he was appointed a magistrate and president over the court in the home "Plumstead".

ARCHITECTURAL

The house is an interesting example of the Georgian influence on the design and construction of homes in the early 1800's. The house including the wooden plank floors, bell tower over the summer kitchen, interior trim and doors and three large fireplaces have been well preserved and retain much of its' original detail.

IN MEMORY OF
CAPTAIN WILLIAM JOHNSTON, R.N.
1784 - 1851

FOUNDER OF PEFFERLAW, ONTARIO

BUILDER IN 1828 OF THE FIRST DAM AND
RACEWAYS ON THIS LOCATION TO SUPPLY WATER
POWER FOR HIS SAWMILL, GRISTMILL AND WOOLLEN
MILL WHICH WERE IN OPERATION BY 1832.

DONATED BY THE PEFFERLAW LIONESS AND
PEFFERLAW ANGLERS CLUBS.













JEAN VEALE
WIFE OF
JOHN VEALE
DIED
MARCH 28 1931
AGED 87 YEARS

ELIZABETH JOHNSTON
WIFE OF
JOHN VEALE
DIED OCT. 10 1930
AGED 90 YEARS

JEAN JOHNSTON
RELICT OF THE LATE JOHN VEALE
DIED MAR. 4 1917 AGED 85 YEARS





Text by Terry Russell and Allan Morton

MILL POND PLAQUE

Prior to the 19th Century the Black River was a source of commerce and transportation for the First Nations people as well as early traders. Following the War of 1812, Capt. William Bouchier acquired land from the Crown and constructed both a dam and the gristmill you see on the north side of High Street.

A town grew around the flourishing mill and in 1818 the Town of Sutton was established. The woollen mill that was constructed on the east side of the river was converted to be utilized as the town hall. This building stood until late in the 20th Century, but was destroyed by fire. The building on the south side of High Street and east side of the river was built in 18?? and was originally used as a general store and post office.

In 1954 Hurricane Hazel destroyed the dam. It was then replaced by the existing dam, which was reconstructed by the Region of York in 19??. This was organized by the Town of Sutton and Councillor ?? Lyons. Today the Mill Pond is known as Lyons Pond.

MALONE POINT PLAQUE

The steamboat industry in the 19th Century on Lake Simcoe flourished as the boats were utilized for industry, transportation and recreation. The boats varied from small side-wheelers to larger vessels holding up to 120 passengers.

Between 1830 and 1877, steamboats provided a land-water link between the lower and upper Great Lakes and made the land around Lake Simcoe attractive to settlers. They carried passengers, freight and mail and led to the development of several ports of call such as Jacksons Point, Smalley's Wharf, Roche's Point and other ports to the north and west. The railways circled Lake Simcoe by 1887 - making the steamboats obsolete except for pleasure excursions. Pleasure trips continued until the 1920's when private motorboats became popular.

Stephen Leacock's fictional Mariposa Belle was modeled after the steamer, Enterprise. The Enterprise was based at Jacksons Point. The submerged rails to the left of this sign was used for the Enterprise and other boats. The rails were a dry dock to maintain the boats and for winter storage. The Enterprise was scuttled in 1903 and its remains lie on the nearby lake bottom.

	GHAC
	3 rd Wednesday
January	Council
February	17 th
March	17 th
April	Council
May	19 th
June	Council
July	21 st
August	18 th
September	15 th
October	20 th
November	17 th
December	15 th
MAX Meetings	8
Eliminate	4
	March Break
	Suggested dates to be removed

**Please note the tentative Council schedule has only been established until June 2021; Council Public meetings may conflict with the above noted dates from July to December and may be subject to changes accordingly.