

Authority: Executive Committee Item EX29.8, as adopted by City of Toronto Council on December 5, 6 and 7, 2017

CITY OF TORONTO

Bill 1393

BY-LAW -2017

To consolidate the Boards of Directors of the City's three Civic Theatres and to amend City of Toronto Municipal Code Chapter 23, Civic Theatres.

Whereas the City is the owner of three civic theatres known as the Sony Centre for the Performing Arts, the Toronto Centre for the Arts and the St. Lawrence Centre for the Arts ("Civic Theatres") managed by individual City Boards; and

Whereas the City established Civic Theatres Toronto to consolidate the operations and management of the three civic theatres under the direction of a single City board; and

Whereas Civic Theatres Toronto has consolidated the operations and management of the Civic Theatres and it is desirable to finalize the consolidation of the Boards by amalgamating the Board of Directors of Civic Theatres Toronto, the Board of Directors of the Toronto Centre for the Arts and the Board of Directors of the St. Lawrence Centre for the Arts into the Board of Directors of the Hummingbird (Sony) Centre for the Performing Arts in order to continue its charitable status, and to dissolve the three other boards;

The Council of the City of Toronto enacts:

1. The purposes of the Board of Directors of the Hummingbird (Sony) Centre for the Performing Arts are to act on behalf of Council for the purposes of occupation, management and control of the Civic Theatres to provide quality performance and event facilities and to promote the contribution to the artistic, cultural and social vitality of Toronto and its communities.
2. The Board of Directors of Civic Theatres Toronto, the Board of Directors of the Toronto Centre for the Arts and the Board of Directors of the St. Lawrence Centre for the Arts are dissolved and the appointments of their members are rescinded.
3. In accordance with O.Reg 589/06 made under the *City of Toronto Act, 2006*, all rights, claims, undertakings, obligations, assets and liabilities of the Board of Directors of Civic Theatres Toronto, the Board of Directors of the Toronto Centre for the Arts and the Board of Directors of the St. Lawrence Centre for the Arts vest in the Board of Directors of the Hummingbird (Sony) Centre for the Performing Arts.
4. Every by-law or resolution of the Board of Directors of Civic Theatres Toronto, the Board of Directors of the Toronto Centre for the Arts and the Board of Directors of the St. Lawrence Centre are continued as by-laws or resolutions of the Board of Directors of the Hummingbird (Sony) Centre for the Performing Arts in respect of the theatrical facilities to which they currently apply, until amended or repealed. In the event of conflict, the by-law or resolution which applies to Toronto Centre for the Arts Board, the St. Lawrence Centre Board and the former Civic Theatres Toronto Board shall prevail to the extent of the conflict.

5. Chapter 23 of the City of Toronto Municipal Code is amended by deleting its provisions in their entirety and replacing them with the following:

Chapter 23

CIVIC THEATRES

ARTICLE 1

General

§ 23-1.1. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

ACT – The *City of Toronto Act, 2006*.

BOARD – The Board of Directors of Civic Theatres Toronto.

CIVIC THEATRES TORONTO – The City Board known as Civic Theatres Toronto.

CIVIC THEATRES – The City owned theatres known as the Sony Centre for the Performing Arts, the Toronto Centre for the Arts and the St. Lawrence Centre for the Arts.

SONY CENTRE FOR THE PERFORMING ARTS – The City owned theatrical facilities known as the Sony Centre for the Performing Arts located at 1 Front Street East.

ST. LAWRENCE CENTRE FOR THE ARTS – The City owned theatrical facilities known as the St. Lawrence Centre for the Arts located at 27 Front Street East.

TORONTO CENTRE FOR THE ARTS – The City owned theatrical facilities known as the Toronto Centre for the Arts located at 5040 Yonge Street.

ARTICLE 2

Civic Theatres Toronto

§ 23-2.1. Board of Directors of the Hummingbird (Sony) Centre for the Performing Arts continued.

- A. The Board of Directors of the Hummingbird (Sony) Centre for the Performing Arts is continued as a City Board known as Civic Theatres Toronto to act on behalf of Council for the purposes of occupation, management and control of the Civic Theatres to provide quality performance and event facilities and to promote the contribution to the artistic, culture and social vitality of Toronto and its communities.
- B. Civic Theatres Toronto is a City board and is an agent of the City.

C. The Board consists of fifteen members including five members of Council and ten public members so that the Board is composed of:

- (1) the Mayor or a Council Member appointed by the Mayor as the Mayor's designate;
- (2) the Council Member for Ward 23;
- (3) the Council Member for Ward 28;
- (4) two Council members; and
- (5) ten public members.

With at least one of the Council members appointed also being a member of the Economic Development Committee.

D. Council appoints the Chair from among the members.

§ 23-2.2. Responsibilities of the Board of Directors.

The Board shall supervise the management of the business and operations of the Civic Theatres. In particular, the Board shall:

- A. Assume responsibility for the governance, business affairs, operation and management of the Civic Theatres.
- B. Oversee the integration and consolidation of operational functions of the Civic Theatres through a phased-in process.
- C. Undertake strategic planning and develop a five-year business plan to ensure the long-term viability and success of the Civic Theatres.
- D. Submit an annual report and audited financial statements to Council.

§ 23-2.3. Policies and by-laws.

- A. The Board shall adopt policies respecting sponsorship, naming rights and honourific names which are consistent with the policies adopted by Council.
- B. The Board shall adopt policies pertaining to the procurement of goods and services and the hiring of employees, as required under the Act and consistent with applicable City policies.
- C. The Board shall develop a procedure by-law for approval by City Council consistent with City Council procedures set out in Chapter 27, Council Procedures as they apply to Committees of Council, and in compliance with requirements of the Act.
- D. The Board shall comply with the applicable provisions of Chapter 192, Public Service.

§ 23-2.4. Advisory Committee.

The Board shall establish an advisory committee with representation from the major companies and tenants at the Civic Theatres, to be convened at least once a year to provide advice to the Board, based on terms of reference approved by the Board.

6. The following by-laws are amended or repealed:
- A. Article I of the Municipal Code Chapter 11, Arts Centres of the former Corporation of the City of Toronto, is deleted.
 - B. By-law 177-81, as amended by By-law 153-83, of the former Municipality of Metropolitan Toronto, is repealed.
 - C. Municipal Code Chapter 192, Public Service, is amended by deleting the references to The Board of Directors of the Hummingbird Centre for the Performing Arts, Board of Management of the St. Lawrence Centre for the Performing Arts, and the North York Performing Arts Centre Corporation and substituting them with references to Civic Theatres Toronto.
7. This By-law comes into effect on December 31, 2017.

Enacted and passed on December , 2017.

Frances Nunziata
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)