

Authority: Economic Development and Parks Committee Report No. 2, Clause No. 10,  
as adopted by City of Toronto Council on February 29, March 1 and 2, 2000  
Enacted by Council: March 2, 2000

## **CITY OF TORONTO**

### **BY-LAW No. 149-2000**

#### **To suspend the operation of the North York Performing Arts Centre Corporation Board.**

WHEREAS the City is the owner of the Toronto Centre for the Arts, formerly, the Ford Centre for the Performing Arts and the North York Performing Arts Centre, (“Arts Centre”); and

WHEREAS The North York Performing Arts Centre (“NYPACC”) is a corporation without share capital established through special legislation, to wit, City of North York Act, 1988 (No. 2), (“Special Act”) obtained by The Corporation of City of North York (now amalgamated into the City of Toronto) in 1988; and

WHEREAS, under the Special Act, NYPACC is required to have, and does indeed have, a board of directors (“NYPACC Board”) that manages, supervises and conducts the affairs of NYPACC; and

WHEREAS the City has adopted and intends to implement a new business plan for the Arts Centre (“Business Plan”); and

WHEREAS, for the purpose of implementing the Business Plan, the City considers it advisable and in the public interest to suspend the operation of the NYPACC Board on the terms and conditions set out in this By-law; and

WHEREAS paragraph 5(1)[1] of Ontario Regulation 214/96 made under subsection 210.4(7) of the Municipal Act, R.S.O. 1990, c. M.45 permits the City to pass a by-law to assume one or more powers of a local board, subject to certain exceptions that do not apply here, and applies despite any Act (including the Special Act); and

WHEREAS NYPACC is a local board within the meaning of subsection 210.4(1) of the Municipal Act; and

WHEREAS no Act has been enacted since Ontario Regulation 214/96 that would affect the power of the City to act under paragraph 5(1)[1] of Ontario 214/96 in relation to NYPACC;

The Council of the City of Toronto HEREBY ENACTS as follows:

**1.** Upon the enactment of this By-law, the powers of the NYPACC Board to manage, supervise and conduct the affairs of NYPACC (including without limitation the power to hire, direct, discipline and remove or replace NYPACC employees including NYPACC officers) shall be assumed by the City and shall be exercisable by City Council in place of the NYPACC Board.

**2.** During the operation of this By-law, NYPACC, its officers and employees, shall report to City Council through, first, the NYPACC Emergency Committee and, then, through the Economic Development and Parks Committee.

**3.** Despite section 1 and 2, all existing contracts with the NYPACC for performances in the Arts Centre or for services to be provided to the Arts Centre shall remain in the name of NYPACC, and not be in the name of or be transferred to the City, and any new contracts for performances in the Centre or for services to be provided to the Arts Centre shall be in the name of NYPACC, not the City.

**4.** Unless otherwise repealed, this By-law shall remain in force until such time as the new governance structure for NYPACC envisioned by the Business Plan is adopted by Council and a board of director for NYPACC based on it is appointed by City Council.

ENACTED AND PASSED this 2nd day of March, A.D. 2000.

CASE OOTES,  
Deputy Mayor

NOVINA WONG,  
City Clerk

(Corporate Seal)