

Authority: Economic Development and Parks Committee Report No. 8, Clause No. 10,
adopted as amended, by City of Toronto Council on November 30,
December 1 and 2, 2004
Enacted by Council: December 2, 2004

CITY OF TORONTO

BY-LAW No. 1036-2004

**To adopt a new City of Toronto Municipal Code Chapter 9, Arts Centres, to change the
composition of the Board of the North York Performing Arts Centre Corporation.**

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; and

WHEREAS the North York Performing Arts Centre Corporation (“NYPACC”) is a corporation without share capital established under the *City of North York Act, 1988 (No. 2)*; and

WHEREAS that Act provides that the corporation shall have a board which shall manage, supervise and conduct the affairs of the corporation and specifies the composition of the board; and

WHEREAS paragraph 5(1)[2] of Ontario Regulation 214/96 made under subsection 216(7) of the *Municipal Act, 2001*, S.O. 2001, c. 25 permits the City to pass a by-law to make any changes it considers advisable related to membership of a local board, and applies despite any Act; and

WHEREAS NYPACC is a local board within the meaning of section 216(1) of the *Municipal Act, 2001*; and

WHEREAS Council has temporarily assumed all of the powers of the board and there are currently no sitting members of the board, the notice requirements under section 216(4) of the *Municipal Act, 2001* have therefore been met by circulation of the Council Agenda containing Economic Development and Parks Committee Report No. 8, Clause No. 10, Toronto Centre for the Arts Operations and Governance, to all members of Council and by notice to the executive manager of NYPACC;

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

1. The City of Toronto Municipal Code is amended by adding the following as Chapter 9, Arts Centres:

Chapter 9

ARTS CENTRES

ARTICLE I

Toronto Centre for the Arts

§ 9-1. Definitions.

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

BOARD — The board of the North York Performing Arts Centre Corporation.

§ 9-2. Membership

- A. Despite subsection 6(2) of the *City of North York Act, 1988 (No. 2)*, the Board is composed of twelve persons as follows:
 - (1) Up to five members of the Board shall be members of Council; and
 - (2) The remaining members of the Board shall be citizen members with at least three representatives of the business community and at least three representatives of the arts and culture community.

ENACTED AND PASSED this 2nd day of December, A.D. 2004.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)