

Authority: Economic Development Committee Item 27.6,
as adopted by City of Toronto Council on January 26 and 27, 2010
Enacted by Council: January 27, 2010

CITY OF TORONTO

BY-LAW No. 133-2010

To amend City of Toronto Municipal Code Chapter 19, Business Improvement Areas with respect to proxy voting, minor boundary expansion consents and Council appointments to business improvement area board members.

WHEREAS under section 7 and paragraph 5 of subsection 8(2) of the *City of Toronto Act, 2006* (the "Act"), the City may designate business improvement areas as part of its authority to pass by-laws respecting the economic, social and environmental well-being of the City; and

WHEREAS under sections 7 and 8 of the Act and the specific power in section 141, the City may establish city boards for those purposes; and

WHEREAS by the enactment of By-law No. 636-2007, Council approved the adoption of a revised Municipal Code Chapter 19, Business Improvement Areas, to govern the designation of new business improvement areas, and the operation of all business improvement area boards of management; and

WHEREAS Council wishes to amend Chapter 19 to clarify the rules regarding proxy voting and minor boundary expansion consents, and permit Council to directly appoint directors to business improvement area boards of management;

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

1. Chapter 19, Business Improvement Areas, of The City of Toronto Municipal Code is amended as follows:

(A) Section 15C is deleted and the following substituted:

"C. Council must receive a written request for a boundary expansion from the business improvement area Board, and written consent from all commercial and industrial property owners and business tenants within the expansion area described in Subsection B."

(B) Section 19-20C(1) and (2) are deleted and the following substituted:

"C. A Board shall be composed of:

- (1) One or more directors appointed directly by Council; and
- (2) The remaining directors selected by a vote of the membership of the business improvement area and appointed by Council."

(C) Section 19-21G is deleted and the following substituted:

"G. A member of a business improvement area may nominate in writing one individual to vote on behalf of the member, provided the individual nominated has not also been nominated by another member of the business improvement area."

(D) Section 19-23 is deleted and the following substituted:

"§ 19-23. Refusal to appoint.

Council, or community council under delegated authority, may refuse to appoint a person selected by the members of a business improvement area, in which case Council or community council, as the case may be, may leave the position vacant, appoint another person or direct that a meeting of the members of the business improvement area or the Board be held to elect or select another candidate for Council's or community council's consideration."

ENACTED AND PASSED this 27th day of January, A.D. 2010.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)