

Authority: Executive Committee Item 45.4,
as adopted by City of Toronto Council on July 6, 7 and 8, 2010
Enacted by Council: July 8, 2010

CITY OF TORONTO

BY-LAW No. 795-2010

**To adopt a new City of Toronto Municipal Code Chapter 12, Balmy Beach Park
Board of Management.**

WHEREAS the Balmy Beach Park Board of Management was created pursuant to provincial legislation enacted in 1903, *An Act Respecting the Town of East Toronto and Balmy Beach Park* (the "Balmy Beach Park Act"), as amended in 1964 and 1991; and

WHEREAS this board of management is the only local community-based board where the Mayor is required to nominate its citizen members for appointment by Council; and

WHEREAS the nomination and appointments process, board composition and term of office have not changed substantially since the board was established in 1903 when the old Town of East Toronto existed; and

WHEREAS City Council has the authority under the *City of Toronto Act, 2006*, to enact a by-law to make governance changes to this community-based board; and

WHEREAS the City of Toronto wishes to enact a new by-law to make minor board governance changes and to add a new Chapter 12 to The Toronto Municipal Code respecting the Balmy Beach Park Board of Management; and

WHEREAS the City of Toronto wishes to retain the current residency requirement and include such requirement in the new by-law and Chapter;

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

1. The City of Toronto Municipal Code is amended by adding the chapter set out in Schedule 1 at the end of this by-law as Chapter 12, Balmy Beach Park Board of Management.

ENACTED AND PASSED this 8th day of July, A.D. 2010.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)

SCHEDULE 1

Chapter 12

BALMY BEACH PARK BOARD OF MANAGEMENT

§ 12-1. Definitions.

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

BALMY BEACH PARK ACT — *An Act Respecting the Town of East Toronto and Balmy Beach Park* enacted in 1903 and amended in 1964 and 1991.

BOARD or BOARD OF MANAGEMENT — the community-based board of management established pursuant to the *Balmy Beach Park Act*.

BOARD MEMBER or MEMBER — a person appointed by the City as a Member of the Board.

§ 12-2. Board Composition.

A. The Board shall be composed of the following seven (7) members:

- (1) the Councillor for Ward 32 – Beaches-East York; and
- (2) six (6) citizen Members, who reside in that part of the City of Toronto bounded:
 - (a) on the south by Lake Ontario
 - (b) on the north by the southerly limits of Gerrard Street East
 - (c) on the east by the easterly boundary of the City of Toronto
 - (d) on the west by the eastern limits of Woodbine Avenue and its southerly extension to Lake Ontario.

§ 12-3. Term of Office.

- A. The term of office of the citizen Board Members shall be set at the time of appointment.
- B. The term shall be up to four years, and each citizen Board Member shall hold office from the time of his or her appointment until a successor is appointed, as long as the Member continues to be eligible.
- C. Citizen Board Members who continue to meet the residency requirement are eligible for reappointment.
- D. Citizen Board Members serve at the pleasure of Council.

§ 12-4. Nomination and Appointments Process.

- A. The Board shall identify eligible citizen nominees, and shall submit the names of selected nominees to the City Clerk to be placed on the appropriate agenda.

§ 12-5. Conflict.

To the extent of any conflicts between this chapter and the provisions of the *Balmy Beach Park Act* relating to the board composition, term of office and nomination and appointments process, this chapter prevails.