

Authority: Executive Committee Item EX7.15, adopted as amended, by City of Toronto Council on July 7, 8 and 9, 2015

## **CITY OF TORONTO**

### **BY-LAW No. 776-2015**

#### **To adopt a new City of Toronto Municipal Code Chapter 23, Civic Theatres, to establish a City board to govern the affairs of the Sony Centre for the Performing Arts, the Toronto Centre for the Arts and the St. Lawrence Centre for the Arts.**

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; and

Whereas the operations and management of the three civic theatres are managed by individual City boards, the Board of Directors of the Hummingbird (Sony) Centre for the Performing Arts, the Board of Directors of the Toronto Centre for the Arts and the Board of Directors of the St. Lawrence Centre for the Arts respectively; and

Whereas it is desirable to consolidate the operations and management of the three civic theatres under the direction of a single City board in order to enhance the relevance of the theatres to the communities they serve, increase theatre usage and improve their financial viability;

The Council of the City of Toronto enacts:

1. The City of Toronto Municipal Code is amended by adding the following as Chapter 23, Civic Theatres:

### **Chapter 23**

#### **CIVIC THEATRES**

##### **ARTICLE 1**

##### **General**

##### **§ 23-1. 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 BOARD** - the Board of Directors of the Hummingbird Centre (Sony) Centre for the Performing 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 BOARD - the Board of Directors of the St. Lawrence Centre for the Arts.

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.

TORONTO CENTRE FOR THE ARTS BOARD - the Board of Directors of the North York Performing Arts Centre Corporation.

## ARTICLE 2

### **Civic Theatres Toronto**

#### **§ 23-2. City board established.**

- A. A City board known as Civic Theatres Toronto is established 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 for the purposes set out in this chapter.

#### **§ 23-3. Board of directors.**

- A. Effective July 9, 2015, the Board is composed of five persons as follows, with at least one of the Council members appointed also being a member of the Economic Development Committee:
  - (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; and
  - (4) Two Council members.
- B. Council appoints a Chair from among Board members.
- C. The Board appoints a vice-chair from among its members.

- D. Effective November 6, 2015, the size and composition of the Board is amended to consist of thirteen members by adding eight citizen members so that the Board is composed of the following, with at least one of the Council members appointed also being a member of the Economic Development Committee:
- (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) eight public members.
- E. Council appoints the Chair from among the Board's public members.
- F. The Board appoints a vice-chair from among its members.

**§ 23-4. 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.

**§ 23-5. Policies and by-laws.**

- A. The Board shall follow Council procedures as set out in Chapter 27, Council Procedures, as they apply to Committees of Council.
- B. The Board shall, as soon as is practical, develop its own procedures by-law to be approved by Council, which shall supersede the procedures provided for in Subsection A.
- C. The Board shall adopt policies respecting sponsorship, naming rights and honourific names which are consistent with the policies adopted by Council.
- D. The Board shall adopt policies pertaining to the procurement of goods and services and the hiring of employees, as required under the Act.

## ARTICLE 3

**Civic Theatres Boards****§ 23-6. Membership of the Civic Theatres Boards.**

- A. The membership of the Sony Board, the Toronto Centre for the Arts Board and the St. Lawrence Centre Board are amended to be the same size and composition as the Board as set out in § 23-3.
- B. In accordance with § 23-3, Council appoints the Chair of the Sony Board, the Toronto Centre for the Arts Board and the St. Lawrence Centre Board.

**§ 23-7. By-laws and resolutions of the Civic Theatres boards.**

- A. Every by-law or resolution of the Sony Board, the Toronto Centre for the Arts Board and the St. Lawrence Centre Board remain in force in respect of the theatrical facilities to which they currently apply, until amended or repealed.
- B. In the event of conflict between any by-laws of any of the Sony Board, the Toronto Centre for the Arts Board and the St. Lawrence Centre Board and the policies or by-laws of the Board, the policies and by-laws of the Board shall prevail to the extent of the conflict.

**§ 23-8. Sponsorship and naming policies.**

The provisions of § 23-5C shall also apply to the Board, the Sony Board, the Toronto Centre for the Arts Board and the St. Lawrence Centre Board.

- 2. The following By-laws are amended or repealed:
  - (a) Section 11-4 of the former Corporation of the City of Toronto Municipal Code Chapter 11, Arts Centres, is hereby deleted and the remainder of the sections are renumbered accordingly.
  - (b) Former Municipality of Metropolitan Toronto By-law 133-96, "To revise the name and composition of The Board of Management of the O'Keefe Centre", as amended, is repealed.
  - (c) City of Toronto Municipal Code Chapter 9, Arts Centres, is repealed.
  - (d) By-law 1422-2011 "To require the Board of Management of the Sony Centre for the Performing Arts to adopt policies respecting sponsorship and naming" is repealed.

**3.** This By-law comes into effect July 9, 2015.

Enacted and passed on July 9, 2015.

Frances Nunziata,  
Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)