

TORONTO MUNICIPAL CODE
CHAPTER 279, TORONTO TRANSIT COMMISSION

Chapter 279

TORONTO TRANSIT COMMISSION

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[History: Adopted by the Council of the City of Toronto by By-law 255-2019¹.
Amendments noted where applicable.]

ARTICLE 1

Composition; Appointment; Term of Office

§ 279-1.1. Board composition.

- A. The Board consists of ten members including six members of Council and four public members.
- B. Council appoints the Chair from among the Councillor members.
- C. The Board appoints a Vice Chair from among the public members.

¹ Editor's Note: By-law 255-2019 replaced Chapter 279 in its entirety. By-law 255-2019 is deemed to have come into effect on December 13, 2018.

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§ 279-1.2. Appointment.

The appointment of a member of the Toronto Transit Commission shall require the affirmative vote of a majority of the members of Council present and voting.

§ 279-1.3. Term.

- A. For the first term of appointments following a municipal election, all appointments of members of Council to the Toronto Transit Commission shall be for a term ending on the last day of the second full year of the Council term or until their successors are appointed.
- B. For the second term of appointments following a municipal election, all appointments of members of Council to the Toronto Transit Commission shall be for a term ending at the end of the current Council term or until their successors are appointed.
- C. Public members of the Toronto Transit Commission shall be appointed for a term specified by Council, and serve at pleasure of Council until their successors are appointed.
- D. Members of the Toronto Transit Commission are appointed at pleasure of Council.

§ 279-1.4. Remuneration.

The members may be paid such remuneration as fixed by Council.

ARTICLE 2

Budgetary and Financial Management Approval Process, Rules and Protocols

§ 279-2.1. Budget request submissions.

The Toronto Transit Commission is required to submit its budget requests to the City in accordance with the following:

- A. The City's Capital Budget and Plan Submission Guidelines and Instructions manual;
- B. The City's Operating Budget Submission, Guidelines and Instructions manual;
- C. Budget targets established by City Council; and
- D. Timelines and deadlines as established by the Chief Financial Officer and Treasurer.

§ 279-2.2. Adherence to budget policies, practices and approvals.

- A. City Council shall approve the following in respect of the Toronto Transit Commission's Ten Year Capital Budget and Plan:
 - (1) A capital budget for the current year consisting of the following:
 - (a) Approved gross expenditures (cash flow) and funding for previously approved projects and sub-projects;
 - (b) The total project cost and appropriated gross expenditures (cash flow) and funding for new and change in scope capital projects and sub-projects, and

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commitments to future year gross expenditures (cash flow) and funding for multi-year projects; and

- (c) Unspent funding carried forward from prior years to complete projects;
 - (2) Planned estimates and funding sources for each capital project and sub-project for the balance of the ten-year period; and
 - (3) Debt funding for each of the 10 years (debt issued only for the current budget year).
- B. City Council shall approve the following in respect of the Toronto Transit Commission's annual operating budget:
- (1) Total gross expenditures required to fund the total cost of providing the services, service levels and staff complement as reflective in the operating budget;
 - (2) Total revenue as summed by the individual non-tax revenue sources; and
 - (3) The resultant net expenditures that result in the level of residual tax-supported or rate-supported funding required to balance the operating budget.
- C. Within the applicable calendar year of any budget approval under Subsection A or B, City Council shall approve any of the following changes to the Council-approved annual operating budget and to the Ten Year Capital Budget and Plan for the Toronto Transit Commission, prior to the award of contracts by the Toronto Transit Commission:
- (1) Any changes to the Ten Year Capital Budget and Plan resulting from the following, together with the appropriate funding source for the proposed change from a permanent reallocation of funding from other projects with similar funding sources in either the current year or in a future year:
 - (a) Over-expenditures;
 - (b) Accelerations;
 - (c) Deferrals;
 - (d) Changes in project scope which exceed the lesser of 10 percent of the project cost or \$500,000;
 - (e) Additions of new projects; and
 - (f) Unplanned allocations of funding sources including reserve funds.
 - (2) Any changes to the operating budget, including changes to services or service levels, which result in changes to any of the following:
 - (a) Gross expenditures;
 - (b) Total revenues; and
 - (c) Net expenditures; and
 - (d) TTC total staff complement.

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- D. The TTC shall submit quarterly variance reports to City Council, through the Budget Committee, in accordance with the following:
- (1) By the dates established by the Director, Financial Planning;
 - (2) For operating budget variances, containing information pertaining to year-to-date actual expenditures, projected year-end expenditures, budget variances with narrative explanation of significant variances, and mitigation strategies for services; and
 - (3) For capital budget variances, containing information pertaining to year-to-date actual expenditures, projected year-end expenditures, budget variances with narrative explanation of significant variances, and mitigation strategies for services, all by capital project, and including requests to Council to close projects which are completed or to partially close on-going projects for which unspent project costs from previous years are no longer required.
- E. Any surplus generated by the Toronto Transit Commission in excess of its budgeted net expenditures shall be paid to the City.

§ 279-2.3. Sponsorship and naming policies.

The Toronto Transit Commission shall adopt policies respecting sponsorships, naming rights and honourific names which are consistent with the policies adopted by Council.

§ 279-2.4. Delegated real estate authority.

- A. As used in this Section, the following term shall have the meaning indicated:
- REAL ESTATE APPROVAL PROCESS - The real estate service delivery model and delegated authority approval process as set out in Item EX27.12, adopted by Council at its meeting of October 2, 3 and 4, 2017, including any amendments as approved by Council from time to time.
- B. The Toronto Transit Commission shall have authority to approve and enter into licences and leases for the use of lands under the jurisdiction of the Toronto Transit Commission and for the use by the Toronto Transit Commission of lands owned by third parties, on terms acceptable to the Toronto Transit Commission Board, including insurance and indemnification provisions, and in a form satisfactory to the General Counsel of the Toronto Transit Commission, provided that: **[Amended 2021-11-12 by By-law 957-2021]**
- (1) the term of the arrangement, including all licences and leases, and rights of extension or renewal, is:
 - (a) for a total period of one (1) year or less; or
 - (b) where the arrangement relates to only a portion of an existing building or structure, for a total period of three (3) years or less; and

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- (c) subject to a right of termination in favour of the Toronto Transit Commission, exercisable upon not greater than 90 days' prior notice;
 - (2) the total rent or licence fee payable to or by the Toronto Transit Commission pursuant to such arrangement does not exceed \$50,000; **[Amended 2021-11-12 by By-law 957-2021]**
 - (3) the start date for the use shall not be later than six (6) months from the date the licence or lease was issued; and
 - (4) the fee(s) payable to the Toronto Transit Commission in relation to such arrangements reflects fair market value and the fee(s) payable by the Toronto Transit Commission in relation to such arrangements reflects fair market value or less. **[Amended 2021-11-12 by By-law 957-2021]**
- C. Where the proposed transaction does not meet the criteria set out in Subsection B, the transaction shall be directed through the Real Estate Approval Process.
- D. Where the Toronto Transit Commission wishes to proceed with a transaction that falls outside of the scope of authority delegated by Council pursuant to the Real Estate Approval Process, the Toronto Transit Commission shall seek Council approval for such transaction by way of a joint report to Council from the Toronto Transit Commission and the Deputy City Manager, Corporate Services.
- E. Any property interest acquired or held in the name of the Toronto Transit Commission shall be deemed to be acquired or held by the Toronto Transit Commission in its capacity as an agent of the City, and for the purpose of a transportation system provided by the City, within the meaning of City of Toronto Act, 2006, or any successor legislation.
- F. Toronto Transit Commission shall assist in the implementation of transactions proposed by the Deputy City Manager, Corporate Services with respect to property under the jurisdiction of, or registered in the name of, the Toronto Transit Commission, as requested by the Deputy City Manager, Corporate Services.