

Authority: Additional Matter, Report dated November 24, 2004, from Mayor Miller, entitled “Review of the City’s Administrative Structure”, adopted as amended, by City of Toronto Council on November 30, December 1 and 2, 2004  
Enacted by Council: May 19, 2005

**CITY OF TORONTO**

**BY-LAW No. 441-2005**

**To amend City of Toronto Municipal Code Chapters 59, 103, 150, 162, 179, 195, 213 and 223 and By-law No. 337-2005 to reflect the reorganization of the City’s administrative structure and to make technical amendments.**

WHEREAS the *Municipal Act, R.S.O. 1990* has been replaced by the *Municipal Act, 2001*; and

WHEREAS under the administrative reorganization both the Deputy City Manager and Chief Financial Officer and the Treasurer will exercise the powers and duties of a treasurer under the *Municipal Act, 2001*; and

WHEREAS the transition provisions in § 169-52 of the Municipal Code applied to Municipal Code Chapters 103, 150, 162, 179, 213 and 223 on an interim basis; and

WHEREAS under § 169-26B Council has authorized the City Solicitor in consultation with the City Clerk to introduce bills to Council to make technical amendments; and

WHEREAS the technical amendments made by this by-law include the following amendments that are noted for reference purposes:

- (1) Chapter 179 is amended to reflect the term of office of members of municipal service boards under subsections 195(4) and (5) of the *Municipal Act, 2001*;
- (2) Chapter 257, as amended by By-law No. 337-2005, is amended to reflect the change in staff titles after the merger of two service areas to create Elections and Registry Services; and

WHEREAS Article I, Interpretation, of Chapter 1, General Provisions, of The City of Toronto Municipal Code applies to City by-laws;

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

1. The chapters of The City of Toronto Municipal Code are amended as noted in the sections below.
2. **Chapter 59, Emergency Planning.** (As amended by By-law No. 338-2005)

Sections 59-2A(16) and 59-8N of Chapter 59, Emergency Planning, are both amended by inserting “Toronto” before “Water”.

**3. Chapter 103, Heritage.**

Chapter 103, Heritage, is amended as follows:

A. Section 103-1 is amended as follows:

(1) By deleting the definition of “Commissioner”.

(2) By adding the following definition in alphabetical order:

GENERAL MANAGER — The City’s General Manager of Economic Development and Culture.

(3) By amending the definition of “property(ies)” by deleting “(ies)” [to reflect Article I of Chapter 1].

B. Section 103-3C(2), E(1) and (5), K(1) and (2) and L are amended in each case by deleting “Commissioner” and substituting “General Manager”.

C. Section 103-4 is amended as follows:

(1) By deleting the definition of “Commissioner”.

(2) By adding the following definition in alphabetical order:

GENERAL MANAGER — The City’s General Manager of Economic Development and Culture.

D. Section 103-13 is amended as follows:

(1) Subsection A is amended by deleting “City Treasurer and Chief Financial Officer” and “Chief Financial Officer and Treasurer” and substituting in both cases “Deputy City Manager and Chief Financial Officer”.

(2) Subsection F is amended as follows:

(a) By deleting “Chief Financial Officer and Treasurer” and substituting “Deputy City Manager and Chief Financial Officer”.

(b) By deleting “Commissioner” and substituting “General Manager”.

E. Section 103-16 is amended as follows:

(1) By deleting the definition of “Commissioner”.

(2) By adding the following definition in alphabetical order:

GENERAL MANAGER — The City's General Manager of Economic Development and Culture.

- F. Section 103-17E(1) and G(3)(b) are amended in both cases by deleting "Commissioner" and substituting "General Manager".
- G. Section 103-18F(3)(b) is amended by deleting "Commissioner" and substituting "General Manager".
- H. Section 103-20 is amended as follows:
  - (1) By deleting the definition of "Commissioner".
  - (2) By adding the following definition in alphabetical order:

GENERAL MANAGER — The City's General Manager of Economic Development and Culture.

- I. Section 103-21A is amended by deleting the two occurrences of "Commissioner" and substituting in both cases "General Manager".
- J. Section 103-22A, B and D are amended in each case by deleting "Commissioner" and substituting "General Manager".

**4. Chapter 150, Municipal Law Enforcement Officers.**

Chapter 150, Municipal Law Enforcement Officers, is amended as follows:

- A. Section 150-1 is amended by adding the following definitions in alphabetical order:

CHIEF FINANCIAL OFFICER — The person appointed by Council as the City's Deputy City Manager and Chief Financial Officer and includes the Treasurer acting under delegated authority.

GENERAL MANAGER:

- A. The City's General Manager of Transportation Services.
- B. For the purpose of an agreement entered into before April 15, 2005 under § 150-5B(7) or 150-7B(1) includes the predecessor official, the former Commissioner of Works and Emergency Services.

TREASURER — A person appointed to the management position of Treasurer in the City's administrative organization and who has also been appointed as a deputy treasurer under section 286 of the *Municipal Act, 2001*.

- B. Section 150-5B(7) is amended as follows:
- (1) By deleting “Commissioner of Works and Emergency Services” and submitting “General Manager”.
  - (2) By deleting “City Treasurer” and substituting “Chief Financial Officer”.
- C. Section 150-7B is amended as follows:
- (1) By amending Subsection B(1) by deleting “Commissioner of Works and Emergency Services” and submitting “General Manager”.
  - (2) By amending Subsection B(2) by deleting “City Treasurer” and substituting “Chief Financial Officer”.
- D. The title to Article VI is amended by deleting “Works and Emergency Services Department” and substituting “Transportation Services”.
- E. The definition of “certified officer (parking offences)” in § 150-10 is amended by deleting “Works and Emergency Services Department” and substituting “Transportation Services division”.
- F. Section 150-14B(1) is amended by deleting “Works and Emergency Services Department” and substituting “Transportation Services division”.
- G. Section 150-16A and B are amended in both cases by deleting “WES Department” and substituting “Transportation Services”.
- H. Section 150-17A is amended by deleting “Works and Emergency Services Department” and substituting “Transportation Services division”.

**5. Chapter 162, Notice, Public.**

Section 162-3A(7) of Chapter 162, Notice, Public, is amended by deleting “Commissioner” and substituting “General Manager, Executive Director”.

**6. Chapter 179, Parking Authority.**

Chapter 179, Parking Authority, is amended as follows:

- A. Section 179-1 is deleted and the following substituted [to reflect the Code style of subsections]:

**§ 179-1. Composition.**

- A. The Parking Authority shall consist of seven members appointed by Council, each of whom shall be a person qualified to be elected as a member of Council and a resident of the City of Toronto.

- B. Two members shall be members of Council.
- C. The City's senior transportation administrator shall be a non-voting member of the Parking Authority.
- B. Section 179-2 is deleted and the following substituted [to reflect the Code style of subsections and subsections 195(4) and (5) of the *Municipal Act, 2001*]:

**§ 179-2. Term of office.**

- A. Councillor members shall hold office for a term set out in the appointing by-law and until their successors are appointed to office.
- B. Non-Councillor members shall hold office until the expiration of the term of the Council that appointed them and until their successors are appointed to office.
- C. Sections 179-10D and 179-13C are amended in both cases by deleting "clause (d) of paragraph 56 of section 207 of the *Municipal Act*" and substituting "section 417 of the *Municipal Act, 2001* or under a predecessor to that section".
- D. Section 179-12 is deleted and the following substituted [to reflect the Code style of subsections]:

**§ 179-12. Authority to lease facilities.**

- A. A building that the City or the Parking Authority constructs as a municipal parking facility may include facilities at basement, street mezzanine or second floor levels that are not required for City or Parking Authority purposes.
- B. The City or the Parking Authority may lease those facilities for commercial or administrative purposes.
- E. Section 179-14 is amended by deleting "City Treasurer" and substituting "Deputy City Manager and Chief Financial Officer".

**7. Chapter 195, Purchasing.** (As amended by By-law Nos. 331-2005 and 338-2005)

Section 195-10E of Chapter 195, Purchasing, is amended by deleting "Chief Administrative Officer" and substituting "City Manager".

**8. Chapter 213, Real Property, Sale of.**

Chapter 213, Real Property, Sale of, is amended as follows:

A. Section 213-1 is amended as follows:

- (1) The definition of “Act” is amended by inserting “2001” after “*Municipal Act*,”.
- (2) The definition of “appraisal” is amended by deleting “Commissioner” and substituting “Chief Corporate Officer”.
- (3) By deleting the definition of “Commissioner”.
- (4) By adding the following definition in alphabetical order:

CHIEF CORPORATE OFFICER— The City’s Chief Corporate Officer and includes his or her designate.

B. Section 213-2 is amended by deleting “Commissioner” and substituting “Chief Corporate Officer”.

C. Section 213-3 is amended as follows:

- (1) By deleting the one occurrence of “Commissioner” in Subsections A and B and the two occurrences of “Commissioner” in Subsection C and substituting in each case “Chief Corporate Officer.”
- (2) By amending Subsection E(5) by deleting “the City official(s)” and substituting “one or more City officials”.
- (3) By amending Subsection E(6) by deleting “6” and substituting “5”.

D. Section 213-4 is amended as follows:

- (1) Subsections A and B are amended in both cases by deleting “Commissioner” and substituting “Chief Corporate Officer”.
- (2) Subsection B is amended by deleting “193(9)” and substituting “268(6)”.

E. Section 213-5B, D and E are amended by deleting “Commissioner” and substituting “Chief Corporate Officer”.

F. Section 213-6 is amended by deleting “210.1(3)” and substituting “268(10)”.

**9. Chapter 223, Remuneration for Council Members.**

Chapter 223, Remuneration for Council Members, is amended as follows:

- A. Section 223-4 is amended by adding the following definitions in alphabetical order:

CHIEF FINANCIAL OFFICER — The person appointed by Council as the City’s Deputy City Manager and Chief Financial Officer and includes the Treasurer acting under delegated authority.

TREASURER — A person appointed to the management position of Treasurer in the City’s administrative organization and who has also been appointed as a deputy treasurer under section 286 of the *Municipal Act, 2001*.

- B. Section 223-6B is amended by deleting “section 255 of the *Municipal Act*” and substituting “subsection 283(5) of the *Municipal Act, 2001*”.
- C. Sections 223-7A and E and 223-8C are amended by deleting “and Treasurer”.

**10. Chapter 257, Signing Authority.** (As amended by By-law No. 337-2005).

Section 257-8 of Chapter 257, Signing Authority, is amended as follows:

- A. Column I is amended by deleting “Managers, Legislative Services” and substituting “Manager, Elections and Registry Services”.
- B. Columns I and II are amended by inserting the following after the entry “Manager, Election and Registry Services in Column I and the corresponding entry in Column II:

(In Column I)

Supervisor, Elections and Registry  
Services

Coordinator, Elections and Registry  
Services

(In Column II)

All matters pertaining to Community  
Councils and decision of former councils

All matters pertaining to Community  
Councils and decision of former councils

**11. By-law No. 337-2005.**

By-law No. 337-2005, “To amend Municipal Code Chapter 257, Signing Authority, to reflect the reorganization of the City’s administrative structure.” is amended as follows:

- A. Section 1A is amended by deleting “I.1” and substituting “IA”.
- B. Section 1B is amended as follows:
  - (1) By deleting “271-2.1 (renumbered § 271-1) to 271-4” and substituting “257-2.1 (renumbered § 257-1) to 257-4”.
  - (2) By inserting a comma after “lithographed” in § 257-2.1.

**12. In force date.**

- A. Except as provided in Subsections B and C, this by-law comes into force on the date of passing.
- B. Sections 2 and 11 of this by-law [that correct technical errors in Chapter 59 as amended by By-law No 338-2005, and in By-law No. 337-2005] are deemed to have come into force on May 4, 2005.
- C. Section 7 of this by-law [that corrects a technical error in Chapter 195 as amended by By-laws Nos. 331-2005 and 338-2005] is deemed to have come into force on April 15, 2005.

ENACTED AND PASSED this 19th day of May, A.D. 2005.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)