

Authority: Item CC1.1, as adopted by City of Toronto Council on December 4, 5 and 13, 2018 and Section 169-5.2C of City of Toronto Municipal Code Chapter 169, Officials, City

CITY OF TORONTO

BY-LAW 255-2019

To amend various chapters in the City of Toronto Municipal Code to reflect necessary changes to committees, agencies and boards and ward references.

Whereas the City of Toronto Act, 2006 was amended to reduce the number of wards and ward councillors in the City of Toronto to 25 effective for the 2018 to 2022 Council term; and

Whereas the reduced size of Council necessitated numerous changes to the composition of boards and committees which Council approved at its meeting of December 4, 5 and 13, 2018; and

Whereas various Municipal Code chapters require amendment to reflect the changes to the composition of boards and committees, references to Standing Committees and ward references;

The Council of the City of Toronto enacts:

1. The City of Toronto Municipal Code is amended by:
 - (1) Amending Chapter 12, Balmy Beach Park Board of Management, as follows:
 - A. Section 12-2A is amended by replacing the word "seven" with the word "six", deleting Section 12-2A(1) and renumbering section 12-2A(2) as Section 12-2A(1).
 - B. Section 12-2 is amended by adding the following:
 - B The Ward Councillor shall be entitled to notice, agendas and minutes for all meetings and be entitled to attend all meetings of the Board, including closed sessions.
 - (2) Amending Chapter 23, Civic Theatres Toronto, by deleting Section 23-2.1C and replacing it with the following:
 - C. The Board consists of thirteen members including three members of Council and ten public members so that the Board is composed of:
 - (1) the Mayor or a Council Member appointed by the Mayor as the Mayor's designate;
 - (2) two Council members, being the members of Council for Wards 13 and 18 if they wish, otherwise other members of Council as appointed by Council; and
 - (3) ten public members.

- (3) Amending Chapter 79, Fire Services, as follows:
- A. by deleting the definition for Community Services Committee from section 79-1 in its entirety, and by adding the following definition to section 79-1 in alphabetical order:

ECONOMIC AND COMMUNITY DEVELOPMENT COMMITTEE -
The City's Economic and Community Development Committee or any successor committee responsible for fire services issues.
 - B. by deleting the phrase "Community Services Committee" from Section 79-7, and substituting the phrase "Economic and Community Development Committee".
- (4) Amending Chapter 137, Public Library Board, as follows:
- A. by deleting the phrase "12 members" from Subsection 137-1.A, and substituting the phrase "10 members".
 - B. by deleting Subsection 137-1B(1), and substituting the following:
 - (1) One member of City Council and the Mayor or, if the Mayor is unwilling or unable to act, a designate appointed by the Mayor.
- (5) Amending Chapter 215, CreateTO, as follows:
- A. by deleting Subsections A, B, C and D of Section 215-2.2. Board of directors and substituting the following Subsection A:
 - A. the size and composition of the Board shall consist of eight members appointed by Council as follows:
 - (1) The Mayor or a Council member appointed by the Mayor as the Mayor's designate;
 - (2) One (1) Member of Council; and
 - (3) Six (6) public members.
 - B. by lettering the current Subsections E through L as Subsections B through I.
- (6) Amending Chapter 227, Reserves and Reserve Funds, as follows:
- A. deleting "Policy and Finance Committee" wherever it appears and substituting "Executive Committee";
 - B. deleting "Ward 32" from Schedule 5, Donation Reserves, wherever it appears and replacing it with Ward 19;
 - C. deleting "Ward 37" from Schedule 5, Donation Reserves, wherever it appears and replacing it with Ward 21;

- D. deleting "Ward 9" from Schedule 10, Parkland Acquisitions/New Development Obligatory Reserve Funds, wherever it appears and replacing it with "Ward 9 (as that ward existed immediately prior to December 1, 2018 and as defined in Ontario Regulation 191/00)";
 - E. deleting "Ward 23" from Schedule 15, Third Party Agreements Obligatory Reserve Funds, wherever it appears and replacing it with "Ward 23 (as that ward existed immediately prior to December 1, 2018 and as defined in Ontario Regulation 191/00)";
- (7) Amending Chapter 257, Signing Authority, by deleting the Chapter in its entirety and replacing it with Attachment 1 to this By-law.
 - (8) Amending Chapter 279, Toronto Transit Commission by deleting the Chapter in its entirety and replacing it with Attachment 2 to this By-law.
 - (9) Amending Chapter 329, Zoo, Toronto, by making the following amendments to Section 329-1:
 - A. Deleting the phrase: "Three (3)" from Subsection (A) and substituting the phrase: "Two (2)".
 - (10) Amending Chapter 349, Animals, by adding the following as a new Section 349-4.1A.1:

Reference to a ward in this section is to that ward as it existed immediately prior to December 1, 2018 and as defined in Ontario Regulation 191/00.
 - (11) Amending Chapter 415, Development of Land by amending Section 415-32. Definitions – PARKLAND ACQUISITION PRIORITY AREA to add the words "as they existed immediately prior to December 1, 2018 and as defined in Ontario Regulation 191/00" after the words "excluding Wards 7 and 12"
 - (12) Amending Chapter 545, Licensing, as follows:
 - A. by deleting the words "exists on the date of enactment of this by-law" in Subsection 545-541B(2) and replacing it with the following "existed immediately prior to December 1, 2018 and as defined in Ontario Regulation 191/00"; and
 - B. by deleting the words "Planning and Transportation Committee" in Subsections 545-3E and 545-6A and replacing it with the words "General Government and Licensing Committee".
 - (13) Amending Chapter 546, Licensing of Vehicles-for-Hire by deleting the words "Licensing and Standards Committee" in Subsection 546-9B and replacing it with the words "General Government and Licensing Committee".
 - (14) Repealing Chapter 738, Street Food, Healthier.
 - (15) Amending Chapter 740, Street Vending by adding the following to Section 740-11:

- F. A reference to a ward in section 740-11 is to that ward as it existed immediately prior to December 1, 2018 as defined in Ontario Regulation 191/00.
- (16) Amending Chapter 743, Street and Sidewalks, Use of, as follows:
- A. by deleting "Works Committee" wherever it exist in Subsections 743-3F(1), F(2) and F(3) and replacing it with "Infrastructure and Environment Committee"; and
- B. by deleting "Public Works and Infrastructure Committee" in Subsections 743-7G(1) and G(2) and replacing it with "Infrastructure and Environment Committee".
- (17) Amending the following Municipal Code chapters by deleting "Government Management Committee" where it appears and replacing it with "General Government and Licensing Committee":
- A. Chapter 67, Fair Wage and Schedule A, Fair Wage Policy, other than in Subsection 67-A2;
- B. Chapter 195, Purchasing;
- C. Chapter 213, Real Property, Sale of;
- D. Chapter 758, Taxation, Municipal Accommodation Tax;
- E. Chapter 760, Taxation, Municipal Land Transfer Tax;
- F. Chapter 765, Taxation, Personal Vehicle Tax;
- G. Chapter 767, Taxation, Property Tax; and
- H. Chapter 771, Taxation, Third Party Sign Tax;
2. This By-law is deemed to have come into effect on December 13, 2018.

Enacted and passed on January 31, 2019.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

Attachment 1

Chapter 257

SIGNING AUTHORITY

ARTICLE 1

General

§ 257-1.1. Definitions.

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

CHIEF FINANCIAL OFFICER - The person appointed as the Chief Financial Officer and Treasurer in the City's administrative organization and also as the treasurer under section 138 of the City of Toronto Act, 2006.

CONTROLLER - A person appointed as Controller in the City's administrative organization and also as a deputy treasurer under section 138 of the City of Toronto Act, 2006.

DESIGNATED EMPLOYEE - An employee of a division that reports directly to the Chief Financial Officer or to the Controller, who has been designated by the Chief Financial Officer to sign cheques or transfer orders for the purposes of §§ 257-2.2, 257-2.3 or 257-2.4, as indicated in the designation.

HEAD:

- A. The City Manager, a Deputy City Manager, the Chief Financial Officer and the Controller.
- B. Any general manager or any executive director or director reporting to the City Manager, a Deputy City Manager, the Chief Financial Officer, or the Controller.
- C. The City Clerk, the City Solicitor and the Medical Officer of Health.
- D. The Auditor General, the Integrity Commissioner, the Lobbyist Registrar and the Ombudsman.
- E. A person authorized by Council to act in the place of an official listed in Subsection A, B, C or D.

§ 257-1.2. Controller.

The Controller may act in the place of the Chief Financial Officer under this chapter.

ARTICLE 2
Signing of Cheques

§ 257-2.1. Signing of cheques by various officials.

All cheques issued by the City on which the signatures are stamped, lithographed, engraved or electronically reproduced shall be signed by:

- A. The City Manager and the Chief Financial Officer;
- B. The City Manager and the Controller; or
- C. The City Manager and either the Director, Accounting Services or the Director, Corporate Finance as designated by the Chief Financial Officer.

§ 257-2.2. Cheques not more than \$50,000.

If a cheque is not more than \$50,000 and the signatures are not stamped, lithographed, engraved or electronically reproduced on the cheque, any two designated employees may sign the cheque.

§ 257-2.3. Cheques more than \$50,000.

If a cheque is more than \$50,000 and the signatures are not stamped, lithographed, engraved or electronically reproduced on the cheque, the cheque may be signed by the City Manager and the Chief Financial Officer or by the City Manager or the Chief Financial Officer and a designated employee.

§ 257-2.4. Order to transfer sums.

The City Manager or the Chief Financial Officer or a designated employee may sign an order for the transfer of any sums of money from one Corporation account to another or to any agency, board or commission of the City.

ARTICLE 3
Signing of Documents

§ 257-3.1. References to former municipalities.

In this article, the former Municipality of Metropolitan Toronto, the former Cities of Etobicoke, North York, Scarborough, Toronto, York and the former Borough of East York are individually referred to as a "former municipality."

§ 257-3.2. Signing of documents by Clerk and the Chief Financial Officer.

Despite any other by-law, if a council of a former municipality or, under delegated authority, a municipal official of a former municipality or the City has approved a matter or action in respect of which a document must be signed on behalf of the City, the Clerk and the Chief Financial Officer are authorized and directed to sign all necessary documents and affix the City's seal to the documents.

§ 257-3.3. Signing of agreements for the purchase of goods and services.

- A. Where a commitment to purchase goods and services is made in accordance with the delegation of spending authority under Chapter 71, Financial Control, a head who is authorized to make the commitment is authorized to sign all necessary agreements evidencing the commitment.
- B. Where an agreement for the purchase of goods and services evidencing a commitment of greater than \$500,000 must be signed on behalf of the City, the Clerk and either the appropriate head having management responsibility for the agreement or the City Manager or the Chief Financial Officer are authorized to sign the agreement and the Clerk shall affix the City's seal to the agreement.

§ 257-3.4. Effect on prior by-laws.

This article does not repeal or amend any by-law or resolution of a former municipality that relates to the execution of documents that was in force on December 31, 1997.

ARTICLE 4**Signing of Documents Pertaining to Certain Matters****§ 257-4.1. Matters upon which certain officials are authorized to sign documents.**

The following officials named under Column 1 below are authorized to sign documents and affix the City's seal on behalf of the City of Toronto in respect of the matters described opposite each such official's position under Column 2 below:

COLUMN 1	COLUMN 2
City Clerk	All matters
Director, Secretariat	All matters
Director, Elections and Registry Services	All matters pertaining to Community Councils and decisions of former councils
Manager, Elections and Registry Services	All matters pertaining to Community Councils and decisions of former councils
Supervisor, Elections and Registry Services	All matters pertaining to Community Councils and decision of former councils
Coordinator, Elections and Registry Services	All matters pertaining to Community Councils and decision of former councils

COLUMN 1**COLUMN 2**

Office Leads (Support Assistant A),
Election and Registry Services

All matters pertaining to Community
Councils and decisions of former councils for
certification purposes only

Committee Administrator,
Planning and Housing Committee

All planning related matters for certification
purposes only

Community Council Administrators

All matters pertaining to Community
Councils and decisions of former councils

Manager, Community Councils and
Committees

All matters

Manager, Council Secretariat Support

All matters

Council Administrators

All matters

Director, Corporate Records Systems and City
Archivist

All matters pertaining to City Council,
community councils and decisions of former
councils

Manager, Archival Services

All matters pertaining to City Council,
community councils and decisions of former
councils

Reference and Standards Officer (Archives)

All matters pertaining to City Council,
community councils and decisions of former
councils

§ 257-4.2. Officials authorized to sign documents in place of Chief Financial Officer.

The following officials or persons acting in the capacity of such officials are authorized to sign documents on behalf of the City in the place of the Chief Financial Officer where necessary:

- A. The Controller;
- B. The Director, Accounting Services;
- C. The Director, Corporate Finance;
- D. The Director, Financial Planning; and
- E. The Manager, Financial Reporting.

§ 257-4.3. Officials authorized to sign certain taxation/collection documents in place of Chief Financial Officer.

The Controller, the Director, Revenue Services, the Manager of Revenue Accounting and Collections, and the Manager of Property Taxation and Assessment are authorized to sign the following taxation and collection documents on behalf of the City in the place of the Chief Financial Officer:

- A. Tax certificate;
- B. Tax arrears certificate;
- C. Notice of registration of tax arrears certificate;
- D. Statutory declaration (first notice);
- E. Final notice;
- F. Statutory declaration (final notice);
- G. Tax arrears cancellation certificate;
- H. Extension agreement;
- I. Tax deed;
- J. Notice of vesting;
- K. Statement of compliance
- L. Payment into court - statement of facts;
- M. Notice of forfeiture;
- N. Bailiff warrant to distrain for taxes;
- O. Bailiff notice of seizure; and
- P. Bailiff notice of attornment of rent.

ARTICLE 5**Licensing of Persons and Premises****§ 257-5.1. Delegation of officials authorized to sign statements.**

The power to sign statements under subsection 455(4) of the City of Toronto Act, 2006, as to the licensing or non-licensing of any premises or person in respect of any trade, calling, business or occupation, is delegated to the following City officials, namely:

- A. The Executive Director of Municipal Licensing and Standards.
- B. The Director, Investigations.
- C. The Director, Licensing.

Attachment 2

Chapter 279

TORONTO TRANSIT COMMISSION

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.

§ 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 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.
- 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 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:

- (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
 - (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 the Toronto Transit Commission pursuant to such arrangement does not exceed \$50,000;
- (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.

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.