Authority: Toronto Investment Board Item IB ,as adopted by the Toronto Investment Board on December 11, 2023

Toronto Investment Board

By-Law No. -2023

To amend By-law No. 1-2018 to enable remote continued electronic participation in board meetings and to increase the time allowed to achieve quorum.

Whereas the Toronto Investment Board (the "Board") is a city board and local board of the City of Toronto established under the authority of section 46 of Ontario Regulation 610/06, section 141 of the *City of Toronto Act, 2006* ("COTA") and Chapter 112 of the City of Toronto's Municipal Code; and

Whereas subsection 189(2) of COTA requires that the Board pass a procedure by-law for governing the calling, place and proceedings of meeting, and the Board adopted By-law No. 1-2018, being a By-law to govern the proceedings of the Toronto Investment Board, on May 31, 2018, which By-law was approved by City Council on June 26, 27, 28 and 29, 2018; and

Whereas section 190 of COTA requires that meetings of the Board will be open to the public unless an exception under subsection 190(2), (3) or (3.1) applies; and

Whereas on March 19, 2020, the City of Toronto Act, 2006 ("COTA") was amended to provide that, where an emergency has been declared to exist in all or part of the City, a procedure by-law of a local board may provide that, despite previous prohibitions, a member who is participating electronically in a meeting may be counted in determining whether or not a quorum of members is present at any point in time and can participate electronically in a meeting that is closed to the public; and

Whereas at its meeting of July 8, 2020, the Board amended By-law No. 1-2018 of the Board to allow for members to participate electronically in both open and closed meetings and to allow for such participation to count toward the calculation of a quorum; and

Whereas section 43(3) of the By-law No. 1-2018 of the Board requires the Board to submit any amendments to it to City Council for approval; and

Whereas on July 21, 2020 COTA was further amended to allow local boards to extend the electronic meeting provisions beyond the period when a provincial or municipal emergency declaration is in effect; and

Whereas at its meeting of July 28 and 29, 2020, City Council authorized local boards to amend their rules of procedure to allow for electronic participation by members in meetings of local board to continue for one year after the emergency declarations have been lifted, without the need for further Council approval; and

Whereas at its meeting of October 7, 2020, the Board further amended By-law No. 1-2018 of the Board to enable continued remote electronic participation in Board meetings for the period of one year after the latter of the emergency declarations has been lifted, in accordance with the provisions of the COTA;

Whereas at its meeting of March 29, 30 and 31, 2023, City Council authorized local boards governed by COTA, to amend their rules of procedure to permit electronic participation by board members and the public, and to change the time required to achieve quorum from 15 minutes to 30 minutes, and authorize such boards to continue to meet electronically in accordance with the previously adopted electronic participation rules until they can meet to consider procedural amendments.

Whereas the Board continues to ensure its meetings are open to the public in accordance with section 190 of COTA through the provision of notice of the meetings to the public, the live streaming of the electronic meeting, and the provision of access to interested persons to depute where permissible under the relevant procedures using the same tele-conferencing system as is being used to facilitate the meeting; and

Whereas the Board has authorized further amendments to By-law No. 1-2018 of the Board to enable continued remote electronic participation in Board meetings in accordance with the provisions of the COTA and to increase the time to achieve quorum;

The Toronto Investment Board enacts:

1. By-law No. 1-2018 of the Toronto Investment Board is amended as follows:

(1) Subsection 29(2) is deleted and replaced with the following:

(2) If no quorum is present thirty minutes after the time appointed for a Meeting, the Secretary calls the roll and record the names of the Members present and the Meeting is adjourned until the next scheduled day of Meeting, or the next regular Meeting, or at the call of the Chair in accordance with Section 27.

(2) Sections 31.1 and 31.2 are deleted and replaced with the following:

31.1. The Board may, despite subsection 25(2), hold a Meeting where some or all of the Members participate electronically and, where all of the Members participate electronically, no physical meeting is held.

31.2 Where a Meeting is being held in accordance with section 31.1:

(1) any Member participating in the Meeting electronically shall be deemed present for the purposes of determining whether a quorum is present under subsection 29(1), and for the purposes of having the right to vote on any business before the Board under section 18, and for all other purposes;

(2) any Member participating in the Meeting electronically shall be entitled to participate in any

portion of the Meeting closed to the public in accordance with section 28;

(3) this section shall apply with any necessary modifications to Meetings of any Committees of the Board; and

(4) this By-law shall apply to a Meeting held under this section, with any other minor modifications as may be required.

(3) Subsection 43(2.1) is deleted.

2. This by-law shall come into force on the date it is enacted and passed.

Enacted and passed on , 2023.

Chair