

Transmittal of the 519 Board of Management General By-law No.2

Date: July 2, 2024
To: Executive Committee
From: City Manager
Wards: All

SUMMARY

The purpose of this report is to transmit General By-law No.2 of The 519 Church Street Community Centre Board of Management (The 519) for consideration by Executive Committee and City Council, as required by previous Council direction and the Relationship Framework for the City of Toronto and the Boards of Management of the Association of Community Centres (AOCCs).

The Relationship Framework provides that Council consider AOCC Boards of Management requests to amend Chapter 25, other by-laws, Council policies or existing governance structures, and that requests to amend them be submitted to the City Manager for transmittal to the appropriate Committee of Council. In 2011, City Council also required Council approval of Board by-laws of all agencies that regulate the conduct of the business and affairs of the agency.

In accordance with these requirements, the Chair of The 519 Board of Management has transmitted to the City the Board approved General By-law No. 2, containing its revised governance and procedural policies provided here in Attachments 1, 2 and 3 to this report.

The Board of Management of The 519 seeks City Council's approval of proposed General By-law No.2 that sets out governance principles of the Agency and its revised board procedure by-law. The 519 has updated its procedure by-law to reflect City of Toronto Act, 2006 and City requirements, and to expand The 519's Catchment Area as endorsed by its membership in order to serve its broader community.

RECOMMENDATIONS

The City Manager recommends that:

1. City Council approve General By-Law No. 2 of The 519 Church Street Community Centre Board of Management as set out in Attachment 3 to this report.
2. City Council authorize the City Manager, in consultation with the City Solicitor, to make any necessary substantive or technical changes to the Relationship Framework between the City of Toronto and the AOCC Boards of Management Community Centres as required in accordance with City Council's decisions in this report.

FINANCIAL IMPACT

There are no financial impacts resulting from the recommendations in this report.

The Chief Financial Officer and Treasurer has reviewed this report and agree with the financial implications as presented in the Financial Impact section.

DECISION HISTORY

City Council at its meeting on April 12 and 13, 2011, adopted the City Manager's report titled "Managing Through Agencies and Corporations" in which Council endorsed accountability mechanisms such as requiring Council to approve the board by-laws of all agencies that regulate the internal conduct of the business and affairs of the agency.
<https://secure.toronto.ca/council/agenda-item.do?item=2011.EX4.6>

City Council at its meeting of September 25, 26 and 27, 2006, adopted the Relationship Framework for City of Toronto with Boards of Management of the 10 AOCC Community Centres in Clause 17, Report No. 7 of the Policy and Finance Committee.
<https://www.toronto.ca/wp-content/uploads/2017/08/971c-spc-community-centres.pdf>

The mandate and governance structures of Community Centre Boards are set out in Former City of Toronto Municipal Code, Chapter 25, Community and Recreation Centres, adopted as By-law No. 1994-0792 on October 11, 1994.
<https://www.toronto.ca/wp-content/uploads/2019/01/96ae-Toronto-Municipal-Code-former-Chapter-25.pdf>

COMMENTS

Background

The City has 10 community centres that are managed, operated and maintained by volunteer Community Centre Boards of Management, including The 519 Community Centre, which are collectively referred to as the Association of Community Centres (AOCCs). The AOCCs are multi-purpose facilities that provide public space, programs and services to meet the recreation and social needs of local communities. They were established to foster a sense of community, promote civic engagement and enhance quality of life through community, recreational and social service programs.

The core administrative activities of the community centres are funded by the City of Toronto, while the program component is funded through membership fees, donations and grants.

AOCC Boards of Management were continued as local boards and city boards under the City of Toronto Act, 2006, after being established in earlier decades, which permits the City to establish and appoint members of the boards and to provide for its administration. The mandate and governance structures are set out in the former City of Toronto Municipal Code, Chapter 25, Community and Recreation Centres.

A Council-approved Relationship Framework with the ten Boards of Management further defines the relationship between the City and the Boards and sets out Council's delegations of authority and expectations for each board.

The AOCC Boards of Management are composed of public members appointed by Community Councils under delegated authority through the City's Public Appointments process. The majority of public board members must be residents of the Community Centre's catchment area. The City Councillor of the ward in which the community centre is located is a member of the board by-right-of-office. Each board elects a Chair and may elect a Vice-Chair from among its members.

The 519's General By-Law No.2 (Governance and Board Procedure By-laws)

The City of Toronto Act, 2006 and the Relationship Framework require each Community Centre Board of Management to pass a procedure by-law governing the proceedings of the Board. In the case of The 519, its procedural by-law will be combined with its governance principles in the newly adopted General By-Law No.2, attached to this report as Attachment 3.

All governance of The 519 Church Street Community Centre and interpretation of this by-law is subject to applicable legal requirements, including the City of Toronto Act, 2006, Municipal Freedom of Information and Protection of Privacy Act, the Ontario Human Rights Code, and City policies including the Code of Conduct for Members of Local Boards (Restricted Definition). The 519 staff are City employees and as such are

subject to the City's Public Service By-Law in Chapter 192 of the Toronto Municipal Code.

In adopting its new By-law No.2 on June 10, 2024, the Board of Management of The 519 Community Centre proposes to repeal its current Constitution in By-Law No.1 that was adopted in 2007, updated its board procedures, and endorsed an expanded Catchment Area as described in the proposed by-law in Attachment 3.

The 519 Catchment Area Proposed Expansion

Under the Relationship Framework, each AOCC Board of Management must have a catchment area in its governing documents that is geographically defined around the community centre. A majority of board members must reside in the catchment area and only community members of the community centre who reside in the catchment area are eligible to vote on proposed members to be recommended to Community Council for appointment to the board.

The 519 Board of Management has endorsed an expanded Catchment Area as described in the proposed by-law in Attachment 3. The current catchment area for The 519 is the area bounded by Bloor, Bay, Gerrard and Parliament Streets. The proposed expanded catchment area is bounded by Bay, Bloor/Danforth, the Don Valley, and the railway lands south of The Esplanade.

The 519's rationale for the expansion of The 519 Catchment Area is to enfranchise a broader membership. Currently, most of its members are non-catchment area members (an estimated 600 of 800). The expanded catchment area would allow more members the opportunity to vote for Board of management candidates and would also provide a wider pool of candidates. Also, as is characteristic of AOCC community centres, The 519 already currently serves a broad clientele across the City and even the GTHA and does not anticipate an increase in demand or increase in operation hours.

Under the Relationship Framework, the City Manager is required to report on major proposed changes to the catchment area or changes to the catchment area that will have material financial impacts on the administrative funding of the community centre to Council. A change in catchment area resulting in a 10 percent increase or decrease in the catchment population requires Council approval.

Approval of The 519's proposed General By-Law No. 2 would also bring into effect approval of the expanded catchment area.

The 519 Board of Management Composition

The composition of 519 Board of Management remains the same: eleven public members elected by the membership and appointed by Community Council under delegated Council authority, and the Ward Councillor of Ward 13 as a voting Board Member by-right-of-office.

Engagement Undertaken by The 519

The 519 has confirmed the following outreach and engagement initiatives:

- A 90-day notice and consultation period on its public website with posting of its current constitution and proposed governance documents
- Public consultation meetings
- The 519 Board of Management obtained endorsement from its membership to consider an amended by-law at its Annual General Meeting
- Iterative review and adoption by The 519 Board of Management.

In addition, The 519 has consulted on its new by-law No. 2 with City Legal Services and the City Manager's Office and has confirmed engagement with the City Clerk's Office and other City and community stakeholders. The 519 Board of Management now seeks City Council's approval of its new By-Law, General By-Law No. 2, in Attachment 3 to this report.

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SIGNATURE

Paul R. Johnson
City Manager

ATTACHMENTS

Attachment 1: Transmittal Letter from Chair of the 519 Board of Management

Attachment 2: The 519 Board of Management Report

Attachment 3: The 519 Board of Management General By-Law No. 2