

TORONTO MUNICIPAL CODE  
CHAPTER 137, PUBLIC LIBRARY BOARD

**Chapter 137**

**PUBLIC LIBRARY BOARD**

**§ 137-1. Composition; qualifications.**

**§ 137-2. First meeting of each new term.**

**§ 137-3. Delegated real estate authority.**

**[History: Adopted by the Council of the City of Toronto May 14, 1998 by By-law 255-1998.<sup>1</sup>  
Amendments noted where applicable.]**

**General References**

**Public Libraries Act - See R.S.O. 1990, c. P.44.**

**§ 137-1. Composition; qualifications.**

**[Amended 2003-07-24 by By-law 701-2003<sup>2</sup>; 2011-05-19 by By-law 611-2011<sup>3</sup>; 2019-01-31  
by By-law 255-2019<sup>4</sup>]**

- A. The Library Board shall be composed of 10 members, each of whom shall be appointed by City Council and be qualified to be appointed pursuant to the provisions of the Public Libraries Act and such criteria as City Council may establish from time to time.
- B. The membership of the Library Board shall be composed as follows:
  - (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.
  - (2) Eight individuals who are not members of City Council.

**§ 137-2. First meeting of each new term.**

The Chief Executive Officer of the Library Board is authorized to call the first meeting of the Library Board in each new term of the Board.

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<sup>1</sup> Editor's Note: This by-law was passed under the authority of the City of Toronto Act, 1997 (No. 2), S.O. 1997, c. 26; and the Public Libraries Act, R.S.O. 1990, c. P.44. This by-law also repealed the by-laws of the old municipalities, as defined in the City of Toronto Act, 1997 (No. 2), S.O. 1997, c. 26, respecting the former library boards.

<sup>2</sup> Editor's Note: By-law 701-2003 came into effect December 1, 2003.

<sup>3</sup> Editor's Note: By-law 611-2011 came into effect December 1, 2014.

<sup>4</sup> Editor's Note: By-law 255-2019 is deemed to have come into effect on December 13, 2018.

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**§ 137-3. Delegated real estate authority.**

**[Added 2017-12-08 by By-law 1408-2017<sup>5</sup>; amended 2018-12-13 by By-law 17-2019<sup>6</sup>]**

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 Library Board shall have authority to approve and enter into leases and licences in relation to areas or facilities under its jurisdiction in the following instances:

(1) Where the Library Board is the landlord:

- (a) the term of the lease, including renewal or extension options, shall not exceed a total term of one (1) year;
- (b) the rent payable to the Library Board in relation to such arrangements reflects fair market value; and
- (c) the base rent for the entire term shall not exceed \$50,000.

(2) Where the Library Board is the tenant:

- (a) the term of the lease, including renewal or extension options, shall not exceed a total term of one (1) year;
- (b) the base rent shall be no greater than fair market value;
- (c) the base rent for the entire term of the lease shall not exceed \$50,000; and
- (d) funds to cover the associated costs have been approved by Council in the Library Board's operating budget.

(3) Where the Library Board is the licensor or licensee:

- (a) the term of the licence, including renewal or extension options, shall not exceed a total term of five (5) years;
- (b) where the Library Board is the licensor, the licence agreement shall have a termination clause on one (1) years' notice in favour of the Library Board; and
- (c) the total licence fee for the entire term shall not exceed \$10,000.

C. Where a proposed transaction does not meet the criteria set out in Subsection B, the transaction shall be directed through the Real Estate Approval Process.

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<sup>5</sup> Editor's Note: By-law 1408-2017 came into force January 1, 2018.

<sup>6</sup> Editor's Note: By-law 17-2019 is deemed to have come into effect on October 23, 2018.

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- D. Where the Library Board 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 Library Board shall seek Council approval for such transaction by way of a joint report to Council together with the Deputy City Manager, Corporate Services.
- E. The Library Board shall assist in the implementation of transactions proposed by the Deputy City Manager, Corporate Services with respect to property under the jurisdiction of the Library Board, as requested by the Deputy City Manager, Corporate Services.