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TO: Board of Management, Allan A. Lamport Stadium
Board of Management, Applegrove Community Complex
Board of Management, Eastview Neighbourhood Community Centre
Board of Management, Forest Hill Memorial Arena
Board of Management, George Bell Arena
Board of Management, McCormick Playground Arena
Board of Management, Moss Park Arena
Board of Management, North Toronto Memorial Arena
Board of Management, Scadding Court Community Centre
Board of Management, Ted Reeve Arena
Board of Management, University Settlement Recreation Centre
Board of Management, William H. Bolton Arena
Board of Management, Alumnae Theatre Company
Board of Management, Cecil Community Centre
Board of Management, Central Eglinton Community Centre
Board of Management, Community Centre 55
Board of Management, The Good Neighbours' Club
Board of Management, 519 Church Street Community Centre
Board of Management, Ralph Thornton Community Centre
Board of Management, The Second Mile Club
Board of Management, Howard Park Tennis Club
Board of Management, Harbourfront Community Centre
Board of Management, Swansea Town Hall Community Centre

Re: Municipal Code - Chapter 25 - Community and Recreation Centres

Attached for your information is a copy of Municipal Code - Chapter 25 - Community and Recreation Centres.

Under Section 104 of the Municipal Act, the City adopted a Municipal Code which contains all of the City's administrative and regulatory by-laws of a general nature, organized into chapters by subject (except for parking and traffic by-laws which will be included in the Code in 1995, and zoning by-laws). The Municipal Code provides a logical arrangement of the City's by-laws in a format which allows efficient updating, revision, publication and consolidation.

Subject to a few exceptions, this Code came into force on January 9, 1995.

Also enclosed is a copy of a "Guide to the City of Toronto Municipal Code".

If you have any questions, please contact me further.

Yours truly,



Christine Archibald
Administrator,
Neighbourhoods Committee

Encl.

COMMUNITY AND RECREATION CENTRES

Chapter 25

COMMUNITY AND RECREATION CENTRES

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- § 25-31. 765 Queen Street East (Ralph Thornton Community Centre).
- § 25-32. Applegrove Community Complex (56 Woodfield Road).
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- § 25-34. 627 Queens Quay West (Harbourfront Community Centre).
- § 25-35. 95 Lavinia Avenue (Swansea Town Hall).

COMMUNITY AND RECREATION CENTRES

Schedule A, University Alumnae Dramatic Club

Schedule B, Allan A. Lamport Stadium

[HISTORY: Adopted by the Council of The Corporation of the City of Toronto 1994-10-11 as By-law No. 1994-0792.¹ Amendments noted where applicable.]

GENERAL REFERENCES

Records retention — See Ch. 97.

Payment of expenses of a local board — See Ch. 104.

ARTICLE I

Definitions; Interpretation; Application

§ 25-1. Definitions.

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

BOARD — A board of management under clause (e) of paragraph 58 of section 207 of the Municipal Act or a predecessor of that section.²

COMMITTEE — A committee of management under section 5 of the Community Recreation Centres Act or a board of management established under the Community Centres Act, R.S.O. 1970, as amended, or a predecessor of those Acts.

MANAGE AND CONTROL — In the case of a Board, the term shall mean to maintain, operate or manage on Council's behalf and "maintaining and controlling" shall have a corresponding meaning.

PREMISES — Any land, building or structure, as described in Article III, that comprises all or part of a centre.

PROPER NOTICE — Publishing an announcement in a local newspaper of general distribution or the posting of a reasonable number of notices at the premises, but in the case of a non-regularly scheduled meeting, "proper notice" shall include written notice delivered to each Board or Committee member's last known address.

SOCIAL FUNCTION:

¹Editor's Note: This by-law was passed under the authority of the Community Recreation Centres Act, R.S.O. 1990, c. C.22, as amended.

²Editor's Note: See R.S.O. 1990, c. M.45.

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A. Includes:

- (1) An event in an enclosed area for which a rental charge is payable.
- (2) An event for which a Liquor Licence Board of Ontario special occasion permit is required.
- (3) A wedding.
- (4) A banquet.
- (5) A party.
- (6) A hospitality function.
- (7) A musical production.
- (8) A cultural or religious ceremony or celebration.

B. A "social function" does not include a conference, meeting or public issue forum or debate to which the general public is invited or permitted.

§ 25-2. Interpretation.

Article II is subject to Article III, and in the event of a conflict between the provisions in Article II and Article III, the provisions of Article III prevail.

§ 25-3. Application.

This chapter applies to a Board or Committee established under § 25-4 or by a by-law listed in Article III.

ARTICLE II Administration of Centres

§ 25-4. Establishment of Boards and Committees of Management.

There shall be a Committee to manage and control each premises in Article III that is a community recreation centre under the Community Recreation Centres Act and a Board to manage and control each premises that is not under that Act.

COMMUNITY AND RECREATION CENTRES

§ 25-5. Membership.³

- A. Each Board or Committee shall be composed of the number of persons as required by Article III, as follows:
 - (1) A certain number shall be members of Council.
 - (2) The remaining members shall be residents of the City and shall have attained the age of eighteen (18) years; these members shall be appointed by Council, subject to the nomination provisions of Article III.
- B. Terms of appointment.
 - (1) Members of Boards shall be appointed for the term of Council.
 - (2) Members of Committees shall be appointed annually.
- C. The members of each Board or Committee shall be appointed and hold office subject to and conditional upon their observance of and compliance with this chapter and their respective authorizing statute and any and all regulations made under it.

§ 25-6. Officers.

- A. The Board or Committee shall elect, as soon as possible after the first day of January in each year a Chair and Vice-Chair, and a Secretary and Treasurer and other officers as it considers necessary to properly conduct the business of the Board or Committee during the year.
- B. The officers of a Board or Committee who hold the title of "President" or "Chairperson" or the title "Vice President" or "Vice-Chairperson" at the time of the coming into force of this chapter shall be deemed to be respectively the "Chair" or "Vice-Chair" for the purposes of Subsection A.

§ 25-7. Meetings.

- A. Number of meetings.
 - (1) Regular meetings.

³Editor's Note: This section was passed under the authority of section 2 of the City of Toronto Act, 1983 (No. 2), S.O. 1983, c. Pr30.

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A Board or Committee shall meet at least six (6) times per year, with not more than three (3) months between meetings.

(2) Additional meetings.

(a) The members of a Board or Committee with less than six (6) members shall meet at any time at the request of two (2) members of the Board or Committee.

(b) The members of a Board or Committee with six (6) or more members shall meet at any time at the request of four (4) members of the Board or Committee.

- B. Proper notice of every meeting shall be given to each member of the Board or Committee not less than seven (7) days before the time when the meeting is to be held.
- C. A majority of the members of the Board or Committee shall be a quorum.
- D. The Commissioner specified in Article III or his or her designate shall be entitled to attend all meetings.
- E. All meetings of the Board or Committee shall be open to the public.
- F. The Board or Committee shall keep proper minutes and records of every meeting of the Board or Committee and shall forward true copies of the minutes and records to all members of the Board or Committee and to the Commissioner specified in Article III, as soon as possible after each meeting.

§ 25-8. General financial responsibilities.

A. Fiscal year.

The fiscal year of the Board or Committee shall be the calendar year from the first day of January to the 31st day of December. The period up to and including the 31st day of December of the year of establishment shall be considered the first fiscal year of any Board or Committee established under § 25-4.

B. Banking arrangements; accounting practices.

The Board or Committee shall adopt and maintain banking arrangements that are satisfactory to the Commissioner of Finance and accounting practices that are in accordance with generally accepted accounting principles and acceptable to the City Auditor and shall keep books of account and submit statements from time to time as the City Auditor may require.

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C. Access to account books and records.

The City Auditor shall at all times have access to all books of account and all records of the Board or Committee for inspection or audit purposes.

D. Submission of financial statements.

The Board or Committee shall, as soon as possible after the 31st day of December in each year, submit to the Executive Committee financial statements that have been audited by the City Auditor covering the management and control of the premises by the Board or Committee for the previous year or part of the year, as the case may be, and in particular showing all revenues and expenditures (including office expenses) and assets and liabilities as of the 31st day of December of the previous year.

E. Payment of revenues to City.

The Board or Committee shall, as soon as possible after the end of each fiscal year, pay to the City all revenue that is derived by the Board or Committee from the management and control of the premises during the fiscal year in excess of the money required to pay all the charges, costs and expenses resulting from or incidental to the management and control of the premises and to keep any Committee's working cash advance under § 25-10 to the amount specified in Article III.

F. Payment of costs of operation.

The Board or Committee shall be solely responsible for the payment of all charges, costs and expenses resulting from or in any way incidental to the management and control of the premises.

G. Capital expenditures.

The Board or Committee shall not make or incur liability for any capital expenditure without first obtaining the consent of the City.

§ 25-9. Insurance.

A. The Board or Committee shall at all times maintain, at the sole expense of the Board or Committee, and deposit and keep deposited with the Commissioner of Finance a public liability and property damage indemnity policy in respect of the premises that is satisfactory to the Commissioner of Finance.

B. The Board or Committee shall not do or permit to be done any act or thing which may make void or voidable any insurance in respect of the premises or any part of the

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premises, or which may cause any increased or additional premium to be payable for any insurance.

§ 25-10. Working cash advance.

- A. If a sum of money is specified in Article III as a working cash advance for a Committee, the sum shall be provided by the City and used by the Committee as a working cash advance for the management and control of the premises and for no other purpose.
- B. The Committee shall return to the City the balance of the working cash advance, if any, upon the Committee's ceasing to function for any reason.

§ 25-11. Powers and duties.

- A. Compliance with other provisions.

The Board or Committee shall at all times fully observe and comply with, and endeavour to ensure strict observance of and compliance with, all statutes, regulations, by-laws and lawful rules of every municipal or other governmental authority which in any manner affect or relate to the premises and the use of the premises or any part of it.

- B. Management and operation.

- (1) The Board or Committee shall at all times endeavour to manage and control the premises in a reasonable and efficient manner, in accordance with standard good business practice and without cost to the City.
- (2) The Board or Committee shall not permit or allow any unlawful conduct in or upon the premises or make or do or permit or allow to be made or done anything in or upon the premises which would be deemed to be a nuisance.

- C. Custodial care.

The Board or Committee shall be solely responsible for the custodial care of the premises and shall provide the management and supervision required to ensure that the premises and all fixtures and appurtenances installed in and on the premises are used in a lawful manner at all times for the purpose specified in Article III and for no other purpose; and the Board or Committee shall at all times endeavour to prevent damage to the premises and the loss of or damage to fixtures and appurtenances.

- D. Maintenance of premises; alterations or improvements.

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- (1) The Board or Committee shall be responsible for properly maintaining the premises in a clean and orderly condition satisfactory to the Commissioner of City Property.
- (2) The Board or Committee shall at all times maintain and repair and keep the premises in a state of good repair satisfactory to the Commissioner of City Property.
- (3) The Board or Committee shall be responsible for the provision of custodial and janitorial services as well as the provision of all utility services required for the operation of the premises.
- (4) The Board or Committee shall not make, permit or allow to be made any alterations, renovations, additions or improvements to the premises without first obtaining the consent of the Commissioner of City Property, and all necessary permits from the Commissioner of Buildings and Inspections.
- (5) In addition to the requirement under § 25-8G, the Board or Committee shall not make or incur liability for any capital expenditure without first obtaining the consent of the Commissioner of City Property.
- (6) The Board or Committee shall at all times, at the cost and expense of the Board or Committee, keep and maintain in a clean condition any land adjacent to any building or structure that forms part of the premises, and keep the sidewalks on and in front of the premises free and clear of snow and ice and other obstructions.

E. Removal of advertising material.

The Board or Committee shall, at the request of the Commissioner specified in Article III, remove from the premises or any part of the premises any sign, notice board, painting, design or other device advertising any business, undertaking or scheme or any other sign or advertisement that may be objectionable to the Commissioner, in accordance with City standards.

F. Alcoholic beverages.

No intoxicating beverages of any kind shall be sold, dispensed or, with the knowledge of the Board or Committee or its employees, agents and representatives, or any of them, consumed in or on the premises, but this subsection shall not apply to the selling, dispensing or consumption of intoxicating beverages in or on the premises under a

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special occasion permit issued under the Liquor Licence Act⁴ if the application for the permit has been first approved by the Board or Committee.

G. Smoking.⁵

- (1) No person shall smoke in any indoor area of the premises.
- (2) Despite Subsection G(1), the Board or Committee may permit smoking at a social function held in the premises.

§ 25-12. Rights of City.

A. Property of City.

The premises and all fixtures and appurtenances installed in and on the premises, including any additions or replacements, shall at all times remain the property of the City.

B. Access to premises by City.

The City and its employees, agents, contractors and representatives, with the authorization of the Commissioner specified in Article III, shall have the right to enter the premises at any time for any reason.

ARTICLE III Specific Standards for Centres Under the Community Recreation Centres Act

§ 25-13. Ted Reeve Arena (175 Main Street).

A. Statutory authority.

This centre is a community recreation centre under the Community Recreation Centres Act and was established, along with its Committee, by By-law No. 19484.

B. Type of centre; purpose; description of premises.

- (1) The Committee for Ted Reeve Arena shall manage and control the premises as a community recreation centre.

⁴Editor's Note: See R.S.O. 1990, c. L.19, as amended.

⁵Editor's Note: See also Ch. 301, Smoking.

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- (2) The premises shall be the land and building situated on the northeast corner of Main Street and Gerrard Street East in the City and known as the "Ted Reeve Arena and Grounds."

C. Membership of Committee.

Subject to § 25-5, the Committee shall be composed as follows:

- (1) Total number of members: eight (8).
- (2) Composition.
 - (a) Two (2) members of Council, one (1) of whom shall be the Ward 10 Councillor.
 - (b) Six (6) persons appointed by Council, but six (6) persons may be nominated for consideration for appointment by the Toronto East Arena Gardens Incorporated.

D. Terms of appointment.

In addition to § 25-5C, the members of the Committee are appointed subject to and conditional upon their compliance with the agreement dated the 12th day of October 1954 between the City and the Toronto East Arena Gardens, Incorporated as amended by agreements dated the 4th day of March 1976 and the 18th of July 1978 and called in this section the "Agreement."

E. Working cash advance.

In accordance with section 6 of the Agreement, the working cash advance under § 25-10 shall be in the amount of fifteen thousand dollars (\$15,000.).

F. Alcoholic beverages.

Despite § 25-11F and in accordance with section 4 of the Agreement, the Committee shall not approve any application for a special occasion permit under the Liquor Licence Act for the premises.

G. Rules and regulations; fixing of fees.

Subject to section 8 of the Agreement, the Committee may make rules as it considers necessary relating to the management and control of the premises and may fix charges for the use of all or any part of the premises as it considers advisable.

H. Provisions of agreement to prevail.

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The provisions of this chapter that apply to the premises and the Committee shall be subject to the Agreement.

§ 25-14. University Settlement Recreation Centre Building (23 Grange Road).

A. Statutory authorization.

- (1) This centre is a community recreation centre under the Community Recreation Centres Act and was established, along with its Committee, by By-law No. 20624.

B. Type of centre; purpose; description of premises.

- (1) The Committee for the University Settlement Recreation Centre Building shall manage and control the premises for the sole purpose of conducting a properly organized and supervised programme of recreation and social service for the benefit and advantage of all citizens of the City, regardless of race, colour and creed, in accordance with the purposes and objectives in the Letters Patent incorporating The University Settlement, which shall be called in this section the "Settlement."
- (2) The premises shall be the building situated at the northeast corner of Grange Road and John Street in the City and known as "The University Settlement Recreation Centre."

C. Membership of Committee.

In accordance with § 25-5, the Committee shall be composed as follows:

- (1) Total number of members: six (6).
- (2) Composition.
 - (a) The member of Council for Ward 5.
 - (b) Five (5) persons who are nominated annually by the Settlement and appointed by Council.

D. Commissioner of City Property.

For purposes of § 25-7D and F, 25-11E and 25-12B, the Commissioner shall be the Commissioner of City Property.

E. Additional regulations.

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(1) Fixing of fees.

The Committee may fix nominal fees or charges for the use of all or any part of the premises and for services rendered by the Committee, but the imposition of fees and charges shall not discourage the year-round use of the premises at all reasonable times for the purpose set out in Subsection B.

(2) Board to manage without cost to City.

The Committee shall perform its duties and responsibilities in connection with the management and control of the premises without cost to the City, except as provided in Subsection E(3) and (4), it being understood that the Settlement shall make available its staff and facilities to the Committee for this purpose, and, in consideration of this and despite § 25-8E, the Settlement shall be entitled to collect and retain the fees and charges referred to in Subsection E(1) for services provided by the Committee through the staff and facilities of the Settlement.

(3) City to maintain, repair and heat.

Despite §§ 25-8F, 25-9 and 25-11D, the City shall be solely responsible for maintaining, repairing and heating the premises and for providing necessary janitorial services, all at the expense of the City.

(4) City to pay costs.

Despite §§ 25-8F, 25-9 and 25-11D, the City shall be solely responsible for the payment of all hydroelectric charges and gas and water rates levied upon or with respect to the premises and shall, at the expense of the City, insure the premises against destruction or damage by fire or any other peril listed in the standard supplemental contract.

(6) Entitlement of City to use of premises.

The City shall be entitled to the use of the swimming pool, gymnasium or any other part of the premises free of charge whenever the pool, gymnasium or other accommodation is not required by the Committee for the purpose set out in Subsection B, but the City shall be responsible for providing any supervision that may be required by reason of the use by the City of the pool, gymnasium or other accommodation.

§ 25-15. George Bell Arena (215 Ryding Avenue).

A. Statutory authority.

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This centre is a community recreation centre under the Community Recreation Centres Act and was established, along with its Committee, by By-law No. 21259.

B. Type of centre; purpose; description of premises.

- (1) The Committee for George Bell Arena shall manage and control the premises as a community recreation centre for the benefit of the public generally.
- (2) The premises shall be the George Bell Arena building and the paved automobile parking area adjacent to it in Runnymede Park in the City, together with the appurtenances and all fixtures and things belonging to the building and parking area.

C. Membership of Committee.

Subject to § 25-5, the Committee shall be composed as follows:

- (1) Total number of members: eight (8).
- (2) Composition.
 - (a) The member of Council for Ward 12.
 - (b) Seven (7) persons who are appointed by Council.

D. Commissioner of City Property.

For purposes of §§ 25-7D and F, 25-11D and E and 25-12B, the Commissioner shall be the Commissioner of City Property.

E. Working cash advance.

The working cash advance under § 25-10 shall be in the amount of fifteen thousand dollars (\$15,000.).

F. Additional regulations.

- (1) Rules and regulations; fixing of fees.

The Committee may make rules as it considers necessary relating to the management and control of the premises and may fix charges for the use of all or any part of the premises as it considers advisable.

§ 25-16. North Toronto Memorial Arena (174 Orchard View Boulevard).

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A. Statutory authority.

This centre is a community recreation centre under the Community Recreation Centres Act and was established, along with its Committee, by By-law No. 22583.

B. Type of centre; purpose; description of premises.

- (1) The Committee for North Toronto Memorial Arena shall manage and control the premises as a community recreation centre.
- (2) The premises shall be the skating arena in Eglinton Park in the City, together with all fixtures, equipment, chattels and things belonging to it.
- (3) The name of the centre shall be the "North Toronto Memorial Arena."

C. Membership of Committee.

Subject to § 25-5, the Committee shall be composed as follows:

- (1) Total number of members: nine (9).
- (2) Composition.
 - (a) Two (2) members of Council, one (1) of whom is the Ward 15 Councillor.
 - (b) Seven (7) persons who are appointed by Council, but three (3) may be nominated for consideration for appointment as follows: one (1) person by the North Toronto Skating Club; one (1) person by the North Toronto Hockey Association; and one (1) person by one (1) of the adjacent ratepayers' associations.

D. Commissioner of City Property.

For purposes of §§ 25-7D and F, 25-11D and E and 25-12B, the Commissioner shall be the Commissioner of City Property.

E. Working cash advance.

The working cash advance under § 25-10 shall be in the amount of fifteen thousand dollars (\$15,000.).

F. Additional regulations.

- (1) Rules and regulations; fixing of fees.

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The Committee may make rules as it considers necessary relating to the management and control of the premises and may fix charges for the use of all or any part of the premises as it considers advisable.

§ 25-17. 170 Jarvis Street (Good Neighbours Club).

A. Statutory authority.

The Board for this centre was established by By-law No. 178-67 under the Municipal Act, R.S.O. 1970.

B. Type of centre; purpose.

The Board for 170 Jarvis Street (the Good Neighbours Club) shall manage and control the premises as a place of recreation and amusement to be used for the sole purpose of a day centre for unattached and homeless men, providing social and recreational activities and amusement such as games, craft work and a library.

C. Membership of Board.

Subject to § 25-5, the Board shall be composed as follows:

(1) Total number of members: six (6).

(2) Composition.

(a) The member of Council for Ward 6.

(b) Five (5) persons who are appointed by Council, but who may be nominated for consideration for appointment by the Good Neighbours Club.

D. Commissioner of City Property.

For purposes of §§ 25-7D and F, 25-11D and E and 25-12B, the Commissioner shall be the Commissioner of City Property.

E. Additional regulations.

(1) No cost to City.

The Board shall perform its duties and responsibilities in connection with the management and control of the premises without cost to the City, it being

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understood that the Good Neighbours Club shall make available its staff and its funds to the Board for this purpose.

- (2) Access to account books and records.

The City Auditor shall at all reasonable times have access to all books of account and all records of the Good Neighbours Club for inspection or audit purposes.

§ 25-18. 192 Carlton Street (Second Mile Club).

- A. Statutory authority.

The Board for this centre was established by By-law No. 20-70 under the Municipal Act, R.S.O. 1970.

- B. Type of centre; purpose.

The Board for 192 Carlton Street (the Second Mile Club) shall manage and control the premises as a place of recreation and amusement for the purpose of a day-care centre for elderly men and women, providing social and recreational activities and amusements such as games, craft work and a library and for the purpose of carrying on a Meals-on-Wheels program.

- C. Membership of Board.

Subject to § 25-5, the Board shall be composed as follows:

- (1) Total number of members: five (5).

- (2) Composition.

(a) The member of Council for Ward 7.

(b) Four (4) persons who are appointed by Council, but two (2) of whom may be nominated by the Second Mile Club of Toronto and two (2) of whom may be nominated by Mid-Toronto Community Services, Inc.

- D. Commissioner of City Property.

For purposes of §§ 25-7D and F, 25-11D and E and 25-12B, the Commissioner shall be the Commissioner of City Property.

- E. Additional regulations.

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- (1) Board to manage without cost to City.

The Board shall perform its duties and responsibilities in connection with the management and control of the premises without cost to the City, it being understood that the Second Mile Club of Toronto and Mid-Toronto Community Services, Inc., shall make available their staff and their funds to the Board for this purpose.

- (2) City to maintain and repair.

Despite § 25-11D, the City shall be responsible for the maintenance and repair of the premises, excluding heating the premises and the provision of the necessary janitorial services, which shall be the responsibility of the Board and at the sole expense of the Board.

- (3) City to pay maintenance costs.

Despite § 25-8F, the City shall be solely responsible for the payment of all charges, costs and expenses resulting from or in any way incidental to the maintenance of the premises, excluding hydroelectric charges, gas and water rates, heating and janitorial services, which shall be the sole responsibility of the Board.

- (4) Board's costs.

Subject to Subsection E(3), the Board shall be responsible for the payment of all charges, costs and expenses resulting from or in any way incidental to the management and control of the premises, including insurance premiums and telephone charges.

- (5) Access to account books and records.

The City Auditor shall at all reasonable times have access to all books of account and all records of the Second Mile Club of Toronto and Mid-Toronto Community Services, Inc., for inspection or audit purposes.

§ 25-19. Forest Hill Memorial Arena (340 Chaplin Crescent).

A. Statutory authority.

- (1) This centre is a community recreation centre under the Community and Recreation Centres Act and was established by By-law No. 3176 of the former Village of Forest Hill.

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- (2) The Committee for this centre was established by By-law No. 361-70.

B. Type of centre; purpose; description of premises.

- (1) The Committee for Forest Hill Memorial Arena shall manage and control the premises as a community recreation centre for the benefit of the public generally.
- (2) The premises shall include the skating arena and community hall and the automobile parking area adjacent to the south, together with all fixtures, equipment, chattels and things belonging to the arena, hall and parking area.

C. Membership of Committee.

Subject to § 25-5, the Committee shall be composed as follows:

- (1) Total number of members: seven (7).
- (2) Composition.
 - (a) Two (2) members of Council, one (1) of whom is the Ward 15 Councillor.
 - (b) Five (5) persons who are appointed by Council.

D. Commissioner of City Property.

For purposes of §§ 25-7D and F, 25-11D and E and 25-12B, the Commissioner shall be the Commissioner of City Property.

E. Working cash advance.

The working cash advance under § 25-10 shall be in the amount of ten thousand dollars (\$10,000.).

F. Additional regulations.

- (1) Rules and regulations; fixing of fees.

The Committee may make rules as it considers necessary relating to the management and control of the premises and may fix charges for the use of all or any part of the premises as it considers advisable.

§ 25-20. 70 Berkeley Street (University Alumnae Dramatic Club).

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A. Statutory authority.

The Board for this centre was established by By-law No. 191-71 under the Municipal Act, R.S.O. 1970.

B. Type of centre; purpose; description of premises.

- (1) The Board for 70 Berkeley Street (the University Alumnae Dramatic Club) shall manage and control the premises for the sole purpose of a club house in connection with the activities of the University Alumnae Dramatic Club, called in this section the "Club", and as a place of recreation and amusement and auditorium.
- (2) The premises shall be that part of No. 70 Berkeley Street delineated by a heavy line on the map in Schedule A at the end of this chapter.

C. Membership of Board.

Subject to § 25-5, the Board shall be composed as follows:

- (1) Total number of members: four (4).
- (2) Composition.
 - (a) The member of Council for Ward 7.
 - (b) Three (3) persons who are appointed by Council but who may be nominated for consideration for appointment by the Club.

D. Commissioner of City Property.

For purposes of §§ 25-7D and F, 25-11D and E and 25-12B, the Commissioner shall be the Commissioner of City Property.

E. Additional regulations.

- (1) Board to manage without cost to City.

The Board shall perform its duties and responsibilities in connection with the management and control of the premises without cost to the City, it being understood that the Club shall make available its staff and its funds to the Board for these purposes, and it being further understood that the City shall be relieved of all financial responsibility arising out of the management and control of the premises and be indemnified in respect of this in a form satisfactory to the City Solicitor.

COMMUNITY AND RECREATION CENTRES

- (2) Rules and regulations; fixing of fees.

The Board shall make rules as it considers necessary relating to the management and control of the premises and may fix charges for the use of all or any part of the premises as it considers advisable, and in consideration of the Club's making available its staff and its funds to the Board, and despite § 25-8E, the Club shall be entitled to collect and retain the charges and all other income derived from services provided by the Board through the staff and the funds of the Club.

- (3) Property of Club.

Section 25-12A does not apply to personal property and theatrical equipment of the Club.

- (4) Smoking.

Where smoking is an element of a stage production, stage performers are permitted to smoke on stage.

§ 25-21. William H. Bolton Arena (40 Rossmore Road).

- A. Statutory authority.

This centre is a community recreation centre under the Community Recreation Centres Act and was established, along with its Committee, by By-law No. 317-71.

- B. Type of centre; purpose; description of premises.

- (1) The Committee for William H. Bolton Arena shall manage and control the premises as a community recreation centre.
- (2) The premises shall be the skating arena in the property on the west side of Rossmore Square, south of Vermont Avenue, in the City, together with all fixtures, equipment, chattels and things belonging to it.

- C. Membership of Committee.

Subject to § 25-5, the Committee shall be composed as follows:

- (1) Total number of members: eleven (11).
- (2) Composition.
- (a) The member of Council for Ward 13.

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(b) Ten (10) persons who are appointed by Council.

D. Commissioner of City Property.

For purposes of §§ 25-7D and F, 25-11D and E and 25-12B, the Commissioner shall be the Commissioner of City Property.

E. Working cash advance.

The working cash advance under § 25-10 shall be in the amount of ten thousand dollars (\$10,000.).

F. Additional regulations.

(1) Rules and regulations; fixing of fees.

The Committee may make rules as it considers necessary relating to the management and control of the premises and may fix charges for the use of all or any part of the premises as it considers advisable.

§ 25-22. McCormick Playground Arena (179 Brock Avenue).

A. Statutory authority.

This centre is a community recreation centre under the Community Recreation Centres Act and was established, along with its Committee, by By-law No. 319-71.

B. Type of centre; purpose; description of premises.

(1) The Committee for McCormick Playground Arena shall manage and control the premises as a community recreation centre.

(2) The premises shall be the skating arena in the public park property on the east side of Brock Avenue, north of Middleton Street, in the City, known as "McCormick Playground," together with all fixtures, equipment, chattels and things belonging to it.

C. Membership of Committee.

Subject to § 25-5, the Committee shall be composed as follows:

(1) Total number of members: eleven (11).

(2) Composition.

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- (a) Two (2) members of Council, one (1) of whom shall be the Ward 2 Councillor.
- (b) Nine (9) persons who are appointed by Council.

D. Commissioner of City Property.

For purposes of §§ 25-7D and F, 25-11D and E and 25-12B, the Commissioner shall be the Commissioner of City Property.

E. Working cash advance.

The working cash advance under § 25-10 shall be in the amount of ten thousand dollars (\$10,000.).

F. Additional regulations.

- (1) Rules and regulations; fixing of fees.

The Committee may make rules as it considers necessary relating to the management and control of the premises and may fix charges for the use of all or any part of the premises as it considers advisable.

§ 25-23. Howard Park Tennis Club (High Park, 1873 Bloor Street West).

A. Statutory authority.

The Board for this centre was established by By-law No. 169-74 under the Municipal Act, R.S.O. 1970.

B. Type of centre; purpose; description of premises.

- (1) The Board for the Howard Park Tennis Club shall manage and control the premises as tennis court facilities.
- (2) The premises shall be the seven (7) tennis courts in the City on the west side of Parkside Drive, forming part of the property known as High Park, adjacent to premises No. 430 Parkside Drive, and the fencing, equipment, fixtures and things belonging to the courts.

C. Membership of Board.

Subject to § 25-5, the Board shall be composed as follows:

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- (1) Total number of members: six (6).
- (2) Composition.
 - (a) The member of Council for Ward 1.
 - (b) Five (5) persons who are appointed by Council.

D. Commissioner of Parks and Recreation.

For purposes of §§ 25-7D and F, 25-11D and E and 25-12B, the Commissioner shall be the Commissioner of Parks and Recreation.

E. Additional regulations.

§ 25-24. Community Centre 55 (97 Main Street).

A. Statutory authority.

The Board for this centre was established by By-law No. 323-74 under the Municipal Act, R.S.O. 1970.

B. Type of centre; purpose; description of premises.

- (1) The Board for Community Centre 55 shall manage and control the premises as a community recreation centre.
- (2) The premises shall be the land and building in the City, known municipally as 97 Main Street.

C. Membership of Board.

Subject to § 25-5, the Board shall be composed as follows:

- (1) Total number of members: ten (10).
- (2) Composition.
 - (a) The member of Council for Ward 10.
 - (b) Nine (9) persons who are appointed by Council.

D. Commissioner of City Property.

COMMUNITY AND RECREATION CENTRES

For purposes of §§ 25-7D and F, 25-11D and E and 25-12B, the Commissioner shall be the Commissioner of City Property.

E. Additional regulations.

(1) Payment of revenue to City.

Despite § 25-8E, the Board shall, as soon as possible after the end of each fiscal year, pay to the City any excess of the administrative expenditure funds provided by the City in accordance with its approved annual budget, but may retain any surplus from program activities.

§ 25-25. Moss Park Arena (140 Sherbourne Street).

A. Statutory authority.

This centre is a community recreation centre under the Community Recreation Centres Act and was established, along with its Committee, by By-law No. 381-74.

B. Type of centre; purpose; description of premises.

- (1) The Committee for Moss Park Arena shall manage and control the premises as a community recreation centre.
- (2) The premises shall be the skating arena in the public park property at the southwest corner of Shuter Street and Sherbourne Street, in the City, known as "Moss Park," together with all fixtures, equipment, chattels and things belonging to it.

C. Membership of Committee.

Subject to § 25-5, the Committee shall be composed as follows:

- (1) Total number of members: nine (9).
- (2) Composition.
 - (a) The member of Council for Ward 6.
 - (b) Eight (8) persons who are appointed by Council.

D. Commissioner of City Property.

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For purposes of §§ 25-7D and F, 25-11D and E and 25-12B, the Commissioner shall be the Commissioner of City Property.

E. Working cash advance.

The working cash advance under § 25-10 shall be in the amount of ten thousand dollars (\$10,000.).

F. Additional regulations.

(1) Rules and regulations; fixing of fees.

The Committee may make rules as it considers necessary relating to the management and control of the premises and may fix charges for the use of all or any part of the premises as it considers advisable.

§ 25-26. Allan A. Lamport Stadium (1155 King Street West).

A. Statutory authority.

This centre is a community recreation centre under the Community Recreation Centres Act and was established, along with its Committee, by By-law No. 221-75.

B. Type of centre; purpose; description of premises.

(1) The Committee for Allan A. Lamport Stadium shall manage and control the premises as a community recreation centre.

(2) The premises shall be that part of the stadium property known municipally as 1155 King Street West in the City, including all buildings, structures and improvements erected or made on the property on or after May 30, 1975, and all fixtures, equipment, chattels and things belonging to it and as delineated by a heavy line on the map in Schedule B at the end of this chapter.

C. Membership of Committee.

Subject to § 25-5, the Committee shall be composed as follows:

(1) Total number of members: ten (10). [Amended 1995-02-06 by By-law No. 1995-0148]

(2) Composition.

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- (a) Three (3) members of Council; one (1) of whom shall be the Ward 3 Councillor.
- (b) Seven (7) persons who are appointed by Council. [Amended 1995-02-06 by By-law No. 1995-0148]

D. Commissioner of City Property.

For purposes of §§ 25-7D and F, 25-11D and E and 25-12B, the Commissioner shall be the Commissioner of City Property.

E. Working cash advance.

The working cash advance under § 25-10 shall be in the amount of fifteen thousand dollars (\$15,000.).

F. Additional regulations.

- (1) Rules and regulations; fixing of fees.

The Committee may make rules as it considers necessary relating to the management and control of the premises and may fix charges for the use of all or any part of the premises as it considers advisable.

- (2) Use of field for amateur teams.

It shall be the policy of the Committee that at least fifty per cent (50%) of all the time scheduled by it, during any period of appointment of the members, for use of the playing field of the premises shall be for amateur teams or groups engaging in soccer, football, rugger, field hockey, field lacrosse or other related playing field recreation sports or activities, and the Committee shall be responsible to Council, through the Neighbourhoods Committee, for the proper control and management of the premises in accordance with this policy.

§ 25-27. 519 Church Street Community Centre.

A. Statutory authority.

The Board for this centre was established by By-law No. 263-75 under the authority of the Municipal Act, R.S.O. 1970.

B. Type of centre; purpose; description of premises.

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- (1) The Board for the 519 Church Street Community Centre shall manage and control the premises as a community recreation centre.
- (2) The premises shall be the land and building situated on the east side of Church Street and known as No. 519 Church Street, Toronto.

C. Membership of Board.

Subject to § 25-5, the Board shall be composed as follows:

- (1) Total number of members: twelve (12).
- (2) Composition.
 - (a) The member of Council for Ward 6.
 - (b) Eleven (11) persons who are appointed by Council.

D. Commissioner of City Property.

For purposes of §§ 25-7D and F, 25-11D and E and 25-12B, the Commissioner shall be the Commissioner of City Property.

E. Additional regulations.

- (1) Payment of revenue to City.

Despite § 25-8E, the Board shall, as soon as possible after the end of each fiscal year, pay to the City any excess of the administrative expenditure funds provided by the City in accordance with its approved annual budget, but may retain any surplus from program activities.

§ 25-28. Eastview Neighbourhood Community Centre (186 Blake Street).

A. Statutory authority; name.

- (1) This centre is a community recreation centre under the Community Recreation Centres Act and was established, along with its Committee, by By-law No. 355-76.
- (2) The name of the centre shall be "Eastview Neighbourhood Community Centre."

B. Type of centre; purpose; description of premises.

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- (1) The Committee for the Eastview Neighbourhood Community Centre shall manage and control the premises as a community recreation centre.
- (2) The premises shall be the land and building in the City on the west side of Blake Street, known municipally as No. 86 Blake Street, excluding the westerly portion of the main floor of the building comprising the self-contained accommodation intended for use as a day nursery facility.

C. Membership of Committee.

Subject to § 25-5, the Committee shall be composed as follows:

- (1) Total number of members: thirteen (13).
- (2) Composition.
 - (a) Two (2) members of Council.
 - (b) Eleven (11) persons who are appointed by Council.

D. Commissioner of City Property.

For purposes of §§ 25-7D and F, 25-11D and E and 25-12B, the Commissioner shall be the Commissioner of City Property.

E. Working cash advance.

The working cash advance under § 25-10 shall be in the amount of five thousand dollars (\$5,000.).

F. Additional regulations.

- (1) Rules and regulations; fixing of fees.

The Committee may make rules as it considers necessary relating to the management and control of the premises and may fix charges for the use of the premises or any part of the premises as it considers advisable, but the imposition of charges shall not discourage the maximum year-round use of the premises at all reasonable times for the purpose in Subsection B.

- (2) City to maintain, repair and heat.

Despite § 25-11C and D, the City shall be solely responsible for maintaining, repairing and heating the premises and for providing the necessary janitorial

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services required to keep the premises in a clean, healthy and attractive condition, all at the expense of the City.

(3) Clearing of ice and snow.

Despite § 25-11D, the City shall be solely responsible for keeping the area in front of the premises and the parking lot to the south of it free of snow and ice.

(4) City to pay charges.

Despite § 25-8F, the City shall be solely responsible for the payment of all hydroelectric charges, gas and water rates levied upon or in respect of the premises and shall, at the expense of the City, insure the building against destruction or damage by fire or any other peril listed in the standard supplemental contract.

(5) Payment of revenue to City.

Despite § 25-8E, the Committee shall, as soon as possible after the end of each fiscal year, pay to the City any excess of the administrative expenditure funds provided by the City in accordance with its approved annual budget, but may retain any surplus from program activities.

§ 25-29. Cecil Street Community Centre (58 Cecil Street).

A. Statutory authority.

The Board for this centre was established by By-law No. 766-77 under the authority of the Municipal Act, R.S.O. 1970.

B. Type of centre; purpose.

The Board for the Cecil Street Community Centre shall manage and control the premises on behalf of Council as a community centre.

C. Membership of Board.

Subject to § 25-5, the Board shall be composed as follows:

(1) Total number of members: twelve (12).

(2) Composition.

(a) The member of Council for Ward 5.

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(b) Eleven (11) persons who are appointed by Council.

D. Commissioner of City Property.

For purposes of §§ 25-7D and F, 25-11D and E and 25-12B, the Commissioner shall be the Commissioner of City Property.

E. Additional regulations.

(1) Payment of revenue to City.

Despite § 25-8E, the Board shall, as soon as possible after the end of each fiscal year, pay to the City any excess of the administrative expenditure funds provided by the City in accordance with its approved annual budget, but may retain any surplus from program activities.

§ 25-30. Scadding Court Community Centre (707 Dundas Street West).

A. Statutory authority; name.

(1) This centre is a community recreation centre under the Community Recreation Centres Act and was established, along with its Committee, by By-law No. 842-78.

(2) The name of the centre shall be "Scadding Court Community Centre."

B. Type of centre; purpose; description of premises.

(1) The Committee for the Scadding Court Community Centre shall manage and control the premises as a community recreation centre generally to serve the area bounded by Spadina Avenue, College Street, Euclid Avenue and Front Street West.

(2) The premises shall be the land and building owned by the City on the south side of Dundas Street West and the east side of Bathurst Street, known municipally as No. 707 Dundas Street West, and the parklands west of the Scadding Court Community Centre building, bounded on the south by the Scadding Court parking lot, on the west by Bathurst Street and on the north by the Scadding Court Library, excluding the parts which the Board of Education for the City of Toronto and the Toronto Public Library Board have exclusive use under an Agreement dated the 25th day of October, 1978 and called in this section the "Tripartite Agreement."

C. Membership of Committee.

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Subject to § 25-5, the Committee shall be composed as follows:

- (1) Total number of members: fifteen (15).
- (2) Composition.
 - (a) The member of Council for Ward 5.
 - (b) Fourteen (14) persons who are appointed by Council, but who may be nominated for consideration for appointment as follows: one (1) person by the Board of Education of the City, one (1) person by the Toronto Public Library Board and twelve (12) persons by the Board of Directors of Scadding Court Community Centre Inc.

D. Commissioners.

- (1) For purposes of §§ 25-7D and F and 25-12B, the Commissioner may be the Commissioner of City Property or the Commissioner of Parks and Recreation or both.
- (2) For purposes of § 25-11E, the Commissioner shall be the Commissioner of Parks and Recreation.

E. Additional regulations.

- (1) Rules and regulations; fixing of fees.

The Committee may make rules as it considers necessary relating to the management and control of the premises and may fix charges for the use of the premises or any part of the premises as it considers advisable, but the imposition of charges shall not discourage the year-round use of the premises at all reasonable times for the purpose set out in Subsection B.

- (2) City to maintain, repair and heat.

Despite § 25-11C and D, the City shall be solely responsible for maintaining, repairing and heating the premises and for providing the necessary janitorial services required to keep the premises in a clean, healthy and attractive condition, all at the expense of the City.

- (3) Clearing of ice and snow.

Despite § 25-11D, the City shall be solely responsible for keeping the sidewalks adjacent to the premises and the parking lot to the south of it free of ice and snow.

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- (4) City to pay charges.

Despite § 25-8 the City shall be solely responsible for the payment of all hydroelectric charges, gas and water rates levied upon or in respect of the premises and shall, at the expense of the City, insure the building against destruction or damage by fire or any other peril listed in the standard supplemental contract.

- (5) Recreational programme.

The City shall make available the recreational staff and equipment required for the planning and implementation of a recreational programme for the premises, the nature and scope of the programme to be negotiated annually by the Committee and the Commissioner of Parks and Recreation.

- (6) Provisions of agreement to prevail.

The provisions of this chapter that apply to the premises and the Committee shall be subject to the Tripartite Agreement.

- (7) Insurance.

The insurance provided under § 25-9 shall also be satisfactory to the Board of Education for the City of Toronto.

- (8) Alterations or improvements.

In addition to the requirements of § 25-11D(4), the Committee shall not make, permit or allow to be made any alterations, renovations, additions or improvements to the premises without first obtaining the consent of the Board of Education for the City of Toronto.

- (9) Payment of revenue to City.

Despite § 25-8E, the Committee shall, as soon as possible after the end of each fiscal year, pay to the City any excess of the administrative expenditure funds provided by the City in accordance with its approved annual budget, but may retain any surplus from program activities.

§ 25-31. 765 Queen Street East (Ralph Thornton Community Centre).

- A. Statutory authority.

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The Board for this centre was established by By-law No. 711-80 under the authority of the Municipal Act, R.S.O. 1980.

B. Type of centre; purpose; description of premises.

- (1) The Board for 765 Queen Street East (the Ralph Thornton Community Centre) shall manage and control the premises as a community recreation centre.
- (2) The premises shall be the property at 765 Queen Street East that have been leased to the City by the Crown, except for the following areas: the area leased to the Toronto Public Library Board by a lease dated December 30th, 1980; the area leased to Riverdale Community Tool and Toy Post Inc. by lease dated December 30th, 1980 and as amended in accordance with clause 16 of Executive Committee Report No. 20, as adopted by City Council at its meeting held August 13, 1984.
- (3) Despite Subsection B(2), the Board may at some future date recommend to Council an expansion of the premises to include office areas presently leased from the City should a vacancy or change in use occur.

C. Membership of Board.

Subject to § 25-5, the Board shall be composed as follows:

- (1) Total number of members: thirteen (13).
- (2) Composition.
 - (a) The member of Council for Ward 8.
 - (b) Twelve (12) persons who are appointed by Council, but four (4) persons may be nominated for consideration for appointment as follows: one (1) person by the Woodgreen Community Centre; one (1) person by the Jimmie Simpson Recreation Centre; one (1) person by the Toronto Public Library Board; and one (1) person by the South Riverdale Community Health Centre.

D. Commissioner of City Property.

For purposes of §§ 25-7D and F, 25-11D and E and 25-12B, the Commissioner shall be the Commissioner of City Property.

E. Additional regulations.

- (1) Payment of revenue to City.

COMMUNITY AND RECREATION CENTRES

Despite § 25-8E, the Board shall, as soon as possible after the end of each fiscal year, pay to the City any excess of the administrative expenditure funds provided by the City in accordance with its approved annual budget, but may retain any surplus from program activities.

§ 25-32. Applegrove Community Complex (56 Woodfield Road).

A. Statutory authority; name.

- (1) This centre is a community recreation centre under the Community Recreation Centres Act and was established, along with its Committee, by By-law No. 121-83.
- (2) The name of the centre shall be "Applegrove Community Complex."

B. Type of centre; purpose; description of premises.

- (1) The Committee for the Applegrove Community Complex shall manage and control the premises as a community recreation centre.
- (2) The premises shall be the following parts of Nos. 56, 60 and 70 Woodfield Road, the building known as "the new addition to the S.H. Armstrong Recreation Centre," Classroom No. 2 of the Duke of Connaught Public School and the office of Woodfield Road Public School as shown in Schedule "A" to By-law No. 121-83 as amended by By-law No. 211-88.

C. Membership of Committee.

Subject to § 25-5, the Committee shall be composed as follows:

- (1) Total number of members: fourteen (14).
- (2) Composition.
 - (a) The member of Council for Ward 9.
 - (b) Thirteen (13) persons who are appointed by Council, but two (2) members may be nominated for consideration for appointment as follows: one (1) person by the Commissioner of Parks and Recreation and one (1) person by the Board of Education for the City.

*Editor's Note: Copies of these by-laws are available from the City Clerk.

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D. Commissioner of City Property.

For purposes of §§ 25-7D and F, 25-11D and E and 25-12B, the Commissioner shall be the Commissioner of City Property.

E. Additional regulations.

(1) Rules and regulations; fixing of fees.

The Committee may make rules as it considers necessary relating to the management and control of the premises and may fix charges for the use of the premises or any part of the premises as it considers advisable, but the imposition of charges shall not discourage the year-round use of the premises at all reasonable times for the purpose set out in Subsection B.

(2) Maintenance; payment of costs:

(a) Despite § 25-11D, the Board of Education shall provide all maintenance, caretaking, utilities and related services, including, without limiting the generality of the foregoing, heating, as set out in the two (2) leases of the premises, dated the third day of January 1983, between the Board of Education for the City of Toronto and the City, as amended.

(b) The Committee shall be responsible to pay to the Board of Education its proportionate share of all maintenance and its portion of utilities' costs, including, without limiting the generality of the foregoing, heating and caretaking costs, for two (2) additional hours in accordance with the two (2) leases of the premises, dated the third day of January 1983, between the Board of Education for the City of Toronto and the City, as amended.

(3) Payment of revenue to City.

Despite § 25-8E, the Board shall, as soon as possible after the end of each fiscal year, pay to the City any excess of the administrative expenditure funds provided by the City in accordance with its approved annual budget, but may retain any surplus from program activities.

§ 25-33. Central Eglinton Community Centre (168 Eglinton Avenue East).

A. Statutory authority.

The Board for this centre was established by By-law No. 531-88 under the authority of the Municipal Act, R.S.O. 1980.

COMMUNITY AND RECREATION CENTRES

B. Type of centre; purpose; description of premises.

- (1) The Board for the Central Eglinton Community Centre shall manage and control the premises as a community recreation centre.
- (2) The premises shall be the building known municipally as No. 168 Eglinton Avenue East and leased by the City.

C. Membership of Board.

Subject to § 25-5, the Board shall be composed as follows:

- (1) Total number of members: twelve (12).
- (2) Composition.
 - (a) The member of Council for Ward 16.
 - (b) Eleven (11) persons who are appointed by Council.

D. Commissioner of City Property.

For purposes of §§ 25-7D and F, 25-11D and E and 25-12B, the Commissioner shall be the Commissioner of City Property.

E. Additional regulations.

- (1) Provisions of lease to prevail.

The provisions of this chapter that apply to the premises and the Committee shall be subject to the lease dated August 20, 1993 between Coscan Development Corporation and the City.

- (2) Payment of revenue to City.

Despite § 25-8E, the Board shall, as soon as possible after the end of each fiscal year, pay to the City any excess of the administrative expenditure funds provided by the City in accordance with its approved annual budget, but may retain any surplus from program activities.

§ 25-34. 627 Queens Quay West (Harbourfront Community Centre).

A. Statutory authority.

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The Board for this centre was established by By-law No. 405-91 under the authority of the Municipal Act.

B. Type of centre; purpose; description of premises.

- (1) The Board for 627 Queens Quay West shall manage and control the premises as a community recreation centre.
- (2) The premises shall be the land and structures situated at the southeast corner of Queens Quay West and Bathurst Street and known as No. 627 Queens Quay West, Toronto.

C. Membership of Board.

Subject to § 25-5, the Board shall be composed as follows:

- (1) Total number of members: fourteen (14).
- (2) Composition.
 - (a) The member of Council for Ward 5.
 - (b) Thirteen (13) persons who are appointed by Council.

D. Commissioner of City Property.

For purposes of §§ 25-7D and F, 25-11D and E and 25-12B, the Commissioner shall be the Commissioner of City Property.

E. Additional regulations.

- (1) Payment of revenue to City.

Despite § 25-8E, the Board shall, as soon as possible after the end of each fiscal year, pay to the City any excess of the administrative expenditure funds provided by the City in accordance with its approved annual budget, but may retain any surplus from program activities.

§ 25-35. 95 Lavinia Avenue (Swansea Town Hall).

A. Statutory authority.

The Board for this centre was established by By-law No. 496-92 under the authority of the Municipal Act.

COMMUNITY AND RECREATION CENTRES

B. Type of centre; purpose; description of premises.

The Board for 95 Lavinia Avenue shall manage and control the premises as a community recreation centre.

C. Membership of Board.

Subject to § 25-5, the Board shall be composed as follows:

- (1) Total number of members: sixteen (16).
- (2) Composition.
 - (a) The member of Council for Ward 1.
 - (b) Fifteen (15) persons who are appointed by Council, but six (6) persons may be nominated for consideration for appointment as follows: one (1) person from the Swansea Horticultural Society; one (1) person from the Swansea Historical Society; one (1) person from the Swansea Area Ratepayers Association; one (1) person from the Swansea Seniors Association; one (1) person from the Swansea Parks and Recreation Community Centre Advisory Board; and one (1) person from the Board of Directors of the nonprofit housing building at 93 Lavinia Avenue. [Amended 1995-01-17 by By-law No. 1995-0122']

D. Commissioner of City Property.

For purposes of §§ 25-7D and F, 25-11D and E and 25-12B, the Commissioner shall be the Commissioner of City Property.

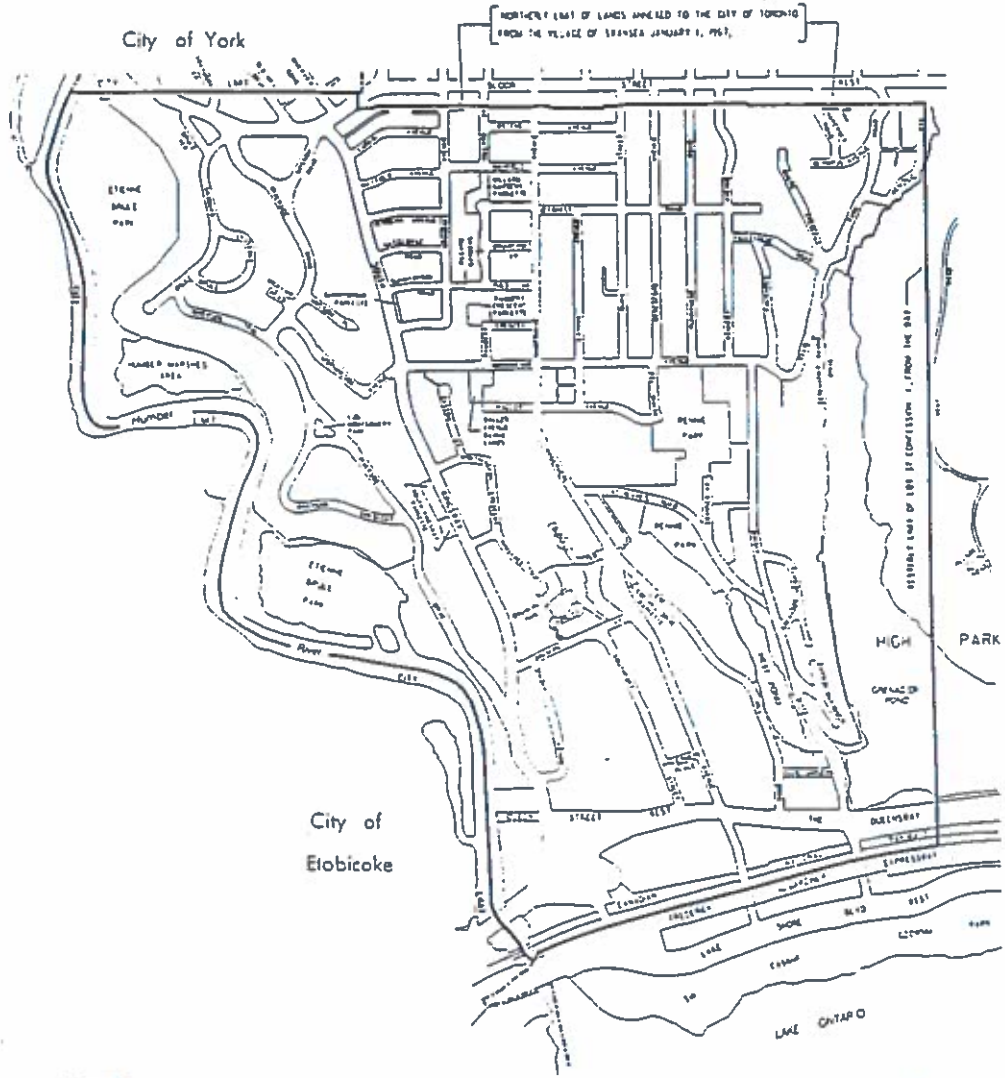
E. Additional regulations.

- (1) Payment of revenue to City.

Despite § 25-8E, the Board shall, as soon as possible after the end of each fiscal year, pay to the City any excess of the administrative expenditure funds provided by the City in accordance with its approved annual budget, but may retain any surplus from program activities.

²Editor's Note: This by-law also deleted Schedule C, Former Village of Swansea, which appeared at the end of this chapter.

SCHEDULE C FORMER VILLAGE OF SWANSEA



FORMER VILLAGE OF SWANSEA



DEPARTMENT OF PUBLIC WORKS
AND THE ENVIRONMENT
SURVEY AND MAPPING SECTION
TORONTO DECEMBER, 1993
FILE: 1304
MAP No's 46H-423, 47H-412
47H-421, 47H-422 DRAWN: M.E.

**Guide To The
City Of Toronto Municipal Code**

**City Clerk's Department
Records and Archives Division
January 19, 1995**

GUIDE TO THE MUNICIPAL CODE

1. Adoption

The Municipal Code was adopted by City Council on October 11, 1994, and comes into force on January 9, 1995 with the following exceptions:

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The Corporation of the City of Toronto Municipal Code may be cited as the City of Toronto Municipal Code, the Municipal Code, or simply the Code.

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In addition, the Zyindex full-text search and retrieval package will be used to allow researchers to quickly locate all references to a particular subject in any chapter of the Code.

3. Structure

A. Parts

Part I, Administrative By-laws, deals with government administration, such as the creation and regulation of departments, and the duties of officials and employees.

Part II, General By-laws, contains regulatory by-laws and generally imposes penalties for violations.

Part III, Traffic and Parking By-laws, is being prepared and will be available for adoption by City Council in 1995.

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By-laws dealing with similar subjects have been codified in one chapter and given a unique number.

Each section number includes the chapter number. For example, § 176-1 references the first section of Chapter 176. Page numbers also include chapter numbers. Page 20 of Chapter 176 is shown as 17620.

The word "chapter" is capitalized only when referring to a specific chapter. With by-laws the reference is to "this by-law" and "By-law No. 122-90". In the Code the reference would be to "this chapter" and "Chapter 146".

C. Articles

Articles are used to separate major subject areas within a chapter. Often they reflect the different by-laws that make up the chapter.

Only the first letter is capitalized in sentences, as in "this Article" and "Article II". Multiple Articles are referenced as in "...the provisions of Articles II and III of this chapter...".

D. Sections

Sections have unique numbers and are used to separate subjects within chapters. The second section of Chapter 176 is referred to as § 176-2.

The symbol "§" in WordPerfect 5.1 is Compose "Ctrl+v" followed by "4,6".

Use "Section" to begin a sentence instead of the symbol "§". Within a sentence use the symbol, as in "Despite § 176-2, ...".

Repeat the "§" symbol to refer to two different sections, as in "Despite §§ 176-2 and 176-5, ...".

E. Subsections

Everything after a section is a subsection, for example § 176-2A, § 176-2A(1), and § 176-2A(1)(a).

Subsections are numbered using the following pattern:

- § -1
- A for the first level of subdivision
- (1) for the second level of subdivision
- (a) for the third level of subdivision
- [1] for the fourth level of subdivision
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Various subsections within a section are cited as in "Despite § 176-5A, B, C, E, and F, ...".

Subsections in two or more different sections are referenced as in "Despite §§ 176-12C, 176-14A and 176-20D...".

Subsections in the same section can be cited as in "Despite Subsection B(1) and (4)...".

Further information on the creation and organization of the Code is provided in the Appendix which contains part of the Preface and Chapter 1 of the Code.

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On January 9, 1995, all references to by-laws contained in the Code should be to the Code chapter instead of the by-law.

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Pagination

A unique page-numbering system has been used, in which each chapter forms an autonomous unit. One hundred pages have been allotted to each chapter, and the first page of each is the number of that chapter followed by the numerals "01." For example, Chapter 9 begins on page 901, Chapter 285 on page 28501, etc. By use of this system, it is possible to add or to change pages in any chapter without affecting the sequence of subsequent pages in other chapters, and to insert new chapters without affecting the existing organization.

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Scheme

The Scheme is the list of section titles which precedes the text of each chapter. These titles are carefully written so that, taken together, they may be considered as a summary of the content of the chapter. Taken separately, each describes the content of a particular section. For ease and precision of reference, the Scheme titles are repeated as section headings in the text.

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Histories

At the end of the Scheme in each chapter is located the legislative history for that chapter. This History indicates the specific legislative source from which the chapter was derived, including the by-law number and the date of adoption. In the case of chapters containing Parts or Articles derived from more than one by-law, the source of each Part or Article is indicated in the History. Amendments to individual sections or subsections are indicated by histories where appropriate in the text.

General References; Editor's Notes

In each chapter containing material related to other chapters in the Municipal Code, a table of General References is included to direct the reader's attention to any related chapters. Editor's Notes are used in the text to provide supplementary information and cross-references to related provisions in other chapters.

Appendix

Certain forms of local legislation are not of a nature suitable for inclusion in the main body of the Municipal Code but are of such significance that their application is community-wide or their provisions are germane to the conduct of municipal government. The Appendix of this Municipal Code is reserved for this type of legislation and for any other material that the City may wish to include.

Index

The Index is a guide to information. Since it is likely that this Municipal Code will be used by persons without formal legal training, the Index has been formulated to enable anyone to locate a particular section quickly. Each section of each chapter has been indexed. The Index will be supplemented and revised from time to time as new legislation is added to the Municipal Code.

Instructions for Amending the Municipal Code

All changes to the Municipal Code, including amendments, deletions or additions, should be adopted as amending the Municipal Code. In doing so, existing material that is not being substantively altered should not be renumbered. Where new sections are to be added to a chapter, they can be added at the end of the existing material (continuing the numbering sequence) or inserted between existing sections as decimal numbers (e.g., a new section between §§ 47-5 and 47-6 should be designated § 47-5.1). New

APPENDIX

chapters should be added in the proper alphabetical sequence in the appropriate division or part (e.g., Part I, Administrative By-laws, or Part II, General By-laws), utilizing the reserved chapter numbers. New chapter titles should begin with the key word for the alphabetical listing. Where a reserved number is not available, an "A" chapter may be used (e.g., a new chapter to be included between Chapters 47 and 48 should be designated Chapter 47A). New Articles may be inserted between existing Articles in a chapter by the use of "A" Articles (e.g., a new Article to be included between Articles XVI and XVII should be designated Article XVIA). The section numbers would be as indicated above (e.g., if the new Article XVIA contains six sections and existing Article XVI ends with § 47-30 and Article XVII begins with § 47-31, Article XVIA should contain §§ 47-30.1 through 47-30.6).

Supplementation

Supplementation of the Municipal Code will follow the adoption of new by-laws. New by-laws or amendments to existing by-laws will be included and repeals will be indicated as soon as possible after passage. Supplemental pages should be inserted as soon as they are received and old pages removed, in accordance with the Instruction Page which accompanies each supplement.

APPENDIX

GENERAL PROVISIONS

Chapter 1

GENERAL PROVISIONS

ARTICLE I

Adoption of Code

- § 1-1. Adoption of Code.
- § 1-2. Code integrates prior by-laws.
- § 1-3. Amendments to Code.
- § 1-4. Code book to be kept up-to-date.
- § 1-5. Altering or tampering with Code; offences.
- § 1-6. Severability.
- § 1-7. Incorporation of provisions into Code.
- § 1-8. When effective.

ARTICLE II

Interpretation

- § 1-9. Applicability.
- § 1-10. Interpretation.
- § 1-11. Severability.

[HISTORY: Adopted by the Council of The Corporation of the City of Toronto: Art. I, 1994-10-11 as By-law No. 1994-0803; Art. II, 1994-10-11 as By-law No. 1994-0682. Amendments noted where applicable.]

ARTICLE I

Adoption of Code

[Adopted 1994-10-11 as By-law No. 1994-0803¹]

§ 1-1. Adoption of Code.

Under section 104 of the Municipal Act, R.S.O. 1990, c. M.45, the by-laws of The Corporation of the City of Toronto of a general and permanent nature adopted by Council, as codified and consolidated into chapters and sections and consisting of Chapters 1 through 350 and attached to this by-law are adopted as "The Corporation of the City of Toronto Municipal Code," which shall be known and may be cited as the "City of Toronto Municipal Code," "Municipal Code" or "Code."

§ 1-2. Code integrates prior by-laws.

This by-law and the Code consolidate and include the provisions of the original by-laws; however, under section 104 of the Municipal Act, the provisions of this Code shall be deemed to have come into force on the day the original by-law came into force, and any conditions precedent or subsequent or the approval of any authority external to Council required by law before the original by-law came into force shall, where the condition was satisfied or approval obtained in respect of the original by-law, be deemed to have been satisfied or obtained in respect of the corresponding provision of the Code.

§ 1-3. Amendments to Code.

- A. Any amendment to the Code, when passed and adopted in a form that indicates the intent of Council to make it a part of the Code, shall be deemed to be incorporated into the Code so that reference to "The Corporation of the City of Toronto Municipal Code" shall be understood and intended to include any amendment.
- B. Whenever any amendment to the Code is adopted, it shall be printed and inserted in the loose-leaf book containing the Code, as an amendment to it.
- C. Any by-law, whether adopted prior to or after the effective date of this by-law, that Council determines is appropriate for inclusion in the Code may be included in the Code under the numbering system established by the Code.

¹ Editor's Note: This by-law was passed under the authority of section 104 of the Municipal Act, R.S.O. 1990, c. M.45.

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GENERAL PROVISIONS

§ 1-7

despite the fact that the by-law was adopted without reference to the Code under a different numbering system.

§ 1-4. Code book to be kept up-to-date.

- A. The Clerk shall keep up-to-date the certified copy of the book containing the Code.
- B. All changes in the Code and all by-laws adopted subsequent to the effective date of this codification which are adopted specifically as part of the Code shall, when finally adopted, be included in it by reference until the changes or new by-laws shall be printed as supplements to the Code book, at which time the supplements shall be inserted in it.

§ 1-5. Altering or tampering with Code; offences.

Any person who improperly changes or amends, by additions or deletions, any part or portion of the Code or any certified copy of it, or alters or tampers with the Code or any certified copy of it, in any manner which will cause the by-laws of The Corporation of the City of Toronto to be misrepresented, is guilty of an offence.²

§ 1-6. Severability.

- A. Each section of the Code and every part of each section is an independent section or part of a section, and the holding of any section or a part of it to be void or ineffective for any cause shall not be deemed to affect the validity of any other sections or parts of sections.
- B. Each section of this by-law is an independent section, and the holding of any section or part of it to be void or ineffective for any cause shall not be deemed to affect the validity of any other sections or parts of sections.

§ 1-7. Incorporation of provisions into Code.

The provisions of this by-law are Article I of Chapter 1 of The Corporation of the City of Toronto Municipal Code.

² Editor's Note: This section was passed under the authority of section 320 of the Municipal Act, R.S.O. 1990, c. M.45, as amended, and, under section 61 of the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended, a person convicted of an offense under this section is liable to a fine of not more than five thousand dollars (\$5,000.).

§ 1-8. When effective.

- A. This by-law shall come into force on January 9, 1995.
- B. Despite Subsection A:
 - (1) Chapter 97 does not come into force until approved by the City Auditor.
 - (2) Article I of Chapter 182 does not come into force until approved by the Ontario Municipal Board.
 - (3) Sections 194-3 and 194-4 do not come into force until the sections are approved by the Ministry of Transportation.
 - (4) Article II of Chapter 241 does not come into force until approved by an Order of the Canadian Transport Commission.
 - (5) Chapter 346 does not come into force until approved by the Minister of Agriculture and Food.

ARTICLE II
Interpretation

[Adopted 1994-10-11 as By-law No. 1994-0682³]

§ 1-9. Applicability.

The provisions in this by-law apply to every by-law passed by The Corporation of the City of Toronto except in so far as any provision:

- A. Is inconsistent with the intent or object of the by-law;
- B. Would give to a word, expression or provision of the by-law an interpretation inconsistent with the context; or
- C. Is in the by-law declared not applicable to it.

§ 1-10. Interpretation.

- A. Definitions.

In every by-law, unless the context otherwise requires, the following terms shall have the meanings indicated:

³ Editor's Note: This by-law was passed under the authority of section 104 of the Municipal Act, R.S.O. 1990, c. M.45.

CHIEF BUILDING OFFICIAL — The Commissioner of Buildings and Inspections of the City of Toronto, or his or her designate.

CITY — The Corporation of the City of Toronto.

COMMISSIONER OF FINANCE — The Commissioner of Finance and City Treasurer.

COMMISSIONER OF PUBLIC WORKS AND THE ENVIRONMENT — The City Engineer and Commissioner of Public Works and the Environment.

COUNCIL — The Council of The Corporation of the City of Toronto.

METROPOLITAN CORPORATION — The Municipality of Metropolitan Toronto.

METROPOLITAN COUNCIL — The Council of the Metropolitan Corporation.

METROPOLITAN ROAD — A road forming part of the Metropolitan road system established under Part VI of the Municipality of Metropolitan Toronto Act.

MONTH — A calendar month.

PERSON — Includes a corporation and the heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to law.

YEAR — A calendar year.

B. Citations.

In every by-law, unless a contrary intention appears:

- (1) A reference to an Act is to an Act in the Revised Statutes of Ontario, 1990.
- (2) A reference to a regulation is to a regulation in the Revised Regulations of Ontario, 1990.
- (3) A reference to a by-law is to a by-law passed or deemed to be enacted by the City.
- (4) Despite Subsection B(1), (2) or (3), a reference to an Act, regulation or by-law is to that Act, regulation or by-law as it is amended or reenacted from time to time.

C. Word usage.

In every by-law, unless the contrary intention appears:

- (1) Words importing the singular number shall include more persons, parties or things of the same kind than one (1), and a word interpreted in the singular number has a corresponding meaning when used in the plural.
- (2) Words used in the past or present tense include the future as well as the past and present.
- (3) The word "shall" shall be construed as imperative and the word "may" as permissive.
- (4) Words importing the masculine gender only include females as well as males and the converse.

D. Construction.

In every by-law, unless the contrary intention appears:

- (1) Whenever an expression of time occurs, the time referred to or intended shall be standard time or daylight saving time, whichever is in effect at the time.
- (2) Words directing or empowering a public officer or functionary to do an act or thing, or otherwise applying to the public officer by his or her name of office, include his or her successors in office and lawful deputy.
- (3) Where reference is made by number or letter to two (2) or more sections, subsections, paragraphs, clauses or other provisions in the by-law, the number or letter first mentioned and the one last mentioned shall both be deemed to be included in the reference.
- (4) Headings and titles.
 - (a) Headings in the body of a by-law form no part of the by-law but shall be deemed to be inserted for the convenience of reference only.
 - (b) Chapter and Article titles, headings and titles of section and other divisions in the Code or in supplements made to the Code are inserted in the Code and may be inserted in supplements to the Code for the convenience of persons using the Code and are not part of the legislation.
- (5) Editor's notes indicating sources of sections, giving other information or referring to the statutes or to other parts of the Code are inserted in the Code and may be inserted in supplements to the Code for the

§ 1-10

GENERAL PROVISIONS

§ 1-11

convenience of persons using the Code and are not part of the legislation.

- E. In this by-law, "Code" means any Municipal Code adopted by The Corporation of the City of Toronto under section 104 of the Municipal Act.

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A chapter-related section-numbering system is employed, in which each section of every by-law is assigned a number which indicates both the number of the chapter in which the by-law is located and the location of the section within that chapter. For example, the first section of Chapter 9 is § 9-1, while the fourth section of Chapter 285 is § 285-4. New sections can then be added between existing sections using a decimal system. For example, if two sections were to be added between §§ 285-4 and 285-5, they would be numbered as §§ 285-4.1 and 285-4.2.

Scheme

The Scheme is the list of section titles which precedes the text of each chapter. These titles are carefully written so that, taken together, they may be considered as a summary of the content of the chapter. Taken separately, each describes the content of a particular section. For ease and precision of reference, the Scheme titles are repeated as section headings in the text.

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Histories

At the end of the Scheme in each chapter is located the legislative history for that chapter. This History indicates the specific legislative source from which the chapter was derived, including the by-law number and the date of adoption. In the case of chapters containing Parts or Articles derived from more than one by-law, the source of each Part or Article is indicated in the History. Amendments to individual sections or subsections are indicated by histories where appropriate in the text.

General References; Editor's Notes

In each chapter containing material related to other chapters in the Municipal Code, a table of General References is included to direct the reader's attention to any related chapters. Editor's Notes are used in the text to provide supplementary information and cross-references to related provisions in other chapters.

Appendix

Certain forms of local legislation are not of a nature suitable for inclusion in the main body of the Municipal Code but are of such significance that their application is community-wide or their provisions are germane to the conduct of municipal government. The Appendix of this Municipal Code is reserved for this type of legislation and for any other material that the City may wish to include.

Index

The Index is a guide to information. Since it is likely that this Municipal Code will be used by persons without formal legal training, the Index has been formulated to enable anyone to locate a particular section quickly. Each section of each chapter has been indexed. The Index will be supplemented and revised from time to time as new legislation is added to the Municipal Code.

Instructions for Amending the Municipal Code

All changes to the Municipal Code, including amendments, deletions or additions, should be adopted as amending the Municipal Code. In doing so, existing material that is not being substantively altered should not be renumbered. Where new sections are to be added to a chapter, they can be added at the end of the existing material (continuing the numbering sequence) or inserted between existing sections as decimal numbers (e.g., a new section between §§ 47-5 and 47-6 should be designated § 47-5.1). New

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chapters should be added in the proper alphabetical sequence in the appropriate division or part (e.g., Part I, Administrative By-laws, or Part II, General By-laws), utilizing the reserved chapter numbers. New chapter titles should begin with the key word for the alphabetical listing. Where a reserved number is not available, an "A" chapter may be used (e.g., a new chapter to be included between Chapters 47 and 48 should be designated Chapter 47A). New Articles may be inserted between existing Articles in a chapter by the use of "A" Articles (e.g., a new Article to be included between Articles XVI and XVII should be designated Article XVIA). The section numbers would be as indicated above (e.g., if the new Article XVIA contains six sections and existing Article XVI ends with § 47-30 and Article XVII begins with § 47-31, Article XVIA should contain §§ 47-30.1 through 47-30.6).

Supplementation

Supplementation of the Municipal Code will follow the adoption of new by-laws. New by-laws or amendments to existing by-laws will be included and repeals will be indicated as soon as possible after passage. Supplemental pages should be inserted as soon as they are received and old pages removed, in accordance with the Instruction Page which accompanies each supplement.

APPENDIX

GENERAL PROVISIONS

Chapter 1

GENERAL PROVISIONS

ARTICLE I

Adoption of Code

- § 1-1. Adoption of Code.
- § 1-2. Code integrates prior by-laws.
- § 1-3. Amendments to Code.
- § 1-4. Code book to be kept up-to-date.
- § 1-5. Altering or tampering with Code; offences.
- § 1-6. Severability.
- § 1-7. Incorporation of provisions into Code.
- § 1-8. When effective.

ARTICLE II

Interpretation

- § 1-9. Applicability.
- § 1-10. Interpretation.
- § 1-11. Severability.

[HISTORY: Adopted by the Council of The Corporation of the City of Toronto: Art. I, 1994-10-11 as By-law No. 1994-0803; Art. II, 1994-10-11 as By-law No. 1994-0682. Amendments noted where applicable.]

ARTICLE I
Adoption of Code
[Adopted 1994-10-11 as By-law No. 1994-0803¹]

§ 1-1. Adoption of Code.

Under section 104 of the Municipal Act, R.S.O. 1990, c. M.45, the by-laws of The Corporation of the City of Toronto of a general and permanent nature adopted by Council, as codified and consolidated into chapters and sections and consisting of Chapters 1 through 350 and attached to this by-law are adopted as "The Corporation of the City of Toronto Municipal Code," which shall be known and may be cited as the "City of Toronto Municipal Code," "Municipal Code" or "Code."

§ 1-2. Code integrates prior by-laws.

This by-law and the Code consolidate and include the provisions of the original by-laws; however, under section 104 of the Municipal Act, the provisions of this Code shall be deemed to have come into force on the day the original by-law came into force, and any conditions precedent or subsequent or the approval of any authority external to Council required by law before the original by-law came into force shall, where the condition was satisfied or approval obtained in respect of the original by-law, be deemed to have been satisfied or obtained in respect of the corresponding provision of the Code.

§ 1-3. Amendments to Code.

- A. Any amendment to the Code, when passed and adopted in a form that indicates the intent of Council to make it a part of the Code, shall be deemed to be incorporated into the Code so that reference to "The Corporation of the City of Toronto Municipal Code" shall be understood and intended to include any amendment.
- B. Whenever any amendment to the Code is adopted, it shall be printed and inserted in the loose-leaf book containing the Code, as an amendment to it.
- C. Any by-law, whether adopted prior to or after the effective date of this by-law, that Council determines is appropriate for inclusion in the Code may be included in the Code under the numbering system established by the Code,

¹ Editor's Note: This by-law was passed under the authority of section 104 of the Municipal Act, R.S.O. 1990, c. M.45.

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despite the fact that the by-law was adopted without reference to the Code under a different numbering system.

§ 1-4. Code book to be kept up-to-date.

- A. The Clerk shall keep up-to-date the certified copy of the book containing the Code.
- B. All changes in the Code and all by-laws adopted subsequent to the effective date of this codification which are adopted specifically as part of the Code shall, when finally adopted, be included in it by reference until the changes or new by-laws shall be printed as supplements to the Code book, at which time the supplements shall be inserted in it.

§ 1-5. Altering or tampering with Code; offences.

Any person who improperly changes or amends, by additions or deletions, any part or portion of the Code or any certified copy of it, or alters or tampers with the Code or any certified copy of it, in any manner which will cause the by-laws of The Corporation of the City of Toronto to be misrepresented, is guilty of an offence.²

§ 1-6. Severability.

- A. Each section of the Code and every part of each section is an independent section or part of a section, and the holding of any section or a part of it to be void or ineffective for any cause shall not be deemed to affect the validity of any other sections or parts of sections.
- B. Each section of this by-law is an independent section, and the holding of any section or part of it to be void or ineffective for any cause shall not be deemed to affect the validity of any other sections or parts of sections.

§ 1-7. Incorporation of provisions into Code.

The provisions of this by-law are Article I of Chapter 1 of The Corporation of the City of Toronto Municipal Code.

² Editor's Note: This section was passed under the authority of section 320 of the Municipal Act, R.S.O. 1990, c. M.45, as amended, and, under section 61 of the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended, a person convicted of an offense under this section is liable to a fine of not more than five thousand dollars (\$5,000.).

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§ 1-8. When effective.

- A. This by-law shall come into force on January 9, 1995.
- B. Despite Subsection A:
 - (1) Chapter 97 does not come into force until approved by the City Auditor.
 - (2) Article I of Chapter 182 does not come into force until approved by the Ontario Municipal Board.
 - (3) Sections 194-3 and 194-4 do not come into force until the sections are approved by the Ministry of Transportation.
 - (4) Article II of Chapter 241 does not come into force until approved by an Order of the Canadian Transport Commission.
 - (5) Chapter 346 does not come into force until approved by the Minister of Agriculture and Food.

ARTICLE II

Interpretation

[Adopted 1994-10-11 as By-law No. 1994-0682³]**§ 1-9. Applicability.**

The provisions in this by-law apply to every by-law passed by The Corporation of the City of Toronto except in so far as any provision:

- A. Is inconsistent with the intent or object of the by-law;
- B. Would give to a word, expression or provision of the by-law an interpretation inconsistent with the context; or
- C. Is in the by-law declared not applicable to it.

§ 1-10. Interpretation.

A. Definitions.

In every by-law, unless the context otherwise requires, the following terms shall have the meanings indicated:

³ Editor's Note: This by-law was passed under the authority of section 104 of the Municipal Act, R.S.O. 1990, c. M-45.

CHIEF BUILDING OFFICIAL — The Commissioner of Buildings and Inspections of the City of Toronto, or his or her designate.

CITY — The Corporation of the City of Toronto.

COMMISSIONER OF FINANCE — The Commissioner of Finance and City Treasurer.

COMMISSIONER OF PUBLIC WORKS AND THE ENVIRONMENT — The City Engineer and Commissioner of Public Works and the Environment.

COUNCIL — The Council of The Corporation of the City of Toronto.

METROPOLITAN CORPORATION — The Municipality of Metropolitan Toronto.

METROPOLITAN COUNCIL — The Council of the Metropolitan Corporation.

METROPOLITAN ROAD — A road forming part of the Metropolitan road system established under Part VI of the Municipality of Metropolitan Toronto Act.

MONTH — A calendar month.

PERSON — Includes a corporation and the heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to law.

YEAR — A calendar year.

B. Citations.

In every by-law, unless a contrary intention appears:

- (1) A reference to an Act is to an Act in the Revised Statutes of Ontario, 1990.
- (2) A reference to a regulation is to a regulation in the Revised Regulations of Ontario, 1990.
- (3) A reference to a by-law is to a by-law passed or deemed to be enacted by the City.
- (4) Despite Subsection B(1), (2) or (3), a reference to an Act, regulation or by-law is to that Act, regulation or by-law as it is amended or reenacted from time to time.

C. Word usage.

In every by-law, unless the contrary intention appears:

- (1) Words importing the singular number shall include more persons, parties or things of the same kind than one (1), and a word interpreted in the singular number has a corresponding meaning when used in the plural.
- (2) Words used in the past or present tense include the future as well as the past and present.
- (3) The word "shall" shall be construed as imperative and the word "may" as permissive.
- (4) Words importing the masculine gender only include females as well as males and the converse.

D. Construction.

In every by-law, unless the contrary intention appears:

- (1) Whenever an expression of time occurs, the time referred to or intended shall be standard time or daylight saving time, whichever is in effect at the time.
- (2) Words directing or empowering a public officer or functionary to do an act or thing, or otherwise applying to the public officer by his or her name of office, include his or her successors in office and lawful deputy.
- (3) Where reference is made by number or letter to two (2) or more sections, subsections, paragraphs, clauses or other provisions in the by-law, the number or letter first mentioned and the one last mentioned shall both be deemed to be included in the reference.
- (4) Headings and titles.
 - (a) Headings in the body of a by-law form no part of the by-law but shall be deemed to be inserted for the convenience of reference only.
 - (b) Chapter and Article titles, headings and titles of section and other divisions in the Code or in supplements made to the Code are inserted in the Code and may be inserted in supplements to the Code for the convenience of persons using the Code and are not part of the legislation.
- (5) Editor's notes indicating sources of sections, giving other information or referring to the statutes or to other parts of the Code are inserted in the Code and may be inserted in supplements to the Code for the

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convenience of persons using the Code and are not part of the legislation.

- E. In this by-law, "Code" means any Municipal Code adopted by The Corporation of the City of Toronto under section 104 of the Municipal Act.

§ 1-11. Severability.

Each section of a by-law is an independent section, and the holding of any section or part of it to be void or ineffective for any cause shall not be deemed to affect the validity of any other sections or parts of it.