

Authority: Board of Management of The 519 Church Street Community Centre Item 12.2 ,
adopted on October 26, 2020

**BOARD OF MANAGEMENT OF THE 519 CHURCH STREET COMMUNITY CENTRE
BOARD OF MANAGEMENT
BY-LAW No. #02 -2020**

**To amend the 519 Church Street Community Centre By-laws/Constitution to enable
remote electronic participation in board meetings.**

WHEREAS the Board of Management of The 519 Church Street Community Centre (the "Board") is a city board and local board of the City of Toronto continued under the authority of section 141 of the *City of Toronto Act, 2006* ("COTA"), former City of Toronto Municipal Code Chapter 25, Community and Recreation Centres and former City of Toronto by-law No. 263-75; and

WHEREAS subsection 189(2) of COTA requires that the Board pass a procedure by-law for governing the calling, place and proceedings of meeting; and

WHEREAS the Board adopted its By-laws/Constitution, last amended in April 2010, to govern the calling, place and proceedings of the Board's meetings; and

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

WHEREAS on July 21, 2020, Bill 197, *COVID-19 Economic Recovery Act, 2020* ("Bill 197"), was enacted by the Legislative Assembly of Ontario and received Royal Assent; and

WHEREAS Bill 197 amended COTA to state that a procedure by-law of a local board may provide that a member a local board or a local board's committees can participate electronically in a meeting to the extent and in the manner set out in the by-law; and (a) a member of a local board who is participating electronically in a meeting may be counted in determining whether or not a quorum of members is present at any point in time; and (b) a member of a local board can participate electronically in a meeting that is closed to the public; and

WHEREAS Bill 197 further amended COTA to state that a local board may hold a special meeting to amend its procedure by-law for the purposes of permitting electronic participation in meetings as described above and a member participating electronically in such a special meeting may be counted in determining whether or not a quorum of members is present at any time during the meeting; and

WHEREAS Article X of the Board's By-laws/Constitution requires that the By-laws/Constitution shall be amended only by a two-thirds majority vote of the members present in person at the Annual Meeting or any Special Meeting and only after the provision of notice for such an amendment; and

WHEREAS Bill 197 takes priority over the procedural requirements of Article X of the

Board's By-laws/Constitution by allowing for procedural by-laws of local boards to be amended at a special meeting of the Board at which electronic participants are counted toward determining quorum; and

WHEREAS the amendments contained in this by-law will be reported to the next Annual Meeting or Special Meeting in accordance with Article X of the Board's By-laws/Constitution; and

WHEREAS the Board has authorized amendments to its By-laws/Constitution to enable remote electronic participation in Board meetings in accordance with the provisions of Bill 197;

The Board of Management of The 519 Church Street Community Centre enacts:

- 1.** The 519 Church Street Community Centre By-laws/Constitution is amended as follows:
 - A. Article IV is amended by adding a new section 8 as follows:
 - 8) At the direction of the Chair:
 - a) An Annual Meeting or special meeting of the Membership may be held during the period until one year following the later of the termination of the Provincial emergency or the termination of the municipal emergency related to COVID-19 where the Membership participate electronically and a physical meeting may not be held.
 - b) Where a meeting is being held in accordance with subsection a):
 - i. notice of that meeting may not be posted at The 519, but will be posted on The 519's website and the Membership will be additionally notified through electronic notice;
 - ii. any Member participating in the meeting electronically will be deemed present for the purposes of quorum under section 6 and will have the right to vote where eligible under section 7; and
 - iii. the By-laws of The 519 will apply to the meeting, with any other minor modifications as may be required.
 - B. Article V, Section 8 is amended by deleting subsection e) and replacing it as follows:

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- e) At the direction of the Chair:
- i. The Board may, despite subsection 8 a), hold a meeting during the period until one year following the later of the termination of the Provincial emergency or the termination of the municipal emergency related to COVID-19 where some or all of the Board members participate electronically and a physical meeting may not be held at 519 Church Street.
 - ii. Where a meeting is being held in accordance with subsection i):
 - A) notice of that Board meeting may not be posted at The 519, but, despite subsection 8 b), will be posted on The 519's website;
 - B) any Board member participating in the meeting electronically will be deemed present for the purposes of quorum under section 9 and will have the right to vote on any business before the Board under section 10;
 - C) any Board member participating in the meeting electronically will be entitled to participate in any portion of the meeting closed to the public in accordance with section 8; and
 - D) the By-laws of The 519 will apply to the meeting, with any other minor modifications as may be required.
- C. Article VII, Section 5 is amended by deleting subsection d) and replacing it as follows:
- d) At the direction of the Chair:
- i) A Committee of the Board may, despite subsection 5 a), hold a meeting during the period until one year following the later of the termination of the Provincial emergency or the termination of the municipal emergency related to COVID-19 where some or all of the members of the committee participate electronically and a physical meeting may not be held at 519 Church Street.
 - ii) Where a meeting is being held in accordance with

subsection i):

- a) notice of that Committee meeting may not be posted at The 519, but, despite subsection 5 b), will be posted on The 519's website;
- b) any Committee member participating in the meeting electronically will be deemed present and will have the right to vote on any business before the Committee under section 7;
- c) any committee member participating in the meeting electronically will be entitled to participate in any portion of the meeting closed to the public; and
- d) the By-laws of The 519 will apply to the meeting, with any other minor modifications as may be required.

D. Article X is amended by deleting section 4 and replacing it as follows:

- 4) Despite sections 1 and 2, where a special meeting of the Board is held under subsection 189(4.3) of the *City of Toronto Act, 2006* to amend the By-laws of The 519 to allow for electronic participation in Board meetings, such amendments may be adopted at such a special meeting under that section and not at an Annual Meeting or Special Meeting or as otherwise required in this Article.

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

Enacted and passed on **October 26**, 2020.

Chair