

But I haven't heard, and we didn't have the opportunity to get it from the minister, and maybe we could, Madam Chair, with your indulgence, ask the parliamentary assistant if he could comment on why the land transfer tax is not included in the list of what can't be done. It would seem to me that it's a provincial tax and it wouldn't even be applicable. But why is it not mentioned when there's so much concern about it?

The Chair: Are there no questions for this delegation?

Mr. Hardeman: No. It's actually to the parliamentary assistant.

The Chair: But are there no questions? I'll let this delegation go if your question is only to the parliamentary assistant.

Mr. Hardeman: Actually, the question is so the delegation can hear it, because one of their number one concerns is why that hasn't been excluded, and I would like to hear it from the—or maybe the government feels that it doesn't need to be excluded because they can't do it.

Mr. Duguid: I think the key to the consideration of revenue tools for the city of Toronto was to start off with a permissive approach. That was really the theme behind what we were trying to do. In doing that, there are certain areas that we felt that we wanted to ensure they were not, at this time at least, going to utilize. That would be income tax, sales tax—with the exception of tobacco, alcohol and entertainment—and I believe gas tax, and there was capital tax. There were a few things that we'd included that we exempted.

We wanted to leave it as open as possible so that the city of Toronto would have the same tools or similar tools that other cities its size internationally have. That doesn't mean they're going to utilize each and every one of these tools. We've heard no indication from the city that they're interested in the land transfer tax. Maybe they are; maybe they're not. We haven't had any indication that that's the case. But we want to leave it as permissive as possible so the city, in their due consideration and in full consultation with their community, can decide what's appropriate for the city of Toronto. We think they're in the best position to make those judgments.

The Chair: Thank you very much for being here today. We appreciate your coming out.

CHRIS SELLORS

The Chair: Our next delegation is Michael Walker, councillor of ward 22. I understand he's not here today, but his executive assistant is here with a presentation. Welcome. Can I get your name for the purposes of Hansard?

Mr. Chris Sellors: Chris Sellors, executive assistant to Councillor Michael Walker.

The Chair: I understand you have a DVD and a presentation. Is that right?

Mr. Sellors: Yes. I was told that I'm to give AV the signal. It's just going to be, if you see my written submission, just into the text.

The Chair: Okay. You understand that you have 15 minutes, and following your presentation, should there be time left over, we'll be able to ask you questions.

Mr. Sellors: Great. Thank you.

My name is Chris Sellors, and I am the executive assistant to Toronto city councillor Michael Walker, St. Paul's, which is in the centre of the city and incorporates part of midtown and north Toronto. I am here on the councillor's behalf as he is unable to appear before you today due to illness.

I would like to thank all the members for the opportunity to address this committee regarding this most important piece of legislation, the new City of Toronto Act. I will focus most of my comments upon the sections of the legislation concerning the governance of the city, how the regulations would radically change the way city council operates and how city council as a whole represents the wishes of the citizens of Toronto.

I would like to start with a video of former mayor David Crombie making a deputation to the mayor's policy and finance committee last November on the governance changes to city council as proposed in Bill 53, particularly the regulations in section 151. As you will gain from his deputation, this former mayor, one of the city's best, strongly recommends against the "strong mayor" model and the executive committee as proposed. Former mayor Crombie's comments echo Councillor Walker's sentiments as well as my own.

You can start the video now.

Video presentation.

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Mr. Sellors: Thank you. To continue, on April 4 David Crombie addressed the city again on this issue by appearing before community council. His comments were the same, imploring us not to employ this model. Former mayor John Sewell and many others have appeared before the city on this issue. Consistently, the public agrees that changes are needed to improve the efficiency of city council but not in this way. In the words of University of Western Ontario political science professor Andrew Sancton:

"This proposed version of the 'strong mayor' will not work—it is a mishmash of the administrations of some large American cities (such as New York or Chicago)—but it won't work. In order to work, the executive branch and the council branch need to be in separated spheres of control, otherwise the system does not have the proper checks and balances to provide transparency and accountability to the governed. The role of councillor would be diminished and power would be centralized in the mayor's office, thereby reducing the opportunity for local citizen input through their local councillor in the name of the city-wide plan of the mayor."

Professor Sancton was part of a ward-wide meeting Councillor Walker had with residents to discuss this proposal; 150 residents were in attendance, with all but one speaker against the "strong mayor" proposal.

In St. Paul's, the area Councillor Walker represents, the municipal election vote result for the current mayor

was barely 2% more than the runner-up, which does not give a clear mandate of support for the platform of the current mayor, whereas the municipal election vote result for Councillor Walker was 83% in favour of his reelection. Under this governance model, in section 151, the people of St. Paul's would see a reduced role for their representative at city hall, for whom they voted with such majority and trust. This is counterintuitive to the thinking of many residents of St. Paul's, who are some of the best-educated electors in the country.

Democracy is expensive. Democracy is hard to control, is unpredictable and messy. Well, if we want to ultimately streamline decision-making and run our city without the appropriate input from our residents, then we should choose the big vision over the local perspective. Then we would be choosing the "strong mayor" model. This model's ways of empowering the mayor and disempowering council are insulting to the citizens of Toronto, who have been crying out in the last 10 years—especially the last 10 years—for an increased level of meaningful public consultation on all issues, big and small. This governance model is not what our residents asked for, and there has not been enough consultation to tell what our residents want.

All through Bill 53 there are instances where the minister can usurp the power of the city and impose measures not requested by the city. In this way, Bill 53 is only a smoke-and-mirrors fulfillment of the basic touchstones of autonomy for a would-be mature level of government. The autonomy of the city of Toronto is at stake here. When the discussion around the City of Toronto Act began in 2003, the city consistently voiced its need to rule its own house by making its own decisions, with the ability to collect and spend revenue as it needs to. Bill 53 seems to do this, but it does not.

I should say, there are parts of this proposed legislation that, with refinement, will be improvements to city council's control over its own. Some of the positive elements in this legislation are:

(1) The power to create our own binding lobbyist registry, section 164. Thank you. We've been waiting. The city passed a draft bylaw for its own lobbyist registry in 2003 after a motion by Councillor Walker in January of 2002. It was actually seconded by the mayor, then a councillor at that time. Thank you for finally giving the city the power to observe lobbyist activity with the same scrutiny as the provincial and federal governments.

(2) The power to create corporations under the management of the city of Toronto. This will be useful for the sustainability of our cultural attractions, like Casa Loma, for example, which need the power to raise funds on an ongoing and sustainable basis.

(3) Land use planning, section 111, the power to prohibit and regulate the demolition and conversion of rental housing units. This has been requested for years because we are quickly losing our stock of affordable rental housing in Toronto. Thank you for that one, too.

(4) Land use planning, section 114, subsection (6), paragraph 3—site plan control. Increased power over the

site plan of a proposed development is needed, although, in paragraph 3, the act excludes the city from controlling "the manner of construction and construction standards." The city should have the power to control the manner of construction in order to protect the quality of life of its citizens. For example, if the city had this power when the Minto development—you've all heard of that—at Yonge and Eglinton started, it may have been possible to stop the strong vibrations caused by excavation that negatively affected businesses and residents, damaged property and caused great discomfort to our residents.

(5) Land use planning, section 115—appeals of minor variance applications will now be heard by an appointed citizen-member panel, arm's length from city council. This is in the right direction. This will increase the city's control, but the legislation makes no mention of the funding for this new body. Effectively, this cost will be downloaded to the city. Another problem with this scheme is the fact that minor variances are heard by an appointed citizen-member panel in the first place, currently. How would another citizen-member appeal body have the authority to overturn the first decision made by a citizen-member body? City council or community council should be the body that hears appeals of minor variance applications. With some refinement, these aspects of the legislation will aid the city.

To return to my main points, the "strong mayor" proposal contained in Bill 53 is wrong for Toronto, and the power of the minister to impose this system on the city should be removed. The city should be given the power to choose its governance model and not forced into something it did not ask for. A strong city is a supremely democratic city, and parts of this bill will reduce the level of democracy.

Thank you for your attention.

The Chair: You've left nine seconds. Thank you very much for being here today.

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ONTARIO HOME BUILDERS' ASSOCIATION

The Chair: Our next delegation is the Ontario Home Builders' Association. Welcome. If you're both going to speak, identify yourselves and the organization you speak for before you begin. When you do begin, you will have 15 minutes. If you leave some time, we'll be able to ask you some questions. I believe we have your presentation here.

Mr. Victor Fiume: Thank you. Madam Chair, members of the committee, good afternoon; actually, it's close to good evening. My name is Victor Fiume, and I have with me Michael Collins-Williams, from the Ontario Home Builders' Association. I am the president of that association. I've also served as president of the Durham Region Home Builders' Association, and I'm an observer member on the board of directors at the Tarion Warranty Corp. I've been involved in the residential construction industry for two decades, and I'm the general manager of