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CHAPTER 27, COUNCIL PROCEDURES

**Chapter 27**

**COUNCIL PROCEDURES**

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**[History: Adopted by the City Council of the City of Toronto September 27, 2006 by By-law 1045-2006.<sup>1</sup> Amendments noted where applicable.]**

**General References**

*City of Toronto Act, 2006* - See S.O. 2006, c. 11.

*Health Protection and Promotion Act* - See R.S.O. 1990, c. H.7.

*Municipal Conflict of Interest Act* - See R.S.O. 1990, c. M.50

*Municipal Elections Act, 1996* - See S.O. 1996, c. 32.

*Municipal Freedom of Information and Protection of Privacy Act* - See R.S.O. 1990, c. M.56

*Planning Act* - See R.S.O. 1990, c. P.13

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<sup>1</sup> Editor's Note: This by-law was passed under the authority of subsection 238(2) of the *Municipal Act, 2001* (S.O. 2001, c. 25) and subsection 189(2) of the *City of Toronto Act, 2006* (S.O. 2006, c. 11). This by-law repealed former Ch. 27, Council Procedures, adopted February 6, 1998 by By-law 23-1998, as amended. This by-law comes into force December 1, 2006, with the exception of §§ 27-42 and 27-62A(6), which came into force on the date of proclamation of the *City of Toronto Act, 2006*, which was January 1, 2007.

## Article I

### Interpretation

#### § 27-1. Definitions.

ACT - The *City of Toronto Act, 2006*.

ADJOURN - End a meeting.

ADMINISTRATIVE INQUIRY - A Council member's inquiry seeking information relating to City business.

AGENCY - An agency, board, commission, or corporation of the City (including administrative, and quasi-judicial bodies), which have a legislative basis in a provincial statute or a municipal by-law.

BILL - A draft or proposed form of by-law.

BOARD OF HEALTH - An agency established under the *Health Protection and Promotion Act*.

CALL A MEMBER TO ORDER - Identifying a member by name, and requesting that member to refrain from his or her current behaviour and to behave in accordance with the procedures by-law.

CHAIR - The person presiding at a meeting.

CHIEF FINANCIAL OFFICER - The Deputy City Manager and Chief Financial Officer.

CHIEF PLANNER - The Chief Planner and Executive Director of City Planning.

CITY OFFICIAL -

- A. The City Manager, a Deputy City Manager, the Chief Financial Officer, the Treasurer, and the Chief Corporate Officer;
- B. The Auditor General, the Clerk, the City Solicitor, and the Medical Officer of Health; and
- C. Any general manager, director, or executive director reporting to any of the positions in Subsection A.

CLERK - The Clerk of the City of Toronto.

CLOSED MEETING - A meeting, or part of a meeting, that is closed to the public under conditions described in the Act and the procedures by-law.

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COMMITTEE - An advisory or other committee, subcommittee or similar group of which at least 50 per cent of the committee members are also Council members or members of local boards, other than the Police Services Board or the Toronto Public Library Board.

COMMITTEE MEMBER - A member of a committee.

COMMITTEE OF THE WHOLE - A quorum of the Council members present sitting as a committee of the whole Council.

COMMUNITY COUNCIL - A Council Committee whose members represent the wards from a particular geographical area. The Community Councils are set out in Appendix B-III.

CONFIRMATORY BILL - A bill that when passed gives general effect to a previous Council decision or Council proceedings.

CONTINUED MEETING - A Council meeting held the day after a Council meeting's last scheduled day to consider unfinished business from that meeting. A continued meeting is part of the Council meeting it is continuing.

COUNCIL CHAIR - The person presiding at a Council meeting, or the Mayor when no Council meeting is in session.

COUNCIL COMMITTEE - A committee of Council members that Council establishes and that reports directly or indirectly to Council. The Executive Committee, Standing Committees, Community Councils, Special Committees, and subcommittees are all examples of Council Committees.

COUNCIL MEMBER - An elected or appointed member of Council.

DELEGATED MATTER - A matter for which Council has delegated the final decision making to a Council Committee under Article XVIII. **[Added 2007-03-06 by By-law 176-2007]**

DEPUTY MAYOR - Any Council member the Mayor appoints as Deputy Mayor to assist him or her, including one individual appointed by the Mayor as First Deputy Mayor to act as Mayor when the Mayor is absent from the City or due to illness or when the office of Mayor is vacant. Any reference to Deputy Mayor in a City by-law other than this definition is a reference to the First Deputy Mayor. **[Amended 2014-12-11 by By-law 76-2015]**

EMERGENCY - A situation, or the threat of a situation, adversely affecting property, health, safety or welfare, which by its nature and seriousness requires an immediate, co-ordinated, and controlled response.

EXECUTIVE COMMITTEE - The Council Committee as set out in Appendix B-I.

FIRST MEETING - The first Council meeting after a regular election.

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**INFORMATION REPORT** - A City official's report that advises and informs without recommending.

**MAYOR** - The head of Council.

**MAYOR'S KEY MATTERS** - Matters the Mayor identifies for priority debate under § 27-57C.

**MEETING** - Any regular, special, or other meeting of Council, a committee, or an agency.

**MEMBER** - A Council member or a committee member.

**MOTION** - A member's formal proposal that Council or a committee take certain action.

**MOTION TO AMEND** - A motion to vary the main motion before Council or a committee.

**MOTION TO DEFER** - A motion to delay a decision on a matter by postponing consideration of the matter:

- A. Indefinitely;
- B. Until, or within, some specified time or time period;
- C. Until a specified event happens; or
- D. Until a report or communication is presented.

**MOTION TO END DEBATE** - A motion to stop all debate on a matter, and to vote on the matter immediately.

**MOTION TO EXTEND DEBATE** - A motion to extend debate on a matter by extending the number of times a member may speak on the matter, or by extending the time allotted to each member to speak on the matter.

**MOTION TO LIMIT DEBATE** - A motion to restrict debate on a matter by reducing the time for the debate on the matter, or by reducing the time allotted to each member to speak on the matter.

**MOTION TO RECEIVE FOR INFORMATION** - A motion to acknowledge a matter or part of a matter including the main motion or amendment, to take no current action on the matter, and to place the matter in the Clerk's records for future reference.

**MOTION TO REFER** - A motion to send a matter, including a main motion or amendment, to a committee, agency or person for more information or recommendation.

**MOTION WITHOUT NOTICE** - A motion to introduce new business for which no notice has been given.

**NON-STATUTORY HEARING** - A public hearing on a matter for which no statute requires that a hearing be held.



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**NOTICE OF MOTION** - A motion to introduce new business for which notice is considered to have been given.

**ORDER PAPER** - An agenda, program, or order of business adopted by Council under § 27-53.

**POINT OF ORDER** - Bringing to the attention of the Chair and Council members that a person has broken a rule or made an error in procedures and asking that the Council meeting follow the rules or that the error in procedure be corrected.

**POINT OF PRIVILEGE** - A request to the Chair and to Council to immediately consider and take action to remedy a situation negatively affecting the rights or privileges of Council members or of Council as a whole, despite other pending business currently before Council.

**PROCEDURES BY-LAW** - This Council procedures by-law as set out in this chapter.

**PUBLIC ADVISORY BODY** - Any advisory body, roundtable or other body Council establishes to advise on specific areas of interest, with members of the public making up more than 50 per cent of the membership and Council members or other elected officials making up the rest. Agencies are not public advisory bodies. Public advisory bodies follow Council's Simplified Rules of Procedures.

**PUBLIC PETITION** - A communication from more than one member of the public which complies with § 27-22B.

**PUBLIC PRESENTATION** - An appearance before a Committee by any member of the public to speak to a matter before the Committee in accordance with the procedures by-law.

**QUORUM** - The number of members to be present at a meeting to legally conduct business at the meeting.

**RECESS** - A temporary break in a meeting.

**RECONVENED MEETING** - A Council meeting held before the next Council meeting to consider unfinished business from the last meeting.

**RECORDED VOTE** - A vote for which the Clerk records all members present and how they voted.

**REGULAR ELECTION** - Regular election held under the *Municipal Elections Act, 1996*.

**REPORT** - A City official's report that makes recommendations to a committee or to Council.

**ROBERT'S RULES OF ORDER** - The most current edition of "Robert's Rules of Order, Newly Revised".

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**RULING** - The Chair's interpretation of the procedures by-law to settle a procedural matter. Such an interpretation is more than a simple restatement of the relevant by-law provisions and explains how the rule applies to the matter.

**SERGEANT-AT-ARMS** - The City's Chief of Security, or his or her designate.

**SPEAKER** - A Council member that Council elects, with the consent of the Mayor, to preside at Council meetings as set out in § 27-42A.

**SPECIAL COMMITTEE** - The Council Committees set out in Appendix B-II.

**SPECIAL MEETING** - A Council or committee meeting other than a regular meeting, a continued meeting, or a reconvened meeting, called in accordance with the rules of the procedures by-law.

**STANDING COMMITTEE** - The Council Committees set out in § 27-126B.

**STATUTORY HEARING** - A public hearing on a matter for which a statute requires that a public hearing be held.

**SUBCOMMITTEE** - A committee established by a Council Committee or the Board of Health, composed only of some of the members of the establishing committee, that is given a specific task and required to report on that specific task.

**TAKE NOTE AND FILE** - A decision by a Council Committee to not make recommendations to Council on a matter until a later time because the Council Committee needs more time to consider the matter.

**URGENT MATTER** - A matter that relates to a significant emergency health or safety matter, or relates to a significant financial, legal, or contractual deadline before the next Council meeting.

## **Article II**

### **Principles and Purpose**

**§ 27-2. Purpose.**

The procedures by-law establishes:

- A. The rules for all Council and committee meetings; and
- B. The Council Committees.

**§ 27-3. Principles of the procedures by-law.**

- A. The following members' rights are the principles upon which the procedures by-law is based:
  - (1) The majority of members have the right to decide;
  - (2) The minority of members have the right to be heard;
  - (3) All members have the right to information to help make decisions, unless otherwise prevented by law;
  - (4) Members have a right to an efficient meeting;
  - (5) All members have the right to be treated with respect and courtesy; and
  - (6) All members have equal rights, privileges and obligations.
- B. The procedures by-law is interpreted in accordance with the principles set out in Subsection A.

## **Article III**

### **Application and Interpretation**

**§ 27-4. What rules have priority in by-law conflicts.**

In the case of a conflict, the procedures by-law has a higher priority than any other City by-law or Municipal Code Chapter, and will apply to the extent of any conflict.

**§ 27-5. Interpreting the procedures by-law.**

A specific statement or rule has greater authority than a general one. Headings are only for reference purposes.

**§ 27-6. Parliamentary authority.**

**A. Chair to rule on conflicting rules and when there is no rule.**

If there is a conflict between two or more rules in this procedures by-law, or if there is no specific rule on a matter, the Chair will rule.

**B. Chair's use of Robert's Rules of Order.**

The Chair, consulting with the Clerk, may use Robert's Rules of Order as an aid in ruling under Subsection A.

**C. Chair may use practices and precedents.**

The Chair may use Council's practices and former decisions, including previous rulings, in applying these rules and in making rulings.

**§ 27-7. Criteria for suspending rules and substituting special rules.**

**A. Subject to Subsection C, Council may suspend any rule in the procedures by-law and may replace it with a special rule if:**

- (1) It has given notice at a previous Council meeting or has given notice and considered it at a Council Committee meeting; and
- (2) The suspension is only for a defined period.

**B. Any special rules adopted under Subsection A are considered part of the procedures by-law.**

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C. Council cannot suspend the following rules:

- (1) Amending the procedures by-law, § 27-9;
- (2) Quorum necessary for Council and committee meetings, § 27-35;
- (3) Meetings open to the public, § 27-37;
- (4) Closed meetings, § 27-38; [Amended 2007-03-06 by By-law 176-2007]
- (5) Rules for speaking, § 27-92; [Amended 2007-03-06 by By-law 176-2007]
- (6) Delegation of authority, § 27-149; and [Added 2007-03-06 by By-law 176-2007]
- (7) Reopening and reconsidering decisions, § 27-150. [Added 2007-03-06 by By-law 176-2007]

**§ 27-8. Waiver of rules.**

A. **Two-thirds vote required to waive rules.**

Subject to Subsection B, a motion to waive one of the procedures by-law's rules on a one time basis will pass if two-thirds of the Council members present vote for it.

B. **Rules that cannot be waived.**

Council cannot waive the following:

- (1) Waiver of rules, two-thirds vote required to waive rules, Subsection A;
- (2) Amending the procedures by-law, § 27-9;
- (3) First meeting, no new business, § 27-24C;
- (4) No new business in special meetings, § 27-31;
- (5) Quorum necessary for Council and committee meetings, § 27-35;
- (6) Meetings open to the public, § 27-37;
- (7) Closed meetings, § 27-38;
- (8) Notices of motion, § 27-64;

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- (9) Motions without notice, § 27-65;
- (10) Questioning, time for question and answers to committee or agency Chairs, and to City or agency officials, § 27-89D;
- (11) Questioning, timing and time limits for questions to the Mayor, § 27-89E;
- (12) Questioning, time for questions and answers of previous Speaker, § 27-89H; **[Amended 2007-03-06 by By-law 176-2007]**
- (13) Subject to §§ 27-79B(1)(b), 27-79B(1)(c) and 27-80B(1)(b) Rules for speaking, § 27-92; and **[Amended 2007-03-06 by By-law 176-2007]**
- (14) Delegation of authority, § 27-149; and **[Added 2007-03-06 by By-law 176-2007]**
- (15) Reopening and reconsidering decisions, § 27-150. **[Added 2007-03-06 by By-law 176-2007]**

**§ 27-9. Amending the procedures by-law.**

**A. Two-thirds vote required.**

To pass a motion to amend or repeal the procedures by-law requires a two-thirds vote of the Council members present.

**B. Notice to be given at a previous Council meeting or by Council Committee consideration.**

Council will only consider amendments or repeal of the procedures by-law at a Council meeting if:

- (1) A previous Council meeting received notice of the proposed amendment or repeal; or
- (2) A Council Committee had already considered the amendment or repeal.

**§ 27-10. Majority vote required is default.**

Unless the procedures by-law specifies otherwise, a matter passes when a majority of members present vote for it.

## **Article IV**

### **Public Participation**

**§ 27-11. Principles of public participation.**

The public has the right to participate in the decision-making process by writing to Council or committee, by submitting a public petition, or by making a public presentation, as the procedures by-law describes.

**§ 27-12. Public presentations to committees.**

- A. The public may make a public presentation to committee meetings, including meetings of committee of the whole, as described in the procedures by-law.
- B. The public may not make public presentations to a Council meeting, unless required by legislation.
- C. Unless a committee decides otherwise, the public may make a public presentation only to the one committee with a mandate related to the public presentation.

**§ 27-13. Invited and other public presentations to a committee.**

- A. A committee may invite specific persons, experts, organizations, or groups to make a public presentation to it on any matter within its mandate.
- B. Subject to § 27-14, § 27-15 and § 27-23, any person may:
  - (1) Attend any committee meeting open to the public;
  - (2) Make a public presentation on a matter on that committee meeting's agenda; and
  - (3) In presenting as described in Subsection B(2), represent himself or herself, an organization, or a group.

**§ 27-14. Restrictions on public presentations on information reports.**

The public may only make public presentations on information reports if, at a previous committee meeting, a committee has given notice of its intention to hear public presentations on that information report.

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**§ 27-15. General rules for public presentations to a committee.**

**A. Presenters to register notice of intention to present.**

The procedures for a person, organization or group wishing to make a public presentation about a committee agenda matter is to:

- (1) Register a notice of their intention to make a public presentation with the Clerk by regular mail, e-mail, fax, telephone or in person; and
- (2) Do so by 12:00 p.m. of the business day immediately before the committee meeting day.

**B. Language and procedures for public presentations.**

Public presenters to committees must:

- (1) Not speak disrespectfully about anyone;
- (2) Not use offensive language;
- (3) Speak only about the subject on which the committee invited them to make a public presentation; and
- (4) Obey the procedures by-law and any Chair's ruling.

**C. Time allotted for public presentations.**

Unless the committee decides otherwise, a public presentation has a five-minute limit.

**D. Use of translators not counted in public presenters' time limits.**

A person making a public presentation may use a translator, and the translation time does not count towards the five-minute limit.

**E. Members' right to question presenters.**

Council members who are not members of the committee may question any person making a public presentation.



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**§ 27-16. Rules for motion to defer if persons intend to present.**

If a committee member intends to make a motion to defer a matter, and if persons who have given notice of their intention to make public presentations about the matter are present, then:

- A. The committee member makes the motion to defer as soon as possible; and
- B. The committee votes on the motion immediately after.

**§ 27-17. Procedures for non-statutory hearings.**

The following procedures apply to non-statutory hearings:

**A. Introduction of subject matter.**

The Chair introduces the matter before the committee.

**B. Presentation by public who register notice of intention to present.**

The committee hears public presentations from everyone who has registered a notice of intention to make a public presentation on the matter before the committee.

**C. Five minutes for a member's questions to a public presenter.**

After the public presentation, a committee member and any other Council member present at the committee meeting may ask the presenter any relevant questions for up to five minutes.

**D. Chair asks if others wish to speak.**

After the committee has heard all presenters who had registered a notice of intention to make a public presentation on a matter, the Chair asks if there are other persons who wish to make a public presentation on the matter.

**E. Committee to decide whether non-registered public presenters may speak.**

Despite § 27-15A, if other persons present wish to make a public presentation, the committee may hear from them.

**F. Member questions to City officials.**

After the committee hears all public presentations related to the matter, a committee member and any other Council member present at the committee meeting may ask City officials questions on the matter, subject to § 27-89D.

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**G. Committee options on considering the matter.**

After hearing all public presentations on the matter and asking any related questions, the committee may immediately consider the matter or defer considering it to a future committee meeting.

**H. Committee members speak last.**

Council members who are not members of the committee speak first on the matter.

**I. After debate, the committee votes.**

After the committee debates the matter, the committee Chair puts the matter to a vote.

**§ 27-18. Committee's right to change the rules for public presentations on non-statutory hearings.**

Despite § 27-17, for non-statutory hearings, the committee may decide to:

- A. Request the presenter to file with the Clerk an outline of the public presentation after the presenter has made the public presentation;
- B. Alter the order of hearing public presentations;
- C. Subject to § 27-16, defer hearing a public presentation to a future committee meeting;
- D. Hear together all public presentations from one person or from one group on all matters that person or group intends to present on;
- E. Hear public presentations from only one person representing a group or one side of an issue; or
- F. Any combination of the decisions in Subsections A to E.

**§ 27-19. Statutory hearings.**

**A. Delegating a statutory hearing.**

Council may delegate to a committee the power to conduct a statutory hearing, if legislation allows Council to do so.

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**B. Rules for statutory hearings.**

- (1) The procedures set out in § 27-17 apply to statutory hearings, with the exception of § 27-17E.
- (2) If other persons present wish to make a public presentation at a statutory hearing, the committee must hear from them.

**§ 27-20. Chair may end public presentations.**

**A. Reasons for ending public presentations are disorder or not following rules.**

The Chair may end a public presentation if there is disorder or a failure to follow these rules.

**B. Consequences of Chair's decision to end a presentation.**

If the Chair ends a public presentation under Subsection A:

- (1) The person making the public presentation must leave; and
- (2) All questioning of the person making the public presentation ends.

**§ 27-21. Communications.**

**A. Communications given to the Clerk becomes public.**

- (1) All communications about a matter on a meeting agenda that the Clerk receives becomes part of the public record.
- (2) All communications are available to members and to the public before the meeting or, if necessary, distributed directly to members and the public during the meeting.

**B. Requirements for communications given to Council, a committee, or the Clerk.**

All communications must:

- (1) Be delivered in person or sent by regular mail, e-mail, or fax;
- (2) Be addressed to Council, a committee, or to the Clerk;
- (3) Be legible;

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- (4) Include the name and the mailing address or the telephone number of the author;
- (5) Be in reproducible format; and
- (6) Not be defamatory or contain offensive language.

**C. Communications part of public record.**

Personal information and opinions in communications are part of the public record, unless the author of the communication requests the removal of his or her personal information when submitting it, or the Clerk determines the personal information contravenes the *Municipal Freedom of Information and Protection of Privacy Act*.

**D. A City official may consider any communications.**

If the Chair or Clerk thinks that a City official should consider any communication before the meeting:

- (1) The Clerk forwards a copy to the appropriate City official; and
- (2) The City official may then submit a report directly to Council or the committee in response to the communication.

**§ 27-22. Public Petitions.**

**A. How to submit a public petition.**

An organizer of a public petition may deliver the petition in person or send it by mail, fax, or e-mail to:

- (1) A Council member, if the public petition does not relate to a matter on the agenda; or
- (2) The Clerk, if the public petition relates to a matter on the agenda.

**B. Rules for a public petition.**

A public petition must:

- (1) Be in legible handwriting, in printed form, or in printable form;
- (2) Contain a telephone number of the organizer for confirmation;

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- (3) Contain the signature, unless delivered by e-mail, and the printed name and address of at least one signatory and, if possible, the printed name and address of all signatories;
- (4) Contain the fax number of the sender, if the petition is sent by fax;
- (5) Contain the e-mail address of the sender and have attached only the petition document in a printable form, if the petition is sent by e-mail;
- (6) Contains an explanation of the petitioners' cause or position;
- (7) Not contain any improper matter; and
- (8) Be appropriate, respectful and temperate in its language.

**C. Public petitions relating to matters on the agenda.**

- (1) If a public petition relates to a matter on the agenda of a meeting, the member will give it to the Clerk.
- (2) A public petition under Subsection C(1) is considered to be a communication related to the matter on the agenda, and the Clerk will add it to the agenda in accordance with § 27-21.

**D. Introducing new business public petitions.**

- (1) If a public petition does not relate to a matter on the agenda of a meeting, the member may introduce the public petition at a meeting without written notice or permission.
- (2) Prior to introducing a public petition under Subsection D(1), the member must examine the public petition to ensure that it complies with Subsection B.

**E. Council's or committee's actions on a public petition.**

After a member has introduced a public petition under Subsection D, Council or committee may, without debate:

- (1) Receive the public petition; or
- (2) Refer the public petition to the appropriate Council Committee, agency, or City official.

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**§ 27-23. Public attendance and conduct.**

- A. The only people allowed in the members' seating area during a meeting are the members, the Clerk, Mayor's office staff, the Sergeant at arms, and anyone the Clerk, the Chair, Council, or committee authorizes to be in the member's seating area.
- B. No one may display signs or placards, applaud debating participants, or engage in conversation or other behaviour that may disrupt a meeting.
- C. No person, other than a member, may speak to a committee, except by invitation of the Chair.
- D. Unless authorized by the Clerk, the Chair, Council, or committee:
  - (1) No one except a member may place any material on members' desks; and
  - (2) No one may distribute any material to members during a meeting.
- E. No one may use a cellular telephone during a meeting, and anyone who brings one to a meeting must turn off the ringer.

## **Article V**

### **Meetings of Council and Committees**

#### **§ 27-24. First meeting.**

##### **A. First Tuesday of December after election.**

Subject to the Act and any other applicable legislation, Council holds its first meeting on the first Tuesday of December after a regular election.

##### **B. Clerk prepares agenda.**

The Clerk, consulting with the Mayor-elect, prepares the agenda for the first meeting.

##### **C. No new business in first meeting.**

Council only considers the business on the agenda, and no other business at the first meeting.

##### **D. Members who took their declaration of office may attend.**

Only Council members who have taken their declaration of office as required by the Act may take their seats at the first meeting.

##### **E. Mayor's option to arrange a guest Speaker.**

The Mayor may ask a guest to make a special address at the first meeting.

#### **§ 27-25. Schedule of meetings.**

##### **A. Annual schedule of meetings published.**

(1) Subject to Subsections B, C and D, the Clerk recommends an annual schedule of the time and dates of regular Council meetings and regular meetings of Council Committees to the Striking Committee.

(2) The Clerk publishes the annual schedule after Council adopts it.

##### **B. Schedule respects cultural and religious days and times.**

The annual schedule of meetings complies with all relevant Council policies on respecting days and times of cultural or religious significance.

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C. **Minimum ten Council meetings and twenty meeting days.**

Council meets at least ten times and for at least twenty meeting days in a calendar year.

D. **Scheduling avoids overlapping of committee meetings.**

Whenever possible, Council schedules its committee meetings so that no two Council Committee meetings are at the same time.

E. **Two-thirds vote required to extend scheduled time.**

A two-thirds vote of the Council members present is required for Council to extend the meeting times set out in the approved schedule of meetings.

**§ 27-26. Notice of meeting.**

A. **Chapter 162 of the Municipal Code, Notice, Public.**

Written notice of all meetings, and of cancelled meetings, must follow Chapter 162, Notice, Public.

B. **24-hour notice.**

Members must be notified at least 24 hours before the scheduled beginning of the meeting.

C. **Meeting details.**

The notice must include the time, date, and location of the meeting.

D. **Purpose.**

The notice must state the purpose of the meeting.

E. **Delivery modes.**

The notice must be delivered either in person or sent by e-mail to each member.

F. **Council policy requirements.**

The notice must include any additional information that Council policy requires.



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**§ 27-27. Continued and reconvened meetings.**

**A. Continued meeting if unfinished business remains.**

Subject to Subsection B, if unfinished business remains on the agenda for a Council meeting at the end of the last scheduled meeting day, the Council meeting will continue on the following business day as a continued meeting.

**B. Reconvened meeting is an alternative to continued meeting.**

- (1) Council may fix a time to hold a reconvened meeting before the next regular Council meeting, if unfinished business remains on the agenda at the end of the last scheduled meeting day.
- (2) If Council fixes a time to hold a reconvened meeting under Subsection B(1), Council must, at the end of the regular Council meeting, defer the remaining unfinished business on the agenda to the reconvened meeting.

**§ 27-28. Special Council meetings the Mayor calls.**

The Mayor may at any time call a special Council meeting on 24 hours' notice in accordance with § 27-26.

**§ 27-29. Special emergency meetings of Council.**

Despite § 27-28, if there is an emergency, the Mayor may call an emergency special Council meeting without giving notice as required under § 27-26, if:

- A. All Council members are notified of the special Council meeting either personally, by electronic mail, or by any other means necessary, and
- B. A majority of Council members agree to the Council meeting by giving written consent to the Clerk personally before the beginning of the Council meeting.

**§ 27-30. Members' petitions for special Council meetings.**

**A. Clerk calls petitioned special Council meetings.**

- (1) If the Clerk receives a petition that the majority of Council members signed requesting a special Council meeting, the Clerk calls a special Council meeting for the purpose, date, and time the petition requests.
- (2) The Clerk gives notice of a special Council meeting called under Subsection A(1) as required by § 27-26.

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**B. Petition requirements.**

A petition under Subsection A must contain:

- (1) Original Council members' signatures;
- (2) A clear statement of the meeting's purpose; and
- (3) A time and date for the meeting that must be within 48 hours from the time the petition is given to the Clerk.

**C. Adding to or removing petition names forbidden.**

Once a petition under Subsection A is given to the Clerk, no Council member may add or remove his or her name from the petition.

**§ 27-31. No new business in special meetings.**

Council only considers the business on the agenda, and no other business at a Special meeting.

**§ 27-32. Special committee meetings.**

The Chair may call a Special committee meeting at any time in accordance with § 27-26.

**§ 27-33. Members' petition for Special committee meetings.**

**A. Clerk calls petitioned Special committee meetings.**

- (1) If the Clerk receives a petition that the majority of committee members signed requesting a special committee meeting, he or she calls a special committee meeting for the purpose, date and time the petition requests.
- (2) The Clerk gives notice of a special committee meeting called under Subsection A(1) as required by § 27-26.

**B. Petition requirements.**

A petition under Subsection A must contain:

- (1) Original Committee members' signatures;
- (2) A clear statement of the meeting's purpose; and

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- (3) The time and date for the meeting, which must be held within 48 hours of the time the petition is given to the Clerk.

**C. Adding or removing petition names forbidden.**

Once a petition under Subsection A is given to the Clerk, no committee member may add or remove his or her name from the petition.

**§ 27-34. Cancelling and rescheduling Council or committee meetings.**

**A. Chair's authority to cancel meetings.**

The Chair may cancel any Council meeting or any committee meeting, other than a meeting called by the Clerk on a petition under § 27-30 or § 27-33, in accordance with § 27-26.

**B. Chair's authority to reschedule meetings.**

The Chair may reschedule a cancelled Council or committee meeting in accordance with § 27-26, to any time before the next regular meeting, but not to a time that Council has already scheduled a Council meeting.

**§ 27-35. Quorum necessary for Council and committee meetings.**

**A. Quorum requires a majority.**

Subject to Subsection B, a majority of members sitting in their assigned seats constitutes a quorum for Council and a committee.

**B. When conflict of interest reduces quorum numbers.**

Certain provisions in the *Municipal Conflict of Interest Act* may disqualify a number of members from participating in a meeting, and if the result is:

- (1) Too few members for a quorum, then two or more members may be considered a quorum; or
- (2) Only one or no members for a quorum, then the *Municipal Conflict of Interest Act* describes what steps to take.

**C. Chair starts the meeting.**

As soon as a quorum is present after the time set for the beginning of the meeting, the Chair starts the meeting.

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**D. Chair's responsibility to oversee quorum for votes.**

The Chair ensures that a quorum is present whenever a vote is taken.

**§ 27-36. Absence of quorum.**

**A. Ringing of bells or calling for quorum.**

- (1) If no quorum is present at the meeting time, or at the time for continuing a meeting after a recess, the Clerk rings the bells or calls for a quorum every three minutes.
- (2) The Clerk continues to ring the bells or call for a quorum under Subsection A(1) for 15 minutes or until a quorum is present, whichever is sooner.

**B. Steps when a quorum is lost during a meeting.**

If a member or the Clerk alerts the Chair to a lack of quorum during a meeting, and if the Chair determines that no quorum is present, the Chair requests the Clerk to ring the bells or to call for a quorum every three minutes for up to 15 minutes or until a quorum is present, whichever is sooner.

**C. Roll-call if no quorum after bells or calling.**

If there is still no quorum present after taking the steps set out in Subsection A or Subsection B, the Clerk calls the roll and records the names of the members present.

**D. Meetings postponed to other times if no quorum.**

If there is still no quorum present when the Clerk has completed calling the roll under Subsection C, the meeting is adjourned to the earliest of the following times that a quorum is present:

- (1) After the lunch recess on the same day; or
- (2) The next day scheduled for the meeting.

**E. If meeting not rescheduled, unfinished business carried forward.**

If the meeting cannot be convened under Subsection D because there is no quorum, all unfinished business carries forward to the next regular meeting or to any special meeting called for that purpose before the next regular meeting.

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**§ 27-37. Meetings open to the public.**

Except for meetings as described in § 27-38, all meetings are open to the public, and no person is excluded from a meeting except for improper conduct under §§ 27-20 and 27-48.

**§ 27-38. Closed meetings.**

**A. Subjects for closed meetings.**

Council or a committee may close a meeting to the public to discuss the following:

- (1) Security of the City's or a local board's property;
- (2) Personal matters about an identifiable individual, including City or local board employees;
- (3) A proposed or pending land acquisition for City or agency purposes;
- (4) Labour relations or employee negotiations;
- (5) Litigation or potential litigation, including matters before administrative tribunals, affecting the City or a local board;
- (6) Receiving advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (7) A matter for which Council, a board, a committee or other body has authorized a meeting to be closed under another Act; or
- (8) A request under the *Municipal Freedom of Information and Protection of Privacy Act*.

**B. Meeting's beginning and end always public.**

A meeting begins and ends in public.

**C. Motion details for closed meeting.**

- (1) Before holding a closed meeting, Council or a committee passes a motion to hold a closed meeting.
- (2) The motion states:
  - (a) That the meeting is a closed meeting;

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- (b) The general nature of the matter Council or committee is considering at the closed meeting; and
- (c) The reasons the matter requires a closed meeting under Subsection A.

**D. Closed meetings of Council are meetings of committee of the whole.**

When Council considers a matter in a closed meeting, it does so in committee of the whole.

**E. When a closed meeting becomes public.**

- (1) If the matter Council or committee is considering at a closed meeting no longer falls into one of the categories set out in Subsection A, the meeting is no longer a closed meeting and continues in public.
- (2) Council or committee in a closed meeting do not vote or keep minutes except for:
  - (a) A procedural matter; or
  - (b) Giving directions or instructions to City officials or agents, agencies, or persons retained by, or under a contract with, the City or a local board.

## **Article VI**

### **Roles and Conduct**

**§ 27-39. Mayor's responsibilities.**

The Mayor is responsible for:

- A. Acting as the Chief Executive Officer of the City;
- B. When the Speaker or Deputy Speaker are not doing so, presiding over Council meetings so that City business can be carried out efficiently and effectively;
- C. Providing leadership to Council;
- D. Representing the City and Council at official functions; and
- E. Carrying out duties as head of Council under the Act and under any other legislation.

**§ 27-40. Mayor appoints the Deputy Mayor, and Standing Committee Chairs.<sup>2</sup>**

- A. The Mayor appoints and removes the following:
  - (1) The Deputy Mayor; and
  - (2) The Chairs of Standing Committees.
- B. The Mayor gives written notice to the Clerk of the appointments and of any removals made under Subsection A.

**§ 27-41. Deputy Mayor.**

The Deputy Mayor has, and may exercise, all the rights, powers, and authority of the Mayor, except the by-right-of-office powers of the Mayor as a member of a Community Council.

**§ 27-42. Council Chair.**

- A. **Speaker and Deputy Speaker elected from Council.**

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<sup>2</sup> Editor's Note: City Council by By-law 1433-2013, enacted November 15, 2013, had previously suspended § 27-40 and the related rule in § 27-126F for the balance of the Council term that ended on November 30, 2014 and substituted special rules. Sections 27-40 and 27-126F as they read prior to the suspension have been reinstated.

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With the consent of the Mayor, Council elects a Speaker and a Deputy Speaker from the Council members.

**B. Mayor's written consent for Speaker.**

To consent under Subsection A, the Mayor gives his or her written consent to the Clerk before the first meeting.

**C. Mayor can chair Council at any time.**

Even though there is a Speaker and a Deputy Speaker, the Mayor can assume the role of Council Chair when the Mayor wishes.

**D. Speaker's term.**

Subject to Subsection E, the Speaker's and the Deputy Speaker's appointment is for the Council term.

**E. Two-thirds vote to remove Speaker or Deputy Speaker.**

Council may remove the Speaker or the Deputy Speaker with a two-thirds vote of all Council members (30 members).

**F. Speaker assumes role when Mayor not Chairing.**

When the Mayor is not chairing, the Speaker assumes the role of Council Chair.

**G. Deputy Speaker assumes Chair's roles.**

When the Speaker is absent and the Mayor is not chairing, the Deputy Speaker assumes the role of Council Chair.

**H. Speaker not to Chair Standing Committee certain agencies.**

The Speaker cannot serve as a Standing Committee Chair, Community Council Chair, or as the Chair of the Toronto Transit Commission or the Police Services Board.

**§ 27-43. Chair's Responsibilities.**

The Chair is responsible for:

**A. Objective chairing.**

Objectively presiding over the meeting as described in the procedures by-law.



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**B. Enforcing rules.**

Enforcing the procedures by-law's rules.

**C. Overseeing order and behaviour.**

Enforcing the order and good behaviour of members at all times.

**D. Announcing business and its order.**

Announcing the business before Council or the committee and the order in which it is to be considered.

**E. Accepting motions from members.**

Receiving, stating, and framing all motions presented to clarify their intent as moved.

**F. Ruling on motions.**

Ruling on whether a motion is in order.

**G. Managing interruptive motions.**

Protecting Council or a committee from motions that are obviously frivolous or tending to cause delay, by refusing to acknowledge them.

**H. Keeping members informed.**

Providing information to members on any matter related to the business of the City.

**I. Decisions on acknowledging members' points of order or privilege.**

Deciding whether to acknowledge a member on a point of order or a point of privilege.

**J. Ruling on points of order or privilege.**

Ruling on whether a point of order or a point of privilege is in order.

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**K. Giving reasons for rulings on points of order or privilege.**

If a point of order or a point of privilege is in order, ruling on the point of order or the point of privilege and giving the facts, circumstances and reasons for the ruling.

**L. Recessing to consult on rulings.**

If necessary, recessing a meeting for a brief specified time to consult the Clerk or other City officials, or to consult Robert's Rules of Order in accordance with § 27-6B for guidance in ruling.

**M. Recessing for emergencies.**

If there is a threat or imminent threat to the health or safety of any person, or if there is the possibility of public disorder, recessing the meeting for a specified time.

**N. Ensuring speaking rights.**

Ensuring that all members who wish to speak on a motion have spoken.

**O. Reading motions.**

Reading, as necessary, all motions before any vote, to ensure all members understand the motions before voting.

**P. Conducting votes.**

Putting all motions to a vote and announcing the results.

**Q. Voting even though he or she is the Chair.**

Voting on all matters, unless the *Municipal Conflict of Interest Act* prohibits it.

**R. Regulating unacceptable motions.**

Declining to put to a vote any motion contrary to the procedures by-law's rules.

**S. Disciplining members.**

Calling a member to order.

**T. Removing members or others from a meeting.**

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Ordering a member, or any other person, from a meeting, in accordance with the rules of the procedures by-law.

U. **Keeping public informed.**

Ensuring the public knows the status of the business of the meeting throughout the meeting.

V. **Adjourning meetings.**

Adjourning the meeting when its business is finished.

W. **Permitting statements by City official when integrity questioned.**

When the Chair, or a member, considers that a member has either indirectly or directly, questioned the integrity of a City official, permitting the City official to make a statement to Council or committee.

**§ 27-44. Council Chair must not participate from Chair.**

The Council Chair must not speak, ask questions, or make motions about a matter under debate while in the Chair.

**§ 27-45. Results of committee Chair's failure to carry out responsibilities.**

By notice of motion, a committee member, with the consent of a majority of the committee members present, may request that Council censure a committee Chair who fails to perform his or her responsibilities in accordance with the procedures by-law.

**§ 27-46. Members' responsibilities during a meeting.**

Members are responsible for:

A. **Attending meetings.**

Attending scheduled meetings.

B. **Considering business and making decisions.**

Carefully considering and making decisions about meeting business.

C. **Voting.**

Voting on motions put to a vote.

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**D. Respecting the procedures by-law.**

Respecting the rules of the procedures by-law.

**E. Speaking respectfully.**

Speaking respectfully at all times.

**F. Listening and participating in the meeting.**

Listening attentively, participating in a meeting, and not interrupting the proceedings.

**G. Sitting and being silent during a vote.**

Remaining silent in their seats while Council or a committee votes and until the Chair announces the result of the vote.

**H. Using appropriate language.**

Refraining from using any offensive, disrespectful or unparliamentary language about any member, any City officials or other City employee, or the Council as a whole.

**I. Abiding by Council's decisions.**

Respecting and following Council's decisions.

**J. Speaking only to the matter under debate.**

Speaking only on the matter under debate or related motions during debate.

**K. Wearing inappropriate clothing or buttons.**

Not wearing political or biased slogans on clothing or buttons during a meeting.

**L. Respecting confidentiality.**

Respecting the confidentiality of matters discussed in closed meetings and not disclosing the subject or substance of these discussions, unless authorized to do so.

**M. Obeying rulings and decisions.**

Obeying the Chair's rulings and Council's decisions.

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**N. Obeying Councillor's Code of Conduct.**

Obeying the Councillor's Code of Conduct.

**§ 27-47. Verbal warning before publicly disciplining a member.**

If a member disobeys a rule in the procedures by-law or a Chair's ruling, the Chair:

- A. After the first time, gives a formal verbal warning to the member; and
- B. After the second time, calls the member to order.

**§ 27-48. Removing and reinstating a disciplined member.**

**A. Chair's ordering of a member to leave or Sergeant-at-arms removes member.**

- (1) If the Chair takes action under both §§ 27-47A and 27-47B, and the member continues to disobey the procedures by-law or the Chair's rulings, the Chair immediately orders the member to leave for the rest of the meeting; and
- (2) If the member refuses to do so, the Chair may request that the Sergeant-at-arms remove the member.

**B. How to appeal the Chair's removal of a member.**

Any member other than the member ordered to leave the meeting may appeal the Chair's ruling, and Council or a committee may overturn the Chair's ruling.

**C. Member's apology and Council may reinstate.**

- (1) If the member ordered to leave the meeting informs the Clerk that he or she wishes to apologize, the Clerk tells the Chair of the member's request;
- (2) The Chair allows the member to return to the meeting solely to apologize to Council or committee; and
- (3) After an apology, Council or a committee may, consent to allow the member to return to the meeting.

**§ 27-49. Clerk's Responsibilities.**

- A. The Clerk is the meeting manager of Council and of all committees, and may assign any of his or her duties to an employee in the Clerk's office.

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B. The Clerk is responsible for:

(1) **Managing agenda deadlines.**

Establishing and enforcing deadlines for agenda business.

(2) **Managing agenda and meeting notices.**

Preparing, publishing, and distributing an agenda for each meeting, and providing appropriate notice.

(3) **Standing in for Chair.**

In the absence of the Chair or any other member designated to Chair in the Chair's absence, calling the meeting to order and presiding until Council or committee immediately elects a meeting Chair.

(4) **Giving members advice.**

Providing procedural advice to members on agenda business and on preparing motions.

(5) **Managing agenda additions or removals.**

Informing the Chair and Council or committee when items need to be added to or removed from the agenda.

(6) **Advising on parliamentary procedures.**

Serving as the parliamentary expert to Council and committees by advising the Chair on the meeting rules and on matters of parliamentary procedures.

(7) **Advising on errors in procedures.**

Calling to the attention of the Chair any error in proceedings that may affect the rights of any member, Council, or committee.

(8) **Advising Council on rules.**

Advising Council, committee, or members on matters of procedure subject to the duty of the Chair to make the final ruling.

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**(9) Advising on closed meeting rules.**

Informing the Chair, if, in the Clerk's opinion, an issue that Council or a committee is discussing in a closed meeting is not procedurally appropriate under the Act or the procedures by-law.

**(10) Recording all Council and committee business.**

Taking minutes and keeping a record of all the proceedings, including the votes, of Council and committees.

**(11) Certifying copies.**

Certifying copies of by-laws.

**(12) Maintaining all documents.**

Maintaining records of the by-laws, special rules of order, standing rules, and minutes, including any amendments to these documents.

**(13) Recording all members' appointments.**

Maintaining a record of Council's appointments of persons to committees, public advisory bodies, agencies and other bodies.

**(14) Allowing access to records.**

Making the minutes and records of Council meetings and committee meetings available to members and the public on request, in accordance with any applicable law and subject to receiving payment of any fee Council has approved.

**(15) Council-assigned duties.**

Performing other duties that Council assigns.

**§ 27-50. Sergeant-at-arms.**

**A. When Sergeant-at-arms present.**

The Sergeant-at-arms is present at all times during Council meetings, and is present, as required, during committee meetings.

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**B. Threat or imminent threat to health or safety.**

- (1) If there is a threat or imminent threat to the health or safety of anyone in a meeting, the Sergeant-at-arms immediately notifies the Chair, who decides whether to:
  - (a) Recess the meeting; and
  - (b) Order everyone to leave immediately.
- (2) If the Chair makes an order under Subsection B(1), the Sergeant-at-arms immediately escorts everyone out of the meeting place.



## **Article VII**

### **Council Meeting's Agenda**

**§ 27-51. Agenda.**

- A. The Clerk prepares an agenda for all Council meetings.
- B. The agenda orders the business for a Council meeting as set out in Appendix A-I.
- C. Despite the order of business, when the same or related matters are in more than one place on the agenda, Council may deal with:
  - (1) All related matters together; or
  - (2) The matters in the agenda's order.

**§ 27-52. Notice given by publishing the agenda.**

The published agenda for the meeting is notice of all business included in that agenda, subject to other notice provisions of the procedures by-law, Chapter 162, Notice, Public and of any applicable legislation.

**§ 27-53. Order paper.**

- A. The Clerk prepares the order paper for each day of a Council meeting.
- B. On each meeting day, Council adopts the order paper as prepared by the Clerk, and as amended by Council, if needed, and considers its business in the order listed on the adopted order paper.
- C. After Council has adopted the order paper, it may only alter it with a two-thirds vote of the Council members present.
- D. No changes to the order paper may delete any part of the agenda business.

**§ 27-54. Agenda deadline for committee reports.**

- A. A committee report may only be presented to a Council meeting if it meets the agenda deadline for the Council meeting and is on the agenda.
- B. Reports that do not meet the agenda deadline are presented at the next regular Council meeting.

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- C. Despite Subsections A and B, an additional report on a matter related to another matter already on the meeting agenda is added to the agenda.

**§ 27-55. Introduction of committee report by committee Chair.**

- A. **Chair's motion to introduce and speak about a committee report.**

A committee Chair or, if he or she is absent, the committee Vice Chair, makes a motion to introduce the report from his or her committee, and may speak for up to five minutes on this motion.

- B. **Rules on motion to introduce reports.**

A motion to introduce a report:

- (1) Is not debatable;
- (2) Is not subject to questions; and
- (3) Cannot be amended.

**§ 27-56. Holding matters.**

- A. **Timing for requests to hold matters.**

Council members may submit to the Clerk a written list of the matters on the Council meeting agenda that they wish to hold for debate or questions:

- (1) After the Council meeting agenda has been distributed to Council members; and
- (2) Before 4:30 p.m. of the last business day before a Council meeting.

- B. **Clerk lists matters that Council members request to hold.**

When preparing the order paper, the Clerk lists the matters that Council members have asked to have held for debate or questions under Subsection A.

- C. **First Council member requesting to hold a matter named on order paper.**

Only the first Council member to submit to the Clerk a request to hold a matter under Subsection A is the Council member holding the matter and is named on the order paper as holding the matter.

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**D. Order of speakers on matters held.**

- (1) When the Chair calls the matter for debate, the Council member who held the matter, if present, will be the first speaker after the committee Chair or the Mayor as described in §§ 27-90A and B.
- (2) If the Council member who held the matter is not present, Council will continue to debate and consider the matter.
- (3) Despite Subsections D(1) and D(2), Council may consent to allow the hold to continue before the matter is called for debate or questions if the Council member who held the matter has stated the reason for continuing the hold.

**E. Times for releasing a matter held.**

A Council member may release a matter that he or she held at any of the following times on the orders paper:

- (1) The start of the meeting day;
- (2) Immediately after the lunch recess;
- (3) Before the scheduled recess at the end of the meeting day; or
- (4) When the matter is called for debate and questioning;
- (5) After all other business has been completed.

**F. Another Council member may request holding a released matter.**

Subject to Subsection G, after a Council member has released a matter that he or she had held, with the consent of Council another Council member may request that the matter be held after stating a reason for requesting the hold.

**G. Releasing a matter held does not mean giving up the right to speak.**

A Council member who releases a matter that he or she had held does not give up his or her right to speak on the matter.

**H. Status of holds at future meetings.**

- (1) Deferred business from a previous Council meeting is not held from the previous meeting, and a Council member may hold the matter again at the next Council meeting by following the requirements set out in Subsection A.

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- (2) Business brought forward from a meeting to a continued meeting continues to be held.
- (3) Business brought forward to a reconvened meeting is not held from the previous meeting, but a Council Member may hold the matter again at the reconvened meeting by following the requirements set out in Subsection A.

**§ 27-57. Matters considered at a specific time.**

**A. Request for a matter to be considered at a specific time.**

- (1) A City official, Council member, or Council Committee may request Council to consider a matter at a specific time during the Council meeting.
- (2) A request made under Subsection A(1) must:
  - (a) Be in writing;
  - (b) Be submitted to the Clerk two business days before the meeting;
  - (c) Relate to an urgent matter; and
  - (d) State the reason the matter is an urgent matter.

**B. When Council approved requests for considering a matter at a specific time.**

Council may approve requests for a specific time to consider an urgent matter:

- (1) Immediately after it decides which agenda items to hold for debate; and
- (2) Before adopting the order paper.

**C. Mayor's key matters.<sup>3</sup>**

- (1) The Mayor may identify up to two key policy matters, from the Council meeting agenda that become the Mayor's key matters.
- (2) The Mayor's key matters are noted on the order paper for the specific times that the Mayor has identified.

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<sup>3</sup> Editor's Note: City Council by By-law 1520-2013, enacted November 18, 2013, had previously suspended §Section 27-57C for the balance of the Council term that ended on November 30, 2014 and substituted a special rule. Section 27-57C as it read prior to the suspension has been reinstated.

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**§ 27-58. List of matters for priority consideration.**

The Clerk submits for Council's adoption, as part of the order paper, a list of recommended urgent matters, based on the Chair's recommendations, for priority consideration at the meeting.

**§ 27-59. Routine matters.**

On each meeting day, Council will have up to 30 minutes, as set out in the order paper, to consider routine matters that Council members bring forward, including:

- A. Condolence motions, printed on the order paper, that the Chair may refer to before the moment of reflection;
- B. Declarations of interest;
- C. Introducing motions without notice;
- D. Announcements and recognitions;
- E. Petitions and administrative inquiries;
- F. Bills; and
- G. Confirming the order paper.

**§ 27-60. Rules on motion to remove a matter from a committee.**

**A. How Council removes a matter from a committee.**

- (1) Subject to Subsection B, Council members may make a motion to remove a matter from a committee and bring the matter forward to Council.
- (2) A motion under Subsection A(1) requires a vote of two-thirds of the Council members present to pass.

**B. No motion to remove a matter if committee has final decision on it.**

Council members cannot make a motion to remove a matter from a committee if Council delegated final decision-making power on that matter to a committee.

**C. Motion to remove debatable and amendable.**

Council may debate, amend, or both, a motion to remove a matter from a committee.

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**§ 27-61. Administrative inquiries and answers.**

**A. How a Council member makes an administrative inquiry.**

- (1) A Council member who wants information about the affairs of the City must:
  - (a) make an administrative inquiry in writing; and
  - (b) deliver it to the Clerk at least seven business days before the Council meeting.
- (2) The relevant City official answers the administrative inquiry in writing and delivers the answer to the Clerk at least one hour before the Council meeting.
- (3) The Clerk distributes the answer to members before the start of the Council meeting or reads the answer to Council.
- (4) Despite Subsection A(2), a City official may decide that the answer to an administrative inquiry requires work that exceeds the normal duties of his or her staff.
- (5) If Subsection A(4) applies, the City official informs Council of that decision in a written letter to the Clerk at least one hour before the meeting and the Clerk distributes the letter to Council members before the Council meeting starts.

**B. How Council responds to an administrative inquiry.**

- (1) If, in response to an administrative inquiry, a City official has told Council that the work of answering the inquiry exceeds normal duties, Council, without debate, may vote on whether the City official should answer the administrative inquiry.
- (2) Council receives, or refers to the appropriate Council Committee, all administrative inquiries and answers, without debate.

## **Article VIII**

### **Adding New Business to Council Meetings**

**§ 27-62. New business reports from City officials and from the Mayor.**

**A. City officials who can add new business to Council agendas. [Amended 2009-10-27 by By-law 1098-2009]**

Subject to Subsection B, C and E, the following City officials may add new business to a Council meeting agenda without first submitting the matter to the relevant Council Committee if the City official has met the regular agenda deadlines:

- (1) The City Manager;
- (2) The Chief Financial Officer;
- (3) The City Solicitor;
- (4) The City Clerk;
- (5) The Integrity Commissioner;
- (6) The Ombudsman;
- (7) The Auditor-General; and
- (8) The Lobbyist Registrar.

**B. New business added relates only to urgent business or statutory duties.**

Any new business a City official adds to a Council meeting agenda directly under Subsection A must relate:

- (1) To an urgent matter that cannot first be considered by the relevant Council Committee; or
- (2) To a statutory duty of the City official who is adding the matter to the agenda.

**C. Rules for new business on urgent matters.**

Any new business which relates to an urgent matter must:

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- (1) Be identified as relating to an urgent matter; and
- (2) Clearly state the reason the matter is urgent and the reason the relevant Council Committee cannot first consider it.

**D. Mayor's authority to add new business.**

The Mayor may add new business to the agenda of a Council meeting without first submitting the matter to the relevant Council Committee if the Mayor has met the regular agenda deadlines.

**E. Accountability officers' reports. [Added 2009-10-27 by By-law 1098-2009]**

Despite Subsection B, the following reports shall be submitted directly to Council:

- (1) Annual reports submitted by the Integrity Commissioner, Lobbyist Registrar and Ombudsman on the activities of their offices and the discharge of their duties; and
- (2) Reports submitted by the Auditor General, Integrity Commissioner, Lobbyist Registrar and Ombudsman respecting investigations or inquiries conducted by them.

**§ 27-63. New business reports that Council requests.**

Any report on new business that Council requests be submitted to a future Council meeting is added to the agenda if the agenda deadline is met.

**§ 27-64. Notices of motion.**

**A. Requirements for notices of motion.**

A Council member may make a notice of motion introducing new business if the notice of motion is in a form the Clerk approves and is signed by Council member who moves it and the Council member who seconds it.

**B. Deadline for submitting notices of motion.**

The Council member moving the notice of motion submits the notice of motion to the Clerk in its final form by 4:30 p.m. on the day of the agenda deadline.

**C. Rules for notices of motion on urgent matters.**

Notices of motion on urgent matters must:



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- (1) Be identified as relating to an urgent matter; and
- (2) Clearly state the reason the matter is urgent and the reason the relevant Council Committee or agency cannot first consider it.

**D. Agenda lists notices of motion and relevant committees and agencies.**

The agenda lists all notices of motion received by the deadline and, next to the notices of motion, the relevant Council Committees or agency to which Council should refer them.

**E. Referring notices of motion to committees and agencies.**

- (1) Subject to Subsection E(2) Council refers all notices of motion to the Council Committee or agency named next to the notice of motion on the agenda under Subsection D.
- (2) Council may decide not to refer a notice of motion to the relevant Council Committee or agency by a vote of two-thirds of the Council members present.

**§ 27-65. Motions without notice.**

**A. Requirements for motions without notice.**

All motions without notice must:

- (1) Be in writing in a form the Clerk approves and be signed by the council member moving the motion without notice and the Council member seconding the motion without notice; and
- (2) Relate to an urgent matter and clearly state the reason why the matter is an urgent matter.

**B. Timing for submitting motions without notice.**

Subject to Subsections D and E, the Council member moving the motion without notice submits it in writing to the Clerk by noon of the business day preceding the Council meeting.

**C. How motions without notice are treated.**

- (1) The Clerk, consulting with the Chair, reviews all motions without notice before the Council meeting to ensure the matter addressed by the motion without notice complies with the definition of urgent matter.

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- (2) If the Clerk agrees that the motion without notice deals with an urgent matter:
  - (a) The Clerk lists the motion without notice on the agenda;
  - (b) The Clerk adds the name of the relevant Council Committee, or agency for referral next to the motion without notice on the agenda; and
  - (c) Council refers the motion without notice to the Council Committee or agency named next to it on the agenda, or decides not to refer it to the relevant Council Committee or agency on a vote of two-thirds of the Council members present.
- (3) If the Clerk does not agree that the motion without notice deals with an urgent matter, the Clerk:
  - (a) Refers the motion without notice to the relevant Council Committee or agency; and
  - (b) Presents a list of these motions without notice to Council for information only.

**D. Making a motion without notice during a Council meeting.**

- (1) A Council member may make a motion without notice during a Council meeting if:
  - (a) It complies with Subsection A;
  - (b) The Chair reviews it in advance;
  - (c) The Chair agrees that the matter is an urgent matter;
  - (d) The Chair allows the Council member to ask for Council's permission to introduce the motion without notice; and
  - (e) Two-thirds of all Council members (thirty members) vote in favour of its introduction.
- (2) A motion without notice made under Subsection D(1) is added to the order paper, and is not referred to a Council Committee or agency.

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**E. Motions without notice on interim control by-laws.**

- (1) Despite Subsection D and E and on the Chief Planner's advice, motions without notice about passing or extending an interim control by-law under the *Planning Act* may be introduced any time by a vote of a majority of Council members present.
- (2) Council does not refer a motion without notice introduced under Subsection E(1) to a Council Committee or agency.

**F. When motions without notice are forbidden.**

Council members may not submit motions without notice to the first meeting, or to a special Council meeting.

**§ 27-66. Financial and policy implications relating to notices of motion and motions without notice.**

**A. Chief Financial Officer's duty to advise of financial implications.**

The Chief Financial Officer:

- (1) Reviews all notices of motion and motions without notice before they are considered; and
- (2) Advises Council of any financial implications associated with, and not explicitly identified in, the notices of motion and motions without notice.

**B. Report on financial and policy implications to committee.**

The appropriate City official submits a report on any policy and financial implications of a notice of motion or motion without notice referred to a Council Committee or agency under the procedures by-law.

**§ 27-67. Reopening matters previously considered.**

**A. Notices of motion and motions without notice disallowed on matters already decided within past twelve months.**

Subject to Subsection B, and § 27-85, once Council or a committee decides a matter, no member may make a notice of motion or a motion without notice that would change the decision within the twelve-month period following the decision, unless a regular election occurred since the matter was originally decided.

**B. Notice of motion or motion without notice to reopen a matter.**

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A member who voted with the prevailing side on a matter may make a notice of motion or a motion without notice in accordance with the procedures by-law to reopen the matter:

- (1) With the consent of two-thirds of all members present if he or she makes the notice of motion or motion without notice:
  - (a) Less than twelve months after Council or a committee decided the matter; and
  - (b) If no regular election has occurred since the decision.
- (2) Despite Subsection B(1), if the member wishes to reopen a matter decided at the same meeting at which it is to be reopened, § 27-85 applies.

**C. Purposes of a notice of motion or motion without notice to reopen.**

A notice of motion or a motion without notice to reopen a matter, unless it specifies otherwise, reopens the entire matter, and either:

- (1) Amends the previous decision; or
- (2) Cancels the entire previous decision.

**D. Decisions on matter remain in force if reopening passes.**

If a notice of motion or a motion without notice to reopen a matter passes, all previous decisions on the matter remain in force, unless Council decides otherwise.

**E. Applicability to Council Committees on delegated matters. [Added 2007-03-06 by By-law 176-2007]**

This section applies to any decision made by a Council Committee on a delegated matter, with the following necessary modifications:

- (1) "Notice of motion" is replaced by "motion"; and
- (2) "Motion without notice" is replaced by "motion".

## **Article IX**

### **Motions**

**§ 27-68. General rules on making motions.**

**A. Purpose of motions.**

A member may make a motion that:

- (1) Affects the meeting's procedures, as set out in the procedures by-law; or
- (2) Takes action on the matter that is currently before Council for debate.

**B. When members may make motions.**

- (1) A member may make procedural motions defined in Subsection G at any time when the member has the floor.
- (2) Subject to Subsection B(1), when Council is considering a matter, a member may only make motions to adopt, amend, receive, defer, or refer the matter, and may only do so when the member has the floor.

**C. Criteria for motions.**

A member may make a motion, other than a procedural motion defined in Subsection G, if it is:

- (1) In writing and in a form acceptable to the Clerk; and
- (2) Signed by the member making the motion.

**D. Content of motions.**

Motions must be concise and unambiguous.

**E. Reading of a motion.**

A member makes his or her motion by reading it before:

- (1) Any member speaks about the motion;
- (2) The motion is debated; or
- (3) The motion is put to a vote.

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**F. Chair's right to refuse a motion.**

The Chair may refuse to recognize any member who wishes to make a motion that does not meet the requirements in Subsections A, B, C, D, or E.

**G. Procedural motions and their order.**

Council will consider the following procedural motions in the following order:

- (1) Motion to amend the order paper;
- (2) Motion to adjourn;
- (3) Motion to recess;
- (4) Motion to end debate;
- (5) Motion to extend debate;
- (6) Motion to limit debate;
- (7) Motion to fix a time for a reconvened meeting;
- (8) Motion to reopen;
- (9) Motion to resolve into committee of the whole;
- (10) Motion to refer; and
- (11) Motion to defer.

**§ 27-69. Admissibility of motions.**

**A. Motions that are not in order.**

The following motions are not in order:

- (1) A motion that breaks the rules of the procedures by-law; and
- (2) A motion on a matter beyond Council's authority.

**B. Chair decides what is in order or out of order.**

The Chair rules on whether motions are in order.

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**§ 27-70. Main motions for Council to consider.**

A committee's recommendations in their report to Council are the main motions for Council to debate and:

- A. Must be introduced in accordance with § 27-55;
- B. Are considered moved when they are announced; and
- C. Are considered adopted without amendment by consent, unless Council decides otherwise.

**§ 27-71. Seconding.**

Only notices of motion and motions without notice require seconding. No other motions require seconding.

**§ 27-72. Withdrawing motions.**

After a member has made a motion, the member may only withdraw it with the consent of Council or a committee.

**§ 27-73. Motion to amend.**

**A. Effect of a motion to amend.**

A motion to amend has the effect of varying the main motion.

**B The content of an amendment.**

An amendment must relate to the main motion, and cannot propose:

- (1) A contrary action to the motion it is proposing to amend; or
- (2) A new or changed City policy unless the subject of the proposed policy is the main motion's subject.

**C. Boundaries on the relationship of an amendment to its motion.**

- (1) An amendment may propose that a different or additional action be taken on the subject matter of the main motion provided it is directly relevant to the main motion.
- (2) An amendment is out of order if it is a substantive motion on other business beyond the subject matter of the main motion.

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**D. What members can debate about an amendment.**

On an amendment, members may only debate the merits of the amendment, not the merits of the motion the amendment proposes to amend.

**§ 27-74. Amending an amendment.**

**A. Relating amendments to amendments.**

An amendment to an amendment must relate to the amendment.

**B. Only one amendment to an amendment.**

An amendment may only be amended once.

**C. Order of voting on amendments.**

- (1) An amendment to an amendment is put to a vote before the amendment.
- (2) Despite Subsection C(1), when the amendment changes numbers, the numbers are put to a vote in ascending order dealing with the smallest number first.

**§ 27-75. Amendment requesting report.**

**A. Deadlines for information or reports requested in amendments.**

- (1) Unless the motion specifies otherwise, an amendment requesting information or a report from a City official, an agency, a committee, or a public advisory body requires that the clerk receive the report or information no later than three months from the date of the request.
- (2) The Clerk will place the report on the agenda of the appropriate Council or committee meeting.

**B. Clerk reports if report or information late.**

If the requested additional information or report is not prepared by the date required by Subsection A, the Clerk reports to the requesting committee, or Council on the status of the request.

**C. No reports for meetings if agenda deadline passed.**

A member may not request a report on new business to a meeting for which the established agenda deadline has already passed.



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**§ 27-76. Motion to receive for information and take no action.**

**A. Effect of a motion to receive for information.**

A motion to receive for information has the effect of Council or committee taking no action on a matter, or part of a matter, and placing it in the Clerk's records for future reference.

**B. When a motion to receive for information may be made.**

A motion to receive for information may be made at any time during debate.

**C. Rules for motion to receive for information.**

A motion to receive for information:

- (1) Is debateable; and
- (2) Cannot be amended.

**§ 27-77. Motion to defer.**

**A. Effect of a motion to defer.**

A motion to defer has the effect of postponing consideration of a matter.

**B. Rules for a motion to defer.**

- (1) A member may make a motion to defer any time during debate.
- (2) A motion to defer is a procedural motion and takes precedence over any non-procedural motion or amendment.
- (3) A motion to defer is put to a vote immediately after it is debated.

**C. The content of motion to defer.**

A motion to defer includes:

- (1) The time to which the matter is deferred, or a description of circumstances that cause the motion to be brought back; and
- (2) An explanation of the motion's purpose.

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**D. What is debatable about a motion to defer.**

On a motion to defer, members may only debate:

- (1) The merits of deferring the matter; and
- (2) The merits of the time or circumstances to which the matter is to be deferred under Subsection C(1).

**E. Time limits for motion to defer.**

Members may speak about a motion to defer or question the mover about a motion to defer for up to two minutes.

**F. Amending a motion to defer only relates to deferral time and circumstances.**

The only allowable amendments to a motion to defer are changing the time or circumstances to which the matter is deferred.

**G. Questioning of member moving amendments to motion to defer.**

A member may question a member amending a motion to defer for up to two minutes.

**H. Entire question deferred by motion to defer.**

A motion to defer applies to the all motions that have been made to that point in time, including all motions that Council has not yet debated.

**I. Dealing with a motion to defer before the main motion.**

The motion to defer must be disposed of before debate on the main motion may resume.

**J. Changing the deferral time.**

A matter that Council or a committee has deferred may only be brought back for debate before the time of circumstances to which it was deferred with an affirmative two-thirds vote of members present.

**K. Motion to defer matter includes a motion to refer.**

A motion to defer a matter includes a motion to refer that matter, so there will be only one debate for each matter before Council.

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**§ 27-78. Motion to refer.**

**A. Effect of a motion to refer.**

A motion to refer has the effect of requesting a committee, agency, City official or the Mayor to investigate the matter and report back on the matter.

**B. Rules for a motion to refer.**

- (1) A member may make a motion to refer any time during debate.
- (2) A motion to refer is a procedural motion and takes precedence over any non-procedural motion or amendment.
- (3) A motion to refer is put to a vote immediately after it is debated.

**C. To whom matters are referred.**

A motion to refer may refer a matter for investigation to either:

- (1) The committee or agency with a mandate relevant to the matter; or
- (2) The appropriate City official; or
- (3) The Mayor.

**D. The content for a motion to refer.**

A motion to refer includes:

- (1) The name of the committee, agency or person to whom the matter is referred;
- (2) The subject matter or question to be investigated;
- (3) The time period within which the matter will be reported back to Council, committee or agency, which is three months if no time period is specified; and
- (4) Any additional instructions.

**E. What is debatable about a motion to refer.**

On a motion to refer, members may only debate:

- (1) The merits of referring the matter;

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- (2) To whom the matter should be referred; and
- (3) The time period within which the matter is to be reported back.

**F. Time limits for a motion to refer.**

Members may speak about a motion to refer or question about a motion to refer for up to two minutes.

**G. Amendments to a motion to refer.**

The only allowable amendments to a motion to refer are changing:

- (1) The committee, agency or person to whom the matter is referred;
- (2) The time period within which the matter is to be reported back to Council;  
or
- (3) The referral instructions.

**H. Questioning of member moving amendments to motion to refer.**

A member may question a member amending a motion to refer for up to two minutes.

**I. Motion to refer may refer entire matter or part of the matter.**

A motion to refer may apply to:

- (1) The entire matter, including all motions that have been made to that point in time; or
- (2) Part of the matter, including specific motions to amend that have been made to that point in time.

**J. A motion to refer may not have the effect of defeating the motion.**

A motion to refer that has the effect of defeating the motion is out of order.

**K. Dealing with a motion to refer comes before the main motion.**

The motion to refer under Subsection I(1), must be disposed of before debate on the main motion resumes.

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**L. Motion to refer matter includes motion to defer.**

A motion to refer a matter includes a motion to defer the matter, so that there will be only one debate for each matter before Council.

**§ 27-79. Motion to extend debate.**

**A. Member who has the floor may move to extend debate.**

A member who has the floor may make a motion to extend debate beyond the time allotted for the matter currently under debate at any time during debate.

**B. The content of a motion to extend debate.**

- (1) A motion to extend debate proposes to extend debate by:
  - (a) Adding extra time to the debate;
  - (b) Despite Subsection 27-92A, increasing the number of times a member may speak; or
  - (c) Despite Subsection 27-92B, increasing the time allotted to each member to speak.
- (2) A motion to extend debate must allow all members the same right to participate.

**C. Rules for motion to extend debate.**

A motion to extend debate:

- (1) Is debatable; and
- (2) May be amended, but only by changing:
  - (a) The extra time added to the debate;
  - (b) The number of times a member may speak; and
  - (c) The time allotted to each member to speak.

**D. Vote requirement to pass a motion to extend debate.**

A motion to extend debate is passed by a two-thirds vote of the members present.

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**E. Procedural motion.**

A motion to extend debate is a procedural motion.

**§ 27-80. Motion to limit debate.**

**A. Member who has the floor may move to limit debate.**

A member who has the floor may make a motion to limit debate on the matter currently under debate any time during the debate.

**B. The content of a motion to limit debate.**

(1) A motion to limit debate proposes to limit the debate by:

- (a) Reducing the time for the debate; or
- (b) Despite § 27-92B, decreasing the time limit allotted to each member to speak.

(2) A motion to limit debate must allow all members the same right to participate.

**C. Rules for motion to limit debate.**

A motion to limit debate:

- (1) Is debatable; and
- (2) May be amended, but only by changing:
  - (a) The time by which the debate is being reduced; and
  - (b) The time limit allotted to each member to speak.

**D. Vote requirement to pass a motion to limit debate.**

A motion to limit debate passes with a two-thirds vote of the members present.

**E. Procedural motion.**

A motion to limit debate is a procedural motion.

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**§ 27-81. Motion to end debate.**

**A. Member on the floor may move to end debate.**

A member who has the floor may make a motion to end debate on the matter currently under debate any time during debate.

**B. Rules for motion to end debate.**

A motion to end debate:

- (1) Is not debatable;
- (2) Cannot be amended; and
- (3) Is carried by a two-thirds vote of members present.

**C. Immediate vote on motion.**

A motion to end debate is put to a vote immediately.

**D. When motion passes.**

If a motion to end debate passes, the matter before Council, including the main motion and any amendments, will immediately be put to a vote.

**E. When motion fails.**

If a motion to end debate fails to pass, the member who made the motion to end debate cannot speak again on the matter.

**F. Procedural motion.**

A motion to end debate is a procedural motion.

**§ 27-82. Motion to recess.**

**A. Rules for motion to recess.**

A member who has the floor may make a motion to recess any time.

**B. Content of motion to recess.**

A motion to recess states a specific period of time for the meeting to recess.

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**C. Rules for a motion to recess.**

A motion to recess is:

- (1) Not debateable; and
- (2) May be amended, but only by changing the length of the recess, and an amendment is not debateable.

**D. Business continues after recess.**

After a recess, the Council meeting's business will continue in accordance with the order paper.

**E. Procedural motion.**

A motion to recess is a procedural motion.

**§ 27-83. Motion to adjourn.**

**A. Member on the floor make motion to adjourn.**

A member who has the floor may make a motion to adjourn any time during a meeting except when another member has indicated to the Chair his or her desire to speak on the matter before Council or a committee.

**B. Rules for motion to adjourn.**

A motion to adjourn:

- (1) Is not debateable; and
- (2) Cannot be amended.

**C. Immediate vote on motion.**

A motion to adjourn will be put to a vote immediately.

**D. Procedural motion.**

A motion to adjourn is a procedural motion.



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**§ 27-84. Motion to fix a time to reconvene.**

**A. Use of motion to complete unfinished business.**

A member may make a motion to fix a time for a reconvened meeting before the next scheduled Council meeting to complete unfinished business.

**B. Rules for a motion to fix a time to reconvene.**

A motion to fix a time to reconvene is:

- (1) Debatable; and
- (2) May be amended, but only by changing the proposed date or time of the reconvened meeting.

**C. Procedural motion.**

A motion to fix a time to reconvene is a procedural motion.

**§ 27-85. Reconsideration of matters previously considered at the same meeting.**

**A. Motions disallowed on matters already decided within past twelve months.**

Subject to Subsection B, and § 27-67, once Council or Committee decides a matter, no member may make a motion that would change the decision within the twelve-month period following the decision, unless a regular election has occurred following the decision.

**B. Requirements for motion to reconsider the matter.**

- (1) A member who voted with the prevailing side on a matter may make a motion to reconsider the matter originally decided at the same meeting at which the matter is to be reconsidered.
- (2) A motion to reconsider made under Subsection B(1) requires the consent of Council on a two-thirds vote of the members present to pass.

**C. Rules on a motion to reconsider a matter.**

A motion to reconsider a matter is:

- (1) Not debatable; and
- (2) May not be amended.

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**D. Purposes of a motion to reconsider a matter.**

A motion to reconsider a matter, unless it specifies otherwise, opens the entire matter, and either:

- (1) Amends the previous decision, or
- (2) Cancels the entire previous decision.

**E. Decisions on matter remain in force if motion passes.**

If a motion to reconsider a matter passes, all previous decisions on the matter remain in force, unless Council decides otherwise.

**F. Procedural motion.**

A motion to reconsider a matter is a procedural motion.

**G. Applicability to Council Committees on delegated matters. [Added 2007-03-06 by By-law 176-2007]**

This section applies to any decision made by a Council Committee on a delegated matter.

## **Article X**

### **Points of Order and Privilege and Chair's Rulings**

**§ 27-86. Point of order.**

- A. If the Chair agrees, a member may present a point of order at any time and must sit back down in his or her seat after doing so.
- B. Council or a committee cannot debate or amend a point of order.
- C. The Chair immediately rules on the point of order and gives reasons for the ruling.

**§ 27-87. Point of privilege.**

- A. If the Chair agrees, a member may present a point of privilege at any time and must sit back down in his or her seat after doing so.
- B. Council or a committee cannot debate or amend a point of privilege.
- C. The Chair will immediately rule on the point of privilege and give reasons for the ruling.

**§ 27-88. Motion to appeal the Chair's ruling.**

**A. Times a member may appeal the Chair's ruling.**

Immediately following a Chair's ruling, a member may make a motion to appeal that ruling, despite another member having the floor.

**B. No debating or amending a motion to appeal.**

Members cannot debate or amend a motion to appeal.

**C. Steps the Chair takes after a motion to appeal.**

When a member makes a motion to appeal, the Chair:

- (1) Asks the members, "Is the ruling of the Chair upheld?"; and
- (2) Immediately puts the motion to appeal to a vote.

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**D. When the Chair's ruling is final.**

A Chair's ruling that is not appealed, or is supported on appeal, is final.

**E. When Council's or committee's decision is final.**

When the Chair's ruling is not supported on appeal, Council's decision or the committee's decision is final.

**F. Chair's statement of authoritative rules is final.**

If the Chair states or reads a rule from the procedures by-law, legislation, or another document of authority, the Chair has not made a ruling and no member may make a motion to appeal.

**G. Procedural motion.**

A motion to appeal the Chair's ruling is a procedural motion.

## **Article XI**

### **Rules of Debate for Council**

#### **§ 27-89. Questioning.**

**A. Chair maintains a list of member requests to question.**

The Chair maintains a list of members who have indicated they wish to ask questions on a matter.

**B. Questions to committee or agency Chairs on recommendations to Council.**

Members may question a committee Chair or an agency Chair who is a Council member on any matter on which the committee or agency is making recommendations to Council.

**C. Questions on any matter to City or agency Officials.**

With the consent of Council, members may question any City official or agency official on any matter.

**D. Time for questions and answers to Chairs and to Officials.**

A member's questions asked under Subsections B and C, and their answers, may not exceed a total of five minutes on any matter.

**E. Timing and time limits for questions to the Mayor.**

(1) Members may only question the Mayor after the Mayor:

(a) Has presented a Mayor's key matter; or

(b) Has spoken about a matter.

(2) A member's questions and the Mayor's answers to them may not exceed a total of five minutes on any matter.

**F. Type of questions restricted under Subsections B, C, and E.**

A member may ask questions under Subsections B, C, and E only:

(1) To clarify the main motion; and

(2) Obtain facts related to the main motion.

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**G. Conditions for questioning the previous speaker.**

A member may ask questions of the previous speaker only:

- (1) If the previous speaker made a motion; and
- (2) To clarify the motion made by the previous speaker.

**H. Time for questions and answers of previous speaker.**

A member's questions asked under Subsection G, and the answers to them, may not exceed a total of three minutes.

**I. Questions under Subsection B, C, E, or G.**

When a Chair, a member, a City official, an agency official, or the Mayor, is on the floor to answer questions under Subsections B, C, E, or G, any member may ask them questions.

**J. Member may question under Subsection B, C, E, and G only once.**

Members may ask questions on a matter only once under each of Subsections B, C, E and G.

**K. Style of questions.**

Questions must be clear and concise and may not be used to make statements or assertions.

**L. Questions with the same form and content may be out of order.**

The Chair may rule a question out of order if a member has already asked substantially the same question in the same form.

**M. Questions completed before debate.**

All questioning on a matter is finished before debate on the matter begins except for questions of the Mayor under Subsection E(1)(b) and questions of the previous speaker under Subsection G.

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**§ 27-90. Order of speakers.**

**A. Chair or Vice Chair may choose to be first or last to speak.**

Subject to Subsection B, the committee Chair may choose to be either the first or last speaker during debate of a matter on which his or her committee made recommendations.

**B. Mayor's choice to speak first or last takes precedence.<sup>4</sup>**

Despite Subsection A, if the Mayor wishes to speak about a matter, the Mayor may choose to be either the first or last speaker on a matter during the debate. If the Mayor so chooses, the committee Chair will not have a choice under Subsection A, but may only speak in the position the Mayor did not choose.

**C. Member holding a matter is the second speaker.**

A member who the Clerk noted as requesting that a matter be held will be the second speaker on the matter during debate of the matter.

**D. Chair keeps a list of speakers and decides order.**

The Chair:

- (1) Keeps a list of members who have asked to speak on a matter; and
- (2) During debate, calls them to speak in the order of the list.

**§ 27-91. Standing to address the Chair.**

Unless prevented by physical disability, a member stands to address the Chair when questioning or speaking.

**§ 27-92. Rules for speaking.**

**A. Member may speak once on a matter.**

Members may speak only once on a matter during debate of the matter.

**B. Five-minute time limit for speakers and possible extension.**

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<sup>4</sup> Editor's Note: City Council by By-law 1520-2013, enacted November 18, 2013, had previously suspended § 27-90B for the balance of the Council term that ended on November 30, 2014 and substituted a special rule. Section 27-90B as it read prior to the suspension has been reinstated.

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A member may speak on a matter for up to five minutes, but Council may consent to extend that time for up to two more minutes for the Chair of the committee that submitted the matter to Council and for the ward councillor on a matter pertaining to a particular ward as opposed to a city-wide matter.  
**[Amended 2012-10-04 by By-law 1303-2012<sup>5</sup>]**

**§ 27-93. No interruption while a member is speaking.**

Unless acknowledged by the Chair to raise a point of privilege or a point of order, a member cannot:

- A. Pass between a member who is speaking and the Chair; or
- B. Interrupt a member who is speaking.

**§ 27-94. Chair must step down as Chair to participate in debate.**

- A. **Chair's objective role means he or she does not participate in debate.**

The Chair may not speak on a matter, question City officials or other members, or make any motions while in the chair.

- B. **Who takes over as Chair.**

- (1) If the Council Chair leaves the chair for any reason, the Chair designates the following to preside at a Council Meeting:
  - (a) The Speaker, Deputy Speaker, or the Mayor; or
  - (b) If the Speaker, Deputy Speaker, and the Mayor are all either absent or leaving the Chair, another Council Member.
- (2) If a committee Chair leaves the chair for any reason, the Chair designates the following to preside at a committee meeting:
  - (a) The committee Vice Chair; or
  - (b) If the committee Vice Chair is absent, another committee member.

**§ 27-95. Opportunity to be heard.**

Every member has an opportunity to speak on a motion before it is put to a vote, unless a motion to end debate or a motion to adjourn has passed.

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<sup>5</sup> Editor's Note: This By-law came into force on October 5, 2012.



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**§ 27-96. Request to have motion read.**

A member may request that a motion be read or re-read any time during debate of the motion, as long as the request does not interrupt a member speaking.

## Article XII

### Voting

**§ 27-97. Chair reads a motion.**

When necessary, the Chair reads each motion before putting it to a vote.

**§ 27-98. Present members' duty to vote but not voting is a negative vote.**

**A. Every member at a meeting must vote.**

Every member present at a meeting must vote on every matter put to a vote, except any member who declares a conflict of interest and removes himself or herself from the vote.

**B. Not voting is a negative vote.**

The Clerk records as voting in the negative any member present at a meeting who does not vote, except a member who has declared a conflict of interest.

**§ 27-99. Requirements for passing motions and the effect of tied votes.**

**A. Majority vote required for motion to pass.**

Unless the procedures by-law specifies otherwise, a motion passes when a majority of members present vote for it.

**B. Motion fails with tied votes.**

A motion does not pass if the same number of members vote for it as against it.

**C. Two-thirds vote for accountability officer's appointment. [Added 2009-10-27 by By-law 1098-2009]**

A two-thirds vote of all Council members (30 members) is required for the appointment of an accountability officer and related matters, as set out in § 3-3A of Chapter 3, Accountability Officers.

**§ 27-100. Order of motions for voting.**

- A.** Unless decided otherwise by Council, and subject to Subsection B, the Chair, in consultation with the Clerk, lists all motions on a matter for voting in the following order:

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- (1) Motion to refer;
  - (2) Motion to defer;
  - (3) Motion to receive;
  - (4) Motion to amend, dealing with an amendment to an amendment immediately before the amendment it proposes to amend;
  - (5) Main motion, or the main motion as amended, if any amendments have carried; and
  - (6) Separating the vote on the "main motion, as amended" into more than one part, which may only be done to comply with the *Municipal Conflict of Interest Act*.
- B. Despite Subsection A(4), when an amendment changes numbers, the amendments are put to a vote in ascending order dealing with the smallest number first.

**§ 27-101. Dividing motions into parts.**

**A. Member's request to divide the parts of a motion.**

If a matter under consideration contains distinct propositions, a member may request that members vote on each proposition separately.

**B. Chair rules on the request.**

If the Chair agrees that the matter contains distinct propositions, the Chair will rule that members vote on each proposition separately.

**§ 27-102. Voting procedures.**

**A. Requirements for members to vote.**

Members must:

- (1) Be in their designated seats when the motion is put to a vote; and
- (2) Be silent and remain in their designated seats until the Chair announces the results of the vote.

**B. Chair reads motion when necessary.**

When necessary, the Chair reads the motion.

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C. **No motions or further debate when motion is put to a vote.**

When the motion is put to a vote, a member may not speak on, or make a motion on, the matter.

D. **Members vote by a show of hands.**

Subject to § 27-103D, members vote by a show of hands.

E. **Declaration of the result of the vote.**

The Chair or the City Clerk declares the result of the vote.

**§ 27-103. Recorded vote.**

A. **When a member may request a recorded vote.**

A member may request a recorded vote on any matter and must make the request immediately before or after the vote is taken.

B. **If request for recorded vote is made after first vote the first vote is nullified.**

If the request for a recorded vote is made immediately after the vote is taken, the first vote is nullified and a second, recorded vote must be held.

C. **Clerk records name and vote of members.**

When a member requests a recorded vote the Clerk records the name and vote of every member on the matter.

D. **Electronic voting for records.**

When a recorded vote is requested, members will use the electronic voting system, or another method as determined by the Clerk, to vote.

**§ 27-104. Balloting rules.**

Electing the Speaker, Deputy Speaker, committee Chairs except as appointed under § 27-40A, and committee Vice Chairs, is done by ballot in accordance with Appendix A-II.

## **Article XIII**

### **Rules for Committee of the Whole**

#### **§ 27-105. Motion to go into committee of the whole.**

- A. A motion to resolve into a committee of the whole:
  - (1) May be made at any time, for the purposes set out in Subsection B;
  - (2) Is not debateable; and
  - (3) Cannot be amended.
- B. Council resolves itself into a committee of the whole to:
  - (1) Consider a matter which may be considered in a closed meeting under § 27-38A; and
  - (2) Hear public presentations and consider matters before it after Council having decided to do so at a previous meeting.

#### **§ 27-106. Chair of committee of the whole.**

- A. **Chair for meeting to hear public presentations.**
  - (1) The Mayor presides over a meeting of the committee of the whole to hear public presentations;
  - (2) If the Mayor is absent, the Deputy Mayor presides;
  - (3) If both the Mayor and the Deputy Mayor are absent, the Speaker presides; and
  - (4) If the Speaker is absent, the Deputy Speaker presides.
- B. **Chair for closed meetings.**

The person presiding over the Council meeting immediately before the meeting becomes a closed meeting presides over a meeting of the committee of the whole to consider a matter in a closed meeting.

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**§ 27-107. Hearing public presentations.**

If the committee of the whole decides to hear public presentations, the rules for public presentations to committees apply to those presentations.

**§ 27-108. Rules of procedures for committee of the whole.**

The rules of procedures set out in the procedures by-law apply to meetings of committee of the whole, except that:

- A. The Chair may participate in debate from the Chair;
- B. Subject to Subsection C, members may speak or ask questions again on any matter;
- C. Members may speak or ask questions only once each until every member who wishes to speak has done so; and
- D. A majority vote decides any matter the committee of the whole debates.

**§ 27-109. Motion to rise and report and motion to rise without reporting.**

- A. A motion to rise and report:
  - (1) May be made by a member at any time;
  - (2) Is not debatable; and
  - (3) Cannot be amended.
- B. A motion to rise without reporting:
  - (1) May be made by a member at any time;
  - (2) Is not debatable; and
  - (3) Cannot be amended.
- C. When a motion to rise without reporting passes, any matter that the committee of the whole has not decided loses.

**§ 27-110. Adoption of reports.**

A report that the committee of the whole adopts must be put to Council for adoption, and is subject to amendment by council.

## **Article XIV**

### **Minutes**

**§ 27-111. Preparing the minutes.**

- A. The Clerk prepares the minutes for all Council and Council Committee meetings.
- B. The minutes include:
  - (1) All decisions and other proceedings;
  - (2) The names of all member attending and absent;
  - (3) For recorded votes, a record of the way each member present voted for every motion; and
  - (4) A record of members, if any, who declared a conflict of interest and the reason for the conflict of interest.

**§ 27-112. Adopting the minutes.**

- A. **Clerk submits minutes to the next regular meeting at which Council or Council Committee adopts them.**

Unless Council or a Council Committee decides otherwise, the Clerk submits each meeting's minutes to the next regular meeting, or as soon as possible afterwards, for members to either adopt or amend.

- B. **Clerk circulates minutes before the meeting that adopts or amends them.**

The Clerk circulates the minutes before the meeting that the minutes are submitted to for adoption or amendment.

- C. **Members may request reading of minutes.**

If any member requests, the Clerk reads the minutes or any requested portion of the minutes, before the minutes are adopted or amended.

- D. **Amendments before adopting minutes.**

Council or the Council Committee passes a motion to amend the minutes to correct any errors or omissions and then adopts the amended minutes.

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E. **Minutes adopted as prepared if no errors.**

If there are no errors or omissions in the minutes, Council or the Council Committee adopts the minutes as prepared.

F. **Signatures required after adopting minutes.**

After Council or a Council Committee adopts the minutes, the Mayor and the Clerk sign them.<sup>6</sup>

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<sup>6</sup> Editor's Note: City Council by By-law 1519-2013, enacted November 18, 2013, had previously amended this section for the balance of the Council term that ended on November 30, 2014. Section 27-112F as it read prior to the suspension has been reinstated.



## **Article XV**

### **Bills**

**[Amended 2007-03-06 by By-law 176-2007]**

#### **§ 27-113. Bills.**

**A. Interpretation.**

Despite the definition of meeting in § 27-1, as used in this article, the term has the following meaning:

MEETING — Any regular, special, or other meeting of Council, or of a Council Committee to which legislative authority has been delegated under Article XVIII.

**B. Solicitor prepares bills.**

For each meeting, the City Solicitor prepares any bills to be introduced at the meeting.

**C. Clerk submits bills.**

The Clerk ensures each bill is in the approved format and submits the bill to Council, or in the case of delegated matters, to the Council Committee.

**D. Content of bills.**

All bills, except confirmatory bills, must:

- (1) Have a concise title;
- (2) Be numbered;
- (3) Refer to the decision on the bill's subject matter; and
- (4) Give the date of the meeting at which the bill is to be introduced.

#### **§ 27-114. Listing of bills on agenda and bill index.**

- A. The meeting agenda includes the bill's number and title;
- B. The Clerk:

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- (1) Prepares a bills index to distribute to members with the agenda or during the meeting; and
- (2) Provides a copy of a bill to a member, if the member requests it.

**§ 27-115. Subject matter of bills approved.**

- A. Only bills implementing matters Council has approved may be presented to Council.
- B. Only bills implementing delegated matters a Council Committee has approved may be presented to the Council Committee.

**§ 27-116. Rules about introducing and passing bills.**

- A. A bill is valid even if introduced and passed at a meeting on a date other than that shown on the bill.
- B. A number of bills may be introduced and passed together in one motion and referred to only by number.
- C. Despite Subsection B, Council, or in the case of a delegated matter, the Council Committee, must, at the request of any member, deal separately with any bill.
- D. Except for a bill to amend the procedures by-law under § 27-9B(1), a bill may be introduced and passed the same day as the bill's subject matter is approved.

**§ 27-117. Council may refer bills to Council Committee.**

Council may refer a bill to the appropriate Council Committee to report back to Council on the bill to ensure that the bill correctly implements the Council decision that it is intended to implement.

**§ 27-118. Rules on motions to introduce and pass bills.**

- A. **A motion to introduce and pass a bill, other than a confirmatory bill.**

A motion to introduce and pass a bill, is always in order and a member may make the motion at any time.

- B. **Contents of the motion.**

A motion to introduce and pass a bill other than a confirmatory bill, must specify the title or number of the bill.

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**C. Form of the motion.**

A motion to introduce and pass a bill, other than a confirmatory bill, must be in the following form:

"That (Council or the relevant Council Committee) pass and declare as a by-law bill number \_\_\_\_\_, prepared for the   (date)   meeting (of Council or the relevant Council Committee)."

**D. Limitations on debating the motion.**

- (1) A motion to introduce and pass a bill, other than a confirmatory bill, is debatable and may be amended, but only as to:
  - (a) Form; and
  - (b) To ensure that it correctly implements the decision that it is intended to implement.
- (2) The debate on a motion to introduce and pass a bill may not reopen or consider the substance of the decision or part of the decision, except in accordance with § 27-67 or 27-85.

**§ 27-119. Confirmatory bills non-debatable.**

**A. Member makes motion to introduce and pass confirmatory bill.**

When the business of the day is complete, or immediately before the meeting is adjourned, or at any other time determined by the Chair, a member may put the following motion to introduce and pass a confirmatory bill:

"That (Council or the relevant Council Committee) pass and declare as a by-law a confirmatory bill to confirm the (In the case of a Council meeting, proceedings of the Council meeting or part of it as specified; in the case of a Council Committee meeting, legislative proceedings of the relevant Council Committee acting under delegated authority at the meeting, or part of a meeting, as specified)."

**B. Motion on confirmatory bill not debatable.**

- (1) A motion to introduce and pass a confirmatory bill, or any part of one, is not debatable and cannot be amended.
- (2) A motion to introduce and pass a confirmatory bill is voted on immediately.

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- (3) Despite Subsection B(2), on an affirmative vote of two-thirds of the members present, Council, or in the case of delegated matters, the Council Committee, may defer to its next meeting the vote on a motion to introduce and pass any part of a confirmatory bill.

**§ 27-120. What happens when members request a separate vote on a matter.**

**A. The bill is considered automatically amended to exclude the matter.**

When a member requests a separate vote on a particular matter covered by a confirmatory bill, the bill will be considered to be automatically amended to exclude the matter in question.

**B. Presentation of another bill.**

After Council, or in the case of delegated matters, the Council Committee, votes on the confirmatory bill under Subsection A, a member will present another bill to confirm the proceedings on the other matter in question and the confirmatory bill is presented as if it had been included in the motion to introduce and pass the original bill.

**§ 27-121. Steps after bill is passed and Clerk's authority to make minor changes.**

**A. Steps after a bill is passed.**

A bill becomes a duly enacted by-law after:

- (1) Council, or in the case of delegated matters, the Council Committee, passes the bill;
- (2) The bill is printed in the form of a by-law;
- (3) The Mayor or Chair of the meeting at which the bill was passed, and the Clerk, sign it; and
- (4) The Clerk affixes the corporate seal of the City and the by-law number on it.

**B. Effective date of the by-law.**

A by-law is effective on the day it is enacted, unless the by-law specifies otherwise.

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**C. Clerk authority to make minor changes.**

- (1) The Clerk may make minor deletions, additions, or other changes in form to any bill before the bill is signed, sealed, numbered, and enacted as a by-law.
- (2) Any changes made under Subsection C(1) are for the purpose of ensuring correct and complete implementation of the actions that form the subject matter of the bill in accordance with the procedures by-law.

**§ 27-122. Amending a by-law and changes to a bill.**

- A. All changes made to a bill to reflect changes to the decision on the matter that the bill implements, are considered part of the bill.
- B. Once enacted, a by-law may only be amended or repealed by another by-law, unless the by-law or legislation specifies otherwise.

**§ 27-123. Security of by-laws.**

The Clerk deposits every by-law enacted in a safe and convenient place connected with the Clerk's office.

**§ 27-124. Indexed volume of by-laws.**

All by-laws are printed in an indexed volume separated according to the year in which they are enacted.

## **Article XVI**

### **Committees of Council**

#### **§ 27-125. Executive Committee.**

Appendix B-I sets out the terms of reference for the Executive Committee.

#### **§ 27-126. Standing Committees.**

##### **A. Duties of the Standing Committees.**

The Standing Committees are responsible for:

- (1) Providing direction, setting priorities, and ensuring co-ordination between related policies, programs, and services;
- (2) Providing forums for public participation and detailed discussions of the City's decision-making;
- (3) Providing forums for substantial policy debate within their respective mandates;
- (4) Making policy recommendations to Council and recommending priorities within the committee's budget;
- (5) Considering reports from City officials on implementing program and policy decisions within the committee's mandate; and
- (6) Promoting accountability and interaction with Council on behalf of agencies.

##### **B. Standing Committee Mandates.**

###### **(1) Economic Development Committee.**

The Economic Development Committee's primary focus is the economy, with a mandate to monitor, and make recommendations to strengthen Toronto's economy and investment climate.

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(2) **Community Development and Recreation Committee.**

The Community Development and Recreation Committee's primary focus is social cohesion, with a mandate to monitor, and make recommendations to strengthen services to communities and neighbourhoods.

(3) **Public Works and Infrastructure Committee.**

The Public Works and Infrastructure Committee's primary focus is on infrastructure, with a mandate to monitor, and make recommendations on Toronto's infrastructure needs and services.

(4) **Planning and Growth Management Committee.**

The Planning and Growth Management Committee's primary focus is on urban form, with a mandate to monitor, and make recommendations on planning, growth, and development of the City.

(5) **Licensing and Standards Committee.**

The Licensing and Standards Committee's primary focus is consumer safety and protection, with a mandate to monitor, and make recommendations on the licensing of business and enforcement of property standards.

(6) **Parks and Environment Committee.**

The Parks and Environment Committee's primary focus is the natural environment, with a mandate to monitor, and make recommendations on the sustainable use of Toronto's natural environment.

(7) **Government Management Committee. [Amended 2007-03-07 by By-law 262-2007]**

The Government Management Committee's primary focus is City government assets and resources, with a mandate to monitor, and make recommendations on the administrative operations of the City.

**C. Delegated Duties of Standing Committees.**

(1) **Planning and Growth Management Committee.**

The Planning and Growth Management Committee holds any statutory hearing required under the *Planning Act* for the following matters, in accordance with § 27-129D:

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- (a) Proposed official plans and zoning by-laws and their proposed amendments; and
  - (b) Applications for approval of subdivision plans.
- (2) **Government Management Committee. [Amended 2007-03-07 by By-law 262-2007; 2007-12-13 by By-law 1423-2007<sup>7</sup>; 2008-06-24 by By-law 625-2008<sup>8</sup>; 2014-08-28 by By-law 968-2014]**
- (a) The Government Management Committee is delegated the power and authority to hold meetings at which applicants may make representations to the Committee and to make final decisions, in regard to all property-tax related applications made under sections 300, 322, 323(1)(a), (b), (c), (d), (f), (g) and (h), 325, 326 and 327 of the Act, and these matters delegated by Council to the Committee cannot be exercised by Council.
  - (b) The Government Management Committee is delegated the power and authority to hold any hearing required by Chapter 760, Taxation, Municipal Land Transfer Tax, in respect of appeals under that chapter.
  - (c) Government Management Committee is delegated the power and authority to hold any hearing required by Chapter 765, Taxation, Personal Vehicle Tax, in respect of appeals under that chapter.
  - (d) The Government Management Committee is delegated the power and authority to hold hearings required by Chapter 771, Taxation, Third Party Sign Tax, in respect of appeals under that chapter.  
**[Added 2010-02-23 by By-law 198-2010<sup>9</sup>]**

**D. Composition of Standing Committees.**

- (1) Every Standing Committee is composed of six members and the Mayor by-right-of-office.
- (2) Every Council member is a member of at least one of the Standing Committees or of the Executive Committees.

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<sup>7</sup> Editor's Note: This by-law comes into force February 1, 2008.

<sup>8</sup> Editor's Note: This by-law comes into force September 1, 2008.

<sup>9</sup> Editor's Note: This by-law comes into force April 6, 2010.



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**E. Meeting support for Standing Committees.**

The Clerk provides meeting support to the Standing Committees.

**F. Mayor appoints Standing Committee Chairs.<sup>10</sup>**

The Mayor appoints the Chairs of each Standing Committee and informs the City Clerk in writing of the appointments.

**G. Committee selects Vice Chair.**

Each Standing Committee elects a Vice Chair from its members.

**H. Chair's absence.**

When the Chair is absent, the Vice Chair chairs the Standing Committee meeting.

**§ 27-127. Board of Health.**

The Board of Health reports to Council, as required.

**§ 27-128. Special Committees.**

Appendix B-II sets out the terms of reference for the Special Committees of Council.

**§ 27-129. Community Councils.**

**A. Composition of the Community Councils.**

- (1) Appendix B-III describes the Community Councils.
- (2) The membership of the Community Councils consists of the members elected for the electoral wards that the Community Councils represent.

**B. Chairs and Vice Chairs of Community Councils.**

Each Community Council elect its Chair and Vice Chair from its members.

**C. Community Council may hold public meetings on certain subjects.**

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<sup>10</sup> Editor's Note: City Council by By-law 1433-2013, enacted November 15, 2013, had previously suspended § 27-126F for the balance of the Council term that ended on November 30, 2014 and substituted special rules. Section 27-126F as it read prior to the suspension has been reinstated.

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The Community Councils hold any statutory hearing required under the *Planning Act*, for the following matters within the urban area the Community Council represents, unless the subject matter is of City-wide interest or is within an area represented by more than one Community Council:

- (1) Proposed official plans and zoning by-laws and their proposed amendments; and
- (2) Applications for approval of subdivision plans.

**D. When Council delegates the subjects in Subsection C to the Planning and Growth Management Committee.**

Despite Subsection E, the Planning and Growth Management Committee holds the statutory hearing if the matter is:

- (1) Of City-wide interest; or
- (2) Is within an area represented by more than one Community Council.

**E. Duties of Community Councils.**

In the urban areas they represent, Community Councils are responsible for the matters set out in Appendix B-IV.

**§ 27-130. Other committees and public advisory bodies.**

**A. Council may establish committees and public advisory bodies.**

Council may establish other committees, or public advisory bodies consisting of Council members or a combination of Council members and the public.

**B. Terms of reference.**

- (1) Council must adopt terms of reference for any new committees or public advisory body it establishes.
- (2) The terms of reference that Council adopts under Subsection B(1) for any new committee, or public advisory body that it establishes must include:
  - (a) The matters the committee or public advisory body deals with;
  - (b) The committee's or public advisory body's composition;
  - (c) The Standing Committee or Executive Committee to which the committee or public advisory body reports;

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- (d) The date the committee or public advisory body reports and the date that it ends, unless Council approves an extension or continuation;
- (e) The reason an existing committee or public advisory body cannot do the work; and
- (f) A Clerk's impact statement identifying the staff and other resources the committee or public advisory body needs for support and a statement that such resources are available.

**§ 27-131. Subcommittees.**

**A. Establishing subcommittees.**

The Executive Committee, a Standing Committee, a Special Committee, the Board of Health, and a Community Council can establish subcommittees.

**B. Members of the committee who create the subcommittee can be members.**

Only members of the committee creating the subcommittee may be subcommittee members.

**C. Community Councils Subcommittees' terms of reference.**

All subcommittees must have terms of reference in accordance with § 27-130B.

**D. Community Councils subcommittees report to Council on public hearings or public presentations.**

A Community Council subcommittee reports directly to Council on any public hearing it conducts or any public presentations it hears.

**E. Limited approvals for further subgroups or sub-subcommittees.**

A committee other than those permitted to create subcommittees by Subsection A, a subcommittee, and a public advisory body cannot establish a subcommittee without:

- (1) In the case of a subcommittee creating a subcommittee, the approval of the Executive Committee or the appropriate Standing Committee or Community Council; or
- (2) In all other cases, the approval of Council.

**§ 27-132. Term of office for member appointments.**

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**A. Period certain committee members are appointed to serve.**

Unless Council decides otherwise or legislation provides otherwise, the members of the following committees are appointed until the end of the second full year of the Council term, or until their successors are appointed:

- (1) The Executive Committee's four members-at-large;
- (2) The Standing Committee members;
- (3) Special committee and sub-committee members;
- (4) Any Council members appointed to agencies and other external bodies;
- (5) Council members who are members of any other committee or public advisory body;
- (6) The Chairs and Vice Chairs of Community Councils; and
- (7) The Vice Chairs of Standing Committees.

**B. (Reserved)<sup>11</sup>**

**C. Terms of office for members who are citizens.**

Council appoints citizens to agencies, committees, or public advisory bodies for:

- (1) The same term of office as Council's term, or until their successors are appointed;
- (2) The term set out in such appointments or by Council policy, or until their successors are appointed; or
- (3) The term otherwise provided by law.

**§ 27-133. Mayor's role means being a member of all Council Committees.<sup>12</sup>**

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<sup>11</sup> Editor's Note: Former § 27-132B, Members not to Chair two consecutive half-terms, was repealed December 2, 2008 by By-law 1245-2008.

<sup>12</sup> Editor's Note: City Council by By-law 1520-2013, enacted November 18, 2013, had previously suspended § 27-133 for the balance of the Council term that ended on November 30, 2014 and substituted a special rule. Section 27-133 as it read prior to the suspension has been reinstated.

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- A. **Mayor is a member of Council Committee member or be a member by being Mayor.**

The Mayor is a member of all Council Committees by virtue of office.

- B. **Mayor has all committee rights and privileges and is counted in a quorum.**

If present at a committee meeting, the Mayor is counted in assessing whether a quorum is present, and the Mayor has all the rights and privileges of the other committee members.

**§ 27-134. Joint meetings.**

- A. **Committee Chairs may call joint meetings.**

- (1) Committee Chairs may call a joint meeting of one or more Standing Committees, the Executive Committee, or Special Committees whenever the chairs think it necessary for their respective committees to jointly consider and report on matters within their respective mandate.
- (2) The Executive Committee decides whether a matter is within the mandate of more than one Council Committee.

- B. **Quorum for joint meetings.**

- (1) **Majority quorum.**

A quorum for a joint meeting is a majority of the combined memberships of both committees, unless Council decides otherwise.

- (2) **Members on both committees counted once.**

Anyone who is a member of both committees is only counted once for quorum purposes.

- C. **Chair of joint meeting.**

The members present at a joint meeting elect the Chair of one of the committees to Chair the joint meeting and, when both Chairs are absent, elect another member of one of the committees to Chair the joint meeting.

- D. **Joint committee voting.**

Votes put to a joint meeting are conducted as if both committees were a single committee and the vote results are treated as coming from both committees.

- E. **Conducting business in joint meetings.**

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The procedures by-law's rules on conducting business in committee meetings apply, with necessary changes, to conducting business at a joint meeting.

**§ 27-135. Filling vacancies in agencies.**

Council may appoint members to fill vacancies in agencies in accordance with any legislation or rules applicable to the agency.

**§ 27-136. Notifying about vacancies and questioning appointees.**

**A. Clerk tells members about vacancies.**

Before Council recommends appointing any Council member to fill a committee or agency vacancy during the Council term, the Clerk informs all Council members of the vacancy and allows them to submit names for consideration.

**B. Members' right to question potential member appointees to agencies.**

During Council's consideration of a Council member's potential appointment to an agency, a Council member may ask questions of any Council member standing for the appointment, if:

- (1) The questions are governed by § 27-89K; and
- (2) The total time for questioning a member under this section, including answers, is not longer than ten minutes.

## **Article XVII**

### **Rules for Committees**

**§ 27-137. Deadlines and content for committee agendas.**

- A. The Clerk prepares the agenda for all Council Committee meetings.
- B. The Clerk establishes agenda deadlines for all Council Committees meetings.
- C. If the Clerk receives the following matters by the agenda deadline and the matters are within the Council Committee's mandate, the Clerk places them on the agenda for the next regular Council Committee meeting:
  - (1) Communications from Council to a Council Committee;
  - (2) Communications from another Council Committee or a public advisory body;
  - (3) Reports from City officials;
  - (4) Reports and communications from an agency;
  - (5) Communications from Council members; and
  - (6) Communications from the public related to a matter on the agenda.

**§ 27-138. Supplementary agendas for Council Committees.**

- A. **Clerk prepares a supplementary agenda for supplementary business.**

If necessary, the Clerk prepares a supplementary agenda for reports and other communications supplementing business on the regular Council Committee agenda.

- B. **Adding late supplementary reports or communications.**

The Clerk adds any report or communication arriving after the regular agenda deadline to the supplementary agenda if the Clerk decides that either supplements the regular agenda business.

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**§ 27-139. Late new business reports and communications.**

**A. Late items added to next Council Committee meeting's agenda.**

Subject to Subsection B, if, after the regular agenda deadline for the Council Committee meeting, the Clerk receives any of the following, the Clerk adds them to the agenda for the next Council Committee meeting:

- (1) New business reports from City officials or agencies; and
- (2) New business communications from Council, a Council Committee, an agency, or a Council member.

**B. With the consent of the Council Committee, the Clerk may add to the agenda new business reports or communications the Clerk receives after the agenda deadline for the Council Committee meeting.**

**§ 27-140. Notice given by publishing the agenda.**

The published agenda for a committee meeting is notice of all business included in that agenda, subject to other notice provisions of the procedures by-law, of Chapter 162, Notice, Public and of any applicable legislation.

**§ 27-141. Members' options for presenting communications.**

**A. Council members may present communications to a committee about:**

- (1) Any matter on the meeting agenda; or
- (2) Matters not on the meeting agenda but within the committee's mandate.

**B. In submitting communications, under Subsection A(2), members must comply with any applicable notice requirement and must meet agenda deadlines.**

**§ 27-142. Referral from Council.**

- A. A referral of a matter from Council to a committee meeting, received after the agenda deadline for the committee meeting, cannot be presented at that committee meeting and will be presented at the next regular committee meeting.**
- B. A matter referred to in Subsection A related to another matter already on the meeting agenda is added to the agenda.**



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**§ 27-143. Information reports.**

Unless Council has previously authorized it, a committee only takes action on an information report, other than receiving the matter for information, and only hears public presentations on an information report if notice was given at a previous committee meeting.

**§ 27-144. Limitations on reconsidering committee matters.**

A committee may not reconsider:

- A. Any question Council decided within the past 12 months of the current term of Council; or
- B. Any matter that could result in a decision that is inconsistent with a Council decision.

**§ 27-145. Committee rules of procedures.**

- A. **Committee rules that are exceptions to other rules of the procedures by-law.**

The rules of procedure the procedures by-law sets out for Council meetings apply to committee meetings, when relevant, with the following exceptions:

**(1) Chair debates.**

The Chair may participate in debate from the Chair.

**(2) No limit on speaking or questioning.**

Subject to Subsection A(3), a committee member may speak or ask questions again.

**(3) Every committee member has a chance to speak or question before a second round.**

A committee member may speak or ask questions only once until every member who wishes to speak or question has done so.

**(4) Majority vote for decisions.**

Despite any other section of the procedures by-law, a majority vote decides any matter before the committee with the following exceptions:  
**[Amended 2007-03-06 by By-law 176-2007]**

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- (a) A reopening of a delegated matter under § 27-67; and
- (b) A reconsideration of a delegated matter under § 27-85.

(5) **Other committee rules possible.**

The committee may set other rules for its meetings, as long as they are consistent with parliamentary principles and are not in direct conflict with the rules of the procedures by-law.

B. **No waiving of rules.**

A committee cannot waive the rules of the procedures by-law.

**§ 27-146. Committee reports to Council.**

A. **Council decides on recommendations that a committee has no final authority to decide.**

A committee must report to Council for Council's final decision, all its recommendations on matters within the committee's mandate, on which it does not have authority to make a final decision.

B. **When a committee decides to take no action.**

If a committee takes any of the following actions it is considered to have taken action and must report the action taken to Council for Council's action:

- (1) It decides only to receive a report or a communication that contains recommendations for action;
- (2) Fails to make a decision on a matter; or
- (3) Decides against a matter on a tie vote.

C. **When a committee is not ready to report.**

A committee that is not ready to report its recommendations on a matter to Council may take note and file the matter until it is ready to make recommendations on the matter. A Committee must report to Council for Council's information that it has taken note and filed a matter.

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**§ 27-147. Outstanding committee business.**

**A. Contents of Clerk's report on outstanding report requests.**

The Clerk regularly reports to Council Committees all outstanding report requests the committee made during Council's current term including:

- (1) The subject matter of the report requests;
- (2) The committee meeting at which the report request was made;
- (3) The City official or agency from whom the report was requested; and
- (4) The date the committee asked for the report and the date the City official or agency expects to report to committee.

**B. Outstanding report requests not carried forward.**

Outstanding report requests do not carry forward to Council's next term.

**§ 27-148. Rights of Council members who are not members of a committee.**

- A. All Council members may attend all committee meetings, including committee meetings in a closed session, may question staff and the public, and may speak on a matter before the committee.
- B. Only committee members may make motions and vote on a matter before the committee.

## **Article XVIII**

### **Delegation to Council Committees** **[Added 2007-03-06 by By-law 176-2007]**

#### **§ 27-149. Delegation of authority.**

##### **A. Council may delegate.**

Council may delegate any legislative, quasi-judicial, or other authority to a Council Committee by amending this article.

##### **B. Legislative Delegation includes power to pass necessary by-laws.**

The delegation by Council of any legislative authority includes the power to pass any necessary by-laws respecting the delegated matters, and a by-law passed by a Council Committee under the delegation of legislative power has the same force and effect as a by-law passed by Council.

##### **C. Matters fully delegated.**

Subject to Subsection D, when Council delegates any authority to a Council Committee:

- (1) The Council Committee may exercise the delegated authority; and
- (2) Council cannot exercise the authority.

##### **D. Revocation of delegation.**

Council can revoke a delegation made under this article at any time, by amending the procedures by-law in accordance with the rules of the procedures by-law.

#### **§ 27-150. Reopening or reconsidering decisions on delegated matters.**

##### **A. Sections 27-67 and 27-85 apply to Council Committees.**

Sections 27-67 and 27-85 apply to any decisions made by a Council Committee on a delegated matter.

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**B. Council cannot re-open a delegated decision.**

Subject to Subsection C, Council cannot re-open a decision made by a Council Committee on a delegated matter.

**C. Council can re-open a delegated decision after revoking the delegation.**

In accordance with § 27-67, Council can re-open a Council Committee decision on a delegated matter if Council has revoked the delegation in accordance with § 27-149D after the Council Committee made the decision.

**§ 27-151. Article prevails in the event of conflict.**

**[Amended 2009-05-27 by By-law 607-2009]**

- A. To the extent of a conflict between this article and any chapter of the City of Toronto Municipal Code, any other City by-law, or any by-law of any of the former municipalities, this by-law prevails over the provisions of the other by-law or chapter to the extent of the conflict.
- B. Despite Subsection A, to the extent of a conflict between the exercise of authority delegated under this article and the exercise of authority delegated to the Mayor under Chapter 59, Emergency Management, the delegation and the exercise of authority delegated to the Mayor under Chapter 59 prevails.

**§ 27-152. Delegation to Community Councils.**

The authority to make final decisions with respect to the following matters, to the extent that the authority has not already been delegated to staff, is delegated to the Community Councils, with the exception of matters affecting more than one Community Council, and matters that, in the opinion of the City Manager, have City-wide significance.

**A. Exemptions to City by-laws.**

- (1) (Reserved) <sup>13</sup>
- (2) Fence by-law exemptions issued under Chapter 447, Fences.
- (3) Natural garden exemptions issued under § 489-3E of Chapter 489, Grass and Weeds.
- (4) Noise by-law exemptions issued under § 591-10H of Chapter 591, Noise.

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<sup>13</sup> Editor's Note: Former subsection 27-152A(1), regarding art mural exemptions was deleted March 7, 2012 by By-law 383-2012. By-law 383-2012 came into force on January 1, 2012.

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**B. Regulatory by-laws.**

(1)<sup>14</sup> Street Food Vending [**Added 2014-06-13 by By-law 560-2014**]

- (a) The authority to designate areas of the road as Mobile Vending Zones or Restricted Zones in accordance with Chapter 740, Street Vending.
- (b) The authority to designate, at the request of the local ward Councillor, a particular street vending location for entrepreneurs introducing new products, or variations of products, as identified by the General Manager, Economic Development and Culture.

(2) On-street parking, standing and stopping.

- (a) Subject to Subsection B(2)(b), on-street parking, standing and stopping regulation proposals, including but not limited to the following: [**Amended 2009-03-31 by By-law 355-2009**]
  - [1] On-street parking, standing or stopping;
  - [2] Side and time restrictions;
  - [3] Drop-off and pick-up zones;
  - [4] Accessible parking for persons with a disability, meter parking; [**Amended 2010-08-27 by By-law 1154-2010; 2011-02-08 by By-law 232-2011; 2012-07-13 by By-law 1006-2012**]<sup>15</sup>
  - [5] On-street loading zones; and
  - [6] Taxi-cab stands.
- (b) The authority to deal with the matters set out in Subsection B(2)(a) only applies on the portions of highways with the following classification that do not have an established TTC route:
  - [1] Local roads;
  - [2] Collector roads;

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<sup>14</sup> Editor's Note: Former § 27-152B(1), regarding bicycle lanes, was repealed January 30, 2008 by By-law 98-2008.

<sup>15</sup> Editor's Note: The amendment to subsection 27-152B(2)(a)[4] came into effect on July 12, 2012.

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- [3] Minor arterial roads; and
  - [4] Major arterial roads on which the proposal complies with all relevant City by-laws and policies.
- (3) On-street permit parking.
- (a) Subject to Subsection B(3)(b), on-street permit parking proposals including but not limited to the following: **[Amended 2009-03-31 by By-law 355-2009]**
    - [1] Installation of permit parking; and
    - [2] Removal of permit parking.
  - (b) The authority to deal with the matters set out in Subsection B(3)(a) only applies on the portions of highways with the following classification that do not have an established TTC route:
    - [1] Local roads;
    - [2] Collector roads;
    - [3] Minor arterial roads; and
    - [4] Major arterial roads on which the proposal complies with all relevant City by-laws and policies.
- (4) On-street traffic regulation.
- (a) Subject to Subsection B(4)(b), on-street traffic regulation proposals including but not limited to the following: **[Amended 2009-03-31 by By-law 355-2009]**
    - [1] Turn lane restrictions and entry prohibitions;
    - [2] Traffic signal installation;
    - [3] Pedestrian crossover installation or relocation; and
    - [4] Heavy truck prohibitions.
  - (b) The authority to deal with the matters set out in Subsection B(4)(a) only applies on the portions of highways with the following classification that do not have an established TTC route:

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- [1] Local roads;
  - [2] Collector roads;
  - [3] Minor arterial roads; and
  - [4] Major arterial roads on which the proposal complies with all relevant City by-laws and policies.
- (5) Road alterations.
- (a) Subject to Subsection B(5)(b), road alterations, including but not limited to the following: **[Amended 2009-03-31 by By-law 355-2009]**
    - [1] Road narrowing and widening;
    - [2] Installing medians; and
    - [3] Intersection re-alignments.
  - (b) The authority to deal with the matters set out in Subsection B(5)(a) only applies on the portions of highways with the following classification that do not have an established TTC route:
    - [1] Local roads;
    - [2] Collector roads;
    - [3] Minor arterial roads; and
    - [4] Major arterial roads on which the proposal complies with all relevant City by-laws and policies.
- (6) (a) Subject to Subsection B(6)(b), temporary road closures on the following roads: **[Amended 2016-04-01 by By-law 296-2016]**
- [1] Local roads;
  - [2] Collector roads; and
  - [3] Minor arterial roads.
- (b) The authority to deal with the matters set out in Subsection B(6)(a) only applies where the authority to temporarily close has not been delegated to the General Manager of Transportation Services



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pursuant to Section 937-3.2 of Chapter 937, Temporary Closing of  
Highways.

- (7) Sidewalk proposals on the following roads:
  - (a) Local roads;
  - (b) Collector roads;
  - (c) Minor arterial roads; and
  - (d) Major arterial roads on which the proposal complies with all relevant City by-laws and policies.
- (8) Signs.
  - (a) Neighbourhood and Business Area Identification Sign applications referred to Community Council by the General Manager, Transportation Services in accordance with Article V of Chapter 693, Signs. **[Added 2017-01-31 by By-law 101-2017]**
  - (b) Sign appeals under § 693-17B(5) and (6) and § 693-17C(2) of Chapter 693, Signs.
- (9) Traffic calming.
  - (a) Subject to Subsection B(9)(b), traffic calming proposals including but not limited to the following: **[Amended 2009-03-31 by By-law 355-2009]**
    - [1] Speed humps;
    - [2] Speed bumps; and
    - [3] Chicanes.
  - (b) The authority to deal with the matters set out in Subsection B(9)(a) only applies on the portions of highways with the following classification that do not have an established TTC route:
    - [1] Local roads; and
    - [2] Collector roads.

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**C. Permit appeals.**

- (1) Boulevard café permit appeals.
- (2) Boulevard marketing permit appeals.
- (3) Buskers and street entertainers and artists permit appeals.
- (4) Residential front-yard parking permit appeals, including appeals related to boulevard parking permits, front yard parking permits, and driveway widening permits, except where regulated only by zoning by-law.
- (5) Street vending permit appeals.

**D. Citizen appointments.**

- (1) Citizen appointments to business improvement area boards of management.
- (2) Citizen appointments to arena boards of management for the following arenas, in compliance with City policies:
  - (a) George Bell Arena;
  - (b) Larry Grossman Forest Hill Memorial Arena;
  - (c) Leaside Memorial Arena;
  - (d) McCormick Playground Arena;
  - (e) Moss Park Arena;
  - (f) North Toronto Memorial Arena;
  - (g) Ted Reeve Community Arena; and
  - (h) William H. Bolton Arena.
- (3) Citizen appointments to boards of management for the following community centres, in compliance with City policies:
  - (a) 519 Church Street Community Centre;
  - (b) Applegrove Community Complex;
  - (c) Cecil Street Community Centre;

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- (d) Central Eglinton Community Centre;
  - (e) Community Centre 55;
  - (f) Eastview Neighbourhood Community Centre;
  - (g) Waterfront Neighbourhood Centre;  
**[Amended 2016-04-01 by By-law 291-2016]**
  - (h) Ralph Thornton Community Centre;
  - (i) Scadding Court Community Centre; and
  - (j) Swansea Town Hall.
- (4) Citizen appointments to Museum Advisory Boards for the following museums:
- (a) Gibson House;
  - (b) Montgomery's Inn;
  - (c) Scarborough Historical Museum;
  - (d) Todmorden Mills Heritage Museum; and
  - (e) York Museum.
- (5) Citizen appointments to the Board of Management of the Balmy Beach Park. **[Added 2010-07-08 by By-law 796-2010]**

**E. Miscellaneous matters.**

- (1) Acceptance of donations of art valued at or above \$50,000 and at or below \$200,000 for use as art in public spaces, with the exception of donations related to zoning by-laws or any other planning-related matters.
- (2) (Reserved)<sup>16</sup>
- (3) Approval of encroachment agreements related to road allowances, parks, ravines and properties owned or managed by the City, in a form acceptable

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<sup>16</sup> Editor's Note: Former § 27-152E(2), regarding the Agnes McPhail award was repealed January 30, 2008 by By-law 86-2008.

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to the City Solicitor, with the exception of exemptions related to waiving of necessary survey, registration or annual administrative fees.

This Subsection shall also not include the approval of any encroachment agreement related to the approval of vehicular destination signage or neighbourhood and/or business area identification signage entered into by the General Manager, Transportation Services, in accordance with Article V of Chapter 693, Signs. **[Added 2017-01-31 by By-law 101-2017]**

- (4) Issuing or refusing permits for demolition of residential properties with less than six dwelling units, with the following exceptions:
  - (a) Properties with heritage designations; and
  - (b) Properties located in a heritage conservation district.
- (5) Naming of City properties in compliance with the Honourific and Street Naming Policy as adopted by Council. **[Amended 2011-12-01 by By-law 1371-2011; 2013-12-18 by By-law 1719-2013]**
- (6) Establishment of business improvement area boards of management after Council enacts a by-law to designate the business improvement area. **[Added 2007-06-11 by By-law 635-2007]**

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**F. Matters under the authority of legislation other than the Act.<sup>17</sup>**

- (1) Designation of fire routes on private roads under § 880-6A, and appeals of fire route designations on private roads under § 880-5 of Chapter 880, Fire Routes.
- (2) Proposals for stop sign installation on the following roads:
  - (a) Local roads;
  - (b) Collector roads; and
  - (c) Minor arterial roads.
- (3) Proposals for speed changes, restrictions, and reductions on the following roads:
  - (a) Local roads;
  - (b) Collector roads; and
  - (c) Minor arterial roads.
- (4) Designation of events of municipal significance for the issuance of special occasion permits.

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<sup>17</sup> Editor's Note: By-law 176-2007 stated that § 27-152F comes into force upon a regulation being filed by the Minister of Municipal Affairs and Housing prescribing the Acts under which these powers are exercised as Acts under which the City may delegate its legislative or quasi-judicial power, and upon the City Solicitor giving written notice to the City Clerk that such regulations have been filed. Once written notice has been received by the City Clerk's Office, the date shall be cited.

Ontario Regulation 447/07 (the "Regulation") came into effect on August 2, 2007.

The Regulation gives effect to the delegation to community councils under § 127-152F(2) (stop signs), 127-152F(3) (speed changes, restrictions and reductions), and 127-152F(4) (designation of events of municipal significance for the issuance of special occasion permits) of Chapter 27, Council Procedures.

With respect to § 127-152F(3), the power to do the following has not been delegated as the powers under subsection 128(5) and 128(6) of the *Highway Traffic Act* were not included in the Regulation as powers that could be delegated by Council:

- (a) speed restrictions in a designated school zone restricting speed only on days on which school is regularly held; and
- (b) speed restrictions on a designated portion of a highway with a grade of 6 percent or higher restricting speed for only certain classes of vehicles when traveling down grade.

In addition to the above, the Regulation allows Council to delegate the following two matters that have not to date been delegated:

- (a) designation of a highway or part of a highway as through highway for the purposes of the definition of "through highway" in subsection 1(1) of the *Highway Traffic Act*; and
- (b) designation of an event as a community festival for the purposes of paragraph 6 of section 3 of Ontario Regulation 389/91 (Special Occasion Permits) made under the *Liquor Licence Act*.

The regulation does not give effect to § 127-152F(1) of the Municipal Code (designation of fire routes).

## **Appendix A – Order of Business and Balloting**

### **I – Order of Business**

1. Call to Order
2. National Anthem
3. Moment of Silence
4. Confirmation of Minutes
5. Introduction of Reports of Council Committees and other Committees
6. Declarations of Interests
7. Routine Matters
8. Consideration of Committee Reports
9. New Business from the Mayor, and City officials
10. Business Previously Requested
11. New Business Notices of Motion from Members
12. New Business Motions Without Notice from Members
13. General Bills
14. Confirmatory Bills
15. Adjournment

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## **II – Balloting Procedures**

The procedures for balloting are:

**A. Clerk Chairs if there is no Chair.**

The Clerk, or his or her designate, takes the chair if there is no Chair for the Meeting until after the election of a Chair by ballot.

**B. Call for nominations.**

The Chair calls for nominations.

**C. Nominations and no seconding.**

Members may nominate candidates, including themselves, and nominations do not require seconding.

**D. Clerk calls three times, closes, and announces nominees.**

The Chair calls three times for further nominations and, if no further nominations are made, the Chair declares nominations closed and announces the nominees.

**E. Time limit and order for nominees to speak.**

Each nominee, in alphabetical order by surname, may speak for up to five minutes.

**F. More than one nominee requires ballots.**

If there is more than one nominee, the Chair issues ballots to all members.

**G. Members vote for one nominee and sign ballot.**

Using the ballot, a member votes for only one nominee, signs the ballot and prints his or her name on the ballot.

**H. Balloting results public.**

All ballot results are public.

**I. Announcing ballot results and members' votes.**

The Chair announces the results of the ballot, and if requested, announces the individual ballot results and the name of the member casting the ballot.

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**J. When most votes do not make a majority.**

If the nominee with the most votes does not receive the votes of a majority of the members present, Council conducts another ballot in accordance with Subsections G, H, I and K.

**K. Steps to exclude nominees with few or no votes or tie votes.**

The next ballot excludes the nominees with the fewest votes and any nominee with no votes. If two or more nominees are tied with the fewest votes, the Chair selects the nominee or nominees who advance to the next ballot by the following method:

- A. The names of the tied nominees are placed on sheets of paper of equal size, and the paper are folded in half and placed in a box; and
- B. The Chair pulls one or more pages with the name or names of the nominee or nominees who advance to the next ballot from the box.

**L. Votes to find a candidate with the most votes and then a majority vote.**

Balloting continues in accordance with Subsections G, H, I and K until one nominee receives both the most votes and a majority of votes.

**M. Steps for when remaining nominees are tied.**

If after the steps set out in Subsection L only two nominees remain and the votes for the two remaining nominees are tied, the Chair selects the winner by the following method:

- A. The names of each of the two remaining nominees are placed on two sheets of paper of equal size, and the papers are folded in half and placed in a box; and
- B. The Chair pulls the name of one nominee from the box, and that nominee is declared the winner.



## **Appendix B – Committees**

### **I – Executive Committee**

#### **1. Mandate.**

The Executive Committee's mandate is to monitor and make recommendations on the priorities, plans, international and intergovernmental relations, and the financial integrity of the City.

#### **2. Duties.**

The responsibilities of the Executive Committee include:

A. To make recommendations on:

- (1) Council's strategic policy and priorities in setting the agenda;
- (2) Governance policy and structure;
- (3) Financial planning and budgeting;
- (4) Fiscal policy including revenue and tax policies;
- (5) Intergovernmental and international relations;
- (6) Council and its operations; and
- (7) Human resources and labour relations.

B. To make recommendations or refer to another committee any matter not within the Standing Committee's mandate or that relates to more than one Standing Committee.

#### **3. Composition.**

A. The Executive Committee consists of:

- (1) The Mayor;
- (2) The Deputy Mayor;
- (3) The Chairs of all Standing Committees; and

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- (4) Four members-at-large who are members of Council, are appointed by Council and cannot be the Chair of the Toronto Transit Commission or the Police Services Board.
  - B. The Mayor is the Chair of the Executive Committee.<sup>18</sup>
  - C. The Deputy Mayor is the Vice Chair of the Executive Committee.
- 4. Reporting.**
- The Executive Committee reports directly to Council.
- 5. Meeting Support.**
- The Clerk provides meeting support to the Executive Committee.

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<sup>18</sup> Editor's Note: City Council by By-law 1520-2013, enacted November 18, 2013, had previously suspended Subsections 3B and C for the balance of the Council term that ended on November 30, 2014 and substituted a special rule. Subsections 3B and C as they read prior to the suspension have been reinstated.

## II – Special Committees

### 1. Audit Committee.

The Audit Committee is a Special Committee of City Council established until City Council decides otherwise.

#### A. Responsibilities.

The responsibilities of the Audit committee include:

- (1) Recommending the appointment of the City's external auditor;
- (2) Recommending the appointment of an external auditor to conduct the annual audit of the Auditor General's office;
- (3) Considering the annual external audit of the financial statements of the City and its agencies, boards, and commissions;
- (4) Considering the external audit of the Auditor General's office;
- (5) Considering the Auditor General's reports and audit plan;
- (6) Conducting an annual review of the Auditor General's accomplishments;
- (7) Making recommendations to Council on reports the Audit Committee considers; and
- (8) Considering performance audits and other reports of the Auditor General concerning City agencies and City corporations. **[Added 2012-11-01 by By-law 1406-2012]**

#### B. Composition.

- (1) The Audit Committee consists of six Council members.
- (2) The members of the Audit Committee cannot be:
  - (a) Chair of a Standing Committee;
  - (b) (Reserved)<sup>19</sup>

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<sup>19</sup> Editor's Note: Former Section 1B(2)(b), which prohibited the Chair of a Community Council from sitting on the Audit Committee, was repealed 2009-01-28 by By-law 74-2009.

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(c) Members of the Budget Committee.

(3) The Audit Committee selects the Chair from their members.

**C. Reporting.**

The Audit Committee reports directly to Council.

**D. Meeting Support.**

The Clerk provides meeting support to the Audit Committee.

**2. Striking Committee.**

The Striking Committee is a Special Committee of City Council established until City Council decides otherwise.

**A. Responsibilities.**

The responsibilities of the Striking Committee include:

- (1) Making recommendations to Council on Council member appointments to fill the positions of the at-large members of the Executive Committee, the members of the Standing Committees, the members of the Budget Committee, the members of the Audit Committee, and the members of the Civic Appointment Committee;
- (2) Making recommendations to Council on Council member appointments to fill the positions of representatives on agencies and public advisory committees; and
- (3) Making recommendations to Council on the meeting schedule for City Council and Council Committees.

**B. Composition.<sup>20</sup>**

- (1) The Striking Committee consists of up to seven members of Council, including the Mayor as Chair, or the Deputy Mayor if the Mayor so assigns.
- (2) The remaining six members of the Striking Committee are appointed by Council upon the Mayor's recommendation.

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<sup>20</sup> Editor's Note: City Council by By-law 1520-2013, enacted on November 18, 2013, had previously suspended a portion of Section 2B(1) for the balance of the Council term that ended on November 30, 2014 and substituted a special rule. Section 2B(1) as it read prior to the suspension has been reinstated.

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(3) Members of the Striking Committee may only serve on one of the following:

- (a) The Toronto Police Services Board; or
- (b) The Board of Directors of the Hummingbird Centre for the Performing Arts.

**C. Reporting.**

The Striking Committee reports directly to Council.

**D. Meeting Support.**

The Clerk provides meeting support to the Striking Committee.

**3. Civic Appointments Committee.**

The Civic Appointments Committee is a Special Committee of City Council established until City Council decides otherwise.

**A. Responsibilities.**

The responsibilities of the Civic Appointments Committee include considering and recommending to Council the names of citizens to appoint to agencies.

**B. Composition.<sup>21</sup>**

The Civic Appointments Committee consists of up to nine members of Council, including the Mayor or the Mayor's designate as Chair. **[Amended 2006-12-05 by By-law 1-2007]**

**C. Reporting.**

The Civic Appointments Committee reports directly to Council.

**D. Meeting Support.**

The Clerk provides meeting support to the Civic Appointments Committee.

**4. Budget Committee.**

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<sup>21</sup> Editor's Note: City Council by By-law 1520-2013, enacted November 18, 2013, had previously suspended a portion of Section 3B for the balance of the Council term that ended on November 30, 2014 and substituted a special rule. Section 3B as it read prior to the suspension has been reinstated.

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The Budget Committee is a Special Committee of City Council established until City Council decides otherwise.

**A. Responsibilities.**

The responsibilities of the Budget Committee include, but are not limited to:

- (1) Co-ordinating the preparation of the capital and operating estimates while the annual capital and operating budgets are being developed;
- (2) Making recommendations on the capital and operating budgets; and
- (3) Reviewing other matters that may have a significant impact on a future budget, upon request from the Executive Committee.

**B. Composition.**

The Budget Committee consists of seven members, including a Chair that the Executive Committee elects from its members<sup>22</sup>.

**C. Reporting.**

The Budget Committee reports to the Executive Committee.

**D. Meeting Support.**

The Clerk provides meeting support to the Budget Committee.

**5. Affordable Housing Committee.**

The Affordable Housing Committee is a Special Committee of City Council established until City Council decides otherwise.

**A. Responsibilities.**

The responsibilities of the Affordable Housing Committee include making recommendations on:

- (1) Affordable housing policies, including land-use and social policy that will facilitate creating new affordable housing and maintaining the existing supply;
- (2) Allocating funding and financing to proponents able to increase the supply of affordable housing;

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<sup>22</sup>Note: Members of the Audit Committee cannot be members of the Budget Committee.

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- (3) Acquiring land for affordable housing initiatives, selling and leasing of City property used for affordable housing development, and providing public notice, as the Act requires, when these City-owned lands are surplus;
- (4) On the recommendation of the Deputy City Manager, taking appropriate action when affordable housing planning applications are experiencing unnecessary and exceptional delays in the development review process. To decide on actions, members compare the case with the conditions and target timelines of the City's development guide;
- (5) Proposing provincial and federal legislation or programs dealing with affordable housing matters;
- (6) Advocating to federal and provincial governments and to other agencies and groups to assist in meeting the affordable housing needs of the community;
- (7) Strategically planning for The Toronto Community Housing, including its annual community Management Plan;
- (8) Providing development fee and charge waivers, and property tax reductions or waivers for affordable housing projects; and
- (9) Measuring the efficiency and effectiveness of projects and programs the Affordable Housing Office has taken on.

**B. Composition.**

- (1) The Affordable Housing Committee consists of six members, including:
  - (a) At least one member from each of the four Community Councils; and
  - (b) The Mayor by right-of-office or the Mayor's designate.<sup>23</sup>
- (2) (Reserved)<sup>24</sup>
- (3) All members of the Affordable Housing Committee must be aware of the land-use and social policy aspects of affordable housing policy and issues.

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<sup>23</sup> Editor's Note: City Council by By-law 1520-2013, enacted November 18, 2013, had previously suspended Section 5B(1)(b) for the balance of the Council term that ended on November 30, 2014 and substituted a special rule. Section 5B(1)(b) as it read prior to the suspension has been reinstated.

<sup>24</sup> Editor's Note: Former Section 5B(2), regarding the term of the Chair of the Affordable Housing Committee, was repealed December 2, 2008 by By-law 1245-2008.

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**C. Reporting.**

The Affordable Housing Committee reports to the Executive Committee.

**D. Meeting Support.**

The Clerk provides meeting support to the Affordable Housing Committee.

**6. Employee and Labour Relations Committee.**

The Employee and Labour Relations Committee is a Special Committee of City Council established until City Council decides otherwise.

**A. Responsibilities.**

The responsibilities of the Employee and Labour Relations Committee include:

- (1) Reviewing corporate human-resource policy issues related to achieving and maintaining excellence in the public service in keeping with the City's people strategy and its key goals. These include leadership, a healthy and safe workplace, managing people, recruiting and retention, building a productive workforce, and a learning organization;
- (2) Providing strategic policy direction and receiving routine updates on collective bargaining relating to the City;
- (3) Considering and making recommendations on reports on corporate human-resource policy matters affecting the City's workforce including compensation, performance management, training and development, recruitment, retention, retirement issues, labour relations, human rights, equity goals, wellness, and health and safety;
- (4) Providing strategic direction to staff in negotiating City collective agreements;
- (5) Considering updates on the progress of collective bargaining; and
- (6) Reviewing matters related to the Employee and Labour Relations Committee's terms of reference that the Executive Committee refers to them.

The Employee and Labour Relations Committee is not an alternative to established employee and union dispute-resolution mechanisms.

**B. Composition.**

The Employee and Labour Relations Committee consists of seven members, including a Chair that the Executive Committee elects from its members.



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**C. Reporting.**

The Employee and Labour Relations Committee reports to the Executive Committee.

**D. Meeting Support.**

The Clerk provides meeting support to the Employee and Labour Relations Committee.

### **III – Community Councils**

#### **1. Etobicoke York Community Council.**

The Etobicoke York Community Council is drawn from the urban area that includes the following electoral wards:

- A. Ward 1, Etobicoke North
- B. Ward 2, Etobicoke North
- C. Ward 3, Etobicoke Centre
- D. Ward 4, Etobicoke Centre
- E. Ward 5, Etobicoke-Lakeshore
- F. Ward 6, Etobicoke-Lakeshore
- G. Ward 7, York West
- H. Ward 11, York South-Weston
- I. Ward 12, York South-Weston
- J. Ward 13, Parkdale-High Park
- K. Ward 17, Davenport

#### **2. North York Community Council.**

The North York Community Council is drawn from the urban area that includes the following electoral wards:

- A. Ward 8, York West
- B. Ward 9, York Centre
- C. Ward 10, York Centre
- D. Ward 15, Eglinton-Lawrence
- E. Ward 16, Eglinton-Lawrence
- F. Ward 23, Willowdale

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- G. Ward 24, Willowdale
- H. Ward 25, Don Valley West
- I. Ward 26, Don Valley West
- J. Ward 33, Don Valley East
- K. Ward 34, Don Valley East

**3. Toronto and East York Community Council.**

The Toronto and East York Community Council is drawn from the urban area that includes the following electoral wards:

- A. Ward 14, Parkdale-High Park
- B. Ward 18, Davenport
- C. Ward 19, Trinity-Spadina
- D. Ward 20, Trinity-Spadina
- E. Ward 21, St. Paul's
- F. Ward 22, St. Paul's
- G. Ward 27, Toronto Centre-Rosedale
- H. Ward 28, Toronto Centre-Rosedale
- I. Ward 29, Toronto-Danforth
- J. Ward 30, Toronto-Danforth
- K. Ward 31, Beaches-East York
- L. Ward 32, Beaches-East York

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**4. Scarborough Community Council.**

The Scarborough Community Council is drawn from the urban area that includes the following electoral wards:

- A. Ward 35, Scarborough Southwest
- B. Ward 36, Scarborough Southwest
- C. Ward 37, Scarborough Centre
- D. Ward 38, Scarborough Centre
- E. Ward 39, Scarborough Agincourt
- F. Ward 40, Scarborough Agincourt
- G. Ward 41, Scarborough Rouge-River
- H. Ward 42, Scarborough Rouge-River
- I. Ward 43, Scarborough East
- J. Ward 44, Scarborough East

## **IV – Duties of Community Councils**

The responsibilities of the Community Councils include:

### **1. Making final decisions on delegated matters. [Added 2007-03-06 by By-law 176-2007]**

Making final decisions on delegated matters under § 27-152.

#### **1.1. Public presentations and recommendations on neighbourhood matters. [Amended 2007-03-06 by By-law 176-2007]**

Hearing public presentations and making recommendations to Council on neighbourhood matters requiring a municipal by-law or commitment of unbudgeted City funds, including:

- A. Requests for exemptions to ravine and tree by-laws;
- B. Business improvement area streetscape improvement plans;
- C. Applications for approval of a condominium description that involves converting rental housing to a condominium; and
- D. Any matter referred to in § 27-152 which affects more than one Community Council.

### **2. Public presentations on construction, street cleaning, encroachments, grass cutting, and tree removals.**

Hearing public presentation on City official's decisions about:

- A. Construction-related permits;
- B. Billings related to snow removal, cleaning and clearing of debris, and cutting of weeds and long grass;
- C. Encroachments on municipal property;
- D. Requests to remove trees and repair damage caused by trees on municipal property.

### **3. Citizen participation on neighbourhood issues.**

Involving citizens in neighbourhood issues to:

- A. Identify recreational needs and safety concerns;
- B. Monitor the well-being of local neighbourhoods; and
- C. Report to Council on how well community needs are being met.

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**4. Nominating community members for local boards and panels.**

Nominating citizens as members of:

- A. Community panels of the committee of adjustment; and
- B. Local recreational facility boards of management.

**5. Recommendations on policy and research about local matters.**

Making recommendations to Council on City planning policy and research matters that are not of City-wide interest.

**6. Recommendations about planning applications of City-wide interest.**

Considering and making recommendations to the Planning and Growth Management Committee on reports of the Chief Planner about planning applications of City-wide interest.

**7. Community information meetings on planning applications with City-wide interest.**

When appropriate, convening community meetings to inform the public of planning applications of City-wide interest and hear public presentations.

**8. Recommendations to Council on City's official plan and zoning by-law amendments with a local focus.**

Making recommendations to Council on City-initiated official plan amendment and zoning by-law amendment proposals that are not of City-wide interest.

**9. Recommendations to Council on local planning applications.**

Making recommendations to Council on other planning applications that are not of City-wide interest.

**10. Recommendations about acquiring and selling local real property up to \$500,000.**

Making recommendations to Council on acquiring or selling real property. However, the City Manager, the Chief Corporate Officer, and at least one of the Council members representing the ward where the real property is located must all agree that:

- (a) The proposed transaction is of local interest only and are not of City-wide interest; or

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- (b) The property is worth \$500,000 or less, unless the \$500,000 maximum value is for acquisitions related to affordable housing for which the Affordable Housing Committee is responsible.

**11. Hearing Ward Councillor appeals of Sign Variance Committee decisions to grant variances to Chapter 694. [Added 2010-02-23 by By-law 198-2010<sup>25</sup>]**

Hearing Ward Councillor appeals of Sign Variance Committee decisions to grant variances to Chapter 694, Signs, General and making recommendations to Council for final decision on the appeals.

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<sup>25</sup> Editor's Note: This by-law came into force on April 6, 2010.