



# THE *CITY OF TORONTO ACT*, FIVE YEARS LATER: HAS IT MET EXPECTATIONS?

Professor & Dean Lorne Sossin

# City of Toronto Act, 2006 (COTA)

- COTA proclaimed January 1, 2007, sets out a broad, permissive legislative framework for the city. Some highlights include:
  - ▣ Explicit recognition of City's authority to enter into agreements with the federal government
  - ▣ New relationship with province based on "mutual respect, consultation and cooperation."
  - ▣ Broad authority to manage its financial affairs
  - ▣ Increased flexibility to establish municipal corporations
  - ▣ Broad permissive authority to raise new taxes except in areas specifically prohibited, such as an income tax, wealth tax, gas tax or a general sales tax.

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- Broad permissive powers to pass by-laws, including with respect to:
  - Governance structure of the city and its local boards
  - Accountability and transparency of the city and its operations
  - Financial management
  - Public assets of the city
  - Economic, social and environmental well-being of the city
  - Services provided by the city
  - Protection of persons and property, including consumer protection
  - Animals
  - Business licensing
  - Greater flexibility regarding procurement and notice.

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- Additional highlights:
  - ▣ Setting out roles of key City officials (City Clerk, City Manager, etc)
  - ▣ City Council; and
  - ▣ Setting out role for Mayor both as head of Council and as CEO
- Broader authority to delegate decision-making to committees of council, staff, and boards
- Broad permissive powers to change some local boards
- Authority to change council composition and ward boundaries.

# City of Toronto Act, 2006 (COTA)

- City Council established an Auditor General in 2002 and an Integrity Commissioner in 2004. COTA enacted a number of accountability and transparency requirements in legislation.
- COTA establishes four mandatory functions including,
  - ▣ the Auditor General,
  - ▣ Integrity Commissioner,
  - ▣ Lobbyist Registry and authority to appoint a Lobbyist Registrar (appointed in 2007), and
  - ▣ an Ombudsman (appointed in 2008).
  - ▣ COTA also establishes authority for Open Meeting Investigator to investigate complaints of closed meetings.