INSTITUTE ON MUNICIPAL FINANCE AND GOVERNANCE

The Maturing Metropolis

Governance in Toronto a Decade on from Amalgamation

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Summary

Amalgamation was not recommended by experts, it was spurned by residents, and it largely failed to meet its primary objective of increased efficiency. Yet, it unleashed a tidal wave of reform that continues to be felt a decade on. The growing complexity of governing the 'Megacity' – now North America's 5th largest – forced a significant reshaping of Toronto's system of government. But there has been little appraisal of these reforms, and it remains unclear whether the City and its residents are better off today. The central question then is: on balance, have the changes of the past decade produced a maturing metropolis – one that can now represent residents more effectively, representatively and accountably?

The paper evaluates this question using four governance criteria: (1) effectiveness and responsiveness, (2) consensus oriented, (3) transparency, accountability, and participation, and (4) maturity. There is now more capacity at City Hall to act *effectively and responsively*, both because of the *City of Toronto Act's* new powers and a series of governance reforms. While these reforms have created conflict between the Mayor and Council, the new stronger (if not 'strong') Mayor model retains important elements of the old *consensus-oriented* model. The Mayor is more capable of pursuing the citywide agenda for which he claims accountability to Torontonians. But Council remains the supreme legislative body, with Councillors continuing to play a large role in policy development, appointments and administrative oversight, and local issues. As well, the Toronto Public Service remains equipped to support Council and deliver quality services. But, further changes to empower the Mayor or create political parties could upset this balance.

Governance processes remain relatively *transparent and accessible, if perhaps less participatory*. The one-tier structure is clearer for citizens, policymaking processes are quite open, new accountability mechanism have been created, and a range of civil society groups are playing an increasingly influential role. Yet, City Hall appears further from citizens today, with authority more centralized and services less responsive to community needs. There are also fewer community councils, though Councillors now have more constituents. The abysmal voter turnout might be a reflection of this distance from residents.

A decade on though, it appears as though amalgamation, though unwelcome at the time, has inadvertently helped produce an empowered and increasingly *mature* local government. The Province has willingly entered into a new, more reciprocal relationship with the City of Toronto. The *City of Toronto Act's* permissive powers have endowed City Hall with greater scope for action and status as a mature order of government. A distinctive governance model has also emerged that appears more transparent, accessible and consensus-driven than the other orders of government, while empowering the Mayor to lead on city-wide issues. The City does face pressing challenges, particularly in addressing its fiscal responsibilities and in better engaging citizens and communities. But while the new City remains in its formative years, Toronto does indeed appear to be a 'maturing metropolis'.

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Introduction

To borrow from writer John Lorinc (2006), Toronto is in many ways becoming Canada's 'new city'. Amalgamation in the late 1990s unleashed a tidal wave of reform that continues to be felt a decade on. A growing awareness of the complexity of governing the 'Megacity' – now North America's fifth largest – forced a significant reshaping of Toronto's system of government. The groundbreaking *City of Toronto Act* has gone even further, providing powers and allowing the City to undertake reforms that, among other things, delegate smaller issues and allow the Mayor to lead on bigger ones. But it is by no means clear that the City and its residents are better off for these reforms. On the one hand, the larger City seems to have more control over its destiny and more capacity to plan for the future. On the other, City Hall appears further removed from citizens, and remains firmly under the thumb of the Province with regard to fiscal matters. The central question then is, have the changes of the last decade produced a maturing metropolis – one that now represents residents more effectively, representatively and accountably?

In the simplest terms, governance can be described as "the process by which we collectively solve our problems and meet our society's needs." (Osborne 1992, 24) While the term has been attributed neo-liberal connotations by some (Lightbody 2006, 547), the notion of a governance system is used here simply to imply that this collective problem solving is undertaken not just by elected officials and professional administrators, but through a range of interactions among actors inside and outside of government.[1] In the City of Toronto context, governance is essentially about identifying the appropriate balance of conflicting priorities or interests in creating policies. Common conflicts can pit city-wide plans against community interests, efficiency against accountability, higher spending against lower taxes, political maneuvering against citizen participation, or diverse Council perspectives against a Mayor's agenda. In examining governance systems, the institutional structures and procedures matter; but so do other factors, such as the abilities and agendas of the actors trying to affect change, local traditions and political culture, the policy challenges, and relations with other governments.

Over the past decade, Toronto's governance model has evolved into something of a hybrid, blending a traditional Canadian municipal structure with elements of executive-driven parliamentary or strong mayor models in the US. This evolution has significantly altered the roles, responsibilities and relationships among the Mayor, Council, City Staff and local residents. But while these dramatic changes have unfolded rapidly, there has been little analysis of how the different actors within the local governance system have actually been responding. This is disquieting as these institutions are sensitive and closely integrated – with reforms to one producing reactions in the others. For instance, how have reforms to empower the Mayor affected Council? What has been the impact of the changing political dynamic on a Public Service already in flux? Or, how have interactions between actors at City Hall and citizens and civil society groups changed in the context of the larger city?

The paper addresses these and other questions by focusing on those four pillars – the Mayor, Council, the Toronto Public Service, and Citizens and Civil Society. It will begin with an overview of pre-

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[1] Including media, business and labour interests, civil society groups and NGOs, ratepayers' associations and community groups, and of course citizens.

amalgamation governance in Metro Toronto, followed by a brief outline of the debate that produced the Megacity. The core of the paper will use four criteria to examine the reforms of the post-amalgamation period and impacts they have had on the pillars, as well as the interactions and reverberations between them. Conclusions about where the last decade has taken the City of Toronto are informed by research and a series of not-for-attribution interviews (see Annex 1). The paper will attempt to establish that while amalgamation was neither favoured by expert opinion nor desired by citizens, it has nevertheless produced a maturing City that has greater powers, a stronger voice, and more capacity to govern effectively and accountably. Moreover, Toronto's experience over the last decade has helped unleash a vigorous conversation about the importance and influence of cities within the Canadian federation.

Historical Context

From the Post-War Period to the 1990s

The post-war period, with the dramatic population growth and corresponding servicing difficulties it entailed, produced significant challenges for the City of Toronto and the surrounding municipalities. The economic and social consequences of the growth resulted in higher costs for social services, and tremendous strain in financing needed capital projects such as water and sewage treatment facilities, housing, public transportation and roads, and the construction of new schools. Toronto's stronger tax base and less acute infrastructure needs than its suburban neighbours also produced regional equity concerns in the delivery of these services.

In response to these challenges, the Province introduced the *Metropolitan Toronto Act* in 1953, producing a federated form of government that included Toronto and the 12 surrounding municipalities. This two-tier structure placed responsibility for major regional functions such as assessment, planning, borrowing, water and sewage, and metropolitan roads with the upper tier Regional Municipality of Metropolitan Toronto, while leaving the 13 lower tier municipalities with their original borders and responsibility for an array of shared and locally-oriented services. A decade later, in 1967, the structure was modified through the consolidation of the 13 municipalities into 6, and the transfer of some lower tier responsibilities such as waste disposal, police and social assistance to the Metro tier.

While the model has been described as being extremely successful in its early years in addressing the servicing and coordination problems the region faced and balancing regional and local interests, its effectiveness began to decline through the 1960s. Its diminishing success has been attributed to a number of factors, including less forceful leadership following the departure of Metro Chair Fred Gardiner in 1961, and the majority position of suburban representatives on the Metro Council after 1967 who largely eschewed both urban and regional concerns. By the 1970's, growth outside Metro's borders in the Greater Toronto Area (GTA) made Metro's regional planning function increasingly irrelevant. Perhaps the most significant factor, however, was the indirect election of Metro Councillors, and its effect in undermining Metro's regional planning capacity. (Tindal 2004, 106-8; Slack, 2007, 27-8; Sancton 2005, 321)

The upper tier wielded considerable power, yet Metro council was composed of indirectly elected individuals from lower tier councils. Because direct accountability lay only with ward constituents, re-election was largely contingent on advocacy for local interests and performance at the lower tier council. This arrangement produced a parochialism that undermined regional objectives and created conflict over regional services, and hindered transparency and accountability to citizens for Metro responsibilities. (Tindal 2004, 108) Wichern suggests that the two-tier system gradually became a "major problem rather than providing an adequate policymaking framework within which to solve regional problems." (2004, 39)

Reforms in 1988 attempted to rectify some of these issues. With the exception of the 6 lower tier mayors, Metro Councillors were elected directly and no longer served on lower councils. The Province also created the Office of the Greater Toronto Area (OGTA), reporting directly to a provincial Cabinet minister, to improve the coordination of growth in the GTA. The absence of a legislative mandate left the OGTA with no teeth to impose policy or drive consensus, however, though its creation did contribute to the fulsome debate about GTA governance that took shape during the 1990s.

The 1990s and the Creation of the Megacity

While the reforms in 1988 sought to improve both responsiveness to Metro issues and increase GTA-wide planning capacity, many were of the view that these fixes were too little, too late. With a population approaching five million and an increasingly integrated and interdependent regional economy, the structure of GTA municipal governments – comprising 30 lower tier municipalities and 5 upper tier regional municipalities[2] – no longer made practical sense. Critical policies and services increasingly crossed municipal boundaries, including transit, land-use planning, coordination of police and emergency services, and economic development. In addition to the coordination challenges the region faced, there were also inefficiencies and inequities: some municipalities had less capacity to fund and deliver services; others could free ride off services delivered by a neighbour. (Slack 2007, 29)

By the mid-1990s, there was an eagerness at the provincial level to move ahead with more ambitious municipal restructuring. Two expert panels were convened to study the issue: the *Task Force on the GTA* Chaired by Anne Golden was appointed by the NDP government, and the *Who Does What Panel* (WDWP) was convened by the newly elected Conservatives to examine provincial/municipal roles and responsibilities across the province. Guided by the belief that a GTA-wide approach was needed, both essentially agreed upon a series of recommendations to establish an indirectly elected or appointed GTA-wide coordinating body, to eliminate upper tier municipalities and consolidate the lower tiers into stronger cities with increased responsibilities, and to position Toronto as the urban core of the region. The WDWP proposed a Greater Toronto Services Board (GTSB) to perform the regional coordination function.[3] (Who Does What 1996, 35-9)

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[2] They were the regional municipalities of Metro Toronto, Durham, Halton, Peel and York.

[3] Composed of appointed members with representation based on population, and with no taxing authority, the GTSB would focus on: transit, highways and regional roads; waste, sewers and water; hydro distribution; police coordination; and regional social and infrastructure planning.

Despite these recommendations, the provincial Conservative government instead pushed through the *City of Toronto Act (1997)* to amalgamate Metro and the six municipalities into a single-tier City of Toronto. The Province did also create a Greater Toronto Services Board to coordinate across the GTA, but provided it with legislative authority only for regional transit. This structural reorganization was accompanied by property tax reform, and a program of Local Service Realignment that uploaded education funding to the Province while downloading significant costs and responsibility for social housing, public health and other social services onto municipalities.

Sancton suggests that the provincial rationale for this form of restructuring was not entirely clear. Greater coherence, global competitiveness, and an ideological inclination towards smaller government were factors. Publicly, however, amalgamation was touted for the efficiencies it was expected to produce by reducing staffing and service duplication. (2000, 118-20) Regardless, the amalgamation program was extremely unpopular. The Province's unilateral decision was taken in the face of intense political opposition, protest by civil society groups, and public resistance. Three quarters of voters rejected the merger in non-binding referenda held in the six municipalities. A primary complaint was that the larger City would reduce local identity and access to local government. (Slack 2000, 14-5)

In hindsight, amalgamation largely failed to achieve stated provincial objectives. It is highly unlikely that amalgamation produced the economic efficiencies that were predicted. While the simultaneous downloading and property tax reform made the financial impacts of amalgamation impossible to gauge, the significant transition cost and upwards harmonization of service and staffing levels likely led to cost increases. There is a silver lining: this upwards harmonization of services and the sharing of the tax base has produced greater equity. (Sancton 2000, 135; Slack 2000, 29) Yet, as the governance experts predicted, amalgamation did little to address the growing challenges of service coordination across the GTA. Moreover, the downloading of soft services – in spite of WDWP recommendations opposing such a move – provided expensive new responsibilities without the commensurate revenue generating tools, creating what many today see as a municipal fiscal imbalance with the province. (Sancton 2005, 325)

Evaluating Governance Reform in the Megacity and its Implications a Decade On

The Evaluation Criteria

Several criteria exist in academic and other literature to evaluate the design of governance structures, but there was little to draw in developing standards to examine how a governance system is functioning. As such, the following criteria were created as a composite, borrowing from a range of sources. (Slack 2007, 8-13; OECD 2000, 8; Toronto 2003, 2-3; Who Does What 1996, 24-5; Governing Toronto Advisory Panel 2005, 3) Considerations in crafting the list included Toronto's tradition of local governance, the contemporary context for Canadian municipalities, and the nature of the new challenges the City faces.

The paper explores whether Toronto's system of governance has become *more*:

- *Effective and Responsive* at City Hall with better organizational capacity to govern, deliver services and make timely decisions for a scaled-up Megacity;

- *Consensus Oriented* in distributing power and mediating interests among political and administrative actors to reach compromise in the best interests of the City;

- *Transparent, Accountable and Participatory*, with understandable structures, open processes, and means to engage citizens and civil society and involve them in decision-making; and

- *Mature* in the scope of its powers, and in the City's willingness to act autonomously, take ownership over its responsibilities, and use its voice to further the interests of its citizens.

Is Toronto More Effective and Responsive Today?

Though Toronto remains a creature of the Province under the *Constitution Act 1867*, the legislative unshackling that has occurred over the past decade has been significant. After amalgamation, the City's legislative framework was based largely around the stipulations and regulations contained in the *Municipal Act* and *City of Toronto Act (1997)*.[4] The 1997 *City of Toronto Act* provided some Toronto-specific provisions, but it was the "one size fits all" *Municipal Act*, applying to all Ontario municipalities, that largely set the terms and conditions under which the City government could act. It created a prescriptive legislative environment, allowing municipalities to act only if explicitly granted the authority to do so by provincial legislation. It also severely constrained fiscal decision-making by limiting taxing powers and prohibiting municipal borrowing to cover operating expenses (or running deficits).

This began to change substantively with reforms to the *Municipal Act* in 2003. The reformed Act provided municipalities with "natural person powers" such as those of a business corporation to enter into contracts, hire and dismiss employees, delegate administrative responsibility and perform a host of other tasks. In addition to setting out a list of specific municipal powers, the reforms also provided municipalities with authority to act within ten specific jurisdictional spheres, including highways, transportation, and waste management.[5] The reforms were a step forward, but the City of Toronto still remained constrained in a number of ways. Firstly, the City lacked the ability to sub-delegate legislative decision-making. This meant that even the decisions taken by Councillors at Community Council sessions had to be approved by full Council. Secondly, while the amended Municipal Act provided municipalities with the capacity to restructure their councils, a provision in the 1997 *City of Toronto Act* actually continued to prohibit Toronto from doing so. (City of Toronto 2003, 12-4)

A more dramatic leap forward came in the form of the *City of Toronto Act 2006* (COTA). The Act represented a fundamental shift in the traditional relationship between the City and the Province, replacing the *prescriptive* framework with broad *permissive* powers for the City of Toronto in ten deliberately vague jurisdictional areas. Rather than requiring specific empowering legislation to act, the City could suddenly do whatever it saw fit provided there was no conflict with provincial interests or legislation. The Act recognized the City of Toronto as a mature order of government and provided the

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[4] Chapter 27 of the Toronto Municipal Code also lays out Council procedures established by Council.

[5] The ten were: highways; transportation systems (other than highways); waste management; public utilities; culture, parks, recreation and heritage; drainage and flood control; structures (including fencing and signs); parking; animals; and economic development services.

authority to negotiate directly with the federal government. COTA also granted authority over City Hall governance structures, provided more planning powers, and allowed for increased delegation. Lastly, it granted new fiscal tools, though it did not provide the authority to levy significant revenue generators such as income or sales taxes.

At the time, Phillip Abrahams, the City of Toronto's chief negotiator with the Province, described COTA as "a dramatic, refreshing and exciting 21st century departure from institutional arrangements based in 19th century Canada." It is a critical component in a "New Deal for Toronto" that is about getting a better alignment of resources and responsibilities. (2005) COTA was important both symbolically in recognizing the role and responsibilities of the City of Toronto, and practically in providing more autonomy in the way the City can govern. It contained many of the elements of the Toronto Charter advocated by Jane Jacobs and Alan Broadbent in the late 1990s. (Boudreau 2006, 39)

Summary of Reforms, 1998-Present

The chart below summarizes the governance changes from 1998 to the present.

	Post Amalgamation 1998-2000	2000-2006[6]	2006-Present

Mayoralty Structure and Role	• elected at-large (city-wide)
	• one vote in Council
	• CEO of municipality
	• member of all committees (though does not participate in all);
	• Chair of:
	  ○ Council meetings
	  ○ Policy and Finance, Nominating and Striking[7] Committees
	• provides leadership to Council
	• represents city at official functions
	• signatory on all bylaws
			Mayor empowered to:
			• Chair Executive Committee
			• Appoint Deputy Mayor/Standing Committee Chairs
			• Provide multi-year, city-wide vision and identify priority issues at Council
			• speak for City nationally and abroad/negotiate with other orders of government

Council Structure and Role	• elected by ward • one vote each in Council • acts by bylaw, has legislative and administrative responsibilities • determines policies, programs, service levels • oversees staff implementation	• ward boundaries reshaped to reflect fed/prov ridings • two Councillors elected from each of the 22 wards	
Council Size	58 including Mayor (were 106 elected officials in 6 municipalities under Metro)	45 including Mayor	45 including Mayor

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[6] Changes resulting from Provincial legislation prior to 2nd Council elections in late 2000.

[7] Mayor also recommends appointments to the Striking Committee.

	Post Amalgamation 1998-2000	2000-2006	2006-Present
Term Length	3 years	3 years	4 years
Standing Committees	• Six Standing Committees[8] (9-12 members) • Budget Advisory, Striking, Nominating and Audit Committees	• Seven Standing Policy Committees[9] • Budget, Striking, Civic Appointments, Audit, Affordable Housing, and Employee and Labour Relations Committees	• Executive Committee to take city-wide view and coordinate Council policy agenda[10]
Community Councils	6 Community Councils • boundaries reflecting six former municipalities • Councillors sit on Community Council that their ward sits within • address local issues and make recommendations for Council approval • provide forum for local citizen participation	Boundaries changed • only Etobicoke and Scarborough reflect old borders[11]	4 Community Councils[12] • delegated legislative authority for routine local matters
Administrative Structure	• 6 departments headed by Commissioners reporting to the Chief Administrative Officer (CAO) • City Clerk's Office responsible for Council processes and a range of administrative and service delivery functions • Agencies, Boards and Commissions (ABCs) streamlined (i.e. Police, TTC, TEDCO, etc.)		3 departments headed by Deputy City Managers reporting to City Manager

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[8] Policy and Finance; Administration; Planning and Transport; Economic Development and Parks; Works; and Community Services.

[9] Community Development and Recreation; Economic Development; Public Works and Infrastructure; General Government; Parks and Environment; Planning and Growth Management; Licensing and Standards.

[10] Composed of: Mayor as Chair, Deputy Mayor as Vice Chair, Chairs of the Standing Committees, four other Councillors (not on another Committee/do not Chair ABC)

[11] Etobicoke; Humber York; Midtown; North York; Scarborough; and Toronto – East York.

[12] Etobicoke-York; North York; Scarborough; Toronto and East York.

	Post Amalgamation 1998-2000	2000-2006	2006-Present
Accountability Mechanisms		• Auditor General and Internal Audit (2002) • Integrity Commissioner (2004)	• Lobbyist Registry with Registrar (2006) • Ombudsman (2008)

To enable the municipality to take advantage of COTAs new powers and prepare for its responsibilities, Council passed bylaws in 2006 that significantly reformed both Council procedures and governance structures. Council terms were lengthened from three to four years to allow more time for policymaking and less electioneering. An improved Council meeting calendar was created in an attempt to improve capacity to focus on bigger issues, with decision-making authority for routine, local issues delegated to community councils. An Executive Committee was also created to provide strategic leadership for Council, with responsibilities including agenda management, governance issues, budgeting and fiscal policy, and intergovernmental relations. At the same time, seven standing policy committees were created to flatten the committee structure and divide work into major policy areas (Council committee structure). In addition, the appointment power for the Standing Committee Chairs and the Deputy Mayor was delegated to the Mayor by Council. A Council Speaker position was created to remove from the Mayor the responsibility of neutral chairmanship of Council meetings.

Though the reforms were broadly intended to improve the effectiveness and responsiveness of Council, the priority was increasing the capacity of the Mayor to lead on a city-wide mandate. A significant amount of power was consequently shifted to the Mayor. Firstly, the Executive Committee chaired by the Mayor now represents the policymaking hub in the committee system and can set the agenda for Council. Because the Standing Committee Chairs and Deputy Mayor sit on Executive, the appointment powers granted to the Mayor provide a *de facto* ability to select its membership, and to thereby reward allies and maintain a measure of loyalty. Secondly, the Mayor's agenda-setting powers have been increased significantly, whether through Executive, the authority to identify priority issues in Council, or the capacity the new Speaker position provides for the Mayor to defend his or her agenda on the Council floor. Yet, while much power shifted to the Mayor, Council did retain appointment power for community council Chairs and senior officials such as the City Manager.

These reforms are moving the City of Toronto towards a unique, hybrid model of municipal government. Traditionally, the legislative and executive functions of Canadian municipalities have been fused within Council. As a legislative body, Council passes bylaws; the executive role then ensures the execution of those bylaws by appointing senior administrative officials, and directing and supervising the administration of policies and programs. In big cities, a professional City Manager – often a Chief Administrative Officer – is appointed by Council to lead the non-partisan administration. Meanwhile, the Head of Council, or Mayor, can exercise influence through the high political visibility that comes with at-large election, but has largely ceremonial powers. The Mayor represents the City publicly and signs bylaws, but has only one vote in Council and no formal authority for appointments, budgeting or

directing staff. Canadian cities have consequently been seen to employ a 'strong Council' model. (Tindal 2006, 259-60, 263)

This model is in sharp contrast to both the strong-executive Westminster parliament at the federal and provincial levels and the 'strong mayor' in some American cities, where power is more centralized and there is a sharp division between the executive and legislative branches. Largely through convention, prime ministers and premiers have executive authority to select their Cabinet, appoint and direct senior public servants, set budgets and dole out different forms of patronage; they also have control of the apparatus of their party, allowing them to enforce party discipline in the legislature, and ensure loyalty through the selection of candidates. Similarly, the mayors of cities like New York and Chicago operate within a party system, with significant executive powers over appointments, administration and budgets. In Chicago, the Mayor can also veto Council decisions. (City of Toronto 2003, 82-3)

While there remains no formal executive-legislative divide in the Toronto model and the Mayor has nothing approaching formal strong mayor powers, the Council governance reforms have represented a shift in this direction. Council has granted the Mayor a 'Cabinet-light' body in the form of Executive Committee, and powers similar to the Mayors' of Montreal and Winnipeg in identifying its membership. (City of Toronto 2003, 77, 81) Moreover, conventions are also evolving at City Hall. Mayor Miller has positioned his 2006 election platform as the city-wide mandate to guide Council over the four year term, and to be implemented by Staff. This has created a measure of medium-term policy coherence that might not have existed previously, and has tightened links between the Mayor's office and the City Manager. The influence the Mayor has in selecting the City Manager is another empowering convention that will be explored later.

Though the shift towards greater mayoral executive authority could certainly have negative ramifications for local governance writ large, there is good reason to believe that it will produce a more coherent and decisive form of government. According to Lightbody, the development of the Canadian municipal model in the 19th century was rooted in the belief that municipalities – then small towns, facing no large scale policy challenges – delivered services, and thus had no need for partisan, ministerial government or political parties that would only increase inefficiency and graft. Today, however, he suggests that the traditional model – absent the executive coherence of a strong Mayor or the partisanship of political parties – offers the weakest structure for big cities in addressing complex and contentious policy issues in coordination with a large administrative bureaucracy. This consensus-driven model offers less direct accountability for decisions, and poorer capacity for coordination. (2006, 107-9) While the interviews elicited a variety of perspectives about the implications of the reforms for the system, there was consensus that the model had in fact evolved into a hybrid form, that it offered greater decision-making capacity, and that the Mayoralty's powers were now more in line with the public's expectations of the position.

While the Toronto Public Service (TPS) has been in constant flux over the past decade, there have also been significant reforms to balance service delivery challenges with improved policy capacity for the scaled-up City. There can be no understating the enormity of the task of integrating the operations and services of the seven municipalities after amalgamation. It entailed the creation of a new administrative

and reporting structure, the implementation of new information systems, and the consolidation of 'back office' corporate services, real estate portfolios and other functions. Services had to be integrated without interruption, incorporating newly downloaded responsibilities. HR policies and classifications had to be harmonized, collective agreements renegotiated, and a massive, cascading hiring process was required to replenish the ranks. Staff also faced a range of other pressing challenges including managing the acquisition of Toronto Hydro, preparing for Y2K, and playing a role in intergovernmental partnerships. (City of Toronto 2000)

For Staff, the City Manager described the hallmarks of the first post-amalgamation Council term as "enormous change and uncertainty." (City of Toronto 1999, 2) The administrative amalgamation had to be undertaken without any comparable models to rely on and amid fiscal restraint resulting from newly elected Mayor Lastman's promised property tax freeze. Yet, despite reports of poor morale, fatigue and aversion to innovation among some staff, (Wichern 2004, 42) polling conducted in 2000 suggests that a majority of the public either some improvement or no change in service levels and the quality of government. (Stewart 2006, 208-9) There were bumps in the road, such as the labour disruption in 2002 and the MFP computer leasing scandal. A decade on, there also remain some outstanding issues such as the harmonization of job classifications and regulations between the former municipalities. (City of Toronto 2008b, 8) But most interviewees agreed that the TPS performed as well as could have been expected during the tumultuous period.

More recently, in 2005, the administrative structure was again reorganized. It was realigned from six, commissioner-led departments under the City Manager to a three pillar model with each led by a Deputy City Manager. The City Manager's Office also took on a greater role in agenda management, as well as in intergovernmental relations. The intention was to simplify the structure and group services – the softer social services, the harder infrastructure and planning services, and the corporate and financial services – to allow for better horizontal coordination, improved services and public access. (City of Toronto 2008a) Yet, one area of concern with the new model expressed in some of the interviews was the marginalized status of the City Planning department. Given the centrality of planning to the City's core functionality, requiring the Chief Planner to report through a Deputy City Manager was seen as providing too little authority and profile for an already under-resourced department.

While measures of Staff performance are difficult to come by, service levels have remained relatively high – though some costs have as well. Using 2006 data, the Ontario Municipal Benchmarking Initiative (OMBI) study compares 15 Ontario single- and upper-tier municipalities in 16 service areas. Per capita costs are higher in Toronto for EMS, fire, housing, winter road maintenance, parks, tax administration, and water infrastructure. At the same time, Toronto boasts the best EMS response time, the lowest rate of fire injuries or fatalities, more parkland, high library usage, the best conditioned roads, efficient water use, good tax administration and rapid social assistance case management. Waste diversion rates are in line with other municipalities, though disposal and diversion costs are high. Most notably, Toronto has more than double the public transit service levels and five times the ridership of any other municipality, and extremely low costs per trip. It is important to bear in mind though that the Toronto context is

clearly unique; the megacity has a population that is three times larger and denser than any other single-tier municipality in the Province, with a greater social service burden. (OMBI 2008, 16-90)

Nevertheless, the TPS faces a number of challenges. Staffing is an area of particular concern. The demographic picture is foreboding, as TPS employees average 46 years of age (53 for senior management) and the past decade saw little hiring. (City of Toronto 2008b, 8) A biting recent article in *Toronto Life* magazine attributes much of this looming crisis to the practice of 'gapping' – a cost-control measure whereby positions are left semi-permanently vacant – suggesting that it has damaged policy capacity and Staff morale, particularly in hard-hit areas like City Planning. (Preville 2008) Moreover, 2009 will see the City enter into challenging collective bargaining negotiations with public sector unions under difficult fiscal circumstances. Public servants also face increasing scrutiny through access to information provisions, from the media and by accountability officers such as the Auditor General and Ombudsman. Some of those interviewed expressed other concerns about the City Administration, such as a lack of connection to 'on the ground' issues, a need for better coordination across the three pillars, and the need to develop policy capacity commensurate with Staff's already strong service-delivery.

Overall, it remains an open question whether the City of Toronto is today more effective in creating policies and delivering services, and more responsive in its decision-making. What is clear is that the permissive powers and unique status statutorily endowed by COTA allows City Hall to act more autonomously, and to reshape governance structures to suit a larger scaled city. While empowering the Mayor does create contentious repercussions, Council's governance reforms have provided the tools to create a more coherent policy agenda and a stronger city-wide focus, while unburdening Council by delegating time-consuming local transactional issues. A smaller Council – reduced from 58 to 45 in 2000 – has also made it less unwieldy. After initially implementing the fundamental administrative, governance and service delivery reforms brought on by amalgamation, the TPS has reorganized to both accommodate the new Council governance arrangements and the more professional, policy-oriented role it has to play. Overall, the City of Toronto does look better positioned to address the challenges of governing the Megacity, though, as some of those interviewed pointed out, it is a long-term process of adjustment that is only just beginning.

Is Toronto More Consensus-Oriented Today?

Though the 2006 governance reforms were affirmed by Council, the Mayor's new powers have come at the expense of some Council influence. Halfway through his mandate, Mayor Miller has moved forward with a number of the items in his *Toronto 2010* agenda on issues ranging from gun crime, waste disposal and transit to priority neighbourhoods, affordable housing and Tower Renewal. (Miller 2006, 3-19) His priority issues have led Executive Committee and Council meetings. He has played an active intergovernmental and international role, notably through the Provincial-Municipal Fiscal Review process and as Chair of the C40 Clinton Climate Initiative. Also the removal of Councillor Brian Ashton from Executive Committee during the summer of 2007 for refusing to support new taxation measures is an example of the Mayor's newfound political levers being used to influence Council. (Inside Toronto 2007) While nobody would suggest that the governance structure alone is responsible for this active leadership, Miller appears to have embraced his new powers and used them to some effect.

By contrast, there have been signs that Council has been on the defensive. During the summer of 2007, a bitter battle emerged over the Mayor's land transfer and vehicle registration taxes, pitting Miller and his allies against a sizeable faction of Councillors that opposed both the taxes and the Mayor's imposition of them. (Toronto Star 2007) There has also been resistance to the increasing scrutiny of the new coterie of accountability officers required by COTA. Council slashed the lobbyist registry budget as it was being implemented. It also refused to endorse the recommendation of Integrity Commissioner David Mullen to sanction a member of Council for violating the Councillor Code of Conduct. In addition, some Councillors that have made clear their opposition to the Mayor's agenda have taken to attending Executive Committee meetings and using their privilege to question deputations and committee members.

The clash over the appropriate balance of power between the Mayor and Council has been crystallized by the debate over further expanding the Mayor's powers. A number of Councillors objected to recommendations made by the Mayor's Fiscal Review Panel and elsewhere that the Mayor should be empowered to appoint and dismiss the City Manager, and that the Mayor and Executive Committee should be assigned a professional staff and allowed to set their agenda in private. (Mayor's Fiscal Review Panel 2008, 60-1) These reforms would no doubt contribute to the consolidation of the Mayor's executive authority, and create a more Cabinet-like Executive Committee. Councillors were particularly aggrieved by the absence of Council agency in the debate, as the reforms would require provincial legislation that the Mayor could ask for directly. In late 2008, Councillor Karen Stintz – who does not sit on Executive Committee – expressed her concerns in a letter to the Mayor that questioned both the absence of a process for debating the new powers, and the need for "checks and balances" and a "redefined role for Council" such reforms would require. (Stintz 2008; Toronto Star 2008a)

While Miller later claimed to have "moved on" from this discussion over new powers, the frequent flare-ups have in many ways been a reflection of the larger rebalancing that is occurring. (National Post 2008a) This was a focal point in the interviews. The Mayor was seen by some as having taken advantage of the uncertainty that has followed the implementation of the 2006 governance reforms – as well as the vague definitions of the Mayor's powers and the role of Executive Committee – to institutionalize his mandate and consolidate control over the agenda. The ability to defer agenda items at Executive, as well as the changes to the Council Procedures Bylaw, have muffled opponents and kept their issues off the Council agenda. Moreover, accountability for decisions has become increasingly opaque as Council supremacy collides with growing Mayoral influence. Others disagreed, however, suggesting that politics and horse trading remain at the heart of the system. There will always be a marginalized opposition that opposes the Mayor, whether for ideological or political reasons. But on the Council floor, little has changed; the Mayor, like any other Councillor, must go from individual to individual to 'find the votes' and build consensus.

This debate also has major implications for the Administration. The influence of Staff has grown in certain ways in recent years, though their relationships remain uncertain. The City Manager's and Clerk's Offices have retained significant control over the management of the Council agenda and the diversion of issues to standing committees or down to Community Council. City Staff also provide policy expertise

as the policymaking role of the City continues to grow, and have the ability to shape debate through the options they provide to Council. As Lightbody puts it, administrative "power is rooted in expertise and control over information flow." (2006, 148) If information is power, as one interviewee maintained, Councillors are also at a disadvantage, given their small staffs, the large volume of issues before Council and the need to balance their legislative and constituency roles. Yet, for Staff, responding in a public arena to questions during politically charged Committee and Council sessions can make 'speaking truth to power' challenging, particularly as issues skirt the hazy line between politics and administration.

The September 2008 appointment of City Manager Joe Pennachetti was another flash point in this discourse around accountability, the Mayor's powers and the politics-administration dichotomy. While Council ratified the appointment, the vote followed contentious debate in the Council chamber. The issue was less the candidate than the Mayor's control of the process, as he had foregone an open search and recommended the appointment both publicly and in a report to Executive Committee. (Toronto Star 2008b; City of Toronto 2008c) Many suggested that this further muddies accountability, as the City Manager technically reports to Council though the Mayor exercised significant influence in the appointment and relies increasingly on the City Manager to implement his agenda.

While the proposal to empower the Mayor to hire and fire the City Manager was not included in the governance reform package, a majority of those interviewed recommended it as a positive step. Some did see the issue as a 'red herring', pointing out that Lastman and pre-amalgamation Mayors have traditionally had great influence in selecting the City Manager. Yet, most proposed that the change would provide clearer lines of accountability and better reflect the reality of the Mayor-City Manager relationship. Fears that direct accountability to the Mayor would politicize the bureaucracy were overdone, as there would be no practical change from the present environment; in fact, Staff might actually be more insulated from the messy political realm, as they would no longer technically report to 45 members of Council. A potential repercussion would be diminished contact between Staff and Councillors – one of the unique elements of the municipal model. But it was reported that there is presently only limited contact on policy issues anyways, though there is more on transactional ward issues.

Discussions around the creation of political parties have also sprung up. A group of opposition Councillors used the mid-term realignment of committee appointments in late 2008 as an opportunity to suggest that the Mayor had effectively created an "NDP Caucus" on the left. The contention was partly grounded in an accusation that the Mayor had sent a memo about the City's waste disposal system to only to a select group of allied Councillors. (National Post 2008b) Yet, the roots of the debate again rest in the governance reforms. The appointment powers and creation of Executive changed the Council dynamic by providing the Mayor with the carrots and sticks to secure and maintain more coherent alliances. Parties are thus seen by some as a means of creating a more organized opposition to the Mayor's congealing faction. Their existence in Canada's other largest cities – Vancouver and Montreal – is also seen as evidence of their legitimacy at the municipal level.

The interviews produced little consensus on the desirability or feasibility of parties at City Hall. Some were unequivocal in their belief that parties do not belong at the municipal level, as they would

undermine the messiness of local democracy and reduce transparency and public involvement. With parties come party leaders, riding nominations or candidate slates, fundraising implications and some form of discipline in Council – all of which could further alienate voters and reduce Councillor responsiveness. Others expressed uncertainty about whether party politics would improve the system, or whether formal party mechanisms similar to what exists federally or provincially could be created.

A third group firmly believed parties were necessary and coming, though rationales differed. One view was that the practical requirements of governing the Megacity will inevitably necessitate a shift to parties as an organizing agent as at the federal and provincial levels. Another was that Council's consensus model was no longer working, and that parties were needed to organize the opposition and counterbalance the Mayor's influence. Concerns about the reduced capacity of Councillors to represent constituents were downplayed; the Council model would not require the level of discipline of a parliamentary model where the governing party needs to hold the confidence of the House.

On the whole, the case for introducing parties at City Hall is by no means clear. Firstly, claims of the implicit creation of a Mayoral party are not unique to Toronto. In Winnipeg, the incumbent Mayor Sam Katz was accused of fielding a party slate by supporting and campaigning for other candidates during the 2006 elections. (Wordpress.com 2006) Secondly, far from exemplifying the benefits of parties, the federal and provincial models have seen them contribute to the centralization of power and the marginalization of MP's. At the federal level, Donald Savoie asserts that – other than the small group in Cabinet – MP's are largely without any significant influence on platforms or policy, have virtually no direct contact with public servants, and are allowed few free votes. "Some government MPs have access to power," he writes, "while the rest have access only to levers of influence." (2003, 179) Others suggest that parties themselves are in a state of decline, with weakened on the ground organizing and outreach capacity, broken fundraising models, and little capacity to produce or harness new policy ideas. (Fox 2005, 3-4)

Lastly, and most importantly, the absence of parties forces Councillors to reach consensus, balancing conscience, political aspirations and ward or constituent needs. The system will naturally produce factions, but formalized parties can only introduce a constraint on Councillor autonomy and thus representativeness. In addition, while there is a group of Councillors that tends to vote with the Mayor, factions on Council remain fluid. Executive Committee accounts for only 13 votes, far less that the 23 needed for a Council majority. In addition to the opposition group that generally contests the Mayor's agenda, many Councillors are part of the unaligned 'mushy middle'. Far from being the product of formal, structural controls, allegiances vary by issue, and reflect a blend of ideological kinship, ward-specific implications, and old-fashioned brokerage politics. As the Toronto Star's Royson James recently remarked, "The genius of municipal government is that the mayor – the only member of Toronto council elected city-wide – is called upon to manage a disparate bunch through bullying, subterfuge, lobbying, compromise, patronage and force of personality." (Toronto Star 2008c)

Along these lines, there is much to suggest that the shift from a 'strong Council' to an empowered (if not strong) Mayor has produced a distribution of powers that better balances consensus-building with the capacity for effectiveness. While the Mayor is now more capable of pushing the city-wide mandate he

claims accountability to Torontonians for, he continues to possess just one vote in Council. Councillors retain the ability to influence policy through committees and the right to amend or reject the Mayor's initiatives on the Council floor. Councillors also play a more important local decision-making role through Community Councils, scrutinize and vote on the budget, appoint senior officials and provide administrative oversight, and sit on a range of boards and advisory bodies such as the TTC and Police Services. Meanwhile, the Toronto Public Service remains well positioned to support and shape these decision-making processes, if somewhat confused about how to relate to the Mayor and Council.

The issues of the further enhancement of the Mayor's powers and the creation of political parties continue to percolate. The rationales for both are questionable. While empowering the Mayor to hire and fire the City Manager might indeed produce clearer accountability, the other recommendations to increase the Cabinet-like characteristics of Executive Committee could actually destabilize the hybrid system and shift it too far towards a "strong executive" Westminster model. Taken together, they would entrench a hierarchy among Councillors and undermine the principle of transparency that distinguishes municipal government. At the same time, the absence of political parties in the system requires that decisions be hashed out based upon the diverse interests of the 45 actors on the Council floor – surely a marker of a healthy democratic process. Lastly, as many of the interviewees suggested, it takes time for such reforms to take hold, and for institutional cultures and norms to adapt. While evaluation and tinkering will no doubt be necessary, drastic reforms should not be made in haste.

Is Toronto More Transparent, Accountable and Participatory Today?

Shifting focus to the fourth pillar, there are two major considerations when assessing the interactions and influence of citizens and civil society within the City's governance system. The first is the accessibility, clarity and accountability of institutions, information and decision-making processes for citizens and outsider actors looking in at City Hall. The second are the participatory mechanisms and norms that compel politicians and administrators at City Hall to reach out and engage citizens, communities and outside organizations. These outside-in and inside-out interactions are significant both in ensuring efficient and equitable service-delivery, and in involving external actors in policymaking.

A decade after amalgamation, the results on these two fronts appear mixed. At the most fundamental level, the sheer scale of the amalgamated City has distanced citizens and civil society from government, elected representatives and decision-making processes. On a more practical level, the recent shift from six to four community councils – each now encompassing over half a million citizens – provides less citizen access and local focus. Despite much discussion of citizen engagement, the results of City initiatives over the past decade have also been mixed. At the same time, there are many reasons to believe that the City of Toronto remains a more coherent, accountable and participatory order of government than its federal or provincial counterparts. Moreover, some factors suggest that the City of Toronto's accessibility has improved in certain respects over the past ten years.

To begin with, the amalgamated City of Toronto is unquestionably a more coherent and clear institutional structure for citizens than was two-tier Metro. The Mayor is elected at-large and is thus seen as accountable to all Torontonians for delivering on his or her policy platform. While there might

remain confusion around the provincial-municipal division of labour – particularly around social services – all local programs and services are delivered by the same local government. No longer are responsibilities split between the upper- and lower-tier municipalities. Policy, service delivery, tax and budget decisions are all taken by one Council. Within City Hall, the 2006 reforms to the committee structure provide more clarity about the policy spheres they address. Likewise, the reorganization of the TPS from a six department model into one with three pillars seems more citizen-friendly.

The municipal policymaking structure also remains quite transparent. All meetings of committees and Council, and all votes, must legally be open to the public. Committee and Council order paper is made available, as are relevant staff reports. Citizens can watch first hand as policy and politics intermingle on the Council floor to produce consensus. Important votes are also generally recorded, and thus available for public scrutiny. An online calendar provides schedules and tracks meeting progress in real-time. Some issues requiring confidentiality including personal matters, labour relations, City investments, legal concerns, or those relating to the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) are addressed in closed sessions – or 'in camera'; but votes resulting from closed meetings must still be help in open session. Despite the move to a strengthened Mayor model, maintaining this level of transparency was a major priority. (Toronto 2003, 13-4)

This is in stark contrast to the other orders of government. Federal and provincial decisions are largely taken behind closed Cabinet doors, with Ministers and staff bound by the principle of Cabinet secrecy. Policy briefs that outline options are not made public. Deliberations between politicians and public servants are also confidential, with decision details only revealed in tabled legislation or through press release. The consequence of such a system is that the debate that does occur in public tends to be highly partisan and political in nature. Votes are taken openly in Parliament. But question period, for instance, serves much more as political theatre than venue for thoughtful policymaking. Though each model has its benefits, the open municipal decision-making process unquestionably offers more transparency.

Deputations before committees and community councils represent another unique municipal mechanism to allow for citizen participation. The open access it provides does at times produce procedural headaches. The June 2008 Executive Committee meeting, for instance, produced a full day of deputations regarding anti-hand gun measures. The perception also remains in some quarters that deputations often serve as a forum for the influencing of the Councillors by interest groups and corporate lobbyists. Yet, if governance is essentially about balancing an array of public and private interests, one could argue that it is preferable for those interests to be expressed publicly than behind closed doors. Regardless, deputations do remain a significant participatory avenue.

Institutional accountability mechanisms have also been created to ensure ethical conduct, responsiveness, and oversight. The Auditor General position and an internal audit function were created following the MFP computer leasing scandal in the early 2000's to monitor the administration of finances. In 2004, an Integrity Commissioner position was created to ensure the compliance of members of Council and some ABCs with an ethical code of conduct. A lobbyist registry has since been created, as has an ombudsman to investigate citizen complaints. All are required by COTA, representing

accountability safeguards to balance the City's newfound autonomy. A Councillor expense policy was also introduced in 2008. Implementation of the new policies has proven challenging, particularly the fostering of public awareness and a sense of their legitimacy among Councillors and staff. But Toronto is now unique among Canadian cities in possessing this array of accountability mechanisms.

Whether a reflection of the City's accessibility or not, the last decade has seen the emergence of a number of civil society groups that have forged links between government, the business community, and local interests. Launched in 2002, the Toronto City Summit Alliance (TCSA) has sought to shed greater light on GTA-wide economic and social issues. The Maytree Foundation and the Toronto Region Immigrant Employment Council (TRIEC) have focused on the place of newcomers in the City. The United Way of Greater Toronto and the Toronto Community Foundation have also made their voices increasingly heard in policy discussions, while also supporting an array of smaller local organizations. While some suggest that the focus has too often been on economic ends rather than social or participatory objectives, (Boudreau 2006, 37) these civil society groups have unquestionably added a valuable element to Toronto's governance realm.

Efforts at City Hall to connect directly with citizens have perhaps proven less successful. Throughout the decade, Staff have introduced a number of citizen engagement policies. After amalgamation, a Civic Engagement Initiative was launched that aimed to enhance accessibility and collaborative decision-making, and to build community capacity and citizen participation. A decade on, the success of City programs to fulfill these objectives has been mixed at best. The Governing Toronto Advisory Panel reported in 2005 that while the City offers a variety of participatory opportunities,[13] it lacks a clear definition of engagement. Moreover, City programs are dispersed, often episodic, inflexible, lack measures of success and often engage the 'usual suspects'. The report also suggests that changes to the mechanics of the deputation process are needed to ensure more civility and attention from Councillors. (Robinson 2005, 3-9) Two years into his mandate, the Mayor has not yet followed through on his commitment to create a Civic Engagement Office, though the new 311 service to field citizen queries about City programs and services promises to be a useful innovation.

As the order of government that sits closest to citizens, elected representatives also retain an important local role. Resolving local issues for constituents remains a major priority for Councillors. Despite the governance reforms aimed at increasing the city-wide perspective, continued ward election ensure that they remain firmly accountable to their constituents. Among Councillors, the balance between city-wide and local focus clearly varies, but it is apparent that local interests continue to play prominently even on city-wide issues. An example was the divide among downtown and periphery Councillors about the proposal to examine the removal of the eastern section of the Gardiner Expressway in July 2008, as the opening of the waterfront was seen to be in conflict with commuter access. (City of Toronto 2008d, 15)

Yet, the role of Councillors as participatory agents was also a matter of dispute during the interviews. Some saw the new city as a far cry from the 'golden age' of the Metro period, when Councillors knew

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[13] Grant programs and capacity building exercises for community groups; public consultations on policy issues; access to Committee and Council sessions; appointment to a range of boards or advisory bodies; participation in City recreation or culture events like Nuit Blanche; and other forms of voluntarism.

their constituents, and conducted business in a more orderly fashion. The larger wards and the increased number of residents per Councillor were commonly cited as factors that limit representativeness and citizen participation. In addition, for Councillors already faced with a heavy workload, low voter turnout and the ease of reelection for incumbents was seen as a major disincentive to engaging constituents. However, a sizable group had far less romantic recollections of how open and accessible Metro government was. Then as now, Councillor decorum was often in short supply, debates were prone to histrionics, and outside interests tried to work behind the scenes to influence Council.

Indeed, the interviews produced a diversity of opinion about where the City of Toronto stands today in both ensuring access and providing outward engagement. Some did see general improvements in the transparency and clarity of the model, accessibility to policy processes, and accountability. The City was also recognized as actively consulting citizens through development meetings or budget outreach, though attracting participants beyond the usual suspects or those with a narrow range of interests has proven difficult. A larger cohort, however, painted a less rosy picture. Many lamented the perceived centralization of policymaking since amalgamation, and the resulting standardization of policies and protocols. Amalgamation was described in one instance as having created an "idea killing bureaucracy." This has been reflected in the desire to harmonize basic policies, whether for garbage bins or snow clearance, despite the fact that needs differ dramatically between communities. Other byproducts have included an unwillingness to experiment locally, customize policies for communities, or actively involve citizens in policymaking.

A number of recommendations were provided to both further enhance accessibility, and to better encourage citizen participation. The city could better employ electronic tools to inform and engage citizens, in particular an improved website. A greater emphasis was also needed to connect with immigrant communities. Notably, nearly half of the interviewees recommended reforms to community council structures as a means to increase local responsiveness and participation, with recommendations focused on increasing their number significantly – potentially from four to eight. This was seen as an important means to decentralize some decision-making down into communities.

Electoral reform was another significant theme running through many interviews. Improvements to the electoral system could make incumbents more vulnerable, increase voter turnout and community participation, and create greater diversity in Council. A number of reforms were offered: increasing the number of Councillors to reduce the constituent-to-representative ratio; fundraising reforms to require Councillors to seek contributions locally; a mixed electoral system, with wards and a city-wide list, to increase diversity by including those who cannot access to the resources to get elected in a ward-based system; or, interestingly, attempting to boost voter turnout and interest in municipal government by providing renters with an estimate of their property tax bill to link their private interests with public affairs.

On the whole, some progress has been made over the past decade in ensuring a significant role for citizens and civil society in City governance. Comparatively, the City remains a more transparent and accessible system than the other orders of government. Councillors continue to mix their legislative and constituency roles. Civil society groups such as the TCSA and TRIEC have sprung up and contributed to

the policymaking landscape. Accountability mechanisms have been created to allow for scrutiny of Councillor conduct and the administration of public resources and services. Yet, authority appears more centralized and City Hall further from citizens today. Service harmonization has in some cases come at the expense of community needs. Despite some delegation of legislative authority to community councils, their number has been reduced. Voter turnout, one of the few measures of participation, fell during the 2006 municipal elections from almost 700,000 voters in 2003 to below 600,000. Representing around 40% of eligible electors, this is well below turnout rates for federal or provincial elections. (CBC News 2006) All in all, while the inward-oriented means of accessibility remain, there is progress to be made in encouraging City Hall's outward orientation in engaging citizens and communities.

Is Toronto More Mature Today?

Assessing the maturity of the City of Toronto is essentially about determining whether it has become more autonomous and willing to take control of its destiny. It is less about the constituent parts – the four pillars – than about how the whole has been responding. Over the past decade, the new City has gradually become more assertive in pursuing its interests in a number of ways. The most obvious example was the City's engagement of the Province on questions of governance, and its petitioning of Premier McGuinty in 2003 to open negotiations about renewing the *City of Toronto Act*. (Joint Ontario-Toronto 2005, 3) The decision to withdraw from the Association of Municipalities of Ontario (AMO) in 2004 further demonstrated recognition that Toronto's interests were unique from those of other municipalities, and that a stronger voice was needed. The Mayor and Council's willingness in 2007 to push through contentious new taxes also demonstrated a readiness to take a politically difficult decision in order to take responsibility for the City's finances.

While COTA provided Toronto with formal, legislative recognition as an order of government and the right to enter into intergovernmental negotiations, the City's confidence on the national and international stage had nevertheless been growing since amalgamation. In the late 1990s, the City demonstrated leadership in bringing national attention to the issue of homelessness. Toronto bid on the 2008 Olympics, though it lost out to Beijing. Mayor Miller has also advocated for cities nationally through the Federation of Canadian Municipalities and other venues such as the Big City Mayors' Caucus, and represented Toronto globally as Chair of the C40 Climate Initiative.

On the fiscal front, Toronto has not yet been able to secure for itself the fiscal capacity and flexibility it desires. The City's finances remain overly reliant on the property tax and user fees. COTA, despite unlocking some new taxation and revenue generating tools, did not grant access to major forms of taxation such as income or sales taxes that ebb and flow with the business cycle. Even so, some progress has been made. The gas tax revenues that were provided as part of the federal New Deal for Cities and Communities, which were advocated for by big cities to help address the municipal infrastructure deficit, continue to flow years later and under a new government. The provincial government agreed to upload the Ontario Disability Support Benefit and the Ontario Drug Benefit at the urging of Toronto and other municipalities. Most recently, the Provincial-Municipal Fiscal Review process resulted in the uploading of Ontario Works welfare funding and court security costs by 2018.

As each of these developments exemplify, Toronto's autonomy and voice remain contingent upon the benevolence and trust of the Province. Since amalgamation, there has been a clear willingness on behalf of provincial governments – particularly the Liberal government – to treat the relationship with Toronto as more of a partnership than had existed previously. Far from a being a unilateral act meted out by the Province, COTA was painstakingly negotiated over the course of two years by a Joint Ontario-Toronto Task Force convened by Premier McGuinty and Mayor Miller. (Joint Ontario-Toronto 2005, 3) The Provincial-Municipal Fiscal Review similarly entailed a tripartite negotiation between the Province, AMO and the City of Toronto. As the outcome of the Fiscal Review makes clear, however, the negotiations are not among equal partners. Though the recession that was setting in promised to significantly increase Toronto's social assistance costs in the short-term, the ten year phase-in for welfare cost uploading clearly suggests that provincial fiscal and political expediency trumped municipal need. (Government of Ontario 2008, 2)

There has also been less willingness on the part of the Province to cede control over regional planning issues. The Greater Toronto Service Board, established in 1998 primarily to address regional transit issues, featured significant municipal representation but lasted only until 2001. Despite producing the internationally recognized Greenbelt and Greater Golden Horseshoe Growth Plan, the Smart Growth Panel that emerged shortly thereafter is a wholly provincial entity. Metrolinx, a new regional transportation planning body, does feature municipal representation on its board. But as Sancton points out, the Ontario experience reflects the inclination among other provincial governments to "consolidate their roles as the real strategic authorities for Canada's city-regions." (2005, 325) Furthermore, no GTA-wide institutional mechanism yet exists to coordinate regional planning and service delivery.

It is also worth noting that there are issues on which the City has not been able to shed its supplicant mindset. In October 2008, Councillors on the North York Community Council voted 7 to 2 to rename a street "OMB Folly" to lampoon a decision taken by the Ontario Municipal Board, a quasi-judicial provincial planning appeal body. (Toronto Star 2008d) City officials have been consistent in their criticism of the OMB, a body they see as overbearing, unaccountable and prone to supporting developers. Yet, the City has thus far refused to demonstrate to the Province its capacity to arbitrate local planning disputes by using powers granted in COTA to create its own appeal body for minor issues. Calls to the federal government for a ban on hand guns and as part of the "one cent now" campaign demonstrate a similar desire to look for easy, politically saleable solutions.

Despite these immature outbursts, the interviews produced a resounding – if not quite unanimous – consensus that the City has indeed matured since amalgamation. Better intergovernmental relations, a more professional Staff and stronger Mayoral leadership were cited as examples. As was the City's stronger voice nationally and internationally, progress on environmental issues such as recycling and water infrastructure, and the willingness to reach difficult decisions in Council on matters such as the 2007 land transfer tax or the 2009 capital budget.

But there were many caveats. Most prominent was the need to address the fiscal capacity question to better align the City's ability to raise revenues with its scale and responsibilities. COTA, it was dryly remarked, provided the "toilet without the plunger." Another was to take better advantage of the

powers conferred by COTA, and to make more proactive use of the Planning Act. This could include creating an appeal Committee of Adjustment to begin to take responsibility for some decisions away from the OMB. A third was the need to pay greater attention to improving core service areas such as public transit. Finally, the City must do better in engaging and empowering citizens, particularly around community issues.

A minority did express uncertainty about the proposition that Toronto has matured. In one instance the past decade was described as a "Benjamin Button situation" – or, unclear whether the City was moving forward or backwards. Another argued that the City has been continually unwilling to take ownership of its fiscal problems, as reserves have irresponsibly been drained to cover operating expenses, unfunded employee liabilities have increased, and debt financing represents an ever-increasing annual expense. Though most expressed some reservations about past success and identified critical areas for future improvement, this cynicism was not widely shared.

Taking stock, the last decade has been a remarkable one for the City of Toronto, if for nothing else than the pace and scope of change over that time. But while this notion of maturity is admittedly subjective, there is much to suggest that Toronto has in fact been growing up. Granted more autonomy by the Province, the City has also more assertively pursued its interests and sought out further powers. The negotiation of COTA demonstrated a shifting mindset on both sides of the bargaining table. Eight years after having unilaterally imposed a massively unpopular amalgamation on Metro Toronto, the Province declared the new City to be a mature order of government in its own right, and provided it with the permissive powers to better manage its affairs. Challenges remain, notably the absence of adequate fiscal tools. But the new powers and recast relationships had been pushed for by a City that, despite its growing pains, clearly embraced the stronger voice it suddenly possessed.

Conclusions – The Maturing Metropolis Ten Years On and Into the Future

Amalgamation was not recommended in the form it took, it was spurned by residents, and it largely failed to meet its primary objective of increased efficiency. The Province created a City that has been described as both "too big and too small" – too big to be responsive to citizens and too small to adequately address economic and service delivery issues across the GTA. (Slack 2007, 38) To make matters worse, amalgamation was coupled with a downloading of costs and services from the Province without commensurate revenue generating capacity, further skewing the relationship between responsibilities and available resources. As a remedy for what ailed Toronto, Bish described amalgamation as a "nineteenth-century solution to 21st century problems." (2001, 26)

Nonetheless, a decade on, it is apparent that the ill-begotten reform has inadvertently produced an empowered and increasingly mature local government. Though the Province retains the upper hand, it has willingly entered into a new, more reciprocal relationship with the City of Toronto. The *City of Toronto Act's* permissive powers have endowed City Hall with greater scope for action. It has also produced a distinctive governance model that appears more transparent, accessible and consensus-driven than the other orders of government. Recent governance reforms to empower the Mayor have sought to balance these attributes with greater effectiveness and responsiveness on city-wide issues.

In some important respects, the City of Toronto has more maturing to do. It continues to lack the fiscal flexibility it needs and faces a significant infrastructure deficit. Provincial involvement in areas such as planning and property tax regulation limits municipal autonomy. The improved city-wide focus must be balanced with new means of involving citizens and communities. It has also proven difficult for the City to abandon the supplicant role it was well acquainted with. Lastly, it must reconcile that new governance reforms cannot be taken hastily. But the momentum produced over the past decade has firmly oriented Toronto towards more autonomy and ability to control its destiny, not less.

Taken in the aggregate, the interviews in many ways situated the City's growing maturity as part of a narrative. The changes over the decade were less the result of specific actions than the product of the path dependency amalgamation created. As an unprecedentedly large municipal government emerged, the Province had little idea of the political force it was creating. The scale of the municipality increased, as did the scope of local issues and the complexity of decision-making. Increasingly, the challenges faced by the new City evolved from the local to the city-wide, from service-delivery to policymaking. On the one hand, the growing complexity created a provincial desire to retreat from its oversight role by delegating authority and responsibilities. On the other, it challenged assumptions about how municipal government works, such as the authority of the Mayoralty and the balance between local and city-wide issues. All of this has required the City to reorganize itself to function in this new world, a process that – let there be no doubt – remains in its infancy.

A bigger question is, could this evolution that Toronto is undergoing usher in a new era for municipalities in the Canadian federation? Provinces across the country have been steadily if slowly empowering their municipalities in response to the growing complexity of urban governance. In this respect, Toronto is not unique. Yet, it's standing as the largest and most influential city does provide Toronto with the unique opportunity to lead the discussion about creating a more relevant rationalization of municipal roles and powers. This is much needed in an urbanized country that strangely maintains a system that constitutionally marginalizes cities. As John Lorinc puts it, municipal governments need to operate in conditions that compel local elected representatives, officials and citizens to behave accountably and responsively: "As with teenagers, the only way to encourage responsible, mature behavior is to offer up a measure of trust." (Lorinc 2006, 208-9)

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Annex 1 – Interviews (conducted between January 14 and February 9, 2009)

Phillip Abrahams,
Manager, Intergovernmental Relations,
City Manager's Office, City of Toronto

Councillor Brian Ashton,
Ward 36 Scarborough Southwest

John Barber,
Globe and Mail Newspaper

Paul Bedford,
Board of Directors, Metrolinx,
Former Chief City Planner, City of Toronto

Alan Broadbent,
Chairman and CEO, Avana Capital Corporation

Councillor Shelley Carroll,
Ward 33 Don Valley East

Stuart Green,
Deputy Director of Communications,
Office of the Mayor, City of Toronto

John Lorinc
Writer and Journalist

Lynda Taschereau,
Manager, Corporate and Strategic Policy,
City Manager's Office, City of Toronto

Councillor Karen Stintz,
Ward 16 Eglinton Lawrence

Councillor Adam Vaughan,
Ward 20 Trinity-Spadina

Interview Questions

1. ***The Mayor and Council*** - Have the post-COTA governance reforms been an improvement?

    a. Is the new model a Hybrid between strong-Council municipal/strong-Exec fed-prov models?

    b. On balance, has the new distribution of powers allowed City Hall to govern more effectively?

    c. Are the proposed reforms to further empower the Mayor needed, or do they go too far?

    d. Political parties – are they coming? Would they be a good development?

2. ***City Staff*** – How would you evaluate Staff performance over the decade, and the present state of the Administration?

    a. re: implementing amalgamation/post-COTA reforms; relationships with Council and the Mayor; responsiveness and effectiveness in supporting Council decision-making; public services and civic engagement; etc.

3. ***The Public*** – Is the City of Toronto more or less accessible, accountable and participatory today?

    a. Do you agree that the governance model is now more clear, accessible and consensus-driven?

b. Are there adequate means of citizen participation?

4. *Maturity* – is the City of Toronto a more mature order of government than a decade ago? Why?

   a. Where has progress been made?

   b. What maturing still needs to occur?