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## The City Needs a Proper Response to Bill 5

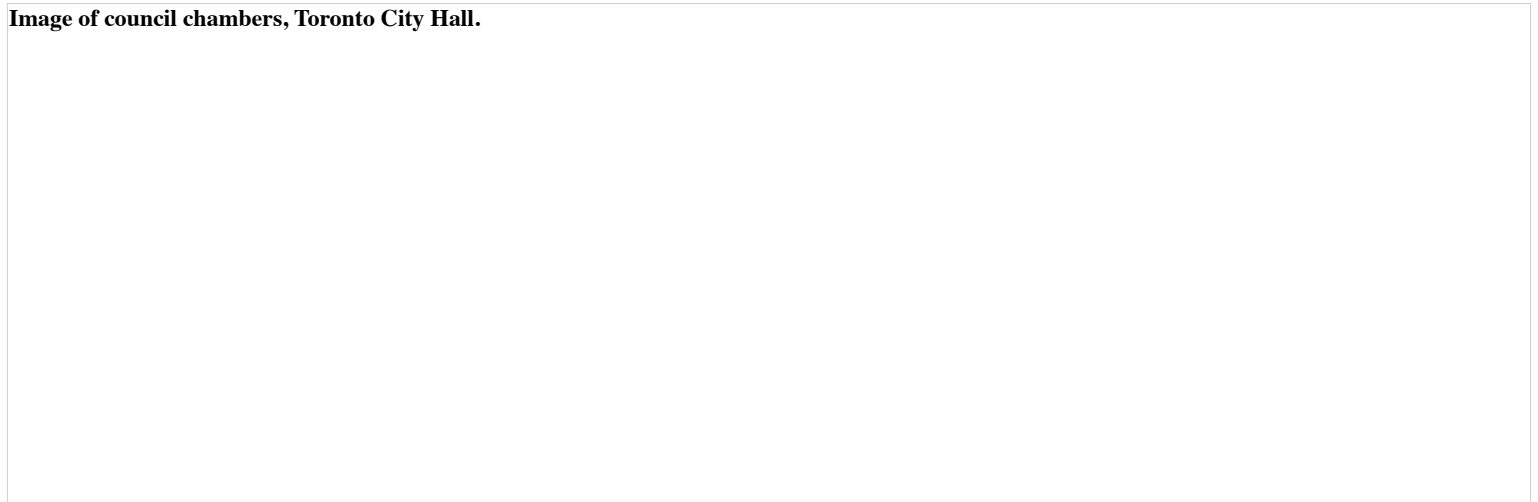
Posted by Isaac Thornley on October 31, 2019

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Toronto’s governance challenges have existed for many years and the reduction in our Council size has only deepened these challenges. The city is due for a review of its governance model given innovations in municipal engagement practices, new research on electoral reform, and changes in provincial and federal approaches to areas such as housing and transit. As such, the Special Committee’s work is both **urgent** and **overdue**.

The City should develop a full and proper response to Bill 5. This requires a review of formal governance and of practices of public engagement. In our view, the Special Committee work plan should be extended for two years, giving it time to put forward robust and impactful recommendations to City Council. **See the full letter to the Special Committee on Governance below:**

**Image of council chambers, Toronto City Hall.**



**Re: Continuation of the Special Committee on Governance**

Dear Members of the Special Committee on Governance:

As members of the Toronto community, civic leaders, and scholars, we are writing concerning the mandate and next steps of the Special Committee on Governance.

We were pleased when the Special Committee was established to consider the impacts on the City's governance structure and related processes arising from the reduction in the size of Council, and to make recommendations to City Council on any further changes to its governance structure. Toronto's governance challenges have existed for many years and the reduction in our Council size has only deepened these challenges. The city is due for a review of its governance model given innovations in municipal engagement practices, new research on electoral reform, and changes in provincial and federal approaches to areas such as housing and transit. As such, the Special Committee's work is both **urgent** and **overdue**.

We have followed and contributed to the Special Committee over the last year because we believe that at this moment in time, it is fundamental to building a more equitable and livable city for everyone. However, we are disappointed by the scope and level of consultation and research that was undertaken to inform the staff report that was submitted to the Committee on Oct 23, 2019. What has been done to date can only be considered preliminary.

**The City should develop a full and proper response to Bill 5. This requires a review of formal governance and of practices of public engagement. In our view, the Special Committee work plan should be extended for two years, giving it time to put forward robust and impactful recommendations to City Council.**

Research and consultation on a topic as important as this should not occur over two months with only hundreds of people engaged in a city of Toronto's size. In addition, proactive outreach to equity-seeking groups and civil society organizations working in this space is essential, and involves engagement of community ambassadors from these groups to play a bridging role between the City and residents. The Governance Review and corresponding consultation process should be collaboratively guided by a Community Advisory Body consisting of a mix of academic and community leaders, along with staff leadership from Social Development, Finance & Administration, the City Manager's Office and the City Clerk's office. This would not only make the Review more meaningful, but it would assist the City greatly.

This work needs to be given the resources to be truly inclusive, equitable and thorough. **Appendix A** provides an overview of key categories of stakeholder consultations that should be incorporated into a robust Governance Review process.

**Proposed Motions for Nov 1 meeting of the Special Committee on Governance:**

We request that a Member of the Committee delete recommendations 1 and 2 from the City Manager, so that no requests are made of City Council, and instead amend the recommendation to request that:

Staff report back to the Special Committee on Governance during the Committee's first meeting in 2020 with:

- A proposed extended 2-year work plan that incorporates the priorities submitted by the public at this meeting and that work plan includes a plan for Committee meetings to take place four times a year to receive updates on related research and initiatives, following which it will report to City Council with recommended changes to the city's governance model
- A request for the required resources to establish a Community Advisory Body to work in collaboration with staff from SDFAs, City Manager's Office and City Clerk's office to undertake the changed work plan and a more extensive public consultation on governance

We hope you agree that the Special Committee's work has only just begun. It has positioned itself as a public forum for governance discussions, has direct staff reports, and is overseen by the City Clerk's office. As such, it is an appropriate venue to continue steering research and consultation on options for governance reform to correct the issues created and deepened by Bill 5.

**Proposed Governance Work Plan Priorities**

Further, it is imperative that the 2-year work plan address (at minimum), the following governance priorities:

1. Options for community-based governance with resident involvement, including:
  - a) Proactive outreach to equity-seeking groups
  - b) Leveraging community councils
  - c) Facilitating meaningful and participatory local governance throughout the city
  - d) Participatory budgeting and participatory planning
2. A comprehensive review of civic engagement across the City of Toronto, including:
  - a) Addressing meeting times, notice, locations, and accessibility of existing committee and consultation meetings
  - b) Assessing how civic technology can be used to facilitate more effective public engagement
3. Improvement of ongoing engagement on 'city-wide' intergovernmental issues such as housing and transit, which often have few opportunities for

engagement other than one-off targeted consultation sessions or deputations at committees

4. Analysis of electoral barriers and possible reforms, including:

- a) the barriers faced by new candidates due to incumbent candidates, identified in consultation with past candidates;
- b) possible programs and policies that could be implemented by the City to address these barriers, including but not limited to an examination of donation programs, civics 101 training, mentorship programs, the nomination process, and costs that could be considered outside the limit for which a candidate could fundraise;
- c) additional voter outreach methods and ways to increase voter turnout, especially in those areas of the city where turnout is lowest; and
- d) an opinion on what can be implemented by the City and what requires legislative change.

5. A review of legal options, including changes to the City of Toronto Act, 2006 and other legislation and bylaws, in order to equip Canada's largest city with powers it needs to serve its residents

In addition, in light of the province's recent statement in support of local control of municipal governance in Ontario, the Committee should also make recommendations to Council to request the restoration of the powers originally in the City of Toronto Act, 2006 to determine the composition of Council that were removed by Bill 5.

Taken together, these priorities would provide a comprehensive response to the complicated situation the city has been placed in by Bill 5, and allow for a diverse set of options for the city to consider.

**Appendix B**, drawn from the analysis provided by city staff to the Special Committee at its April 12, 2019 meeting, outlines some of the initiatives that other cities have introduced to improve their governance models. Much more information is needed for City Council to be able to decide how to move forward with possible changes.

### **Funding and staff support for Governance Review**

The work anticipated will require staff support and funding. The ward boundary review, undertaken over three years, had a budget of over \$750,000. This cost included the retention of consultants and conducting robust consultations sessions. We recommend that a similar budget be allotted for the work of the Special Committee on Governance.

These investments are well worth the commitment, given the unprecedented changes that affect the city's governance as a result of Bill 5. The attention to governance also keeps Toronto in line with the work of other municipalities. For example, Edmonton took four years to revisit its approach to public engagement and new initiatives. We sincerely hope that the Special Committee will invest in Toronto's governance model by considering these recommendations.

Sincerely,

**Devika Shah**, Executive Director, Social Planning Toronto

**Michal Hay**, Executive Director, Progress Toronto

**Patricia Burke Wood**, Professor and Graduate Program Director, Department of Geography, York University

**Alexandra Flynn**, Assistant Professor, Peter A. Allard School of Law, the University of British Columbia

**Heather Marshall**, Campaigns Director, Toronto Environmental Alliance

**Linda Peake**, Director, City Institute, York University

**Cameron MacLeod**, Executive Director, CodeRedTO

**Gil Penalosa**, Founder and Chair, 8 80 Cities

**Doug Anderson** (Métis), Civil Servant, Naadmaagit Ki Group, PhD Student, York University

**Bianca Wylie**, Co-Founder, Tech Reset Canada

**Estair van Wagner**, Assistant Professor, Osgoode Hall Law School, York University

**Gabriel Eidelman**, Director, Urban Policy Lab, Munk School of Global Affairs and Public Policy

**Steven Tufts**, Associate Professor, Geography, York University

**David J. Roberts**, Associate Professor, Urban Studies, University of Toronto

**Kanishka Goonewardena**, Associate Professor, Geography, University of Toronto

**Kathy Young**, Professor, Geography, York University

**Andre Sorensen**, Professor, Geography, University of Toronto Scarborough

**John Ryerson & Cameron Watts**, Co-Chairs, Faith in the City Coalition

**Ginelle Skerritt**, Executive Director, Warden Woods Community Centre

**Dave Meslin**, Co-Creative Director, [Tango.to](http://Tango.to)

**Victor Willis**, Executive Director, The Parkdale-Activity Recreation Centre

**Robin Howarth**, Executive Director, Toronto Neighbourhood Centres

**Brittany Andrew-Amofah**

**Howard Green**, Former Chair, St. Stephen's Community House and Assistant Deputy Minister, Service Canada

**Neethan Shan**, Interim Executive Director, Urban Alliance on Race Relations

**Samya Hassan**, Executive Director, Council of Agencies Serving South Asians

**Debbie Douglas**, Executive Director, Ontario Council of Agencies Serving Immigrants

**Heather McGregor**, CEO, YWCA Toronto

**Yvonne Kelly**, Chair, Social Planning Network of Ontario

**Sue Wilkinson**, Executive Director, Findhelp

**Ric Amis**, on behalf of Parkdale Residents Association

**Geoff Kettel & Cathie Macdonald**, on behalf of the Federation of North Toronto Residents Associations

**Paul Maclean**, on behalf of Palmerston Area Residents Association

**Sue Dexter**, on behalf of Harbord Village Residents Association

**Roger Keil**, Research Chair, Urban Sub/Urban Studies, York University

**Ranu Basu**, Associate Professor, York University

**Peter Vandergeest**, Professor, York University

**Gil Meslin**

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## Appendix A: Key Stakeholder Categories for Proposed Consultation

In our view, the work of the Special Committee must include a broad consultation process, with practices that focus on four groups of stakeholders, each of which require their own unique consultation approaches.

1. **Local stakeholders who have attended governance consultations, including resident and business associations:** These stakeholders are already engaged in the city's consultation processes in regard to governance reform and more broadly. A more fulsome effort should be made to reach out to resident associations, BIAs, special interest groups, and local non-profit organizations based on a current list maintained and made public by the City Manager's Office.
2. **External stakeholders who have not attended the City's governance consultations, including unincorporated grassroots groups, associations and residents in priority neighbourhoods:** These stakeholders are rarely engaged in existing consultation processes for reasons that are well-documented, including time constraints, difficulty in accessing the venues and times where consultations generally take place, and consultation fatigue without meaningful change. We recommend that the Social Development and Finance Administration, Indigenous Affairs Office, People and Equity Division (Human Rights) and the Confronting Anti-Black Racism unit be given autonomy to develop and execute consultation practices that meaningfully engage with these stakeholders.
3. **City of Toronto experts, including agencies, boards, corporations and commissions, already engaged in governance work:** As noted by city staff in Appendix A, Toronto supports civic engagement through a decentralized approach, where multiple divisions are supported by a central resource coordinating engagement through surveys, meetings, partnerships, and otherwise. As such, the city should solicit feedback on governance recommendations from experts across city divisions, as well as public-facing agencies, boards, corporations and commissions.
4. **External experts, including organizations, academics and other leaders:** Numerous external experts should be approached for their advice and

recommendations on the city's governance model. Following similar initiatives undertaken by the City Manager's Office in the past, including most recently an Expert Advisory Panel on Transit Governance, we recommend that city staff work closely with an independent organization such as the Institute on Municipal Finance and Governance to recommend governance reform.

## Appendix B: Governance Practices in Other Cities

### Theme Best Practices/ Examples from other jurisdictions

#### Information provided to the committee (April 2019):

#### 1. Supporting Neighbourhoods and Communities' Relationships with Local Governance

- Los Angeles: 96 Neighbourhood Councils (NC) play an advisory role on a variety of issues; elected by members of the community; each NC represents on average 38,000 people; Department of Neighborhood Empowerment (DONE) provides operational funding and support (meeting and office space, office equipment, communications) to facilitate sharing of resources and communication with residents and City staff.
- New York City: 59 Community Boards (CB) each with up to 50 volunteer members (almost 3,000 CB members in total); half are nominated by a local Council members and all are appointed by Borough President to a two year term; each CB lead by a District Manager; Mayor's Community Affairs Unit designed to connect City Hall to residents, and includes CBs and Neighborhood Support Teams (NSTs)
- Portland: An Office of Neighbourhood contracts with 7 nonprofit organizations called District Neighbourhood Coalitions (DNC) to build capacity to build capacity for communities to participate in civic governance; each DNC supports a cluster of Neighbourhood Associations (NAs) by facilitating grant programs, City information and administration; City currently recognizes 95 NAs that are self-governed, volunteer-led organizations.
- Edmonton: 157 "community leagues" with volunteer board members advise Council on planning and development issues, deliver grants, and manage social and recreational infrastructure (e.g. halls, outdoor rinks, playgrounds) under tripartite agreement between City, leagues and the Edmonton Federation of Community, which is in turn financially supported by the City.
- Calgary: over 150 "community associations" supported by the Federation of Calgary Communities and by the City's Neighbourhood Partnership Coordinators. They play a similar role to Edmonton's community leagues.

#### Information provided to the committee (April 2019):

- Ottawa reviews its standing committee structure each term.
- Vancouver has two standing committees (City Finances & Services and Policy & Strategic Priorities)
- New York City has 35 standing committees, each headed by a member of member of Council, including at least five members.

#### New information (November 2019):

#### 2. Standing Committees

- [Montreal](#) has 9 standing committees (economic development, finance, public safety, heritage and culture, transportation, public works, the environment and sustainable development.
- [Chicago](#) has 18 standing committees, each with over 15 members.
- [Seattle](#) has 9 standing committees: Civics Development, Public Assets, and Native Communities; Civil Rights, Utilities, Economic Development, and Arts; Finance and Neighborhoods; Gender Equity, Safe Communities, New Americans, and Education; Governance, Equity, and Technology; Housing, Health, Energy and Workers' Rights; Human Services, Equitable Development, and Renter Rights; Planning, Land Use and Zoning; Sustainability and Transportation.
- [Portland](#) has 15 standing committees: DCBG Annual Allocation Committee; Civil Service Commission; Continuum of Care; Emergency Shelter Assessment Committee; Land Bank Committee; MLK Memorial Selection Committee; Noise Advisory Committee; Parks Commission; Pesticide Management Advisory Committee; Portland Development Corporation; Portland Disability Advisory Committee; Public Art Committee; Rental Housing Advisory Committee; School Facilities Ad Hoc Committee; Sound Oversight Committee

#### Information provided to the committee (April 2019):

3. Engagement
- Montreal: the Office de Consultation Publique is an agency funded by the City that carries out public meetings on behalf of Montreal City Council or its Executive Committee. Issues primarily involve urban and land-use planning projects, but may include any project suggested by Council or Executive Committee. Consultation processes are prescribed and results reported to Council or Committee for consideration.
  - Vancouver: invites residents to join online community to receive consultation notices, participate in surveys, etc.
  - Hamilton: Public engagement charter and toolkit outline principles and commitment to engagement
  - Toronto and many other municipalities support civic engagement through decentralized approach, where multiple divisions are supported by a central resource coordinating engagement through surveys, meetings, partnerships, etc.

**New information (November 2019):**

- [Neighborland](#) has been used by a number of cities in the USA (Oakland, San Jose, Atlanta, LA, Miami, etc) as a public engagement platform designed for collaboration in an equitable, participatory, and accessible way.
- Calgary: city-wide projects have a minimum of one public engagement event per ward. The city also has a highly accessible and user-friendly website portal for commenting on all ongoing projects, and has begun to experiment with engagement on social media.

**New information (November 2019):**

4. Information
- NYC: [NYC 311](#): Can look up services, Make payments, Report Problems. Updates citizens on schools, parking, waste collection; [NYC Resident Toolkit](#): designed to make life easier and provide residents with ways to live in an engaged civic life (3 categories: civic engagement, safety, and city life)
  - Portland-Vancouver Region: [Public Alerts](#)- Updates residents in this region on hazards (earthquakes, wildfire & smoke, evacuation), how to prepare, and how to get involved.
  - [Chicago 311](#): Service requests, explore what is happening around you, articles for popular knowledge and FAQs.
  - Seattle: [City News Calendar](#); [City News Feed](#)
  - Hamilton: [OurCity Survey: Your Thoughts. Our Action](#): Gauging residents satisfaction with municipal services provided to the community
  - Oregon State: Project called [Kitchen Table](#) is a “space to empower Oregonians from every corner of the state to contribute feedback, ideas, and resources to decision-makers, public projects and initiatives”.
  - Barcelona: [Budget Open](#) Tool: “The Open Budget is a tool that aims to facilitate the analysis and understanding of Barcelona City Council budgets by citizens and all those people or organizations that may be interested” \*translated on google translate from Spanish\*; [The Transparency Portal](#): The goal is to be “a transparent government in our management and give access to the information to facilitate the control of the municipal action”; [Citizens Help and Information Office](#)- Map that shows where all of the city services are

**Information provided to the committee (April 2019):**

Canadian Constitution sets out the role in municipalities in relation to provincial and federal governments; all Canadian municipalities are under the authority of their respective province.

**New information (November 2019):**

5. Greater  
Autonomy for  
the City
- [This article](#) discusses that out of the Canadian cities studied, Vancouver has the most municipal autonomy. It scores relatively high on both political and legal-administrative autonomy. BC has historically intervened with “gentle imposition” and the relationship has always been permissive since the 1950s.
  - Calgary, Alberta: [City of Calgary Charter, 2018 Regulation](#). The City Charter authorities can be grouped into four main categories: administrative efficiency; community well-being; community planning; environmental stewardship. The City of Calgary Charter contains 44 new authorities and a legislated fiscal agreement on revenue-sharing with the province.
  - Edmonton, Alberta: [City of Edmonton Charter, 2018 Regulation](#). The charter includes a legislated fiscal agreement on revenue-sharing with the province.
  - London: [In 2000](#), a Greater London Authority (GLA) was reinstated alongside 33 borough councils responsible for particular districts in the city. The GLA combines elements of administrative autonomy in relation to planning, political autonomy in the form

of a Mayor and an elected body with decision-making powers, and a small degree of financial autonomy achieved through an additional 'council tax' payment by London residents. This combination of partial administrative, political and financial autonomy has been critical in the development of an urban sustainability agenda, particularly in terms of transport, energy and climate change. An example of this is the congestion charge (2003).

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