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POLITICAL REPRESENTATION ON METROPOLITAN TORONTO COUNCIL

INTRODUCTION

Political representation, especially at the local level, is a primary determinant of how a particular community will develop and what role its citizens will play in that development. A report attempting to analyze a community's political representation system should take into account the following factors:

- * what system is now in place
- * what fundamental principles are desirable
- * what principles peculiar to the community should be taken into consideration
- * what courses of action are available to the community -- and is one of these able to be recommended in light of the prevailing situation

Metro Toronto represents a unique opportunity to review a political representation system. It proceeded more than 20 years ago to consolidate thirteen municipalities into a smaller group of local municipalities performing certain functions and a second tier of government comprised of these member municipalities to perform other functions. The debate over the form of this federation continues, and our report represents an opportunity, therefore, to discuss not only the problems of representation inherent in a local municipality, but those associated with a federation of municipalities.

We will examine:

- A. The present representation system and proposed changes
- B. Existing problems and those not solved by proposed changes
- C. Alternative solutions to these problems

A. THE PRESENT REPRESENTATION SYSTEM

Council Structure: Proposed Changes

At the outset, it should be stated that our report assumes no change in the existing structure of the present two-level system, such as total amalgamation or changes in the delivery of services.

On October 30, 1973, Metropolitan Council adopted the report of the Executive Committee calling for new legislation from the Province to reorganize the representation system of Metro Council and Executive. The proposed scheme provides for an increased Council - from 32 to 37, plus the Chairman - and for a 14 member Executive, effective January 1975. Council's decision means that:

(a) the representation on Metro Council will be:

	Metro Chairman	
City of Toronto	Mayor, 11 aldermen	(same)
North York	Mayor, 8 others	(increase of 3)
Scarborough	Mayor, 5 others	(increase of 1)
Etobicoke	Mayor, 4 others	(increase of 1)
York	Mayor, 2 others	(same)
East York	Mayor, 1 other	(same)
TOTAL	38	

(b) the representation on the Executive Committee will be:

	Metro Chairman	
City of Toronto	Mayor, 3 aldermen of Executive Committee	(1 less)
North York	Mayor, 2 top controllers	(increase of 2)
Scarborough	Mayor, 1 top controller	(increase of 1)
Etobicoke	Mayor, 1 top controller	(increase of 1)
York	Mayor	(same)
East York	Mayor	(same)
TOTAL	14	

This proposed redistribution has now gone forward to the Province and, with the personal assurance of co-operation received from Premier Davis this past September,¹ is expected to come before the Legislature early this year. Since 1966 Metro

1. Letter from the Premier of Ontario, September 7, 1973, in Report No. 42 of the Metropolitan Executive Committee, pp.6-7

Council has been comprised of 32 delegates from the councils of the City of Toronto and the five boroughs, in a ratio of 12 from the City and 20 from the suburban boroughs, plus a Chairman who has been elected by these delegates and whose Council position is in turn filled by another representative from the affected local municipality. On the Metropolitan Executive Committee, city-borough equality has been maintained in that, in addition to the Chairman, the City has had five seats and the boroughs have had one each for a total of five. Under the new formula the most significant change is the reduction of the City's power, both in Council where the City's voice will be reduced to one-third and on the Executive where the City will have just four of the 14 seats. All of this amounts to a major departure from the original structure as defined in 1943 when membership on the then 25 man Metropolitan Council was equally divided between city and suburban members, plus an appointed Chairman.

The compelling reason for this enlargement of Metro Council and Executive was clearly spelled out in Chairman Paul Godfrey's report:¹ to reestablish the principle of representation by population as the basis for the composition of Metro Council and its Executive so as to redress the imbalance which the rapid growth of the three larger boroughs of Etobicoke, North York and Scarborough had created.

This proposal, however, was presented as a "necessary first step" toward reform; it is intended as preliminary to a comprehensive study of the entire Metro system, whose extensive terms of reference are to include all matters related to the Metropolitan system of government including political representation, boundaries of area municipalities, intergovernmental relationships and financing. Our report is concerned primarily with the question of representation at Metro and the local level - not the over-all subject of Metro's structure and operation.

Metro Responsibilities

Yet it is important in the examination of a political representation system to take into account the responsibilities that have been assigned to the particular governmental unit in question. In the case of Metro Toronto there is more or less a clear definition made between those services which are to be provided by the local municipalities (the City and the five boroughs) as opposed to those to be carried out by the federation of municipalities or Metro Toronto. The initial concept of Metro was strongly developed around the premise that some functions could better be performed at the so-called regional level and that payment for such services should be borne by Metro citizens at large. Generally, Metro is given total responsibility for the provision

1. Report No. 42 of the Metropolitan Executive Committee, pp. 1-2

of welfare services; public transportation (through a Commission); some major recreation services, with the exception of local parks and local recreation programs; and the police function. Metro is also responsible for expressways and arterial roads, as well as traffic control. In this respect, local municipalities generally tend to take care of street lighting, sidewalks and local roads.

The local municipalities are primarily responsible for zoning, taxation, public education, fire protection, licensing and garbage collection. In many of the other areas, the two levels of government share in some way or another the responsibility for administration of services. A good example of this is planning, where functions have been more or less equally divided.

As was mentioned in the introduction to this section, a look at the functions performed by a particular level of government is important because this may help to determine the kind of representation system which is most suitable.

How Metro Representatives Are Selected

The selection of delegates to Metro is a function of the area municipality. While the City elects two aldermen from each of eleven wards and sends the one who gets the most votes to sit on Metro Council, other boroughs have entirely different arrangements. In East York, the Mayor and one alderman sit on Metro Council, with this alderman being elected by the local Council. In the other four boroughs the Metro seats are filled by the mayors and controllers, elected at large. In those boroughs where there are more controllers than Metro seats, namely York and Etobicoke, the controllers who received the most votes are selected. Where the borough is entitled to more seats than there are controllers, as in North York, it is the prerogative of the borough to decide which alderman fills the extra Metro seat.

Fundamental Principles

In the development of systems of representation there have been put forward certain principles upon which there is a great deal of agreement. The system should:

- be based on representation by population
- be understandable so as to offer clarity of choice to the voter
- have only one representative per electoral district

- have wards of a size that facilitate effective representation and access, and conforms to the one man, one vote ideal
- have wards that have a strong sense of community
- provide for a high degree of accountability to the electors
- permit citizen participation and involvement
- enable all parts of the area municipality to be represented at the Metro level
- not dilute the supremacy of the local council in its sphere of responsibility
- be adaptable to future political needs

Obviously, it is very difficult if not impossible to ensure that every system of representation will take these principles fully into consideration. Depending on the community under review, there will of necessity be priorities established with some principles being assigned a higher degree of importance than others.

B. PROBLEMS - LOCAL AND METRO

While this is primarily a study of those problems related to the development of a sound representation system for the Metro level of government, there are related problems at the local level which help us to gain perspective for the Metro problems. Metro is comprised of a core area, the City of Toronto, and five satellite communities which vary in the degree of their urban and suburban nature but which are usually categorized under one subheading.

City Issues

Generally, the City has been able to develop a system of wards which are fairly equal in terms of population as well as in terms of their ability to be identified with a certain community structure. When we look at the ten principles previously mentioned, we find that the City meets most of the criteria with two basic exceptions.

Firstly, the City has maintained a system of two elected representatives from each ward. The system of two aldermen per ward often leads to rivalries, competition and conflicts arising

out of ideological and personal differences or simply uneven work loads; more important, when a ward has two aldermen, accountability is reduced and responsibility is diffused with the result that residents either call upon both aldermen or do not know who to call. Election races for two aldermanic seats tend to attract too many candidates, and thus confuse the choices - - or it can lead to "plumping" for one candidate to win the Metro seat by which the voter loses his opportunity to vote for a second alderman. The role of the alderman who will end up serving at Metro is not given its proper due for during local elections the Metro side of the alderman's role fades. Another disadvantage of the dual system in which the top votegetter goes to Metro is that, not only is the voter deprived of his right to vote specifically for his Metro representative, but the candidate himself automatically must compete for the Metro position whether he wants it or not.

Secondly, the City has maintained wards with an average of 65,000 people. Even though each of these wards has two representatives, it would be more desirable to have one representative for each ward with a population range of 20,000 to 30,000.

Suburban Issues

While we would like to be able to discuss in detail the problems of each of the Boroughs, perhaps a brief discussion of one which has been going through the process of evaluating local representation schemes will serve to adequately emphasize some of the problems faced by each of the five boroughs of Metro.

North York has been undergoing such an evaluation process and it has been found that they too do not meet all of the criteria established for a sound system of local representation. The one man, one vote proposition is questioned on the basis of the disparity in the size of North York's wards which range from 28,000 to 54,000 in population. As a goal, no ward should have more or less than 20% difference in their constituency from any other ward.

Beyond the mere equalization problems among the wards, there is the question of how many people can an alderman effectively serve. While it is true that federal and provincial ridings may have more than 100,000 people in them, it is generally conceded that local government should strive for a much lower ratio of people to representatives. Somewhere between 20,000 and 30,000 would appear to be a desirable goal which, if applied to North York, would mean an increase from 14 to approximately 20 wards. It can be argued that aldermen are more bogged down by paper shuffling than handling people's complaints but if citizen participation were to increase ever so slightly, as it very

well could, most aldermen would find themselves without sufficient time to perform their ombudsman function.

Other than the disparity between the number of people in each ward and the ideal number that should be served, North York continues, as many municipalities do, to argue the desirability of maintaining a board of control. The fact of the matter is that boards of control have been challenged from many quarters, and labelled, 'archaic. The basic objections to the board of control system are as follows:

- (1) The Municipal Act assigns responsibilities to boards of control composed of elected representatives which should be entrusted to the permanent appointed officials. Victory at the polls indicates no promise of professional administrative skills.
- (2) Under a board of control, the remaining members of a council are sometimes treated as second class members. A two-thirds council majority is required,
 - (a) to spend money not certified in board of control budgets,
 - (b) to increase the amount of a contract or to award it to another bidder in opposition to the board's recommendation,
 - (c) to reinstate a department head suspended by the board.
- (3) Public business may be greatly delayed. Most matters are processed first by a standing committee of council, next by the board of control and finally by the council itself. Each body is tempted to only half-digest the problem knowing that other bodies have dealt or will deal with it.^{1.}

Metro Issues

Metro Council, as of January 1975, will be made up of 37 councillors representing some 2,600,000 people, roughly one representative for every 73,000 people. This is a very low ratio of representatives to represented - too low according to many urban authorities to afford citizens significant access.^{2.}

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1. Bureau of Municipal Research, Civic Affairs, March 14, 1960
 2. L.J. Sharpe, "American Democracy Reconsidered: Part 1, "B.J. Pol.S. 3 (April 1973), pp 20-21; Government of Manitoba, Proposals for Urban Reorganization in the Greater Winnipeg Area (1970). p. 11

Although Metro is admittedly the second level of a two-tier democratic system, in which local councils exist to focus on local matters and encourage public involvement, the increasingly pervasive impact of Metro decision-making makes this question of access of more than academic interest. This situation is not improved by the disparity in the constituencies of the councillors. Some councillors are aldermen elected by wards; others are controllers and mayors, elected at large, with vast constituencies that afford less opportunity for direct access and participation; moreover, in those boroughs operating under the board of control system, minority interests are theoretically less protected and potentially under-represented at the Metro level.¹

One possible answer to the problem of preventing local governments from becoming too remote from the people is to create a unitary political structure with a big enough council to permit a satisfactory ratio of elected to electors - as Winnipeg has done. The alternative to this, given a two-level federated system, is to recognize the "less democratic" nature of the Metro Council and reaffirm the responsibilities retained at the local level where more effective representation can occur.

Role of the Metro Chairman - A Special Problem

The role of the Metro Chairman presents another problem in view of the discrepancy between his powers and responsibilities as they have evolved and the indirect basis of his election. The Metro Chairman has very little formal power - he can vote on the Executive Committee and other standing committees, cast a "tie-breaking vote" in Metro Council and preside over Council and Executive meetings. But the first two Chairmen expanded this limited role to make the office the centre of Metro Council business which it is today. The past Chairman, Albert Campbell, operated mainly as an appointed executive officer in sharp contrast to his predecessors and the current Chairman. Mr. Godfrey is admittedly following in the Gardiner-Allen tradition in acting like a "strong Mayor"; but from the standpoint of democratic principles, if the Metropolitan Chairman is to function as a sort of regional mayor or premier, then he clearly should have the proper mandate. Either we should clarify the role of the Chairman of Metro Council or alter his basis for election.

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1. The assumption is that area-wide elections do not give the best coverage of divergent viewpoints. All of the Metro representatives elected could reflect a dominant majority opinion, socio-economic outlook, etc.

The pitfalls of direct election of the Metro Chairman can be briefly summarized. It would give the Chairman the largest popular mandate of any elected official in Canada, thus creating a position of potentially immense power. This would undercut the authority of Metro Council, the chief representative body for the region, and reduce the influence of the municipality mayors. The staggering costs of waging an election for such an office with a constituency of over 2½ million people in an area of 240 square miles, and the implications of this, are also worrisome.

The Distribution of Seats and the Vulnerability of the City:
A Special Problem

This problem arises from the indiscriminate application of the representation by population principle. During the recent debate over the redistribution of seats on Metro Council, both suburban and city politicians alike appeared to accept the view that the rapid growth of the boroughs had created an unjust situation on Metro Council and endorsed the "rep by pop" principle as the unconditional basis of a democratic system of Metro representation.¹

While few would deny that the majority ought to govern, it must be noted that majority rule and representation by population are not and never have been absolute principles. That majority rule is necessarily a qualified principle is commonly understood.²

In the case of the relationship of the City of Toronto to the Metropolitan federation, it may be that the principle of majority rule needs some qualification with respect to protecting the interests and rights arising out of the functional role of the City. In this instance, it is admittedly not fundamental civil rights that are at issue; nor is it a matter of seeking to protect local administrative power from a greater centralizing force. The obvious fact is that the City is a special unit, the

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1. One exception to this consensus was Alderman John Sewell who in his letter to the City Executive of October 1, 1973 questioned the argument that "rep by pop" should be the ultimate test: "What about the slogan "no taxation without representation", isn't that equally valid? Shouldn't Toronto who pays 42% of Metro's bills, get 42% of the say?" City of Toronto Executive Committee Report No. 49, (Oct. 19, 1973) p. 65
 2. We all recognize, for example, that majority rule is qualified by the obligation to protect the rights of minorities in their fundamental civil liberties.

hub of the wheel for every citizen in the metropolitan region. It is impossible to conceive of Metro without the City providing essential amenities for all; and because of this unique centrality within the Metro scheme, the City has a right to protect the traditions, the character and the vital community life which makes those amenities possible.¹

If we, for example, were to consider population in terms of "daytime population" as opposed to population based on legal residence, the figures would alter significantly.² While we are not advocating this formula as the basis for representation on Metro Council, it does point out, perhaps, the unfairness of using strict representation by population to determine the distribution of seats.

It has been countered that this concept of a City core playing a "special" role for the Metropolitan region is no longer valid, that the "core" now extends beyond the old central city and that Metro itself is becoming the core of an even larger urbanizing region. Simply put, the case is that the suburbs aren't really the suburbs any more; many formerly central amenities are now decentralized and there is therefore no justification for greater City representation at the Metro level.

No one would deny that this process of change has begun and that traditional patterns of shopping and even entertainment, for example, are shifting. But the situation has not substantially altered. Detailed evidence exists to show that the City remains the urban financial and cultural core of the metropolis.³ What this suggests is that the City's central role subjects it to extra demands not imposed on the other boroughs and makes it more vulnerable to regional intervention.

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1. We recognize that this is a sensitive issue. Tensions exist between City members and borough members on Metro Council and many suburbanites feel that the City is often parochial and insensitive to borough interests. We agree that the Metro partnerships must seek to balance the needs and goals of all its member municipalities and our defense of the City of Toronto's right to special consideration in the representational system should not be seen as "pro-City" or "anti-borough".
 2. Metropolitan Toronto Transportation Plan Review, Transportation Information for the Central City Area (October 1973), p.5
 3. William Michaelson, soon to be published findings from a research project, "The Physical Environment as Attraction and Determinant: Social Effects in Housing", Centre for Community Studies, University of Toronto. Also see Transportation Information for the Central City Area, op.cit., p.3

It has been argued, too, that all citizens of the Metro region are capable of understanding the qualities which give Toronto its enviable reputation as one of the most livable cities on the continent, that Metro Council would therefore not legislate against the best interests of all of the people of Metro by thoughtless planning. But this argument would appear to suffer from excessive idealism. On recent leading issues, for example, the tendency has been to polarize along lines defined by the primacy of local interests and local perspectives (e.g. Spadina Expressway, northwest rapid transit and Toronto Island issues).

This need to protect the City's share of influence regardless of population shifts becomes more urgent in view of the continuing expansion of Metro's power since its creation in 1953. The Metro Chairman's proposed overall review of the structure and operation of Metro government raises the possibility of a yet more powerful and centralized Metro. Moreover, as Metropolitan Toronto grows, so does the scope of Metro's designated responsibilities. The original purpose of the two level federation was to provide for the more efficient handling of problems which were deemed common to all of the area municipalities, while leaving control over local matters with the local government. But in several instances, most notably transportation and arterial roads, the potential scope and importance of Metro's functions were not appreciated. For example, the far-ranging significance of transportation and expressway decisions as planning factors was just not anticipated in the 1950's and 60's. And again, the municipality most vulnerable in this process is the City.

It is therefore all the more imperative to establish a system of representation on Metro Council and Executive which reconciles the majority rule concept with an appropriate unit representation.

There are two different approaches that can be taken in order to prevent an inequitable dilution of the City's power:

- (1) One means would be to confirm the authority of the City (and all of the area municipalities) by protecting its autonomous jurisdiction in its legitimate sphere and by not permitting any further regional amalgamation of functions; where new responsibilities are delegated to the municipalities by the Province, these must not automatically devolve on Metro but be assigned directly to the local level if justifiable in terms of local concern and capability, as in the case of housing programs. This is the most feasible way of insuring that the viability and character of the individual municipalities will be protected. It

does not, however, give the ultimate insurance which a structural safeguard would provide.

- (2) The second approach involves over-representing the City by any of a number of mechanisms including:
- the special weighting of votes
 - a minimum percentage of seats regardless of population shifts

The problem is sufficient in scope to warrant serious consideration in the comprehensive study of Metro which is now being planned.

C. WHAT ARE THE COURSES OF ACTION

City of Toronto

During the debates over the reform of the ward system this past fall, two main lines of argument dominated: the first was that the current wards were too large and that we needed more wards with one alderman each in order to bring closer ties between citizens and their elected leaders, bring a more diverse Council and thus a more effective system of representation; the second was that the election of councillors to Metro must be made direct and specific to encourage increased responsiveness and accountability to the public.

The two proposals most seriously considered were those put forward by Mayor David Crombie and by Alderman William Archer. Mayor Crombie's proposal, in brief, involved retaining the present wards but electing one city alderman per ward and one Metro councillor directly. Under Mr. Archer's plan the City would be divided into a larger number of City wards (from 21 to 35) with an average population of from 20,000 to 34,000, each selecting a single alderman. A second set of Metro wards would then be set up for the direct election of Metro representatives, who would sit on both councils.

In the end, while Council voted to leave the set-up the same, the debates highlighted a number of problems with the present system and spelled out several possible alternatives.

Our suggestion for the first improvement that should be made in the City's system would be to increase the number of wards and have one representative each. Given this premise and the fact that the number of Metro councillors will be less than the total number of wards, three choices for selecting the Metro representatives are available:

- (1) direct election of the 11 Metro representatives from separate Metro districts - either superimposed on the City ward structure (as Alderman Archer's plan proposes), or made up by combining two City wards (as the CORRA proposal outlines);¹ the Metro councillors would sit on City Council,
- (2) election of Metro delegates at large according to proportional representation,²
- (3) indirect election of the delegates to Metro by the City Council.

The chief advantage of options numbers (1) and (2) would be to give the voter the right to directly elect his representative to Metro; in addition, they would encourage the election of Metro representatives on Metro-wide issues and so discourage a parochial perspective; but at the same time, they could tend to the distancing of the Metro representatives from City Council's issues and views; and with these options the electoral scheme becomes more complicated for the average voter. Option number (3) has the obvious disadvantage of appearing less democratic in that the Metro representative is not directly accountable to the people.³ Other pitfalls are the political bargaining and infighting potentially involved in the selection process and the possibility that there would not be an even geographical spread of representation across the City.⁴

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1. The CORRA ward layout is probably the best proposal which has come forward, if the formula of direct election from 11 Metro districts is adopted. It recommends a 22 ward layout, coinciding roughly to the present eleven wards, divided in two, CORRA Task Force on Electoral System, Nov. 8, 1973
 2. This concept has never been fully explored as a possibility for Metro Toronto in spite of distinct merits which it has for the fullest possible expression of the democratic ideal. We feel that this system has enough merit to warrant serious consideration in the future.
 3. It must be observed, however, that democracy is a highly complex and abstract term, encompassing many circumstances, and cannot be defined in terms of a single attribute.
 4. This could be partially overcome by establishing some geographical criteria for selection.

The suburban communities suffer different but equally pressing problems related to where their citizens live and work. Like the City, they feel that they have interests which must be protected. The problem is to have a system that can react to the unique problems of both the City and the suburbs and assign an acceptable priority to the virtues inherent in both.

Most of the same arguments which were presented in the City's portion of this report with regard to how local representatives are either elected or appointed to Metro Council apply for the boroughs as well. In the final analysis, other than the protection of local rights, it boils down to a debate as to whether Metro representatives should be elected directly or not and whether they should have a recognized constituency such as a ward or Metro district.

SUMMARY AND RECOMMENDATIONS

Five very basic recommendations can be drawn from the report.

- (1) The electoral structures of the area municipalities should be based on wards of 20,000 to 30,000 people to permit effective representation and access.
- (2) There should be one alderman elected per ward.
- (3) The chairman of Metro Council should continue to be elected by Council members.
- (4) The distribution of seats on Metro Council and Metro Executive should take account of the central role that the City of Toronto plays in the Metropolitan region and protect its share of influence in spite of significant population shifts.
- (5) Boards of Control should be eliminated and replaced by executive committees.

The central question, namely how Metro representatives should be selected, is the most difficult to answer. This is underlined by the inability of the Bureau to reach a consensus on the matter. Competing value judgements are involved in taking a position and there are sound arguments for a number of plans, including direct election (at large or by special Metro districts) and indirect election. With your permission, we would like to

borrow an infrequently-used literary device and offer two alternative "conclusions".

Conclusion # 1: Within the present federative context, we fear that the consequences of direct election, either at large or by special Metro districts, could undermine the local Council's prestige and permit the Metro representatives to be too remote from local matters. But most important, it would create two competing constituencies in terms of which representative(s) actually had the mandate of the people. We therefore recommend:

a system of indirect election of Metro councillors by and from the local Councils.

Conclusion # 2: The direct election system which in our view lends the greatest potential for future implementation is the one calling for proportional representation. Proportional representation in theory is an attempt to minimize not only the parochial attitudes which may be apparent on leading issues, but also to prevent the disfranchisement of a partial sector of the electorate. We therefore recommend that the system of proportional representation be thoroughly explored and debated with a view to its applicability to Metro Toronto.

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