

Open Letter Issued by the Bureau of Municipal Research, 24 Isabella Street, Toronto 5



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An independent fact-finding organization  
reporting to the public on civic affairs.

# CIVIC AFFAIRS

February 5, 1953

## HALF A LOAF

Fellow Citizens:

On January 22nd, the Ontario Municipal Board brought down the long awaited decision on the City of Toronto's application for amalgamation with twelve neighbouring municipalities. On the basis of the evidence put forward by the City and the supporting evidence of the Town of Mimico, the Municipal Board found that "--- the applicants have clearly proved the need of some major reform of the existing form of local government in the Toronto metropolitan area ---." They went on to state, however, that "the Board --- has come to the conclusion that there are a number of serious objections to the proposal for amalgamation which --- are sufficient to outweigh its manifest advantages --- The City's application must therefore be dismissed."

The Municipal Board also had before it an earlier application of the Town of Mimico for the creation of an inter-municipal administrative authority. This application need not concern us at length. It was regarded by Mimico itself as less desirable than amalgamation; and it was opposed by the City, the remaining suburbs and the County of York. Moreover, the legal powers such a body would possess would appear to be quite inadequate in the present circumstances.

Having dismissed both applications, the Municipal Board had no legal responsibility to advance any proposals of its own. Indeed, as an administrative tribunal, it might be regarded as stepping outside its proper sphere if it did so. Yet there was, the Board felt, a moral obligation to the contrary.

One major conclusion which the Board had reached was that "the present form of organization is inherently inadequate and out-moded as a means of providing local government services for a large metropolitan area under modern conditions." Moreover, "the question of a suitable form of local government for the Toronto Metropolitan Area has been the subject of a number of official and unofficial investigations and reports for more than twenty-five years and --- although there has been a fairly wide recognition of the need, no constructive action has been taken." Through its review of the evidence presented at the hearing and as a by-product, also, of its continuing responsibilities, the Municipal Board felt that it should be in a position to advance some constructive proposals. For all these reasons, the second part of the report took the form of the Board's unofficial recommendations for a type of metropolitan government.



The Municipal Board's report has been printed for general distribution as a ninety-one page booklet. It sets out in logical order and in simple terms the applications before the Board, their reasons for rejecting both amalgamation and the Mimico alternative, the resulting responsibilities of the Board and their proposed solution.

The aim of the present bulletin is merely to indicate and comment on the main features of the plan. For a complete understanding of the proposals, it is necessary to study the full report. And, in view of its fundamental importance to the Toronto area, as many citizens as possible are urged to do so.

#### Highlights of the Plan

1. The "Cumming Charter" (Chairman, Lorne Cumming, and Vice-Chairman, W.J. Moore, developed the recommendations) proposes a federation of the existing municipalities. Major "metropolitan services would become the responsibility of an overriding Metropolitan Municipality and other "local" services would remain under the control of the existing thirteen municipalities. The scheme has been compared with the division of responsibilities between the Government of Canada and the ten provinces.

2. The authority of the Metropolitan Council would embrace the following major fields:

- (a) Supply and wholesale distribution of water.
- (b) Trunk sewers --both sanitary and storm--and sewage disposal plants.
- (c) Present or future arterial routes which the Metropolitan Council chooses to designate as metropolitan highways. Includes snow removal, street cleaning, lighting and traffic control for these routes.
- (d) Public transportation under an enlarged T.T.C.
- (e) Financing of education--both current and capital--up to a minimum standard established from time to time by the Metropolitan Council. Selection and purchase of school sites. Approval of school building plans.
- (f) Specified public welfare responsibilities--homes for the aged, hospitalization of indigents and statutory support for children's aid societies.
- (g) Administration of justice.
- (h) Metropolitan parks and recreational areas.
- (i) Equal authority with local municipalities to engage in public housing and redevelopment schemes.
- (j) Regional planning and zoning extending beyond the thirteen municipalities in order to control future urban development and maintain an outer green belt. Power to veto local plans, and to initiate subdivision plans.
- (k) Management of all present debenture debt and sole authority to issue new debentures.



(1) Assessment of real property.

(m) Power to obtain from each municipality, on the basis of a uniform metropolitan assessment, the money for its current budget including debt charges plus the sums needed to pay debt charges on behalf of the local municipalities.

3. Important functions to remain for the present under exclusive control of the local municipalities would include:

(a) Policing.

(b) Fire protection.

(c) Sidewalks.

(d) Public health and sanitation. Financial aid to hospitals.

(e) Garbage disposal.

(f) Distribution and sale of electric power.

(g) Public libraries.

(h) Licensing, local regulations and by-laws.

(i) Direct levy and collection of taxes.

4. Subject to the authority vested in the Metropolitan Council, the local municipalities would also continue in charge of:

(a) Distribution and sale of water.

(b) Local sewage connections.

(c) Local streets, including snow removal, street cleaning, lighting and traffic control.

(d) Elementary and secondary schooling including the power to develop higher than minimum standards.

(e) Public relief, supplementary children's aid grants, day nurseries, and other welfare services.

(f) Operation of local jails, magistrate's and juvenile courts.

(g) Local parks and recreational facilities, boulevards, public squares. Civic recreational programmes.

(h) Public housing and redevelopment schemes.

(i) Local planning, zoning and subdivision control.

5. The new metropolitan organization would require the withdrawal of the twelve suburbs from the County of York. An adjustment is proposed with respect to future maintenance of the existing suburban and County roads beyond the limits of the metropolitan area.

6. The Metropolitan Council would take title to all physical assets related to its responsibilities and would assume the full burden of outstanding debentures against these assets. It would become responsible for all outstanding school debentures at the date of inauguration. There would be no compensating financial adjustments among individual municipalities.

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The aim of the present bulletin is merely to indicate and comment on the main features of the plan. For a complete understanding of the proposals, it is necessary to study the full report. And, in view of its fundamental importance to the Toronto area, as many citizens as possible are urged to do so.

#### Highlights of the Plan

1. The "Governing Charter" (Chairman, former Chairman, and Vice-Chairman, W. H. Moore, developed the recommendations) proposes a federation of the existing municipalities. Major "Metropolitan" services would become the responsibility of an overriding Metropolitan Municipality and other "local" services would remain under the control of the existing thirteen municipalities. The scheme has been compared with the division of responsibilities between the Government of Canada and the ten provinces.

2. The authority of the Metropolitan Council would embrace the following major fields:

(a) Supply and wholesale distribution of water.

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(c) Present or future arterial routes which the Metropolitan Council chooses to designate as metropolitan highways. Includes snow removal, street cleaning, lighting and traffic control for these routes.

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(i) Regional authority with local municipalities to engage in public housing and redevelopment schemes.

(j) Regional planning and zoning extending beyond the thirteen municipalities in order to control future urban development and maintain an outer green belt. Power to veto local plans, and to initiate subdivision plans.

(k) Management of all present debenture debt and sole authority to issue new debentures.



Future debt charges on debentures which became a metropolitan obligation would be met by a uniform levy throughout the area. Other debt issued on behalf of local municipalities would be serviced through direct levies on the municipalities concerned.

7. Temporarily, the Metropolitan Council would be appointed--four members by the City, four by the twelve suburbs and one by the Province. This nine-member Board would serve for at least three years. It would then be replaced by an elected Council.

8. The entire thirteen municipalities would from the beginning be included with the new Metropolitan Municipality. The proposed boundary is considered temporary with additions to be secured by application to the Municipal Board or directly to the Legislature. Changes in status or boundaries within the thirteen municipalities are to be obtained in a similar way.

#### Why Amalgamation was Rejected

In bringing down its decision, the Municipal Board gave four main reasons for denying amalgamation. None of them are indisputable and all could be the subject of lengthy debate. In addition, their full statement would seem to suggest that the Board, in taking up Toronto's application, was led into a consideration of questions that might more appropriately have come before the legislature than an appointed semi-judicial body. In summary, they argued as follows:

1. Such an extensive amalgamation "would result in immediate and prolonged administrative confusion of the most serious kind."
2. Immediate amalgamation "would result in a substantial increase of taxation due to the practical necessity of bringing all suburban wage and salary scales and working conditions up to city levels."
3. "A third and very serious objection --- is the proposed concentration of all municipal duties and responsibilities in a single all-powerful council which would be expected to deal wisely and adequately with both local and metropolitan problems."
4. "--- the Board has entertained grave doubt whether the need for reform --- justifies and requires the complete dissolution of the existing municipal institutions and the creation of a form of government which appears to be bitterly opposed by eleven of the thirteen municipalities concerned."

Without attempting an exhaustive analysis, it is only natural that the Bureau, as a declared advocate of amalgamation, should make some assessment of the Board's reasons.

It is our contention that neither of the first two reasons can be considered as more than temporary obstacles to amalgamation. The danger of administrative confusion can be overcome substantially, and the sharp increase in taxation can be avoided in part, by the obvious method of developing amalgamation in several stages. The salary problem is, of course, a serious one since it would be the wish of most people to protect the jobs of all present staffs. Even so, under amalgamation, a gradual reduction in personnel might be achieved by taking advantage of normal turnover, whereas the metropolitan plan would require a completely new civic establishment with little prospect of a corresponding reduction in the numbers employed by the local municipalities.



There is an obvious answer to the Board's fear of concentrated power. A single council--not a federation--is the normal form of government for large cities as well as small. The present City of Toronto has always been governed by a single council. So have other larger cities both on this continent and in other parts of the world. London, England, is today the one notable exception. New York City has long given all significant powers to a central council, while other American cities which have made certain common administrative arrangements with overlapping or adjacent counties could hardly be said to have achieved metropolitan coordination.

The opposition to amalgamation of twelve suburban municipalities cannot be so easily dismissed. No reform, however urgent the need for it, can be contemplated without regard for the climate of public opinion in which it must be launched. It is an open question whether a federation based on the Municipal Board's plan or an order for outright amalgamation would be the more politically acceptable. While on this question the Bureau cannot pass judgment, it offers two comments. First, there is evidence of some new support for the amalgamation proposal since it was debated before the Board. Secondly, in the long run the most strongly entrenched opinion may have to give way before the rising tide of events.

#### Some Points About the Plan

In the Municipal Board scheme, the broad approach sought in the Mimico application has been accepted, even while the specific application has been ruled out on technical grounds. A more remarkable degree of coincidence exists between the Board's proposal and the "County Plan", which was submitted to it along with an alternative plan for amalgamation, by the Civic Advisory Council.

These facts are not surprising inasmuch as the Board stated flatly that it had no opportunity to consider "the types of metropolitan organization which have been adopted in other places." Perhaps the Department of Municipal Affairs will make up this deficiency; for it seems injudicious to presume that no lessons can be learned from experience elsewhere.

Favourable features of the Cumming Charter as it now stands, in our opinion, would include the longer term proposed for the Metropolitan Council--an improvement that might well be adopted for all elected councils and school boards in the area--and the concentration of policy-making and school boards in the hands of a council of manageable size. Recognition of the need for a planning area larger than the proposed area of government is another strong point. Again, the recommendations acknowledge the need to coordinate debenture financing and priority control over capital works projects. The proposal that capital assets and debt outstanding against them should be transferred to the metropolitan municipality without further adjustment is a bold one which should commend itself to many people.

On the debit side of the ledger, certain detailed features of the plan seem highly undesirable in their present form and may even prove unworkable. The education proposal is a case in point. Another shortcoming is the fact that no mechanism is suggested to facilitate the eventual transfer to the Metropolitan Council of such obvious metropolitan services as policing and fire protection. Sixty-four years' experience with the borough system in London offers ample proof of the folly of expecting the local councils to give up any of the powers initially assigned to them unless definite plans are made to the contrary beforehand. Then, too, it seems almost impossible that such unequal partners as a city of 675,000 and



four large and heavily populated townships, on the one hand, and three municipalities, each well below 10,000, on the other, could avoid stirring up some animosities under a federation. By contrast, amalgamation would foster the "underlying social and economic unity of the area" which the Board recognized and stressed in its report.

Two major weaknesses must be specially underlined. The first is the unhappy precedent of creating an additional level of local government which would make the management of civic affairs in the metropolitan area quite unnecessarily cumbersome. Once established, the plan would be difficult to dislodge and, indeed, might with Provincial encouragement be introduced into other metropolitan areas throughout Ontario.

The second is that a Metropolitan Council with very wide powers should at first be appointed with no concrete recommendation governing the eventual form of the council or the method of electing its members. Even for an interim period, appointment of the Council seems a most doubtful procedure and, if adopted, the Province might surely give the local municipalities the first opportunity to agree on the selection of a ninth member. On the other hand, those who have already taken a strong stand against it would do well to remember that bodies, largely or entirely appointed, have been allowed--as a long-term measure and with varying degrees of supervision--to take charge of Toronto's suburban roads, libraries, hydro-electric system, harbour and airports, public transportation, parking, rental housing and planning. Therefore, the Board's suggestion cannot be dubbed unrealistic.

#### Where Matters Stand

Official endorsement of the Board's general plan has so far come from the Village of Long Branch and the Township of East York. The City of Toronto, on the other hand, has rejected it by a vote of 19 to one, and has authorized an official appeal from the Board's decision to the Lieutenant-Governor-in-Council. The City has also decided to approach the Toronto members of the Legislature and the Premier.

A present danger is that the views of local citizens will become so badly splintered that the whole effort to bring about an improved pattern of government will fail. Everything possible should be done to avoid such an outcome.

In the Bureau's opinion, a federation along the lines advocated by the Municipal Board might be satisfactory as a first step towards the solution of the metropolitan problem--provided the arrangements were strictly temporary and designed to make the fullest possible use of existing administrative facilities. But we urge, with all possible force, that no legislation be approved which would at this stage give such a plan permanence.

*Laurel*  
President  
*Eric Hardy*  
Director

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