



CIVIC AFFAIRS

A BULLETIN ISSUED BY THE BUREAU OF MUNICIPAL RESEARCH, 32 ISABELLA STREET, TORONTO 5
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BEHIND THE HEADLINES

A Statement on the Subway Controversy

In the subway dispute, the citizens of Metropolitan Toronto have been treated to a display of "Punch and Judy politics" says the Bureau. The root of the trouble is found in the formal separation of civic responsibilities which has been built into our system of local government and which in turn has permitted a breakdown in mutual confidence among those concerned with planning. The Bureau recommends that the Metropolitan Council pass a procedural by-law whose purpose would be to re-establish the Council's authority and to ensure co-operation between the Metropolitan Planning Board and special purpose bodies like the T.T.C.

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For weeks widespread publicity has been given to the debate on the route for a new east-west subway. At times it has reached fever pitch. It has created both public interest and public exasperation.

As an observer of the municipal scene for the past forty-four years, and as an organization which throughout all that time has maintained a qualified full-time research staff, the Bureau of Municipal Research should be able to get behind the headlines for the benefit of its members, the public and their representatives in Metro. Such is the intention of this bulletin.

To anyone with an intimate knowledge of our metropolis, it is surely self-evident that some form of east-west extension is desirable as the next stage in the development of our rapid transit system. It would appear, moreover, that this much is accepted by all the contending parties to the present dispute including the Metropolitan Council, the Metropolitan Planning Board and the T.T.C. Differing proposals have emanated, however, from the staff level of the latter two organizations for the initial east-west line. The T.T.C. favours a T-formation composed of a line running generally along Bloor-Danforth from Keele Street to Woodbine Avenue in combination with a north-south line from Bloor and Avenue Road along University Avenue to connect with the Union Station terminal of the present

Yonge Street subway. The route proposed by the planning staff would commence and end at the same Bloor and Danforth terminal points; but at Christie on the west and Pape on the east the line would turn south to Queen Street and run along Queen for the intervening distance, thereby eliminating any present anticipation of a University Avenue north-south line.

The long run objectives of these two opposing groups are not so far apart. The T.T.C. believes that an east-west Queen Street line with connections to Bloor Street will be warranted eventually while the Planning staff supports construction in due course of a Bloor Street line from Christie to Pape. Eventually, the issue would narrow down to the need for a University Avenue subway. Such substantial agreement as to the ultimate pattern of the system provides little comfort, however, to the members of the Metropolitan Council who have been under heavy pressure to become the arbiters of the controversy between the T and U-shaped lines either of which might constitute the next stage of our subway development.

Should our elected representatives be called upon to settle an issue where the opposing arguments have grown out of the respective technical investigations and resulting conclusions of two independent and, to a degree, opposing agencies? If the answer is no, how can the Council avoid being forced into making a ruling? Or, if yes, how can its members come to an intelligent decision?

Besides the problem of the best east-west route, our elected representatives and taxpayers should be seriously concerned with the subject of subway financing. How much can Torontonians afford to spend on subway extensions over say the next ten years, bearing in mind alternative demands for water and sewage developments, road improvements, new schools, welfare payments and all the other public service needs which call for capital or current spending or both? What proportion of the capital cost of an east-west subway can Metro hope to recover from transit fare revenues? Must the entire remaining capital costs become a charge upon real property taxpayers?

These questions lead into the whole broad subject of capital budgeting and warrant more consideration than the present bulletin would permit. They must therefore be reserved for a later release.

Between the two alternatives, the total cost is not expected to be greatly different on the basis of present estimates. Those who have to make the choice should, of course, look at the price tags; but so long as the difference is slight, the route to pick, we suggest, is the one which will best serve the future.

Why the Dispute?

Under a different form of local government organization, the sort of public debate to which the citizens of Toronto have been treated could not have occurred. The plan of local government which prevails throughout most of England rules out any such creation as a planning board or a transit commission. Planning and public transportation are direct responsibilities of the municipal corporation controlled by its council and executed by its departments. Here in Toronto, the present controversy serves as a first-rate illustration of a handicap under which our local government operates because a split in responsibilities has been built into the system.

A Word on Structure

The employment of separated boards and commissions in local government was greatly stimulated by the one-year term in office which plagued our municipal councils for so long. In relation to their length of term, our elected representatives felt unable to cope with the expanding range of service responsibilities under their charge. By appointing a separate governing body, the work load was shared with a second group of people's representatives, who could be and inevitably were given longer terms in office than the members of council enjoyed themselves.

It was considered particularly suitable to place a revenue-earning enterprise like the T.T.C. under a separate governing body. The financial results of each year's operations were regarded as a sufficient test to enable the elected representatives, and the general public, to measure the service's efficiency. To the Bureau, such an attitude seems a gross oversimplification. The public transportation system is given the exclusive right to perform a service which the community needs. The most profit or even any profit is surely not the standard by which every aspect of this public service should be judged.

Turning to municipal planning responsibilities, the long term nature of this work has probably served as a major argument for setting up a board to formulate proposals which the council would otherwise have to develop for itself. In the case of the Metropolitan Board, a unique form of representation has, after much shuffling, been adopted. In addition to the appointments specified in Bill 80, representation has been given to those outer municipalities beyond Metro but within its planning jurisdiction and to the T.T.C. itself. The Province of Ontario, which was required to authorize the special structure of the Metro Planning Board, was not at first convinced that it would be desirable to grant the T.T.C. direct representation on the Board. The Bureau is inclined to believe that the province's first reaction was probably right. Be that as it may, if the T.T.C. is going to be represented on the Board, a similar case can be made for representation from the Regional Conservation Authority and perhaps the Toronto and York Roads Commission as well.

One of the advantages claimed for separated boards, commissions or authorities is that they remove the undertakings in question from politics. Surely this too is a misconception. Almost without exception, the responsibility for appointing all or the majority of the members of such bodies lies with the politicians themselves or, to use a preferable term, the elected representatives. Very frequently, the persons they appoint are former elected representatives who have retired from the political arena. Out of seven Metropolitan boards, no less than six include former elected representatives as present members. The T.T.C. Chairman and the Vice-Chairman of the Metropolitan Planning Board are both former mayors of Toronto.

A Bit of Background

The present relationships of the Metropolitan Council with the Metropolitan Planning Board and with the T.T.C. are bound to be affected by the powers that these two bodies enjoy and, in addition, by the ways in which they have developed to their present status.

In theory, the role assigned to planning boards in Ontario is almost wholly advisory and the present responsibilities of the Metropolitan Planning Board are entirely so. The Metropolitan Planning Board is

one of the bodies which the province customarily consults before approving new subdivisions in any part of the Metropolitan Planning area. With this exception, the Planning Board's job breaks down between promoting planning in the constituent municipalities of the planning area and advising the Metropolitan Council on matters over which the latter has jurisdiction. The Board is fully dependent upon the Council for its own funds, most of which go to maintain a staff of qualified planners in suitable accommodation with adequate clerical help and necessary equipment.

The Toronto Transit Commission has been made primarily responsible for all forms of local passenger transport operations within the metropolitan area except by railway or taxi, although it does not itself run all such services. It may also contract to provide public transportation services in other municipalities within twenty-five miles of the Metropolitan Municipality. Subject to the important proviso that all transportation facilities under its control and management within Metro must be self-sustaining, the Commission has full authority to set fares. Like all other local government boards, however, the T.T.C. must turn to the Metropolitan Council when its capital requirements involve debenture borrowing. In this field the Council and the people are supreme, subject of course to the province's higher authority.

While the Metropolitan Planning Board is in a very real sense the successor of the Toronto and York Planning Board, its area of jurisdiction is not the same. Its responsibilities have taken on a different character and it began with fresh appointments by the Metropolitan Council and the other bodies concerned. Of even greater practical importance, it recruited an entirely new staff which is much larger and greatly stronger than the staff of its predecessor. Its biggest problem is lack of experience under the present set-up.

The new T.T.C., on the other hand, continued with an existing staff which was buttressed only to the extent required by taking over transportation services from other companies. In effect, the old Commission was not disbanded but merely enlarged. The Act of Federation told the Metropolitan Council that, as a means of instituting five-year overlapping terms, the old T.T.C.'s three commissioners were to take office again for five, four and three years respectively. The Council was required to add two further commissioners whose initial terms were to run to one and two years. Small wonder that the T.T.C. was more conscious of its independence from the Council than its ultimate responsibility to that body.

Primarily, the Metropolitan Council was created to break the log jam on the physical expansion of capital works needed to support our phenomenal post-war growth. Probably the Council's biggest responsibility has been to plan, finance and direct a colossal public works programme. In its particular sphere, the Planning Board making a fresh start was handicapped by the dearth of previous planning work both in quantity and quality. On public transportation services, the T.T.C. was entrusted under Bill 80 with accomplishing an enlargement and a major revamping of the transit services provided by its predecessor. But the Commission itself was not required to consult with the Council beforehand on any aspect of this challenging programme.

Perhaps it was fortunate that a sizable deficit on current account in the transition period forced the new T.T.C. to go hat in hand to the Council and ask for a subsidy. Yet even that salutary experience does not seem to have made the Commission sufficiently aware of its real position. Directly, its job is to serve the transit riders. But, much more

important, it is a public body responsible in the final analysis to the electorate through the Council.

Over the years, the old T.T.C. gained enviable reputation for efficient management and good service to its passengers. Its balance sheet at the end of 1946 showed that it held bonds for rehabilitation and equipment renewals, and for modernization and expansion of the system, with a market value of \$19.7 million. In such circumstances, neither the City Council nor the public at large were disposed to question too seriously the organization's plans for the Yonge Street subway. Additional borrowing was of course required and the original estimate grew considerably in a period of sharp inflation. In retrospect, there are those who contend that the Yonge Street subway was badly planned in making provision for only two lines of track, particularly in the portion of the route south from Bloor Street. Wisely or otherwise, the project limited the passenger load to what a series of local trains could carry along one line and ruled out any combination of express and local trains. Certainly this limitation has become a basic premise to the present controversy between the T and U routes.

Where Matters Stand

Throughout much of the past year, the subway question simmered or boiled. The press, for one, seldom allowed it to drop entirely out of sight.

On December 17th, the Metropolitan Council undertook to schedule day-long sessions on January 7th and 8th for the purpose of hearing the T.T.C. and the planning staff on the east-west subway and a further meeting on January 21st to settle the question. The discussions of the 7th and 8th were continued throughout the day on Saturday, January 11th, amounting in all to more than eighteen hours in actual session. At the time, the planning staff's views had yet to be finally considered and approved by the Metropolitan Planning Board. But before the Planning Board was convened, the Metropolitan Council at its regular meeting of January 14th voted to call off the special meeting slated for January 21st and to postpone any decision on the subway until further notice. On the 15th, the Planning Board met. Rather than take a definite stand, it instructed the planning staff to resume talks with the T.T.C. in an attempt to reach agreement before February 19th, the date of the Board's next meeting. What will happen if they cannot agree by then remains to be seen.

Right Relationships

Having taken a long look at what has been happening on the subway issue, the Bureau has attempted to analyse what is wrong and to suggest how similar situations could in future be avoided. The problem is two-fold--first, to define the respective roles of the T.T.C., the Planning Board and the Metropolitan Council and, second, to suggest required procedures for processing business which are in keeping with the job of each.

The trouble with much of the present discussion is that the Planning Board and the T.T.C. are commonly regarded as equals. Surely that was never the intention.

In the operation and improvement of existing services out of current revenues, the T.T.C. is supreme. With or without the Planning Board's help, the Council can take it upon itself to offer suggestions to the T.T.C. in regard to its current operating system--but that is all.

Council's only power lies in its right to appoint commissioners. Even here, its authority is weak because only one commissioner in five comes up for re-appointment each year; thus the complexion of the Commission cannot be changed easily or quickly.

When it comes to the development of a new rapid transit line, the T.T.C. stands in an entirely different position. Where expropriation of land or debenture borrowing is necessary, the Metropolitan Council gains a basis of control. Almost inevitably, both these requirements are involved. Without the Council's assent to expropriation or borrowing, the T.T.C. cannot go ahead with its subway plans. Conversely, however, the T.T.C. can always reject the plans of others.

The Metropolitan Planning Board is intended to be Council's senior adviser on all planning matters, of which a subway extension is obviously one. In the designation of the appropriate route, its position is superior to that of the T.T.C. The Council should be able to rely upon the Planning Board to procure information and develop recommendations on alternative subway routes which are both competent and fair in relation to the broader requirements of town planning. Neither the Planning Board nor its staff should attempt to take over technical responsibilities of the T.T.C. such as the taking of transit rider counts or estimating the cost of subway construction. But, if this is to be the position, the T.T.C. should give the Planning Board reasonable co-operation. Appeals to the public or to the Council designed to undermine the standing of the Planning Board should not be countenanced.

Is it not true, in the present dispute, that the three bodies concerned have all been at fault? We suggest:

- 1) that the T.T.C. has largely ignored its responsibility to the Metropolitan Planning Board and contested its required dependence upon the Metropolitan Council;
- 2) that the Planning Board has been in error in continuing its study of the subway problem when the T.T.C.'s co-operation was not forthcoming and in undertaking to carry out investigations which should have been performed for the Board by the T.T.C.;
- 3) that the Metropolitan Council has not stood up to the T.T.C. and has permitted or perhaps even encouraged the Planning Board to do battle with the Commission.

The more important issue to be settled is not the route for a subway but the proper method of conducting public business under our particular structure of local government. Surely the citizens should let it be known that they will no longer tolerate clashes of personalities which are robbing our local government of its proper dignity while doing little to solve the problems at hand. The time for Punch and Judy politics is past!

The breakdown in mutual confidence among elected and appointed bodies which the people of Metropolitan Toronto have been witnessing is serious. When the T.T.C. flouts the Planning Board's authority, it is by implication charging the Council's senior planning adviser with incompetence. The situation warrants grave concern by the Council members as to the qualities of both accuser and accused, and some honest doubts about their own ability to manage civic affairs. On a question involving capital borrowing, Council's authority is clear-cut, and failure to keep order must be viewed as a sign of weakness.

At the root of the trouble is the Metropolitan Council's failure to define quite specifically the relationships to the Metropolitan Planning Board which it expects special purpose bodies to observe in planning matters. What is needed is a procedural by-law which makes the position of the local boards perfectly plain. Only in this way can a breakdown in co-operation be recognized for what it is and readily overcome.

In formulating a procedural by-law, the Council must, of course, take cognizance of the duties given to planning boards by provincial statute. For those who are not entirely familiar with the legislation, it is reproduced in full.

"Duties of Planning Boards

(1) Every planning board shall investigate and survey the physical, social and economic conditions in relation to the development of the planning area and may perform such other duties of a planning nature as may be referred to it by any council having jurisdiction in the planning area, and without limiting the generality of the foregoing it shall,

- (a) prepare maps, drawings, texts, statistical information and all other material necessary for the study, explanation and solution of problems or matters affecting the development of the planning area;
- (b) hold public meetings and publish information for the purpose of obtaining the participation and co-operation of the inhabitants of the planning area in determining the solution of problems or matters affecting the development of the planning area;
- (c) consult with any local board having jurisdiction within the planning area;
- (d) prepare a plan for the planning area suitable for adoption as the official plan thereof and forward it to the councils of the municipalities affected thereby, and recommend such plan to the council of the designated municipality for adoption;
- (e) recommend from time to time to the councils of the municipalities in the planning area the implementation of any of the features of the official plan of the planning area;
- (f) review the official plan from time to time and recommend amendments thereto to the council of the designated municipality for adoption.

(2) No plan shall be recommended for adoption unless it is approved by a vote of the majority of all the members of the planning board."

The Bureau Recommends

The Bureau recommends that, at the earliest opportunity, the Metropolitan Council issue a procedural by-law incorporating the following major points:

- 1) At the metropolitan level, a proposal which relates to town planning can quite properly be initiated by the Council, the Planning Board or the special purpose body concerned. (Such a proposal might, of course, come to the Metropolitan Council from an area municipality or to the Metropolitan Planning Board from one of the subsidiary planning boards.)

- 2) Any proposal which is brought forward first at the Council level will at the earliest opportunity be referred to the Planning Board for an opinion. Depending upon what the Planning Board reports and how Council reacts to it, the Council will then decide whether the matter should next be referred to any of the civic departments or special purpose bodies for their advice or technical assistance and instruct the Planning Board accordingly.
- 3) The Council is expected to grant the Planning Board a measure of general authority to engage in continuing planning studies. On such matters, it is suggested that the Council require regular quarterly progress reports. Any proposal which is first raised at the Planning Board level which cannot be considered within the scope of the Board's continuing responsibilities is to be reported forthwith to the Council together with its recommendation on the need for future study, including any suggested referrals to civic departments or special purpose bodies for advice or technical assistance. On such proposals, the Planning Board will then be governed by the instruction it receives from Council.
- 4) All planning proposals originating with special purpose bodies are to be referred to the Metropolitan Planning Board by the Council before the Council takes action upon them.
- 5) In reporting to the Metropolitan Council on a planning proposal with which a special purpose body is concerned, the Metropolitan Planning Board is expected to outline the proposal in its original form; to describe any changes which may have been recommended as a result of its own study and any referrals to civic departments or other special purpose bodies; and to state the reaction of the original sponsor to any such changes.

The intention behind the suggested procedures is to ensure that, in dealing with planning matters, the Council will have the benefit of information and opinions from all parties concerned, assembled in an orderly manner by the Planning Board and coupled with the latter's own recommendations. The plan should eliminate all necessity for a special purpose body to appeal directly to the Metropolitan Council on a planning proposal. The net result should be genuine improvement in the climate of metropolitan government.

Bureau of Municipal Research

ERIC HARDY

Director

For more information on separated boards and commissions write or telephone the Bureau (WA. 4-9717) for a copy of an earlier bulletin on this subject.