



Clause embedded in Policy and Finance Committee Report No. 4 (2), as adopted by Toronto City Council at its meeting held on May 21 - May 23, 2003.

Achieving an Improved Legislative Framework for Toronto “The Right Deal for Toronto is a Great Deal for Ontario”

Purpose:

This report defines the principal elements of a legislative framework that would equip the City of Toronto with the tools and resources it needs to fulfil its responsibilities.

It also recommends a process for bringing about desired legislative changes and provides a yardstick for measuring progress made toward the achievement of a more effective legislative framework for the City.

This report is intended to catalyse and guide negotiations with the Province of Ontario for phased improvements to the City’s existing legislative authority.

The City Solicitor and Council’s Charter City Reference Group were consulted during the preparation of this report.

Financial Implications and Impact Statement:

There are no direct financial implications associated with the recommendations in this report.

Proposed changes to the City’s legislative framework are part of Toronto’s on-going strategy to achieve long-term fiscal sustainability.

Recommendations:

It is recommended that:

- 1) Council endorse the principles and components of an improved legislative framework for the City of Toronto described in Appendix A of this report in order to:
 - (i) enhance the accountability and transparency of municipal government;
 - (ii) maintain Toronto’s contribution to a strong and prosperous Ontario; and
 - (iii) improve the efficiency and effectiveness with which the City delivers services to local residents and businesses;

- 2) Council invite the Province to participate in an Ontario - City of Toronto taskforce to review and recommend changes to the *City of Toronto Act, 1997* and other legislation pertaining to the City, using the framework legislation for Toronto outlined in Appendix A as a guide for its deliberations; and
- 3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Background:

This report responds to Council's July 30-August 1, 2002 decision to undertake the development of a modern, flexible Charter for Toronto based on the "Model Framework for a City Charter" appended to Clause 2, Report 12 of the Policy and Finance Committee. This report also responds to Amendment 18(f)(ii) of Clause 1, Report 2 of the Policy and Finance Committee, approved by Council at its February 24-March 3, 2003 meeting.

Comments:

Progress to Date:

This report's analysis and recommendations are designed to build on progress made towards achieving a new relationship between Toronto and Ontario. Over the past three years, Toronto City Council and staff have successfully:

- (i) defined the limitations of current legislative and fiscal arrangements;
- (ii) worked with multiple stakeholders to advocate for municipal empowerment;
- (iii) contributed to the generation of an impressive body of research and a national debate on the need for a new relationship between Canadian municipalities and other orders of government; and
- (iv) identified various statutory and policy changes Ontario could make to ensure that the City of Toronto's fiscal and legislative capacity is commensurate with its responsibilities.

Next Steps:

This report advises that further progress towards establishing a new relationship between Toronto and Ontario could be achieved through a series of strategic amendments to the existing *City of Toronto Act, 1997*. By incorporating modified provisions of the *Municipal Act, 2001* and certain provisions from municipal legislation found elsewhere in Canada (e.g. *BC Community Charter*), the *City of Toronto Act, 1997* could be adapted to improve Toronto's legislative and fiscal capacity.

To pursue this initiative, this report recommends that Council invite the Province to participate in an Ontario – Toronto taskforce to review and recommend changes to the *City of Toronto Act, 1997* and other legislation pertaining to the City, using the framework legislation for Toronto outlined in Appendix A as a guide for its deliberations.

Limitations of Toronto's Current Legislative Framework:

Recent efforts by the provincial government to provide municipalities in Ontario with enhanced legislative autonomy are a welcome step in the right direction. For example, the *Municipal Act, 2001* embraces many of the concepts of municipal empowerment (i.e. natural person powers and spheres of jurisdiction) that are reshaping municipal-provincial relations elsewhere in Canada. However, by continuing to apply virtually the same set of rules to all Ontario municipalities regardless of their particular circumstances, challenges and competencies, the *Municipal Act, 2001* does not provide the City of Toronto with the tools and resources it needs to thrive as a world class city.

Toronto's existing legislative framework remains inadequate in three critical respects. First, it simply doesn't provide the City with access to the financial resources it needs to fulfil its responsibilities. Second, the complexity of legislation that applies to Toronto creates considerable legal uncertainty as to whether Toronto is authorized to undertake many desired actions. In turn, this uncertainty undermines the City's ability to adopt creative and effective policy responses to new challenges and opportunities. Third, by applying virtually the same standard of oversight to Toronto as to smaller municipalities, the current legislative framework prevents the City from responding to its unique and evolving circumstances in a timely and innovative fashion. The continued application of prescriptive 'one-size-fits-all' legislation and oversight to Toronto often results in duplicative and costly requirements without commensurate public benefit.

Specific examples of limitations on the City's authority are listed in Appendix B, along with a brief discussion of how these restrictions could be overcome in an improved legislative framework and the resulting benefits to Toronto and Ontario of making such changes.

The legislative framework for Toronto described in Appendix A focuses on general powers and responsibilities of the City. As such, the framework relates primarily to matters that are currently dealt with in the *Municipal Act, 2001*. In preparing this report, shortcomings were also identified with various issue-specific Provincial statutes (e.g. *Social Housing Reform Act, Development Charges Act, Day Nurseries Act, Ambulance Act, Homes for the Aged Act, Ontario Works Act, Ontario Heritage Act, Environmental Assessment Act*, etc.). While some limitations of these Acts can be overcome by enhancing the general powers available to the City, other deficiencies will need to be addressed through more focused discussions with provincial officials. The analysis and recommendations in this report are designed to complement, not replace, on-going efforts by individual City departments to resolve and clarify respective municipal roles and responsibilities within program areas impacted by issue-specific provincial legislation.

Putting Toronto's Request for an Improved Legislative Framework in Context:

Toronto is not alone in seeking increased legislative authority and resources that appropriately complement its responsibilities. Cities from coast to coast are asking for a 'new deal' from provincial and federal authorities that equips them with the legal flexibility and financial resources needed to meet a growing range of service responsibilities. In response, many provinces have introduced changes to their municipal legislation, including:

- Alberta -- *Municipal Government Act, 1995*
- Saskatchewan -- *Saskatchewan Cities Act, 2002*
- British Columbia -- *Community Charter Council Act, 2001 and Bill 14 (2003)*
- Manitoba's -- *Winnipeg City Charter Act, 2002*

While the exact nature of municipal reform differs in each province, the arc of change is clear: provincial governments are gradually replacing lengthy, detailed prescriptive lists of express powers for municipalities with broader grants of general authority. Across the country, provincial officials have acknowledged that municipal legislation designed in an era when the vast majority of Canadians lived in small rural communities doesn't work for large urban centres in the 21st century.

Despite the introduction of more progressive and permissive municipal legislation in many provinces, including Ontario, significant mismatches between municipal responsibilities and resources remain in place. Hence the call for a 'new deal' for Canada's municipalities continues.

The push for municipal legislative reform in Canada is also animated by developments in other countries, where local governments often enjoy significant legislative and fiscal autonomy. Many European countries have national constitutions, or are signatories to multilateral treaties, which assign specific rights and responsibilities to local governments. For instance, the Council of Europe's 1985 "Charter of Local Self Government" commits signatories to adhere to fundamental principles of local self-government, including the notions that:

- "Local authorities shall, within the limits of the law, have full discretion to exercise their initiative with regard to any matter which is not excluded from their competence nor assigned to any other authority." (European Charter, Article 4 (2)); and
- "Local bodies must have adequate financial and legal resources to provide good government and services locally." (European Charter, Article 9)

Mirroring the respect accorded local government throughout Europe, municipal associations in several Scandinavian countries are invited to participate in annual consultations with senior levels of government to assess the financial needs of their local government members.

Closer to home, municipalities in several US states benefit from so-called ‘home rule’ status. Local officials in ‘home rule’ cities are often able to manage local affairs without undue legislative interference by state governments. The autonomy that many US cities enjoy is reflected in the diversity of revenue sources they are able to draw upon. As Figure 1 illustrates, the largest cities in the US have access to a far wider range of revenue sources (e.g. income tax, retail sales tax, etc.) than Toronto does.

Figure 1: Comparison of Municipal Revenues Sources

<i>Revenue Source</i>	<i>Toronto</i>	<i>Largest 38 Cities in the US</i>
Property Taxes	45 %	18 %
Provincial Grants / State Funding	21 %*	29 %
User Charges	20 %	14 %
Sales Tax	0 %	12 %
Income and Other Taxes	0 %	13 %
Federal Funding	varies yearly**	7 %
Other	14 %	7 %

Source: City of Toronto, Economic Development Office, as presented in Strong City, Strong Nation, Toronto Board of Trade, June, 2002.

* May include some federal funding routed through the Province.

** Time-limited and program specific.

The Case for Change: Why Toronto is Unique

A new legislative framework for Toronto should reflect the fact that:

- Toronto is the engine of Ontario’s economy;
- the City’s organizational depth and policy capacity exceeds those of other municipalities in the province; and
- Toronto’s media-rich environment can serve as a counterweight to inappropriate uses of public authority.

An enabling legislative framework for Toronto must acknowledge the vital role Toronto plays as the engine of Ontario’s economy. With 2.54 million inhabitants, Toronto is by far the most populous city in Canada. It also supports one of the nation’s most dynamic and diversified urban economies. A June 2002 report by the Toronto Board of Trade observed that “Toronto’s past contribution to prosperity has afforded senior governments much needed fiscal resources to meet the priorities of all Canadians.” In the year 2000, for instance, the Board of Trade estimates that Toronto made a net contribution of \$1.4 billion to provincial coffers.

Toronto could likely do even more to support the prosperity and high quality of life enjoyed by all Ontarians. To do so, however, it must have the requisite legislative and fiscal capacity to renew its physical and social infrastructure. Although many cities across Ontario and Canada face the challenge of replacing ageing infrastructure and meeting growing service demands, the scale of investment required in Toronto is unparalleled.

If the promise of greater prosperity for Ontario isn't reason enough to pursue a new legislative framework for Toronto, the peril of maintaining the status quo certainly is. City officials, the Board of Trade, the TD Bank Economics Group, and others have repeatedly cautioned that Toronto's competitiveness will decline if it continues to defer necessary investments, while its competitors (in the US, Europe and elsewhere) move in the opposite direction. Since approximately 20% of the province's GDP is generated in Toronto and since 95% of all tax revenues collected within the City go to the federal and provincial governments, legitimate threats to the City's economy and well being should concern all Ontarians.

An enhanced legislative framework for Toronto should also take account of the City's organizational depth and policy capacity. With an annual gross operating (tax-rate supported) budget of \$6.4 billion, the City has organizational resources that are comparable to those of many provincial governments. By way of example, Appendix C lists policies and measures implemented since 1999 (or now in development) to further strengthen the transparency, accountability and reliability of the City's financial and budget control processes. Yet despite the fact that Toronto provides audit, policy development, research, operational and technical services that are not found in many smaller Ontario municipalities, it remains subject to the same degree of provincial oversight. To a certain extent, applying an equally stringent oversight regime to Toronto as to other municipalities results in unnecessary and costly duplication of services, limits provincial officials' ability to support less populous communities, and slows down the machinery of government at both the City and Provincial levels.

Third, as the hometown of many of the country's most sophisticated radio, television and print-media outlets, the actions and performance of Toronto City Councillors and staff are subject to a very high degree of public scrutiny. Toronto Councillors and staff operate in an unrelenting fishbowl environment not experienced in any other city in the province. Accordingly, it may be less risky to assign certain kinds of responsibilities and resources to Toronto than to other municipalities in Ontario. By appropriately linking the provision of new financial resources and legislative flexibility to mechanisms that make additional information available for public scrutiny (e.g. enhanced annual reporting and public consultation requirements), a new legislative framework could appropriately leverage Toronto's media-rich environment for public benefit.

The Right Deal for Toronto Is a Great Deal for Ontario – Key Considerations

To put in place the “right deal for Toronto that is a great deal for Ontario”, a new legislative framework for the City ought to be shaped by three considerations:

1. It should be predicated on the notion that a prosperous Toronto benefits Ontario and vice versa. As Ontario’s capital city and its leading economic centre, all residents of Ontario stand to benefit by providing Toronto with an enabling legislative framework, tailored to its needs and capacities, that equips it to compete successfully against other world-class cities for business, capital, visitors and immigrants. Given that 95% of all tax revenues collected in Toronto flow to the Provincial and Federal governments, the benefits of investment and economic activity in the City are widely distributed among all residents of Ontario and Canada.
2. It should judiciously balance augmented municipal authority with public accountability and protection for legitimate province-wide interests in key areas like the economy, environment and public health.
3. It should build on the strengths of the existing statutory and regulatory regime while addressing its most obvious shortcomings.

How the City and Province will benefit from an Improved Legislative Framework for Toronto

A new legislative framework for Toronto that respects the considerations identified above will benefit local residents and Ontario taxpayers in three ways. It will:

1. Improve the quality of life and prosperity for all Ontario residents and businesses by equipping Toronto to compete successfully against other world-class cities for private capital, research and development, skilled workers, entrepreneurs, immigrants, tourists, and business.
2. Reduce red tape and improve the efficiency of government, at both the City and Provincial levels, by eliminating duplicative, unnecessary and time-consuming measures that provide little public benefit. Examples of such measures include the duplication of communication material prepared for Ontario Works clients; redundant requirements for public consultation for non-class projects that are subject to both the *Environmental Assessment Act* and the *Planning Act*; and the requirement that a proposed designation of a heritage property, if objected to, be referred to the Conservation Review Board, even though Toronto has the benefit of expert advice from both heritage staff and the Toronto Preservation Board. As there is only one taxpayer, reducing the overall cost of government by streamlining procedures and improving efficiency benefits everyone.

3. Strengthen public accountability and performance of both City and Provincial government by:
 - (a) addressing the chronic mismatch between the City's expenditure needs and its available resources, which makes it difficult for local residents to hold local officials accountable for deteriorating or inadequate services;
 - (b) reducing the number of public programs and services that are co-financed by the City and the Province, which diffuses responsibility and further inhibits the public's ability to hold local and provincial officials to account, and;
 - (c) incorporating measures that promote transparency and access to information to ensure that new financial resources and legislative flexibility assigned to the City are used to maximum public benefit.

Key Elements of an Improved Legislative Framework for Toronto

Appendix A lays out the principal elements of a legislative framework that would equip the City of Toronto with the tools and resources it needs to fulfil its responsibilities. The framework aims to establish a strong legal foundation for a modern, progressive relationship between Ontario and Toronto that recognizes the needs of two mature and capable democratically elected governments.

Once fully implemented, the enabling legislative framework would enhance Toronto's legislative and fiscal capacity in many ways, but primarily through the mechanisms noted below.

The new legislative framework could augment the City's legislative capacity by:

- Exempting Toronto from some of the restrictions currently contained in the *Municipal Act, 2001* that limit a municipal council's ability to exercise full discretion within its spheres of jurisdiction. This would go a long way toward allowing Toronto City Council to act as it sees fit in its areas of jurisdiction.
- Allowing the City to act in additional spheres of jurisdiction beyond those contained in the *Municipal Act, 2001* (e.g. health, safety, well being and protection of persons and property).
- Exempting Toronto from some of the restrictions contained in the *Municipal Act, 2001* that limit municipalities' ability to exercise their 'natural person powers'.
- Expanding the City Council's ability to delegate certain tasks and the exercise of a modicum of discretion to City officials, local boards and/or committees of Council.

The new legislative framework could augment the City's fiscal capacity by providing Toronto with adequate financial resources to meet its responsibilities through a combination of the following:

- Access to new sources of revenue (e.g. a dedicated share of provincial gas tax revenues or authority to levy its own gas tax, authority to apply a destination marketing fee, etc.).
- Eliminating restrictions that prevent the City from accessing its full property tax base.
- A commitment by the Province to fully fund or otherwise provide the City with the ability to obtain financial resources necessary to support any new program transferred to the City.
- Greater flexibility to align tax policy and other revenue generation mechanisms with the City's policy objectives and priorities.

Taken together, these measures will (i) enhance the accountability and transparency of municipal government, (ii) maintain Toronto's contribution to a strong and prosperous Ontario, and (iii) improve the efficiency and effectiveness with which the City delivers services to local residents and businesses. It is recommended that Council endorse the principles and components of an improved legislative framework for the City of Toronto described in Appendix A of this report.

Suggested Mechanisms and Process for Achieving an Improved Legislative Framework for Toronto

Many elements of the legislative framework described in Appendix A could be implemented by making strategic amendments to existing Toronto-specific legislation. At present, the *City of Toronto Act, 1997* and the *City of Toronto Act, 1997 (No. 2)* do not afford the City significant powers beyond those which are assigned to municipalities in the *Municipal Act, 2001*. Yet the observation that these Acts already define and recognize Toronto as a distinct legal, corporate and political entity suggests they could be amended, incrementally or in a comprehensive manner, to more closely reflect the legislative framework introduced in this report.

The commitment of Provincial officials to participate in a process to review the City's legislative framework is essential. Public statements recently issued by Provincial officials acknowledging the need for a 'new deal' for Ontario's municipalities suggest that a window of opportunity may soon open for the kind of legislative review envisioned by this report.

To pursue this opportunity, it is recommended that Council invite the Province to participate in a joint Ontario - Toronto taskforce to review and recommend changes to the *City of Toronto Act, 1997* and other legislation pertaining to the City, using the

framework legislation for Toronto outlined in Appendix A as a guide for its deliberations. To ensure this legislative review initiative receives the attention it deserves, the taskforce could be comprised of elected and senior administrative officials. Detailed terms of reference for the taskforce would need to be mutually agreed upon by Provincial and City officials. The Chief Administrative Officer and the City Solicitor would co-ordinate the City's support to the joint taskforce.

Inviting the Province to participate in a joint Ontario - Toronto taskforce is both distinct from and complementary to requests the City has made in the past (and is currently making) for individual statutory and regulatory changes. The City's requests for amendments to issue-specific Provincial legislation or for its own special legislation do not typically enhance the City's general powers, and are thus limited (though beneficial) in their application. In contrast, a comprehensive review of the fundamental powers and responsibilities assigned to the City may allow City and Provincial officials to identify valuable trade-offs and linkages that otherwise go undetected when the same issues are reviewed in isolation. Appropriately designed and managed, multi-issue negotiations can help parties avoid "zero-sum" logic, find common ground and broker an agreement that leaves everyone better off.

Increasing public familiarity with the benefits of augmenting the City's legislative authority will help to generate and sustain the requisite political will needed to change the status quo. Accordingly, a number of activities to encourage public engagement with this initiative are now under development by staff, including:

- The preparation of background notes for members of Council to use in dialogue with their constituents.
- Exploring opportunities to host a public forum at the St. Lawrence Centre on the need to achieve a new legislative framework for Toronto. This forum would likely utilize the recently piloted "If you Love this City" workshop format that has proven to be an interesting and engaging tool for community dialogue.
- The preparation of tools and information kits that can be used to promote Toronto's urban agenda and the need for legislative reform in the run-up to the next Provincial election.
- CAO staff assistance to the City Charter Reference Group to arrange meetings with appropriate Provincial officials that will lead to a dialogue on the new legislative framework, and with Federal officials with regards to substantive fiscal arrangements.

Conclusions:

This report describes desired enhancements to the City's legislative and fiscal capacity and explains how an improved legislative framework for Toronto -- largely achievable through a series of strategic amendments to the *City of Toronto Act, 1997* -- can benefit

all Ontarians. The changes envisioned in this report would serve to (i) enhance the accountability and transparency of municipal government, (ii) maintain Toronto's contribution to a strong and prosperous Ontario, and (iii) improve the efficiency and effectiveness with which the City delivers services to local residents and businesses.

As part of the push to achieve a new relationship between Toronto and the Province, the report urges the formation of a joint Ontario - City of Toronto taskforce with a mandate to review and recommend changes to the City's existing legislative framework. By considering a wide range of issues of concern to both parties, this taskforce may be able to identify mutually beneficial linkages and trade-offs that would not otherwise become evident.

Contacts:

Rosanna Scotti
Director, Strategic & Corporate Policy Division
Chief Administrator's Office
Tel. (416) 392-8637 Fax (416) 696-3645
Email: rscotti@toronto.ca

Tobias Novogrodsky
Corporate Management and Policy Consultant, Strategic & Corporate Policy Division,
Chief Administrator's Office
Tel. (416) 392-1086 Fax (416) 696-3645
Email: tnovogr@toronto.ca

Wendy Walberg
Solicitor, Legal Services
Tel. (416) 392-8078 Fax (416) 392-3848
Email: wwalberg@toronto.ca

Shirley Hoy, Chief Administrative Officer

List of Attachments:

Appendix A -- Key Elements of an Improved Legislative Framework for Toronto

Appendix B -- Examples of Limitations on the City's Legislative Authority

Appendix C -- Measures and Policies Associated with Toronto's PATH to Excellence



KEY ELEMENTS OF AN IMPROVED LEGISLATIVE FRAMEWORK FOR TORONTO

“The Right Deal for Toronto is a Great Deal for Ontario”

April 24, 2003

For more information please contact:

Phillip Abrahams
Manager, Intergovernmental Relations
Strategic & Corporate Policy Division
Chief Administrator's Office
City of Toronto, City Hall
Toronto, ON M5H 2N2
Telephone: 416-392-8102
<http://www.toronto.ca>
<http://www.canadascities.ca>

Contents

Part 1 – Preamble, Principles and Interpretation	1
Part 2 – Municipal Purposes, Powers and Spheres of Jurisdiction	4
Part 3 – Democratic Control, Public Participation and Council Accountability	6
Part 4 – Municipal Government and Procedures	8
Part 5 – Financial Management	9
Part 6 – Revenue Sources	10
Part 7 – Intergovernmental Relations	12
Part 8 – Legal Proceedings and Bylaw Enforcement.....	13

Key Elements of an Improved Legislative Framework for Toronto

This document describes key elements of a new legislative framework for the City of Toronto.

Readers are advised to bear the following caveats in mind when reviewing this document:

- The document includes draft examples of legal provisions that could be incorporated into a new statute for the City of Toronto and/or amended to existing statutes, such as the *City of Toronto Act, 2001*. These provisions are included for demonstration purposes only. As such, they do not necessarily reflect the exact wording that Toronto would propose in forthcoming discussions with the Province of Ontario.
- The list of items and issues included in this Appendix is not exhaustive of all matters that Toronto would like to review with Provincial officials. While every effort has been made to identify the fundamental elements of an enhanced legislative framework for the City, further analysis and discussions may reveal additional issues requiring consideration.
- The inclusion of a given issue or topic in this Appendix does not imply that Toronto considers every element of existing legislation with respect to this item to be inadequate or ineffective. Rather, the inclusion of an item indicates that it is (a) a necessary component of an enabling legislative framework for a municipality of Toronto's stature and/or (b) worthy of careful review by City and Provincial officials.

Part 1 - Preamble, Principles and Interpretation

Overview:

Part 1 of the proposed legislative framework for the City of Toronto would define the principles of municipal governance and city-provincial relations. It would acknowledge the fundamental right of free people to establish a democratically elected, autonomous, responsible and accountable municipal government to provide for a local community's needs. It would also lay the foundation for a new relationship of mutual respect and co-operation between the provincial and city governments, based on a commitment to consultation and to amicably settling governmental conflicts.

Together with Part 2, the preamble and statement of principles contained in this Part would largely define the fundamental nature of municipal government in Ontario with respect to the province's capital city, Toronto.

Following the direction set in section 9 of the *Municipal Act, 2001*, Part 1 could include an interpretation section that would signal to public officials, the courts and the general public that provisions of the framework legislation are to be interpreted broadly.

Examples of provisions and topics that could be included in this Part:

- Recognition of the City of Toronto, under the stewardship of Toronto City Council, as an autonomous, accountable and democratically established order of government within its jurisdiction.
- Recognition of the City's need for adequate powers, financial resources and discretion to meet existing and future community needs.
- Provincial obligation to provide the City with the necessary resources to fulfil any new responsibilities that it assigns to the City.

Sample Preamble:

Great things happen when diverse peoples come together in a place - a city - that supports individuals, communities, neighbourhoods and enterprise. The City of Toronto is this kind of place.

People from around the world and across Canada proudly call Toronto home.

Toronto residents and businesses support a dynamic, diversified economy and a wide array of public services and cultural institutions. The economic and cultural wealth generated in Toronto, in turn, contributes significantly to the high standard of living enjoyed by all residents of Ontario and Canada.

As a corporate and political entity, the City of Toronto is the primary venue where local residents and their democratically elected representatives establish municipal services and standards that reflect their needs, values and aspirations. By electing representatives to serve on Toronto City Council and

contributing to Council's decision-making processes, the people of Toronto shape the rules, services and institutions that are needed to maintain a vibrant, caring, safe, prosperous and forward thinking community.

It is the privilege and responsibility of the City of Toronto to nurture and sustain the economic, cultural and social diversity that makes Toronto an exceptional place in which to live, work, play and visit.

It is the privilege and responsibility of the City of Toronto to ensure that Toronto continues to support - financially, culturally and socially – the high quality of life enjoyed by all residents of Ontario and Canada.

This Act enables the City of Toronto to deliver on its responsibilities and address local needs in a responsive, effective and efficient manner.

This Act enables the people of Toronto to hold their local elected representatives accountable.

This Act enables the City of Toronto to generate wealth and opportunities for the benefit of all the residents of Ontario.

This Act enables the City of Toronto to continue its proud tradition of being a place where diverse people come together to live well, care for one another, and accomplish great things.

Sample Principles of Municipal Governance for Toronto (Based on *BC Community Charter*)

- (1) The City of Toronto, under the stewardship of Toronto City Council, is recognized as an order of

government within its jurisdiction.
Toronto City Council:

- (a) is democratically elected, autonomous, responsible and accountable;
 - (b) is established and continued by the will of the residents of the City of Toronto; and
 - (c) provides for the municipal purposes of the City of Toronto.
- (2) In relation to subsection (1), the Provincial government recognizes that the City of Toronto requires:
- (a) adequate powers and discretion to address existing and future community needs;
 - (b) authority to determine the public interest of the local community, within a legislative framework that supports balance and certainty in relation to the differing interests of the community;
 - (c) the ability to draw on financial and other resources that are adequate to support community needs;
 - (d) authority to determine the levels of municipal expenditures and taxation that are appropriate for their purposes; and
 - (e) authority to provide effective management and delivery of services in a manner that is responsive to community needs.

Sample Principles of City-Provincial Relations (Based on *BC Community Charter*)

- (1) The people of Ontario are best served when the relationship between the City of Toronto and the Provincial government:
- (a) acknowledges and respects the jurisdiction of each;
 - (b) works towards harmonization of Provincial and municipal enactments, policies and programs; and
 - (c) fosters cooperative approaches to matters of mutual interest.
- (2) The relationship between the City of Toronto and the Provincial government is based on the following principles:
- (a) the Provincial government respects City authority and the City respects Provincial authority;
 - (b) consultation is needed on matters of mutual interest, including consultation by the Provincial government on proposed changes to local government legislation or revenue transfers;
 - (c) before new responsibilities are assigned to the City of Toronto, there must be provision for resources required to fulfill the responsibilities;
 - (c) active consideration of the City of Toronto's interests is needed when the Provincial government

- participates in inter-provincial, national or international discussions on matters that affect the City;
 - (e) the authority of the City of Toronto is balanced by the responsibility of the Provincial government to consider the interests of the residents of Ontario generally; and
 - (f) the Provincial government and the City of Toronto should attempt to resolve conflicts between them by consultation, negotiation, facilitation and other forms of dispute resolution.
- (a) address existing and future community needs;
 - (b) determine the public interest of the community of Toronto; and
 - (c) otherwise fulfill municipal purposes.
- (2) If
- (a) an enactment confers a specific power on the City of Toronto or Toronto City Council in relation to a matter; and
 - (b) the specific power can be read as coming within a general power conferred by this Act or the *Municipal Act, 2001*;

Sample Interpretation Clause (Based on BC Community Charter)

- (1) This Act and the *Municipal Act, 2001* must be interpreted broadly to give the City of Toronto and its Council adequate powers and discretion to:

then, subject to any conditions and restrictions established in relation to the specific power, the general power must not be interpreted as being limited by that specific power.

Part 2 - Municipal Purposes, Powers and Spheres of Jurisdiction

This Part would define the City of Toronto's purposes and set out the fundamental powers Toronto City Council is authorized to exercise in order to fulfill these purposes. In addition, this Part would indicate where and how the City of Toronto can exercise its fundamental powers, and establish related authorities such as licensing, inspection and discontinuing a service.

Building on provisions contained in the *Municipal Act, 2001*, this Part would define the spheres of jurisdiction in which the City could regulate, by bylaw, provided that its bylaws would not prevent a person from complying with a provincial or federal law

(i.e. subject to the "consistency rule"). In other words, if a provincial act says that Toronto is not allowed to do X, Y, or Z, nothing in this Act would permit the City to continue, initiate or otherwise perform the restricted action. But if no such restrictions apply, the City would be free to act within its spheres of jurisdiction.

By moving away from the prescriptive 'laundry list' approach of defining municipal powers, this Part would afford Toronto greater flexibility to respond to new issues as they arise, without necessarily needing to obtain explicit provincial permission to act.

This Part would also safeguard the public interest by setting reasonable limits on the City's powers and outlining basic procedures that must be followed. Likewise, it would protect Provincial interests by reserving for the Province the ability to restrict or otherwise curtail the general grants of authority afforded in this Act through express limitations in this or any other Act.

Examples of provisions and topics that could be included in this Part:

- Authority for the City to exercise 'natural person powers' in a manner that is less restrictive than that provided for in the *Municipal Act, 2001*.
- Broad authority for the City of Toronto to provide any municipal service and to regulate, prohibit, or impose requirements in relation to services, within its jurisdiction.

Sample Purposes Section (Based on *Municipal Act, 2001*)

The Province of Ontario recognizes the City of Toronto to be a responsible and accountable government with respect to matters within the City's jurisdiction. As such, the City is afforded powers and duties under this Act and many other Acts for municipal purposes including:

- (a) providing the services and other things that the City considers are necessary or desirable for the municipality;
- (b) managing and preserving the public assets of the City;

- (c) fostering the current and future economic, social and environmental well-being of the City; and
- (d) delivering and participating in provincial and federal programs and initiatives.

Sample Fundamental Powers (Based on *Municipal Act, 2001* and *BC Community Charter*)

- (1) The City of Toronto has the capacity, rights, powers and privileges of a natural person of full capacity.
- (2) The City of Toronto may provide any service that the council considers necessary or desirable, and may do this directly or through another public authority or another person or organization.
- (3) Toronto City Council may, by bylaw, regulate, prohibit and impose requirements in relation to the following spheres of jurisdiction:
 - (i) Highways, including parking and traffic on highways
 - (ii) Transportation systems, other than highways
 - (iii) Waste management
 - (iv) Public utilities
 - (v) Culture, parks, recreation and heritage
 - (vi) Draining and flood control
 - (vii) Structures, including fences and signs

(viii) Parking, except on highways	relation to business, business activities and persons engaged in business.
(ix) Animals	
(x) Economic development	
(xi) Nuisance, noise, odour, vibration, illumination and dust	
(xii) Health, safety, well being and protection of persons or property	
(xiii) Natural environment, including trees and activities in relation to trees	
(xiv) Land use planning, subject to the <i>Planning Act</i> and other statutory restrictions	
(4) Toronto City Council may, by bylaw, regulate and impose requirement in	

Other Powers

Other powers that could be specified in this Part are noted below. Existing standards, statutes, and practices with respect to these powers could be reviewed on a case-by-case basis.

- Authority to provide services outside the boundaries of the City of Toronto
- Licensing and other general regulatory powers
- Authority to enter on or into property
- Authority to discontinue providing a service
- Emergency powers

Part 3 - Democratic Control, Public Participation and Council Accountability

This Part would reflect the core democratic values of public participation and accountability. Provisions in this section would aim to limit abuses of power by public officials and to ensure that the City of Toronto remains responsive to the needs and interests of local residents.

Emphasizing the importance of public participation and council accountability, this Part could reiterate the general rule that council meetings are to be open to the public, with some exceptions. It could also include mechanisms designed to increase public participation in decision-making and enhance transparency in relation to council actions (e.g. new annual reporting requirement listing Council objectives and

accomplishments). As well, this section could contain conflict of interest provisions and specify requirements for local elections.

Examples of provisions and topics that could be included in this Part:

- New requirements for City to report annually on objectives, measures and accomplishments;
- Authority to establish a lobbyist registry, integrity commissioner, auditor general and ombudsperson; and
- Strengthened conflict of interest and code of conduct requirements.

Elections for council and mayor

To ensure that Council members remain responsive to residents' concerns, this Part could subject the City of Toronto to provincial statutes specifying the rules, schedules and procedures that are to be followed with respect to local elections.

Community engagement provisions

This Part could enhance existing mechanisms - public consultation requirements and procedures; petitions; non-binding referenda; etc. -- that enable electors (and other residents and businesses subject to Council decisions) to participate and shape local decision-making and service delivery.

Open meetings, public notification, access to information and public hearings

To provide the public with an opportunity to fully and fairly evaluate the process and arguments by which Council reaches decisions, this Part would require all meetings of Council or its committees to be open to the public, as currently provided for in the *Municipal Act, 2001*.

To further enhance the transparency of municipal government, the new legislative framework could specify stronger standards for public notification and public access to municipal records and require Toronto City Council to pass a bylaw specifying a procedure and requirements for public meetings.

Annual reporting requirements

To help the public hold local elected representatives accountable, the new legislative framework could require Toronto

City Council to report or otherwise make available to the public each year, the following:

- The City's budget
- Detailed information about the City's operations and services
- The City's latest audited financial statements
- A required business plan
- A report on the City's goals and objectives
- Information about any violations of the City's conflict of interest policy
- Disclosures made under the financial disclosure provisions of this Act
- A record of total remuneration, expenses and benefits paid to Council members; and
- A record of gifts received by Council members and senior City officials

Conflict of interest and other ethical conduct issues

Citizens have an interest in ensuring representatives on Toronto City Council act ethically, and that sanctions are imposed if ethical rules are breached. Accordingly, the framework legislation could strengthen existing conflict of interest and code of conduct requirements.

Amendment of the framework legislation

This Part could include an amending provision that would allow either the Council and/or local electors to recommend

to the responsible Provincial minister that changes be made to the City's framework legislation. While any such recommendation would not necessarily be binding on the Province, the Province could be obliged to formally respond to any such request within a reasonable period of time stating its reasons for denying, adopting or adopting with modifications the requested change(s).

Authority to establish a lobbyist registry,

integrity commissioner, ombudsperson and auditor general.

This Part could provide Toronto City Council with unrestricted authority to establish and define the terms of reference for a lobbyist registry, Integrity Commissioner, ombudsperson and auditor general. This authority would in no way limit the Province's ability to require the establishment of such functions.

Part 4 - Municipal Government and Procedures

This Part would focus on the rules and procedures that Council uses to conduct its business. It would link the municipal purposes and powers defined in Part 2 to the mayor and council and lay out the respective roles and responsibilities of elected and non-elected municipal officials.

This Part could also address various matters of municipal governance and administration, including council meetings and proceedings, voting rules, appointing officers and employees, delegating council authority, and establishing committees, commissions, and local boards.

Examples of provisions and topics that could be included in this Part:

- Description of the mayor's role, which could include providing leadership and directing the management of municipal policies and programs;
- Description of Council members' role, which could include developing and evaluating municipal policies and programs;
- Requirement for Council members to vote if present during council meeting;

- Authority for Council to establish the boundaries and names of municipal wards, as presently enjoyed by other municipalities in Ontario;
- Confidentiality provisions for council members; and
- Provision for electronic meetings.

Sample Delegation Provision (based on *BC Community Charter*)

- (1) A council may, by bylaw, delegate its powers, duties and functions, including those specifically established by an enactment, to the extent provided, to:
 - (a) a council member or council committee,
 - (b) an officer or employee of the municipality, or
 - (c) another body established by the council.
- (2) As exceptions, a council may not delegate the following:
 - (a) the making of a bylaw;

- (b) a power or duty established by this or any other Act that the council give its approval or consent to, recommendations on, or acceptance of an action, decision or other matter;
 - (c) a power or duty established by an enactment that the council hear an appeal or reconsider an action, decision or other matter; and
 - (d) a power or duty to terminate the appointment of an officer.
- (3) Despite subsection (1), a council may only delegate a power or duty to appoint or suspend an officer to its chief administrative officer.

Part 5 - Financial Management

This Part would specify sound financial management methods, practices and procedures to be used by the City of Toronto. It would set out a financial management framework for the City, including powers to incur liabilities and invest funds. To ensure that broader authority granted under the proposed legislation is used responsibly by the City, appropriate financial accountability measures could be embodied in the legislation.

This Part would also respond to the need for public accountability with respect to audits and certain types of financial reporting. It could lay out a simple approach to the City's use of reserve funds. Detailed provisions on borrowing could be redesigned to meet both the City and the Province's interests.

The City's diversified economy, skilled labour pool, sizeable population base, developed municipal administration, and its multi-billion dollar municipal capital stock suggest that it should not be subject to same restrictive borrowing and investment conditions as are applied to the province's smallest municipalities. At the same time, Provincial fiscal policies could be impacted by decisions taken by a municipality as large as Toronto. Changes to current financial management practices that address these

considerations could be incorporated into this Part.

In many cases, existing provisions specified in the *Municipal Act, 2001* and other provincial statutes would continue to apply. On a case-by-case basis, however, changes should be considered which would provide additional flexibility or ensure that new revenue sources made available to the City are managed and utilized to maximum public benefit.

Topics that would likely be addressed in this Part are noted below.

Financial Planning and Accountability

- Fiscal year
- Financial plan
- Public process for development of financial plan
- Annual financial statements
- Reporting of council remuneration and expenses

Audit

- Auditor general
- Audit committee
- Auditor's reports
- Complaints to council or auditor about financial affairs

Expenditures, Liabilities and Investments

- Limit on expenditures
- Limit on borrowing and other liabilities
- Liabilities under agreements
- Liabilities imposed under prescribed enactments
- Revenue anticipation borrowing
- Short term and long-term capital borrowing
- Security issuing bylaws
- Self insurance
-

- Investment of municipal funds
- Ownership of corporations

Reserve Funds

- Establishment of reserve funds
- Use of money in reserve funds

Restrictions on Use of Municipal Funds

- Purposes for which borrowed money may be used
- Liabilities for use of money contrary to Act

Part 6 - Revenue Sources

Traditional financial tools available to the City, such as property taxes and user fees, would be included in this Part. To strengthen the City's fiscal capacity, however, this Part could also make available to the City, subject to reasonable limitations and conditions, new sources of revenue which are sustainable, adequate, and appropriate for the services which they are intended to support.

This Part could also contain provisions relating to business improvement areas, exemptions from property taxation, development charges and other revenue-related matters (e.g. property tax deferment under certain conditions to stimulate investment).

In many cases, existing provisions specified in the *Municipal Act, 2001* and other provincial statutes would continue to apply. On a case-by-case basis, however, changes should be considered which would provide additional flexibility or ensure that new revenue sources made available to the City are managed and utilized to maximum public benefit.

Examples of provisions and topics that could be included in this Part:

- Authority to link user fees to certain types of policy objectives, such as encouraging conservation of water, land and energy.
- Access to revenue from a PST levy on hotel visitors or authority to levy a destination marketing fee;
- Access to a dedicated portion of Provincial gas tax revenues; and
- Authority to set property tax rates on residential, commercial, industrial and multi-unit residential property classes without restrictions.

Additional Revenue Sources

A major objective of a new legislative framework for Toronto is to enhance the City's autonomy and improve its ability to plan for and meet long-term financial obligations. At present, a large percentage of the City's revenue comes from property taxes. In 2003, it is estimated that 43% of

the City's operating revenues will come from property taxes. The City receives some transfers from the provincial government to support certain services, but these funds are often inadequate. Local Service Realignment (LSR) has resulted in the transfer of under-funded mandates to the City, increasing pressure on its narrow tax base. To diversify its revenue sources, Toronto City Council has repeatedly requested the Province to provide Toronto with access to new sources of sustainable, adequate and appropriate revenue sources.

By affording the City with the option of applying new taxes or charges in line with its responsibilities, a new legislative framework could increase the allocative efficiency of public expenditure and strengthen local residents' ability to hold Council accountable for its decisions and performance.

The exact type and scope of new revenue sources to be made available to the City should be determined through joint analysis and agreement by City and Provincial officials. Several criteria should be used to guide the selection of new taxing and revenue-generating powers for the City of Toronto, the 6th largest government in Canada responsible for the day-to-day needs of over 2.5 million people:

- Taken as a whole, the new finance package should be (i) adequate to the City's needs, (ii) stable, and (iii) and appropriate for the types of services it is expected to provide to the public.
- The new finance package should provide Toronto with a new source of consumption-based revenue that tends to rise during period of economic expansion (e.g. dedicated share of provincial gas tax revenues)
- The new finance package should more fully respect the "user pay" principle by providing the City with the means to collect revenues (through taxes and/or user fees) from all individuals and groups (including non-Toronto residents who do not pay local property taxes) who benefit from municipal services. Respecting the user-pay principle helps to ensure that the socially optimal and efficient level of municipal services is provided. It also limits the extent to which certain groups of taxpayers wind up subsidizing services enjoyed by other groups.
- The new finance package should provide Toronto City Council with more discretion to establish property tax classes and full authority to set property tax rates (i.e. limit application of Bill 140 to the City).
- The new finance package should allow the City to provide monetary incentives (whether through taxes or user fees) to encourage conservation and optimal use of scarce resources, notably water, energy and land.
- The new finance package should make it easier for local residents to hold local elected representatives accountable by providing the City with adequate resources and using service swaps to reduce the number of services that are jointly financed by the Province and City.
- The new finance package should substantially reduce the extent to which municipal property taxes support income-redistributive programs (e.g. welfare and affordable housing).

- The cost of designing, implementing, collecting, administering and enforcing the measures included in a new finance package should be taken into consideration.
- The impact of the finance package on Provincial fiscal policy should be considered.
- The impact of the finance package on inter-regional competitiveness should also be considered.

Some combination of the financing tools described below could be included in a new financial package for the City.

User Fees: The new legislative framework could provide the City with more flexibility to link user fees to certain types of policy objectives. This approach may be more appropriate for some types of fees and policy objectives than for others. For example, fees related to sewer, water or sewage treatment may help to encourage water conservation, but substantially increasing charges for certain kinds of permits may discourage compliance with municipal regulation.

Visitor Levy/Destination Marketing Fee: The new legislative framework could afford the City with the power to levy a destination marketing fee and/or access to dedicated provincial sales tax revenue on hotel accommodation in order to support tourism promotion activities.

Fuel Tax: A dedicated share of provincial fuel taxes collected in the City of Toronto could be transferred to the City to support investment in public transit and transportation infrastructure.

Parking Stall Tax: The framework legislation could authorize the City to levy a surcharge for parking or the rental of a parking space. Applied as an incentive to reduce traffic congestion and to encourage the use of public transit, this revenue source could be dedicated to support transportation improvements and transit infrastructure.

Density Bonusing: Building on section 37 of the *Planning Act*, the framework legislation could authorize the City to grant exemptions from density restrictions on development and explicitly indicate (to the OMB and other bodies who may be responsible for interpreting the legislation) that funds raised through bonusing can be used to finance affordable housing and other public amenities.

Tax Increment Financing and Tax Incentive Zones: The framework legislation could authorize the City to establish and implement Tax Increment Financing Zones and Tax Incentive Zones to stimulate development consistent with Smart Growth and other public policy objectives, create jobs, and increase property and other tax revenues.

Part 7 – Intergovernmental Relations

A major objective of the proposed framework legislation is to support a new relationship between the Provincial and City governments based on mutual recognition

and respect for the legitimate interests and jurisdiction of the other order of government.

This Part would elaborate on the provincial-municipal relationship principles set out in Part 1. It could obligate the Province to consult with the City before taking actions that significantly impact the City's budget or service requirements, such as a decision to alter Toronto's boundaries, reduce revenue transfers or change cost-sharing arrangements. This Part could also establish dispute resolution mechanisms for the Province and City to employ in certain situations.

Of equal significance, the framework legislation could recognize the City's authority to consult, negotiate and partner with the Federal government on matters falling within the jurisdiction of the Federal or City governments.

Examples of provisions and topics that could be included in this Part:

- A Provincial commitment to consult with the City before amending local government legislation, downloading new responsibilities to the City, or altering cost-share program arrangements;
- A Provincial commitment to refrain from making unilateral changes to the City's boundaries (i.e. forcing Toronto to amalgamate with neighbouring jurisdictions or splitting Toronto into 2 or more localities);
- Dispute resolution mechanisms for resolving conflicts without resort to costly, time-consuming litigation; and
- Recognition of City's authority to negotiate, enter into agreements and partner with Federal, regional and other municipal governments and agencies on matters of mutual interest.

Part 8 – Legal Proceedings and Bylaw Enforcement

This Part would address technical matters associated with municipal proceedings, indemnification against proceedings, bylaw enforcement, ticketing for bylaw offences and other means of enforcement.

Examples of topics and provisions that could be included in this Part:

- Broader authority to set fines for bylaw offences (e.g. property standards, local traffic violations, etc.);
- A streamlined procedural requirement in relation to removal of nuisance structures;
- City's liability in regard to building regulation and inspection; and
- Application of City (zoning and land use) bylaws to Crown corporations.

Appendix B - Examples of Limitations on the City's Legislative Authority

Representative examples of burdensome, costly and/or inappropriate limitations on Toronto's existing legislative authority that could be eliminated through an improved legislative framework are noted in the chart below:

Existing limitation on Toronto's authority	Mechanism(s) that could be incorporated in an improved legislative framework to address the problem	How change would benefit Toronto and Ontario
<ul style="list-style-type: none"> • Toronto does not have full discretion to set property tax rates to the level it deems necessary, or to establish new property tax classes or 'tax incentive zones' to limit sprawl or promote development in distressed areas 	<ul style="list-style-type: none"> • Exempt Toronto from Subsection 312 (7) of the <i>Municipal Act, 2001</i> • Add provision to <i>City of Toronto Act, 1997</i> allowing Toronto to establish tax incentive zones and new property tax classes for specific purposes 	<ul style="list-style-type: none"> • Improve local residents' ability to hold Council accountable for performance of City government and state of its finances • Ease burden on residential property taxpayers • Lower infrastructure costs and congestion by limiting sprawl and increasing density • Make industrial and commercial property taxes more competitive within the regional context
<ul style="list-style-type: none"> • Toronto does not have power to levy a destination marketing fee 	<ul style="list-style-type: none"> • Add provision to <i>City of Toronto Act, 1997</i> authorizing City to levy this type of fee. 	<ul style="list-style-type: none"> • Injection of approximately \$20 million annually into efforts to promote/support tourism will benefit local businesses and employment • Increased economic activity associated with growth in tourism will generate additional revenue (PST) for Ontario

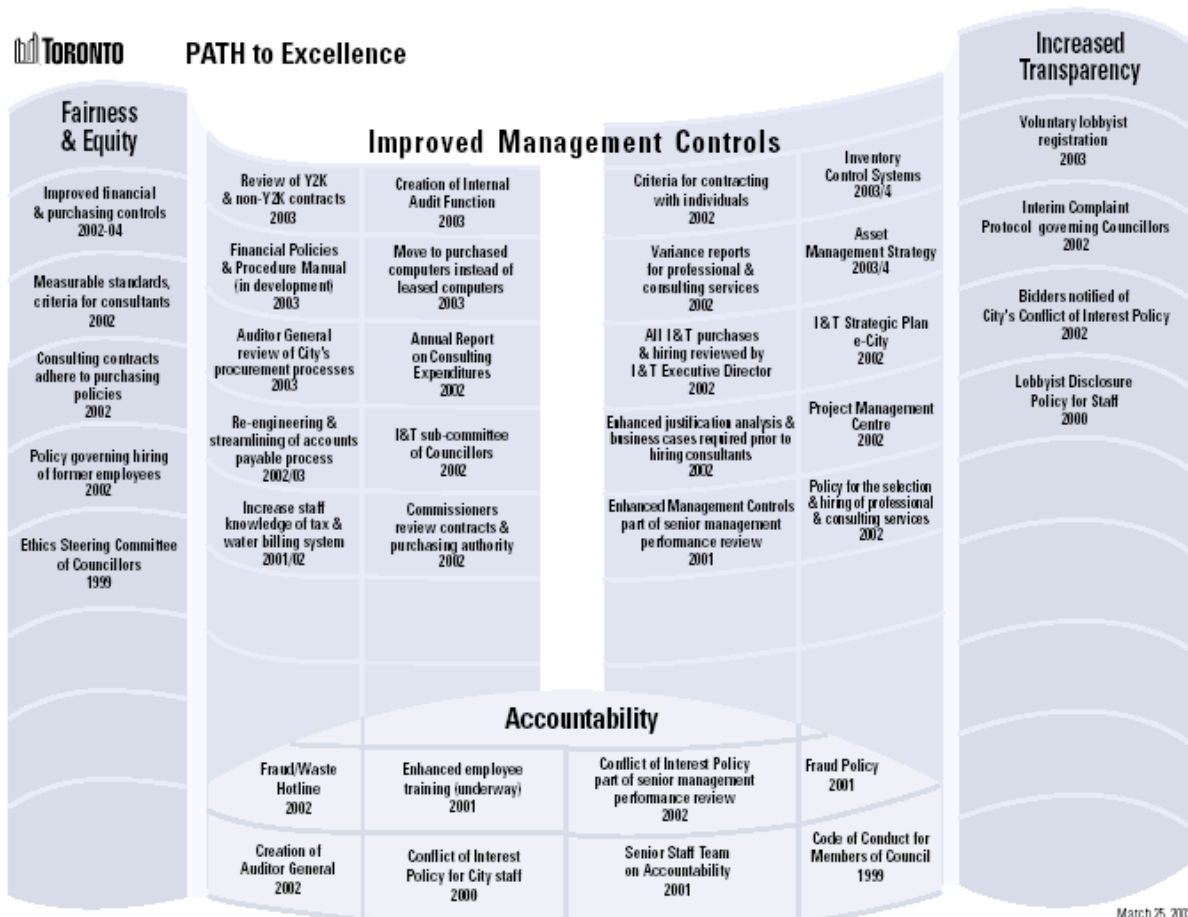
<ul style="list-style-type: none"> • Provincial approval required to establish a lobbyist registry 	<ul style="list-style-type: none"> • Add provision to <i>City of Toronto Act, 1997</i> allowing City to establish a lobbyist registry by by-law 	<ul style="list-style-type: none"> • Increase transparency and public's ability to hold Councillors responsible
<ul style="list-style-type: none"> • Toronto does not have full authority to set speed limits on local roads 	<ul style="list-style-type: none"> • Grant Toronto fuller authority under sphere of jurisdiction pertaining to "highways, including parking and traffic on highways" 	<ul style="list-style-type: none"> • Help Toronto meet community safety objectives in a less costly manner
<ul style="list-style-type: none"> • Toronto lacks clear authority to prevent the demolition or conversion of rental housing units 	<ul style="list-style-type: none"> • Include authority in <i>City of Toronto Act, 1997</i> to require replacement housing as a condition for issuing a permit to demolish rental housing • Broaden City's authority under the 'structures' sphere of jurisdiction beyond what is currently authorized in the <i>Municipal Act, 2001</i> 	<ul style="list-style-type: none"> • Increase protection of existing stock of affordable housing
<ul style="list-style-type: none"> • City Council is not permitted to delegate the exercise of discretion to committees of Council or staff, except where specifically authorized by legislation 	<ul style="list-style-type: none"> • Add provision to <i>City of Toronto Act, 1997</i>, similar to Alberta legislation, so as permit Council to delegate the exercise of discretion under certain circumstances. It would be necessary to exempt these functions from the general requirement of a municipality to act by by-law. 	<ul style="list-style-type: none"> • Significantly speed-up City's ability to respond to routine matters, such as requests for variance from sign by-laws • Allow Council to focus more of its attention on strategic matters and key priorities
<ul style="list-style-type: none"> • City does not have authority to set its own ward boundaries or name its own wards 	<ul style="list-style-type: none"> • By deleting subsections 5(1) (2) and (3) of the <i>City of Toronto Act, 1997</i> and Ontario Regulation 627/00, Toronto would be subject to the same process as all other municipalities in Ontario 	<ul style="list-style-type: none"> • Permit local residents, via Council, to determine a fundamental aspect of local government

<ul style="list-style-type: none"> • City does not have discretion to extend bar hours during special events, such as the World Cup 	<ul style="list-style-type: none"> • Add power to regulate hours of establishments serving alcohol to the <i>City of Toronto Act, 1997</i> 	<ul style="list-style-type: none"> • Allow City to address the priorities and preferences of a diverse, cosmopolitan community with respect to local matters • Increased commercial activity would benefit local businesses and the Province
<ul style="list-style-type: none"> • Toronto cannot impose requirements with regards to fenestration, building materials and architectural detail that are essential to the creation of viable, vibrant communities 	<ul style="list-style-type: none"> • Grant Toronto fuller authority under spheres of jurisdiction relating to “structures” and (if added to <i>City of Toronto Act, 1997</i>) “land use planning”, especially as these relate to fenestration, building materials and architectural detail 	<ul style="list-style-type: none"> • Improve Toronto’s ability to create viable, vibrant neighbourhoods • Strengthen residents’ faith in the planning process, and their willingness to embrace change

Appendix C – Measures and Policies Associated with Toronto's PATH to Excellence



PATH to Excellence



March 25, 2003