

FINAL TERMS OF REFERENCE

Joint Ontario – City of Toronto Task Force (“Joint Task Force” or “JTF”) to Review the *City of Toronto Act, 1997* and other Private (Special) Legislation pertaining to Toronto

Background

- On May 23, 2003 Toronto City Council endorsed the principles and components of an improved legislative framework for Toronto. Council also adopted a resolution inviting the Province to participate in a joint Ontario – City of Toronto task force to review the *City of Toronto Act, 1997* and other legislation pertaining to the City, using the endorsed legislative framework as a basis for this review. Mayor David Miller reissued this invitation to Premier McGuinty in letters dated December 19, 2003 and March 30, 2004.
- Premier McGuinty accepted the City of Toronto’s invitation to participate in a joint Ontario – City of Toronto task force to review the *City of Toronto Act, 1997* in a letter dated May 5, 2004.

Purpose

It is vital to maintain Toronto’s proud tradition as a city where diverse people come together to live well, care for one another, accomplish great things, and contribute to the high standard of living enjoyed by all residents of Ontario and Canada.

The purpose of the JTF is to review and recommend changes to the *City of Toronto Act, 1997* and other private (special) legislation pertaining to the City so as to provide Toronto with an enabling legislative framework commensurate with Toronto’s responsibilities, size, and significance to Ontario.

Related objectives of this initiative are to:

1. Make the City of Toronto more fiscally sustainable, autonomous and accountable.
2. Improve Ontario’s quality of life and competitiveness by equipping Toronto – Ontario’s engine of economic growth – with the legislative tools it requires to thrive as a modern, global urban centre.
3. Reduce red tape and improve the efficiency of the governments of Ontario and Toronto by eliminating duplicative, unnecessary and time-consuming measures that provide little public benefit.

Disclaimer

These Terms of Reference and the participation of City and Provincial officials in the Joint Task Force shall not be construed as limiting the authority of the Government of Ontario, the Ontario Legislature or Toronto City Council to adopt, reject or amend any recommendations arising from this review.

Composition of Joint Task Force

The work of the JTF will be carried out by two sets of Provincial and City officials, as set out below:

(i) Co-chairpersons

The Deputy Minister, Ministry of Municipal Affairs and Housing (John Burke) and Chief Administrative Officer, City of Toronto (Shirley Hoy) will serve as the co-chairpersons of the JTF. They will:

- Provide policy oversight and direction to the JTF's Staff Working Group.
- Ensure that adequate time, attention and resources are dedicated to this initiative.
- Ensure that all Ministries/Departments are aware of the JTF's importance and its relationship to other Ontario/Toronto initiatives.
- Issue a final report to the Minister of Municipal Affairs and Housing and the Mayor of Toronto recommending legislative changes.

(ii) Staff Working Group

The ADM, Local Government Division, Government of Ontario (Dana Richardson) and Director, Strategic & Corporate Policy, City of Toronto (Rosanna Scotti) will lead the JTF's Staff Working Group.

The Staff Working Group will:

- Design, co-ordinate and undertake a detailed analysis of the *City of Toronto Act, 1997* and other legislation pertaining to Toronto, as per the JTF's Terms of Reference.
- Consult with and enlist the input of outside experts and community stakeholders, as deemed necessary.
- Develop a comprehensive set of recommendations regarding changes to the *City of Toronto Act, 1997* and other private (special) legislation pertaining to Toronto for the consideration of the JTF's co-chairpersons.

Project Scope

The project will include a review and analysis undertaken by the JTF of the advantages, disadvantages and limitations of existing legislation pertaining to Toronto as it relates to:

1. Principles of municipal governance and city-provincial relations
2. Municipal purposes, powers and spheres of jurisdiction
3. Democratic control, public participation and council accountability
4. Municipal government and procedures
5. Financial management
6. Revenue sources
7. Intergovernmental relations
8. Legal proceedings and by-law enforcement

Activities

Under the direction of the Co-chairpersons, the Staff Working Group will:

- i) Complete the review of all special (private) legislation relevant to the Toronto family of municipalities (i.e. the City of Toronto and the former, pre-amalgamation municipalities), as per the January 9, 2004 Terms of Reference .
- ii) Analyze the advantages, disadvantages and limitations of existing legislation (e.g. *City of Toronto Acts, 1997(Parts 1 and 2); Municipal Act, 2001, etc.*).
- iii) Review and analyze the eight-part legislative framework document entitled “*Key Elements of an Improved Legislative Framework for Toronto*” as adopted by Toronto City Council on May 23, 2003 (see attached).
- iv) Consult internal and external experts and stakeholders as appropriate.
- v) Where appropriate, review and consider other municipal legislation (e.g. BC Community Charter)
- vi) Recommend changes to the *City of Toronto Act, 1997* and other private (special) legislation pertaining to Toronto.

Timing/Duration

- JTF Co-chairpersons will meet in September 2004 and then every 3 months thereafter.
- JTF Staff Working Group will meet in September 2004 and then every 3-4 weeks thereafter to review progress of work.

- Schedule of Anticipated JTF Project Milestones, as follows:

September 2004:

- Agreement in principle on work plan.

January 2005:

- Report on Private Bill Review. Agreement in principle reached on changes to special (private) legislation.

March 2005:

- Completion of discussion and issuance of interim report on the following topics:
 - Principles of Municipal Governance and City-Provincial Relations, and Intergovernmental Relations
 - Municipal Purposes, Powers and Spheres of Jurisdiction
 - Democratic Control, Public Participation and Council Accountability
 - Municipal Government and Procedures, including Delegation Authority

To Follow:

- Completion of discussion on topics noted below and issuance of final report addressing all topics defined in the Project Scope:
 - Financial Management provisions
 - Revenue Sources
 - Legal Proceedings and Bylaw Enforcement
- A modernized City of Toronto Act will be introduced at Queen's Park by the end of next year.