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A DECADE OF METROPOLITAN GOVERNMENT IN TORONTO

ALBERT ROSE*

INTRODUCTION

METRO Toronto, as it is familiarly known, celebrated its tenth anniversary during the past year but its specific date of birth remains a matter of choice to the celebrant. A body corporate under the name of "The Municipality of Metropolitan Toronto," came into being on April 15, 1953. The legislative instrument was *An Act To Provide for the Federation of the Municipalities in the Toronto Metropolitan Area for Certain Financial and Other Purposes*,¹ passed by the legislature in Ontario on April 2nd, 1953. It was commonly understood, however, that the period to the end of 1953 was to be one of administrative organization and that the metropolitan government might properly be dated from January 1, 1954, following the elections of the previous month in the constituent municipalities.

It is not proposed in this article, to devote attention in detail to the substantial roster of local and regional difficulties which are customarily described as "metropolitan problems," as they arose in the Toronto area, particularly from the onset of the Second World War in September 1939. It is sufficient to note that they bore a close resemblance to the problems and issues evident in most major metropolitan areas in North America and in other western countries. Various expressions of serious concern may be traced back in Toronto to the mid-1920's, but the years of depression and war helped to forestall effective consideration of urban planning. By 1948 the City of Toronto and certain suburbs combined to launch a major investigation of the problems of the metropolitan area and the various alternative solutions.²

In 1950, the City applied to the Ontario Municipal Board³ for an order amalgamating the city with the other twelve municipalities which were generally accepted as the suburbs of Toronto. The Board held hearings during several months in 1950 and again in 1951 and brought down its decision, dated January 20, 1953.⁴ In its report, familiarly known as "The Cumming Report" after the name of the Chairman, Mr. Lorne R. Cumming, Q.C., the Board was required to deal only with the application of the City of Toronto (supported by one suburban municipality alone) and this it rejected. However, in a separate chapter entitled "The Responsibility of the Board", the report states:

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1. The italicized words are the long title. The more common short title is *The Municipality of Metropolitan Toronto Act (1953)*, R.S. Ont., 260 (1960).

2. See Civic Advisory Council of Toronto, Committee on Metropolitan Problems, *First Report* (two sections 1949-1950), *Final Report* (1951).

3. The Ontario Municipal Board is a quasi-judicial body appointed by the Government of Ontario to supervise municipalities in the exercise of many of their powers. It must hold hearings, for example, in the case of all applications for annexation of one municipality or any part thereof by another, and its decision to grant or deny such applications has the force of law. Zoning by-laws, as another example, require board approval.

4. Ontario Municipal Board, *Decisions and Recommendations of the Board* 91 (1953).

There are, nevertheless, a number of unusual features of the existing situation which would seem to justify some further discussion of the problems of the Toronto metropolitan area and an attempt to indicate possible solutions.⁵

While fully recognizing . . . limitations, the board feels that under the special circumstances it must assume the responsibility of presenting its own proposals for the organization of a suitable form of metropolitan government in the Toronto area.⁶

In essence the Government of Ontario accepted the *Decisions and Recommendations of the Board* but rejected the specifics of the proposed solution. Within five weeks it introduced its own solution for the first reading in the legislature and within ten weeks the Bill was law, surely somewhat of a record for government action on a matter directly affecting one-fifth of the population of the Province.

Bill 80, as it was known, created a federal form of metropolitan government for the Toronto area and gave the new metropolitan level all of the status of a municipality under the Municipal Act. A Metropolitan Council of twenty-five members was established with the following system of representation:

<i>From the City of Toronto:</i> (12 members)	The Mayor Two members of the Board of Control ⁷ One alderman from each of the nine wards ⁸
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<i>From the Suburban Municipalities:</i> (12 members)	The Mayor of each of the four towns The Reeve of each of the three villages and five townships
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<i>The Chairman:</i>	To be appointed in the first instance by the Government of the Province. From January 1955, to be selected by the Metropolitan Council from among or outside its own membership.
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A fourth level of government was thus created for the Metropolitan Area of Toronto (Canada's second largest city) since the thirteen local municipalities (described in the Act as 'the area municipalities') would continue to exist. The Metropolitan Council was composed of members indirectly elected through the local governments. No area-wide or direct elections to the metropolitan government were contemplated, particularly for the office of Chairman.

5. *Id.* at 41.

6. *Id.* at 42.

7. In 1953 the City of Toronto was the only municipality in the metropolitan area with a Board of Control (akin to a Cabinet) of four members elected at large. The two successful candidates with the highest votes became members of Metropolitan Council.

8. Each of the nine wards in the City of Toronto is represented by two councillors. The successful candidate with the highest number of votes became a member of Metropolitan Council as well. An additional stipend of \$1,800 (now \$3,000) was paid to those persons who served both their local area and the metropolitan government.

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The Act set up, as well, a Metropolitan School Board, with the same pattern of representation, half from the city and half from the suburbs, although the chairman was elected from within the Board from the very beginning. However, since one joint Board of Education had already been created for three of the suburbs along the Lakeshore to the west of the City, membership on the Metropolitan School Board was reduced to twenty-one persons including the Chairman.

FUNCTIONS OF THE METROPOLITAN AND LOCAL MUNICIPAL COUNCILS

The distribution of functions between the metropolitan government and the local governments (as of January 1, 1954) may be described very simply as follows:

Functions of the Metropolitan Council

Water Supply. Construction and maintenance of pumping stations, treatment plants, trunk mains and reservoirs for the wholesale distribution of water to the thirteen municipalities.

Sewage Disposal. Construction and maintenance of trunk sewer mains and sewage treatment plants to provide a metropolitan sewage disposal system which would accept sewage on a wholesale basis from the area municipalities.

Roads. The designation of highways as metropolitan roads and the establishment of an arterial system of highways. Financing is split evenly with the Province.

Transportation. The former Toronto Transportation Commission became the Toronto Transit Commission and is responsible for public transportation throughout the metropolitan area.

Education. The Metropolitan School Board is responsible for the coordination of educational facilities in the Metropolitan area and pays a grant to each of the eleven local school boards which continue to exist, in respect of every primary, secondary and vocational school pupil.

Health and Welfare. The Metropolitan Council is responsible for the provision of homes for the aged, the maintenance of wards of Children's Aid Societies, post-sanatorium care for T.B. patients and the hospitalization of indigent patients.

Justice. The Metropolitan Corporation must provide a Court House and jail and maintain these.

Housing. The Metropolitan Corporation has all of the powers of a municipality in the fields of housing and redevelopment.

Planning. A Metropolitan Planning Board was created with authority extending beyond the metropolitan area to encompass all adjoining townships. It was to prepare an official plan for this entire metropolitan planning area.

Parks. The Metropolitan Corporation has the power to establish metropolitan parks.

Finance and Taxation. The Metropolitan Council is responsible for the uniform assessment of all lands and buildings in the entire thirteen municipalities.

On the basis of the total assessment the requirements of the

metropolitan government are levied against each area municipality as a uniform mill rate. The local government will then collect the metropolitan tax requirement and its own requirements from its own taxpayers.

All debenture financing is undertaken by the Metropolitan Corporation for itself and on behalf of any local government in the area. As well, the Corporation has assumed the school debenture debts of each municipality and has acquired all assets of the local municipalities required for metropolitan services.

Functions of Local Municipal Councils

Water Supply. Local distribution systems and retail sale of water to consumers.

Sewage Disposal. Local sewage collection.

Garbage Collection. Left entirely with the area municipalities.

Roads. The construction and maintenance of local streets and sidewalks.

Police. Left entirely with the area municipalities.

Fire. Left entirely with the area municipalities.

Education. The local Board of Education continues and must finance the cost of a standard of education above the level of metropolitan grants, if it desires to go beyond the basic standard.

Health and Welfare Services. Public health in the municipal or health unit, unemployment relief, maintenance of non-wards, social work services.

Housing. The local councils continue to possess all powers with respect to housing and redevelopment.

Planning. Local planning boards may be created or continued and are expected to plan in conformity with the over all metropolitan plan.

Parks and Recreation. Creation and maintenance of local parks.

Finance and Taxation. On the basis of the uniform assessment the local council will collect the revenues required to provide local services.

Although there had been much discussion of the police problem in the years prior to 1953 there was no mention of this in the original Act. By 1956, however, the question of a metropolitan police force had been carefully and thoroughly examined and on January 1, 1957, the thirteen police forces were unified through the creation of a Metropolitan Board of Commissioners of Police⁹ which is responsible to the Metropolitan Council. As well, on the same date, the metropolitan government assumed responsibility for licensing (a Metropolitan Licensing Commission was created), civil defence, and air pollution. With these important changes, the distribution of functions in 1964 remains essentially as described above.

THE CHANGING PATTERNS OF DEMOGRAPHY AND ASSESSMENT

In 1946, as the postwar era began, the total population in the thirteen municipalities known as "Greater Toronto" was somewhat less than one million

9. An Act to Amend the Municipality of Metropolitan Toronto Amendment Act, 4 & 5 Eliz. 2, c. 53, § 18, pt. X-A (Ont. 1956).

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persons, approximately 975,000 in fact. Within this grand total the residents of the central city made up about 700,000 persons, the old Township of York (inc. 1793) adjacent to the city had some 85,000 inhabitants, and the balance were distributed throughout the eleven remaining suburbs. The three largest suburban townships were considered to be primarily "rural" as far as land use was concerned.

Since there was no common basis of assessment of property it is difficult to compare total dollar valuations. It is known, however, that total assessed valuation in the City of Toronto, whose basis of assessment was most realistic among the municipalities, was about \$965 millions in 1947. The twelve traditional suburbs reported a total assessed valuation in that year of less than \$150 millions.

This fundamental pattern in the distribution of population and assessment began to change rapidly during the early postwar years. Demographic changes were most notable at first but after 1953, when a uniform system of property assessment became the prime responsibility of Metro, the figures for assessed valuation showed the identical trends. The following table indicates the principal changes in these two important indicators of growth:

TABLE 1
POPULATION AND ASSESSMENT IN METROPOLITAN TORONTO
(City and Suburbs, Selected Years)

Indicator	1946-1963				Metropolitan Area
	City of Toronto		Twelve Suburbs		Total
(A) Population ¹⁰	Total	Percent	Total	Percent	Total
1946	697,000	71.6	276,000	28.4	973,000
1950	668,000	63.2	390,000	36.8	1,058,000
1953	665,500	56.6	508,500	43.4	1,174,000
1963 (est) ¹¹	643,000	38.9	1,010,000	61.1	1,653,000
(B) Assessment	(M = millions; B = billions)				
1949 ¹²	\$1.385 B	89.0	\$171 M	11.0	\$1.556 B
1953-4	\$1.544 B	57.9	\$1.118 B	42.1	\$2.662 B
1963 (est) ¹³	\$1.886 B	43.7	\$2.430 B	56.3	\$4.316 B

These simple data provide the backdrop for much of the controversy in recent years within Metropolitan Council and between the City of Toronto and the other area municipalities. It is clear that the balance of power has

10. Population data for the earlier years are derived from Civic Advisory Council of Toronto, Committee on Metropolitan Problems, First Report (1949).

11. A comparison of data for 1953 and 1963 is available in the publication, *Metropolitan Toronto, 1953-1963*, issued by the Metropolitan Council in June 1963, at page 11. In this article the figures for 1963 population and assessment are those issued by the Metropolitan Assessment Department and published in *The Globe and Mail* (Toronto) October 14, 1963.

12. Civic Advisory Council of Toronto, Committee on Metropolitan Problems, First Report, Section II, Statistical Appendix (1950).

13. *The Globe and Mail* (Toronto) October 14, 1963.

shifted, away from the city and in the direction of the suburbs. In particular, the three largest suburban townships combined, now exceed the city in population and will soon exceed it in combined total assessed valuation. Under these circumstances the continuance of the original system of representation—which gives these municipalities one vote each in Metro—and the continued demand by the City for an amalgamation of the entire metropolis into a unitary form of government, constitute sore grievances.

THE EXPECTATIONS AND ACHIEVEMENTS OF METRO TORONTO DURING
ITS FIRST DECADE

After many years of discussion, research, controversy, public hearings and increasing concern, the inauguration of Metropolitan Toronto was accompanied by a series of "high hopes" and expectations, most of which have been realized in substantial measure during the first decade. It is reasonable to suggest that the residents of Metro in 1953 (and the future residents) were entitled to expect at least the following achievements:

1. *Development and maintenance of an orderly system of representative government.* The term "representative" is used in two senses, representative of the electorate at large and representative of the interests of the central city and the suburban municipalities alike.

On the first part of this proposition there can be no argument. The metropolitan area of Toronto has been provided with a firm, stable and orderly system of government, largely through the efforts and personal prestige of its first Chairman, Mr. F. G. Gardiner, Q.C. (1953-61). Within the first year the various administrative departments of government were formed and the most important administrative appointments were made. Two of the the most competent municipal administrators in North America were serving in the treasury and assessment departments of the City of Toronto and these men became the Commissioners of Finance and Assessment respectively, of Metropolitan Toronto. The Clerk of the County of York became the Clerk of the new corporation. All three continue to serve in these posts.

Four standing committees of 7 persons each were created with the following titles: Housing and Welfare Committee, Works Committee, Roads and Traffic Committee, Planning and Parks Committee.¹⁴ An Executive Committee was recommended by the Chairman and soon assumed many of the functions of a Board of Control or a Cabinet. This Committee was composed of five persons, the Metropolitan Chairman and four members elected by Metropolitan Council from within itself. These elections soon became a matter of controversy and a source of tension between the City and the former suburbs.

The Metropolitan Council, however, was not inherently representative in

14. The names of two of these Committees were changed in 1958-1959, to Welfare and Housing Committee, and Parks and Recreation Committee, respectively. In 1963, the Roads and Traffic Committee was renamed the Transportation Committee.

either sense in which the term has been used previously. No member of Council, except perhaps the Chairman who was appointed, represented the citizens at large. Moreover, although the City obtained half the representation in Council its population and assessment were close to 60 percent of the area totals in 1954.

The fact that the City was somewhat under-represented during the first few years has scarcely been noted. More serious, was the fact that from the very beginning several area municipalities with small population (less than 15,000 at the time) had the identical vote in Council as four municipalities which were rapidly approaching or had exceeded a population of 100,000. These disparities were to grow increasingly large as the years passed.

2. *Financial stability.*

At the time of the creation of the metropolitan government only the central city and two or three of the smaller municipalities could count upon their capacity to borrow in the money market at reasonable rates of interest. In the suburban municipalities of most rapid growth, the capacity to finance urban development in all its ramifications was in serious question.

Within two or three years these doubts vanished as it became apparent that the credit rating of Metropolitan Toronto, now responsible for all debenture financing on its own account and on behalf of the entire capital program of all constituent municipalities, was first class. The personal integrity and prestige of the Chairman and his Finance Commissioner played a large part in the restoration of confidence in the administration and development of the Toronto metropolitan area, particularly in the New York money market where a great deal of financing was undertaken during the years when the Canadian dollar was at a premium in terms of the American dollar (1956-61).

These were years of rapid growth in population, investment and property assessment at the local level. Buoyant tax revenues and an excellent performance in tax collections added to the general conception of financial stability, despite equally rapid increases in operating expenses and extensive capital expansion throughout the metropolitan area.

3. *Uniformity in the basis of taxation though not equality in the rate of taxation* as between the municipalities.

One of the prime objectives of any governmental federation is to spread the available resources more equitably among the constituent units by the provision of common area-wide services at the expense of the entire tax-paying population. In the case of a metropolitan federation the first essential in this process is the development of a uniform basis of property valuation and assessment. This was accomplished very quickly as a result of a year of experimental work in equalized assessment prior to the creation of Metro, and the rapid unification of the thirteen assessment departments during the first eighteen months thereafter. A uniform basis of assessment for residential, commercial

and industrial properties for both metropolitan and local taxes was in full operation by 1954. The present Chairman of Metropolitan Council, William R. Allen, Q.C. wrote recently that,

A uniform and standard basis of assessment throughout the thirteen municipalities has removed this as a consideration from the sharp competition between the municipalities for preferred commercial assessment and has permitted an annual levy for the Metropolitan Corporation budget against each municipality on the basis of its share of the total assessment for the entire area.¹⁵

In this writer's view the Chairman may be forgiven for an excess of optimism in the first part of his statement.

For some residents of the area, however, the distinction between a uniform basis of assessment and a uniform tax rate, has not been clear. Torontonians were not promised that they would pay municipal taxes on the same mill rate whatever their municipality of residence, but many persons obviously believe that they were so promised. Every property taxpayer in Metropolitan Toronto receives (or should receive) a four-part tax bill which indicates the total amount of the tax he must pay in the given year and the total mill rate on which the levy is based. The latter is customarily broken down to indicate the share devoted to metropolitan general purposes, local municipal general purposes, metropolitan educational requirements, and local educational requirements. With the City of Toronto tax bill for 1963, for example, went a simple statistical table and a pie chart which revealed the following breakdown of each tax dollar:

City of Toronto:		
General purposes	33.57¢	
Education	20.69¢	54.26¢
Public libraries, special services etc.	4.58¢	4.58¢
Metropolitan Toronto:		
General purposes	21.84¢	
Education	19.32¢	41.16¢
TOTAL	100.00¢	100.00¢

The overall mill rate in the City (65.20 mills) was the highest in its history and the highest among the thirteen area municipalities with Metro. Several municipalities budgeted on total tax rates in the range 46-52 mills. In other words, in 1963, a property owner in one area municipality might pay almost 30 percent less tax than a property owner in another area municipality, on the identical assessment. This question of inequality in taxation will be considered later in this article as one of the major issues for Metro's second decade.

15. Address by William R. Allen, Q.C., *A Tenth Birthday*, to the Canadian Club of Toronto, March 11, 1963, p. 3.

4. *Appropriate physical growth in response to population growth.*

A resident of Metro in 1953 might reasonably have anticipated a good deal more of the governmental control and planning of the process and consequences of urban development than was the case in the previous decade. Urban expansion had outstripped the expansion of municipal services both in the quantitative sense and in the geographical sense. During the first postwar decade many suburban residents experienced the discomforts of septic tanks (in clay soil), shortages of water, unpaved streets, and grossly inadequate transportation facilities. Planners spoke gravely about "premature sub-division."

There is little question that the metropolitan government has achieved its greatest success in the realm of the physical services. The problem of adequate supplies of pure water has been solved and there is a continuous planned extension of facilities. The problem of adequate sewage disposal facilities has been solved and thousands of septic tanks have been eliminated. In substantial measure the process of physical planning has been synchronised with the planned expansion of municipal services. Residential development has proceeded in recent years (in both the geographical and quantitative senses) in line with the expansion and extension of facilities for supplying water and disposing of sewage.

As well, there has been a substantial improvement and extension of arterial roadways. Several north-south expressways have been completed and the major elevated east-west expressway is nearing completion. The subway system, opened in March 1953, has been extended and a major east-west subway of some 15 miles is scheduled for completion in 1967.

5. *Some expansion and consolidation of metropolitan functions.*

Since 1957 a unified and efficient metropolitan police administration has been developed. The transition from thirteen to one police department was effected with a modest degree of difficulty and discomfort. The metropolitan police force numbers more than 2,500 persons..

During the second half of the first Metro decade four major municipal functions which were left (in whole or in part) to the local municipalities were carefully examined with a view to unification, viz: fire protection, educational services, public welfare, and public housing. It is not possible in this article to examine the processes of study and the recommendations which ensued. It is sufficient to note that in none of these services has unification been accomplished, even when the Metropolitan Council, as in the case of public welfare services, specifically asked the Provincial Government to consolidate the various local departments under metropolitan jurisdiction. The solution ordered was an interesting alternative to a further assumption of metropolitan responsibility. In this case the area municipalities were relieved of their share (20 per cent) in general welfare assistance programs which in Ontario are shared with the federal government (50 per cent) and the provincial government (30 per-

cent). The Metropolitan Corporation has become responsible for the entire local share in an effort to relieve the City of Toronto of one of its severe burdens, without divesting the local governments of administrative responsibility.

6. *Expansion in social capital.* The need for social capital facilities, particularly schools, housing, hospitals, was, and continues to be enormous by past standards. As well, other social programs are required—retraining and rehabilitation, for example—as a sound social investment in human resources.

In the field of social capital provision the Metropolitan Corporation recorded some of its finest achievements and certain of its most dismal failures during the period 1954-63. The major success came in the provision of educational facilities throughout the metropolitan area; the major failures occurred in the incapacity of Metro to build more than a token amount of public housing and in its inability to develop a regional plan.

By 1950 it had become apparent that many of the school systems in the Toronto Area were experiencing difficulty in providing space and personnel to serve the larger numbers of children born in the late war years or soon thereafter. The first impact of a rapidly rising birth rate in Canada and the movement of large numbers of families to the suburbs was fear, near-chaotic conditions, stop-gap measures and serious attempts to slow down urban growth by restricting or halting the issuance of building permits and by imposing heavy capital levies upon subdividers and developers. Nowhere was the governmental federation more welcome than in the field of education.

The record of the first decade is one of tremendous achievement in educational services. Some of the most important data are evident in the following table:

TABLE 2
SIGNIFICANT INDICATORS IN THE GROWTH OF THE PUBLIC SCHOOL SYSTEM
METROPOLITAN TORONTO
(1954-1963)

Classification of Data	1954	1963	Percent Change
<i>Enrollment:</i>			
Elementary	146,392	221,366	+ 51
Secondary	34,465	68,114	+ 98
<i>Number of Schools:</i>			
Elementary	236	322	+ 36
Intermediate	6	50*	—
Secondary	35	55	+ 58
<i>Number of Teachers:</i>	6,094	11,261	+ 85
<i>Gross Expenditures: (\$000's)</i>	42,818	137,193	+ 320
<i>Capital Expenditures: approved 1954-1962—\$223,095,000.</i>			

*Includes 19 composite intermediate-elementary schools.

Source: Metropolitan Toronto Council, *Metropolitan Toronto, 1953-1963*, Toronto, June 1963, p. 34.

The Table cannot reveal, of course, the physical quality of the new facilities

and the significant renovation which has occurred within the schools of the central city. Prior to Metro the newest elementary school in the City was completed in 1927. A vast capital program has involved demolition of some of the oldest schools and their replacement, as well as the rehabilitation and extension of others. It can reasonably be argued that public schools facilities in the heart of the metropolis (buildings and personnel) are by no means inferior and may be in certain respects superior to those in the other area municipalities.

On the other hand, a resume of the experience in public housing and in community planning is by no means so pleasant. It is beyond dispute that one of the prime objectives in the establishment of a metropolitan form of government in Toronto was the attainment of a solution or, at least, reasonable and adequate progress towards a solution—to the dilemmas in the fields of housing and community development. In the early postwar period the division of jurisdiction between the various municipalities made it extremely difficult, to put it mildly, to initiate programmes of subsidized or publicly assisted housing. The "Cumming Report" of 1953 stated:

The responsibility of the municipalities with respect to the serious shortage of housing in the metropolitan area was one of the controversial questions raised in the hearing and some of the respondents, through their counsel, contended that the provision of any type of subsidized or publicly assisted housing should not be considered a function of municipal government. In particular the activities of the city in providing emergency housing and in the undertaking of the Regent Park redevelopment project were the subject of some criticism.¹⁶

On the subject of the direction and control of the physical development of the entire metropolitan area (regional planning) the Report of the Ontario Municipal Board was crystal-clear:

As previously stated the present division of jurisdiction with respect to community planning and the control of land uses is considered by the board to be a most serious weakness of the present system of local government. No intelligent or efficient extension of municipal services throughout the metropolitan area can be expected in the absence of a comprehensive metropolitan plan of development and some centralized control of major land uses.¹⁷

In the light of these findings and conclusions many persons were surprised to learn that the Municipality of Metropolitan Toronto Act provided for a continuation of divided jurisdiction in these fields. A decade later the failure to create a reasonably adequate stock of public low-rental housing for families

16. Ontario Municipal Board, *op. cit. supra* note 4, at 69. Regent Park North was the first major slum clearance and public housing project in Canada, located in east central Toronto. See Rose, *Regent Park: A Study in Slum Clearance* (1958).

17. Ontario Municipal Board, *op. cit. supra* note 4, at 71.

and the failure to develop a widely accepted master plan for the Metropolitan Toronto Planning Area, are laid at the door of Metro.

In 1964 there are some 3,700 public housing units in Metropolitan Toronto (more than half constructed or contemplated before 1954) and some 1,270 units of moderate rental family housing. The need is estimated at a minimum of 10,000 and perhaps as many as 30,000 units. The writer considers the failure in public housing to be a national problem, a national failure, even a North American tragedy. It is the product of many factors: indecision at the federal and provincial levels of government; the high cost of construction of public housing with union labor; the antiquated financial arrangements which result in an unpalatably high rental subsidy; the confusion between social and economic motives; and the continuing argument at all levels of government concerning the proper responsibilities of local federal-provincial housing authorities.¹⁸ Very little of this debacle can be attributed to the Municipality of Metropolitan Toronto. Nevertheless, the continuance of divided jurisdiction in housing and urban renewal has made it even more difficult than it would otherwise have been, to make solid progress.

In the field of physical planning it was far too much to expect that Metro would solve all of the major problems created by more than fifty years of haphazard urban development. As well, the metropolitan government had only nominal control over the rapid growth of the three large townships, Etobicoke, North York and Scarborough, whose total combined population was 105,000 in 1948, 259,000 in 1953 and 672,000 in 1963. The responsibility was in large measure, left by the Provincial Legislature to the local planning boards. A draft "Official Plan" or "master plan" was prepared by 1960 for the entire Metropolitan Planning Area of 750 square miles encompassing 26 municipalities. It has not yet been approved by the appropriate Minister in Ontario and this is hardly the sole responsibility of the metropolitan government. When a revised plan is approved, all local planning must conform but to date, the fact that the local boards retain exclusive jurisdiction in the matter of "zoning" is of crucial significance.

In summary, the first metropolitan decade in Toronto has been one of orderly and stable government, and great achievement in many areas of municipal concern tempered by serious failure in certain specific fields of endeavour. Professor Smallwood of Dartmouth College, who spent six months in independent research in Metropolitan Toronto in 1963, has contrasted the success of the Metropolitan Council in discharging its physical obligations during the decade 1954-63, with its relative failure to mount adequate programs to meet its social responsibilities.¹⁹ He ascribes this failure to "indecisiveness" and to "lack of assertiveness." The situation, unfortunately, is far more complex than

18. See Rose, *The Case Against Total Amalgamation in Metropolitan Toronto*, 4 Public Affairs Report, Institute of Governmental Studies, University of California (Apr. 1963).

19. See Smallwood, *Metro Toronto: A Decade Later* 32-39 (1963).

these attributes would suggest. A substantial portion of Metro's failure in the fields of public housing and planning is beyond its control.²⁰

The Municipality of Metropolitan Toronto Act assigned relatively equal responsibilities in these fields to the Metropolitan Council and to the Councils of the Area Municipalities. A notable exception to this generalization is the field of housing for old people which has been the exclusive responsibility of Metro since 1954. The achievements in this endeavour have been notable, particularly by contrast with the dismal record in the field of public housing for families. By 1964, more than 2,000 low-rental apartments have been constructed for elderly people and more than 2,100 beds are available in various metropolitan Homes for the Aged. Less than 10 percent of this accomodation was available in 1953. Given favourable legislation, the support of public opinion, and the power to act with forthright purpose, the Metropolitan Council has been able to move decisively in an area of social responsibility.

Nevertheless, despite the general and overall success of metropolitan government in Toronto during the first decade, a series of important issues have emerged which threaten the continued existence of the Metropolitan Corporation. The struggle and controversy implicit in the search for solutions to these major difficulties will occupy the attention of legislators, administrators, scholars and the general public during these several years and will determine whether Metro completes its second decade.

THE MAJOR ISSUES FOR THE SECOND METROPOLITAN DECADE

1. *Political representation.*

The system of representation devised in 1953 was clearly motivated by political considerations yet in the opinion of many students of government, the arrangement was wise and equitable. The City and the suburbs were granted overall equality within Metropolitan Council; each suburb had a voice and was directly represented by its senior elected official; the voters of the City at large and those within the various wards were represented. The device of indirect election to a co-ordinating level of government was familiar to the suburban municipalities since it was the technique used to form the County Councils in Ontario. Prior to 1954 the suburbs were a part of the County of York.

Within a very few years the facts of life in the modern metropolis cast serious doubt upon this system of representation. A number of proposals have been put forward as solutions to the two basic inequities: over-representation by the City, and equality of representation among the other area municipalities which now range in population from 9,400 to 304,000 persons. The least complex suggestion has been that of direct elections to Metropolitan Council from new constituencies to be drawn throughout the metropolitan area. This notion is politically difficult to support and implement.

20. See Rose, *Some Reflections on a Decade of Metropolitan Government in Toronto*, brief to the Royal Commission on Metropolitan Toronto, March 16, 1964, pp. 10-11.

A system of multiple voting has been proposed in various forms. There would presumably be no change in the system of representation except the fact that each representative's vote in Metropolitan Council would bear a somewhat different integral value from that of his neighbour. Chairman Gardiner included such a proposal in a personal submission to the Metropolitan Toronto Commission of Inquiry appointed by the Province in 1957.²¹ His suggested allocation of votes was designed to ensure that voting strength would comply reasonably with representation by population, although the Metropolitan Council would be composed exactly as before.

The most recent proposals are intended to solve both the inequality in representation and the problem of inequality of taxation between the area municipalities. These suggestions involve the creation of a borough system within Metropolitan Toronto by grouping the various small municipalities with the City or one of the larger suburbs.²² Four of five boroughs have been proposed within the metropolitan area (the City of Toronto together with certain additional municipalities would compose one borough) and each borough would send a number of representatives to the Metropolitan Council, indirectly elected as before.

2. *Inequality of taxation and economic imbalance.*

The differential burden of taxation as between the residents of the various area municipalities has received increasing attention in recent years. In 1963, as was noted previously, taxation in Metropolitan Toronto ranged from \$4.64 to \$6.52 per \$100. of assessed valuation. This variation is the product of higher standards of service and higher incidence of need in the City and certain municipalities, together with a serious differential in the resources available per capita to meet the required expenditures.

In fact, inequality of taxation is merely the most overt symptom of economic imbalance within the constituent municipalities of Metropolitan Toronto. Professor Smallwood has analyzed the various components of economic imbalance in substantial detail.²³ It is sufficient to note that disparities in assessment per capita are such that certain small municipalities are affluent by comparison with the large rapidly growing areas and with the City of Toronto. Thus, expenditures per school pupil vary enormously and the standards of optional local services in education, public health and public welfare are sufficiently different that it would be untrue to suggest that equality of opportunity exists throughout the area municipalities.

21. Various expressions of concern and dissatisfaction led the Government of Ontario to appoint a Commission to Inquire into the Affairs of the Municipality of Metropolitan Toronto in 1957. Mr. Gardiner appeared on June 15, 1957. The Commission issued its First Report on March 14, 1958, and except for minor suggestions gave Metro a clean bill of health. As far as is known no further report was made or published.

22. Ontario Department of Economics *A Report on the Metropolitan System of Government*, prepared for a Special Committee of the Metropolitan Council, Toronto, Nov. 1961.

23. Smallwood, *op. cit. supra* note 19, at 17-27.

In its *Report on the Metropolitan System of Government*, November 1961, the Ontario Department of Economics suggested that a borough system would afford a solution to some of these disabilities. The report concluded that representation by population could be made fairly consistent with representation by financial interest. The Borough of Toronto's proportion of total population and assessment would exceed the combined population and assessment of the other boroughs, but would steadily decline, reaching parity with them by 1970. Within these units of 150,000-300,000 current population, and the present City, there exists the strong possibility of achieving inter-municipal taxable equality—under Metro, while preserving the proven advantages of the Metropolitan Toronto governmental federation.

3. *Disabilities of the central city.*

The City of Toronto, losing population steadily for nearly fifteen years, must face the colossal need for urban renewal and redevelopment; must experience the highest incidence of need and per unit cost for social services, public health, public recreation, and social capital facilities; requires the highest mill rate in Metro; and suffers a high incidence of loss of assessment through metropolitan projects, rapid transit, expressways and the like, as well as educational and cultural projects of area-wide or regional importance. Under these circumstances, the strong opposition of elected and appointed city officials to the continued existence of the metropolitan federation, may be understandable.

Metro's greatest success to date rests in the provision of public works, the physical services required to permit and support the vast growth at the fringes of the urbanized area. Although the City has benefited to some extent from these projects its more obvious requirements lie in the human or social services where Metro has had only nominal or modest success. Thus the City, in the midst of construction of a monumental City Hall which may cost some \$50 millions when it is completed and furnished, is hard put to maintain adequate standards of ordinary municipal housekeeping. Streets, curbs, sidewalks, are in poor shape and the normal operations of sound maintenance are not receiving financial support. Nevertheless, the City had a gross budget in 1963 of \$127 millions and a net budget of \$90 millions after deduction of \$37 millions in grants from the Province, primarily for education, welfare and highways. Net debt increased from 1954 to 1962 by 150 percent to nearly \$145 millions.

City of Toronto taxpayers therefore, pay the highest taxes in Metropolitan Toronto, recognize that debt service charges are an increasing share of the total expenditures, believe that they have contributed about half of all the funds required for growth and development of the metropolitan area without receiving a commensurate return, and find their own municipal housekeeping in a deplorable condition. Many residents have accepted the view of their officials that the amalgamation of the thirteen municipalities into one large City of Toronto is the only practical or long-run solution to these problems.

4. *Resolution of city-suburban tensions.*

It was presumably the intention of the designers of the metropolitan system in Toronto that the members of the Metropolitan Council would consider local matters and local issues in their home Councils and would take an area-wide or metropolitan point of view in the federal legislative body. Chairman Gardiner was fond of using the phrase "the metro concept" to describe the approach and conduct required of a Metropolitan Councillor.²⁴ This pleasant theory was never substantially supported in practice, however, but the strong personality of the Chairman helped to subdue the major conflicting parties who treated issues solely in terms of city versus suburban interests, or vice-versa. Nevertheless, a number of important votes were taken over the years where the count recorded a simple city-suburban split. The present Chairman, William R. Allen, continues to hold the view that the theory and the practice are substantially identical. He wrote, recently:

The dual function of the metropolitan representative in that he is elected by popular vote to his local Council and also serves on the Metropolitan Council, has created an atmosphere and helped to directly cultivate an attitude which has permitted individuals to treat local matters on a local basis and to provide area-wide thinking in respect of those problems which are neither deterred nor determined by the boundaries of any individual municipality within the area. Notwithstanding news media to the contrary, the forum of the metropolitan Council while in session is not that of a gladiator's ring. Strong, forceful and full exposition of the views of the city representatives and the suburban representatives is a feature which will always be necessary and vital to sound metropolitan decisions.²⁵

The Chairman may be entirely correct in this analysis. In any federal system the needs and demands of local constituents must always be balanced with the needs and demands of federal constituents and it may well be that the system has worked about as well in Metropolitan Council as it does in any federal legislature. It should be noted, however, that political parties as such do not exist at the local level in Canada and it is not possible to use party affiliation to ensure that the members deal with their broader responsibilities. Rather, there have emerged in Toronto a "City party" and a "Suburban party." The fact that two City representatives have joined the "Suburban party" in opposition to the City's continued demand for an amalgamation of the thirteen municipalities, has been an interesting facet and an important force in maintaining the strength of the metropolitan federation in recent years.

5. *The future form of government in Metropolitan Toronto.*

In the early months of 1963 the City of Toronto once again (as in 1950) applied to the Ontario Municipal Board for an order amalgamating the muni-

24. As far as the writer can judge, Mr. Gardiner first used the phrase in an address to the Institute of Public Administration of Canada, Ottawa, September 9, 1954.

25. Allen, *op. cit. supra* note 15, at 2.

palties in the metropolitan area of Toronto. In due course the Government of Ontario responded by suspending the power of the Board to deal with the application and announced the formation of a Royal Commission on Metropolitan Toronto. The Commission is in fact a one-man inquiry headed by Mr. Carl Goldenberg, Q.C., a Montreal-based lawyer-economist who has an enviable and unique reputation in Canada. Mr. Goldenberg is an authority in the field of local government and municipal finance, and an arbitrator of enormous prestige in labor-management relations.

During the fall of 1963, the Commissioner invited the submission of briefs from all interested parties and individuals and more than eighty submissions were received by the deadline of March 16, 1964. Public hearings are to commence in the Legislative Building in Toronto on April 21st and will continue for several weeks. The Commissioner had indicated that he will submit his report by the end of 1964. The Government of Ontario is not bound, of course, to accept his recommendations but will no doubt be strongly influenced by his findings and conclusions.

The issue clearly is the future form of metropolitan government in Toronto. The possible solutions which may commend themselves to the Commissioner are essentially three in number, although there may be many variations on common themes. The City, inevitably, will propose the creation of a unitary form of government—one big City of Toronto—encompassing the entire area and population of the present boundaries of Metropolitan Toronto.

It is probable, as well, that many submissions will argue for the maintenance of the *status quo* in metropolitan government with certain important adjustments. In particular, there will be many suggestions for new forms of representation in line with population distribution and new proposals for financial arrangements to reduce the inequalities in the burden of taxation.

The borough system will be advocated in a number of submissions but there will be many variations proposed and the ultimate number of boroughs suggested will vary from as few as four to as many as thirteen (perhaps more if some advocates recommend the breakdown of the City proper into a number of boroughs). Many responsible students of local government believe that the Commissioner will recommend some form of a borough system as a reasonable and equitable form of metropolitan government for the next ten or twenty years in Toronto. It must surely be clear that no form of metropolitan government is "for all time" and that important adjustments will be required at least every ten years.

In all of this discussion and controversy there is one curious phenomenon of considerable interest. The three major newspapers in Toronto have been adamant and intransigent in their view that the only intelligent solution is the unitary solution, one amalgamated city of Toronto. They held this position before 1950, before 1953, and have not wavered in their criticism of Metro during the intervening decade. On the issue of continued metropolitan govern-

ment versus amalgamation of the thirteen area municipalities, there has been little or no attempt at "fairness" of presentation. It remains to be seen whether this opposition has been influential and effective. In the last analysis, it is the Government of Ontario which will make the decision and it is influenced by many political and economic factors whose significance extends far beyond the borders of Metropolitan Toronto.