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The University of Oklahoma, Ph.D., 1974
Urban and Regional Planning

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THE UNIVERSITY OF OKLAHOMA

GRADUATE COLLEGE

CANADIAN INTERGOVERNMENTAL RELATIONS AND THE REFORM OF LOCAL GOVERNMENT: REGIONAL LOCAL GOVERNMENT IN ONTARIO

A DISSERTATION

SUBMITTED TO THE GRADUATE FACULTY

in partial fulfillment of the requirements for the

degree of

DOCTOR OF PHILOSOPHY

BY

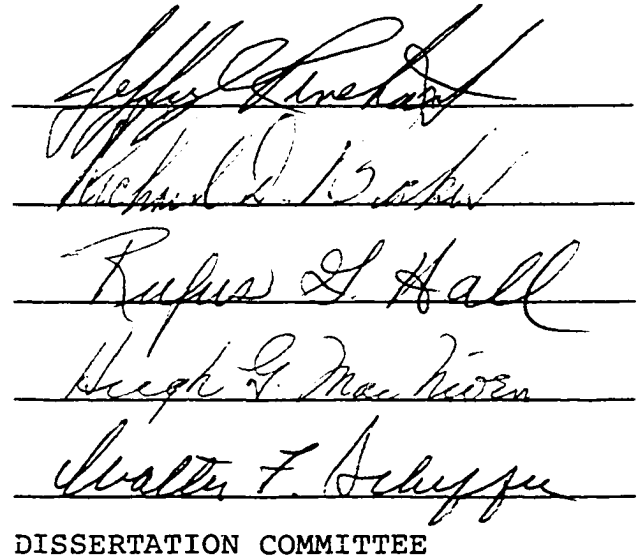
RICHARD HENRY FOSTER, JR.

Norman, Oklahoma

1974

CANADIAN INTERGOVERNMENTAL RELATIONS AND THE REFORM OF LOCAL GOVERNMENT: REGIONAL LOCAL GOVERNMENT IN ONTARIO

APPROVED BY



DISSERTATION COMMITTEE

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CHAPTER I

INTRODUCTION AND THEORETICAL PERSPECTIVE

This work represents an attempt to utilize the tools of a general theory in the analysis of a specific research problem. The basic assumption made is that attempts such as this are highly desirable in contrast to attempts at describing without benefit of theory or theorizing without the benefit of data.

The topic of this study is the reform of local government in the Canadian province of Ontario. This task is complex, often to the point of the absurd, due to the many varied actors and actions which are involved. Because of this complexity the need of an organizing or conceptual framework is clear. At the same time, however, the need for an organizing conceptual framework must not obscure the first task of this study, and of theory itself, which is description. Accordingly, the general conceptual framework utilized in this study is what is commonly referred to as "structural-functionalism," which is derived from the pioneering works of Talcott Parsons. Functionalism, however, is the term used throughout this study as a means for differentiating the work of Parsons from those variations penned by other scholars such as Gabriel Almond.

The general theory of functionalism[1] is basically a collection of interrelated definitions, categories and questions. Functional theory is mainly a research strategy; or, a group of suggestions about which are the relevant questions to ask and which would be the most useful concepts to employ.[2] In this study no assumption is made as to the utility of functional analysis to all concrete research problems. Rather, it is assumed that some of Parson's basic concepts seem useful as guides to political research of the type embodied in this study.

At this point it should be noted that there is often a built-in conflict between the descriptive and the theoretical purposes of a study such as this one. When this clash occurs in this study, the decision will be to pursue a course of priority to description. This course has been decided upon because the first purpose conceived for this study is to describe and analyze the Ontario government's program of regional local governments rather than to make a theoretical contribution to the literature.

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[1]The following brief discussion of functionalism relies heavily upon Harold Kaplan, Urban Political Systems: A Functional Analysis of Metro Toronto (New York: Columbia University Press, 1967), pp. 1-40; and Talcott Parsons, The Social System (Toronto: Collier-Macmillan Canada, Ltd., 1951). For a more complete and in depth discussion the reader is also referred to Talcott Parsons and Edward Shils, eds., Toward a General Theory of Action (Cambridge: Harvard University Press, 1951), esp. Part II.

[2]Kaplan, A Functional Analysis, p. 2.

Functional theory rests upon the notion that politics, like any other area of human behavior, can be described as the operation of one or more social systems, analogous in structure and performance to biological or physical systems.

> The fundamental starting point is the concept of social systems of action. The interaction of individual actors, that is, takes place under such conditions that it is possible to treat such a process of interaction as a system in the scientific sense and subject it to the same order of theoretical analysis which has been successfully applied to other types of systems in other sciences.[1]

Kaplan notes that a system consists of a collection of individuals who interact on a regular basis and who agree on certain values.[2] Furthermore, the system will, in time, develop norms about what constitutes appropriate behavior for system members. These norms give rise to expectations about the exact behavior that is to be found in interaction situations; which is referred to as roles. Roles, as specific prescriptions, will reflect the more general norms of the system.[3] Parsons puts it in the following manner:

> Reduced to the simplest possible terms, then a social system consists in a plurality of individual actors interacting with each other in a situation which has at least a physical or environmental aspect, actors who are motivated in terms of a tendency to the "optimization of gratification" and whose relation to their situations, including each other is defined and mediated in terms of a system of culturally structured and shared symbols.[4]

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[1]Parsons, The Social System, p. 3.

[2]Kaplan, A Functional Analysis, p. 4.

[3]Ibid., pp. 4-5.

[4]Parsons, The Social System, pp. 5-6.

We now can see that functionalism is mainly interested in routinized or institutionalized behavior. As a result, a system is viewed as a network of interrelated roles.

Parsons further alerts us to the existence of certain functional imperatives,[1] or certain tasks that every system must undertake and fulfill if it is to survive. Among the functional imperatives are the minimizing or managing of internal conflict and tension, the recruiting of new system members and the teaching to them the norms of the system, the adapting of the system to the demands of the physical and social environment, the mobilizing of the members for the purpose of system goal attainment, and the maintenance of the solidarity of the system including the guarantee of the personal commitment of individuals to the collectivity.[2] In short, because these functions are necessary to the survival of system, particular systems may be evaluated on the basis of how well they meet these imperatives, that is, how well they provide for their own survival.[3] The notion of functional imperatives, further, may be applied to the various levels of analysis--to political institutions as well as to an entire society, to particular political subsystems as well as to an entire political system.

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[1]Sometimes referred to as prerequisites, or simply, conditions.

[2]Parsons, The Social System, pp. 26-36.

[3]Kaplan, A Functional Analysis, p. 7.

For Talcott Parsons, the classification of system is based on the orientation of the major roles in each system. This classification is accomplished via a series of continua such as ascription-achievement, diffuseness-specificity, affectivity-neutrality and particularism-universalism.[1]

The social system may be viewed as a series of exchanges between its component parts. In other words, every subsystem in a society has a product or output, which is its contribution to the overall functioning of the society. The outputs of one subsystem form the inputs to another. In reference to political subsystems, their outputs, whether they be of a local government, a regional government or an entire political subsystem, consist of authoritative decisions or public policies.[2] Kaplan notes that these authoritative decisions relate mainly to the allocation of costs and benefits, the adaptation of the society to environmental changes, the management of conflict internally and the mobilization of behavior in support of the society's varied goals.[3] The basis for these outputs, the inputs, include the material and financial resources of the subsystem, the support of the subsystem members and the demands made upon the subsystem.[4]

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[1]Parsons, The Social System, pp. 180-200.

[2]Ibid., pp. 135-136.

[3]Kaplan, A Functional Analysis, p. 8.

[4]Ibid., p. 8.

In addition, the extent to which a subsystem or system is able to meet the demands of its members will clearly influence the members' motivation to continue playing roles in the system.[1] In short, if it is to survive, a system must provide inducements sufficient to evoke some minimal degree of membership support. The above can be summed up by saying that the core of Parsons' functional approach is the attempt to define certain basic conditions for the success and survival of social systems concomitant with the perception of the structure of the system as a set of mechanisms that attempt to fulfill these conditions.

This study attempts to describe and analyze the reform of local government in Ontario in terms of these functional imperatives posited by Parsons. The necessary basic assumption is that:

> Most of the functional imperatives discussed in the literature can be subsumed under two broad types of functions: Adaptation to the physical and social environment, and maintenance of internal solidarity. The first might be called the "adaptive," "external," or "problem-solving" function; the second might be called the "internal" or "integrating" function.[2]

As an example, it may be noted that an adaptive leader will very likely be oriented to problems perceived in the environment, to more generalized value schemes, or to the

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[1] Ibid., p. 9.

[2] Ibid., p. 25.

demands of other systems. On the other hand, the integrative leader is likely to be more committed to the system itself rather than to any set of substantive goals. In addition, the integrative leader is apt to be mainly interested in defending the status quo or in forestalling the internal strain that might be induced by problem solving and may be primarily concerned with the mediation of conflicts which may arise in the system.

Throughout this study adaptation is conceived of as the ability of an individual or an organization to reallocate or recommit a part of its resources to new uses without destroying the organization as a whole.[1] At the same time that change, or adaptation, takes place within the system it must be able to integrate these changes if it is to survive. Integrative behavior may have a normative or nonnormative basis. If there are indications that system members have developed a diffuse, noncalculative support for the system and that their loyalty to the system equals or outranks their loyalties to other systems; and, if there is a growing consensus on goals, a lessening degree of overt conflict, and a willingness to ignore conflict in order to preserve the system, we are dealing with normative integration.[2]

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[1]Karl W. Deutsch, Nationalism and Social Communication: An Inquiry into the Foundations of Nationality (Cambridge, Massachusetts, The M.I.T. Press, 1953), p. 82.

[2]Kaplan, A Functional Analysis, pp. 25-26.

In this study the concern is with integration in both its normative and non-normative aspects.

Most writers have not focused their attention upon the tension which clearly must exist between contradictory functional imperatives. It is just this tension, however, with which this study is primarily concerned. The basic notion is as follows:

> . . . all social systems are, at one time or another, plagued by contradictory functional requirements (or imperatives) and that these are associated with the formation of mutually antagonistic structural arrangements that function to meet these requirements.[1]

To place this problem specifically in terms of adaptation and integration is to realize that problem solving (adaptation), because it requires some rearrangement of internal relations, expectations and rewards, induces stress into the system and thereby may threaten the system's integration. Further, it may be noted that this conflict between a system's two basic imperatives appears to be both endemic and incapable of permanent solution. A successful system usually seeks to strike a series of temporary balances between the two needs.[2] Clearly, the implication is that a system may meet failure because it overemphasizes problem solving and tries to move too fast, because it may exclude

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[1]Gideon Sjoberg, "Contradictory Functional Requirements and Social Systems," The Journal of Conflict Resolution, IV (June, 1960), p. 199.

[2]Kaplan, A Functional Analysis, p. 27.

certain groups from policy making, or because it fails to reconcile conflict among the various segments of the system. In these cases the integrative function is not adequately performed.

It is precisely this situation with which I am concerned in this study of Ontario's regional local government reforms and with the possible threat to the system which may be generated by the concomitant conflict. Accordingly, this study is concerned primarily with the short run affects of the provincial program. The emphasis is upon the short run because it seems clear that over the long run, a system's success in the performance of one imperative will enhance its ability to perform the other. For example, raising the relative level of integration, over the long run, increases the adaptive potential of a system. In the short run, however, as has already been noted, tension between the integrative and the adaptive functions--and conflict between those who embody these different orientations--seems inherent in political systems.[1]

The argument in support of this approach is simply that the admission of the presence of contradictory imperatives permits the scholar to both pursue an interest in integration while, at the same time, raising the more realistic question of "How does a political order maintain

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[1] Ibid., p. 27

integration in the face of coexistent contradictory requirements and structures?" As one scholar puts it:

> Explicit recognition of the contradictory functional requirements that impinge upon a social system, or a subsystem thereof, assists the structural functionalist in analyzing the competitive struggles, conflicts and change that besets social orders.[1]

The above is not identical to the concept of dysfunction as conceived of by Merton, although dysfunction may be a part of the total situation. Dysfunction, however, implies a relatively static situation. Merton, for example, defines dysfunction as ". . . those observed consequences which lessen the adaptation or adjustment of the system."[2] The clear problem here is to understand how the observed dysfunctions are contained within a particular structure so that they do not produce instability.[3] Those who deal only with dysfunction show a concern for the static rather than the dynamic aspects of systems because what is considered "dysfunctional" is primarily that which may be detrimental to the harmony and integration of the system. In addition, Sjoberg notes that they often assume that a system which is beset with internal strains is not maintaining itself satisfactorily--although empirically just the reverse might be

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[1]Sjoberg, "Contradictory Requirements," p. 205.

[2]Robert K. Merton, Social Theory and Social Structure, Rev. ed. (Toronto, Ontario: Collier-Macmillan Canada, Ltd., 1957), p. 51.

[3]For example, see Ibid., pp. 52-53.

true.[1] Sjoberg further asserts that we should recognize that certain contradictory prerequisites, and the structures that answer to them, may well serve to sustain the system.[2] This is a proposition which is of clear relevance for the purposes of this study and one that is dealt with in the analysis of the provincial-local system in Ontario.

We easily accept the assertion that the society or the political system must be adaptive and we usually agree that an integrative subsystem is needed to facilitate internal adjustments and to adapt the system to the demands of the changing external situation.[3] The question then becomes one of defining, or at least identifying, integration and adaptation.

For the purposes of this study, integration is seen as a relative, rather than absolute, term. That is, instead of considering political integration as a specific condition that exists or does not exist, it seems more useful to conceive of a set of relationships which are more or less integrated, or a series of events leading to an increase or a decrease of integration. Then, as Jacob and Teune note, a rough test of the degree of cohesiveness necessary for

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[1]Sjoberg, "Contradictory Requirements," p. 200.

[2]Ibid., p. 199.

[3]John McLeish, The Theory of Social Change: Four Views Considered (New York: Shocken Books, 1969), p. 59.

integration may be worked out. The test would simply be the proportion of "public-oriented," cooperative or corporate activities in which people in various political units engage themselves, as against actions that are non-corporate, or "privatistic" (concerned with personal or special group interests rather than with the general well-being).[1]

It was noted above that, for the purposes of this study, adaptation is conceived of as the ability of an individual or an organization to reallocate or recommit a part of its resources to new uses without destroying the organization as a whole. As Leonard Sayles notes, then, change is not a special, for holidays only, activity. It is an integral part of the normal, ongoing process of assessing how the system is operating, determining where significant deviations are occurring, identifying the source of the disturbances, taking administrative actions to eliminate the source of the instability (short-run change) and, finally, where the disturbance or deviation is recurring--the introduction of "long-run" change and its implementation and control.[2] Thus, adaptation has both a short-run and

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[1]Phillip E. Jacob and Henry Teune, "The Integrative Process: Guidelines for Analysis of the Basis of Political Community," Phillip E. Jacob and James V. Toscano (editors), The Integration of Political Communities (Philadelphia: J. B. Lippincott Company, 1964), p. 7.

[2]Leonard R. Sayles, "Accommodating for Change," in Fremont J. Lyden, George A. Shipman and Morton Knoll, eds., Policies, Decisions, and Organizations (New York: Appleton-Century-Crofts, 1969), p. 229.

long-run aspect. In this study, concern is mainly with the long-run aspect of adaptation because it is within this configuration that adaptation seems most likely to come into conflict with subsystem integration.

The notion of tension, or conflict, between the needs of adaptation and integration further forces us to consider the nature of this tension. Often, this takes the form of what might be called "resistance" to any change because it presents a threat. For example, Luther Gulick has noted that:

> Each defined human institution, especially when created by law and endowed with even the smallest modicum of power, tends to develop into an independent "institutional personality." This involves not only asserting itself, but also extending itself and seeking to perpetuate itself. This apparently is a law of group structure, as it is of individual existence. And among governmental institutions, the suicide complex is notably absent . . . The existence of a fixed and immortal boundary tends to create and sustain a fixed and immortal governmental institution.[1]

Gulick's observation, however, does not completely explain the tension and resistance that may be present. There is need, therefore, for a concept to further assist in the analysis of this tension. Selznick provides that link with his concept of "recalcitrance." This concept revolves around the "tools of action," which in this study are those local officials who will, in the last analysis, make the

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[1]Luther Gulick, The Metropolitan Problem and American Ideas (New York: Alfred A. Knopf, 1962), p. 36.

regional government reforms either a success or a failure. In this regard, Selznick notes that there is a general source of tension observable in the split between "the motion and the act."[1] In other words, Selznick says that various plans and programs merely reflect the freedom of ideal or technical choice, but that organized action cannot escape an involvement, or a commitment, to personnel or institutions or procedures which may effectively qualify the initial ideal plan.[2] Selznick goes on to note that:

> In organized action, this ultimate wisdom finds a temporal meaning in the recalcitrance of the tools of action. We are inescapably committed to the mediation of human structures which are at once indispensable to our goals and at the same time stand between them and ourselves. The selection of agents generates immediately a bifurcation of interest, expressed in new centers of need and power, placing effective constraints upon the arena of action, and resulting in tensions which are never completely resolved.[3]

Thus, to Selznick, recalcitrance is conceived as a quality of the tools of social or political action, involving a break in the continuum of adjustment and defining an environment of constraint, commitment and tension. Selznick's concept of "recalcitrance" will be utilized as both a descriptive and an analytical tool for the study of the tension

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[1]Phillip Selznick, "Foundations of the Theory of Organization," American Sociological Review, XII (February, 1948), pp. 31-32.

[2]Ibid., pp. 31-32.

[3]Ibid., p. 32.

between the functional imperatives of adaptation and integration.

Finally, one other note seems relevant here. The use of the terms "system" and "subsystem" must necessarily depend upon the level of analysis. For the purposes of this study, I shall refer to the Ontario government as the political "system" and the various municipal corporations, such as Timmons, Thunder Bay or Toronto, as "subsystems" and the Canadian government as the "larger system" of which Ontario is a part.

Chapter Two is a review of some of the common problems which have beset local government in the North American context, along with some of the basic proposals for change. This is necessary as a background to the problem of local reform in the specific case of Ontario to be considered in Chapter III.

CHAPTER II

REVIEW OF THE METROPOLITAN PROBLEM AND REFORM PROPOSALS

The literature relating to what, in the North American context, is usually called "the metropolitan problem" often revolves around the assertion that many, if not most, of the local units are clearly unequal to the challenge facing them. As the Committee for Economic Development puts it: "They are ineffective in coping with present problems, and inadequate in facing the escalation that surely lies ahead."[1]

The picture that emerges from the relevant literature is not a particularly happy one. The portrayal is of a general fragmentation and "balkanization" of local government authority. In addition, it seems clear that the nature of the local government system often leads to duplication in effort, confusion in the assignment of authority, many taxing governments within a single general-purpose local government's boundaries and an absence of coincidence between governmental and population

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[1]Committee for Economic Development (CED), Modernizing Local Government: To Secure a Balanced Federalism, a statement by the Research and Policy Committee (New York: July, 1966), p. 14.

boundaries.[1] An example of the local government balkanization referred to can be demonstrated by the fact that, as of 1967, nearly 21,000 local units of government were located in the United States in over 200 metropolitan areas--an average of 91 governments per metropolitan area.[2]

The general fragmented condition of the core city and its suburbs in turn is the cause of other difficulties. For example few local units are large enough--in population, area or taxable resources--to apply modern methods in solving the current as well as the future problems. Even the largest jurisdictions find many major problems insoluble because of limits on their geographic areas, their taxable resources and their legal powers. In addition, popular control over many local jurisdictions is ineffective or sporadic and public interest in local politics is quite often as a very low level. In short, it seems that confusion stemming from the many-layered system, profusion of elective offices without policy significance and increasing mobility of the population all contribute to disinterest.[3] Yet there seems to be a

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[1]Hugh L. LeBlanc and Allensworth D. Trudeau, The Politics of States and Urban Communities (New York: Harper and Row, Publishers, 1971), p. 206.

[2]Ibid., p. 204.

[3]CED, Modernizing Local Government, pp. 11-13.

concomitant desire of citizens to have access to the decision-making centers of local government. Clearly, this psychological fact has been a contributing factor to the increased balkanization of the core city and the suburbs.

> As urban life became more impersonal with the growth of population and as the old-fashioned political machine, which had served as an access point to great numbers of citizens, declined, the feeling of isolation and of frustration on the part of the urbanite must have increased. The reform-period practice of electing all councilmen at large contributed to the iron curtain that the ordinary citizen saw as being dropped between himself and those who decided things that mattered. But in the suburb, he found a reestablishment of those close relationships that symbolized democracy on the frontier, and he regained the comfortable feeling that goes with confidence in the thought of having influence over governmental decisions and of having officeholders who share one's social values.[1]

Further, in many local jurisdictions, positions requiring knowledge of modern technical developments are frequently occupied by unqualified personnel. With exceptions among the larger cities, department heads are often amateurs. Pay scales are usually too low to attract competent professional applicants and specialized skills in the public service are often a cause for suspicion among those who make personnel policy. This, combined with the fact of antiquated administrative organizations, hamper most local governments.[2] The above problems caused by the fragmented

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[1]Charles R. Adrian, State and Local Governments, A Study in the Political Process (New York: McGraw-Hill Book Company, Inc., 1960), p. 241.

[2]CED, Modernizing Local Government, pp. 12-13.

condition of local government has been summed up by Daniel R. Grant as follows: (1) an unequal distribution of financial resources and burdens; (2) unequal service levels; (3) absence of area-wide authority to cope with area-wide problems, especially in regard to matters such as transit, water supply, sewers, health and planning; (4) wasteful duplication and inefficiency; (5) an inability on the part of citizens to fix responsibility for local government action or inaction; and (6) political segregation of able suburban leaders from the most serious urban (core city) problems.[1]

It has been noted that the real cost of operating municipal governments is constantly increasing concomitant with population movement toward the suburbs which has meant an increasing loss of tax base by the core cities. Industries tend to move to the suburbs when they expand or build new plants, retail merchants expand by building suburban branches and the people best able to pay property taxes on their homes are the first to move into the suburbs. In addition, one text notes a situation where the moribund core cities, in some states, are forced to subsidize the suburbs and as the tax base declined, the number and amount of subisidies increases. Two ways in which the core city

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[1]Daniel R. Grant, "State Governments and Metropolitan Areas," in Lee S. Greene, Malcolm E. Jewell and Daniel R. Grant, The States and the Metropolis (University, Alabama: University of Alabama Press, 1968), pp. 118-121.

is forced to help the suburbanite pay for his governmental services are: by furnishing services of the city free or below cost to the suburbs and by paying a disproportionately large share of state and county taxes in return for a disproportionately small share of their services.[1]

Along with the many problems internal to the metropolis is the external question of the state (or province) and its role. There is a general consensus among reformers that there is an urgent need for a greater and more equitable state aid contribution and that there needs to be more attention by the states to the needs and adequacy of their local governmental systems. After all, the states do have responsibilities for their local government systems. They should be able to adapt their aid systems to the facts of metropolitanism and initiate actions for change and reform where necessary.[2]

The various proposed reorganizations of the present metropolitan, or local, system take many different forms. These proposals range from informal cooperative agreements among existing local governments to the establishment of a "super government" that would absorb all powers and

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[1]Adrian, State and Local Governments, pp. 238-239.

[2]Committee for Economic Development (CED), Reshaping Government in Metropolitan Areas, a statement by the Research and Policy Committee (New York: February, 1970), p. 49.

prerogatives of numerous independent jurisdictions that together comprise the metropolitan area.[1] These proposals can further be classified as two relatively separate streams of suggestions for reform. One stream is primarily concerned with substantive problems--education, transportation, housing, welfare, pollution and the like. The other stream analyses the structure that governs metropolitan areas. Although the interrelationship between structure and substance is sometimes mentioned, it seldom is analyzed in depth. The result, of course, is simply that the important connection between substantive problems and governmental structure is only vaguely understood. In sum, these two streams must be merged. Even though the concern may be primarily with the structure and organization of government in metropolitan areas, it must be remembered that the purpose of recommended changes it to build a governmental system capable of responding to the substantive problems that plague the metropolis instead of one which merely pleases one's aesthetic sensibilities. The point here simply is that the present governmental system often stands in the way of applying new and different

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[1]Winston W. Crouch and Beatrice Dinerman, Southern California Metropolis: A Study in Develoment of Government for a Metropolitan Area (Berkeley: University of California Press, 1963), p. 376.

policies, and in some instances is a significant cause of the problems.[1]

Finally, before going on to look at some of the various proposals for change, it should be noted that experience to date suggests that relatively minor reorganization is likely to be consummated by the official governmental units while major changes, in the United States, usually require voter ratification. Experience also suggests that voter approval is difficult to come by; indeed, when given the opportunity, voters have often turned down metropolitan governmental reorganization proposals, especially those involving radical change.[2]

One of the most commonly proposed remedies for the problems of suburban sprawl and fragmentation has been annexation. Briefly, this method was used by the great cities of the United States in achieving their present size, and the case for it is strong from the viewpoint of both the suburbs and the core city. For example, certain expensive services can, by annexation, be provided at a

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[1] CED, Reshaping Government, p. 23.

[2] Thomas M. Scott, "Metropolitan Governmental Reorganization Proposals," The Western Political Quarterly, XXI (June, 1968). For examples of voter disapproval see Table 1, p. 253; and for factors affecting the lack of success see Table 6, p. 253. Also the reader is referred to Amos H. Hawley and Basil B. Zimmer, "Resistance to Unification in a Metropolitan Community," in Morris Janowitz, ed., Community Political Systems (New York: Free Press of Glencoe, 1961).

lower cost than could be realized by a suburb action alone. And, as a result, property values may rise, fire protection would be better and fire insurance rates might be lowered. The city would gain by an increase in the base for the financing of municipal government, the city could also insure a suburban development consistent with its own and it would be possible, for the first time, to make a unified area-wide attack on such metropolitan problems as disease, transportation, crime, slums, juvenile delinquency and the like.[1]

The record relating to the success and failure (or usefulness or lack of same) of the strategy of annexation is mixed. At best annexations have brought an appreciable portion of land within the jurisdiction of a single municipal unit, thus helping establish a unified governmental operation in the entire territory encompassed by the metropolis. At worst, such absorptions have at times tended to produce defensive incorporations, thereby contributing to the proliferation of municipalities.[2]

Further, on the debit side of the ledger, annexation is not always applicable or successful in part because laws

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[1]Daniel R. Grant, "Urban Needs and State Response: Local Government Reorganization," in Alan K. Campbell, ed., The States and the Urban Crisis (Englewood Cliffs, N.J.: Prentice-Hall, Inc., 1970), p. 66.

[2]John C. Bollens and Henry J. Schmandt, The Metropolis: Its People, Politics, and Economic Life, 2nd. ed. (New York: Harper & Row Publishers, 1970), p. 290.

in most states in the United States require that outlying areas may be annexed only after a referendum has been held and the annexation approved by the voters of the outlying areas as well as by those of the core city. And annexation is quite often unpopular in the fringe areas.[1] In addition, it must be noted that annexations do not necessarily represent a metropolitan-wide device. They often fall short in two important ways: first, they have often taken place in urban areas already containing a considerable number of municipalities (and frequently with many special districts and one or more county governments as well); second, those cities that have utilized annexation in a large-scale way still, after annexation, embrace merely a portion, most often a relatively small part, of the total metropolitan area.[2]

The typical recent large land acquisitions through annexation have taken place chiefly under conditions which are not generally present in, especially the older, metropolitan areas. In short, most cities which have been and are presently involved in these actions are aided by favorable annexation laws and are those newer cities which are

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[1]Adrian, State and Local Governments, p. 248.

[2]Bollens and Schmandt, The Metropolis, p. 290.

usually bordered by substantial unincorporated territory and thus have had room for expansion.[1]

Finally, notwithstanding the persuasive arguments in favor of annexation, the fact is simply that it has been virtually impossible for the larger cities in the past few decades to keep pace by means of annexation with the population growth beyond their borders. Opposition to the whole idea of annexation is often strong in the suburbs, with any one of several arguments being sufficient to insure a negative referendum vote: the fear of higher taxes, a real, or alleged, corrupt or incompetent central city government, false promises on the delivery of services, and annexations are often perceived as devious tax-grabbing schemes. It has become difficult, as a result, to annex unincorporated suburbs and it has become virtually impossible for a central city to annex a suburb that is already separately incorporated.[2]

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[1] Ibid., p. 288. In the period between 1950 and 1967, the top five United States' cities in terms of annexed territory were, in decreasing order: Oklahoma City, Oklahoma; Houston, Texas; Kansas City, Missouri; Phoenix, Arizona; and San Diego, California. The reader will note that all of these cities are in areas of the country which can be classified as "newer" in terms of the growth of major cities. See Bollens and Schmandt, p. 286. The point is simply that what was once the natural and common method of achieving area-wide urban government has now fallen predominantly into disuse except in the case of the newer and smaller cities in the United States.

[2] Grant, "Urban Needs and State Response," p. 66.

The inclusion of decentralization as a local government reform proposal may strike some readers as incongruous in a study dealing largely with various reform proposals implying centralization. We may note, however, that centralization and decentralization are not necessarily opposites, although they may be so. At the present time, in the context of the United States, much of the popular discussion of decentralization centers on current demands of many black groups for control over those institutions which most affect their lives and for a stronger voice in the political process.

The notion of decentralization of authority and administration is sometimes defended on the grounds of efficiency; however, it is more frequently justified in terms of effective popular participation in government.[1]

Decentralization can be given a wide range of definitions and can have an equally wide range of different implications to various individuals. However, it usually implies a delegation of authority, either within established standards or for certain situations, from a central organization to its subunits, usually accompanied by the provision of separate branch establishments.[2]

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[1]Herbert Kaufman, "Administrative Decentralization and Political Power," Public Administration Review, XXIX (January, February, 1969), p. 8.

[2]Crouch and Dinerman, Southern California Metropolis, p. 295.

The varied suggestions for decentralization usually involve such notions as the establishment of "little city halls" or neighborhood centers from which certain services would be supplied and through which a more direct means of communication between government and neighborhood residents could be realized.[1] Other suggestions visualize the placement of a trained person in the neighborhood, employed by the city government but preferably from the neighborhood, to serve as a communication link between the locality and the city and other governments and to take care of citizen complaints and requests. Also included are suggestions for the decentralization of advice and decision-making itself. In its strongest form, this suggestion calls for "participatory democracy" which is based on the notion of local community control in which neighborhood boards would have final decision-making authority over particular activities.[2]

Some of the decentralization suggestions, in addition, border on proposals for a federal system of local government. For example, one notion is that in order to insure attention to distinctive neighborhood needs with the concomitant effective action, large metropolitan centers might be divided into "neighborhood districts" on the order

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[1]Bollens and Schmandt, The Metropolis, p. 309.

[2]Ibid., p. 309-310.

of magnitude of about 40,000 residents each. There are already administrative units which could serve in forming these districts, such as high school districts and police precincts. Each district could have a small, popularly elected body to study neighborhood needs and recommend solutions to the city council or county board.[1]

One author, however, goes much further than this. Milton Kotler flatly asserts that the object of local power can be nothing more than re-creating neighborhood government which has political autonomy and representation in larger units.[2] Kotler feels that the development of neighborhood corporations to gain and exercise local control is quite consistent with the historical character of neighborhoods as political units.[3] When neighbors organize to win control of public institutions in the neighborhood, they are utilizing the political nature of the neighborhood. He feels that to control these institutions is to free the territory from the downtown power. This independence is not conceived as something new to the

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[1]CED, Modernizing Local Government, p. 47.

[2]Milton Kotler, Neighborhood Government: The Local Foundations of Political Life (Indianapolis: The Bobbs-Merrill Company, 1969), p. 39.

[3]Kotler insists that it is an error to define neighborhoods as social units. Rather, to Kotler, a neighborhood is in origin and continuity a political unit. See p. 8.

neighborhood, but is a liberty which the territory is seeking to regain.[1]

Kotler views the modern city as an imperial power vis-a-vis its neighborhoods. He asserts that the imperial purpose of the city functions on the basis of three principles: (1) The first is to monopolize all regional political power in the original city, or downtown; (2) The second purpose is to exploit the wealth of the region until the neighborhoods become impoverished, while the downtown becomes enriched; and (3) The third purpose, served by annexation, has been to impose upon the subjugated political units the burden of paying disproportionately the costs of city administration.[2] Kotler discards notions such as local advisory councils on the basis that they are based on the mistaken notion that the political object of the present movement of neighborhood power is merely better services; rather, he says that this drive is part of man's primary desire for the liberty of local rule and democratic decision.[3] As a result, Kotler's basic conclusion is that the best form of neighborhood organization is the corporate organization of a neighborhood territory, chartered by the state and legally constituted for governing public

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[1]Kotler, Neighborhood Government, p. 9.

[2]Ibid., pp. 16-19.

[3]Ibid., p. 36.

authorities in the neighborhood. He calls this form of organization the "neighborhood corporation."[1]

In summary, the decentralization literature consists of many proposals ranging from decentralization of administration to neighborhood "advisory" councils and, finally, to the more radical proposals for making the neighborhood the basic local political unit.

Interlocal cooperation is a broad term and takes many possible forms. At one extreme are informal, verbal understandings which involve such elementary matters as the exchange of information by administrators or techniques of two local governments operating in the same substantive field. A good example is the general exchange of information that takes place many times daily between various law enforcement agencies. At the other extreme are formal, written agreements among a sizable number of local units that might, for example, work jointly to build and operate a major facility such as a sewage treatment plant or a water works.[2] It seems fairly clear that the greatest attraction of interlocal cooperation is that it seems to be a process for dealing with needs and problems on a voluntary

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[1] Ibid., p. 44.

[2] Bollens and Schmandt, The Metropolis, p. 350.

basis and, concomitantly, a means of maintaining local determination and control.

The present interest in interlocal cooperation seems to date from 1954, with the negotiation of a multifunction contract between Los Angeles County and the newly incorporated City of Lakewood. Briefly stated, the county agreed to perform numerous services, including police and fire protection, and service levels and charges were also spelled out. Although many services were agreed upon by means of single-function contracts, a general services agreement was also signed making a variety of routine aids available to the city at cost.[1]

The interlocal city-county contracts have been most prolific in Los Angeles County. By voluntary action, most of the cities have contracted with the county government to perform a broad array of local functions. In fact, Los Angeles County has approximately 1600 such agreements, involving all of the seventy-seven municipalities within its borders, with the number of services furnished to any particular city ranging from seven in one city to forty-five in another.[2]

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[1]Crouch and Dinerman, Southern California Metropolis, P. 199. For the interested reader Crouch and Dinerman proceed to go into depth about what came to be called the "Lakewood Plan," pp. 180-211.

[2]Bollens and Schmandt, The Metropolis, p. 360.

Closely related to the notion of interlocal cooperation is the idea of functional consolidation, or the merger of a single service or activity formerly being performed separately by a city or county. Functional consolidation, further, is sometimes seen as a method of encouraging further cooperation leading, ultimately, to an overall political consolidation. However, whether the consolidation of schools or health activities for a single metropolitan area contributes to, or detracts from, the prospects for eventual overall consolidation is, of course, the subject of much debate.[1] At best it can only be a very long-run possibility.

Along this same view, some have supported the use of single-purpose districts partly on the assumption that they may lead, in some mystical way, to general-purpose districts for metropolitan government. However, there appears to be no trend in that direction. And, in addition, special districts are often used for areas of less than the total metropolitan area, thus, further contributing to the general problem of governmental proliferation.[2]

Another suggestion, voluntary in nature, is the metropolitan council of governments (COG). Briefly, a metropolitan council of governments is a voluntary association of governments which seeks to solve the various

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[1]Grant, "Urban Needs and State Response," pp. 70-71.

[2]Adrian, State and Local Governments, p. 248.

area-wide problems by identifying and studying the problems, and developing a consensus for joint remedial action. Most councils are composed of elected officials and a few also have appointed public officials and representations of civic organizations as members.[1] Like all voluntary associations, metropolitan councils of governments suffer from parochialism among the various members.

City-county consolidation is another of the proposed solutions to the metropolitan problem. This idea (and there are many possible variations of it) calls for an integration of the functions of the core city with those of the county. The county may retain a partial identity and the incorporated municipalities may remain independent for certain local purposes. In short, it is basically an extension of a city's boundaries to make them coterminous with the county boundaries and the consolidation of the two governments into a single unit, at least for certain purposes. Variations of the common pattern may occur; on some occasions more than one county government is involved

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[1]Joseph F. Zimmerman, "Metropolitan Ecumenism: The Road to the Promised Land," Journal of Urban Law (Spring, 1967), p. 438. For a more indepth account of the problems and prospects of COGs the reader is referred to Melvin B. Mogulof, Governing Metropolitan Areas: A Critical Review of Council of Governments and the Federal Role (Washington, D.C.: The Urban Institute, 1971).

or school districts or other special units are included in the consolidation proposal.[1]

In general, the obstacles and complications to city-county consolidations are many and varied. Most of them have to do with state restrictions over local government which simply do not fit the proposed new structure. Constitutional requirements for county officers, tax rates, methods of electing officials, debt limits, and many other provisions have either inhibited cities and counties from making the consolidation effort, or have served to cause countless problems over court litigation following its adoption.[2] In fact, city-county consolidation has been the most often proposed but has seldom been adopted. In the United States the best known recent adoptions of city-county consolidation have been Baton Rouge and East Baton Rouge (1947), Nashville and Davidson County (1962), Jacksonville and Duval County (1967), and Indianapolis and Marion County (1969).[3]

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[1]Bollens and Schmandt, The Metropolis, p. 297.

[2]Grant, "Urban Needs and State Response," p. 68.

[3]Ibid., p. 68. Interestingly enough the most recent city-county consolidation, which was approved by the Indiana General Assembly in 1969 for Indianapolis and Marion County (UNIGOV) was, in fact, a merger that was enacted by the state legislature without a referendum. For an interesting as well as complete look at the problems of getting a city-county consolidation adopted as well as the problems of making it work, see Brett W. Hawkins, Nashville Metro: The Politics of City-County Consolidation (Nashville, Tennessee: Vanderbilt University Press, 1966).

The final general reform proposal that is dealt with here is federation. The notion of urban federation is based on a rough analogy to the relationship between the national government and the states. The idea is simply that the metropolitan federation would consist of an area-wide government to perform those functions which transcend municipal boundaries and of component municipalities which would perform purely local functions.[1]

Federation is often proposed for the larger and the older metropolitan areas where annexation has been found to be politically unfeasible or undesirable, and where city-county consolidation is inappropriate or unacceptable. It usually is argued that metropolitan federation provides the best of both worlds--(1) grass roots, community control, and (2) area-wide decision-making, research utilization and administration in those areas where the larger community interest is important.[2] Federation is then proposed as a compromise between the need for efficiency, economy and equity which allows for the functions of government to be integrated throughout the metropolitan area on one hand, and on the other, allows for keeping government as close to

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[1]Grant, "Urban Needs and State Response," p. 71. For a complete description of the adoption of the workings of North America's two best known urban federations, see Kaplan, Urban Political Systems: A Functional Analysis of Metro Toronto; and Edward Sofen, The Miami Metropolitan Experience (Bloomington, Indiana: Indiana University Press, 1963).

[2]Grant, "Urban Needs and State Response," p. 71.

the people as possible while, at the same time, maintaining the psychological value in retaining the community spirit of the smaller suburb as against the impersonality of the core city.[1]

The principal difficulties to be normally encountered in adopting, and making work, urban federation center around the problems of determining the distribution of powers between and among the upper and lower tiers of government and in establishing the formula for representation of the governing body for the entire metropolis.[2] For example, it might be suggested that functions such as sewage disposal, water supply, police protection and planning should be area-wide, while perhaps garbage collection and local street maintenance would be appropriate for the lower tier government. Although this kind of arrangement might seem rational, it is, at the same time, relatively easy to see how the distribution could bring about controversy.

Federation in the urban context is largely an outgrowth of the perceived success achieved by Toronto with its federal structure created in 1953. For example, the Committee for Economic Development has recommended that an urban federal system is the best hope for the ultimate

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[1]Adrian, State and Local Governments, p. 249.

[2]In subsequent chapters I shall return to this problem as it relates to the experience of the proposed regional governments in Ontario and dewll on it at length.

solution of urban structural problems. The findings are based on and extrapolated from the Toronto experience.[1]

In Canada, especially in Ontario, there has been great interest on the part of some of the provincial governments in allowing for, encouraging, or even imposing metropolitan federations. In the United States, however, state governments have done very little to either encourage or permit the establishment of metropolitan federations. For example, in the case of Florida and the Dade County (Miami) Metro, the role of the state was essentially a stand pat, show me attitude toward the area seeking to reform itself. Constitutional and legislative changes have been made only grudgingly and, many would say, inadequately, and only when the local pressures upon the state became great enough.[2]

In further reference to the role of the state, it is clear that reorganization roads have traditionally led to the state capitol because that is where the ultimate power is located. However, Americans have traditionally divided intrastate matters into a simple dichotomy of state and local. They have insisted, generally, that the state confine itself to matters that are "statewide" in impact, and leave to local governments those matters that are limited in scope. The metropolitan problem arises, in part,

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[1]CED, Reshaping Government, p. 19.

[2]Grant, "Urban Needs and State Response," p. 73.

because the metropolitan area does not fit well into that simple dichotomy. By reason of its constitutional position, as well as its responsibilities in administrative programs, the state is in a position to bridge the gap if it will only take the initiative in doing so.[1]

According to the principle laid down in Dillon's Rule, the state creates and has sole authority over the local governments within its borders. Dillon's Rule is as follows:

> Municipal corporations owe their origin to, and derive their powers and rights wholly from, the legislature. It breathes into them the breath of life, without which they cannot exist. As it creates, so may it destroy. If it may destroy, it may abridge and control. Unless there is some constitutional limitation on the right, the legislature might, by a single act, if we suppose it capable of so great a folly and so great a wrong, sweep from existence all the municipal corporations in the state and the corporation could not prevent it.[2]

Further, a city may be created with or without the consent of its membership, the terms of its charter may be quite different from what the people of the community desire, and, more importantly, the charter is not a contract and is hence subject to constant, involuntary, and sometimes

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[1]Grant, "State Governments and Metropolitan Areas," pp. 405-406.

[2]City of Clinton vs. Cedar Rapids and Missouri River Railroad Company, 24 Iowa 455 (1868), p. 475; cited in Roscoe C. Martin, The Cities and the Federal System (New York: Atherton Press, 1965), pp. 29-30.

arbitrary changes.[1] Like any other corporation, the municipality derives its powers from the state and those powers granted to it are expressed in a charter. A charter is simply the fundamental law of a corporation which established (1) the structure or the form of government, (2) the powers that may be exercised by it, and (3) the general manner in which the powers granted may be exercised.[2] The point of this rather pedantic exercise in the relative powers of the states and the localities is that the local governments are creatures of the states. Thus, it is in this area that the states presumably could make the greatest contribution. Yet, it is interesting to note that it is here that the states have done the least.[3]

However, in the United States, something quite like a federal system has grown up within the states; for while

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[1]Charles R. Adrian and Charles Press, Governing Urban America, 3rd ed. (New York: McGraw-Hill Book Company, 1968), pp. 160-161.

[2]Ibid., p. 160.

[3]Phillip H. Hoff, Governor of Vermont, speech to the National Conference on Public Administration of the American Society for Public Administration, Miami Beach, May 21, 1969, cited in Grant, "Urban Needs and State Response," p. 76. This is also in opposition to the argument that the Ontario-Toronto experience cannot be transferred to the United States because of supposed greater powers of the Canadian provinces vis-a-vis the municipalities. For example, see LeBlanc and Trudeau, The Politics of States and Urban Communities, p. 242. Of course, the Toronto experience may not, in fact, be transferable to the United States but not necessarily for the reasons cited above.

law calls for state supremacy, practice and tradition have produced a considerable measure of municipal autonomy. As a matter of law, the states could of course modify this in any way they see fit, but tradition built up over a period of years seems to militate against this.[1] In addition, many of the states have moved to grant their cities certain basic rights usually through the vehicle of "home rule." To date, about half of the states have placed in their constitutions provisions giving their cities home rule powers over charter formation and change. Cities in many states therefore enjoy an increased measure of autonomy.[2] In reference to the City of Los Angeles, the authors of one study note that any proposal for greater consolidation or integration inevitably incurs the wrath of many local officials. And, in addition, any public attitudes toward metropolitan government can be expected to be nebulous and apathetic at best, or at worst, hostile. Hostile because the principle of home rule has been elevated to an ideological status and an elaborate legal structure has often been erected so as to protect local governments from unwanted integration.[3]

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[1]Martin, The Cities and the Federal System, p. 32.

[2]Ibid., pp. 30-31.

[3]Crouch and Dinerman, Southern California Metropolis, pp. 370-372.

However hostile the reaction of local officials, some scholars believe that the states have to take the initiative to reform metropolitan politics. Grant believes that states must require--not merely authorize--the reformation of local government. In addition he believes that the action of state governments in the next ten or twenty years will determine the future of metropolitan government, which, in turn, may well determine the future of state government.[1] Further, Crouch and Dinerman note that if a long existent but currently limited force, the state government, is employed in a purposeful manner, it can become the initiator of coordinated action to alleviate some of the problems of metropolitan areas.[2]

A friendly summary of the states' role in alleviating urban problems notes that the positive areas are in financial aids to large cities and the beginnings of state departments with explicitly urban missions.[3] A more realistic assessment, however, is that the role of the states in meeting metropolitan area reorganization problems has

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[1]Grant, "State Governments and Metropolitan Areas," p. 131-132.

[2]Crouch and Dinerman, Southern California Metropolis, pp. 376 and 404.

[3]Ira Sharkansky, The Maligned States: Policy Accomplishments, Problems, and Opportunities (New York: McGraw-Hill Book Company, 1972), p. 150.

been predominantly negative, grudging, road-blocking, or simply indifferent in its general stance.

At this point, the reader with justification might ask what this discussion has to do with local government in Ontario. The assumption made here is that many of the urban problems in the United States are illustrative of the similar problems in Ontario. Frank Smallwood has made a similar assumption in his study of Metropolitan London, England:

> While obviously there are environmental differences between the metropolitan politics of London and those of the American city, this very fact provided the underlying rationale for the study effort. It was felt that, if any common denominators could be found under such varying conditions, they might tell us something about the more general workings of our metropolitan political systems.[1]

Basic Inadequacies in Traditional Local Government in Ontario

The major characteristic of the existing local government system in Ontario is the large number of decision-making and implementing bodies at the local level. Basically, it may be said that this has resulted in two basic structural weaknesses in the system. The first of these is that responsibilities have been completely fragmented. The point is simply that while the local municipality is

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[1]Frank Smallwood, Greater London: The Politics of Metropolitan Reform (Indianapolis: The Bobbs-Merrill Company, Inc., 1965), pp. 3-4.

clearly the most visible form of local government, the degree of actual power it wields is limited. For example, less than half of all local expenditures are actually set by the municipal council--yet the municipal council tends to be blamed for rises in local property taxes. In many municipalities, water distribution is the responsibility of a separate public utilities commission--yet it often is the municipality that is blamed if the water supply is not satisfactory for some reason.[1] The essential point is that there is little coordination in deciding service priorities. There is no agency at the local level that can decide whether more schools are needed, for instance. In addition, there is no mechanism to provide the overall budgetary or financial planning essential to good management.[2] The point is simply that as long as government remains highly fragmented there can be no proper understanding of its role or activities on the part of the citizenry to which it is responsible. This type of situation denies one of the values inherent in local government in a democratic society--the value of citizen access. In other

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[1] W. Darcy McKeough, Local Government Reform: Why We Need It, What It Means, and Our Progress So Far, a speech by the Honourable W. Darcy McKeough, Minister of Municipal Affairs (September 10, 1970), p. 3; and S. J. Clasky, Background to the Development of Regional Government in Ontario (mimeo.), a paper delivered to the Conference on Regional Government, University of Windsor (February 14, 1970), pp. 3-5.

[2] Ibid., Clasky, p. 4.

words, when government continues to appear as a diverse grouping of seemingly unrelated principalities, all competing among one another, and, when the taxes paid to government bear little relationship to the services rendered, the citizen is significantly hampered in attempts to participate in and to influence government. Thus, it has been asserted that in Ontario local government reform is essential; both to ensure that the role of government is clearly understood by those it serves and to see that it remains subject to democratic control.[1]

The second of the basic structural weaknesses results from the large number of small municipal governments. In Ontario there are well over nine hundred municipalities. These range in size from Metropolitan Toronto with over two million people to ninety small towns, villages, and townships with under two hundred people. In 1969, half of Ontario's municipalities had under 2,000 people and over half of them spent less than $150,000 on municipal services.[2] The large number and relatively small size of many of these municipalities has placed great stress upon Ontario's municipal system. This system was admirably

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[1]Report of the Ontario Economic Council, Government Reform in Ontario, 1970, p. 17.

[2]Clasky, Background to the Development of Regional Government in Ontario, p. 4; also see Ontario Department of Municipal Affairs, 1972 Municipal Directory, February 15, 1972.

suited to carry out the functions of local government in the small, scattered, rural-oriented society of the Nineteenth Century. However, very few of the traditional local units are large enough--either in population, area, or taxable resources--to be able to apply modern methods in tackling the myriad of current and future problems. Even the largest cities find major problems unsolvable because of limitations on their geographic jurisdiction as well as upon their taxable resources.

The Report of the Ontario Economic Council asserts that local government in Ontario has been based upon several assumptions which are no longer valid in the environment of the latter half of the Twentieth Century. These invalid assumptions, according to the Ontario Economic Council, underlying the present municipal structure include: first, the view that there is a very distinct cleavage of interest and public service requirements between rural and urban areas, and that rural and urban areas can be readily classified as rural or urban.[1] Clasky feels that this is the most significant single assumption underlying the traditional municipal system. The assumption is that rural and urban communities are separate and distinct entities with their individual "life-styles" and consequent divergent and often conflicting interests. This assumption is

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[1] Ibid., Clasky, p. 5.

reflected in the fact that the traditional local government system is designed so that each type of community (rural or urban) can go its own way. Cities, for example, are not part of the county system and towns and townships having differing powers and structures reflecting their respective urban and rural origins. The argument presented by Clasky asserts that this distinction between rural and urban local government has become increasingly artificial in this century. The real Twentieth Century pressures of transportation, labor mobility, economics and communications have blurred the distinction so completely that desire for a high quality of municipal services and the desire for equality in education in all areas bring clearly into focus the fact that both rural and urban Ontario now share many of the same basic views of the role of local government institutions.[1] The point that needs emphasis here, of course, is that this merging of basic rural and urban values has not been reflected in the municipal institutions. The second invalid assumption cited is the view that the political and economic "community" is small, highly localized and relatively self-contained. The assertion here is that this assumption is limited to the communication imperatives of the Nineteenth Century. The final basic invalid underlying assumption cited is that local government

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[1] Ibid., pp. 5-6.

can place primary fiscal reliance upon the property tax as a source of revenue, and that this can be accomplished without endangering either the provision of local services or orderly development.[1]

While the above basic assumptions may be increasingly invalid, the municipal system based upon them is still operative. The Ontario Economic Council asserts that the result of the combination of these archaic assumptions and of various urban growth pressures has been a number of common interrelated problems. These problems include an increasing imbalance between local service demands and local fiscal resources as the desired level and range of services rises with increasing urbanization.[2] Further, these assumptions have encouraged a situation where the size and the shape of economic interrelations and the size and shape needed for physical planning do not coincide with municipal jurisdictions. There is also an increasing imbalance in size and particularly in population and resources among the various municipal units as people and economic activity shift from the more rural areas to a few exploding urban centers. These kinds of problems have led to a tendency to by-pass the municipal structures and to create single-purpose units designed to cover more rational service

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[1]Report of the Ontario Economic Council, Government Reform in Ontario, pp. 26-27.

[2]Ibid., pp. 26-27.

areas which, in turn, contributes to an increasing fragmentation of local government responsibilities among a growing number of overlapping and fiscally competitive forms of local authority.[1] It is this type of perceived situtation which has led the Province of Ontario to the conclusion that the traditional municipal structure is a major obstacle to an orderly and efficient pace of urban development.

Finally, in addition to the above problems, it must be noted that, until recently, there has been a lack of concerted effort by any higher level of government to take account of the problems of local government. This has been a problem in both the United States and in Canada. In 1949, James W. Fesler noted that:

> Not in any state will be found a point at which the problems of local areas are considered in a methodical, comprehensive fashion. In fact, the disorderly manner in which higher levels of government have handled their responsibilities toward the lesser areas accounts for much of the difficulty in which the lesser areas find themselves.[2]

Reform Proposals

There have been in Canada, as well as in the United States, a myriad of proposals for the reformation of local government institutions. In Ontario, most of these

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[1] Ibid., p. 27.

[2] James W. Fesler, Area and Administration (University, Alabama: University of Alabama Press, 1949), p. 127.

proposals have emphasized a need for a system of local government which adequately allows for both the needs of centralization and decentralization, or, in other words, for the needs of efficient provision of services on an equitable basis while maintaining or increasing citizen access. These needs along with the example of the apparently successful experience of Metropolitan Toronto has prompted much interest in the assumed advantages of two-tier local government in Ontario on a regional basis.

Over thirty years ago, Victor Jones noted the advantages of federated local government. At that time, he pointed out that:

1. It takes account of and makes necessary concessions to suburban particularism;

2. Annexation of contiguous territory becomes, because of the "federal" nature of the arrangement, much easier than it has proven to be under consolidated city-county governments;

3. It has an internal flexibility which would allow a progressive shift of functions from the constituent units to the metropolitan government as rapidly as the people concerned can be persuaded of its necessity.[1]

In Ontario the advocates of regional government base their case upon the dual local government objectives of access and efficiency of services. It is usually argued that two-tier regional government will promote efficiency

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[1]Victor Jones, Metropolitan Government (Chicago: The University of Chicago Press, 1942), pp. 150-151.

because it will be able to centralize common services at the level which will provide for efficiency in scale of operation. The assumption is that because of the centralization of function, many of the disadvantages now inherent in a fractionalized municipal structure will disappear. Also because the scale of operation will be more inclusive, the present unevenness of standards of services provided will be removed. Experts can be hired to promote specialized services on the regional scale and thus the whole administration of services will be improved. And, at the same time, it is asserted that the lower-tier units will encourage, and indeed ensure, meaningful political dialogue between the citizenry and their local government.

Clearly then, the existing imbalance in the local government system in Ontario has been recognized. Most of those who have studied the municipal structure have concluded that the system must be restructured to meet existing and future needs. And there has been some agreement on the utility of the concept of regional government. In fact, the debate about regional government has often concentrated on discussions about the appropriate boundaries, method of representation and division of functions between the lower tier and the regional tier, rather than upon the concept of regional government itself.

The remaining portions of this study concentrate more specifically on the Canadian and Ontario local government experience. Chapter III is a general review of the nature of local government in the Canadian context, along with its relationships to other governments such as the various provincial governments and with the federal government. This review seems necessary as a prelude to discussion of specific attempts at reorganization because of a presumed lack of familiarity with the Canadian local government system.

CHAPTER III

CANADIAN LOCAL GOVERNMENT AND INTERGOVERNMENTAL RELATIONS

Like the United States, Canada is a largely urban nation. By 1966, close to 74 percent of Canada's population lived in urban areas, according to census definition.[1] Further, of the ten provinces and two territories, Ontario is the most urban with 80 percent of its population living in urban areas, and the Northwest Territories is the least urban with only 40 percent of its population living in urban areas.[2] As in the United States, the realization of the urban nature of Canada's population is having a tremendous effect upon thinking about local government--its problems and its role in an increasingly urban society.

Ontario is a huge province, particularly by United States' standards. Ontario includes an area of 412,282

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[1]Dominion Bureau of Statistics, Canada Yearbook, 1970-1971 (Ottawa: Information Canada, 1971), p. 220. The definition of urban includes cities, towns and villages of 1,000 or more population. Also classed as urban were the urbanized fringes of these centers where the population of the city or town together with its urbanized fringe amounted to 10,000 or more and where the density of the fringes was at least 1,000 persons per square mile.

[2]Ibid., p. 221.

square miles.[1] It is the second largest Canadian province in terms of land area, second only to Quebec. In population terms, Ontario is the most populous of Canada's ten provinces with a population of nearly seven million people.[2] The greatest part of Ontario's population is concentrated is a narrow corridor running from Detroit, Michigan to Montreal, Quebec. Included in this corridor are Ontario's largest cities which, in order, are: Toronto, Hamilton,[3] Ottawa, London and Windsor. Other important regional centers outside of this concentrated population corridor are Sault Ste. Marie, Sudbury and Thunder Bay. Finally, as is true in many countries, the United States for example, the "metropolitan explosion" in recent years in Canada, and specifically in Ontario, has actually been a "suburban explosion." For example, during the 1951-1961 period, the central cities of all of Ontario's metropolitan areas have tended to show a slowing down in their pace of growth. Two central cities, Toronto and Windsor, even lost some city population. Meanwhile there has been a tremendous upsurge of population in the suburban areas everywhere. For example, for each addition

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[1]Dominion Bureau of Statistics, Canada Yearbook, p. 36.

[2]Ibid., p. 212.

[3]Hamilton is larger than Ottawa in terms of central city population. However, Ottawa has the larger metropolitan area population.

to the central city population over the decade between 1951 and 1961, three additions on the average were made to the suburban population.[1]

Origins of Local Government in Ontario

It is important to note that local government in Ontario is primarily a development of the last century. In the very early days of Ontario's history there was a complete absence of any form of local government. The affairs of what was called British North America were being administered by a central government responsible to the Imperial Parliament of England.[2] It must be remembered that during this time period the successive Governors and Lieutenant-Governors of the colonies of British North America were schooled in the traditions of England's aristocracy and were taught to observe the colonial policy of the country from which they received their instructions. They were opposed to the administration of local affairs by any other than the central government as well as to the principle of self-government in any form, whether it be local or general.[3]

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[1]Yoshiko Kasahara, "A Profile of Canada's Metropolitan Centres," in Lionel D. Feldman and Michael D. Goldrick, eds., Politics and Government of Urban Canada (Toronto: Methuen, 1969), pp. 20-21.

[2]Romaine K. Ross, Local Government in Ontario, 2nd. ed. (Toronto: Canada Law Book Company, Ltd., 1962), p. 3.

[3]Ibid., p. 3.

The development of local government in Ontario had its beginning in the claims and demands of the early English settlers for a voice in local affairs and also in the petitions to the central government of the United Empire Loyalists and others who migrated to the colony during and subsequent to the American Revolution.[1] It is not the purpose here to trace, in detail, the historical evolution of local government in Ontario. For the present purpose it is sufficient to note that the development was an evolutionary one beginning about 1790 and advancing in a progression of very small steps until about 1840. Finally in 1841, at the first session of the legislature of United Canada, a municipal act was passed which allowed local self-government. This act was very limited in nature and merely allowed the local authorities to retain whatever control of local affairs which they already possessed.[2] The matter of local government in Ontario was finally settled by the passing in 1849 of what has come to be known as the Baldwin Act. This Act created, as it says in its preamble, " . . . one general law, for the erection of Municipal Corporations and the establishment of Regulations of Police in and for the several Counties,

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[1] Ibid., p. 5.

[2] A. E. Buck, Financing Canadian Government (Chicago: Public Administration Service, 1949), p. 298.

Cities, Towns, Townships and Villages in Upper Canada."[1] The Baldwin Act remains the foundation of the present municipal system in Ontario even though amendments to the Act have been made nearly every year since enactment in order to meet the obvious needs of an ever increasing population and a constantly changing social order.

It also should be noted, for American readers, that the written basis for the Canadian constitution is the British North America Act which was passed by the British Parliament on March 20, 1867. Section 92 of the Act provided that the power to make laws respecting local matters be assigned exclusively to the provinces. Thus, legislation relating to municipal institutions is enacted by the provincial legislatures only and not by the Federal Parliament.[2] The Canadian system, in this respect, is somewhat simliar to that of the United States where local government comes under the jurisdiction of the states. This, of course, is in contrast to the English system where, because it is a unitary and not a federal form of government, the national Parliament enacts all legislation relating to local government.

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[1]Ross, Local Government in Ontario, p. 12, quoted from the Baldwin Act of 1849), p. 298.

[2]Kenneth Grant Crawford, Canadian Municipal Government (Toronto: University of Toronto Press, 1954), p. 50.

In Canada, the legal doctrine is that the provinces, having created the local governments, can confer on them any or every power which the province itself possesses under the Confederation Act.[1] As a result, each province has proceeded to divide its territory into various territorial units, referred to as municipalities or, more specifically, as counties, cities, towns, townships, villages, rural municipalities or municipal districts. The provinces have provided that these municipalities be incorporated, and that the powers of these corporations are to be exercised by elected councils. In the various provincial municipal acts, the provinces have assigned to the various classes of municipalities the powers and the responsibilities that they feel such municipalities should possess.[2] The structure, the organization and the powers of the municipalities are based on provincial statutes which may be general for all municipalities or special for each category; and even though some of the larger cities have their own charters, they still are subject to the general laws applying to all municipalities within the province.[3] The point is simply that the powers and

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[1] Ibid., p. 51. Clearly, then, the legal power of the Canadian province vis-a-vis its local sub-units is comparable to the legal power of the American states over their localities. However, the use of that power has differed considerably.

[2] Ibid., p. 51.

[3] Humes and Martin, The Structure of Local Governments, p. 228.

responsibilities of municipal authorities are subject to endless change due to provincial legislation.

Although the provinces may exercise complete control over the municipalities in both a policy and an administrative sense, in the past the tendency has been for the provinces to largely limit their supervision of local affairs to health and to financial matters. Generally, fiscal supervision is vested in the various provincial departments of municipal affairs. And it is important to note that the tendency in all of the provinces has been to increase financial control over all of the municipalities. In Ontario, for example, the Ontario Municipal Board, which must approve all capital expenditures by municipalities, was set up in the mid-1930's. About that same time the Department of Municipal Affairs was established and, among other powers, was given direct control over any Ontario municipalities in default.[1] These measures, of course, can be traced directly to the financial difficulties that haunted all governments during the 1930's. The idea underlying the establishment of provincial departments of municipal affairs was, in addition, intended to help provide for the continuous study of the problems of the municipalities.[2]

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[1]Buck, Financing Canadian Government, pp. 306-307. Under the new reorganization of the Ontario government in 1972, the Department of Municipal Affairs is now part of the new Ministry of Treasury, Economics and Intergovernmental Affairs.

[2]Crawford, Canadian Municipal Government, p. 345.

Once these departments of municipal affairs were established, however, the scope of their activities has tended to increase, and this expansion has inevitably served to limit the unrestricted exercise of the powers of the municipalities.

The Nature of Local Government

In Ontario, as in all Canadian provinces, provincial control of the local authorities in both the legal and the constitutional sense is absolute. The legislative power of the provincial legislatures within the municipal sphere is exclusive and supreme. In fact, the measure of control now being exercised by the Ontario Legislature over local authorities is greater than any time in the history of the province.[1] It is clear, however, that if the provincial authorities are to be able to exercise effective control and supervision over the municipalities, the legislative power must be supplemented by administrative agencies and these agencies must be provided with some discretionary powers, that is, with what essentially amounts to a delegated power of legislation.[2] It is thus that the main feature of provincial control is a high degree of centralized administrative supervision of local affairs by the Ontario

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[1] Ross, Local Government in Ontario, p. 87.

[2] Crawford, Canadian Municipal Government, p. 344.

Municipal Board and the Department of Municipal Affairs in particular.

The Ontario Municipal Board (OMB) is, essentially, a quasi-judicial body which is appointed by the Lieutenant-Governor-in-Council. The applications dealt with by the Board embrace a large variety of matters and include applications in respect to defaulting municipalities, annexations of territory, the creation or dissolution of municipalities, the approval of restricted area by-laws, arbitrations, the validation of municipal debentures and the approval of municipal undertakings involving capital expenditures.[1]

> The basic problems presented to the Board for decision may be considered at three levels of generality. At the most concrete level the Board supervises the regulation of the use to which an individual may put his particular parcel of land in a given neighborhood; this aspect may be termed micro-planning. At the second or macro-planning level the Board is required to consider the role of a municipality not only as a policy-maker acting in the best interests of the inhabitants of the community over which it has jurisdiction but also as a political force capable of influencing the physical and economic environment within a regional context. Finally, at a civic and administrative level the Board is concerned with the appropriate distribution of power in the decision-making process so that government regulatory authority is exercised in a manner consistent with democratic responsibility.[2]

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[1] Ross, Local Government in Ontario, p. 88.

[2] Gerald M. Adler, Land Planning by Administrative Regulation: The Policies of the Ontario Municipal Board (Toronto: University of Toronto Press, 1971), p. 3.

Its orders are final except for the right to appeal on matters of law to a higher court. Under the Ontario Municipal Board Act (Revised Statutes of Ontario, 1960, chapter 274, section 94) the cabinet may also vary or rescind any order made by the Board, although it seldom does so.[1] About half of the members of the Ontario Municipal Board are attorneys. The remaining members are planners, businessmen and accountants. The members generally see their function as simply one of making sure that the various local councils do not go outside their boundaries (especially in the financial sense) and that the public interest, as the Board members define it, is served.[2]

Although the OMB tries to keep a low profile it is often at the very center of controversy. Many local officials, especially those of the larger municipalities such as Metro Toronto, see the Board as an undemocratic roadblock in the way of local development. For example, an unsigned editorial in the Toronto Star of July 31, 1972, asserts that if Metropolitan Toronto is ever to have a qualified and responsive municipal government which can

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[1]Thomas J. Plunkett, Urban Canada and Its Government: A Study of Municipal Organization (Toronto: Macmillan of Canada, 1968), p. 84.

[2]Mr. K. C. Andrews, Secretary of the Ontario Municipal Board. Interview held at the OMB offices in Toronto on July 21, 1972.

involve ordinary people in the planning of their neighborhoods and their city, then the undemocratic power of an appointed tribunal, the Ontario Municipal Board, will have to be curbed.[1]

On the other hand, the Board often tends to see itself as a guardian of the public interest. For example, in a speech to the founding convention of the Association of Municipalities of Ontario, J. A. Kennedy, chairman of the OMB, stated that the municipal board is often " . . . the ombudsman before the fact." He further stated that he stands " . . . four-square for people power, for citizen participation and for participatory democracy."[2] The point simply is that there is a built-in degree of conflict between any control agency, such as the Ontario Municipal Board, and the local officials over whom control is exercised.

Where provincial policy has been articulated by the government the Board is bound to not deviate from that policy in any way. However, in the many areas where no

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[1]Editorial, "A Citizen's Tribunal at Metro Level," The Toronto Star, July 31, 1972, p. 6. This comment was prompted by a decision by the OMB ordering that more parkland be set aside in preference to high rise development proposed by the City or Toronto and Metro Toronto. The interested reader is referred to "Toronto Gets Order to Double Parkland in Metro Centre" and "Most Disappointed Mayor Predicts Council to Appeal," in The Toronto Star, June 23, 1972, pp. 1 and 4.

[2]"For Once Politicians Unnerve Kennedy," The Toronto Star, June 21, 1972, p. 10.

governmental policy has been articulated the Board may exercise wide latitute in its decisions. It was just such a decision which was the catalyst which ultimately brought about the creation of Metro Toronto.[1]

In addition to those powers delegated to the Board, the province has also delegated to the Department of Municipal Affairs powers of judicial decision of an extreme nature. The main work of the Department has been in providing for improved methods of municipal financing, accounting and auditing, improving methods of recording and publishing municipal statistics and generally affecting improvements in the conduct and administration of municipal affairs throughout the province. It is at this point that possible conflict between the Ontario Municipal Board and Municipal Affairs appears. Initially, the Board was under Municipal Affairs. Later it was put under the jurisdiction of the Attorney General. With the recent governmental reorganization in Ontario, the Board was made responsible to the Minister of Treasury, Economics and Intergovernmental Affairs for about a month, then it went back to the office of the Attorney General.[2] Mr. McGuire asserts that even though the Board members are political appointees who serve at pleasure, over time the Board has been able to maintain

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[1]Interview with Mr. R. M. McGuire, Vice-Chairman of the OMB. Interview was held at the OMB offices in Toronto on June 21, 1972.

[2]Ibid., June 21, 1972.

its integrity and independence and even increase it even though many of the matters is considers and many of its decisions have been and are very controversial.[1] Even so, it is perfectly clear that there is, and must be, a mutually reciprocating relationship between the Ministry of Treasury, Economics and Intergovernmental Affairs and the Ontario Municipal Board. Neither could effectively carry out its function without the cooperation of the other. And it is through the coordination of the efforts of these two governmental agencies that the central supervision and control of local authorities is accomplished.

With respect to the local authorities, in Ontario the government of each municipality is vested in a council or, in the case of police villages and improvement districts, in trustees or a board of trustess. The members of a municipal council vary, of course, in name and numbers according to the type of municipality served.[2]

In a legal sense every municipality in Ontario is a municipal corporation. The Provincial Legislature has the power to create municipal corporations and to give them full power to deal with all or any matters coming within

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[1] Ibid., June 21, 1972.

[2] Ross, Local Government in Ontario, p. 20.

the Legislature's own legislative jurisdiction. Thus, all municipal corporations in Ontario are the creatures of statute and all municipal powers in Ontario have their source in statutory grant.[1]

The general duties of a municipal council are broad in scope and cover most phases of community life. While the council controls and gives direction to the many legislative and administrative activities coming within its jurisdiction, the actual operation of many of the public services is carried on for the most part by standing committees of the council, such as a public works committee of a financial committee; the committees vary in number and in kind according to the needs of the particular municipality.[2]

Local Government Organization and Structure

With respect to the various specific structures of municipal government, one of the most common is the council-committee type and its variations. This type of local government structure is also often referred to as the council-mayor system. This is the traditional structure for municipal government in Ontario. In this form, the municipal council, which is elected by wards, appoints its members to serve on the various standing committees whose primary

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[1] Ibid., pp. 20-21.

[2] Humes and Martin, The Structure of Local Governments, pp. 228-229.

functions are to supervise one or more departments, or one or more of the functions of the municipal government. These committees consult with departmental administrators and report their findings and recommendations to the full council for action. The committees cannot act without the approval of the council as a whole; their role is one of recommendation rather than one of implementation.[1] In addition, the mayor, who is elected at large, serves as an ex-officio member of each of the committees. The mayor has certain executive powers in addition to his chairmanship of the council; however, he shares his powers with committees of the council. Generally, the primary function of the mayor is to provide political leadership, to initiate policy recommendations, to coordinate administration and to carry out ceremonial functions.[2] One Canadian local government authority has pointed out that under this system, the mayors rarely enjoy any independent powers of appointment. All appointments to committees, boards, commissions and other authorities are usually the responsibility of the council. Similarly, all appointments of

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[1] Ibid., pp. 228-229.

[2] Donald C. Rowat, The Canadian Municipal System, Essays on The Improvement of Local Government (Toronto: McCelland and Steward, Ltd., 1969), p. 1.

officers and employees to the administrative departments are made by the council and not by the mayor.[1]

The critics of the council-committee (or council-mayor) type of municipal government concentrate their fire on a number of points. It often is asserted that this type of organization encourages a multiplicity of committees beyond what is practical. This results in a division of the council's activities in such a manner that it becomes extremely difficult, if not impossible, for any single official to keep the whole municipal operation under review. In addition, the existence of a large number of committees serves to provide the council with convenient means to postpone decision on a controversial matter by referring it to another committee for "further consideration and report."[2] Another criticism refers to the problem that all too often committees tend to be overly concerned with and involved in minor details of day-to-day administration. Clearly, complete absorption in the minor details of administration can easily result in the neglect of overall policy. Thus, for example, a committee may spend hours debating the selection of some minor employee rather than establishing a personnel policy to guide appointed officials

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[1]Thomas J. Plunkett, Municipal Organization in Canada (Montreal: The Canadian Federation of Mayors and Municipalities, 1955), pp. 12-13.

[2]Ibid., p. 13.

in the selection of all similar employees.[1] The point being made is simply that the council or the committee's need to be familiar with administration details is important only insofar as it leads to a consideration of the policies and procedures necessary for effective administration. The council-committee system also seems to encourage the duplication of discussion and debate. There are, for example, many instances where a discussion which occurred in committee is again repeated and even extended during the regular meeting of the council. It has also been shown that the council-committee system often requires too much of the members' time, especially when we remember that the council member is supposedly a part-time official, and that, from an organizational standpoint, the council-committee system fails to provide effective coordination of policy and administration.[2] Finally, in view of the professional skills now required to administer modern city services, the council-committee system has been criticized not only because it provides an opportunity for elected councillors to interfere with day-to-day administration, but also because it may lead to political patronage or even corruption.[3]

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[1] Ibid., p. 13.

[2] Ibid., p. 12.

[3] Rowat, The Canadian Municipal System, p. 1.

Before leaving the council-committee system, it should be noted that in some council-committee municipalities an administrative board is appointed by the council and is usually composed of municipal officials such as the municipal clerk, engineer and treasurer. This administrative board functions as an intermediate committee. That is, it reviews various municipal matters before they are forwarded to the standing committees for their study and recommendations.[1]

Another form of municipal government in Ontario, albeit a relatively obscure one, is the council-city manager form. It was first adopted in the United States and then imported to Canada. In the United States, these municipalities usually have a small council, ranging in size from six to ten members who usually are elected at large. The principal functions of the council are to adopt by-laws, vote appropriations and appoint the manager, who serves at its pleasure. In short, the council, in the manager form, has little or nothing to do with the supervising of administrative activities and considers general policy only. The mayor, usually chosen by the council, is only the chairman of the council and has no executive powers. Instead, the council appoints a

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[1]Humes and Martin, The Structure of Local Governments, p. 229.

professional administrator, the city manager, as its chief executive officer. He prepares the budget, which he submits to the council for review and adoption, administers the use of funds, supervises municipal departments whose officials he appoints according to civil service regulations, makes recommendations to council and prepares and submits to council whatever reports they may require.[1]

The manager plan in Ontario, however, differs from the American plan in a number of important respects; the elected councils are larger, councillors are usually elected from wards and there usually are standing committees of council. In addition, the Canadian mayor is always directly elected rather than chosen by council, and he has a much higher salary and much more power than does his American counterpart. The power of the Canadian manager is correspondingly less; the city council must approve his personnel policies and senior appointments, and department heads report directly to council rather than indirectly through the manager.[2]

In Canada, the council-city manager plan of municipal government has had a very slow growth in comparison to its growth in the United States. In part, this can be accounted for by the fact that many of the conditions,

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[1] Ibid., pp. 229-230.

[2] Rowat, The Canadian Municipal System, pp. 2-3.

such as bossism, that helped spread it in the United States have been largely absent in Canada. This, however, is not the total explanation. A number of Canadian cities have been successful in incorporating some of the premises of the plan without adopting the plan itself. For example, there are many instances where a single city official, or a group of two or three officials, have emerged as an effective administrative coordinating agency, although they have not been granted powers for acting as such. An example of this development can often be found in the office of the clerk-treasurer in many of the smaller cities. The clerk-treasurer's duties bring him into close contact with all departments and committees of council. As a result, the clerk-treasurer frequently acquires an overall knowledge of the city's problems and policies; a knowledge that may not be possessed by any other official or administrator. If he has the ability and the proper type of personality, it often happens that the department heads come to regard him as the city's principal administrative officer and seek his advice regarding interdepartmental conflicts and day-to-day administration problems. In addition, the council often leans heavily on such an officer for some policy guidance.[1] Clerk-treasurers, and other

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[1]Plunkett, Urban Canada and Its Government, pp. 43-44; and Dennis A. Young, "Canadian Local Government: Some Aspects of the Commissioner and City Manager Forms of Administration," in Lionel D. Feldman and Michael D. Goldrick, eds., Policies and Government of Urban Canada (Toronto: Methuen, 1969), p. 121.

officials in a similar position, usually derive their very real authority and influence less from a delegation of formal authority than from custom, tradition and force of personality.

In Ontario all cities having a population over 100,000 have a mandatory form of municipal government known as the Board of Control. This form of municipal government is also left open for adoption by the smaller municipalities. It should be noted, however, that there has been no great rush by municipalities, who have the option, to adopt the board of control plan. The stand-out feature of the board of control is the plural executive embodied in the plan.

In the board of control system, the council are elected by wards. In addition, there is a board of control which serves as formulator of policy. The board of control is made up of the mayor and four controllers who are all elected at large, in contrast to the ward election of the councillors.[1]

Under the Municipal Act the powers and responsibilities of the board of control, which are extensive, are specifically stated in the provincial act rather than being delegated by the council. Generally, the powers and duties of boards of control in Ontario are as follows:

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[1] Revised Statutes of Ontario, "Municipal Act of Ontario," (Part VII, Boards of Control), Vol. 3 (Toronto: Queens Printer and Publisher), p. 973.

1. to prepare estimates of the proposed expenditures for the year;
2. to award contracts;
3. to inspect and report to the council upon all municipal works being carried on or in progress;
4. to nominate to the council all heads of departments and sub-departments in case of a vacancy;
5. the board of control may dismiss or suspend any head of a department;
6. the council cannot appropriate or expend any sum not provided for by the estimates certified by the board of control without a two-thirds vote;
7. the council cannot oppose the wishes of the board of control without a two-thirds vote; and
8. the board may submit proposed by-laws to council.[1]

Point number seven above is of particular importance and interest. It means that, in practice, the board members have a commanding position in council. Recommendations from the board concerning the budget, the letting of tenders and the appointment and dismissal of department heads can only be reversed by a two-thirds majority of the full council. Note that, in voting, the members of the board of control vote along with council members. As a result, any attempt at obtaining a two-thirds vote against the board of control is likely to require the solid alignment of all aldermen in opposition to the controllers and the mayor.[2]

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[1] Plunkett, Urban Canada and its Government, p. 38.

[2] Ibid., pp. 38-39.

In reality, the board of control is an executive committee with much stronger formal powers and occupying a much more dominant position than would be the case if its members were selected from among the ranks of the aldermen.[1] Essentially, the board of control is central both to the formulation and the execution of policy. In respect to the execution of policy, the responsibility of the board of control extends throughout the whole field of administrative coordination and to the direction of departmental operations.[2]

Finally, in the board of control plan, as in the other more traditional forms of local government in use in Ontario, standing committees are an integral part of the council structure and close relationships exist between the various civic departments and the committees. However, those civic departments which do not come under the control of a standing committee come under the direct administrative jurisdiction of the board of control.

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[1]The plural executive systems in both Ontario (the board of control) and in Quebec (the executive committee) could be converted without much difficulty into parliamentary systems such as that used at the provincial and federal levels of government in Canada. This could be accomplished simply by requiring that the council choose the mayor and by allowing the mayor to choose from his own colleagues an executive committee which he would then be held collectively responsible for their actions to the city council just as the prime minister (or premier) and his cabinet are responsible to parliament. See Rowat, The Canadian Municipal System, pp. 3-4.

[2]Plunkett, Urban Canada and its Government, pp. 38-39.

At this point it should be noted that the municipal system in Ontario (as well as in Quebec) is different from the systems in the other provinces because, from almost the very beginning, it has had a second tier of local government, the counties. Each county has a governing council made up of representatives from the councils of the municipalities within the county--villages, rural parishes or townships and towns. The cities, however, are completely separate from the county.[1]

In this chapter the concern has been with a review of the basic structural local government arrangements in Ontario. In Chapter IV, following, the concern is with a general review of the kinds of innovation and change being proposed and implemented in Ontario in response to local government failures. These failures are basically a result of the fact that the cities, especially the larger ones, were growing so rapidly that they were spilling over their boundaries into surrounding jurisdictions, resulting in a lack of suitable authorities to govern and plan the development of the already existent metropolitan areas.

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[1]Rowat, The Canadian Municipal System, pp. vii-ix.

CHAPTER IV

REFORM OF LOCAL GOVERNMENT IN ONTARIO: BEGINNINGS

Much of the impetus for local government reform in Ontario has been a direct result of the apparent success of the Metropolitan Toronto experiment. Indeed, many of the early proposals for regional local government were designed with the Toronto experience in mind; if not a direct copy of the Toronto plan. Thus, an understanding of the Metro Toronto system and its origins seems imperative for an understanding of the regional municipal movement.

Briefly, by way of background, it should be noted that the Municipality of Metropolitan Toronto has a population of more than 2,000,000. It is one of North America's most economically vital regions. Metro contains almost ten percent of the total population of Canada and, indeed, it provides approximately eleven percent of all Canadian employment.[1] In addition, Toronto is a rapidly growing metropolis. It has maintained a growth rate of

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[1]CED, Reshaping Government in Metropolitan Areas, p. 70.

over four percent, which is one of the highest growth rates among major continental metropolitan areas. Most of this development, especially since World War II, has taken place in three large suburban municipalities--Etobicoke, North York and Scarborough. In 1953, the City of Toronto had about fifty-seven percent of the total population of Metro as compared to forty-three in the suburbs. By the end of the 1960's, the situation was reversed; the city had only thirty-six percent of the total population and the suburbs had sixty-four percent.

Before Metro was established the Toronto area contained thirteen independent and separate municipalities. There was the central city (Toronto), five townships (York, East York, North York, Scarborough and Etobicoke), four towns (Leaside, Weston, Mimico and New Toronto), and three villages (Forest Hills, Long Branch and Swansea). This fragmentation of the Toronto area local government was merely one of the many symptoms of the typical kinds of problems faced by North American metropolitan areas. In addition, there was an inadequacy of sewage and water facilities for many of the municipalities; individual jurisdictions were often unable to finance major projects and programs; there was a general inability to develop area wide public transportaion systems; and regional

TABLE 4.1

MUNICIPALITY OF METROPOLITAN TORONTO POPULATION:
1943, 1953, 1968

	Population			Average Annual Increase - (Decrease)	
	1943	1953	1968	1943-1953	1953-1968
City of Toronto	674,284	665,502	671,699	(878)	413
Suburban municipalities	248,249	507,054	1,202,906	25,881	46,390
Metro area	922,534	1,172,556	1,874,605	25,003	46,803
	Per Cent of Metro Area			Per Cent Change	
	1943	1953	1968	1943-1953	1953-1968
City of Toronto	73.1	56.7	35.8	(.1)	.9
Suburban municipalities	26.9	43.3	64.2	104.3	135.2
Metro area	100.0	100.0	100.0	27.1	59.9

Source: Thomas J. Plunkett, "Structural Reform of Local Government in Canada," Public Administration Review, Vol. 33 (January/February, 1973), p. 42.

planning was both impossible and nonexistent.[1] In short, it was clear that for the effective functioning of local government in the metropolitan area a new and different form of governmental organization would be required.

Because of the problems and the disparities that existed within the metropolitan area, some of the local jurisdictions involved became concerned enough to call for some radical changes. Opinion was divided, along geography, into three groups--the City of Toronto; the outlying, rapidly growing suburbs; and the inlying, fully developed suburbs. The first two groups, the City of Toronto and the outlying suburbs, were generally dissatisfied with the status quo, whereas the inlying suburbs wanted to maintain it.[2]

The initial step towards solving the complex governmental problems of the Toronto area was taken in 1947 when the town of Mimico petitioned the Ontario Municipal Board asking for the creation of an area for the joint administration of education, fire and police protection, health, welfare, planning, sewage disposal, public utilities, public transportation and major highways. The remaining functions--whatever they might be--would be retained by the

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[1]Advisory Commission on Intergovernmental Relations, In Search of Balance--Canada's Intergovernmental Experience, Report M-68 (Washington, D.C.: U.S. Government Printing Office, 1971), pp. 84-85.

[2]Kaplan, Urban Political Systems, pp. 45-46.

local councils. The metropolitan area would be administered, in terms of the above functions, by a board of management whose members would be directly elected throughout the area. Ultimately the Mimico proposal was rejected. However, some of its principles were later incorporated into the plan that was finally adopted.[1]

Three years later, in 1950, the City of Toronto went to the Ontario Municipal Board with a proposal to completely amalgamate all thirteen municipalities in the metropolitan region. Toronto was supported in this application by Mimico, but strong resistance to the plan immediately developed in the other suburbs and the application was denied.[2]

As was noted above, some of the inlying suburbs responded to this Toronto application by becoming intransigent supporters of the status quo, while the outlying suburbs pressed ahead with a bid for a joint service area. This proposed joint service area was to include the twelve suburban municipalities and would have permitted the suburbs to pool certain facilities and to cooperate in the provision of services. This proposal was sent to the

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[1]John G. Grumm, Metropolitan Area Government: The Toronto Experience (Lawrence, Kansas: Governmental Research Center, The University of Kansas, 1959), p. 6.

[2]Ibid., p. 7.

Ontario Municipal Board. Concurrently, the City of Toronto sent a counter-application to the Ontario Board asking for permission to annex all of the inlying suburbs.[1]

Before spelling out the decision of the Ontario Municipal Board on this matter, we should reiterate specifically what the Ontario Municipal Board is and the role that is plays in local government. Briefly, the Ontario Municipal Board is a quasi-judicial institution which has wide-ranging jurisdiction over the municipal governments in the province. Ontario municipalities are not incorporated under individual charters, and none have sovereign, home rule rights that cannot be infringed upon by the province. The Board exercises its authority over the municipalities by having final approval over most major actions by city councils, such as the adoption of master plans, the issuance of bonds and changes in jurisdiction. Generally, it can be said that local matters that might be submitted to a vote of the people in the United States are submitted to the Ontario Municipal Board for approval in Ontario.[2] While in this case the Board had the authority to order amalgamation or a joint service area, its authority was unclear as to approving any other solution. After almost two years of taking evidence and deliberating, the

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[1]Kaplan, Urban Political Systems, p. 46.

[2]Grumm, Metropolitan Area Government, pp. 7-8.

Ontario Municipal Board handed down its decision on January 20, 1953. This landmark decision, known as the Cumming Report, rejected both the joint service and the amalgamation proposals. It then took the unprecedented step of proposing to the Provincial Parliament its own plan for a metropolitan area government. In essence, the Cumming Report advocated a federation of the thirteen municipalities, each retaining its local autonomy while giving over to the metropolitan government the responsibility for major regional services and other matters of common, or areawide, concern.[1]

It now was up to the Provincial Cabinet whether to secure legislative enactment of this plan. Briefly, the question facing the Ontario Cabinet was whether a federation plan should be imposed on the Toronto area when none of the municipalities concerned had requested this plan. In fact, most of the municipalities in the area opposed the Ontario Municipal Board plan: the City because it felt that the proposal did not go far enough; the suburbs because the proposal went too far.[2] The final decision to approve the Ontario Municipal Board plan was made by the Premier, Leslie Frost. Apparently the notion of

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[1] Ibid., pp. 7-8; and CED, Reshaping Government in Metropolitan Areas, p. 73.

[2] Kaplan, Urban Political Systems, pp. 47-49.

federalism at the metropolitan level appealed to Frost as a workable compromise which seemed to strike a middle ground between suburban demands of "no change" and the City's demand for "total amalgamation."[1] As a result, the Provincial Government threw its full support behind the proposal for a federal metropolitan government. On April 15, 1953, the Ontario Legislative Assembly passed "Bill 80" or the Municipality of Metropolitan Toronto Act. The first urban federation in North America, then, came into being officially as of January 1, 1954.[2] It is important to note that the "imposition" of metropolitan government on the Toronto area was unprecedented even in Canada. And clearly no American state government has been willing to approve a reorganization of governments in a metropolitan area unless the proposal was first requested and actively supported by the municipalities involved. In many cases in the United States, the states have required that metropolitan reform be approved by the voters in a metropolitan-wide referendum before the state will even consider adding its assent. However, in the Toronto area, Ontario officials never seriously considered a referendum. Nor did they grant the municipalities concerned an

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[1] Ibid., p. 40.

[2] CED, Reshaping Government in Metropolitan Areas, p. 73.

unofficial veto power over the proposed metropolitan reforms. Instead, they simply imposed a full-blown metropolitan-wide structure.

In terms of structure, the Metropolitan Council in Metro Toronto was to be composed of twenty-four members (exclusive of the Metro Chairman), including the twelve suburban reeves, or mayors, and twelve officials from the Toronto City Council. All twenty-four members of the Metro Council were to serve ex-officio; that is, there was to be no direct election to Metro Council. The council was to elect a Metro Chairman who could or could not be a member of the council prior to his election. If the chairman was named from within the council he had to resign his seat on the council and his municipal office. The chairman presides at meetings and may vote in council only in the case of a tie; but he is a regular voting member of all standing committees.[1]

The Executive Committee of the Metro Council initiates most policy proposals and prepares the Metro budget. The Committee consists of seven members, three suburbanites and three city officials, in addition to the Metro Chairman.

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[1]Harold Kaplan, "The Policy-Making Process in Metro Toronto," in Lionel D. Feldman and Michael D. Goldrick, eds., Politics and Government or Urban Canada (Toronto: Methuen, 1969), p. 196.

The Executive Committee seems to have taken up a role similar to that of a Board of Control.[1]

Powers over certain functions were given exclusively to the new Metropolitan government. These included the assessment of property, construction and maintenance of expressways and the development of regional ports. Powers pertaining primarily to local matters, such as street lighting and community projects, were reserved for the local municipalities. Under the original arrangement, almost every metropolitan service, such as roads, water supply, sewage disposal, parks and traffic, were shared concerns, with the metropolitan government concentrating on the area-wide needs and the individual municipalities on their own requirements.[2]

After ten years of operation, an evaluation of Metro seemed in order. Accordingly, in April, 1963, Prime Minister Robarts of Ontario appointed a one-man Royal Commission, under the chairmanship of H. Carl Goldenburg, to provide an assessment and an evaluation of all aspects of the Toronto Metropolitan Federation. In June of 1965, the Goldenburg Commission issued its findings and recommendations. The essential recommendations were that the metropolitan system of government be retained and that the

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[1] Ibid., p. 141.

[2] CED, Reshaping Government in Metropolitan Areas, p. 74.

thirteen municipalities be consolidated into four cities.[1] Accordingly, and after much discussion and amendment, the Metropolitan Toronto Amendment Act of 1966 (Bill 81) had the effect of creating a new metropolitan government by consolidating the thirteen municipalities into five boroughs and one city; the Borough of East York (East York and Leaside), the Borough of North York (North York), the Borough of Etobicoke (Etobicoke, New Toronto, Long Branch and Mimico), the Borough of Scarborough (Scarborough), the Borough of York (York and Weston) and the City of Toronto (Toronto, Forest Hill and Swansea).[2]

In addition, Bill 81 provided for changes in the Metropolitan Council. It was changed to a thirty-three member body including the Chairman and is, with the exception of the Chairman, elected on a representative population basis. East York now has two members; York, three; Etobicoke, four; Scarborough, five; North York, six; and Toronto, twelve. Thus, the city-suburban split on council was altered from twelve to twelve to a twenty to twelve division in favor of the suburbs. In addition, the Executive Committee now consists of the Metropolitan Chairman,

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[1]Goldenburg, H. Carl, Report of the Royal Commission on Metropolitan Toronto (The Goldenburg Report), June, 1965.

[2]CED, Reshaping Government in Metropolitan Areas, p. 78.

the six local municipal mayors, and the two senior controllers and two aldermen from the City of Toronto Council. Thus the city-suburban split on the Executive Committee remained at five to five.

Bill 81, further, changed the distribution of responsibilities between the two governmental tiers. Briefly, Bill 81 added to the powers possessed solely by the Metro level. These include such functions as the Canadian National Exhibition (CNE), emergency ambulance service, public welfare, education and waste disposal. Table 4.2 helps us to see the distribution of responsibilities between the two levels of government. This display gives the responsibilities before the Goldenburg Report, the recommendations of the Goldenburg Report, and, finally, the changes that were implemented via Bill 81.

In sum, the most notable achievement of Metro has been in the field of public works--in the construction of new schools, roads and highways, subways and water and sewage facilities. Metro has also helped to alleviate critical service shortages in the suburban areas. On the other side of the ledger, however, Metro's accomplishments in the field of housing, welfare and other "soft" services has been much less glittering.[1]

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[1]Harold Kaplan, "The Policy-Making Process in Metro Toronto," p. 197.

TABLE 4.2*

DISTRIBUTION OF RESPONSIBILITIES

	Metro 1966	Goldenburg Recommendations[a]	Bill 81 Changes
METRO LEVEL	Actual Roads; Assessment; Borrowing; Business Licensing; Courts; Health and Welfare Assistance; Homes for Aged; Police; Public Transportation; Regional Parks and Conservation; Sewage Disposal; Water Supply.	Educational Financing; Emergency Ambulance Service; Waste Disposal	CNE; Emergency Ambulance Service; Public Welfare; Educational Programs; Waste Disposal.
SHARED RESPONSIBILITIES	Educational Financing; Hospital Grants; Parking (Metro level inactive); Planning; Public Housing; Redevelopment; Traffic Regulation; Waste Disposal.	Building Regulation; Fire Protection; Libraries; Parking (Metro level active); Waterfront Development; Zoning.	Libraries.
LOCAL LEVEL	Building Regulation; CNE; Local Electricity Distribution; Emergency Ambulance Service; Fire; Libraries; Parks and Recreation; Local Community Services; Public Health; Sewers (local); Welfare Assistance (optional); Zoning.	Business Licensing (local).	----------

[a]Services not included in these columns indicate that no change was recommended or enacted.

[b]A local school tax levy may exceed the Metro levy by up to 1.5 mills for elementary and 1.0 mills for secondary school purposes.

*Adapted from "News Brief," Bureau of Municipal Research, August, 1966, #103.

Metropolitan Toronto remained the only regional local government in Ontario for about fifteen years. But its undeniable achievements, as well as the obvious advantages of area-wide taxing and centralized capital financing, were closely observed by the Ontario Government with the idea of applying the Toronto experience in other parts of the province.

The Ontario Committee on Taxation

During February of 1963 the Ontario Committee on Taxation began its study of revenue systems in the province and in August of 1967 issued its report. Concomitant with the four and one-half year period of its study there was a great deal of local government reform discussion in Ontario. In addition, during this period a reorganization of the local school structure was completed (in 1964) and resulted in the abolition of some 1,500 rural schools and culminated in a system of county wide school systems throughout Ontario. In 1965, a Provincial Legislative Committee (the Becket Committee) recommended that the entire province be divided into larger, regional governments.[1] In addition, in 1966, Prime Minister Robarts introduced

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[1]Advisory Commission on Intergovernmental Relations, In Search of Balance--Canada's Intergovernmental Experience, p. 87.

Design for Development Phase I.[1] In presenting Design for Development, however, the Prime Minister was careful to emphasize that his statement was concerned with regional development rather than with regional government. However, he did say that independently of this economic regional development plan, studies were then (1966) being conducted which could lead to recommendations for adjustment in local structure.

It was against this background then that the Ontario Committee on Taxation issued its report in August of 1967. This report launched immediately into a discussion of local government structural reform. This excursion into local government reform was based on the committee's belief that efficiency in raising property tax revenue requires assessment and collection on a regional basis; that equity in local finance could not be achieved under the present fractionated system of municipal institutions; and, finally, that municipal capacity to use non-property taxes was circumscribed by limited territorial jurisdiction.[2]

As a result, the Ontario Committee on Taxation called for the establishment of regional local government and

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[1]See Design for Development, Statement by the Prime Minister of the Province of Ontario on Regional Development, April 5, 1966.

[2]Advisory Commission on Intergovernmental Relations, In Search of Balance--Canada's Intergovernmental Experience, p. 87.

immediately proceeded to spell out five criteria for the establishment of these regional local governments throughout the province. The criteria presented by the Committee were as follows: 1.) community criterion--governmental regions should possess to a reasonable degree a combination of historical, geographical, economic and sociological characteristics such that some sense of community already exists and shows promise of further development subsequent to the creation of the region; 2.) balance criterion--a region should be structured so that diverse interests are reasonably balanced and give promise of remaining so in the forseeable future; 3.) financial criterion--every region should have an adequate tax base, such that it will have the capacity to achieve substantial service equalization through its own tax resources, thereby reducing and simplifying the provincial task of evening out local fiscal inequities; 4.) functional criterion--every region should be constituted so that it has the ability to perform those functions that confer region-wide benefits with the greatest possible efficiency in terms of economies of scale, specialization and the application of modern technology; and finally 5.) cooperation criterion--regions should be so delineated and their governments so organized that the cooperative discharge of

certain functions can readily become an integral part of their overall responsibility.[1]

As work progressed in the field of regional economic development, and partly because of the Report of the Ontario Committee on Taxation, it became increasingly apparent to the Ontario Government that economic development and the strengthening of local government could no longer be successfully separated. As a result the government issued Design for Development Phase II in the form of statements by Prime Minister John Robarts and Minister of Municipal Affairs W. Darcy McKeough, which for the first time announced the government's policy of establishing regional local government. Parenthetically, it should be noted that these statements were issued at a time when ten areas were already under study and when the study of Ottawa-Carleton was already completed and, in fact, when the Regional Municipality of Ottawa-Carleton was slated to come into being on January 1, 1969.

In his statement in Design for Development Phase II Prime Minister Robarts indicated that the provincial government was moving into the field of local government

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[1]The Ontario Committee on Taxation, "The Territorial Extent of Local Government," in Lionel D. Feldman and Michael D. Goldrick (eds.), Politics and Government of Urban Canada (Toronto: Methuen, 1966), p. 258; reprinted from The Ontario Committee on Taxation, "Reconciling Structure with Finance," Report (Toronto: Queen's Printer, 1967), Vol. II, Chapter 23, pp. 495-550.

because regional governments are necessary to strengthen both local government and local economic development. He also indicated that Design for Development Phase I had shown that there was a degree of acceptance by the public and local officials of regional activities and regional planning, as opposed to purely local or parochial activities and planning.[1] Robarts further indicated in his statement that the Ontario Government accepted the five criteria for regional government suggested by the Ontario Committee on Taxation (balance, community, financial, functional, and cooperative) and in addition the government would add three additional criteria: 1.) community participation, where possible, in the formation of regional governments; 2.) an attempt to have new regional boundaries usable by other institutions; and 3.) the proposal that, in cases where there are to be two tiers of government within a region, the smaller units should be designed using the same criteria used at the regional level.[2] Finally, Robarts indicated that regional governments would be established on the basis of priority or need.[3] The

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[1] Design for Development Phase II, Statement by the Honourable John Robarts, Prime Minister of Ontario, November 28, 1968, pp. 1 and 7-8.

[2] Ibid., pp. 8-9; these eight criteria will be described and discussed in more specific detail subsequently.

[3] Ibid., p. 9.

basic idea was that not all areas of the province were in immediate need of regional government and that the government could, as a result, concentrate its initial activities in areas where local government was obviously not adequate to meet existing needs.

The accompanying statement by the Minister of Municipal Affairs, W. Darcy McKeough, went into some detail as to the specific program of the province for the implementation of regional governments. McKeough thus spelled out some of the criteria and characteristics deemed important. In terms of the size of the proposed new regional governments, for example, McKeough noted that in order to facilitate service experience indicates that there should be a minimum regional population of from 150,000 to 200,000. The idea is that this minimum population is a necessity for the efficient provision of most local services. He also notes, however, that access becomes virtually impossible in many of the rural and northern areas if rigid adherence to these minimum population estimates is demanded. Clearly these areas would be so large that individual access to the regional decision-making structures would be impossible, and, to this extent, regional governments would show variation in population and size.[1] Along these same lines it is also

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[1] Design for Development Phase II, Statement by the Honourable W. Darcy McKeough, Minister of Municipal Affairs, December 2, 1968, p. 3.

suggested that the minimum population of local municipalities in a two-tiered region should be from 8,000 to 10,000.[1]

In trying to determine the definition of an appropriate regional complex, the government faced some hard decisions. For instance, it had to decide whether the sharp distinction between urban and rural areas traditional in Ontario should be maintained or whether there should be an attempt to combine rural and urban within a single region. The government resolved this question by proposing that regional government be viewed in terms of the urban-centered region. That is, regions should include both the major urban centers and the surrounding areas which share social, economic and physical services. The province was thus asserting that the old, traditional distinction between urban and rural interests was in the process of breaking down. McKeough, in fact, pointed out that in earlier times when transportation was primitive and economic activity was on a small scale Ontario could be thought of as a series of small, self-contained communities divided into two easily identifiable societies--the city and the country; each with its own, and separate, values and aims. However, he continued, now all of Ontario is one society where some live in big communities

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[1] Ibid., p. 3.

and others live in towns, villages or rural areas. And the aims of the people--the education they seek for their children and the services they expect from their governments, i.e., the quality of life they strive for--is not so different regardless of the type of community they call home. There also is a common sharing of services, not only at the municipal level, but also in terms of hospitals, schools, commercial services, employment and a variety of other services. Because of this emerging community of interest, the shape of regional governments will need to cover both the urban area and its rural hinterland, both of which are mutually interdependent.[1]

Another important question is the question as to the internal structure of the proposed regional municipalities.[2] The paramount question in this regard, of course, is whether the regional governments should have one-tier or two-tier structures. One-tier regional government simply means that a region will have its municipal services administered by one municipality covering the entire region. Two-tier regional government, on the other hand, would divide municipal functional responsibilities between two levels of local government--a regional municipality

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[1] Ibid., p. 5.

[2] The following discussion of types of municipal internal structure is adapted from Ibid., p. 4-5.

and a group of smaller local municipalities. The Municipality of Metropolitan Toronto is a good example of a two-tier structure. McKeough made it clear that the provincial government would make its judgment regarding one or two-tier structures on a regional basis following a detailed study and consultation in each area. McKeough, in addition, proposed several paramount factors to be taken into account in making the decision. One factor to be taken into account, for example, is the size of the proposed region. Clearly, a very large region may require lower-tier municipalities in order to retain a proper degree of accessibility. Another factor is the population distribution within the proposed region. If there are several independent centers of population concentration within a proposed region, then a two-tier structure would be in prospect. A third factor concerns the availability and distribution of fiscal resources. This factor may very well determine whether it is feasible to expect financially viable lower-tier units. A fourth factor is the physical and the social geography of the region. Factors such as a group of hills, a lake, a river, or cultural and linguistic differences within a region may well lead to a decision to have two tiers in order to help in the effective provision of services and to help preserve existing social communities within the region. In sum, these

contributing factors and their respective biases make it reasonably clear that the government leans heavily to two-tier structures.

The final question relating to internal structure is, if there are to be two-tier systems, how is the total package of municipal functions to be distributed between the regional and the local municipalities? McKeough made it clear that the government leans toward acceptance of the distribution of functions recommended by the Ontario Committee on Taxation. Basically, this implies that a metropolitan area must cope with far more comprehensive planning and have more concern for urban renewal than do the lower-tiers. The metropolitan region should also have responsibility in the domains of arterial roads, traffic control, parking and mass transit. The metropolitan region might perform the policing function in its entirety, as in Metro Toronto, and it might also have comprehensive duties with regard to fire protection as in Metropolitan London, England. Whereas the other regions will probably have limited involvement, the metropolitan region should be responsible for water supply, sewage treatment and storm drainage including, at the least, trunk distribution and collection systems. There is also a strong case for integrating most and perhaps all aspects of primary and secondary education at the metropolitan level. Finally, the provision of library services might be made subject to

different degrees of coordination, even to the extent of full metropolitan responsibility.[1] This question of division of functions probably holds the key to the success or failure of any two-tier scheme. If a two-tier structure is to effectively deal with not only major projects and overall coordination and planning, but also with matters of loal interest and concern, then the division of responsibilities between these levels must clearly provide for both overall efficiency and the greatest possible citizen access.[2]

With the general recommendations of the Ontario Committee on Taxation in mind, and irrespective of specific regional areas, McKeough felt that there are several functions which need to be under paramount or complete jurisdiction of the regional tier.[3] Clearly, for example, in order to insure uniformity of the tax base, property assessment should be a function of the regional tier because it is from the regional level that assessment can be administered most efficiently and equitably. Further, tax billing and tax collection are closely tied to

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[1]The Ontario Committee on Taxation, "The Territorial Extent of Local Government," p. 260.

[2]The Hamilton-Burlington-Wentworth Local Government Review Commission, 1969 (The Steele Commission), Report and Recommendations, November, 1969, pp. 89-133.

[3]Design for Development Phase II, Statement by W. Darcy McKeough, pp. 5-8.

assessment in a procedural sense and should also be tied to the regional level. Another function that should be a regional responsibility is capital borrowing. This must be a regional responsibility for several reasons, including the desirability of pooling credit and the need for long range capital planning on a regional basis. This leads to the question of planning. Mr. McKeough felt that there should be a division of responsibility for the preparation and the implementation of planning policy within the region.[1] This division would assign to the regional municipality the responsibility for the broad, overall physical and economic framework for regional growth and for planning of those regional facilities under its direct jurisdiction. Within this broad framework, then, the lower-tier municipalities would be assigned responsibility for the preparation of more geographically specific and detailed plans. The local plans would be consistent with and complementary to the development policies and plans of the regional municipality which, in turn, would be consistent with and complementary to the development policies expressed in the regional program of the province.

The functions of police and fire protection, on the other hand, are ones which logically could be either a local function or could be shared between the local and the

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[1] Ibid., p. 6.

regional level. However, in accordance with the recommendations of the Ontario Committee on Taxation, the province has expressed a preference for a regional basis for police protection.[1]

Arterial roads and related traffic, in contrast, are designed to provide service to the entire region and as such must be part of the regional function according to McKeough. The question of the assignment of responsibility for public transit, however, could very well vary. For example, planning for public transit must clearly be integrated with planning for the entire region. To this extent, then, the regional level must be involved in the transit function. However, the actual operation of a transit system, depending upon local conditions, could be either a regional or a local function.

Functions such as sewage and garbage collection and disposal could lend themselves to a sharing of responsibilities between the tiers. For example, the lower-tier municipalities are appropriate for the initial collection of sewage and garbage, while the upper-tier municipality is more suited to provide the necessary large centralized disposal facilities and sewage treatment plants. The attendant function of water intake, purification and primary trunk distribution are clearly large-scale operations

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[1] Ibid., p. 6.

which should be at the regional level. Secondary water distribution, however, could conceivably be a function of lower-tier municipalities.

Those functions relating to the health and welfare of the citizenry have already been somewhat regionalized through Regional Health Units, County Welfare Units, and District Welfare Administration Boards.[1] This regionalization has taken place because these functions require a large population base in order to provide the complex, specialized services entailed. Thus, health and welfare should be regional government functions. In addition, to the extent that various municipalities participate in the planning and financing of hospitals, this also should be a regional function.

Finally, the government feels that parks and other environmental concerns should be shared functions.

Outside of the above functions, according to McKeough, all other powers should go to the lower tiers of the regional municipalities.

It is interesting to note that recommendations of the various local government reviews do not necessarily follow these quidelines in their entirety. Most of the reviews, however, adhere closely to the general guidelines. Table 4.3 is a display of recommendations from the Steele

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[1] Ibid., p. 7.

TABLE 4.3*

RECOMMENDATIONS FROM REVIEW BY STEELE COMMISSION

METROPOLITAN (Upper-tier)	BOROUGH (Lower-tier)
Area-Wide Planning	Local Planning
Capital Financing	Fire Protection
Public Transportation	Local Distribution of Water
Waterworks, supply and trunks	Local Sewers
Sewage works and lang draingage	Local Roads
Garbage Disposal Sites	Garbage Collection
Police	Recreation
Metropolitan Parks	Electrical Energy
Health and Welfare	Building Permits
Libraries	Tax Billing and Collecting
Licensing (of a regional nature)	Local Traffic Control
Industrial Promotion	Local Parks
Emergency Measures Organization	Local Licensing
Urban Renewal	All other municipal responsibilities not specifically allocated

*Adapted from the Hamilton-Burlington-Wentworth Local Government Review, Report and Recommendations, November 1969, pp. 133-134.

Commission's review of the major industrial area around and including Hamilton and is fairly typical of many of the local government reviews.

The province, in Design for Development Phase II, was also very careful to set out some general guidelines for representation in the proposed new regional municipalities. The Minister of Municipal Affairs made it clear that representation by population can be the only acceptable principle of representation, while at the same time taking into account the problem of giving adequate representation to rural ridings[1] which may have much less representation than do urban ridings. In other words, the province is not ruling out the possibility of some representation of units rather than on a strict population basis. Still, McKeough does put heavy emphasis upon representation by population. ". . . I must emphasize that in our Regional Government system we will place a high priority on a system of representation giving all residents a reasonably equal voice in regional decisions."[2]

Another important, yet difficult, aspect of representation concerns the special problems posed by a two-tier

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[1]The term "riding" refers to the concept of district represented.

[2]Ibid., p. 8.

regional system. There are two basic methods that can be used for selecting members of the Regional Council. Representatives may be directly elected to the Regional Council, or they may be indirectly elected by becoming elected members of lower-tier units and then being designated to sit on the Regional Council.

As an example, the recommendations of the Steele Commission for the Hamilton-Burlington-Wentworth area calls for a Metropolitan Council composed solely of representative members of the lower-tier units. In other words, the members of the Metropolitan Council would gain that position by virtue of indirect election. The rationale of the Steele Commission in making this recommendation was that any direct election, either in whole or in part, on a type of ward or area basis would likely create friction between the two tiers of government.[1] It can be clearly observed that these proposals have the effect of watering down the stated principle of representation by population. The reason is simply that the Steele Commission was of the opinion that if any one municipality, such as the City of Hamilton, were to dominate the Metropolitan Council then the entire system would soon prove to be unworkable. As a result, and despite the fact that the City

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[1]The Hamilton-Burlington-Wentworth Local Government Review Commission, p. 136.

of Hamilton had approximately sixty-two percent of the proposed metropolitan population, it was recommended that Hamilton receive only fifty-two percent of the representation on the Metropolitan Council.[1] Table 4.4 displays the representation recommendations of the Steele Commission for the proposed Hamilton-Burlington-Wentworth regional municipality. In this example the fear of the province of domination of a regional municipality by a single populous center can be observed. Rural ridings were given somewhat more representation than would be allowed them if there was strict adherence to the principle of representation by population. This is clearly resultant from the concern that the rural and suburban municipalities have "adequate" representation vis-a-vis the urban center.

The question of representation has been, and will probably continue to be, one which will cause a great deal of controversy. The Minister of Municipal Affairs has said that there is no easy answer as to which system will work most effectively and equitable in all cases. The answer can only come with experience with systems embodying different kinds of representation as a means to see which form does in fact work better.[2]

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[1] Ibid., pp. 137-138.

[2] Design for Development Phase II, Statement by W. Darcy McKeough, p. 8.

TABLE 4.4*

PROPOSED COUNCIL REPRESENTATION FOR THE PROPOSED MUNICIPALITY OF METROPOLITAN HAMILTON

Municipality	1968 Population	Number of Representatives
City of Hamilton	291,000	13
City of Burlington	76,000	4
Borough of Dundas-Ancaster	31,000	2
Borough of Grimsby-Stoney Creek	40,000	3
Borough of North Wentworth	19,000	1
Borough of South Wentworth	12,500	1
		24
		plus Chairman for a total of 25

*Adapted from the Hamilton-Burlington-Wentworth Local Government Review, Report and Recommendations, November 1969, p. 138.

How does Ontario plan to accomplish the implementation of its regional local government program? For example, how does the province react to the recommendation of the Ontario Committee on Taxation that local government reform be comprehensive rather than piecemeal?

In contrast to the recommendation of the Ontario Committee on Taxation, the province does not propose the uniform and immediate establishment of regional government at the same time throughout the province. Mr. McKeough has articulated three reasons why the province does not propose to tie itself down to a fixed target date for comprehensive reform.[1] First, the province feels that not all areas in Ontario are in equal need of immediate regional government. The critical areas are those in which the local government institutions are not able to respond to existing or anticipated changes and where this lack of responsiveness is inherent in the structure and therefore beyond the influence of any one municipality acting alone. McKeough noted that the symptoms of this critical stage usually take the form of increasing fiscal difficulties, a retardation of necessary growth, or a decline in the level of municipal services.[2] In general these areas tend to be in the urban and urbanizing parts of southern

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[1] Ibid., pp. 9-10.

[2] Ibid., p. 9.

Ontario. Regional government, then, will be established on a problem area priority basis, concentrating on those areas where the need for change is the greatest. In addition, the province does not yet have sufficient trained and experienced personnel to immediately cover the entirety of Ontario. As a result, the personnel which are available will concentrate their efforts in those areas of greatest need. Third, the province is trying to gain the meaningful involvement of the local communities in implementation. In fact, the province will allow, in some cases, delays in the implementation process in order to give local opinion time to form and express itself. This, of course, will allow the government to back off if the regional government program in a particular area becomes, for one reason or another, a political hot potato. The Hamilton-Burlington-Wentworth Local Government Review is an excellent case in point. This review called for the inclusion of Burlington into the proposed Metropolitan Municipality of Hamilton. This became a very controversial issue then it became clear that the residents of Burlington wanted to be included in the Peel-Halton area because of their fear that they were going to have to pay for the badly needed urban renewal in Hamilton. Partly as a result of the Burlington opposition, the province backed off and let the Hamilton-Burlington-Wentworth Review slide into obscurity.

The province, then, has proposed a four-stage process for the implementation of regional government.[1] The initial stage calls for consultation and discussion between the province and the various municipalities within a proposed region. This may take the form of a joint study, a series of joint meetings, or a locally or a provincially directed study. In many respects this is similar to, and concomitant with, the local government review concept. The second stage involves the preparation of a specific proposal by the province which will be formally presented to the municipalities in the region by the Minister of Municipal Affairs. Stage three will see the development of a final proposal and draft legislation based upon reactions to the proposals in the second stage. The final stage, of course, is the presentation of legislation to the Legislative Assembly, its passage, and establishment of the regional government.

The process of encouraging the establishment of regional governments in Ontario is only part, although possibly the most important part, of the provinces' plans for local government reform. The government is, in addition, encouraging the consolidation of existing municipal units. This is an important facet of the reform program

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[1] Ibid., p. 10.

when we realize that most local municipalities are, at present, far too small to be viable units of local government even at the lower-tier level of a regional government. As a first step in this regard, the Minister of Municipal Affairs has ordered a continuing inquiry into the structure, organization and methods of operation of all Ontario municipalities. Further, Section 25a of the Municipal Act has been invoked. This, in essence, means that all proposed changes in municipal boundaries, such as annexations of amalgamations which are normally applied for by application to the Ontario Municipal Board, will now be referred to the Department of Municipal Affairs for study. The Department will examine each proposal to see if it is in general agreement with the province's regional program and if it would result in the creation of more viable municipal units. Only when Municipal Affairs is satisfied on these grounds will these applications proceed through the Ontario Municipal Board.[1] The reason for this procedure is the assumption that the creation of more viable units will simplify some of the problems faced in the creation of new regional two-tier units. This will further cause greater uniformity in population among lower-tier units, and this in turn will make it easier to create equitable representation at the regional level.

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[1] Ibid., p. 16.

Finally, regional local reform in govenment is but one prong of a three pronged provincial thrust in the municipal reform field. The other major thrusts concern the reform of local taxation and reform of provincial aid to local governments.

The cornerstone for the reform of local taxation is a reform of local property assessment throughout the province. Ontario has transferred the administration of tax assessment from the municipalities to the province. This reform became effective on July 1, 1969, in some cases and on January 1, 1970, in the remainder.[1] The purpose of these reforms is to establish uniform standards to replace the traditional patchwork of differences and inconsistencies. Assessment thus can be placed on a basis which is more equitable to all taxpayers. This can be accomplished by assessing all property at market value and by maintaining this market value assessment over time.[2]

In terms of provincial aid to local governments, the province has raised the average level of provincial support for elementary and secondary education from forty-five percent to sixty percent and by improving upon the system of

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[1]W. Darcy McKeough, Municipalities: Where the Action Is, An address by the Honourable W. Darcy McKeough, Minister of Municipal Affairs, to the Empire Club of Canada, Toronto: March 21, 1969, pp. 2-3.

[2]Ibid., p. 3.

unconditional grants to local jurisdictions. It is, however, important to be aware that overall reform of the present subsidy system depends in large measure on reforms in assessment and in municipal structure.[1] In other words, these three thrusts of change must go forward simultaneously.

In sum, we have to this point discussed some of the problems that have faced local government institutions in Ontario. It has been asserted that the problems of lack of citizen access and inadequacies in local government service provision has been both the cause and the result of these problems. At the top of the list is the problem of size--in terms of geographic jurisdiction, population and financial resources. Clearly the concept of regional government has been primarily concerned with the alleviation of this problem. Those established regional municipalities have been set up with the intention of increasing size for the more efficient provision of services while, at the same time, maintaining and increasing citizen access via two-tier municipal structures. The question that cannot yet be answered, of course, is whether this

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[1]For a more thorough discussion of Canadian Intergovernmental Relations, see: Ronald M. Burns, "Intergovernmental Relations in Canada," Public Administration Review, XXX (January/February, 1973), pp. 14-22.

increased jurisdiction will, in the long run, solve the primary problem of governmental fragmentation without causing other problems concerning urban-rural antagonisms. This analysis would lead one to believe that urban-rural antagonisms will prove to be the most fissionable factor in the new regional municipalities. This is the problem, alluded to above, of the rural areas' fear that they may have to pay for, through increased taxes, what they perceive to be purely urban problems, such as urban renewal. This is the problem that the province, to date, has not really faced up to other than to downplay the antagonisms when they have risen in proposed regional areas. The province must be aware that the rationalization of municipal jurisdiction will not immediately, or necessarily, solve all problems and they must realize that it may create new and different problems and inequities. The government's view that the traditional assumption of a distinct cleavage between rural and urban communities is no longer valid must be open to question. The government merely asserts that this is an invalid assumption and this assertion has not been backed up by empirical observation. Even a superficial observation of Ontario leads one to suspect that there are, contrary to government assertions, different urban and rural "life-styles" and divergent and often conflicting interests.

In terms of access, the government has relied heavily on the assumption that the centralization of function plus two-tier regional governments will insure that the regional governments will be responsible to local needs, thus insuring citizen access. This assumption is also liable to serious criticism. In particular, the rural, northern areas of Ontario present a very serious obstacle in this regard. Access, as well as simple communication, in these areas is questionable at best (in the Summer) and virtually non-existent during the rest of the year. Clearly, serious problems will be encountered when the government seeks to extend its regional government proposals into the frontier areas north of a line from Sudbury to northern Lake Superior. The government probably, at least tacitly, recognizes this problem as it has concentrated most of its efforts in the more urban areas.

CHAPTER V

CASE STUDY 1: THE HAMILTON METROPOLITAN AREA

In the initial chapter of this study it was noted that adaptation is conceived of as the ability of an individual or an organization to reallocate or recommit a part of its resources to new uses without destroying the organization as a whole. And, at the same time that that change, or adaptation, takes place within the system it must be able to integrate these changes if it is to survive.[1] Clearly, these two needs may, at times, be in direct conflict with each other and a "tension" between them is the obvious result of that conflict. Problem solving (adaptation), because it requires some rearranging of internal relations, expectations and rewards, induces a certain amount of stress into the system and thereby may threaten the integration of the system. The implication is simply that a system may court failure because it overemphasizes one of these needs at the expense of the other. In short, a successful system usually endeavors to strike a series of temporary balances

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[1]See page 8 above.

between the two needs. This case study of the efforts at local government reform in the Hamilton Metropolitan Area can be best analyzed in terms of this mutual tension between adaptive and integrative needs. In this case study this tension can best be observed in the "recalcitrance" evidenced by the local officials in the area under consideration. Finally, in the process of analyzing and describing the system's (province's) reaction to these evidences of "tension" and "recalcitrance" it will become clear that this is a continuing process of adjustment to the environment. This case study, however, is concerned with only a part of that continuous process of adjustment. In short, this chapter is concerned with an initial decision that there was a need for local government reform (adaptation) in the area; the resulting formal proposals for change; the strong adverse reactions to these proposals from certain segments within the proposed region; the reaction of the province; and finally new and different proposals for reform.

Characteristics of the Hamilton Metropolitan Area

Clearly, the most significant natural features of this area of Ontario are the Niagara Escarpment, Burlington Bay, Lake Ontario, and the flat plain lying between the escarpment and the lake. The area is located at the extreme western end of Lake Ontario and is located about

forty-fives miles from both Toronto and Buffalo, New York. The Niagara Escarpment extends from the northern boundary of Burlington around the Town of Dundas and then eastward through the Township of Ancastor, the City of Hamilton, the Township of Saltfleet and the Township of North Grimsby. The escarpment reaches to a height of 300 to 350 feet and the escarpment's distance from the shoreline of Lake Ontario varies from about five miles in parts of Hamilton to only about one mile on the western edge of Grimsby. The area lying below the escarpment, that is, toward Lake Ontario, is primarily flat plain and has been very extensively urbanized.[1]

Hamilton constitutes the major population and industrial center of the area. Hamilton has, in fact, been described as "the Pittsburg of Canada." Appropriately enough, the hardhat has been the symbol of the City of Hamilton for quite some time. The major industrial area of Hamilton and of the whole area under review is located along the south side of Hamilton Harbor for an east-west distance of about four miles.

One of Hamilton's major problems is a lack of further available industrial and serviced residential lands within its present boundaries. However, there is an extensive supply of potential residential lands above

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[1]Canada Yearbook, 1970-1971, p. 224.

the escarpment, but due to a lack of available sewer services these lands are not at this time available for development. In sum, with the exception of the southerly part of the city above the escarpment there is very little residential or industrial land remaining to be developed within the boundaries of Hamilton.[1]

The Town of Burlington exists in a situation which is very different from Hamilton's. In Burlington, population growth and industrial development have been concentrated in a relatively small area, and there remains a large area to be developed below and to the southeast of the escarpment. It should be noted that the urbanized portion of Burlington is largely residential.

The other towns in the area are mostly residential communities and are at various stages of development.

Most projections for this area envisage very substantial future urbanization. For instance, the Metropolitan Toronto and Regional Transportation Study projected that the population of the "Hamilton Sector," including Hamilton, Burlington and most of Wentworth County, an area with a population of 470,000 in 1968, would increase to 990,000 by the year 2000.[2] Population projections of

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[1]Hamilton-Burlington-Wentworth Local Government Review, Data Book of Basic Information, June, 1968, Map 1; and The Hamilton-Burlington-Wentworth Local Government Review, Report and Recommendations, p. 6.

[2]Report and Recommendations, p. 9.

this sort are usually not very reliable but they do, at least, give some indication of the magnitude of growth anticipated for the area.

In summary, we can say that the area is clearly metropolitan in its characteristics. There is a large central city, Hamilton, with about sixty-two per cent of the population and sixty-six per cent of the assessment in the area. In addition, Hamilton provides the major industrial base of the area and also fills the role of the commercial and financial center. Burlington, Dundas, Stoney Creek, Waterdown and parts of Saltfleet and Ancaster are municipalities which surround Hamilton and which depend on Hamilton for the employment of a high proportion of their residents. These municipalities also utilize many of the specialized services and facilities provided by the City and are, in some instances, dependent upon Hamilton for the extension of municipal services, particularly water supply and sewage disposal. Beyond this urban and suburban core are the rural townships of Binbrook, Glanford, Beverly and East and West Flamborough.

The Need for Reform

Briefly, it should be noted that the City of Hamilton is presently separated from the county and functions as a separate city. As a result, those municipalities still

under the jurisdiction of Wentworth County have found it difficult to carry out effective planning and coordination of services because of the necessity of working around Hamilton. Clearly, there is no ability to apply broad strategies to the whole area because the local authority is badly fragmented. In addition, assessment is not being shared and there is no central body at the local level which is responsible for decisions about services. In short, effective local government for the entire area becomes impossible when the approval of fifteen separate jurisdictions must be obtained.[1] Clearly there are a number of important functions which can be more effectively provided on an areawide basis. However, the present situation features fragmentation and overlapping with a total of fifteen municipal governments and seventy appointed special purpose boards and commissions exercising one kind of jurisdiction or another. There is simply no body in a position to take an overall approach to the governing of the area.

According to the province's 1973 report on the area, whichever alternative they favor, municipal leaders and residents familiar with the problems of the City and surrounding county are virtually unanimous in agreeing

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[1]Ministry of Treasury, Economics and Intergovernmental Affairs, Proposals for Local Government Reform in the Area West of Metropolitan Toronto, January, 1973, p. 12.

that some form of new local government arrangements are badly needed.[1] The Steele Commission noted that whether in water supply, sewage disposal, transportation and traffic control, housing, parks or industrial development, the underlying assumption is that an enlarged municipal jurisdiction will be able to more effectively discharge its responsibilities by planning and controlling the future development area.[2] In terms of our framework, the environment is changing and the administration of local government must adapt to this changing environment if it is to be able to effectively govern.

Early Attempts at Reform and the Steele Commission

With the increasing realization of the need for reform of local government arrangements came some early local initiatives in that direction. For example, in 1962, the City of Hamilton convened a meeting of many of the nearby communities for the express purpose of discussing and becoming familiar with the notion of a regional or metropolitan government for the area. At the same time, Hamilton was seeking the support of the adjoining municipalities in a locally directed local government study project. The meeting failed, however, to produce

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[1] Ibid., p. 39.

[2] Report and Recommendations, p. 16.

agreement on common objectives or approach and the matter was essentially shelved for the next several years.[1]

Four years later in the wake of the Ottawa-Carleton, Peel-Halton and Niagara Region reports a new attempt was made by Hamilton at reaching agreement with its neighbors to initiate a local government study. This time, after informal meetings of elected municipal officials and after informal discussions, resolutions calling for such a study were enacted by Hamilton, Burlington and Wentworth County. This development was instrumental in moving the provincial Minister of Municipal Affairs to initiate a commission to study this area.[2]

On August 29, 1967, the Minister of Municipal Affairs, J. W. Spooner, issued a letter establishing a commission for a Hamilton-Burlington-Wentworth local government review. He appointed a commission consisting of Mr. Donald R. Steele, Q. C. as Chief Commissioner and E. A. Jarrett and Brian W. Morison as Assistant Commissioners, to inquire into and report upon:

> A. The structure, organization, financing and methods of operation of all municipalities and their local boards in the region composed of the County of Wentworth and the Town of Burlington, including the City of Hamilton and the County of Wentworth administration.

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[1] Ibid., p. 1.

[2] Ibid., pp. 1-2.

B. The anticipated future development of the region which may require a revision and improvement in the present system of local government, future changes in boundaries and planned extension of services.

C. A review of the economic, social, geographic and cultural factors of the proposed region and their effect upon the interrelationship of the municipalities and the people therein.

D. An analysis of the financial effect of a regional government.

E. Any other matter relating to the structure of local government in the area.[1]

Clearly, the province gave the Commission the power to review and make recommendations of a wide ranging nature concerning the past, present and future arrangements of local government in the Hamilton, Burlington and Wentworth County area.

The new Commission immediately set about its work and decided to obtain basic information from the municipalities and a questionnaire was sent out for this purpose. In addition, during the course of its study the Commission conducted interviews with the heads of municipalities in the area and with other interested persons. From this basic information the Commission compiled the text of basic information (Review Area Data Book, published in June of 1968) and then held public hearings in order to

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[1] Ibid., from the letter to the Commission from the Minister of Municipal Affairs setting out the terms of reference of the Commission.

allow an opportunity for interested parties to appear and make representations. Letters were sent to organizations and associations which had indicated their interest and public notices were issued in the press prior to the hearings. These hearings were held in the Town Hall of Burlington, the Hamilton City Hall and the Wentworth County Court House.[1]

At this juncture it is of interest to note that while the Commission's study was in process the Ontario Committee on Taxation came out with its recommendations on regional government. In addition, during the same time span, legislation was introduced establishing the regional municipality of Niagara and the Minister of Municipal Affairs issued his recommendations for the Peel-Halton area and established a policy relating to general guidelines on regional development.

The final report of the Hamilton-Burlington-Wentworth Local Government Commission (The Steele Commission) was finally issued in November of 1969, a little more than two years after the inception of the Commission.

In the course of the Steele Commission's review of the area, it was noted that there had been three ways in which adaptation has been attempted in the past. First,

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[1] Ibid., pp. 2-3.

there had been a series of annexations and amalgamations in the past. For example, over a period of time portions of Barton Township were annexed to Hamilton, culminating in 1960 when Barton Township was finally totally amalgamated with the City.[1] As is true in many North American urban areas these boundary adjustments were essentially in response to an overspill of development from the core city.

A second device of piecemeal adaptation, again common to most urban areas, has been the proliferation of various inter-municipal special purpose bodies, responsible for the provision of a particular function over an area wider than a single municipality. The Hamilton-Wentworth Suburban Roads Commission, the Hamilton-Wentworth Planning Board, the Hamilton-Wentworth Health unit, the Conservation Authorities are examples of this type of special purpose bodies.[2] While these special purpose authorities may permit the administration of certain specific functions over larger areas, the independence of their authority often makes it difficult, if not impossible, for the various councils to coordinate the total municipal activities into an integrated whole. In short, extensive reliance on

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[1] Data Book of Basic Information, pp. 1-6.

[2] Report and Recommendations, pp. 18-19.

special purpose authorities only serves to increase the problems of fragmented administration.

Finally, the inter-local agreement has been the third device which has been used in the review area as a piecemeal adaptation. Several municipalities, for example, have agreements involving the provision of services such as water, sewers, roads, fire protection and garbage collection.

The problem with these adaptations is that they are merely ad hoc in nature and in no way serve to integrate the total metropolitan area. Further, they often do just the opposite. By creating more and more competing jurisdictions they often serve to make any integrated long range planning and overall coordination of activities virtually impossible.

The Steele Commission: Recommendations

In its attempt to define the region for purposes of a regional government, the Commission looked for the following characteristics: 1. a discernable community of interest; 2. an area appropriate for planning and for the effective provision of major services; and 3. an area which would allow for a strong, stable financial base.[1] These characteristics, of course, embody basically the

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[1] Ibid., p. 22.

principles as those of the Ontario Committee on Taxation and the Minister of Municipal Affairs.[1] Of these three characteristics the first one, that is the "community of interest criterion," was perceived by the Commission as the one which would be the focal point of any controversy which might arise because of their recommendations. Accordingly, the Commissioners were very careful to spell out the factors they used, both formally and informally, to measure community of interest. In view of the Burlington crisis, which will subsequently be analyzed in depth, it seems useful to mention these factors at this point.

The first factor which the Commission used to measure community of interest revolved around the geography of the area. Within this general category they gave particular attention to factors such as time-travel patterns which are important in the determination of where people live vis-a-vis where they work. A second factor surveyed by the Commission was the patterns of newspaper circulation and telephone calls within the area. These factors were deemed important as measures of the strengths and extent of influence from the urban core. The Commission also put a great deal of weight upon social and cultural ties as measured by the place of residence of the members and the leadership of various social, fraternal

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[1]See Chapter IV.

and cultural organizations within the area. Another extremely important factor, according to the Commission, would be the degree of economic interdependence in the area. As measures of this factor, they relied to some degree upon traffic surveys showing origin, destination and purpose of trips as well as upon shopping patterns. However, the Commission felt that the distribution of employment was the most important measure of economic interdependence. The Commission generally took the position that where it is compatible with other criteria it was important that people should work and live in the same local jurisdiction. Clearly, any substantial deviation from that optimal situation makes an equitable sharing of resources and costs difficult and further inhibits proper planning.[1] Finally, the community of interest in the review area which evolved from an analysis of the above factors was weighed against, and modified by, the other main criteria which included the appropriateness of the area for effective planning, the provision of services to the public, the financial base of the area and the existing municipal structure.

Based upon the above considerations the Commission made the following recommendations for the outer boundaries of a new Regional Municipality of Hamilton. The

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[1] Report and Recommendations, pp. 25-26.

municipality proposed included the City of Hamilton, the County of Wentworth, the Town of Grimsby, the Township of North Grimsby and the urbanized portion of the Town of Burlington.[1]

Clearly, the most controversial and emotional boundary question which faced the Commission was whether or not Burlington should form a part of the proposed new regional municipality. It should be noted at the outset that the Burlington Council and most of the people and organizations from within Burlington who made representations to the Commission did so in opposition to the inclusion of Burlington. It also should be noted that Burlington was included in the terms of reference of the earlier Peel-Halton Local Government Review, and this review finally recommended its inclusion in a Peel-Halton region. However, this review specifically noted that the case for including Burlington in Peel-Halton was in no way conclusive.[2]

Burlington's official opposition at being included in the Hamilton Regional Municipality was based upon

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[1]The included portion of Burlington is that part south of a line extending from the Burlington-Oakville Municipal boundary westerly along the 5th sideroad to Walker's Line and there northerly along Walker's Line to the north limit of lot 7 and then west to the Burlington-East Flamborough Municipal boundary. Ibid., p. 27.

[2]Peel-Halton Local Government Review, pp. 83-85.

several factors. In general, Burlington argued that its opposition to inclusion in the Hamilton region was based upon its self sufficiency and confidence in past achievements, its effective administration and its growth potential as well as its ability to control and channel that growth.

More specifically, Burlington argued that the plight of downtown Hamilton with its traffic congesion, crime and general deterioration was not a problem of Burlington. It was argued that many of the citizens of Burlington had left the City as residents as they had become disenchanted with the City and wanted to avoid the dangers to general health and the inconvenience caused by noise and congestion.[1] This argument does much to highlight one of the basic reasons for Burlington's growth and their reaction to inclusion with the core city and is, as well, typical of many suburbs near every city of any size in both the United States and Canada. This is a part of the urban crisis that is facing most North American major cities. The problem is due largely to the fact that often the suburban communities, while making use of the high level of services of the central city, at the same time refuse to share in the responsibilities for the maintenance of the urban core.

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[1] Report and Recommendations, p. 29.

The submissions from the Burlington area also expressed a very strong fear that Hamilton, because of its comparatively large population, would politically dominate any organized local government. This concern, of course, was also expressed by the other interested suburban municipalities. The Commission, however, took the position that in an operating Regional Municipality, councillors dealing with metropolitan wide problems will act according to Metropolitan considerations rather than to purely local ones.[1]

Burlington spokesmen contended that, in reference to the question of social and economic ties to Hamilton, there was little recent evidence that such ties were significant. They pointed out that much of the statistical data in this connection was based upon the Metropolitan Toronto and Region Transportation Study and the Burlington Planning Study and that these studies were compiled in 1963 and 1964 and were therefore quite dated. The argument ran that while Burlington might have been at one time a dormitory suburb of Hamilton, they had since become increasingly self-sufficient economically. They further argued that to the extent that Burlington looked beyond its own municipal boundaries their orientation was increasingly to the east toward Oakville and Toronto rather than

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[1] Ibid., p. 30.

to Hamilton. In short they evidenced a fear that the Commission might devise a restructured local government for the rest of the twentieth century on the basis of evidence which was several years old and, in their opinion, no longer valid.[1] Concomitantly, in an odd bit of reasoning, the Burlington spokesmen maintained that even if there were social and economic ties with Hamilton, these were of no importance for the devising of local governmental boundaries. The argument was that if such ties had developed in the past without the two communities being part of the same governmental structure, they could continue to do so in the future.[2]

Finally, in a recurring theme in Burlington's presentations, they expressed a desire to associate with communities with similar characteristics and similar problems. They were very careful to point out their similarity with Oakville to the point of implying that "likeness" should be a criterion for amalgamating communities into larger government units, a criterion that would probably cause some interesting situations if applied to the province's regional government program. Concomitantly, they went to great pains to stress their differences with the city of Hamilton and asserted that, whatever their past

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[1] Ibid., p. 31.

[2] For instance see Ibid., p. 31.

connections with Hamilton, any problems Hamilton now faced were not their concern. Finally, Burlington emphasized their historic association and close ties with Halton County of which they are a part. They noted the number of Halton based organizations in which they participated and stressed the areas of education, health and hospitals as three areas which would possibly be seriously disrupted if Burlington were removed from Halton County.[1]

The arguments of Burlington residents notwithstanding, the Commission felt that Burlington was tied to Hamilton in many ways. In fact, in the view of the Commission, the available evidence clearly indicated that Burlington residents extensively participate in a larger area centered upon Hamilton. They felt that, over a wide range of social and economic activities, Burlington and Hamilton interact freely as if there were no municipal boundaries between them.[2]

The greatest problem that faced the Commission in trying to make a determination in regard to the Burlington problem was that the orientation of Burlington, as it was alleged during the public hearings, was simply not borne out by the available evidence. In fact, evidence

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[1]Submission of the Town of Burlington, received by the Hamilton-Burlington-Wentworth Local Government Review. No page number.

[2]Report and Recommendations, p. 35.

was never brought forward to substantiate the alleged ties between Burlington and Oakville. In spite of the supposed common interest and common problems of the two communities it is interesting to note that an Oakville proposal for a merger of the two towns in 1968 was strongly opposed by a vote of nine to two by the Burlington Town Council.[1]

Clearly there are links between Burlington and Hamilton and these run the gamut from social and economic to geographic. For example, Burlington Bay and the escarpment are both unifying natural features. The future development of the Bay--an item of extreme importance to both Burlington and Hamilton--clearly calls for a single municipal voice in place of the presently divided jurisdiction. Control over the Bay, which receives the effluent from the sewage disposal plants of Burlington, Dundas and Waterdown as well as of Hamilton and the waste of many industrial plants, is a matter of vital concern to the whole region.[2]

In defense of its contention that Burlington should be included within the Hamilton region the Commission cited a fairly large body of evidence linking the two from a myriad of sources including some of their own research.

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[1] The Hamilton Spectator, October 17, 1968.

[2] Report and Recommendations, p. 33.

The Commission found that the memberships of many of Burlington's service clubs include significant numbers who live and/or work in Hamilton, with far fewer from Oakville and to the east generally.[1] It was also noted that many of the "community leaders" of the entire review area live in Burlington. For example, one study found that more than sixty leaders of the City of Hamilton, in both the private and the public sectors (roughly ninety per cent of the total) were residents of Burlington.[2] In addition, of the members of the Town Countil of Burlington, three councillors were employed in Hamilton, six in Toronto and two in Burlington. Further, residents of Burlington represent about one-third of the members of the Hamilton Rotary, Kinsmen and Kiwanis clubs. About ninety per cent of the real estate firms in Burlington are members of the Hamilton Real Estate Board, twenty Burlington lawyers (the majority) belong to the Hamilton Law Association and forty-one Burlington doctors belong to the Hamilton Medical Association.[3]

The Commission further noted that in terms of newspaper circulation and telephone calls, a Dominion Bureau

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[1] Ibid., pp. 35-36.

[2] A Report to the Hamilton Economic Development Commission, "Commercial Development in Hamilton," Arthur B. Little, Inc., October, 1968. No page number.

[3] Report and Recommendations, p. 37.

of Statistics domicile survey (1966) indicated that 96.3 per cent of Burlington homes subscribed to the Hamilton Spectator. And, according to the Spectator in the Spring of 1969, between 18,000 and 20,000 copies of the paper were sold daily in Burlington.[1] In addition, according to the Review Area Data Book, of the total telephone calls by Burlington to other communities in the surrounding area 93.7 per cent were within the area, 80.6 per cent of these were to Hamilton and only 6.3 per cent of these to Oakville.[2]

In terms of evidence linking Hamilton and Burlington economically the above mentioned Toronto and Region Transportation Study found that about forty per cent of Burlington residents worked in Hamilton. And, according to the Burlington Traffic Planning Study, forty-eight per cent of Burlington residents worked in Hamilton.[3] In support of its case, the Commission also cited evidence contained in Vernon's Directory. The Vernon's Directory information is obtained annually by the process of extensive door-to-door interviews. The number of people surveyed in Burlington (population about 70,000), 13,351 in 1964 and 18,575 in 1969, indicates the comprehensive

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[1]Cited in Ibid., p. 37.

[2]Data Book of Basic Information, Table C-6.

[3]Cited in Report and Recommendations, p. 39.

nature of the data. The relevant conclusions are summarrized in Table 5.1 below. In other words, if Burlington were to become part of a Peel-Halton Regional Municipality only a bit more than fifty per cent of its residents would find their employment within the government boundaries. If, however, Burlington were to become a part of a Hamilton Regional Municipality about eighty per cent of Burlington's residents would be employed internally. In sum, whatever the validity of place of work--place of living patterns--they do show that at least a part of Burlington's economic orientation is clearly toward Hamilton.

It is important to be aware, in light of the arguments put forward by the Burlington spokesmen, that no community in this heavily urbanized part of southern Ontario with almost continuous development between Oshawa and Hamilton can exist in isolation. The Commission clearly feels that Burlington is oriented to an area centered upon Hamilton and that Burlington's prospects for growth are strongest within this area. They found that the people of Burlington, in their everyday activities, gave ample evidence of the existence of a larger community including both Burlington and Hamilton. And, finally, they found that there is little evidence to show any significant community of interest between Burlington and Oakville or with the rest of the Peel-Halton area.

TABLE 5.1

PLACE OF EMPLOYMENT OF BURLINGTON RESIDENTS*
IN 1964 AND 1969

	1964	1969
Burlington	38.0%	37.9%
Elsewhere in Hamilton Metropolitan Area	46.7%	41.9%
Total Employed in Hamilton Metropolitan Area	84.7%	79.8%
Employed outside the Hamilton Metropolitan Area (including the Ford plant at Oakville)	15.3%	20.2%
TOTAL	100.0%	100.0%

*Source: Vernon's Directory, 1964 and 1969. Cited in Report and Recommendations, p. 44.

As a result of these findings, the Steele Commission made a very strong recommendation that Burlington be included in the proposed Regional Municipality of Hamilton.[1]

Recommended Structure: Proposed Regional Municipality of Hamilton

In the process of casting around for a viable structure for the proposed new local government the Commission immediately ran into a problem of whether to follow the Toronto model and recommend a two-tier structure or to depart from the past and recommend a one-tier structure. In other words, they could recommend a two-tier local government with an upper tier having jurisdiction over the metropolitan area for a specified number of functions and a lower tier of units exercising the remaining powers within their boundaries; or, they could recommend that the fourteen jurisdictions involved be amalgamated to form one government, exercising all municipal responsibilities in the area.

In regard to this question most of the submissions to the Commission from Hamilton were in favor of an amalgamation of the whole or most of the area into a single municipality. If this were to come into being, of course, the new municipality could be easily dominated by Hamilton and, for this reason, Hamilton's suggestions were

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[1] Ibid., pp. 48-49.

suspect at best. On the other hand, most of the submissions from the County area generally advocated one regional municipality; however in most cases they also called for a two-level form of government in order to somewhat ensure, or maintain, a degree of local autonomy. And, of course, most of the submissions from the Burlington area stressed that Burlington was self-sufficient and could rely upon itself without any region.[1]

In general, those who were in favor of an amalgamated form of government relied on the rationale that greater economy and efficiency of operation would result from that sort of system. They also stressed that the whole concept of regional government demanded that it be empowered to deal with a wide range of functions to the point that there would be insufficient functions left for any lower-tier governments to administer; or, at least, not enough to justify the additional cost of a second tier of local government.[2] Again, it should be emphasized that the most persistent proponents of the one-tier option were the City of Hamilton and the Hamilton Council of Labour.

Those making submissions supporting the two-tier option seemed to place a great deal of importance on the

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[1] Ibid., p. 69.

[2] Ibid., p. 69.

grass-roots, representative aspect of local self-government and its traditional role in Ontario. Concomitantly, they expressed concern about possible loss of identity and the probable remoteness of the citizen from the focus of power within larger units of government. Further, they argued that a two-tier system would better maintain a political balance with the proposed new regional municipality.[1]

In making its final recommendations the Steele Commission opted for the two-tier structure. Generally this decision was rationalized on the basis of the diverse nature of the area, the intensity of local feelings, the problem of providing for, at least, a rough political balance and the sheer volume of work necessary to provide government to such a large area. More specifically, the Commission felt that the two-tier system offered the best opportunity for reconciling the twin problems of municipal government--efficiency and access. They felt that the larger administrative unit would provide a greater chance for overall efficiency; however the large size, number of people and volume of business would mean that the elected council of a one-tier municipality would have difficulty in providing a hearing to persons wishing to express aspects of local concern. They felt that local issues and

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[1]In other words, they were expressing a fear that the City of Hamilton would totally dominate any one-tier government. See Ibid., p. 71.

local functions could be more readily dealt with by a lower tier council who would be more likely to have extensive knowledge of local conditions.[1]

In addition, the Commission took the position that the two level system of government would provide the machinery for different decisions to be made and different levels of service to be provided in various areas of the region to best meet the needs of the desires of each local area. The argument here is simply that it is essential to be able to satisfy the varied service requirements of the separate urban, suburban and rural areas. Even though taxation areas, such as urban service areas, can be carved out within a one level governmental area in an attempt to restrict taxation for urban services to urban and urbanizing areas, the decisions as to what services shall be provided at what cost would still be determined by the total metropolitan area. It was the Commission's position that the decision as to the level of local services is better decided by a council elected from the local area in question.[2] At the same time, assuming the existence of lower tier municipal units, the strictly local problems, especially in the rural areas, would be

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[1] Ibid., pp. 71-72.

[2] Ibid., p. 72.

apt to receive greater attention than would be likely under a one-tier metropolitan governmental structure.

Finally, in reference to Burlington, a two-tier structure would allow Burlington to retain control over matters of local concern and yet still form part of the overall metropolitan government. Concomitantly, the inclusion of Burlington helps offset the population predominance of Hamilton and brings the area considerably closer to some semblance of political balance.

Having recommended that the proposed new Municipality of Metropolitan Hamilton have a two-tier structure the question becomes one as to the number and composition of the lower-tier units. In response to this question the Commission recommended that there should be six lower-tier municipalities consisting of two Cities and four Boroughs. The Commission did not try to combine rural and urban areas, rather they tried to make their decisions on the basis of units which would be able to provide services effectively while providing for maximum access. At the same time, the Commission clearly tried to create lower-tier units which would disrupt historic ties as little as possible. The recommended lower-tier units are as follows:

The City of Hamilton. For Hamilton the Commission recommended that it retain its present boundaries and retain its present City status.

The City of Burlington. Because of the expressed desire of the Town of Burlington to be a City and because of Burlington's present size and future potential, the Commission recommended that Burlington be designated a city in the recommended metropolitan structure. Also, the effect of granting City status to Burlington would be to remove it from participation in the government of Halton County and Burlington would not be subject to the general tax levy of that County.

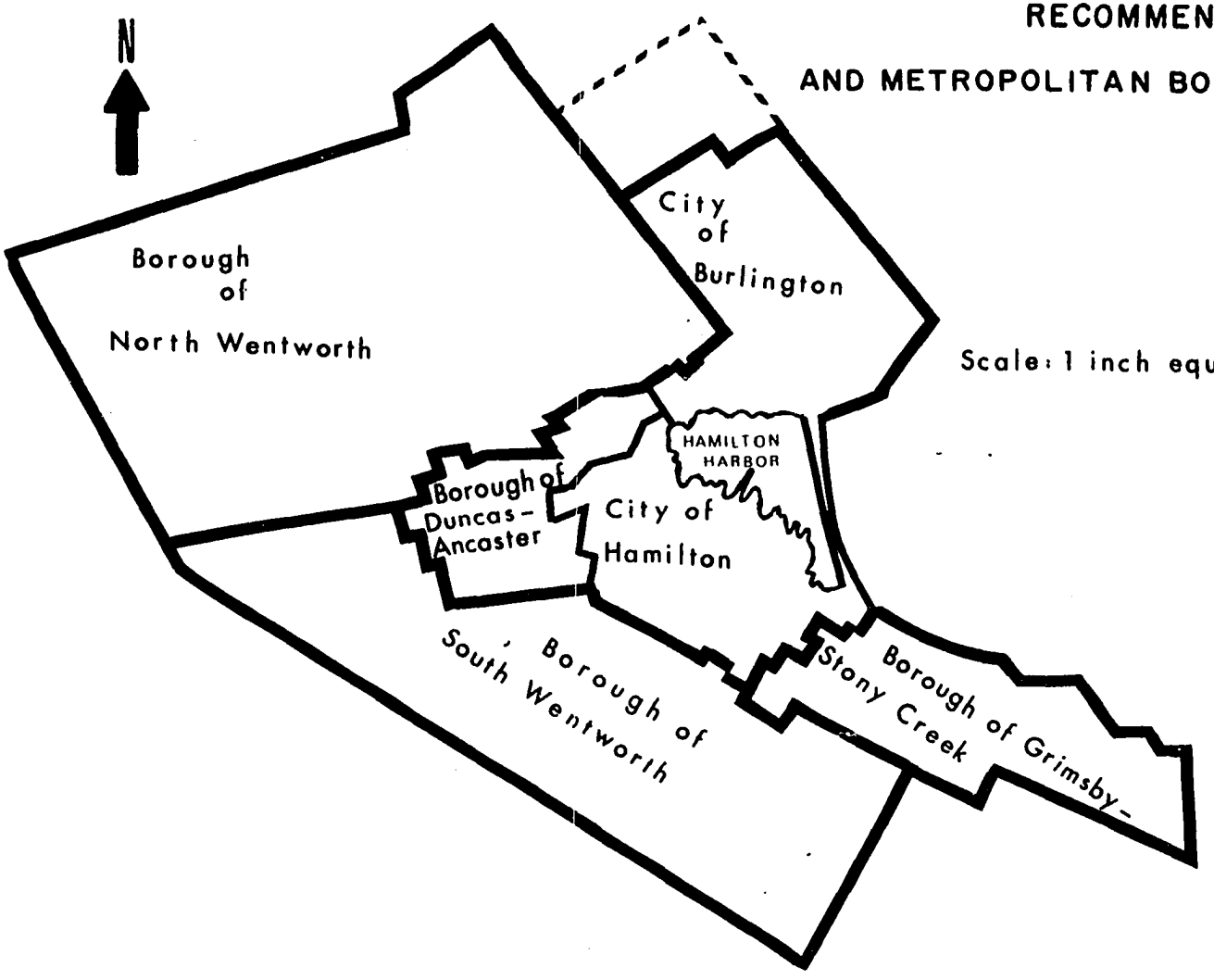
Borough of Grimsby-Stoney Creek. The Commission recommended that the Townships of Saltfleet, North Grimsby, a small portion of the Township of Binbrook, the Town of Stoney Creek and the Town of Grimsby should be combined to form the Borough of Grimsby-Stoney Creek.

Borough of Dundas-Ancaster. This borough was to be the result of an amalgamation of the Town of Dundas, the urban part of the Township of Ancaster along with the urban portion of the Township of West Flamborough.

Borough of North Wentworth. This borough was to be a combination of the Townships of East Flamborough, Beverly, the remaining part of West Flamborough and the Village of Waterdown. With the exception of Waterdown, all of these municipalities are outside of the urban service area and can only be characterized as farm and non-farm rural.

Borough of South Wentworth. This borough would consist of the Township of Binbrook, Glanford and the rural portion

RECOMMENDED BOROUGH AND METROPOLITAN BOUNDARIES



Scale: 1 inch equals 6 miles

of the Township of Ancaster. As with the proposed Borough of North Wentworth, South Wentworth would be essentially rural in character.[1] The population of these recommended lower-tier units, as of 1968, would have been as follows:

TABLE 5.2

POPULATION OF RECOMMENDED LOWER TIER UNITS OF THE PROPOSED MUNICIPALITY OF METROPOLITAN HAMILTON.*

Lower Tier Unit	Estimated 1968 Population
The City of Hamilton	291,000
The City of Burlington	76,000
Borough of Dundas-Ancaster	31,000
Borough of Grimsby-Stoney Creek	40,000
Borough of North Wentworth	19,000
Borough of South Wentworth	12,500

*Source: Report and Recommendations, p. 88.

Another question is raised immediately with the recommendation of a two-tier local government structure. This question addresses itself to the division of powers between the two tiers of government. This, of course, is nearly identical to the division of powers problem

[1] Ibid., pp. 73-78 and 185-186.

encountered in a federal system at the national or international level. Decisions as to the division of powers in any two-tier system is probably the most important key to the ultimate success or failure of the venture.

Briefly, the Commission, in making its recommendations as to the division of powers, was mainly interested in giving the Metropolitan Council powers over areas of concern which would be of metropolitan wide concern or import. On the other hand, they tried to reserve those problems of a more local, or restricted nature, to the lower tier councils.

In summary fashion, the Commission's recommendations with respect to allocations of responsibilities are displayed in Table 5.3.

In terms of structure, the question that yet remains to be discussed is the question of the internal organization of the Metropolitan Council and its relationship to the various lower tier councils.

The initial, and most serious and controversial, question regarding the proposed Metropolitan Council was whether its members should be directly elected or whether they should represent the lower-tier municipalities by virtue of having first been elected to the council of a lower-tier municipality. The possibilities in this regard are many. For example, should the members of the Metropolitan Council be composed of persons directly

TABLE 5.3

PROPOSED DIVISION OF POWERS*

Metropolitan (Upper Tier)	Borough (Lower Tier)
Planning (defined in a very broad sense)	Local Planning
Capital Financing	Fire Protection
Transportation	Local Distribution of Water
Waterworks (supply and trunk lines)	Local Sewers
Sewage Works and Land Drainage	Garbage Collection
Garbage Disposal Sites	Recreation
Police	Electrical Energy
Metropolitan Parks	Building Permits
Health and Welfare	Tax Billing and Collecting
Licensing (Metropolitan)	Local Traffic Control
Building Coles	Local Parks
Industrial Promotion	Local Licensing
Emergency Measures Organization	All other Municipal Responsibilities
Urban Renewal	not otherwise specifically
Libraries	allocated

*Source: Report and Recommendations, pp. 89-134, listed pp. 133-134.

elected to it by the electorate at large, or be composed of members of lower-tier councils by virtue of one formula or another, or perhaps some combination of both of these methods?

In its recommendations the Commission took the position that the membership of the Metropolitan Council should be solely composed of representative members of the lower-tier councils.[1] They felt that it was too expensive to elect the Council on a Metropolitan wide basis and that any direct election, either in whole or in part, on a ward or area basis would likely create friction between the two levels of government rather than the necessary cooperation. The Commission, then, recommended that the holders of pre-determined positions on the local council shall by virtue of their office become members of the Metropolitan Council. The specifics of this arrangement will be spelled out directly.

With the recommended method of representation determined, the problem was then to determine the size of the proposed Metropolitan Council and the number of representations which should be allocated to each lower-tier municipality. The Commission asserted a belief that the number of representatives from each municipality should be decided primarily on the basis of population. However,

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[1]Ibid., pp. 135-136.

at the same time, the Commission expressed the opinion that if any one municipality such as the City of Hamilton were to dominate the Metropolitan Council, the entire system would probably be unworkable.[1] This, of course, presented a conflict in that Hamilton had approximately sixty-two per cent of the population in the recommended metropolitan area. The Commission resolved this conflict by recommending that Hamilton should have more than fifty per cent of the Metropolitan Council representatives while, at the same time, recommending that adequate protection be given to the other local municipalities on major expenditure matters. Table 5.4 below shows the Commission's recommendations for the numbers of representatives and composition of the Metropolitan Council.

For sake of example, Table 5.5 indicates the possible ways the Commission gave for selecting the Metropolitan Councillors.

In a move that stems directly from the Metropolitan Toronto experience, the Commission further recommended that there should be an independent chairman of the Metropolitan Council. It was recommended that the first chairman be appointed by the Lieutenant-Governor in Council and that, after the initial stage, the Chairman should be elected by a two-thirds majority vote of members of the

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[1] Ibid., p. 138.

TABLE 5.4

COMPOSITION OF METROPOLITAN COUNCIL
BY LOWER TIER MUNICIPALITIES*

Municipality	1968 Population	Number of Representatives
City of Hamilton	291,000	13
City of Burlington	76,000	4
Borough of Dundas-Ancaster	31,000	2
Borough of Grimsby-Stoney Creek	40,000	3
Borough of North Wentworth	19,000	1
Borough of South Wentworth	12,500	1
Total		24
		plus a Metropolitan Chairman

*Source: Report and Recommendations, p. 138.

TABLE 5.5

METHOD OF SELECTING METROPOLITAN COUNCILLORS*

Municipality	Lower Tier Office	Number	Total
City of Hamilton	Mayor	1	
	Controllers	4	
	Senior Alderman in each ward	8	13
City of Burlington	Mayor	1	
	Senior Controllers or members of Executive Committee	3	4
Borough of Dundas-Ancaster	Mayor	1	
	Senior Alderman or Alderman elected by Council	1	2
Borough of Grimsby-Stoney-Creek	Mayor	1	
	Senior Alderman or Alderman elected by Council	2	3
Borough of North Wentworth	Mayor	1	1
Borough of South Wentworth	Mayor	1	1
TOTAL			24

*Source: Report and Recommendations, p. 139.

Metropolitan Council rather than by direct election of the people. If the Chairman happens to hold office in a local council or the Metropolitan Council, he would be required to resign that position.[1]

Basically, the role of the Metropolitan Chairman is seen as both a chairman of meetings of elected representatives and also as an administrator whose duty it is to see that the wishes of such representatives be carried out. Also the Chairman would not have a vote on the Metropolitan Council except in the case of a tie vote in council. Finally, in this sort of two level system it is important that the Chairman be a person who enjoys the confidence, goodwill and cooperation of a substantial majority of the members of the Metropolitan Council as well as a person who can bridge any gap between the Metropolitan Council and the various local municipalities.[2]

In another recommendation which again closely follows the Metropolitan Toronto lead, the Commission recommended the establishment of an Executive Committee of the Metropolitan Council. The recommendation was that the Metropolitan Council elect the Executive Committee from among its membership with the Metropolitan Chairman being

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[1] Ibid., p. 141.

[2] For an excellent discussion of the role of the Metropolitan Chairman in the Metropolitan experience see Kaplan, Urban Political Systems, pp. 55-64.

the chairman of the committee. Further, they recommended that the Metropolitan Council should be required to elect two representatives from Hamilton, one from Burlington and one from the balance of the area to the Executive Committee.[1]

It was conceived that all major appropriations or expenditures and the adoption of the Official Plan, if not recommended by the Executive Committee, would not be made without a two-thirds vote of the Metropolitan Council. The point here is to ensure that there be a general unanimity among the representatives of the various parts of the metropolitan area in any major appropriation, expenditure or transaction of the Metropolitan Council.[2]

Although it will be analyzed in depth at the end of this chapter, it seems appropriate at this juncture to provide the reader with some notion as to the response to the Steele Commission's recommendations for the Regional Municipality of Hamilton.

Even though Grimsby had asked to be included in the Hamilton-Burlington-Wentworth review, they rejected the findings of the Commission saying that its proper place

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[1] Report and Recommendations, pp. 142-143.

[2] Ibid., p. 143. The notion of an Executive Committee seems to stem, at least in part, from the tradition of a Board of Control in the Ontario experience. See Chapter III.

lay with the then new Niagara Region to the south. Burlington, predictably, objected to being part of a Hamilton-centered region, maintaining that its interests lay increasingly with the municipalities to the east. In any local government reform it clearly wanted to be included with the municipalities of Halton County. There were, of course, other less significant objections but the above were the ones which engendered the greatest degree of metropolitan and local controversy.[1]

Due to the intensity of the opposition to the recommendations of the Steele Commission, especially from the Burlington area, the Ontario government felt a necessity to back off from the report with the result that regional government for the Hamilton-centered region was held in a sort of limbo for the next three and one-half years. However, the government felt it important that local government reform be implemented in the area and during 1972 was busy preparing a new, but less detailed, proposal for the region. These new proposals were made public at a meeting in Hamilton on the night of January 23, 1974.

Proposals for the Hamilton Centered Region: 1973

As noted above, the government made its proposals for regional government for the Hamilton-centered region at a

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[1]Proposals for Local Government Reform in the Area West of Metropolitan Toronto, p. 11.

meeting of local officials in Hamilton on January 23, 1973. Arthur Meen, the legislative assistant to Ontario Treasurer John White, spelled out the proposals to an often hostile audience in the auditorium of Mohawk College.[1]

Instead of the expected single proposal for regional government in the Hamilton-centered area, the Ontario government asked local leaders and residents to consider, by the end of March, two alternatives: 1. a compact, single-tier regional municipality, which in the government's opinion, would allow for certain advantages in electoral arrangements, in fiscal arrangements and in the administration of municipal services, or 2. a two-tier regional municipality, slightly larger than the single-tier would be and consisting of five area municipalities.[2]

Meen said that the Ontario government favors the single-tier system as " . . . the best way of achiving the clear lines of authority and the good accountability that are among our objectives in reforming local government."[3] Meen, however, did concede that the two-tier alternative would probably provide a greater flexibility

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[1] Toronto Star, "Ontario Plans 3 Regional Governments," January 24, 1973, p. 4.

[2] Proposals for Local Government Reform in the Area West of Metropolitan Toronto, p. 38.

[3] "Ontario Plans 3 Regional Governments," p. 4.

for any possible future expansion of the region. He also stated that he, personally, liked both options. At that juncture a member of his audience shouted: " . . . that's what I call leadership."[1]

At this point it should be noted that if a one-level system is adopted for the Hamilton-centered region, it would make Hamilton unique among Ontario's new regional governments. All eleven regional governments either in existence or proposed by the Ontario government so far have two levels of government. This proposal is the government's first real break from the precedent of Metropolitan Toronto.

Ontario's proposal for a single-tier government for the Hamilton-centered region comprises the areas of the City of Hamilton, Stoney Creek, Saltfleet Township, Binbrook and Glanford Townships, Dundas and eastern Ancaster Township, the southeast corner of Beverly Township below Rockton and the part of West Flamborough Township around Bullock's Corners and Greensville.[2] Burlington is notable by its exclusion from this proposed region.

According to the Ontario government, one advantage that seems important in the single-tier is that it would

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[1] Ibid., p. 4.

[2] Proposals for Local Government Reform in the Area West of Metropolitan Toronto, p. 41.

provide clear lines of authority and good accountability--two factors that are basic objectives in the reform of local government. The government also expressed a belief that the single-tier would also provide certain advantages in fiscal arrangements and the administration of municipal services in a way that would provide a better fit to the peculiar circumstances of Hamilton-Wentworth's geography, population distribution and social patterns.[1]

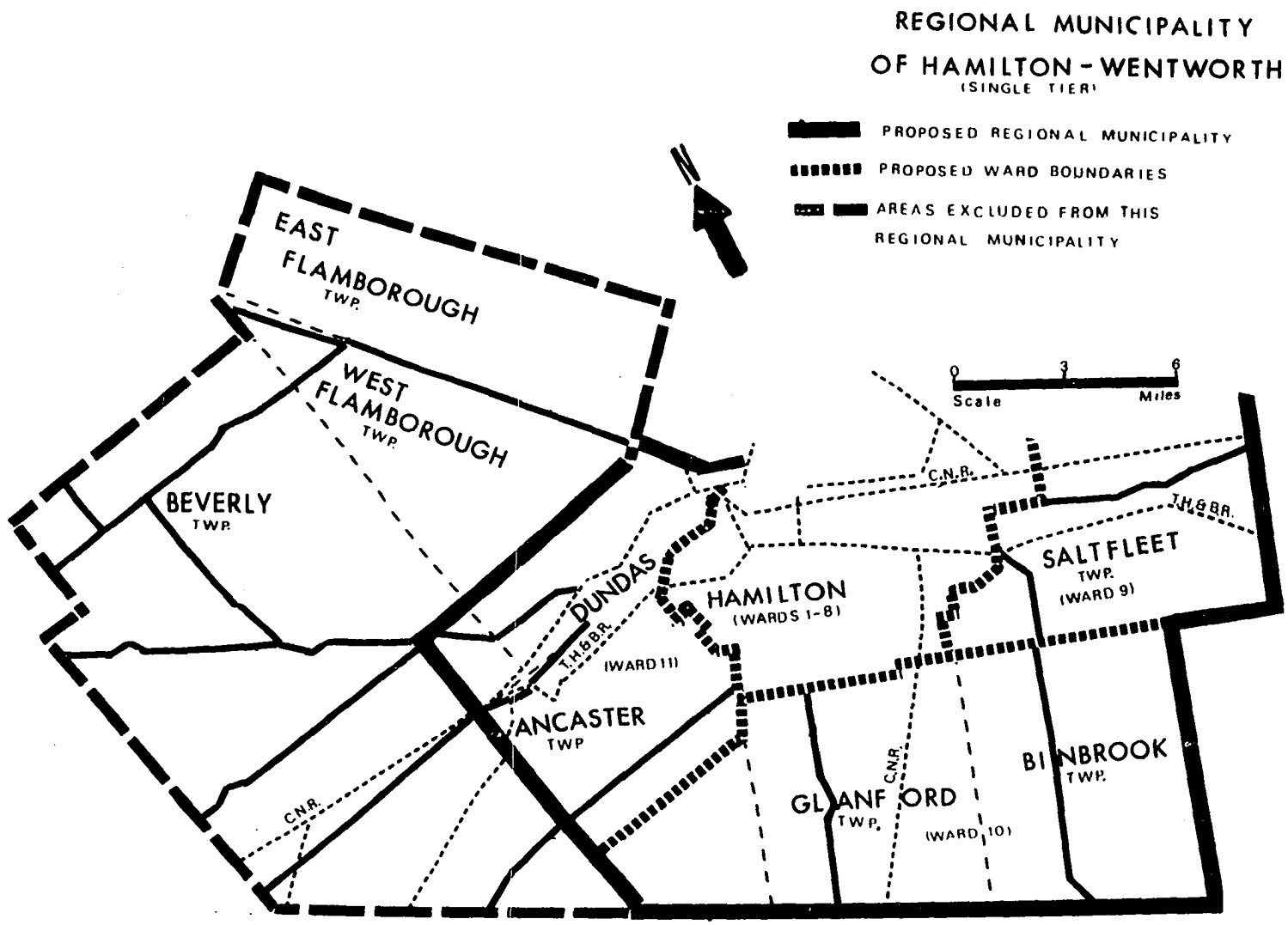
Meen also asserted that the interests of the suburbs of Hamilton coincide better with the interests of adjacent areas of the City than they do with each other and that these interests would be better served by a single-tier.[2]

Although the Ontario government prefers the single-tier option, it is not unaware of the attendant disadvantages as well as the advantages. For example, when a single-tier system is applied to a fairly large area, as this one would be, there is always a chance that the regional government may become somewhat remote from local concerns. There is always the fear that a regional council in attempting to take a regional view would not be

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[1]A. K. Meen, Remarks by Mr. A. K. Meen, MPP, Parliamentary Assistant to the Honourable John White, Treasurer of Ontario and Minister of Economics and Intergovernmental Affairs, to the Ancaster Progressive Conservative Association, Ancaster, Ontario, February 22, 1973, p. 7.

[2]Ibid., p. 7.


REGIONAL MUNICIPALITY
OF HAMILTON - WENTWORTH
(SINGLE TIER)
PROPOSED REGIONAL MUNICIPALITY
PROPOSED WARD BOUNDARIES
AREAS EXCLUDED FROM THIS
REGIONAL MUNICIPALITY
EAST
FLAMBOROUGH
TWP.
WEST
FLAMBOROUGH
TWP.
BEVERLY
TWP.
0
3
6
Scale
Miles
C.N.R.
T.H.&B.R.
SALTFLEET
TWP.
(WARD 9)
DUNDAS
HAMILTON
(WARDS 1-8)
T.H.&B.R.
(WARD 11)
ANCASTER
TWP
C.N.R.
GLANFORD
TWP.
(WARD 10)
BINBROOK
TWP.

able, or would be unwilling, to respond as it should to issues affecting only one part or another of the regional area. This problem is enlarged when it is added to the fact that some of the smaller areas in a one-tier system might feel grossly under-represented in comparison to the City.[1] In addition, one-tier implies a common level of service throughout the region. Clearly this could pose problems if some local areas wanted one level of service and some areas another. In such circumstances some areas might feel that their taxes were going into services from which they were receiving little or no benefit. This is a problem that would seem likely to come up in this proposed region as it includes both heavily urbanized areas along with suburban areas and, finally, essentially rural areas.

At present, Hamilton has eight wards with two aldermen to each ward. The Ontario single-tier proposal calls for the creation of three additional wards in the parts of Wentworth being included with Hamilton. They would also have two aldermen each for a council of twenty-two members, including a chairman to be elected from among their own number (in other words, the Chairman would not be the neutral, appointed, outside force such as in Metropolitan Toronto and as was the proposed Metropolitan

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[1] Ibid., p. 8.

Chairman in the recommendations of the Steele Commission.)[1] The most often mentioned proposal for the three new wards is that one include Stoney Creek and Saltfleet; the second to include Binbrook-Glanford and the part of Ancaster Township near the Mount Hope Airport; and finally, the third additional ward could include the Town of Dundas plus parts of West Flamborough, Beverly and Ancaster Township. However, it should be noted at this point that the Ontario government is pretty flexible on the exact makeup of these three additional wards.[2]

Because this single-tier alternative really entails little more than the addition of three additional wards to Hamilton, it immediately raises the question of whether there should be any change in the present form of Hamilton municipal government. The Ontario government, in this regard, argues that the Board of Control, now part of Hamilton's administration, should be dissolved for two basic reasons. First, it is felt that the method of selecting the Board of Control would be unfair to voters outside of the present City of Hamilton. This is simply because the balance of population is so heavily in favor of the City that any candidate popular within Hamilton could win a seat on the Board of Control without gathering

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[1] Proposals for Local Government Reform in the Area West of Metropolitan Toronto, p. 43.

[2] Ibid., p. 43.

so much as one vote from what is now Wentworth County. The possible result, of course, is that voters outside of the present city could find themselves governed by a board of control for which no one in Wentworth had voted. The second reason is because the present system, which amounts to the election of two councils, confuses accountability. The Board of Control has certain statutory powers over budgets and contracts, and these powers are hard to upset. In some situations, the board becomes essentially a council within a countil, making the aldermen seem redundant.[1] In sum, then, the council under the single-tier alternative would be one of twenty-two members, elected on a ward basis with an internally elected chairman.

It was noted earlier that the Ontario Government's 1973 proposals suggested two possible alternatives for local government reform in the Hamilton-centered region. One alternative was the single-tier region discussed above. The second alternative was the more traditional, in the Ontario reform experience, two-tier approach.

Essentially the two-tier alternative offered by the province proposed an area broader than that of the single-tier area. The region would include all of Hamilton and

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[1] Ibid., p. 45. See also Chapter III.

Wentworth except the Village of Waterdown and the Township of East Flamborough.[1] Again, as in the single-tier alternative, the Town of Burlington is notable by its absence. Essentially, the government's idea is that if a two-tier region is created, it should be made up of five area municipalities embracing the existing nine.[2] Thus, in the two-tier system, Hamilton-Wentworth's five area municipalities would be:

1. Hamilton, retaining its present boundaries;
2. Saltfleet-Stoney Creek, amalgamated to form a new municipality;
3. Binbrook and Glanford, amalgamated;
4. Dundas and Ancaster, amalgamated;
5. Beverly and West Flamborough, amalgamated.[3]

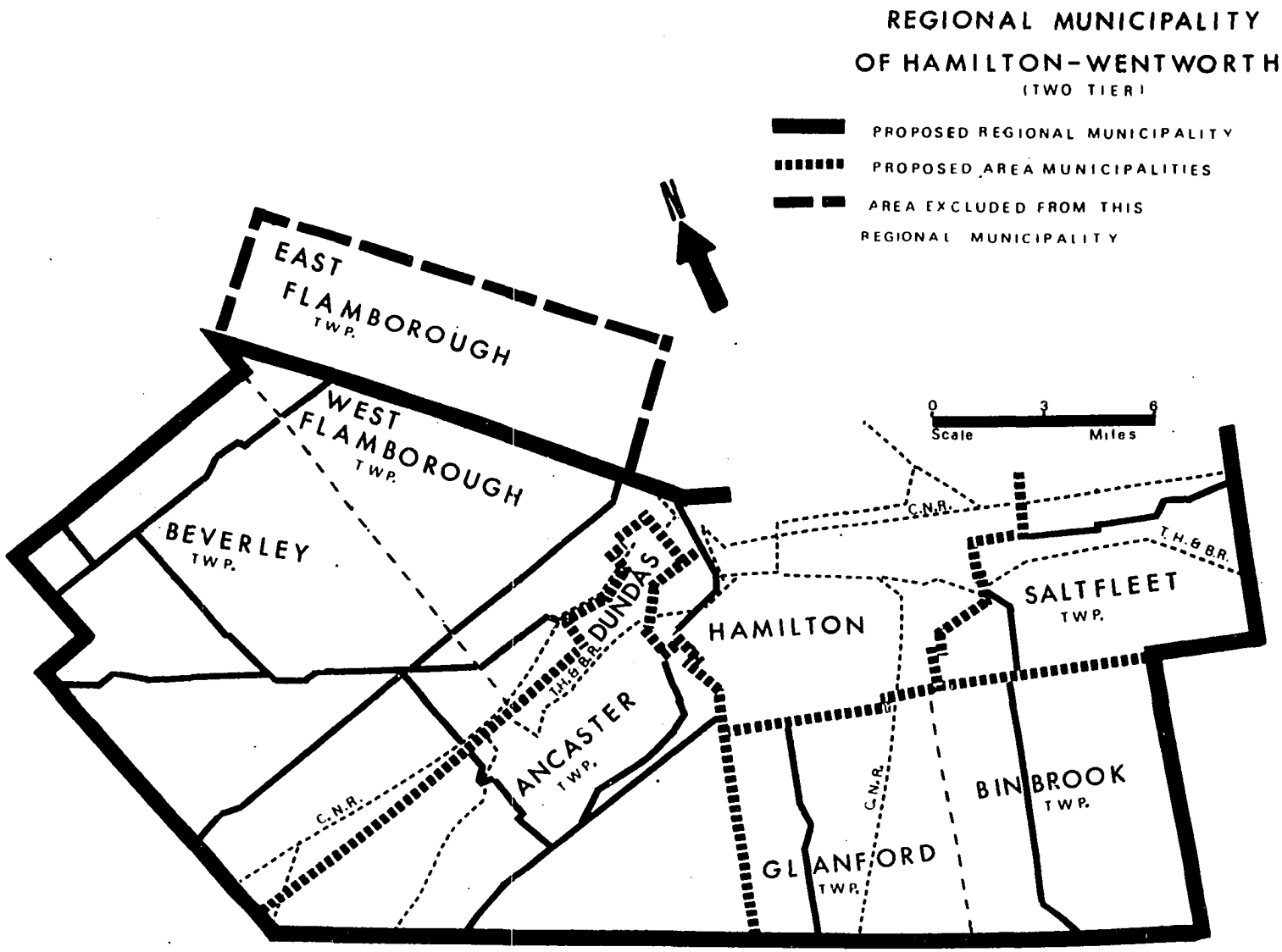
In this proposed two-tier system the Regional Council would have twenty-four members, plus an independent or neutral chairman in the Metropolitan Toronto tradition. Of the twenty-four councillors on the Regional Council, Hamilton would have sixteen and the other area municipalities would each have two. As in the original Steele Commission recommendations, the regional councillors would, by

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[1] Ibid., p. 46.

[2] Actually there are eleven municipalities in Wentworth now, but two of them would, under the new proposals, become part of the Halton region.

[3] Proposals for Local Government Reform in the Area West of Metropolitan Toronto, p. 48.


REGIONAL MUNICIPALITY
OF HAMILTON-WENTWORTH
(TWO TIER)
PROPOSED REGIONAL MUNICIPALITY
PROPOSED AREA MUNICIPALITIES
AREA EXCLUDED FROM THIS
REGIONAL MUNICIPALITY
EAST
FLAMBOROUGH
TWP.
WEST
FLAMBOROUGH
TWP.
BEVERLEY
TWP.
DUNDAS
HAMILTON
ANCASTER
TWP.
GLANFORD
TWP.
SALTFLEET
TWP.
BINBROOK
TWP.
C.N.R.
T.H.&B.R.
0
3
6
Scale
Miles

some formula, become regional councillors by virtue of election to the councils of local area municipalities. This is a condition the government feels is necessary in order to avoid harmful alienation between the Regional Government and its area municipalities.[1]

According to the Ontario government, one important advantage of the two-tier system would be the region's ability to respond more readily to any proposals that might be made to have neighboring areas become part of Hamilton-Wentworth. Clearly, such proposals would be less feasible in the single-tier system because it would likely be strongly oriented to the urban core.[2] Another obvious point which must be in favor of the two-tier option is that it is working reasonably well in other regions, and their experience would be invaluable to new two-tier regions.

Another advantage of the two-tier system lies in the areas of taxation and service provision. The fundamental principle of the two-tier system is, of course, the sharing of responsibilities between the Regional Council and the area councils. Planning policy, police protection, arterial roads and other items of regional-wide concern are commonly powers accorded to the Regional

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[1]"Remarks by Mr. A. K. Meen," p. 6.

[2]Proposals for Local Government Reform in the Area West of Metropolitan Toronto, pp. 46-47.

Council, while other concerns best managed at the more local level, such as sidewalks, local roads and garbage collection, become the responsibility of the various area municipalities. The point is simply that, with such an arrangement, it becomes far easier to provide different levels of service in the various areas and to levy taxes accordingly.

Some advocates of the two-tier setup also see merit in retaining the identity of some lower-tier municipalities within the system, even though certain amalgamations would have occurred. In short, many people feel more comfortable if they have a mayor and a council who they feel are throughly informed and deeply concerned about issues which may be largely or entirely local in nature.[1]

In making these proposals for a two-tier system for the Hamilton-centered region, the government went to great lengths to assert that on the question of electing councils and on the question of division of functions they would be as flexible as possible. For example, on the question of division of functions they seemed prepared to argue the logic of making certain functions regional, but asserted that they were prepared to listen and act upon any counter-arguments.[2]

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[1] "Remarks by A. K. Meen," p. 10.

[2] For example, see Ibid., p. 14.

On the question of division of responsibilities, the government made specific proposals as to what they considered the most workable division. Their proposals really differ very little from what has been typical in other two-tier regions.[1]

In terms of planning and the preparation of official plans it was recommended that the Regional Council have the responsibilities of a planning board. This is because it is important for planning jurisdictions and political jurisdictions to coincide. In addition, the Regional Council would be required to prepare a regional plan within a specified time after the incorporation of the regional municipality. The various area municipalities would be designated as subsidiary planning areas, and each would be responsible for preparing a detailed plan within the framework of the regional plan.

Authority to borrow capital would rest exclusively with the Regional Council. The notion here is that by serving as the borrowing agent for its area municipalities as well as for itself, a region would be more likely to obtain preferential rates in the market. At the same time, it would better be able to keep borrowing in line with the region's other long range policies.

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[1]The following discussion of proposed division of responsibilities is from Proposals for Local Government Reform in the Area West of Metropolitan Toronto, pp. 29-37.

Also, because the promotion and the regulation of industrial development is closely related to the planning of land use, the region should also handle this function. In addition the conservation authorities now operating would continue to function but municipal appointments to them would be made by the Regional Council.

The government proposed that the responsibility of licensing should be divided between the region and the area municipalities. This recommendation again is similar to that of the earlier Steele Commission. The division of licensing should be on the basis of activities that are strictly local should be licensed as such and others, broader in character, would call for regional licensing.

As is common in other regions, police protection would be a regional responsibility. This arrangement seems to most equitably spread the cost, provide the greatest flexibility in the use of manpower, and the larger base makes it more practical for the police force to make extensive use of specialists.

It was also proposed that welfare be a regional responsibility so as to now put too much pressure on the urban core city. It was also suggested that the Regional Council make the municipal appointments to the Boards of Health.

In terms of the problem of transportation, the Ontario government proposed that public transit be made a regional responsibility at the option of the Regional Council. Over the last few years the Ontario government has been placing increasing emphasis upon public transit as a means of both reducing traffic congestion and protecting the environment from pollution. The province feels that if each region were to have its own unified public transit system, local transportation would be more efficient and each region would then be better able to integrate their systems with each other and with the province's.

Although local streets are to be the responsibility of area municipalities, regional roads (initially the county road system) will be handled by the region, which could also designate other roads as regional and could build major new arteries after consultation with the Minister of Transportation and Communications. In addition, the regional government, having responsibility for traffic control and public transit, should have ultimate responsibility for the associated problems of parking. However, they may share this responsibility with the area municipalities if it seems appropriate.

The regional municipality will also have the responsibility for water and sewer services as well as in carrying

on existing arrangements or making new ones with the Ministry of the Environment. The reasoning behind this proposal is simply the assertion that a unified arrangement would strengthen each region's planning ability and simplify administrative procedures. More specifically, it would serve to enable the region to cope more readily with heavy growth.

In turning to those responsibilities which might be best relegated to the local area municipalities, the province asserted that many of these are either more local in nature or services which might be better, and with more flexibility, administered locally.

For example, unlike policing, the government asserts that fire protection is a function that seems to operate best when administered locally. However, the region would be empowered to appoint a fire-coordinator to prepare and take charge of an emergency plan for area fire departments.

On the question of tax collection, the government proposed to have the area municipalities handle the duties of tax collection as they do in other regions. However, on this question the government has emphasized that they are open to further discussion.

On the question of the provision of hydro[1] for the region the question is up in the air at the moment.

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[1]For those readers who may not be familiar with the Canadian experience it should be noted that the term "hydro" refers to "electricity."

Apparently, the Onterio government is now studying the Report of the Task Force Hydro, which deals with the status of the various municipal hydro commissions. From this study may come a general statement of government policy on the relationship of hydro commissions to regional governments. Until then the government recommends that the existing hydro commissions continue in the distribution of electric power.

As is the case in the other regions, the government recommended that the local area municipalities have the responsibility of garbage collection and that the regional municipality be responsible for the provision of disposal sites.

In addition, the government proposed to make parks and recreation a local responsibility. However, the region would probably be also empowered to establish its own regional parks.

Land drainage, in general, would be a local area municipality responsibility, but the region would have control on storm drains on regional roads. As well, it was proposed that the region be able to designate any trunk storm sewers or trunk drains as regional, take them over, and operate them.

It was further proposed that zoning be a responsibility of the area municipalities. They would, however,

have to proceed in accordance with official plans. Minor zoning variances could be permitted by committees of adjustment of all municipalities. Severances would be adjudicated by a regional land division committee.

Finally, area councils would have primary responsibility for subdivisions and uniform agreements with subdividers. Where regional services or responsibilities were involved, the region would be able to enter into subdivision agreements with area municipalities or with individuals.

In summary, the government's 1973 recommendations for division of responsibilities in a two-tier setup actually differ very little from those made in 1969 by the report of the Steele Commission or from the division that exists in Metropolitan Toronto and the other two-tier regional municipalities in existence. The only real departure from the recommendations of the Steele Commission concerns the land drainage function--hardly an issue to raise any great deal of controversy!

The reactions to the 1973 Ontario government proposals for local government reform in the areas to the west of Metropolitan Toronto were unmistakably hostile. According to a newspaper account of the meeting where the government made public their proposals:

> When Davis was introduced, some of the audience hissed and booed, but they were drowned out by polite applause.
>
> There were few complaints as Meen spelled out the proposals for Peel and Halton, but objections rose to a roar when he reached the plans for Hamilton and Wentworth.
>
> As Meen gave details of proposed new municipal boundaries, there were shouts of "Go home," and "Leave use alone."
>
> Members of the public who were refused entry to the auditorium marched in the lobby carrying signs directed at Davis proclaiming: "Nobody likes a dictator."
>
> Dozens of local politicians in Wentworth were wearing lapel stickers saying: "I want a say in my future!"
>
> These were in reference to earlier complaints that the province had not consulted local officials about the regional plans.[1]

In short, when the regional government proposals for Hamilton and Wentworth were unveiled the municipal politicians sitting in the audience booed, jeered and generally made their displeasure known.

The reactions took many forms but those from Hamilton were unified in their condemnation of the proposals. The mayor of Hamilton, Victor Copps, said that the proposals posed " . . . a serious threat to the whole future of Hamilton."[2] Copps said the Burlington should be included in any Hamilton regional government because the two cities are closely related. Copps was particularly

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[1] Toronto Star, "Ontario Plans 3 Regional Governments," January 24, 1973, p. 4.

[2] Quoted in the Toronto Star, "Regional Government: No Wonder the Politicians Protest," an editorial comment by Ian Urquhart, January 23, 1973, p. 18.

upset because the province had proposed joining Burlington with Oakville in the Halton region. He further vowed to lead opposition in Hamilton to the plan.[1] In addition, Hamilton Controller Anne Jones said that Hamilton had been ". . . sold down the river" by the provincial government.[2]

In Wentworth County Ancaster Reeve Art Bowes called the regional government proposal " . . . totally unacceptable" and Saltfleet Reeve Gordon Dean said, " . . . it stinks."[3]

Members of the Provincial Legislature from the Hamilton and Wentworth area also expressed concern. For example, Ian Dean, the New Democratic Party House Leader and member for Wentworth said that the wishes of the public were ignored by the government in drawing up the proposal. Dean said, "I don't think the public wants to be part of a super city, I think the government is on the wrong track,"[4] Ontario Liberal Leader Robert Nixon, whose riding of Brant borders on the west of the proposed Hamilton region, said the proposal should be shelved until plans

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[1]Toronto Star, "Hamilton Region Politicians Say Plan 'Stinks, Unacceptable'," January 24, 1973, p. 4.

[2]Ibid., p. 4.

[3]"Regional Government: No Wonder the Politicians Protest," p. 18.

[4]"Hamilton Region Politicians Say Plan 'Stinks, Unacceptable'," p. 4.

for a regional government in Brant are ready. He indicated that, in his opinion, the plans for the two regions should be coordinated.[1] Even Progressive Conservative member Don Ewen from Wentworth North said he was disapointed at the government proposals. Specifically, he questioned the exclusion of Burlington from the Hamilton region.[2] In summary, most of the displeasure voiced at the proposals revolved around three points. First, there was the unhappiness, especially on the part of Hamilton, that the Town of Burlington was not included in the Hamilton region and was instead included in the Halton region. Second, the smaller municipalities were very concerned with the single-tier proposal; they seemed to fear that it might mean a "super-city" which would completely overshadow their municipalities. Third, there was a general concern that the citizens and officials of the affected areas were not consulted by the government in regard to the drawing up of these proposals.

Hamilton Region: Adaptation and Integration

This chapter has gone into some detail about the background to reform of local government in what has been called the Hamilton-centered region. The very obvious need

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[1] Ibid., p. 4.

[2] Ibid., p. 4.

for local government reform in this area has been thoroughly documented; in fact this need has not really been at issue in the region. The initial proposals for local government reform, those of the Steele Commission, were made public in 1969. These proposals called for a two-tier system of government for the region and, significantly, asserted that the Town of Burlington should be included in any Hamilton-centered regional government. Generally, it was this assertion which threatened to scuttle the regional government program for this area. The reason simply was that the proposal raised a storm of protest from the residents and the officials of Burlington. This Burlington protest was brought to a head when a well-publicized plebiscite on the issue was held in Burlington in 1969. After a strong campaign against the proposals by almost every Burlington interest and political group the election was held and eighty-eight per cent of the Burlington voters opposed joining into any region with Hamilton.[1] Clearly, the residents of Burlington were refusing to play along with the Steele Commission's proposals.

In short, the net result of this severe opposition to the Steele Commission recommendations from Burlington

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[1]"Regional Government: No Wonder the Politicians Protest," p. 18.

was a hands off policy from Queen's Park. The government did not draw up legislation on these recommendations and by their inaction on the report generally made it clear that they wished the Steele Commission report would just quietly go away. This total inaction on the part of Queen's Park was to last for a little over three years.

The provincial government was next heard from with its 1973 proposals for three separate regions in the area west of Metropolitan Toronto. Possibly the most important recommendation of these proposals was the one calling for the inclusion of Burlington into the Halton region. The background to this recommendation, then, seems in order at this point.

In 1965, the Plunkett Report was issued with recommendations for regional government in the Peel-Halton area. This is the area which is along the shores of Lake Ontario squeezed in between Metropolitan Toronto on the east and Hamilton to the west. Commissioner Thomas J. Plunkett recommended dividing the area into two separate one-tier municipalities. One was to be an urban municipality across the southern Mississauga-Oakville-Burlington corridor; the second, a rural municipality covering the more rural parts of Peel and Halton counties.[1] Many local leaders and

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[1]Proposals for Local Government Reform in the Area West of Metropolitan Toronto, p. 9.

residents in these areas rejected the Plunkett recommendations and so they were never carried out.

In 1969 a provincial proposal was offered by the Minister of Municipal Affairs as an alternative to the Plunkett recommendations. Under this newer proposal, Peel-Halton would have become a two-tier region composed of seven area municipalities, including, tentatively, the Town of Burlington. This proposal met with somewhat more acceptance but not enough in the opinion of the government. As a result, the proposal was withdrawn.[1]

With the 1973 provincial proposals for the area west of Metropolitan Toronto, it was proposed that there be a two-tiered region embracing all of Halton County, including Burlington, except for a small portion of eastern Oakville, plus the Village of Waterdown and the Township of East Flamborough which is now part of Wentworth County.[2] Clearly, the government was reacting to the controversy coming from the Steele Commission recommendations concerning Burlington and had become persuaded of the impracticability of including Burlington in a Hamilton-centered region. The government then took the position that the proposal to include Burlington in the Regional Municipality of Halton has certain implications for the structuring of a

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[1] Ibid., pp. 9-10.

[2] Ibid., p. 21.

regional municipality in Hamilton-Wentworth. Specifically, the argument was that with Burlington excluded from Hamilton-Wentworth, a single-tier system would be the best way of offsetting the imbalance in voting that would occur in a two-tier system.[1]

The decision to exclude Burlington from the Hamilton-centered region was received very well, of course, in Burlington. Burlington Mayor George Harrington said that he was very pleased with the proposal for a Halton area regional government that would join his city with Oakville.[2] Clearly, the reaction in Hamilton was not as positive. Municipal leaders and others in Hamilton believe very strongly that in any form of restructured local governments to which they might become a party Burlington must be included.[3] The government, however, takes the position that Halton wants Burlington to be part of the Halton region, and Burlington wants to be part of the Halton region, and thus Hamilton stands alone in its desires. Further, it is the position that the wishes of all three

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[1] Ibid., pp. 40-41.

[2] "Hamilton Region Politicians Say Plan 'Stinks, Unacceptable'," p. 4.

[3] A. K. Meen, "My Role in Regional Government," An address by A. K. Meen, QC, MPP York East and Parliamentary Assistant to the Treasurer of Ontario and Minister of Economics and Intergovernmental Affairs, to the Leaside Lions Club, February 12, 1973, p. 6.

are important and must be taken fully into account. But there is another important point as well, i.e., the question of how workable any proposed arrangement would be. In the eyes of the Ontario government the Halton region will be workable only if Burlington is a part of it. It is their contention that every regional government needs a balanced combination of urban and rural communities, and this can only be obtained in Halton with the inclusion of Burlington.[1]

In reference to the single-tier proposal for the Hamilton-centered region, the government is aware that to many people, especially to the smaller communities, this merely sounds like an enlarged city and this raises the corresponding fear of the loss of their identity. The government really has no coherent argument to offset this fear, outside of the contention that a region has features that a city doesn't necessarily have.[2]

In summary it seems that the 1973 Ontario government proposals for the Hamilton-centered region were largely in reaction to Burlington's severe displeasure with the 1969 Steele Commission's recommendations. By proposing, in 1973, that Burlington be included in the Halton region the government was adapting to the probable lack of integration within the region if Burlington was included. However,

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[1]"Remarks by A. K. Meen," pp. 12-13.

[2]Ibid., pp. 2-3.

in making this change they created other serious problems. Without Burlington the population of the Hamilton-centered region becomes seriously imbalanced, thus prompting the suggestion for a single-tier region which, in turn, causes important new fears of amalgamation into Hamilton on the part of the smaller communities in the region. This, clearly, is a situation where the Province has tried to adapt to the situation only to find itself creating further problems. An observer of the situation cannot help having the feeling that the province has, in this situation, been too willing to adapt to the whims of the municipalities to the point that it has only succeeded in increasing the criticism.

The following case study, Oshawa, will illustrate what happened when the province, instead of imposing reform, tried to allow the local communities to make their own recommendations.

CHAPTER VI

CASE STUDY 2: OSHAWA

Introduction

In several earlier portions of this study it has been noted, at some length, that in Ontario, as in many states of the United States, the urban landscape is dotted with a wide variety of municipalities varying widely in the necessary fiscal capacity to finance educational and municipal services. As is the case in the United States, local government in Ontario is the focal point for the delivery of most domestic public services. A wide variety of general purpose governments and a host of dependent and independent single-purpose boards and commissions are engaged in the attempted performance of the usual local governmental functions. Ontario has been concerned that urban development in that province might take on all of the worst characteristics of similar development in the United States. Of particular concern has been the fear that public service disparities would result from inter-community competition for property tax bases along with

the badly planned strip development nature characteristic of this kind of urban development.[1]

The area with which this chapter deals is a rapidly developing region along the Lake Ontario shoreline immediately east of the Municipality of Metropolitan Toronto. As such, it is part of the highly urbanized portion of Ontario running from the Detroit, Michigan area to Montreal. In addition, this area is experiencing increasing urbanizing pressures from the spillover of people and industry from nearby Metropolitan Toronto. The principal municipality in the "east of Metro" region is the City of Oshawa. Oshawa is a rapidly growing city and has virtually doubled its population in the last twenty years.[2]

Because of the location of this region and because of its great growth potential it is extremely important to have careful planning and to allow for greenbelts in order to prevent the rise of a continuous urban zone between Oshawa on the east and Hamilton on the west. As early as 1955, Jacob Spelt noted that:

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[1]Advisory Commission on Intergovernmental Relations, In Search of Balance--Canada's Intergovernmental Experience, September, 1971, p. 83.

[2]Canada Yearbook, 1970-1971, p. 224. For example, Oshawa grew from a population of 41,545 in 1951 to a population of 78,082 in 1966.

> . . . . in order to reach a balanced urban pattern in the region, still another deliberate act of man will be needed. Only a regional plan, focused on a controlled growth of Toronto, with an accompanying development of satellite towns and a general programme of decentralization, will lead to the most desirable climax settlement of the region.[1]

In addition, the Provincial plan for the Toronto Centred Region envisages that the region immediately east of Metropolitan Toronto will be the most rapidly urbanizing part of Ontario. There are presently proposals for a new international airport and a new town of 200,000 people in this area. These developments, along with the expected growth of southwest Pickering, the expansion of Oshawa, the development of Port Hope-Cobourg as a large city and the concomitant need for maintenance of the rural lands and greenbelts between the various urban centers are just a few of the challenges facing the region.[2]

In short, this region directly east of Metropolitan Toronto has to be an extremely important cog in any attempt to provide regional local government in the urban portion of Ontario.

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[1]Jacob Spelt, Urban Development in South-Central Ontario (Toronto: McClelland and Steward, Ltd., 1972). (First published in 1955 by Koninklyke Van Gorcum and Co., Assen, Netherlands), p. 246.

[2]Ministry of Treasury, Economics and Intergovernmental Affairs, Proposal for Local Government Reform in the Area East of Metro, December, 1972, p. 53.

OAPADS

During the initial years of local government reviews in Ontario, most were commissioned by the provincial government and were headed by outside people--often academic people such as Plunkett, Hardy and Fyfe. The situation as it developed in Oshawa was unique. Briefly, the citizens of the Oshawa area felt that it was imperative to have the study conducted locally by people familiar with the area. The provincial government agreed with that proposal and the study was conducted on a local basis and was financed by the province. In short, the role of the Department of Municipal Affairs in the study was merely to (1) go through the various reports critically; (2) receive submissions from local groups; (3) hold hearings and talk to local people; and (4) submit to the Minister a critique of the report's recommended actions.[1] This study was named the Oshawa Area Planning and Development Study (OAPADS).

In the process of conducting the OAPADS study seminars and public hearings were held for the purpose of establishing some sort of dialogue between the study organization and the residents of the area. The purported

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[1]Interview with Mr. Gardiner Church, Senior Studies Officer, Urban and Regional Planning Division, Municipal Organization Branch, Ministry of Treasury, Economics and Intergovernmental Affairs, June 26, 1972.

purpose of these meetings was to establish a two-way communication process. These meetings were intended to allow for explanations of the current findings and recommendations by the study organization as well as questions, suggestions, recommendations and debate by those persons attending the meetings.[1] The intention was to establish a system providing for input by local citizens and citizen groups in a locally generated study.

There are a total of twenty-nine different municipalities within the OAPADS basic study area. There are eighteen townships, six villages, four towns and one city. Additionally, within the basic study area there are five police villages (In a police village, a three man board of turstees looks after local matters). The municipalities involved range in physical size from 478 acres (Pickering Village) to 75,664 acres (Mariposa). Most were incorporated around the middle of the last century although the Village of Pickering did not come into being until 1953, and the Town of Ajax not until 1955.[2]

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[1]Oshawa Area Planning and Development Study (OAPADS), A Preliminary Statement on Development and Regional Government Alternatives, Kates, Peat, Marwick & Co., no date, pp. 5-6.

[2]Oshawa Area Planning and Development Study (OAPADS), Preliminary Evaluation of Development and Regional Government Alternatives, Discussion Paper Three, Volume One, Kates, Peat, Marwick & Co., August, 1970, p. vii-7.

There is no part of the OAPADS basic study area that is not organized in one way or another into local government jurisdictions. The several municipalities in Ontario County, exclusive of Oshawa which left the County structure in 1924 when it became a city, are represented on the County Council by their reeves and deputy reeves. There are thirty-one representatives making up the County Council. Additionally, the six study area municipalities in Durham County have eleven representatives on a county council of forty-two.[1]

The size of the various municipal councils ranges from five in most townships to seventeen in the City of Oshawa. In addition, the City of Oshawa is also the only municipality large enough to have a Board of Control.

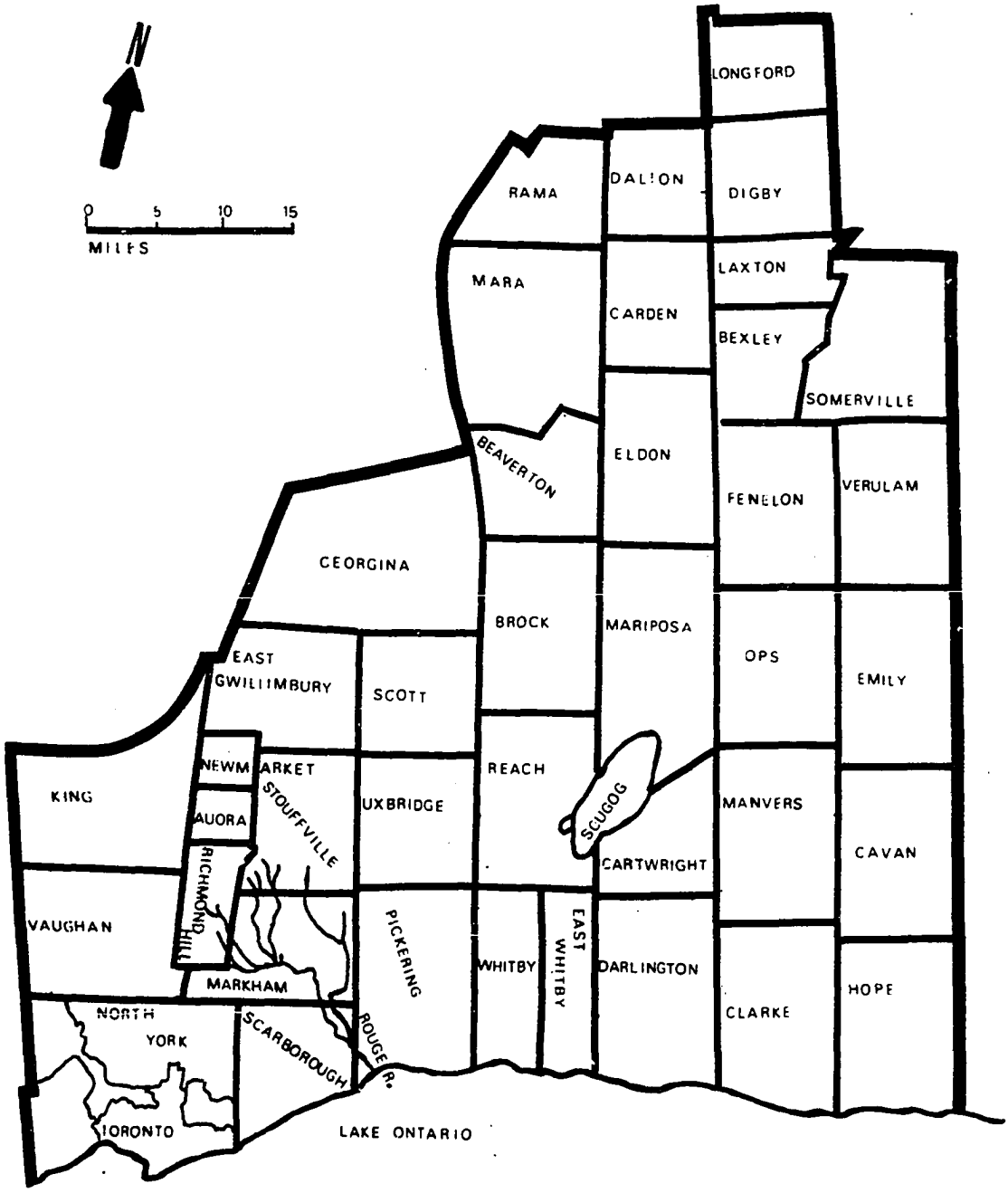
If the total number of local jurisdictions in the area, including boards and commissions and the like, are tallied there are more than 130 local government bodies of one sort of another. This confusing myriad of local government jurisdictions clearly must frustrate the citizen trying to gain access to the structure and, in addition, it is difficult to see how such a structure can be expected to deliver domestic services efficiently. In the smaller municipalities, especially, general local government administration is carried out by clerks, treasurers, tax

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[1] Ibid., pp. vii-9.

EXISTING BOUNDARIES

— LOCAL OR AREA MUNICIPALITY



collectors and purchasing agents. In many of the municipalities all of these functions are carried out by one person, who often also acts in the role of welfare administrator, recreation director and in other capacities that are carried out by separate individuals in the larger municipalities.[1]

The OAPADS study was intended to cover a variety of relevant components. First, in reference to economic base, the study was to appraise the basic likely future economy of the area in relation to the larger economy of which it is a part. In addition, the study was to produce estimates of future population, jobs and related economic indicators as a basis for planning the next thirty years of development. In terms of land use, as a second component, the study was to translate regional growth into physical development alternatives and evaluate these alternatives against social and planning goals. Further, the study was to recommend a physical development plan best suited to the needs and life style of the area residents. Third, in terms of transportation problems, the study was to identify the costs and benefits of providing various kinds and levels of transportation services for the various possible alternative development plans and to plan a transportation system to serve and help shape

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[1] Ibid., pp. viii-23 and vii-28.

the ultimately implemented development plan. In terms of municipal services, with special reference to water and sewers, the study was charged with the task of identification of the servicing costs of the alternative development plans and to ultimately plan a trunk services system to serve the selected development plan. Fifth, the study was to compare and evaluate tax revenues and the tax base of the various existing municipalities within the study area, to forecast and identify future tax revenues and to ensure that costs and revenues will balance as much as possible over the thirty year growth period. Finally, the study was charged with the task of identifying and evaluating the present local government functions. In addition, the study was to establish boundaries for the new regional government area, to establish the best system of reorganized local government to best suit the needs of the present and future population of the region. The study was also to set up a program for the implementation of a new government structure.[1] Clearly, then, the regional local government study and proposals were but one component of a multi-faceted study which included the whole range of local government, planning and development problems.

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[1]OAPADS, A Preliminary Statement on Development and Regional Government Alternatives, p. 3.

Between January 1970 and February 1971, OAPADS produced a whole host of study material and reports. In terms of the question of regional government, the study produced four discussion papers and a regional government report. The Regional Government Report, authored by Mr. Don Paterson, recommended a two-tier region consisting of the County of Ontario plus the two most westerly townships of Durham. However, the involved municipalities were unable to agree on any aspects of the OAPADS regional proposals and, as a result, on May 12, 1971, the Executive Committee voted to terminate the study. As a direct result, the involved local governments admitted the failure of OAPADS and thus failed to take the initiative in the formulation of regional government structure and abandoned the field to the province.[1]

With the termination of OAPADS the provincial government became more actively involved in the reform of local government in the area. By December 1, 1971, the Minister of Municipal Affairs had received twenty-two briefs on the Paterson report and the government was actively involved in making and evaluating alternative proposals for the future of local government east of Metropolitan Toronto.

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[1] Proposal For Local Government Reform in an Area East of Metro, pp. 4-5.

The OAPADS study and the municipal reform program in general prompted the United Counties of Northumberland and Durham[1] to review their local government structure. The United Counties commissioned P. L. Beeckmans of Municipal Planning Consultants to prepare a program of municipal reform for that area. This report was submitted and accepted by the United Counties in May of 1970. Both the OAPADS study and the United Counties' study drew heavily on local participation and direction and thus provide a large amount of background data that is sensitive to the local viewpoint. However, a further variable was added when the Federal Government announced its decision to locate a new international airport in Pickering and the Ontario Government, in a complementary action, decided to use the opportunity to create a new community in North Pickering. Clearly, these new developments added a new dimension to the reform of local government in the area as they occurred after the OAPADS and United Counties' studies were completed.[2] In short, these new developments forced some rethinking of the assumptions made about this

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[1]The United Counties are directly east of Ontario County which includes the Oshawa area.

[2]Charles S. MacNaughton, Proposal for Local Government in an Area East of Metro Toronto, Statement by the Honourable Charles S. MacNaughton, Treasurer of Ontario, Eastdale Collegiate Institute, Oshawa, Ontario, December 18, 1972, pp. 3-4.

whole area and its role in relation to the neighboring regions.

It has been noted that the Oshawa Area Planning and Development Study was halted by a termination resolution of the Executive Committee on May 12, 1971. This resolution calling for the end of OAPADS came about one month in advance of the scheduled regional government report. However, the report, which was already in progress, was considered to reflect a great deal of valuable effort. As a result, the report was issued and distributed without endorsement by the Study Organization in June of 1971.

The aforementioned regional government report of June, 1971, made the basic recommendation of a two-tier system of regional government similar to that in operation in many of the regions currently in operation. Specifically, the proposal was that the relationship between the tiers be entirely that of a federation for all functions. In other words, each tier should be given by legislation the right to exercise certain powers, with neither tier being entirely subordinate to the other.[1] Thus, this

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[1]Oshawa Area Planning and Development Study (OAPADS), Regional Government Report. Paterson Planning and Research Limited and Kates, Peat, Marwick & Co.; Murray V. Jones and Associates Limited; Gore and Storrie Limited; and Totten Sims Hubicki Associates Limited, June, 1971, pp. 21-22.

recommendation envisages a federal relationship where each tier has certain, separate legislatively mandated powers.

In terms of boundary proposals, the Regional Government Report (Paterson Report) proposed the following: (1) The North boundary of the proposed Oshawa-centered region contain all of Ontario County north including Rama and Mara plus the township of Cartwright; (2) The East boundary of the proposed region should follow the present boundary of Darlington Township. This, of course, excluded Port Hope and Cobourg. Port Hope and Cobourg were excluded from the proposed Oshawa-centered region on the assumption that they would in time be the center of a separate region; (3) The West boundary would follow the center line of the Rouge River from Lake Ontario to the fork, then follow the center line of the east branch of the Rouge northward to its intersection with the center line of proposed highway 407, and then easterly along that line to its intersection with the boundary of the counties of York and Ontario.[1]

In terms of the internal boundaries, i.e., boundaries of the area municipalities, the report was faced with a great deal of difficulty which was to be expected. However, the report did endeavor to make recommendations concerning the boundaries of the lower-tier municipalities.

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[1]OAPADS, Regional Government Report, pp. 9-20.

In its initial recommendations concerning the area municipalities, the report noted the discussion of the possibility of the amalgamation of Oshawa and Whitby to be the central city of the region. However, Paterson recommended that Oshawa and Whitby not be amalgamated either presently or at any time in the future. The rationale was simply that the amalgamation of Oshawa and Whitby would create an area municipality of such great size as to possibly serve as a barrier to regional balance. In short, a municipality of that size would tend to destroy the possibility of an internally balanced region. As a result, it was recommended that Whitby be an area municipality and further that the boundaries of Whitby remain as they are presently constituted.[1] However, an amalgamation of Oshawa and East Whitby was recommended. The Paterson Report thus recommended that the area municipality centered on Oshawa extend to the eastern boundary of Whitby on the east, to the northern boundary of the basic study area on the north, and to the line between lots 26 and 27 in the present Township of Darlington on the east. This area municipality would be called Oshawa-East Whitby. Further, the report called for city status for Oshawa-East Whitby. All other area municipalities were envisaged to have town status.[2]

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[1] Ibid., pp. 27 and 29.

[2] Ibid., pp. 27-28 and 33.

Following a request in a joint submission to OAPADS from Bowmanville and Darlington, it was recommended that Bowmanville and the part of Darlington lying east of the proposed Oshawa-East Whitby municipality be merged into a single area municipality. This municipality would be known as Bowmanville-Darlington. In addition, the report envisaged that another single area municipality be established inclusive of the area comprising the present municipalities of Beaverton, Thorah, Cannington and Brock.[1]

Paterson then recommended that the area between the Town of Whitby and the western boundary of the region, to the north limit of the basic study area, be divided into two separate area municipalities. For purposes of description, these two municipalities would respectively be referred to as Pickering West and Ajax-Pickering Village-Pickering East.[2]

In reference to the more rural areas in the northern portion of the proposed region, Paterson recommended that a total of three area municipalities be carved out of the area. The report then noted that these northern municipalities be composed as follows: (1) Uxbridge Town, Uxbridge Township, Scott; (2) Port Perry, Reach, Scugog, Cartwright;

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[1] Ibid., pp. 30-32.

[2] Ibid., pp. 28-29.

(3) Mara, Rama.[1] Map 2 illustrates the proposed boundaries of the various area municipalities in addition to the proposed regional boundaries.

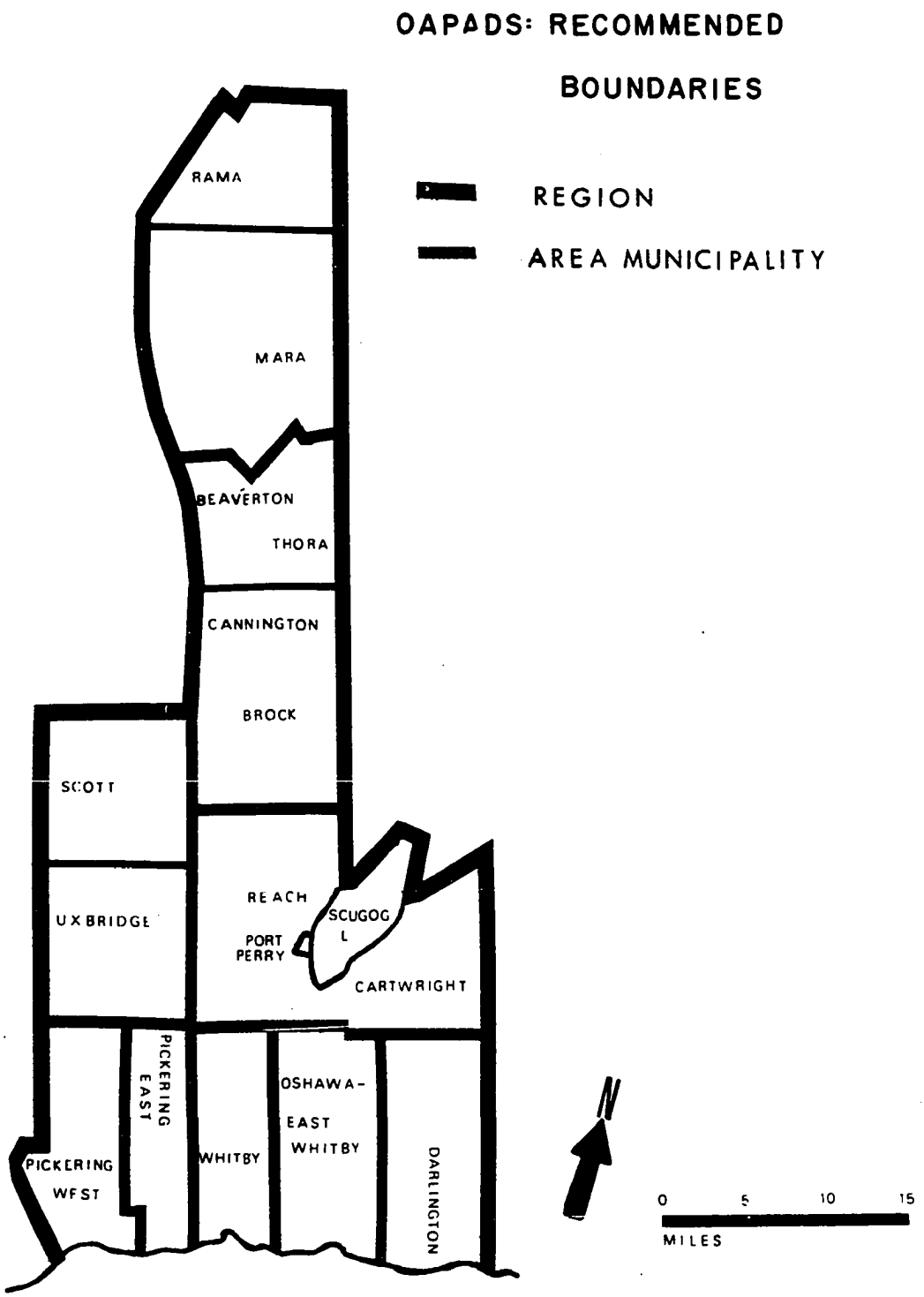
In sum, these proposals would serve to create five urban-oriented area municipalities fronting on Lake Ontario and four essentially rural municipalities in the northern reaches of the proposed region. In addition, the Paterson Report noted the possibility of the creation of a tenth area municipality at a later date comprising the future urban center of Brooklin. However, it was also noted that the municipality of Mara-Rama may in the future either decide or be asked to join another region, thus dropping the area municipalities to a total of nine. Finally, the possibility of the addition of Newcastle and Clarke as an additional municipality in the future was noted.[2]

If it is to be assumed that the above regional and area municipality boundaries are the ones which will ultimately be implemented, then the question arises as to the representation schemes which will need to be implemented. The size of both the regional council and the area municipality councils will have to be spelled out as will the

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[1] Ibid., p. 32.

[2] Ibid., pp. 22-37.


OAPADS: RECOMMENDED
BOUNDARIES
REGION
AREA MUNICIPALITY
RAMA
MARA
BEAVERTON
THORA
CANNINGTON
BROCK
SCOTT
UXBRIDGE
REACH
PORT PERRY
SCUGOG L
CARTWRIGHT
PICKERING EAST
WHITBY
OSHAWA-EAST WHITBY
DARLINGTON
PICKERING WEST
N
0 5 10 15
MILES

size and composition of the various area municipality representation on the regional council. The question also arises as to the methods of election to both the regional and the area municipalities. In addition, questions relating to the weight, for purposes of representation, given to part-time cottage populations and those relating to whether representation on the regional council should be on the basis of population or on the basis of geographical area must be determined.

In terms of the problem of the weight given to rural areas, the Paterson Report noted that in those areas that are essentially agricultural, the extremely low density does require some over-representation of population if the amount of territory to be served by one representative is to be kept within reasonable limits.[1] Accordingly, when devising a recommended scheme of representation, this factor must be taken into account even if in so doing the principle of representation by population is somewhat diluted.

The question of population representation also becomes an important issue in respect to the relative weight that should be given to "cottage population."[2]

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[1]OAPADS, Regional Government Report, p. 39.

[2]The term "cottage population" in Ontario refers to those people who are either retired, tourists or part-time residents of the resort areas. The proposed area has a relatively large influx of this type of resident.

TABLE 6.1

POPULATION DISTRIBUTION IN THE RECOMMENDED REGION

Area Municipality		1969 No.	1969 %	1976 No.	1976 %	1991 No.	1991 %	2001 No.	2001 %
Oshawa-East Whitby	p	92,900	42.8	112,500	41.8	195,000	37.7	255,000	31.6
Pickering West*	p	23,100	10.7	29,100	10.8	60,400	11.7	87,400	10.8
Ajax-Pickering Village-Pickering East	p	17,200	7.9	28,100	10.4	60,000	11.6	84,000	10.4
Whitby	p	25,000	11.5	35,300	13.1	82,000	15.8	117,000	14.5
Brooklin	p	--	--	--	--	--	--	104,000	12.9
Bowmanville-Darlington	p	15,500	7.2	16,000	5.9	58,000	11.2	89,000	11.0
Uxbridge-Uxbridge Scott	p	8,500	3.9	9,900	3.7	14,100	2.7	16,600	2.1
Port Perry-Reach	p	9,000		10,300		13,200		15,400	
Scugog-Cartwright	c	4,900		5,300		6,200		6,800	
		13,900	6.4	15,600	5.8	19,400	3.7	22,200	2.7
Beaverton-Thorah-Cannington-Brock	p	6,800		7,200		8,700		9,600	
	c	2,000		2,200		2,500		2,700	
		8,800	4.1	9,400	3.5	11,200	2.2	12,300	1.5
Mara-Rama	p	3,700		4,000		4,900		5,400	
	c	8,300		9,500		12,500		14,500	
		12,000	5.5	13,500	5.0	17,400	3.4	19,900	2.5
Total	p	201,700		252,400		496,300		783,400	
	c	15,200		17,000		21,200		24,000	
		216,900	100.0	269,400	100.0	517,500	100.0	807,400	100.0

Sources: permanent and 1969 cottage population figures, OAPADS Economic Base component; 1976-1991-2001 cottage population figures, OAPADS Regional Government component.

*Including the portions of Scarborough and Markham east of the East Rouge River and south of proposed Highway 407.
p = permanent
c = cottage

There are several considerations which must be taken into account in this regard. In support of giving full weight to cottage population in determining representation is the fact that this is the traditional county practice. In addition, the fact that cottages pay full taxes on their cottage properties, the trend of an increasing number of them utilizing their cottages on a year-round basis and perhaps to retire to them, and the increasing concern of many cottagers with the need to control pollution and protect the environment all lend support to full weight. The argument against giving the cottagers full weight in representation is based on the allegation that they typically do not have the same stake in the community as do permanent residents. An additional argument against full weight, of course, is the fear that in certain areas their number may be such as to completely dominate the permanent population. In Muskoka, for example, this factor is of overriding concern because in three of the six area municipalities under the new District Government, the ratio of cottagers to permanent residents is already more than five to one and is increasing. In additon, for the District as a whole the ratio now exceeds two to one and within the next twenty-five years is expected to approach three to one.[1] This problem, of course, is not of such a magnitude

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[1] Muskoka District Local Government Review, Research Report, August, 1968, p. 35.

in the proposed Oshawa-centered region. Only three of the nine proposed municipalities have cottage populations. In two of these, the cottagers are outnumbered by ratios of about two or three to one and their proportion is expected to drop still lower in the future. In the third affected municipality, Mara-Rama, the cottagers outnumber permanent residents by less than three to one and this situation is expected to remain static.[1] As a result, the Paterson Report took the position that the proposal to give cottage population only half weight in determining representation, which was considered essential in Muskoka, would be inappropriate in the Oshawa-centered region where the cottage population, now only seven per cent of the regional total, is expected to drop to less than three per cent by the end of the century. Accordingly, the study made the recommendation that full weight be accorded to the cottage population in determining representation within the proposed region.[2]

In terms of council structure in the area municipalities the OAPADS study took the position this is properly a concern of the area municipalities themselves and that it is neither desirable nor necessary for the legislation establishing the regional government to impose a

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[1]OAPADS, Regional Government Report, pp. 38-39.

[2]Ibid., p. 39.

council structure on each area municipality, as long as regional councillors are chosen in the recommended manner. However, the study did take note of the fact that, while each area council should be left free to determine its own structure, an initial structure for the first area councils will have to be determined in order to elect them. Thus, the study made the recommendation that for the election of the initial area municipality councils the Minister of Municipal Affairs establish the size and the composition of each council except that of Whitby, which may remain as presently constituted. Thereafter, each area council should determine any desirable changes to this initial structure and take the normal steps required to bring them about before the subsequent election.[1]

In terms of the optimum council size, the study took the general position that a council should be large enough to provide a reasonable ratio of population per representative and to handle the council work load, yet small enough so as not to be unwieldy. Clearly, then, these criteria, general as they may be, seem to dictate a smaller size for a lower-tier council than for the regional council. However, this still leaves the specific size of the area councils to be determined, except for the Town of Whitby,

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[1] Ibid., p. 41.

which will continue to elect by wards while the others will, at least initially, elect at large. Thus, the study suggested that for each of the area municipalities within the basic study area (the southern tier of municipalities), the size of the largest council which previously had jurisdiction in each be used for the initial election; and for each of the other municipalities, a council size of seven be adopted for the initial election. This scheme, then, would result in initial area councils of the following sizes:[1]

1.	Oshawa-East Whitby	17
2.	Pickering West	7
3.	Ajax-Pickering Village-Pickering East	9
4.	Whitby	11
5.	Bowmanville-Darlington	9
6.	Uxbridge-Uxbridge-Scott	7
7.	Port Perry-Reach-Scugog-Cartwright	7
8.	Beaverton-Thorah-Cannington-Brock	7
9.	Mara-Rama	7
		81

In terms of the question of the scheme for representation of the area municipalities a whole host of possible alternatives were put forward and studied. The most serious concern with most of the schemes which adequately represented local interests were that they often called for a regional council that would be both too large and too unwieldy. Most of these schemes called for a regional

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[1] Ibid., pp. 40-41.

TABLE 6.2

COMPARISON OF REGIONAL COUNCILS HAVING 30 AND 32 REPRESENTATIVES PLUS THE CHAIRMAN

Area Municipality	Council of 30 + Chairman Representation No.	%	1976 Population Distribution* %	Council of 32 + Chairman Representation No.	%
Oshawa-East Whitby	11	36.5	41.8	12	37.5
Pickering West	3	10.0	10.8	3	9.5
Ajax-Pickering Village-Pickering East	3	10.0	10.4	3	9.5
Whitby	3	10.0	13.1	4	12.5
Bowmanville-Darlington	2	6.7	5.9	2	6.2
Uxbridge-Uxbridge-Scott	2	6.7	3.7	2	6.2
Port Perry-Reach-Scugog-Cartwright	2	6.7	5.8	2	6.2
Beaverton-Thorah-Cannington-Brock	2	6.7	3.5	2	6.2
Mara-Rama	2	6.7	5.0	2	6.2
Regional Chairman	30 1 31	100.0	100.0	32 1 33	100.0

*Including cottage population.

Source: Regional Government Report, p. 43.

council of thirty or thirty-two councillors. The study group felt, however, that more decisive and effective regional government would be more likely with a smaller council. With this stricture in mind, the study group concentrated their efforts to the devising of a scheme with a fewer number of representatives. Finally, the alternatives were narrowed down to a single scheme which called for eighteen regional councillors plus the Regional Chairman.[1] The Paterson Report, then, recommended that the proposed Regional Council be composed of the Regional Chairman and eighteen representatives from the various area municipalities as follows:

TABLE 6.3

AREA MUNICIPALITY REPRESENTATION
ON THE REGIONAL COUNCIL

Municipality	No. of Regional Councillors
Oshawa-East Whitby	7
Pickering West	2
Ajax-Pickering Village-Pickering East	2
Whitby	2
Bowmanville-Darlington	1
Uxbridge-Uxbridge-Scott	1
Port Perry-Reach-Scugog-Cartwright	1
Beaverton-Cannington-Brock-Thorah	1
Mara-Rama	1
Total	18

Source: OAPADS, Regional Government Report, p. 45.

[1] Ibid., p. 43.

In the process of studying this proposal the study group made a study showing the adjustments necessary for projected future population shifts and changes. (See Table 6.4).

Further, following the precedents of the other regional Municipalities, it was proposed that the Regional Chairman should be appointed initially by the Minister of Municipal Affairs and, thereafter, elected by the Regional Council. In addition, it was recommended that the Regional Chairman should not have a vote except in case of a tie vote; the other members of the Regional Council should each have one vote only, and a majority vote of the councillors present at a council meeting should be necessary to carry any resolution or other measure.

Finally, it was suggested that in order to fulfill a quorum for Regional Council meetings, there should be a majority of Council members representing a majority of the area present. This simply means that the quorum will consist of at least ten council members representing at least five of the area municipalities.[1]

In terms of the immediate question of elections, it was recommended that for the elections for the first regional and area councils, the Minister of Municipal

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[1] Ibid., p. 45.

TABLE 6.4

COMPOSITION OF A REGIONAL COUNCIL OF 18 REPRESENTATIVES PLUS THE CHAIRMAN, SHOWING FUTURE ADJUSTMENT TO THE FORECAST 1991 POPULATION BY ADDING 2 MORE REPRESENTATIVES

Area Municipality	Council of 18 + Chairman Representation No.	%	1976 Population Distribution* %	Council of 20 + Chairman Representation No.	%	1991 Population Distribution* %
Oshawa-East Whitby	7	38.7	41.8	7	35.0	37.7
Pickering West	2	11.1	10.8	2	10.0	11.7
Ajax-Pickering Village-Pickering East	2	11.1	10.4	2	10.0	11.6
Whitby	2	11.1	13.1	3	15.0	15.8
Bowmanville-Darlington	1	5.6	5.9	2	10.0	11.2
Uxbridge-Uxbridge-Scott	1	5.6	3.7	1	5.0	2.7
Port Perry-Reach-Scugog-Cartwright	1	5.6	5.8	1	5.0	3.7
Beaverton-Thorah-Cannington-Brock	1	5.6	3.5	1	5.0	2.2
Mara-Rama	1	5.6	5.0	1	5.0	3.4
	18	100.0	100.0	20	100.0	100.0
Regional Chairman	1			1		
	19			21		

*Including cottage population

Source: Regional Government Report, p. 44.

Affairs should fix the time and places for both nomination and polling procedures, provide for the preparation of voter's lists and the appointment of returning officers and bear the expenses of the local municipalities for the elections. However, for subsequent elections, the various area councils should be responsible for all of the above matters except the nomination and election dates, which should be established by the Regional Act as the first Monday in December for election and the second Monday of November for the nomination date.[1]

Concerning the problem of method of election, in Discussion Paper Three it was proposed that election to the Regional Council should be indirect, that is, with one or more members of each area municipality council comprising the membership of the Regional Council.[2] This proposal gained a great deal of acceptance throughout the OAPADS hearings. The main advantage of such indirect election compared to separate and direct election of the Regional Council is that it tends to insure coordination of the two tiers of government and helps prevent the development of serious splits between the two tiers. Even

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[1]OAPADS, Regional Government Report, p. 37.

[2]Oshawa Area Planning and Development Study (OAPADS), Preliminary Evaluation of Development and Regional Government Alternatives, Discussion Paper Three, Volume One, August, 1970, p. x-42.

for the casual observer it is relatively easy to discern one possible reason for widespread support of this sort of indirect election. Indirect election appeals to a number of those people who fear the whole concept of regional local government. The principle of indirect election to a regional council may well serve to somewhat allay these fears as the members will be selected totally from local councillors with local constituencies and thus with an orientation which is likely to be more local than regional.

However, the OAPADS study group expressed the opinion that in order to emphasize the importance of the Regional Council, the ballot form and other election material should refer to the election of a Regional Councillor who will serve concomitantly as a member of the Area Council, rather than electing an Area Councillor who would also serve on the Regional Council. Accordingly, the final recommenation of the study group in this regard was to the effect that each member of the Regional Council, except the Regional Chairman, be elected at large within an area municipality, to sit not only on the Regional Council but also on the Area Council of that municipality. In addition, the Head or Mayor of each Area Council should always be a Regional Councillor. Finally, other members of an Area Council who do not sit on the Regional Council

may be elected either by ward or at large within the Area Municipality.[1]

The related question of the term of election was one which brought on a host of proposals. Some preference was indicated for a two year term at the public hearings. However, the proposal put forward in Discussion Paper Three was for a three year term.[2] The final recommendation of the study group alluded to the notion that the term should be long enough to provide the opportunity for councils to design and implement meaningful programs during their term in office. As a result, the recommendation was in line with Discussion Paper Three calling for a three year term that was considered to be significantly more conducive to continuity. The three year term in office was to be adopted for all elected positions in the region, with a common election date for all elected bodies.[3]

It has been previously noted, in Chapter V, that where a two-tier governmental structure is contemplated, the question as to the division of functions between the

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[1]OAPADS, Regional Government Report, p. 34.

[2]OAPADS, Discussion Paper Three, pp. x, 42-43.

[3]OAPADS, Regional Government Report, p. 35.

two tiers can be extremely controversial. The controversy can range from questions as to which tier gets which responsibilities to questions relating to local needs or desires for service levels different from that of the remainder of the regional municipality. Regardless, the intent of any such allocation of functions must be on the basis of the level deemed most appropriate for handling it, while bearing in mind the nature of the need to be met by each function, whether it is area wide or local in nature, the resources required to carry it out and the amount of local contact needed to perform it effectively.

Before discussing the proposed division of functions it seems that some discussion of urban service areas and the contracting for services is in order. First, it should be noted that the principle of the urban service area is now well established in Ontario. The notion of the urban service area is based on the empirical need for different levels of service in various areas of a region. In the case of the proposed Oshawa-centered region it is considered that such areas will be essential to the satisfactory performance of government at both levels. As a result, the Paterson Report recommended that the legislation establishing regional government require both the Regional and the various Area Councils to establish urban service areas where they are appropriate for both regional and local services which are potentially of different

benefit to different parts of the area, so that the tax levies in support of such services will reflect these differences. The study group further recommended that such service areas should be set up in time for the initial tax levies under the new system of government and that the involved councils make an annual review of these designated areas. In addition, the establishment of these urban service areas should not require approval by the Ontario Municipal Board when established or revised. However, provision should be made to the effect that any ratepayer should have the right to appeal any of the provisions of such a service area to the Ontario Municipal Board.[1]

The provision of these urban service areas, for example, allows regional services to be provided either in part or not at all to any area municipality so that what might be called sub-regional service areas may be developed for certain services. This, then, could permit certain services to be provided in part or in all to the urbanized southern portion of the proposed region, but possibly not supplied to the rural northern portion of the proposed region with only those receiving the direct benefits being required to bear the cost. In addition, a given service could be provided at several different levels, each

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[1] Ibid., p. 48.

for a different area. In such cases, then, there would be gradations of the service levels and graduated mill rates for support of the service.[1]

In addition to the provision of urban service areas the Paterson Report noted that an additional component of flexibility can be added to the system of regional government by permitting any of the councils within the region to contract for the provision of one or more services with one or more other councils within the system or with the province. As a result, it was recommended that the legislation establishing the regional government permit such contracting of services subject to approval of each such contract by the Regional Council.[2]

The Paterson study group was extremely careful and precise in the development of a division of powers scheme. The following discussion of some of the more important functions emphasizes the reasons and rationale for the stated recommendations. This discussion is followed by a graphic presentation of the recommended allocation of functions.

In respect to the extremely important question of capital borrowing, the study group took the position and made the recommendation that the Regional Council be given

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[1] Ibid., p. 49.

[2] Ibid., p. 48.

sole authority for debenture borrowing for purposes of the regional corporation, the area municipalities, and of any of the regional or local boards and commissions, including the public board of education. In addition, it was recommended that the debentures so issued should be joint and the obligation of the regional corporation and the Area Municipalities, but the payment of debt charges on them should be the responsibility of the councils, boards and commissions on whose behalf they were incurred according to the division of functions.[1]

In respect to the problem of physical systems or facilities, such as roads, water, sewer systems and parks and how they are to be divided between the Regional and Area Municipality governments, the Regional Council should have the responsibility of determining by by-law those facilities which the regional government will assume.[2] This, clearly, is sort of a "supremacy clause" for the areas where the two tiers have concurrent powers in regard to physical services. In other words, if a road needs repairing and both tiers have road repair powers, it is the regional government which will decide if it is a local or a regional matter. For example, the regional government is proposed to perform functions relating to "regional

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[1] Ibid., pp. 71-72.

[2] OAPADS, Regional Government Report, p. 53.

roads." This clause, then, clearly implies that it is the Regional Council which will make the decision as to whether a particular road should be designated a "regional road."

It should be noted that the study group felt that in some cases certain services might not be provided by the region to a particular area. As a result, it was further recommended that police protection, trunk sewer lines and treatment plants, water purification and wholesale water distribution should be regional responsibilities. At the same time, however, it was felt that in that portion of the region lying to the rural north, the Ontario Provincial Police should continue to police the territory presently under its jurisdiction unless the Regional Council requests otherwise, and where any of these services is presently provided by a local government the Area Council which takes over should be permitted to continue to provide them itself if it wishes to do so.[1]

The public transportation function was one which presented a problem in the allocation of functions. The most important problem in this regard concerns the diverse nature of the proposed region, i.e., the fact that the region is characteristically urban in the southern portion and characteristically rural in the northern portion. As

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[1] Ibid., p. 53.

a direct result of the problem, the study group made the recommendation that the public transportation function be invested in the regional government. It was noted, however, that it was not the intention of the study group that the region should provide this service outside of the urban portions of the southernmost part of the proposed region.[1] In addition, the regional role would include advising the province on the licensing of any private carriers intending to pick up or drop off passengers with the proposed region.

Finally, in regard to the important function of planning, the study group tried to divide this function between the regional and the area municipalities with the region having an overall responsibility for planning and the area municipalities having jurisdiction over purely local planning matters. However, in regard to the plaguing problem of lot severance consents the recommenation was that this function be invested exclusively to the regional level. The study group made public a twofold reason for this recommendation. First, under the Provincial Planning Act, the Regional Council is required to appoint a Regional Land Division Committee to deal with lot severance consents in those area municipalities without approved official plans. At this point it should be

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[1] Ibid., p. 54.

noted that most of the northern portion of the proposed region is without officially approved plans. Second, since this regional machinery is required, and since uniform policies and procedures for handling consent applications are essential to an effective regional planning program, it is felt by the study group that advantage should be taken of this opportunity by making the Regional Land Division Committee responsible for all lot severance consents and for a policy relating to all such consents.[1]

The following table, Table 6.5, is a graphic presentation of the recommended scheme for the allocation of functions between the two tiers. In this table the symbol 'A' is used to designate an Area Municipality function and the symbol 'R' to designate a Regional Municipality function and, finally, an 'A' and an 'R' together indicate a function to be performed by both levels of government concurrently.

Finally, the Paterson study group felt a need to make recommendations concerning the most suitable arrangements under a regional local government setup for the handling of a number of functions which are presently administered by independent boards and commissions or for

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[1] Ibid., p. 49.

TABLE 6.5

RECOMMENDED DIVISION OF MUNICIPAL FUNCTIONS

A = Area Municipality Function			R = Regional Municipality Function		
Administration			**Planning and Development**		
council agenda, minutes, etc.	A	R	regional official plan		R
voters' lists, election administration, returning officers	A		local official plans	A	
legal	A	R	exemptions from part lot control	A	
personnel	A	R	subdivision approvals and agreements	A	R
purchasing	A	R	zoning by-laws	A	R
business licenses		R	zoning adjustments	A	
other licenses	A		lot severance consents		R
Finance			provision of planning staff services to area municipalities on request		R
financial planning and budget preparation	A	R	building by-laws, permits, inspections	A	R
capital borrowing		R	plumbing by-laws, permits, inspections	A	R
approval of public education capital budgets		R	septic tank permits, inspections		R
taxation of property (including improvement charges) and tax collection	A		public housing		R
tax billing		R	urban renewal		R
accounting	A	R	rural habitation		R
auditing	A	R	**Conservation**		R
collection of fines	A	R	**Industrial and Tourist Promotion**	A	R
grants to organizations	A	R			
Health			**Pollution Control, Sanitation, Water Supply**		
public health services		R	trunk sanitary sewers and treatment plants		R
hospital planning and financial support		R	local sanitary sewers	A	
emergency ambulance services	A		sewer and water system standards and inspections		R
hospitalization and burial of indigents		R	storm drainage	A	R
Anatomy Act		R	garbage collection	A	

Mental Hospitals Act		R
Sanatoria for Consumptives Act		R
War Veterans Burial Act		R
cemeteries	A	
Social and Family Services		
general welfare administration		R
child welfare		R
homes for the aged		R
rest homes		R
day nurseries		R
homemakers and nurses services		R
grants to homes for retarded persons	A	R
Juvenile Delinquents Act		R
Recreation and Community Services		
regional parks		R
local parks	A	
recreation programs	A	
libraries	A	
local community centers, arenas, rinks, pools, museums	A	
regional arenas, stadiums, museums		R
Protection		
police		R
fire	A	R
emergency measures		R
by-law enforcement	A	
lifesaving	A	R
construction safety		R
garbage disposal	A	R
water purification and wholesale distribution		R
water retail distribution and billing	A	
approval of construction and maintenance of local sewer and water mains		R
Transportation		
regional roads		R
local roads	A	
sidewalks on local roads	A	
sidewalks on regional roads		R
street lighting	A	
control of access to regional roads		R
traffic signals		R
other traffic control devices	A	R
control of traffic and parking on regional roads		R
area traffic by-laws	A	R
approval of local road closings		R
public transportation		R
seaports and airports		R
municipal parking lots and garages	A	R
Local Electricity Distribution Systems	A	

Source: OAPADS, Regional Government Report, p. 47.

functions which have been recommended as suitable for board or commission operation in the future.

In the past it has been considered that the creation of separate boards and commissions has the advantage of specialization, as well as the advantage of keeping matters under their jurisdiction out of the political arena. It is, however, questionable whether they do, in fact, keep their functions out of the political arena, and, further, they tend to confuse access to local government decision making and thus tend to weaken local government on the whole. In short, the specialized operation of these semi-independent boards and commissions tends to remove the function from the direction of the general purpose council which is elected to coordinate and determine the priorities of the various programs. In addition, it often is argued that a function removed from politics is a function at least one step removed from democratic control.[1] This argument, then, leads to the assertion that if local government is to be strengthened and made more responsible and responsive, it is essential that functions typically handled by separate boards and commissions be returned to council control.

In Ontario and in the Oshawa-centered region under consideration some boards and commissions are separately

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[1]See, for example, Adrian and Press, Governing Urban America, pp. 269-271.

elected, such as the various Boards of Education and the Public Utilities Commissions.[1] Others are appointed either by the Municipal Council, the Provincial government, or a combination of both. Some of these appointed bodies have members of the appointing council on them while others have none.[2]

The alternatives to the presently constituted system of boards and commissions were seen by the OAPADS group as essentially three in number: (1) the function could conceivably be made a direct responsibility of the council as a whole; (2) the functions of boards and commissions could be placed under a council committee composed entirely of councillors; or (3) they may be placed under a council committee on which the majority of the voting members were councillors, but which also has appointed citizen members.[3] Obviously, then, the study group is recommending that where it is feasible, those functions which are presently handled by separate boards or commissions should be returned to council control. Beyond this stricture it was felt that each council involved should be left free to determine what use, if any,

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[1] J. Stefan Dupré, "International Relations and the Metropolitan Area," in Feldman and Goldrick (eds.), Politics and Government of Urban Canada, p. 187.

[2] OAPADS, Regional Government Report, p. 54.

[3] Ibid., pp. 54-55.

it will need to make of council committees in discharging responsibility for these functions.[1]

In the case of Boards of Education, however, it clearly was not considered feasible to transfer jurisdiction over education from the Boards. What the OAPADS group did recommend was that with the advent of the proposed regional government, the Ontario County Public and Separate Boards of Education should have their areas of jurisdiction brought into line with the boundaries of the proposed region, their membership adjusted accordingly, their electoral districts brought into line with the area municipalities, and their respective terms of office made to coincide with the established terms of office of the regional and area councils. Finally, the study group also made the recommendation that the legislation establishing the regional government should also provide for an education liaison committee to be comprised of the Chairman of the Regional Council and the Chairman of both the Public and Separate Boards of Education for the new region as well as two or more senior staff officials from each body as may be agreed upon. The function of this liaison committee would be to coordinate education policies between municipalities, both area and regional, and Boards of Education.[2]

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[1] Ibid., p. 55.

[2] Ibid., p. 59.

The recommendations that have been detailed above were never implemented. In fact, they were, at best, still-born. As was noted at the outset, the Oshawa Area Planning and Development Study was officially terminated in May of 1971. These recommendations, however, were not issued until a month later. In fact, the final regional government report was issued and distributed without the official endorsement of the Study Organization or of the governmental authorities which had participated in the study.

Before detailing the death of OAPADS, it seems wise to, at least, allude to the method of implementation of the proposals as envisaged by the Regional Government Report. The report envisaged an implementation procedure which would follow in logical procession from the presentation of the recommendations. First, there would be a period of consideration and debate on the substance of the recommendations by the Executive Administrator and the Executive Committee. This step would conclude with incorporation into the plan of any revisions agreed upon by the Executive. Next would be the submission of the report to the Minister of Municipal Affairs who, in turn, would provide for public distribution for it and request public reaction by a specified date. The third step would be an announcement by the Minister of the main details of the legislation which he intends to introduce, followed by the

introduction of the legislation, debate, possible amendment and, finally, enactment. The fourth step would, of course, be the election of the Regional and Area Councils. Next would come the preparatory phase, i.e., the hiring of staff, organization of the various departments, the division of assets and liabilities and so on. The final step would be the inception of the new system of regional local government for the Oshawa-centered area. Initially, the hope was to have the new system of government start operation on January 1, 1972. However, a number of events occurred which made this date seem rather unrealistic, so the Paterson study group recommended a starting date of January 1, 1973.[1]

These plans for ultimate implementation of the OAPADS recommendations were, however, not to be fulfilled. The whole framework of the OAPADS organization had started falling apart. The makeup of the OAPADS organization was in large part held together only by their fear that if they did not make the regional government recommendations the province would impose their own. As a result, when agreement over the ultimate conclusions had to be reached, it was not possible to take the step. In short, the study came to an end when the Executive Committee of the Study Commissioners could not reach any semblance of agreement

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[1] Ibid., p. 79.

on ultimate conclusions.[1] Perhaps it was too big a political step to take for the local government officials who were aware, not only of the substantial local opposition to regional government, but also of the fact that it would mean either the end of their jobs or, at least, a diminished role for their local elected offices. Whatever the case, the demise of the Oshawa Planning and Development Study had the effect of taking the initiative out of the hands of local authorities and placing it squarely in the hands of the provincial government. Clearly it was deemed to be easier and safer to dump the problem into the hands of the Province, let it make the difficult decisions and then criticize and "view with horror" from the sidelines. The above may well be too strong a conclusion as to why OAPADS fell apart; however, it is a conclusion that is difficult to avoid. At any rate, the demise of OAPADS has meant that the Department of Municipal Affairs had to take the problem into consideration and make an attempt to come up with recommendations for an Oshawa-centered region based, to some degree, on the data accumulated by OAPADS.[2] The provincial study and their recommendations for the Oshawa-centered area are the topics of the following portions of this chapter.

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[1] Interview with Mr. Gardiner Church, June 26, 1972.

[2] Ibid.

Regional Local Government: East of Metro

The first portion of this chapter has noted that the Oshawa Area Planning and Development Study (OAPADS) was an innovative attempt to unite the activities of local government, the provincial government and a consortium of consultants for the study of local government structure, land use, economic base, transportation, public services and financial capability. In addition, the Province payed for about three-fourths of the total study cost and all of the regional government component. In brief, the hope was that the study would be effective and that with the input of the elected local councils there would be provision for effective local participation which, in turn, might bring about local support, or concurrence, with the ultimate recommendations.[1] Clearly, this was not to be, and the responsibility for developing a regional government plan was dropped squarely into the lap of the provincial govenrment.

In a departure from past practice the Government, in this case the Department of Municipal Affairs,[2] embarked on a course of doing the local government study internally.

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[1]W. H. Palmer, "The Progress of the Regional Government Program in Ontario," October 9, 1970, p. 15.

[2]With the reorganization of 1972, the Department of Municipal Affairs was incorporated into the Ministry of Treasury, Economics and Intergovernmental Affairs.

In short, the Department started, for the first time, to develop an internal competence for carrying out needed local government studies. This capability was assigned to the Urban and Regional Planning Division of the Municipal Organization Branch of the Ministry of Treasury, Economics and Intergovernmental Affairs under the reorganization.[1] In the past, of course, the Department of Municipal Affairs had assigned the various local government studies to independent commissions or commissioners. There are several possible reasons for this departure. The Department may simply have wanted to develop this internal capacity all along and this merely provided a timely framework for doing so. More likely, however, is the fact that by doing its own research the Department could guarantee its own outcomes. One observer feels that this may be true because the Government has been "desperately" trying to surround Metro Toronto with other regional municipalities in order to shut off the rapid growth of Metro and, concomitantly, to allay the potential threat that Metro might become a "super-city" capable of threatening the power of the Province.[2] If this presumption is true, Oshawa would be a vital cog in the provincial

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[1]Interview with Mr. Cardiner Church, June 26, 1972.

[2]Interview with Mr. David Barnes of the Bureau of Municipal Research, June 20, 1972.

plan. Additionally, as was previously mentioned, the Department has to contend with the fact that the designation of the Pickering area as a site for a new, huge international airport added a further element to any analysis of the Oshawa-centered region. Based on the available evidence, my own analysis leads to the conclusion that the Government's motives were mixed and that all of the above probably provided input into the final decision.

At any rate, the ultimate result of this decision was the Government's East of Metro proposals which were made public at a meeting of the affected local government officials on the evening of December 18, 1972.

East of Metro Proposals

The initial problem faced and met by the Government's East of Metro proposals was the problem of defining the region in terms of its external boundaries. In this regard, the new proposals launched into an immediate attack upon Paterson's recommendations, especially on those relating to the northern boundary of the proposed region.

The new proposals asserted that all of Paterson's research and all public statements by township councillors and politicians from Oshawa, Ajax and Bowmanville led to the inevitable conclusion that the Townships of Rama, Mara,

Thorah, Brock and Scott and the Villages of Beaverton and Cannington are not a logical part of an Oshawa-centered region. Further, it was asserted that by any measure of community, the orientation of these seven communities is toward Orillia, Lindsay, or Toronto. In addition, the Toronto-Centred Region Plan specifies an easterly growth. Increasingly, then, this trend will serve to accentuate the differences between the rural north and the urban south.[1] In addition, local opinion in the north reflects this lack of community. All of the seven municipalities mentioned expressed a desire to be included in a rural based region rather than with an urban centered one. Additionally, Oshawa, Bowmanville and Darlington have officially asked that the northern areas be excluded from the proposed Oshawa-centered region.[2]

In respect to Paterson's proposed east and west boundaries, the government took the following basic position: On the west the feeling was that, with some relatively minor adjustments, Paterson's western boundary recommendation would be suitable. The OAPADS proposed eastern region, on the other hand, presented difficulties. The OAPADS boundary ran along the eastern portions of

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[1]Ministry of Treasury, Economics and Intergovernmental Affairs, Proposal For Local Government in an Area East of Metro, December, 1972, p. 12.

[2]Ibid., pp. 12-14.

Cartwright and Darlington Townships. This would probably be an appropriate boundary if the region were created along a north-south axis as Paterson proposed. However, if the idea of a region stretching from the north of Lake Simcoe to Lake Ontario is to be rejected, the eastern boundary must be reconsidered. The East of Metro report makes the argument that over the next few years, under the Toronto-Centred Region plan, the growth emphasis will likely be shifted increasingly to the area east of Metro Toronto. Thus, by the year 2000 Port Hope and Cobourg will become major centers of growth. The feeling is that as they become growth centers it is likely that the population of that area will be oriented increasingly toward their west; in other words, toward Oshawa and Toronto. Clearly, as a result, the area between Oshawa and Port Hope will come under increasing development pressure, and unless strong and stable municipalities exist in the area, it will be extremely difficult to prevent random development. Finally, the decision to build a major airport in the Pickering area will serve to increase development pressure.[1] The East of Metro report also asserted that the historical perspectives of the people in the United Counties is a further point in favor of the extension of the Oshawa-centered region to the east. The United

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[1] Ibid., pp. 14-16.

Counties is one of the few units of County government which, because of its east-west axis, reflects emerging communities of interest. The councils of Bowmanville and Darlington asked that the regional boundary be extended to the east because of this perceived natural community of interest. In light of these assertions, then, the province is taking the position that the eastern boundary recommended by Paterson is rejected.[1]

Clearly, from the above discussion, it seems that a rough outline of the region being proposed by the East of Metro report is one running from Pickering Township on the west to the eastern side of Cobourg and from Lake Ontario on the south it goes only two or three townships north. More specifically, the external boundary recommendations of the East of Metro report are as follows: On the west it is proposed that the regional boundary be the center of the Rouge River channel from Lake Ontario to where it meets with Little Rouge Creek; then along Little Rouge Creek to the present boundary between Pickering Township and Metropolitan Toronto; then north to Finch Avenue and then west to the west bank of the Rouge River; then along the Rouge to the eastern edge of the Cedarbrae golf course and north along that line to the York Region boundary. Then it goes north approximately along the

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[1] Ibid., pp. 16-17.

ninth concession of Markham (the exact location in this vicinity will correspond to the western limits of the land acquired by the Province and the Federal Government for both the proposed new North Pickering Community and the new airport) and along the western border of the airport land to a line between lots five and six of Uxbridge Township. From there it will run north along the Ontario-York boundary to the north end of Uxbridge Township. The northern boundary will be the northern limits of Uxbridge Township, Reach Township, Scugog Township and Cartwright-Township; then along the Cartwright-Manvers boundary, south to the second concession of Manvers which it follows east to the Manvers-Caven boundary; then south to the Caven-Hope line and east along the northern boundary of Hope, Hamilton and Alnwick Townships. Finally, on the east, the region would be bounded by the eastern limits of Alnwick and Haldimand Townships. On the south, of course, Lake Ontario is the region's boundary.[1]

Thus, the region being recommended by the province includes all of twenty-two municipalities and parts of four others. In addition, these proposals affect the boundaries of Metropolitan Toronto, the Region of York, the counties of Simcoe, Ontario, Victoria, Peterborough, Hastings and the United Counties of Northumberland-Durham.

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[1] Ibid., pp. 29-30.

Those municipalities within the proposed region are: the Townships of Pickering, Uxbridge, Reach, Scugog, Cartwright, East Whitby, Darlington, Clarke, Hope, Hamilton, Haldimand and Alnwick; the towns of Ajax, Uxbridge, Whitby, Bowmanville, Port Hope and Cobourg; the Villages of Pickering, Port Perry and Newcastle; and the City of Oshawa. The municipalities from which parts are included are: Scarborough, Markham, Whitchurch-Stouffville and Manvers.[1]

As has been noted, the government's East of Metro report recommends a two-tier region which would include a great deal of consolidation among the presently existing municipalities. The end result of the consolidation proposals would be a total of nine area municipalities instead of the present twenty-two municipalities. For the purposes of the East of Metro report, the airport and new community sites are treated as if they will form a separate area municipality within the region. It must be made clear, however, that the provincial government has not yet completed its study of the possible internal arrangements for this unique area.[2]

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[1]Donald Irving, Proposal for Local Government Reform in an Area East of Metro Toronto, Statement by Mr. Donald Irvine, Parliamentary Assistant to the Treasurer (M.P.P. Greville-Dundas), Eastdale Collegiate Institute, Oshawa, Ontario, December 18, 1972, p. 16.

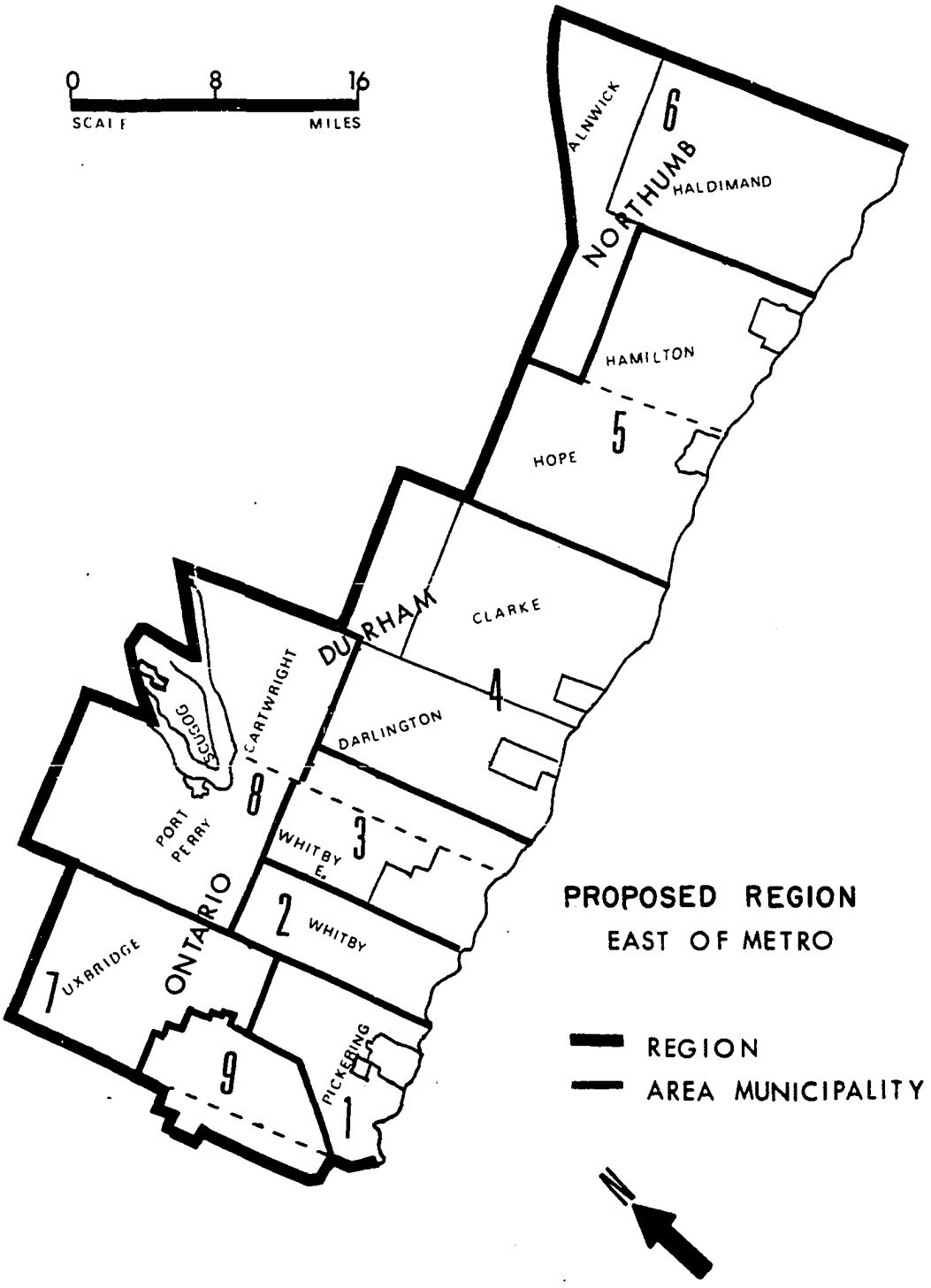
[2]Proposal for Local Government Reform in an Area East of Metro, p. 31.

The various municipalities proposed by the government are as follows: Municipality number one would include Ajax, Pickering Village and that part of Pickering Township which lies south of the seventh concession and which is not included in the airport or the new community sites, and excluding the West Rouge area. The approximate population of this municipality is 35,600. In addition, about 4,000 people in the West Rouge area would enter the borough of Scarborough and thus as a part of Metropolitan Toronto. The second proposed area municipality will consist exclusively of the present town of Whitby. This municipality would include a population of approximately 23,677 people. Proposed municipality number three will be the present City of Oshawa, the Township of East Whitby and the western ten lots of Darlington Township. This municipality would be the most populous municipality with 98,100 people. The fourth proposed area municipality consists of the remainder of Darlington, plus Bowmanville, Clarke, Newcastle and the two southern-most concessions of Manvers. In terms of land area, this would be an extremely large municipality with about two hundred square miles. It will, however, only have a population of about 22,300 people. Municipality number five consists of Hope Township, the Towns of Port Hope and Cobourg and all but the most northern township of Hamilton Township. This municipality would

have a population of about 28,800. Area municipality number six consists of Alnwick, Haldimand and the northernmost concession of Hamilton with a population of only about 4,400 people. The seventh area municipality will include Uxbridge Township, the Town of Uxbridge and that part of Pickering Township north of the seventh concession and not included in the airport site, and excluding the extreme southwest corner of Uxbridge Township which would become part of Whitchurch-Stouffville. The population of this area municipality will be about 7,600 people. Municipality number eight consists of Reach, Port Perry, Scugog and Cartwright Township with a population of approximately 9,300. Finally, the ninth municipality consists of the airport site. While the precise boundaries of this municipality have yet to be determined, clearly that area which is to be purchased by the Province and the Federal Government would be established as a separate area in the region. This includes the northeast corner of Scarborough, the eastern two concessions of Markham and a small area in Whitchurch-Stoufville. This municipality would probably include a population of around 7,000 people.[1]

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[1]Irvine, Proposal For Local Government Reform in the Area East of Metro, pp. 20-21.


0 8 16
SCALE
MILES
ALNWICK
6
NORTHUMB
HALDIMAND
HAMILTON
HOPE
5
CLARKE
DURHAM
4
DARLINGTON
3
WHITBY E.
2
WHITBY
PICKERING
1
9
UXBRIDGE
7
ONTARIO
PORT PERRY
8
CARTWRIGHT
SCUGOG
PROPOSED REGION
EAST OF METRO
REGION
AREA MUNICIPALITY
N

As was noted at an earlier point, the Paterson (OAPADS) recommendations adhered very closely to a pattern of representation by virtue of population and, at the same time, created a system in which the support of more than one area municipality was necessary to ensure a clear majority on the regional council. This notion, of course, is in line with government policy and it is considered desirable to try to maintain this kind of balance in any region east of Metropolitan Toronto.

In the 1972 East of Metro proposals the government makes it clear that four factors are considered of overwhelming importance for the development of a scheme for intra-region representation.[1] First, in order to insure a degree of popular access to the regional level, the report asserts that the regional councillors should gain their offices by virtue of popular vote rather than by sub-regional appointment. Additionally, a side advantage of such a direct system of elections is that it is clear and simply and easily understood by the electorate. Second, and at the same time, it is felt that in order to insure the necessary coordination between the area and regional councils, all regional councillors should sit on an area municipality council as well. This can easily be

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[1]The following is from Proposal for Local Government Reform in an Area East of Metro, pp. 58-60.

accomplished by making the stipulation that anyone who wishes to sit on the regional council must indicate prior to the election that he is seeking a regional council seat. Then, upon assuming one of the regional seats available to his municipality, he will automatically become a member of the local council. In essence, then, under this type of system there will be two types of candidates; those who are running for regional council and those running specifically for local council. In short, the government is taking the position that this sort of electoral system would provide the electorate with the opportunity to become familiar with both regional and local issues. In this scheme the remaining local council seats will be filled according to the established practices of each municipality. Finally, if the regional councillor for any reason ceases to be a member of one council, the other seat is also vacated.

Third, the government is taking the position that the head of an area municipality must be constantly aware and involved with regional issues and, further, must be able to bring the various local problems to the regional council. Accordingly, the government proposes that the head of each local municipality assume both regional and local responsibilities and a seat on the regional council ex officio. Fourth, it is possible that in some of the

more urban areas it might be desirable to identify regional councillors with a sub-municipal area. With this possibility in mind it seems wise to leave it up to the discretion of the urban areas whether to establish a ward system of elections for regional purposes and with all area municipalities for local purposes.

Following the above strictures, the East of Metro report notes an intention to adhere as closely as possible to representation by population. In the rural areas, however, there will necessarily be a higher level of representation because of sparse population. See Tables 6.6 and 6.7 for the government's proposals for regional representation.

Table 6.6 graphically displays the fact that the regional council has been structured roughly on the basis of population while, at the same time, taking into account the need to assure regional representation in the more rural areas. Further, note that the total number of regional councillors would be twenty-nine plus a Regional Chairman, who would be initially appointed by the Province and selected by the sitting regional council thereafter. As was earlier suggested, the Province proposes that the regional council be elected from the electorate of each area municipality, either by ward or at large (Table 6.8).

TABLE 6.6

COMPOSITION OF REGIONAL COUNCIL

Area Municipality	Population #	Population %	Representation #	Representation %	Population Per Representative
1	35,576	15.0	4	13.4	8,893
2	23,677	10.0	3	10.0	7,892
3	98,132	41.5	11	36.7	8,921
4	22,316	9.4	3	10.0	7,438
5	28,805	12.2	4	13.4	7,201
6	4,372	1.9	1	3.3	4,372
7	7,607	3.2	1	3.3	7,607
8	9,318*	3.9	2	6.6	4,659
9	6,886	2.9	**	**	**
			+chmn.		
TOTALS	236,693	100.0%	30	100%	

*Plus a large seasonal population
**Representation to be determined in a later proposal

Source: East of Metro Report, p. 61.

TABLE 6.7

INTERNAL ARRANGEMENTS

Area Municipality	Population #	Population %	Representation #	Representation %	Population Per Representative	Square Miles #	Square Miles %
1	35,576	15.0	4	13.4	8,893	50	4.3
2	23,677	10.0	3	10.0	7,892	59	5.1
3	98,136	41.5	11	36.7	8,921	85	7.3
4	22,316	9.4	3	10.0	7,438	200	17.1
5	28,805	12.2	4	13.4	7,201	205	17.5
6	4,372	1.9	1	3.3	4,372	170	14.5
7	7,607	3.2	1	3.3	7,607	100	8.6
8	9,318*	3.9	2	6.6	4,659*	215	18.4
9	6,886	2.9	** +Chairman	**	**	84	7.2
	236,693	100%	30	100%		1,168	100%

*plus a large seasonal population
**to be determined in a later proposal

Source: East of Metro Report, p. 37.

Further, all regional councillors will be fully participating members of their respective local councils.[1]

In terms of the purely local councils, the proposal envisages that each area municipality will have a local council consisting of a head of council, who ex officio becomes a member of the regional council, plus the number of strictly local councillors and that number of regional councillors to which it is entitled.[2] The local councils are displayed in Table 6.8. For the first area municipality the council would consist of one strictly local councillor and three regional councillors plus the council head. Number two would have two strictly local councillors and two elected to the region plus the council head. For the third area municipality there would be no strictly local councillors and ten elected to the region plus the local council head. The fourth municipality would have two local councillors and two elected to the region in addition to the council head. The fifth area municipality would have one strictly local councillor and, in addition to the council head, three councillors elected to the region. Municipalities number six and seven would each have four strictly local councillors

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[1]Irvine, Proposal for Local Government Reform in an Area East of Metro Toronto, pp. 23-24.

[2]Ibid., p. 24.

TABLE 6.8

COMPOSITION OF LOCAL COUNCILS

Area Municipality	Elected as just Local Councillors	Elected as Regional Councillors but also sit on Local Council	Elected as Mayor but also sits on Regional Council	Total size of Local Council
1	1	3	1	5
2	2	2	1	5
3	0	10	1	11
4	2	2	1	5
5	1	3	1	5
6	4	0	1	5
7	4	0	1	5
8	3	1	1	5
9	Representation will be discussed in later proposal			
			+regional Chairman	
Total	17	21	9*	

*plus any regional representation which might be allocated to Municipality #9

Source: East of Metro Report, p. 62.

with no elected regional councillors plus the head of council. The eighth municipality would have three strictly local councillors and one elected to the region in addition to the local council head.[1] The ninth municipality is left in an undetermined state.

Finally, in terms of representation, it is clear that the government feels that the various lower-tier councils will be performing fewer and less important functions than will the region but will be important as points of access for citizens to the regional council. In light of this notion the government clearly feels that it is desirable to minimize the number of people sitting on the local councils who are not at the same time members of the regional council.

It is at this point that the division of functions between the two tiers becomes an imperative question. The feeling very clearly is that it will take the full cooperation of all levels of government to effectively cope with the potential and actual problems of this proposed regional municipality. Very simply, the relevant point is that developments in Oshawa, or Port Hope-Cobourg, or anywhere else in the region will likely shape and alter developments in other parts of the region. Clearly, then, it is

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[1] Ibid., pp. 24-25.

of utmost importance that the major local powers be under the domain of the region. The policy implication of this is that a one-tier structure might be best. At the same time, however, the provincial government is striving to prevent the possibility of undue remoteness, which implies that a two-tier structure would be most suitable. The East of Metro proposal took the position that in order to ". . . facilitate effective problem solving while maintaining significant local units, it is proposed that a strong region with a reduced number of municipalities be created."[1] The proposal, then, is that the region be given the major powers while, at the same time, maintaining the tradition of two-tiered regional municipalities.

Interestingly, the report proposes that the region have the ability to delegate and reassume functions to the various area municipalities with the approval of the Minister.[2] This proposal is one which would probably have the effect of reinforcing the hegemony of the regional municipality over the local area municipalities.

The position of the provincial government is that any schema for the division of functions between the tiers must:

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[1] Proposal For Local Government Reform in an Area East of Metro, p. 53.

[2] Ibid., p. 57.

- minimize problems of remoteness by establishing area municipalities with councils responsive to local needs;

- provide flexibility concerning the performance of functions, according to the need for a high level of coordination;

- provide an effective mechanism for municipal decision-making concerning the refinement and implementation of development plans for the area;

- allow a broader sharing of financial resources, thus minimizing the need for every area municipality to attract industrial and commercial assessment at the cost of planning principles and the environment.[1]

In general terms, then, the government's plan is that the regional municipality will have responsibility for planning in general, as well as in providing such major services as water, sewers, waste disposal, regional roads, regional parks, police and social services. The area municipalities, on the other hand, will have the role of meeting immediate demands and will articulate the needs of a strictly local nature. At the same time, the very existence of these various area municipalities will insure that local government will not become remote. In addition, the area municipalities will provide such services as zoning, local parks, fire protection, garbage collection, local roads and tax collection.

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[1] Ibid., p. 57.

TABLE 6.9

DIVISION OF FUNCTIONS

Business Licences	Regional
Tax Collection	Local
Local Tax Levy	Local
Regional Tax Levy	Regional
Apportionment of Regional Tax Levy	By Regional Council on the basis of proportion of equalized taxable assessment and tax equivalent assessment in each area municipality.
Borrowing	Regional
Grants to Persons and Institutions	Regional and Local
Planning	To insure orderly growth and protection of the region's environment it is clear that the Regional Council must exercise the responsibility for broad land-use planning. The Regional Council will therefore have the difficult but essential chore of establishing priorities and guidelines for the growth of this area. The regional council will be the planning authority and no planning boards, regional or local, will be established. Local municipalities would exercise the duties and responsibilities for zoning and purely local planning issues.
Conservation	Appointments to conservation authority - regional.
Health and Welfare	The regional council serves the functions of a health unit.
Parks	Local and Regional
Police	The Regional Council shall provide a police force for most of the region, but the Province may assume some police responsibility in some of the rural areas initially.
Fire	Local but with Regional Fire Co-ordinator and Regional provision of

	common services such as purchasing, personnel, training and equipment.
Sewage	Treatment or disposal to be a Regional function. Construction and maintenance of all sewage works to be Regional. Inspection and standards for all sewers to be regional. Separation of storm and sanitary to be regional.
Water	Supply, purification, construction and maintenance of all distribution mains to be Regional functions. The regulations and standards for all water mains and the inspection of water mains to be a regional function. All distribution mains are a regional function.
Garbage	Treatment or disposal - Regional; Collecting or receiving - local.
Roads and Traffic	Arterial roads planning, construction, and maintenance - Regional. Local roads and local streets - local. Region has veto power over area traffic by-laws; has traffic-light control; and may approve any sidewalk to be built along a Regional road. Area council to pass traffic by-laws for area roads, build and maintain sidewalks, and share parking controls with Region. Public transit to be a Regional function.
Hydro-Electric Power	Existing hydro-electric commissions with jurisdiction over hydro are continued until such date as the Minister may by order designate. All other functions of public utilities commissions are transferred to Regional Council. Pending study by the provincial government of the recommendations of Task Force Hydro, the role of Hydro Commissions will be resolved at a later date.
Buildings	Local buildings to be local, Regional buildings to be regional.

Source: East of Metro Report, pp. 54-56.

Again, it should be noted that this division of functions makes it quite clear that, especially in terms of planning, the regional municipality will enjoy hegemony. The relevant notion here is that, within the context of the Toronto Centred Region concept, the region should have the overall capability to plan in the area without being frustrated by an inability to establish local priorities and by the necessity for constant negotiating and compromising with various special purpose bodies and local councils.[1] The point, very simply, is that the tiers are not to be considered equal, especially in the planning field. In order to insure orderly, planned development throughout the entire region, the regional municipality will have the commanding voice.

Quite clearly, a proposal such as this is going to bring on a great deal of local reaction. In addition, the provincial government has maintained a continuing public position that time and a forum for public reaction should be allowed. Accordingly, this proposal notes that the residents of the proposed region and of surrounding areas should attempt to apprise themselves of the proposal's contents. Further, it was suggested that the residents send to the Minister, in the form of a brief, their

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[1] Ibid., p. 56.

analysis of it and any suggestions for changing it. Additionally, the hope was expressed that the involved municipalities would consider the proposal very carefully and submit their analysis and opinions to the Minister. Outside of these formal briefs, the Province felt that it was important that a complete and candid dialogue take place, on a face-to-face basis, in a series of municipal-provincial meetings.[1]

The provincial government was likely unprepared for the initial stridency of opposition to their proposals. This opposition ranged from a concern for perceived local self-interest on one hand to concern about provincial authoritarianism on the other. In terms of the perceived provincial authoritarianism, the following quctation from a newspaper editorial seems to sum up the typical reaction:

> Is it any wonder that these mayors and councillors, who under normal conditions are scarcely the kind of people who hurl epithets at a provincial treasurer or march discourteously out of an auditorium, did so when they were informed that their town and village councils would be merged into a large regional municipality stretching from Scarborough to beyond Cobourg?
>
> There are important principles involved here. The British North America Act places the municipality firmly under provincial jurisdiction. However, the rhetoric of the Robarts-Davis years has stressed the concept of partnership. The reality has been that of a despot who talks of participatory democracy when there are no decisions to be

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[1] Ibid., pp. 64-65.

> made, and uses unrestrained power when important actions are to be taken.
>
> In this case the illusion of democracy at work is maintained by the invitation to send responses to the province by the end of February. What dozens of planners with a mountain of statistics have erected must be answered--and within a few weeks--by a host of small, disorganized municipalities which are unlikely to have a single planner on their payrolls.[1]

Another, more fundamental, criticism was that this proposal looks fine on paper; however, it must be realized that merely redrawing municipal boundaries on the map and creating bigger units of local government will not necessarily accomplish very much. The point simply is that in order for this proposed new municipality to do its job it will require a great deal of outside financial input for the planning and for the services which are essential to development. Additionally, in order to serve the purpose of decentralization it will have to successfully attract industry to provide employemnt for its residents concomitant with a strong assessment base for municipal tax revenues. Otherwise, it will likely become nothing more than a newer and larger bedroom community for Metropolitan Toronto as the pressure on housing and transportation within Metro continues to grow and spills out into the surrounding areas.[2] Metro Chairman

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[1]Walter Pitman, "The Furor Over the Oshawa Regional Plan," Toronto Star, January 4, 1973, p. 9.

[2]Toronto Star, "Eastern Region Is Fine--On Paper," December 21, 1972, p. 6.

Albert Campbell reinforced this point with the assertion that by taking part of Scarborough into the new region and, at the same time, preventing an extension of Metro Toronto's boundary, the provincial government has left Metro with sufficient land for only about five years of growth, especially in terms of housing. After the limit is reached, the excess will increasingly overflow into the surrounding areas.[1] This situation, then, must be evaluated in light of the statement of a provincial planning official that ". . . the Province is desperately trying to close in Metro on all three sides--they already have the municipality of York on the North and still need them on the East and the West."[2]

Many of the initial reactions from specific and effected local officials were considerably more strident. One local official said:

> Its incredible that municipalities and towns can be moved and destroyed by provincial edict . . . regional councillors will serve their people and they'll still have a voice but it will be a controlled voice--controlled by Queen's Park.[3]

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[1] Toronto Star, "East Regional Plan Could Put Squeeze on Metro: Campbell," December 20, 1972, p. 3.

[2] Interview with Mr. Gardiner Church, Senior Studies Officer, Urban and Regional Planning Division, Municipal Organization Branch, Ministry of Treasury, Economics and Intergovernmental Affairs, June 26, 1972.

[3] Toronto Star, "Stunned, Dismayed Local Mayors Vow to Fight for Identity," December 19, 1972, p. 4.

The early reactions seemed to form a pattern showing that those on the western end of the proposed region were generally more favorable than were those on the eastern end who were decidedly hostile. In the east, specifically in Port Hope and Cobourg, civic leaders furiously denounced the regional government plan for their area and, in addition, Provincial Treasurer MacNaughton was called a ". . . hired gun sent by Queen's Park to murder their quiet little towns."[1] Other reactions from the Port Hope-Cobourg area in general were as follows:

> Now it means we will send our tax money out of the area to Oshawa and we won't have enough representatives on the regional council to decide where it should be spent.
>
> I have no idea what a regional government will do for us, but it better not make changes. . . . regional government will move local government further away from the people and it will put Queen's Park almost out of reach.[2]

In addition, the day after the announcement of the government's regional plan the Port Hope Guide bordered its front page in funeral black and suggested that the local Conservative MPPs resign and that the regional proposal be put to the voters.[3] In sum, the argument from the

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[1]Toronto Star, "Port Hope, Cobourg Furious Over Regional Plan," December 20, 1972, p. 3.

[2]Ibid., p. 3.

[3]Toronto Star, "Two Century-old Towns Fear They'll be Lost in a 'Region'," January 22, 1973, p. 9.

eastern section of the proposed region has been that their important linkages have historically been, and presently are, with Peterborough to the north rather than to Oshawa to the west.

Summary and Conclusions

To sum up the substance of this chapter is simply to move from attempts at local self-determination to reform via edict from on high. Briefly, the Oshawa Area Planning and Development Study (OAPADS) was intended as an instrument providing the impetus for the reform of local government from below, i.e., from the localities themselves. The study commission, however, could not agree upon the recommendations of the study group and thus terminated the study. In short, OAPADS was great when it served to keep the province from initiating its own study, but when the study group actually made recommendations for a regional municipality the commissioners could not bring themselves to take the serious political step of accepting the recommendations. The upshot of termination, of course, was that the localities abandoned the local government reform field to the province. As was noted earlier, the local officials seemed to be taking the position that it was safer to let the province take the reform initiative and criticize from the sidelines. This seems to have been a not very subtle hint that

whatever proposal the province might make for regional local government, it would not be satisfactory to the localities.

The provincial government responded to this challenge with the East of Metro proposals outlined above. Predictably, these proposals were met with a storm of protests from the localities, especially those from the eastern portions of the newly proposed regional municipality.

It is difficult to avoid the conclusion that the question of local government reform in Oshawa is an example of what is wrong with local government in urbanized portions of Ontario. The localities could not agree on a locally sponsored reform proposal because of the serious competing interests and fragmentation among the various local jurisdictions. This very fragmentation, then, had the effect of forcing the provincial government into the local government review process and ultimately allowed the province to assume a posture of imposing provincially generated proposals upon the area in question.

Finally, it should be noted that the provincial East of Metro proposals are potentially more integrative than were the preliminary proposals of the OAPADS study. That is, the OAPADS recommendations attempted to set up a regional municipality which would have at once included

heavily urbanized areas along with large portions of rural areas which are likely to remain rural for the foreseeable future. The provincial East of Metro proposals, on the other hand, include relatively rural areas, but these rural areas are ones which are coming under increasing development pressure and share, as a result, many of the needs and concerns of the more heavily urbanized portions of the proposed regional municipality.

CHAPTER VII

CONCLUSIONS

The initial portion of this study set out the basic frameworks upon which this study is based. First, it was posited that there are two basic classes of functional imperatives of a particular system. The first is adaptation to the physical and social environment and might be called the "adaptive" or "problem-solving" function. The second is the maintenance of internal solidarity and might be called the "internal" or "integrating" function. In the course of this study adaptation has been conceived in terms of the ability of an organization to reallocate or recommit a part of its resources to new uses without destroying the organization. In other words, adaptive behavior is a conscious effort to impose change. Further, at the same time that change, or adaptation, takes place with the system it must be able to integrate these changes if it is to survive. It was further asserted that these functional imperatives imply a tension that must necessarily exist between them in many cases. In short, adaptation, because it often requires some rearranging of internal relations as well as of expectations and rewards, induces stress into the system and may thereby threaten

its integration. This built-in conflict between the system's two basic imperatives seems to be incapable of permanent solution. A successful system attempts to strike a series of temporary balances between the two needs.

The substantive portions of this study have, in part, been concerned with the unavoidable implication that a system may meet at least temporary failure because it overemphasizes problem solving and tries to move too fast, because it may exclude certain groups from policy making, or because it fails to reconcile conflict among the various segments of the system.

In the process of describing and analyzing, in some detail, the local government reform program of Ontario as well as its specific programs in two of the proposed regions, one is increasingly faced with a single unavoidable conclusion in terms of the potential conflict between the contradictory functional imperatives of adaptation and integration. This conclusion simply is that the adaptation undertaken via the regional government program in Ontario, regardless of certain unsettling affects, has in no way provided a threat to the system's integration on the whole. This, however, is not to say that certain tensions and, indeed, conflicts have not arisen out of the Ontario Government's decision to proceed with a program of local government reform. And it is these tensions that have been highlighted by the preceding case studies;

tensions that, to some extent, are the product of these contradictory functional requirements referred to above.

The case studies of the proposed regional municipalities in Hamilton on one hand and Oshawa on the other have allowed us to view not only the tensions created but also the attempts that have been made to pacify, mitigate or reorient these tensions. In sum, what has been highlighted is an integral part of the normal, ongoing process of assessing how the system is operating, determining where significant deviations are occurring, identifying the source of the problems and taking action to try to either eliminate or pacify the source of the conflicts and tensions.

In the case study referring to regional government in the Hamilton area, the need for local government reform was thoroughly documented. The need was, in fact, not at issue in the region. The tensions that did develop were a result of the Steele Commission's proposals which called for inclusion of the Town of Burlington in a Hamilton-centered regional government. It was this proposal which threatened to scuttle the regional government program. This proposal raised a storm of protest from residents and officials of Burlington. This protest was brought to a head when a plebiscite on the issue was held in Burlington in 1969. The result was that eighty-eight per cent of the

Burlington residents opposed joining in any region with Hamilton.

As a result of the tension and conflict arising from the Steele Commission's proposals the Ontario government engaged in further adaptive behavior, i.e., the government adopted a hands off policy in regard to the Steele Commission proposals. In short, the government did not draw up legislation on these recommendations and adopted a policy of inaction which indicates a wish that the Steele Commission proposals would die a quiet death.

The notion that conflict between adaptation and integration is never ending and that a system attempts to arrive at a series of compromises in order to maintain balance can be demonstrated by reference to the Government's 1973 proposals for a regional municipality in the Hamilton area. These proposals were clearly in response to the conflict and tension resulting from Burlington's desire to be included in a regional municipality in which Hamilton would not be included. The 1973 proposals, in short, included the Town of Burlington in the proposed Peel-Halton region. As a result of this action, the Province then proposed a single-tier municipality for Hamilton as the best way to offset the voting imbalance brought about because of the exclusion of Burlington from the Hamilton area. The success of this compromise, of course,

remains to be seen. Municipal leaders in Hamilton still seem to believe that Burlington should be included in any regional government of which Hamilton was a part.

As in the Hamilton case study, the Oshawa case study demonstrated an attempt at adaptation which was thwarted by conflict and tension although the situation was a very different one from that in Hamilton. To summarize briefly, in Oshawa the identical local government reform proposals were generated by a locally directed planning and development study. The study proposals, however, never reached the implementation stage because of strong opposition from many elements of the study area. As a result, the province felt it necessary to involve itself directly in the Oshawa problem and come up with internally derived proposals for that area. The government's proposals, in fact, are an excellent example of reacting to and trying to mitigate the problems which were instrumental in bringing about the earlier tensions and conflicts.

The original OAPADS recommendations created many obvious conflicts because of an attempt to set up a regional municipality including both heavily urbanized areas along with large portions of rural areas which not only were likely to remain rural for the foreseeable future, but which also seemed to have few real community

of interest linkages with the urbanized portions of the proposed municipality. In short, then, the OAPADS recommentation was for a regional municipality created along a north-south axis. The provincial East of Metro proposals, on the other hand, took the position that any regional municipality created along this rural-urban, or north-south axis, would from the beginning be doomed to flounder in a sea of conflicts. Rural-urban tensions would be created which would serve to divert the development of an internally consistent, or integrated, local government for the region. The provincial East of Metro proposals, then, called for the creation of a regional municipality along a west-east axis. This simply means that while these proposals call for a municipality with areas that are rural in nature, they are rural areas which are coming under increasing development pressure and share, as a result, many of the needs and problems of the more heavily urban portions of the proposed regional municipality. This development is partly a result of a prior policy decision on the part of the provincial government. The province's Toronto-Centred Region Plan envisages a well-structured, urbanized zone from Bowmanville on the east to Hamilton on the west with a population of 5.7 million by the year 2000. This plan would include the stimulation of the eastern portion of this corridor to a higher growth

rate.[1] A concomitant part of this plan is a shift in development pressure, hopefully from the west of Metro to the east. This would include the development of a significant peripheral urban center in the Port Hope-Cobourg area after 1980. In short, the provincial position is that:

> A more dynamic Port Hope-Cobourg nucleus could become a springboard to Eastern Ontario. . . . The Port Hope-Cobourg district possesses physical capability for large scale urban development. The provision of water supply and sewage disposal facilities to these new urban areas can be at a cost comparable with, and possibly cheaper than, costs for similar services in Metropolitan Toronto.[2]

This proposed encouragement of urban development in the Port Hope-Cobourg area reflects the conviction that decentralization of high growth rates away from Metropolitan Toronto must begin soon and that these are appropriate plans to encourage new growth. These ongoing development plans seem to be the reason for the province's proposals for a regional municipality along an east-west axis and, more specifically, the reason for the extension of the proposed municipality to include the Port Hope-Cobourg area. Clearly if this kind of development takes place, it will serve increasingly to bring about a community of interest within the regional municipality and

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[1]The Government of Ontario, Design for Development: The Toronto-Centred Region, May 5, 1970, p. 3.

[2]Ibid., p. 20.

concomitantly, foster the development of an integrated system.

In summary, then, the adaptation-integration framework which posits endemic tensions and conflict between these two needs has served well in guiding the focus of the description and analysis of the regional government program in Ontario. In serving in this capacity, the framework has also provided the basis from which to make some statements explaining policy decisions which are otherwise less clear. In particular, Leonard Sayles' notion that change, or adaptation, is an integral part of the normal, ongoing process of assessing how the system is operating, determining where significant deviations are occurring, identifying the source of the disturbances, and taking corrective action seems to uniquely capture the sequence of events as observed in both the Hamilton and the Oshawa case studies.[1] This framework, however, does not serve to completely explain the unhappiness observed on the part, particularly, of local officials when informed of specific local government reform plans. This situation can, however, be partially explained by Selznick's concept of "recalcitrance" as well as by Gulick's observations about the perceived immortality of governmental institutions.

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[1]Leonard R. Sayles, "Accommodating for Change," p. 229.

Clearly the bitterness expressed by local officials over local government reform plans can be partially explained in terms put forward by Luther Gulick. Gulick notes that:

> Each defined human institutions, especially when created by law and endowed with even the smallest modicum of power, tends to develop into an independent "institutional personality." This involves not only asserting itself, but also extending itself and seeking to perpetuate itself. This apparently is a law of group structure, as it is of individual existence. And among governmental institutions, the suicide complex is notably absent . . . The existence of a fixed and immortal boundary tends to create and sustain a fixed and immortal governmental institution.[1]

This can, clearly, be directly applied to the local officials in both Hamilton and Oshawa. Regional government will probably mean a loss of influence for many local officials and a diminished role for others. This seems to be perceived by many local officials and the resulting fear is not far below the surface in the reactions of these officials. Regional government implies a change that will serve to re-order many of the status and influence relationships on both the community and the individual level. It is this fact and the uncertainty it implies that must serve to create many of the extremely hostile and indeed, paranoid, reactions on the part of many local officials. Gulick, however, does not provide us with the

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[1]Luther Gulick, The Metropolitan Problem and American Ideas, p. 36.

linkage needed to analyze what the reaction of local officials may mean for the future of a regional municipality. In Chapter I it was hypothesized that Selznick's concept of "recalcitrance" would provide that needed linkage.

The concept of recalcitrance, it will be remembered, revolved around the "tools of action," which in this situation are those local officials who will ultimately be instrumental in answering the question of whether the reforms are successful or whether they prove to be a failure. In brief, this concept takes into account the fact that plans, programs, or reforms merely reflect ideal or technical choice. Organized action cannot escape an involvement, or a commitment, to personnel, institutions or procedures which may effectively qualify the initial ideal plan.

Quite clearly, the concept of recalcitrance captures the tension that must exist between "the notion and the act." This is of particular interest if it can be assumed that the local officials heading a new regional government are, to some extent at least, hostile to the whole concept of regional local government. In short, it seems that hostile "tools of action" could subvert the intention of regional local government in all of its reform phases. There are, however, some problems with this line of reasoning. First, it cannot be assumed that officials in

charge of a new regional municipality will be hostile to its aims. The Metropolitan Toronto experiment, for example, has evidenced quite the opposite. Second, it must be remembered that the Province of Ontario has reserved certain sources of power vis-a-vis regional governments to itself. The province, for example, appoints the first regional Chairman. It also controls many of the financial strings necessary to local government. Finally, in the realm of planning, the Ontario Municipal Board has the ultimate responsibility and may "interfere" with local governments if they refuse to comply with provincial policy. In short, the province creates regional municipalities by simple legislation and may control them either administratively or by legislation. These unique facts, then, seem to negate the concept of recalcitrance as a significant factor in the local government reform program, at least in its initial stages.

Finally, this study has been based, to a great degree, on the notion that structural characteristics of local government do have some independent effect on local governmental policy. This approach often may be somewhat misleading to the extent that it implies that reforming government institutions in the metropolis can solve specific problems such as urban blight, crime, housing,

poverty, transportation, pollution and other urban ills. Yet, as Thomas Dye notes, there is evidence that the structure of government does effect the outcome of public policy, and this evidence lends validity to the structural approach.[1] In short, this study is based upon the notion that institutional arrangements are inexorably linked to the nature of the urban environment and, thus, to the content of public policy.

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[1]Thomas R. Dye, Understanding Public Policy (Englewood Cliffs, New Jersey: Prentice-Hall, 1972), p. 179.

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