

City of Toronto's Response to "Review of the GTSB - Phase 1 Report, Addressing GTA-wide Challenges"

(City Council at its regular meeting held on October 3, 4 and 5, 2000, and its Special Meetings held on October 6, 2000, October 10 and 11, 2000, and October 12, 2000, adopted this Clause, without amendment.)

The Policy and Finance Committee recommends the adoption of the following report (September 5, 2000) from the Chief Administrative Officer:

Purpose:

This report responds to the Greater Toronto Services Board's request for comments on the discussion paper on GTA-wide policy issues. The GTSB commissioned the discussion paper as the first phase of the statutory review of its composition, jurisdiction and powers. This report proposes that City Council reaffirm its support for the GTSB as a necessary vehicle for region-wide coordination and recommends enhancements to improve the Board's effectiveness in the spheres of interest and responsibility identified in the existing GTSB legislation.

Financial Implications and Impact Statement:

The recommendations in this report have no direct financial implications. Decisions made by the GTSB and/or the provincial government in response to the conclusions of the statutory review may have an impact on the GTSB's budget and the amounts that are recovered through the GTSB's levy on member municipalities including the City of Toronto.

Recommendations:

It is recommended that:

- (1) Toronto City Council reaffirm its support for the Greater Toronto Services Board and its role as a representative political body that has a legislated mandate to deal with region-wide issues in the GTA;
- (2) because of the need to coordinate and facilitate effective growth management strategies in the Greater Toronto Area, reduce or limit sprawl, maximize the use and effectiveness of existing and planned infrastructure and protect important environmental features, the Greater Toronto Services Board request the provincial government to amend the "*Greater Toronto Services Board Act, 1998*" to:
 - (a) require the Greater Toronto Services Board to adopt a GTA urban structure plan and master plans to guide the provision and optimal use of major region-wide infrastructure including transportation, water and sewer facilities;
 - (b) make the GTA urban structure plan and infrastructure master plans implementable by vesting authority in the Greater Toronto Services Board to:

- (i) approve, or appeal to the approval authority, environmental assessments for major inter-regional infrastructure based on consistency with the GTA urban structure and infrastructure master plans; and
 - (ii) support or appeal land use decisions to the approval authority, including the Ontario Municipal Board, based on consistency with the GTA urban structure and infrastructure master plans; and
 - (c) vest authority in the Greater Toronto Services Board to prepare policy statements on significant region-wide planning and land use matters, for example, future development on the Oak Ridges Moraine, and protection of groundwater quality in the GTA, and specifically provide that the GTSB be given standing in any hearing where such policy statements are considered;
- (3) copies of this report be circulated for information to the Premier of Ontario, the Minister of Municipal Affairs and Housing and the Council Heads of all GTSB member municipalities; and
 - (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Background:

The Greater Toronto Services Board was established by the provincial government on January 1, 1999. The Board's mandate and composition are set out in the "*Greater Toronto Services Board Act, 1998*". *Section 33 in the Act* states that:

“(1) The Board shall conduct, before December 31, 2000, a review of the following:

- (1) the Board's size and composition;
 - (2) the number of votes each member of the Board has;
 - (3) the powers which have been or which should, in the opinion of the Board, be assigned to it; and
 - (4) whether this Act should be amended so that the Board's powers no longer extend to a municipality and so that the members of the board no longer include a representative of the municipality.
- (2) The Board shall, in conducting the review under subsection (1), have regard to resolutions of member municipalities with respect to matters described in paragraphs 1 to 4 of subsection (1).
 - (3) On or after January 1, 2001, the Board shall give a report of the results of the Board's review to the Minister.
 - (4) The Board may by resolution request the minister to take any action necessary to implement any of the recommendations arising from the review.

- (5) A resolution under subsection (4) shall not be passed before January 1, 2001.
- (6) The passage of a resolution under subsection (4) requires a two-thirds majority of the votes cast.”

The GTSB approved the terms of reference for the review on March 3, 2000. As outlined in the terms of reference, the review is being conducted in two phases. For the first phase of the review, the GTSB engaged Deloitte Consulting to prepare a discussion paper that:

- (i) identifies the Board’s priorities, the activities listed in the legislation, and matters where the Board has facilitated co-ordinated decision-making to date;
- (ii) develops criteria for measuring the Board’s effectiveness in facilitating co-ordinated decision-making and oversight of GO Transit to date; and
- (iii) identifies policy issues.

On June 30, 2000 the GTSB adopted a recommendation to circulate the consultant’s paper to member municipalities and other GTA stakeholder organizations with a request for comments. This report proposes a response to the request for comments.

Comments:

In 1998, when the Province introduced the “Greater Toronto Services Board Act”, Toronto City Council supported the creation of the GTSB. During the 1990’s, the GTA Task Force, the Libby Burnham Review Panel, the Who Does What Panel, the Special Advisor on the GTA (Milt Farrow), the Toronto Transition Team and many municipal governments all concluded that there was a need for an institution to deal in a unified and co-ordinated way with the issues confronting the GTA. Toronto City Council viewed the legislation to create the GTSB as a step in the right direction.

The description of GTA-wide issues in the consultant’s report confirms the need for a governance mechanism at the region-wide level. It is recommended that Toronto City Council reaffirm its support for the Greater Toronto Services Board and its role as a representative political body that has a legislated mandate to deal with GTA issues.

GTSB Performance Record:

The City of Toronto has been an active participant in the GTSB. The Mayor and ten members of Council are members of the 41 member Board. The representation by population model provides Toronto with fifty percent of the votes at Board meetings. All of the Board’s committees and working groups include City of Toronto councillors. City staff participate in intermunicipal staff teams, which assist the small GTSB administration to provide support and input to the work of Board committees. In 1999, the City Clerk’s Division helped the GTSB provide secretariat support at Board meetings.

It is early to be conducting a major review of the GTSB. The Board’s inaugural meeting was on January 22, 1999 and its first business meeting was at the end of February 1999. Therefore the Board has been functioning for approximately a year and a half. During the first part of 1999, much of the Board’s attention focused on basic administrative matters, including the number of

direct GTSB employees, their terms of employment and compensation. Much debate also went into establishing the Board's agenda and priorities for its first term. All of these debates occurred in an environment of uncertainty regarding the status of municipal government restructuring in the regions surrounding the City of Toronto.

As is described in the consultant's report, notwithstanding the many months spent building the GTSB into a functioning decision-making body, the Board has begun to coalesce around plans to address GTA issues. The adoption of a strategic transportation plan, the initial work on a countryside strategy and the reformulation of the allocation model for GO Transit costs are encouraging indicators of the Board members' recognition of common region-wide interests.

Need to Strengthen Growth Management Powers:

In its 1998 comments on the draft "*Greater Toronto Services Board Act*", Toronto City Council recommended stronger growth management powers for the GTSB. These powers, City Council agreed, should come through a legislated requirement to prepare a GTA urban structure plan and master plans for major region-wide infrastructure. To be effective, infrastructure plans, whether they are for transportation, piped or other services cannot be de-linked from growth management. The link between growth management and infrastructure planning has formed the basis for the planning role exercised by the existing regional governments in the GTA. Their shortcoming is that none of the existing regional governments has a GTA-wide perspective or mandate. A fundamental reason for the establishment of the GTSB was to address fragmented decision-making and planning at the GTA-wide level.

The provisions in the GTSB legislation, as passed by the legislature, are somewhat weaker than those proposed by City Council. Continuing urban sprawl is placing tremendous pressure on transportation systems, air and water quality in the City of Toronto and across the GTA. However well intentioned, no single municipal official plan can manage region-wide growth pressures in isolation. Yet, with the lower profile of the province in the land use planning sphere and the reluctance of the province to provide policy statements for areas such as the Oak Ridges Moraine, unrealistic expectations have been placed on individual regional official plans to deal in a fragmented way with region-wide pressures.

The GTSB remains the most logical alternative to the province as a manager and planner for region-wide growth. However the permissive powers that the GTSB currently has are insufficient. The GTSB has identified transportation planning as its highest priority. The success of the transportation strategy is directly linked to an effective growth management strategy. Yet the GTSB has chosen not to deal with growth management. Therefore, the GTSB's transportation plan is weakened considerably by a lack of context.

In light of the foregoing, it is important that the review of the GTSB place growth management on the front burner. The GTSB's capacity to coordinate and facilitate effective growth management strategies in the Greater Toronto Area needs to be strengthened. Therefore, it is recommended that the Greater Toronto Services Board request the provincial government to amend the "*Greater Toronto Services Board Act, 1998*" to require the Greater Toronto Services Board to adopt a GTA urban structure plan and master plans to guide the provision and optimal use of major region-wide infrastructure including transportation, water and sewer facilities.

To be effective growth management instruments, a GTA urban structure plan and infrastructure master plans must have “teeth”. Therefore, it is recommended that, in amending the legislation, the province vest authority in the GTSB to:

- (i) approve, or appeal to the approval authority, environmental assessments for major inter-regional infrastructure based on consistency with the GTA urban structure and infrastructure master plans; and
- (ii) support or appeal land use decisions to the approval authority, including the Ontario Municipal Board, based on consistency with the GTA urban structure and infrastructure master plans.

The debate over development pressures on the Oak Ridges Moraine has demonstrated that the provincial government is not prepared to adopt a policy statement for the area. Given that the Moraine straddles four GTA regions and is the headwater for rivers flowing into the City of Toronto, it would be logical for the GTSB to have standing in the debate. This could occur in the context of a stronger growth management role for the GTSB. Therefore, it is recommended that, in amending the legislation, the province vest authority in the GTSB to prepare policy statements on significant region-wide planning and land use matters, for example, future development on the Oak Ridges Moraine, and protection of groundwater quality in the GTA, and specifically provide that the GTSB be given standing in any hearing where such policy statements are considered.

Role of GTSB Regarding Pooled Social Housing and Social Assistance Programs:

Subsection 24 (c) in the Act states that the GTSB “may...promote and facilitate co-ordinated decision-making among municipalities within the GTA with respect to the administration and costs of their social assistance and social housing programs.” To date, the GTSB has not been active in this area of its mandate.

There are some indications that the province expects the GTSB to play a more active role in the oversight of pooled cost social programs in the GTA in the future. A workbook, produced by the province in August 2000 as a reference resource for staff preparing for the transfer of social housing to the municipal level, confirms the province’s intention to equalize social housing costs across the GTA. The workbook also states that the GTSB would take on the responsibilities of coordinating and overseeing the equalization process and would deal with accountability issues. The Board would also act as a forum for resolving disputes on equalization issues among the municipal cost sharing partners.

The language in the workbook is very general. It is not clear whether the GTSB would actually be responsible for the administration of financial transfers. As more details emerge, staff will be in a better position to comment. However, there is potential for the GTSB’s role to evolve. Because all the pooling partners are members of the GTSB, the Board provides a logical forum for the discussion of needs, service levels and issues related to Ontario Works and Social Housing programs. Such a forum would permit cross-fertilization of ideas. It is consistent, too, with the “say for pay” principle.

Conclusions:

Numerous studies during the 1980’s and 1990’s articulated a vision of the GTA, most notably the Ministry of Municipal Affairs and Housing’s “Vision 2021” exercise and the work of the

GTA Task Force. The creation of the GTSB is an outcome of those and other initiatives. The GTSB legislation identifies areas of interest for the GTSB based on some of these visions. The GTSB, while enduring birthing pains like many new organizations, has begun to make progress in drawing the region together around common interests and issues. The challenge now is to ensure that the GTSB has the tools and powers to advance common interests and address common issues. The province can make these tools and powers available to the GTSB by amending the “*Greater Toronto Services Board Act, 1998*” to strengthen the Board’s growth management mandate.

In order to contribute to the review of the Greater Toronto Services Board, it is recommended that this report be circulated for information to the Premier of Ontario, the Minister of Municipal Affairs and Housing and the Council Heads of all GTSB member municipalities

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The Policy and Finance Committee reports for the information of Council having also had before it a communication (July 6, 2000) from Mr. Lynn Morrow, the Executive Director, Greater Toronto Services Board, advising that the Greater Toronto Services Board on June 30, 2000, adopted Clause 1 of Strategic Planning and Review Report No. 2 directing that the Review of GTSB – Phase 1, Addressing GTA-wide Challenges, be circulated to member municipalities and other GTA stakeholder organizations with a request that comments be forwarded to the GTSB office no later than September 30, 2000; and attaching the Terms of Reference for the review as adopted by the GTSB.

(A copy of the attachment to the to the aforementioned communication entitled “The Greater Toronto Services Board Review of the GTSB – Phase 1 Report Addressing GTA-Wide Challenges – Draft Discussion”; “Terms of Reference for Review of GTSB (adopted by GTSB March 3, 2000, as amended” and “The Greater Toronto Services Board – A Framework for the Future”, was forwarded to all Members of Council with the September 21, 2000, agenda of the Policy and Finance Committee and a copy thereof is also on file in the office of the City Clerk.)