

## EILEEN DENNY

Wednesday, November 27, 2019

TO: MAYOR JOHN TORY AND 25-MEMBER CITY COUNCIL  
Toronto City Hall, 100 Queen Street West  
Toronto, ON M5H 2N2

CC. Ms. Marilyn Toft, Council Secretariat  
[councilmeeting@toronto.ca](mailto:councilmeeting@toronto.ca)

RE: MM12.12: Empowering Toronto, a request to "Move Forward with a City Charter"  
To Be Considered by the Mayor and City Council at Meeting No. 12  
November 26 and 27, 2019

My name is Eileen Denny and I write to ask Mayor Tory and members of City Council to consider the following:

1. MM12.12: The request to "Move Forward with A City Charter" be ruled out of order and not be received. And the previous Motion (in the form of an amending motion) under 2018-CC47.1 should also be ruled out of order with no further action taken.

The reasons are:

- a. The last statement in the Summary "Council has already supported a City Charter in principle" is incorrect. This support for a City Charter, voted by Council, was a result of a Motion moved by Cllr. Josh Matlow in an issue-specific Special Meeting of Council on September 13, 2018 under item CC47.1. That September 2018 Motion states:

That City Council request the Government of Canada to provide a mechanism for the City of Toronto and other municipal governments to establish a City Charter that provides authority over "municipal Issues" including but not limited to .... (the underline emphasis is mine)

And it is that Motion that ought to be reconsidered and ruled out of order with a further decision requiring no further action be taken by any member of Council. The scope and breadth of Motion puts the City outside its governing boundaries.

- b. The Canadian Constitution is the Supreme law of the land. We are not the United States of America. Our federal system of governance is different from the US and perhaps we should understand it, appreciate it, and learn how to use the authorities and powers we have before we look south of the border for some alternate system.

Past events: In the summary, it states "A long history of events, including recent meddling in our local election, the denial of highway tolls, and unilateral changes to our land use plans" as examples for why the City is not able to "fulfil basic functions residents expect of a municipal government".

The same two Councillors through a Members' Motion has dramatically impacted our quasi-judicial bodies and depending on their significance, I ask, Are not these bodies required to be independent, free from the political interference and special interest groups,

Nothing in a City Charter will bring about an arms-length, checks and balance governance model with independent oversight and rights to appeal municipal decisions with reasons better than what we already have. But you have to know how and why and be able to take a long term perspective.

I ask that the Members Motion MM12.12 not be received and ask that Council vote to have no further action be undertaken for MM12.12 and the above mentioned amending Motion in 2018-CC47,1 be dealt with in the same manner,

Respectfully,  
Eileen Denny

Council Agenda Item MM12.12 is extracted below:

### Tracking Status

- This item will be considered by [City Council](#) on November 26, 2019.

### City Council consideration on November 26, 2019

#### Notice of Motion

MM12.12	ACTION			Ward: All
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### Empowering Toronto: Moving Forward with a City Charter - by Councillor Josh Matlow, seconded by Councillor Kristyn Wong-Tam

**\* Notice of this Motion has been given.**

**\* This Motion is subject to referral to the Executive Committee. A two-thirds vote is required to waive referral.**

### Recommendations

Councillor Josh Matlow, seconded by Councillor Kristyn Wong-Tam, recommends that:

1. City Council request the City Manager to report to the Executive Committee in the second quarter of 2020 on options for the City of Toronto to have additional autonomy from senior levels of government, including a City Charter protected through a single-province constitutional amendment, that provides authority over "municipal issues" including, but not limited to, the following:

a. municipal elections;

- b. municipal governance structure;
- c. local land use and zoning decisions;
- d. local fiscal matters including the ability to determine revenue sources, set tax rates, borrow funds, and allocate monies; and
- e. personnel decisions.

## **Summary**

Canada's constitution is a 19th century document written when our Country was largely an agrarian society. Toronto needs a new deal with senior levels of government that ensures we have the rights and abilities necessary for 21st century cities to thrive and achieve results for residents.

Common in the United States and elsewhere, Charter Cities have supreme authority over “municipal affairs.” Also referred to as “Home Rule”, a Charter City’s law concerning a municipal affair will trump a state law governing the same topic.

A long history of events, including recent meddling in our local election the denial of highway tolls, and unilateral changes to our land use plans, has demonstrated that our City isn't able to fulfil basic functions residents expect of a municipal government without the looming threat of provincial interference.

Toronto is Ontario's capital and will continue to contribute to our Province's success as a whole. However, it's time for Canada's largest city to have the tools it needs to effectively chart its own course to decide how we grow, get around, support each other, and improve our quality of life.

A City Charter will also assist in making the division of roles and responsibilities between senior levels of government and City Hall more transparent and therefore more accountable to the public.

Council has already supported a City Charter in principle. This Motion requests the City Manager to now provide a report on delivering more autonomy for Toronto's local government.

## **Background Information**

Member Motion MM12.12

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-140259.pdf>)