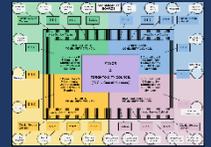




DISCUSSION PAPER

TORONTO COMMUNITY BOARDS



PART 2 – DRAFT LEGISLATION FOR TORONTO COMMUNITY BOARDS

DRAFT LEGISLATION
TORONTO MUNICIPAL CODE

CHAPTER 24 - COMMUNITY DISTRICTS AND COTERMINALITY OF SERVICES

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DRAFT LEGISLATION - TORONTO MUNICIPAL CODE

CHAPTER 24 - COMMUNITY DISTRICTS AND COTERMINALITY OF SERVICES

§ 24-1. Definitions.

AGENCY – Refers to any municipal department or agency.

AREAS - Are the particular urban geographical areas.

COMMUNITY COUNCIL - A council committee whose members represent the community districts located in a particular urban geographical area.

COMMUNITY DISTRICTS – Each has the same boundaries as the provincial riding, and lies within the boundaries of a particular urban geographical area.

COTERMINUS – Means having a common boundary. A community district and service district having a common boundary are coterminous.

COUNCIL – The elected members of Toronto City Council.

THE MAP OF COMMUNITY DISTRICTS - The map of community districts shall be according to and coincide with the provincial ridings in effect as of the first day of January, two thousand and fourteen, and shall be continued until modified pursuant to this chapter.

OTHER AGENCY – Refers to an agency other than a municipal agency.

§ 24-2. Declaration of intent.

It is the intent of this chapter to encourage and facilitate coterminous community districts and service districts to be used for the planning of community life within the city, the participation of citizens in city government within their communities, and the efficient and effective organization of agencies that deliver municipal services in local communities and geographic areas.

§ 24-3. Community districts.

A. Each community district shall:

- (1) Lie within the boundaries of a single geographic area and coincide with historic, geographic and identifiable communities from which the city has developed;
- (2) Be suitable for the efficient and effective delivery of those services of municipal agencies required to be made coterminous with the community districts, pursuant to section **§ 24-5** (twenty four - five), including particularly the service and districting requirements of the police and sanitation departments; and,
- (3) Be compact and contiguous and have a population of not more than two hundred fifty thousand persons.

B. Community districts shall be as nearly equal in population with each other as is possible under the criteria in paragraphs one, two and three of subdivision A of this section.

C. With respect to the city's central business district in the ridings of Toronto-Centre, Toronto-Danforth, Trinity-Spadina, from Bloor Street south, the council may adopt as part of the community district map, districts which shall reflect its unique character as the city's financial, business and entertainment center. In so doing, the council shall take into consideration the residential, working and other daytime populations as well as the hotel and transient or other nighttime populations and adhere as nearly as possible to the provisions of paragraph three of subdivision A of this section.

§ 24-4. Preparation and adoption of map.

A. The map of community districts shall be according to and coincide with the provincial ridings in effect as of the first day of January, two thousand and fourteen, and shall be continued until modified pursuant to this section.

Not later than the first day of December two thousand and fourteen and every tenth year thereafter, the mayor shall, and at such other times as the mayor deems appropriate, the mayor may, prepare and present to the council a report reviewing the community district map then in force and presenting such recommendations for changes in the map as the mayor deems appropriate. Such review shall consider shifts in population shown in the most recent decennial census that may require adjustments in the community district map to conform to the criteria in section **§ 24-3** (twenty four - three). Such review shall also consider whether reducing the size of any community district would provide more efficient and effective service delivery within the district or districts involved. If the mayor's recommendations for changes in the map would produce a community district with a population below seventy-five thousand persons, the mayor may consider whether partial suspension of coterminality within the district is likely to provide more efficient or effective service delivery of one or more of the services for which coterminality is required, and may recommend that coterminality for one or more designated services within the community district and any adjacent district be suspended. The mayor's recommendations for changes shall be referred to as the preliminary revision of the community district map.

B. The community councils, city planning department, community boards and other civic, community and neighborhood groups and associations shall be consulted and their recommendations considered in the preparation of the preliminary revision of the community district map.

C. The mayor shall publish the preliminary revision of the community district map in the City Record and in each area of the city and shall, jointly with the community councils, conduct one or more public hearings on it in each area of the city. Within sixty days after the last such hearing, the mayor shall submit to the council such preliminary revisions of the community district map as he or she deems appropriate.

D. The council shall conduct public hearings on the preliminary revision of the community district map submitted by the mayor and it shall, by resolution, within one hundred twenty days of such submission, adopt, adopt with modifications, or disapprove the map as submitted. If the council adopts the proposed map without modifications, or if the mayor concurs in any modifications adopted by the council, the new map shall be effective as of the date specified in the mayor's proposal or in the modifications adopted by the council and concurred in by the mayor. If the council disapproves the map as submitted by the mayor, or if the council fails to act within the one hundred twenty day period, or if the mayor does not

concur in any modifications adopted by the council, the community district map then in force shall remain in effect.

§ 24-5. Coterminality of local services.

A. The head of each agency responsible for one or more of the services listed below shall organize the local service delivery districts of such agency as follows.

(1) To be coterminous with each of the community districts: local parks services; local recreation services; street cleaning and refuse collection services; the patrol services of the police department; and social services, including community services, community development, youth services, child development, and special services for children; and

(2) To be coterminous with one or more community districts or aggregates of them: housing code enforcement, highway and street maintenance and repair, sewer maintenance and repair, and health services, other than municipal hospitals.

B. Notwithstanding the provisions of subdivision A, the requirement that patrol services of the police department be coterminous with each of the community districts in any area shall not apply to any community district where the mayor, after consultation with the police commissioner, shall determine that establishment of such coterminality would be inconsistent with the most effective delivery of such services. The mayor shall promptly notify the council of any such determination, and the council may, by majority vote, disapprove such determination with respect to any community district within sixty days after the first stated meeting of the council following the receipt of such notice. If the council shall disapprove such determination with respect to any community district, the police commissioner shall organize patrol services to be coterminous with such district within ninety days of such disapproval.

C. The council may direct that city services in addition to those specified in subdivision A of this section be made coterminous with one or more community districts or aggregates of them.

D. The head of each agency whose local service delivery districts are not required to be coterminous with community districts pursuant to subdivision A or C of this section shall organize the local service delivery districts of the agency to coincide as closely as possible to the boundaries of the community districts.

E. For purposes of this section, coterminality of services shall mean that the boundaries of the local service districts of each agency service listed in subdivision A or required to be made coterminous pursuant to subdivision C shall coincide with the boundaries of community districts.

F. The head of each agency responsible for one or more of the services listed in subdivision A or required to be made coterminous pursuant to subdivision C shall:

(1) assign to each such local service district at least one official with managerial responsibilities involving the exercise of independent judgment in the scheduling, allocation and assignment of personnel and equipment and the evaluation of performance or the management and planning of programs; each such official shall have operating or line authority over agency programs, personnel and facilities within the local service district;

(2) assign to each area at least one area commissioner, or official with an equivalent title, who shall have line authority over agency programs, personnel and facilities within the area

related to such services; such official shall consult regularly with the community council and shall be a member of the area service cabinet established pursuant to section **§ 24-7** (twenty four - seven) of this chapter; and

(3) publish semi-annually in the City Record and make available to interested parties a list, by community district and area, of the name, title, office mailing address, and office telephone number of the officials appointed pursuant to paragraphs one and two of this subdivision and to subdivision A of **§ 24-7** (twenty four – seven).

G. The head of any agency may assign or reallocate personnel, equipment or other resources outside a community district to meet emergency needs, special situations, or temporary conditions.

H. Nothing in this chapter shall prohibit any agency from maintaining sub-districts within a community district for purposes of efficient and effective service delivery so long as the combined sub-districts shall coincide with the boundaries of the community district. Nothing contained in this section shall prevent the establishment of any special district authorized pursuant to federal, provincial or local law, the boundaries of which do not coincide with the boundaries of a community district.

I. Each community council may publish an annual report evaluating the delivery, within the area, of the services which are listed in subdivision A, or are required to be made coterminous pursuant to subdivision C, of this section.

J. On or before the first day of December, 2014 (two thousand and fourteen), the mayor shall appoint a task force on service delivery, consisting of no more than ten members, to review the requirements of subdivisions A, C and F of this section. Such task force shall include members appointed upon the recommendation of the council, comptroller, and city ombudsman. The membership of the task force shall include, but not be limited to, community board members, district managers, and representatives of the agencies subject to the requirements of this section. On or before the first day of December, 2015 (two thousand and fifteen), the task force shall submit a report to the mayor and council summarizing its conclusions and presenting such recommendations for changes in the list of services made coterminous pursuant to subdivisions A or C, and in the requirements for such services contained in subdivision F, as the task force deems appropriate.

K. The mayor shall report biennially to the council on the implementation of the requirements of this section. Such report shall include:

(1) an evaluation of the quality of the services delivered to community districts pursuant to subdivisions A and C of this section during the preceding two fiscal years,

(2) a review of the agencies' implementation of subdivisions D and F of this section, and of subdivision A of section **§ 24-7** (twenty four - seven), and

(3) any recommendations for changes in the services listed or in the requirements for those services which the mayor deems appropriate.

§ 24-6. District service cabinet.

A. There shall be a district service cabinet within each community district established pursuant to this chapter. The members of the district service cabinet shall include:

- (1) The agency officials designated pursuant to paragraph one of subdivision F of section § 24-5 (twenty four - five);
- (2) Representatives of other agencies that provide local services on a regular basis in the community district, who shall be the ranking line official assigned to the district;
- (3) Each council member whose district comprises all or part of the community district;
- (4) A representative of the department of city planning designated by the Chief Planner of city planning;
- (5) The district manager appointed pursuant to subdivision F of section § 25-1 (twenty five - one); and,
- (6) The chairperson of the community board for the community district or his or her representative.

B. Each district service cabinet shall:

- (1) Coordinate service functions and programs of the agencies that deliver services in the community district;
- (2) Consider interagency problems and impediments to the effective and economic delivery of services in the district;
- (3) Plan and recommend joint programs to meet the needs and priorities of community districts and their residents;
- (4) Consult with residents of the community district and their representatives about local service problems and activities; and
- (5) Keep a public record of its activities and transactions, including minutes of its meetings.

§ 24-7. Area agency managers and area service cabinets.

A. The head of each agency delivering services in the areas shall designate one or more senior officials of the agency with line authority as area representatives of the agency with such coordinative or other duties and responsibilities as the head of the agency may specify in a written statement filed in the agency and with the director of operations and the appropriate community council.

B. There shall be an area service cabinet within each area whose members shall include the area representatives designated pursuant to subdivision A of this section, and the community council, whose chairperson shall be the chairperson of the service cabinet. Each area service cabinet shall:

- (1) Coordinate at the area level service delivery functions and programs of agencies that provide services in the area;
- (2) Consider interagency problems and impediments to the effective and economic delivery of services in the area;
- (3) Plan and develop programs addressed to the needs and priorities of the area and its residents;
- (4) Consult with residents of the area and representatives of the community boards about service problems and activities; and
- (5) Keep a public record of its activities and transactions, including minutes of its meetings.

§ 24-8. Agency budgets and service statements.

A. Each agency with service districts within the community districts and areas shall prepare annually a statement of its service objectives, priorities, programs and projected activities within each community district and each area for the new fiscal year, if requested by the respective community board or community council.

B. In preparing such statements for community districts the agencies shall consult with the respective district service cabinets and community boards. In preparing such statements for the area, the agencies shall consult with the area service cabinet and community council. The statements shall be filed no later than the fifteenth day of August with the mayor, council, community board and community council.

C. By no later than four months after the end of the fiscal year, each agency with service districts within the community districts and areas shall report to the respective community boards and community councils the amount of expenditures within each service district for each unit of appropriation for the preceding year.

§ 24-9. Agency information.

Each agency with service districts within the community districts and areas shall make available to each community board and community council current information on its operations and programs within each community district and area.

DRAFT LEGISLATION - TORONTO MUNICIPAL CODE
CHAPTER 25 - CITY GOVERNMENT IN THE COMMUNITY

§ 25-1. Community boards.

A. For each community district created pursuant to chapter twenty four there shall be a community board which shall consist of:

- (1) not more than fifty persons appointed by the council for staggered terms of two years, at least one-half of whom shall be appointed from nominees of the council members elected from council districts which include any part of the community district, and
- (2) all such council members as non-voting members.

One-half of the members appointed to any community board shall serve for a term of two years beginning on the first day of April in each odd-numbered year in which they take office and one half of the members appointed to any community board shall serve for a term of two years beginning on the first day of April in each even-numbered year in which they take office. Members shall serve until their successors are appointed but no member may serve for more than sixty days after the expiration of his or her original term unless reappointed by the council.

Not more than twenty-five percent of the appointed members shall be city employees. No person shall be appointed to or remain as a member of the board who does not have a residence, business, professional or other significant interest in the district. The council shall assure adequate representation from the different geographic sections and neighborhoods within the community district. In making such appointments, the council shall consider whether the aggregate of appointments fairly represents all segments of the community.

Community boards, civic groups and other community groups and neighborhood associations may submit nominations to the council members.

B. An appointed member may be removed from a community board for cause, which shall include substantial nonattendance at board or committee meetings over a period of six months, by the council or by a majority vote of the community board. Vacancies among the appointed members shall be filled promptly upon the occurrence of the vacancy by the council for the remainder of the unexpired term in the same manner as regular appointments.

C. Members of community boards shall serve as such without compensation but shall be reimbursed for actual and necessary out-of-pocket expenses in connection with attendance at regularly scheduled meetings of the community board.

D. Each community board shall:

- (1) Consider the needs of the district which it serves;
- (2) Cooperate with, consult, assist and advise any public officer, agency, local administrators of agencies, legislative body, or the community council with respect to any matter relating to the welfare of the district and its residents;

- (3) At its discretion hold public or private hearings or investigations with respect to any matter relating to the welfare of the district and its residents, but the board shall take action only at a meeting open to the public;
- (4) Assist city departments and agencies in communicating with and transmitting information to the people of the district;
- (5) Cooperate with the boards of other districts with respect to matters of common concern;
- (6) Render an annual report to the mayor, the council and the community council within three months of the end of each year and such other reports to the mayor or the community council as they shall require (such reports or summaries thereof to be published in the City Record);
- (7) Elect its own officers; adopt, and make available for reasonable public inspection, by-laws and statements of the duties assigned by the board to its district manager and other professional staff appointed pursuant to subdivision F of this section; and keep a public record of its activities and transactions, including minutes of its meetings, majority and minority reports, and all documents the board is required by law to review, which shall be made available, in accordance with law, to elected officials upon request and for reasonable public inspection;
- (8) Request the attendance of agency representatives at meetings of the community board;
- (9) Prepare comprehensive and special purpose plans for the growth, improvement and development of the community district;
- (10) Prepare and submit to the mayor on or before a date established by the mayor, an annual statement of community district needs, including a brief description of the district, the board's assessment of its current and probable future needs, and its recommendations for programs, projects, or activities to meet those needs;
- (11) Consult with agencies on the capital needs of the district, review departmental estimates, hold public hearings on such needs and estimates and prepare and submit to the mayor capital budget priorities for the next fiscal year and the three succeeding fiscal years;
- (12) Conduct public hearings and submit recommendations and priorities to the mayor, the council and the city planning department on the allocation and use within the district of funds earmarked for community development activities under city, provincial or federal programs;
- (13) Consult with agencies on the program needs of the community district to be funded from the expense budget, review departmental estimates, hold public hearings on such needs and estimates, and prepare and submit to the mayor expense budget priorities for the next fiscal year;
- (14) Assist in the planning of individual capital projects funded in the capital budget to be located in the community district and review scopes of projects and designs for each capital project provided, however, that such review shall be completed within thirty days after receipt of such scopes or designs;

(15) Evaluate the progress of capital projects within the community district based on status reports to be furnished to the board;

(16) Be authorized to assign a representative to attend any meeting held by a city agency to determine, in advance of drafting, the form and content of any environmental impact statement required by law for a proposal or application for a project in such board's district;

(17) Exercise the initial review of applications and proposals of public agencies and private entities for the use, development or improvement of land located in the community district, including the conduct of a public hearing and the preparation and submission to the city planning department of a written recommendation;

(18) Assist agencies in the preparation of service statements of agency objectives, priorities, programs and projected activities within the community district and review such statements;

(19) Evaluate the quality and quantity of services provided by agencies within the community district;

(20) Within budgetary appropriations for such purposes, disseminate information about city services and programs, process complaints, requests, and inquiries of residents of the community district; and

(21) Conduct substantial public outreach, including identifying the organizations active in the community district, maintaining a list of the names and mailing addresses of such community organizations, and making such names and, with the consent of the organization, mailing addresses available to the public upon request.

E. Each agency shall furnish promptly to each community board on request any information or assistance necessary for the board's work. Each agency shall also report periodically to each board on its service activities programs and operations within the community district.

F. Each community board, within the budgetary appropriations therefor, shall appoint a district manager and shall be authorized to utilize the services of such other professional staff and consultants, including planners and other experts, as it may deem appropriate, all of whom shall serve at the pleasure of the community board and shall provide the board with the staff support and technical assistance it requires to fulfill the duties assigned to it by this by-law or other law. The district manager shall:

(1) have responsibility for processing service complaints,

(2) preside at meetings of the district service cabinet and

(3) perform such other duties as are assigned by the community board in accordance with the statement of duties required by paragraph seven of subdivision D of this section.

One of the board members shall be elected by the other members to serve as chairperson. The chairperson shall use no title other than chair or chairperson of the community board and the other members shall use no title other than member of the community board or community board member, except that any member who is elected or appointed to an official position on the board, including but not limited to, vice-chairperson, secretary, treasurer, or chair of a committee or subcommittee of the board shall be allowed to use such title when acting in such capacity. The city auditor shall investigate any allegations concerning the misuse of a community board title and shall report its findings to the mayor,

the council and the community council in whose area the community board is located. The knowing and intentional use of an improper title by any member of a community board shall be punishable by a civil penalty of not less than one hundred dollars nor more than two hundred and fifty dollars for every infraction thereof.

The chairperson of the community board or his or her representative shall be a member of the district service cabinet.

A member of a community board shall be eligible for appointment to the position of district manager provided that such member does not participate in any manner in the selection of the district manager by the board and resigns as a member of any board prior to or upon assuming the duties of district manager.

G. Each community board may employ such other assistants as it may require within budgeted appropriations for such purposes or funds contributed for such purpose. Any funds appropriated by the city to enable the community boards to conduct their duties and responsibilities pursuant to this chapter shall be allocated directly to each board subject to the terms and conditions of such appropriations. The basic budget appropriation for the personal service and other than personal service needs of each community board shall not include rent. Within reasonable limits appropriate to each board's location, rent shall be separately appropriated for the board.

H. Except during the months of July and August, each community board shall meet at least once each month within the community district and conduct at least one public hearing each month. Notwithstanding the foregoing, a community board shall be required to meet for purposes of reviewing the scope or design of a capital project located within such community board's district when such scope or design is presented to the community board. Such review shall be completed within thirty days after receipt of such scope or design. Each board shall give adequate public notice of its meetings and hearings and shall make such meetings and hearings available for broadcasting and cablecasting. At each public meeting, the board shall set aside time to hear from the public. The area community council shall provide each board with a meeting place if requested by the board.

I. Each community board may create committees on matters relating to its duties and responsibilities. It may include on such committees persons with a residence or significant interest in the community who are not members of the board, but each such committee shall have a member of the board as its chairperson. Except as otherwise provided by law, meetings of such committees shall be open to the public.

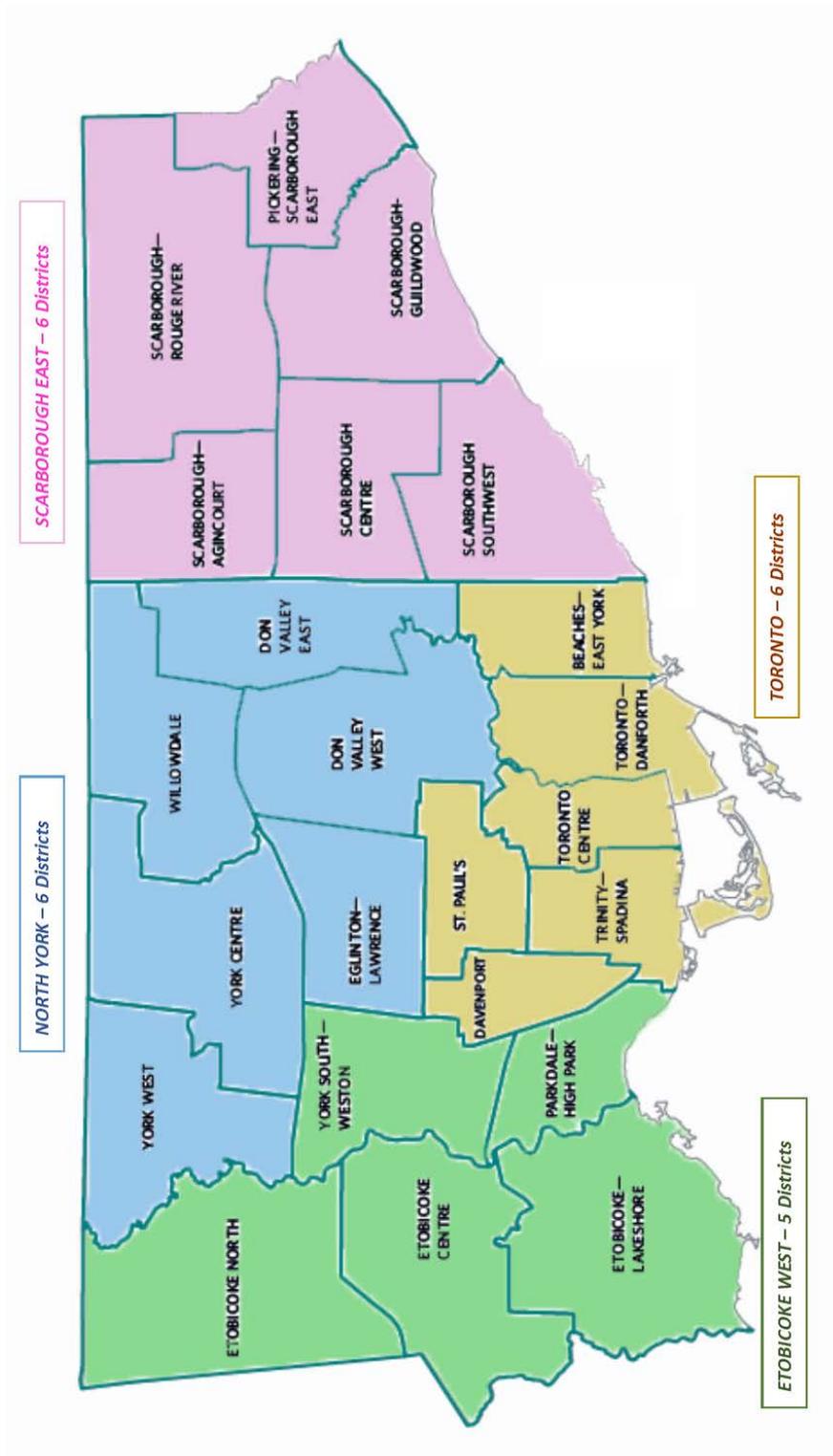
§ 25-2. Actions of community boards.

A. A majority of the appointed members of any community board shall constitute a quorum of such board.

B. Whenever any act is authorized to be done or any determination or decision made by any community board, the act, determination or decision of the majority of the members present entitled to vote during the presence of a quorum, shall be held to be the act, determination or decision of such board.

APPENDIX A.

The map of community districts, provincial ridings as of January 1, 2014



APPENDIX B.

Geographical Areas, Provincial Ridings and Populations as at January 1, 2014

Geographical Areas: ***Etobicoke West***
North York
Toronto
Scarborough East

Provincial Ridings (23) and Populations:

		Population	Total	Average
<i>Etobicoke West</i>				
1	Etobicoke – North	112,411		
2	Etobicoke – Centre	111,792		
3	York South – Weston	114,539		
4	Etobicoke – Lakeshore	113,914		
5	Parkdale – High Park	106,559	559,215	111,843
<i>North York</i>				
5	York – West	110,384		
6	York – Centre	113,420		
7	Willowdale	108,454		
8	Eglinton – Lawrence	106,879		
9	Don Valley West	115,539		
10	Don Valley East	111,117	665,793	110,966
<i>Toronto</i>				
12	Davenport	111,705		
13	St. Paul's	112,449		
14	Trinity – Spadina	106,094		
15	Toronto Centre	114,591		
16	Toronto – Danforth	109,713		
17	Beaches – East York	108,913	663,465	110,447
<i>Scarborough East</i>				
18	Scarborough – Agincourt	110,669		
19	Scarborough – Rouge River	115,437		
20	Scarborough – Centre	102,922		
21	Scarborough – Guildwood	112,628		
22	Pickering – Scarborough East	106,722		
23	Scarborough – Southwest	105,237	653,615	108,936
Total		2,542,088	Average	110,526