

Local Autonomy in Canada

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Abstract

In this paper, we compare the local autonomy of several small, medium, and large cities in Canada, mostly in Ontario. We use an index we created specifically to measure Canadian local autonomy, and draw on primary sources including budget documents, annual reports, and, where necessary, emails and phone calls with city officials. This paper presents the initial results of this research, and focuses primarily in Ontario. We find that Toronto does have slightly higher local autonomy than other Ontario cities, but that this higher autonomy score is due entirely to the presence of the City of Toronto Act. In other words, the City of Toronto act has not, according to our index, led to a meaningful increase in local autonomy. In the second half of this paper, we consider why this is through a comparison of the City of Toronto Act, and the legislation that governs all other municipal-provincial relations in Ontario.

Introduction

Beginning in 2013, we set out to explore local autonomy in Canada through a systematic comparison of the largest cities in the country. Building a made in- and for-Canada index of local autonomy to evaluate these municipal-provincial relationships, we established a baseline measure of autonomy of the largest city in each Canadian province. In this present project, we expand on our original findings in two ways by asking two questions. First, has the local autonomy of the largest city in each province changed since 2013? And second, is there a difference between the largest city in each province and other cities *within the same province*?

To answer these two questions, we will compare the local autonomy of 200 cities across Canada. These cities were randomly selected, but include a sample of small, medium, and large municipalities. We use the original index, with a few small modifications, and draw on primary sources including budget documents, annual reports, and, where necessary, emails and phone calls with city officials. This paper presents the initial results of this research, and focuses primarily on Ontario. We find that Toronto does have slightly higher local autonomy than other Ontario cities, but that this higher autonomy score is due entirely to the presence of the City of Toronto Act. In other words, the City of Toronto act has not, according to our index, led to a meaningful increase in other aspects of local autonomy. In the second half of this paper, we consider why this is through a comparison of the City of Toronto Act, and the legislation that governs all other municipal-provincial relations in Ontario.

As this paper is a presentation of initial results of this next major project, data collection is still underway. We have significant findings to present regarding Ontario municipalities, as well as a comparison of if and how local autonomy has changed for Toronto from 2013 to 2016. While a full response to this question will require an updated number for Vancouver's local autonomy, which we do not yet have, comparing small and medium sized BC municipalities with similarly sized municipalities in Ontario will allow us to begin to answer this question.

This study is of great theoretical importance, as comparative urban studies in Canada are on the rise. While qualitative research on local autonomy and municipal-provincial relations is of irreplaceable value, a quantitative measure to complement this work is also important in allowing us to carefully track and compare changes to one city's autonomy, and to more fully position autonomy of different cities in comparative study. It further allows for a more contextualized comparison of cities, by allowing us to consider how they are similar and different in terms of their autonomy.

It is also of great practical importance as well. This paper, presenting the incomplete results of the bigger project, will begin by taking a very Ontario focus. This focus is appropriate, given changes made in 2018 to municipal autonomy, notably through Bill 5, which had a particularly strong impact on Toronto's autonomy. With unprecedented provincial interventions into local autonomy on the part of the Ford government, journalists and practitioners are looking closely to the systems of governance under which municipalities operate, and questioning their effectiveness and appropriateness (Saunders 2019). Local autonomy, as it is currently practiced, may in fact not matter in the event of a province unwilling to follow the conventions and norms

that have previously structured those relationships. A local autonomy index, and the discussion that it provokes, brings into question the current operation of local autonomy and governance, a discussion that, as this past year has demonstrated, is far from theoretical.

Background

In 2013, we set out to measure the local autonomy of the largest city in each Canadian province. We used a simple but effective definition of local autonomy: the extent to which a municipality can act on its own, free from provincial constraints. The qualitative literature on municipal-provincial relations in Canada is rich, and served as an important foundation of our work (Sancton and Young 2009). Using what we know about municipal-provincial relations, and combining it with international indices of local autonomy that were developed primarily in Europe and the United States, we aimed to develop a quantitative measure of local autonomy. This endeavour, while transferrable to other countries, notably federal countries, was primarily created for the Canadian context, and is mindful of the federal division of powers and the lack of constitutional protection for municipalities. For a more thorough review of this Canadian and international literature that led to the creation of the index, as well as a more complete discussion of local autonomy, please see Smith and Spicer 2018.

The index contains three dimensions of autonomy: legal-administrative, financial, and political. Each dimension is measured using four factors, all of which have been drawn from the literature either on municipal-provincial relations in Canada, or adapted from indices developed internationally. Each dimension is measured separately to allow for a comparison of just legal-

administrative autonomy, for example, but the dimensions are also combined to give a final overall score of autonomy. In recognition of the importance of legal-administrative autonomy and fiscal autonomy, a finding that was consistent through international autonomy measures, the final score gives a 40-40-20 weighting to each dimension. Each dimension was scored on a scale of 0-1, with 0 being no autonomy and 1 being “full” autonomy. A score of 1 on any of the dimensions is, in reality, impossible, but we opted to build the scale from 0-1 to allow for a more meaningful comparison of each municipality’s autonomy.

For legal-administrative autonomy, we consider the size of local municipal employment in relation to the total, province-wide public employment; whether the city has its own Charter; whether there are local protections against provincial attempts to make changes to issues that directly affect the municipality; and whether the size of the local council is controlled by the province or the municipality. For the fiscal dimension, we consider the local expenditures as compared to total provincial expenditures; the extent to which the municipality relies on conditional grants from the province; and conditions under which the local government can borrow money. For the political dimension, we evaluate the strength of local government representation at the provincial level, primarily through the strength of municipal associations; whether there are provincially imposed regulations on campaign financing and spending; whether there are municipal representatives with provincial experience; and finally whether there are provincial representatives with municipal experience. Data collection for the first version of the index involved searching through primary provincial and municipal documents, such as budgets, annual reports, and capital plans. Some factors were not publicly available, so we sent emails and placed phone calls to local or provincial officials.

The results of the 2013 index show relatively low autonomy for all ten of the cities we studied. There were, however, some important differences. Unsurprisingly, given what we know from the qualitative literature on local autonomy, Vancouver had the highest overall autonomy with a score of .48. What is perhaps surprising is that Vancouver scored *so much* higher than the other cities: the second highest score on our index is .33, for both Toronto and Winnipeg. Vancouver's autonomy is higher thanks to very high legal-administrative and political levels of autonomy. This high autonomy, as we note in the first paper, can be a mixed blessing when it comes to accountability; for example, when we wrote the first index using 2013 data, there were no provincially imposed limits on campaign financing and spending. While this certainly increases local autonomy by allowing local control over that matter, it led to astonishingly high levels of campaign donations, sometimes reaching \$1 million. This "wild west of campaign finance" was seen as giving too much influence to private developers and, to a lesser extent, unions. (In 2018, municipalities actually lobbied the province to impose limits, a move that will ultimately decrease Vancouver's autonomy but is seen as reinforcing local democracy and accountability.)

Another important finding of our first index was the very stable and comparable levels of fiscal autonomy across the country. Our results for that dimension range from .29 to .36. Interestingly, our highest overall scoring city (Vancouver) and our lowest overall scoring city (Saskatoon) had exactly the same, and the lowest, score for fiscal autonomy (.29). This low fiscal autonomy also reinforces what we know from the literature, which is that the local level's ability to raise and spend funds is severely limited, and ultimately limits its ability to act autonomously.

Our index did not show a very strong effect of Charters. By this we mean that cities with a Charter do not have noticeably higher autonomy in other respects, though it is worth noting that our four highest overall scoring cities – Vancouver (.48), Winnipeg (.33), Toronto (.33), and St John's (.29) – all have Charters.

The initial index was, on its own, an important contribution to our understanding of local autonomy and for our ability to track changes to the local autonomy of Canada's largest cities. In addition to begging for future studies to track changes to the local autonomy of the ten cities we originally studied, the index leads us to other questions that the first paper left unanswered. With the case of Vancouver, we were left wondering if Vancouver's autonomy is comparatively high because the province of BC affords it special treatment and is especially permissive of its largest city, or if the province of BC is instead permissive of all of its municipalities. To answer this question, we need to measure the autonomy of other cities within BC. Similarly, we wonder whether those cities that do have Charters (Vancouver, Winnipeg, Toronto and St John's in 2013) have more autonomy compared to other municipalities within the same province. Again, to answer this question, we need to measure the autonomy of more cities.

In this next step of our local autonomy project, we seek to answer those questions. This paper begins to answer these questions by measuring changes between the 2013 autonomy and 2016 autonomy of Calgary and Toronto, comparing the local autonomy of a number of Ontario municipalities (ranging in size from small to large), and allowing for a comparison of small- and medium sized-cities in BC with small and medium-sized cities in Ontario. As the data set becomes more complete, we will continue to compare changes to the autonomy of the ten largest

cities, as well as track intra-provincial differences. For this index, we again drew on primary documents as well as emails and phone calls with municipal and provincial officials, and our aim was to collect 2016 data.

Data

As mentioned above, we began our study of local autonomy with an article published in 2018 in the *Urban Affairs Review* that presented data from Canada's ten largest cities. To get a true sense of local autonomy, an intra-provincial comparison is also needed. Below we present the local autonomy figures from our original paper, but applied to a series of local governments in Ontario. This data is part of a larger dataset on local autonomy in Canada, where we collect local autonomy indicators from 100 municipalities. For this paper, we employ a sub-sample of this larger dataset, examining indicators from 22 Ontario municipalities: Toronto, London, Ottawa, St. Catharines, Guelph, Aurora, Fort Erie, East Gwillimbury, Scugog, Springwater, Niagara-on-the-Lake, Pelham, West Nipissing, Trent Hills, Wellington North, Erin, Kincardine, Norwich, Georgian Bluffs, Zorra, Drummond/North Elmsley, and Hanover. While the larger sample of municipalities was randomly selected, those selected from Ontario and fulfill our sub-sample, provide a good cross-section of Ontario municipalities. Canada's and Ontario's largest city – Toronto – is included, as are mid-sized cities (e.g. Guelph) and small municipalities (e.g. Zorra). The sample also includes municipalities from the central (e.g. Springwater), eastern (e.g. Ottawa), western (e.g. Norwich) and northern (eg. West Nippissing) parts of the province. While data collection for municipalities in other provinces continues, we have a small number of cities from BC complete, as well as Calgary. This allows us to begin a comparison of smaller cities

across provinces, notably BC and Ontario, and to gauge the extent to which autonomy in Calgary has changed since 2013.

Information for each city was collected from a variety of sources. We obtained the subtotals for each dimension by averaging the results for each indicator. We then use a weighted average of the three dimensions to get an overall score for each city. A weighted average is provided for each dimension, applying the 40-40-20 formula discussed above. The full set of indicators is provided in Appendix 1, but for convenience, we have presented our findings on a scale ranging from low-low to high-high to place each city in defined space while providing the reader with an approximate understanding of where each city ranks in terms of legal-administrative, fiscal and political autonomy. Each category covers roughly equal distance on our 0-1 scale:

- low-low: 0-0.19
- low-high: 0.20-0.36
- medium-low: 0.37-0.52
- medium-high: 0.53-0.68
- high-low: 0.69-0.84
- high-high 0.85-1.00

| Table 1: Local Autonomy Dimensions | | | | | | |
|---|--|-----------------|----------------|-----------------|-----------------|------------------|
| | Low-Low | Low-High | Med-Low | Med-High | High-Low | High-High |
| Legal-Admin | London, Ottawa, St. Catharines, Guelph, Aurora, Fort Erie, East Gwill., Scugog, Springwater, NOTL, Pelham, West Nippissing, Trent Hills, Wellington North, Erin, Kincardine, | | Toronto | | | |

| | | | | | | |
|------------------|--|---------|--|--|--|--|
| | Norwich, Georgian Bluffs, Zorra, Drum/N. Elmsley, Hanover | | | | | |
| Fiscal | Toronto, London, Ottawa, St. Catharines, Guelph, Aurora, Fort Erie, East Gwillimbury, Scugog, Springwater, NOTL, Pelham, West Nippissing, Trent Hills, Wellington North, Erin, Kincardine, Norwich, Georgian Bluffs, Zorra, Drum/N. Elmsley, Hanover | | | | | |
| Political | Toronto, London, Ottawa, St. Catharines, Guelph, Aurora, Fort Erie, East Gwillimbury, Scugog, Springwater, NOTL, Pelham, West Nippissing, Trent Hills, Wellington North, Erin, Kincardine, Norwich, Georgian Bluffs, Zorra, Drum/N. Elmsley, Hanover | | | | | |
| Overall | London, Ottawa, St. Catharines, Guelph, Aurora, Fort Erie, East Gwill., Scugog, Springwater, NOTL, Pelham, West Nippissing, Trent Hills, Wellington North, Erin, Kincardine, Norwich, Georgian Bluffs, Zorra, Drum/N. Elmsley, Hanover | Toronto | | | | |

From the information in Table 1, we can see there is very little variation between each of the Ontario cities we selected. In each of the three index categories, the municipalities selected from Ontario rest within the low-low category (0.00-0.19). This is clearly the lowest category,

meaning that municipalities in Ontario have low levels of local autonomy when tested against traditional methods of measuring local autonomy. The only other non-Ontario city that is complete at this time is Calgary. By comparison, Calgary scores 0.24 in legal-administrative autonomy, 0.14 in fiscal autonomy and 0.05 in political autonomy. Overall, Calgary receives a score of 0.15, which would also place it in the low-low category on the table above – a good example of why an intra- and inter- provincial comparison is helpful in the study of local autonomy in Canada. As mentioned, our full index will be available in the near future.

Many of the formal index indicators draw heavily from provincial authority (ie, borrowing conditions, political spending limits, etc), which is addressed in the provincial *Municipal Act* (2001). The only city that draws authority from other municipal legislation is Toronto, which is also subject to the *City of Toronto Act*. From the data presented above, we can see the Toronto is Ontario’s only city that presents a meaningful difference in local autonomy. This can mostly be attributed to the presence its local “charter”, which allowed the city to place higher in the legal-administrative dimension of our index. Initial responses from our index suggest that the *City of Toronto Act* is not, as proponents had hoped, autonomy enhancing, as we do not see noticeable higher scores on the fiscal or political dimensions, or even on other legal-administrative factors. We further explore this aspect below.

Charters and Local Autonomy

City charters are an intriguing component of the local autonomy debate. Proponents of enhanced local autonomy for Canada’s cities have often pointed to city charters as an ideal legislative tool to protect municipalities from the interference and oversight of provincial authority. City charters are intended to delineate responsibilities appropriate to the individual size, resources and

importance of large cities. They also help to clarify responsibilities of senior orders of government.¹ Proponents of city charters often envision something akin to Home Rule in the United States, or city-state status that is found in certain parts of Europe. Home Rule in the United States grants municipalities in certain states the ability to govern themselves as they see fit, free from state interference (Vanlandingham 1968; Taylor 2014). Other proponents often look to German “city-states” such as Hamburg, Bremen and Berlin as suitable examples (Sancton 2008). Most, however, argue that a city charter would likely provide large cities with autonomy sufficient to address their most pressing local challenges (Keil and Young 2003; Levi and Valverde 2006).

At the time of data collection, Canada had five “charter cities” – Saint John, Montreal, Winnipeg, Vancouver and Llyodminster – and five cities that have special legislation that is similar to a charter but is generally not referred to as a charter: Toronto, St. John’s, Corner Brook, Mount Pearl and Charlottetown (Kitchen 2016). More recently, Calgary and Edmonton have received Charters in 2018. Despite the difference in name, what each of these cities have in common is that their respective provincial governments have made legislative efforts to elevate them above their peers. It is important, however, to recognize that Canadian charter cities have none of the characteristics traditionally associated with Home Rule or city-state status. In the latest edition of his local government textbook, Sancton (2015) makes this perfectly clear:

A city charter in Canada is nothing more than an ordinary provincial statute. It provides no extra constitutional protection for the municipality in which it applies. Its provisions can be changed by the provincial legislature at any time without any form of approval from the municipality. The only sense in which a city charter is especially important is if it grants more authority than that which is found in general provincial legislation applying to municipalities (30).

Considering the status of Canada's charters, it is not surprising that they have met with criticisms from some. Looking specifically at the *City of Toronto Act*, Sancton (2016) argues that it does little to enhance the city's revenue capacity and has largely failed to live up to the hopes of Toronto's early charter advocates. Similarly, Kitchen (2016) finds that Toronto has sparsely used its revenue tools provided by the *City of Toronto Act*, arguing that having a wider scope of taxing powers does not mean a city will take advantage of them.

Depending on who you ask, city charters are either an autonomy enhancing mechanism designed to recognize the importance and inherent differences of our largest cities, or a hollow gesture aimed at appeasing activist politicians and mayors. What is clear, however, is that they are of some importance. As Sancton (2015) mentions, Charters are important because they grant more authority to a particular city than any of their provincial peers. Indeed, the intense movements in Alberta and Quebec to develop new Charter legislation for large cities, there remains great hope that Charters can improve the standing of municipalities within those provinces. As such, they are important to examine and discuss. The major question in the debate, however, is how important are they?

In a 2016 paper for the Canadian Political Science Association conference, we set out to catalogue the provisions available and utilized by cities that have "charters". We compared the city-specific legislation to the municipal legislation of general application in the province in question and highlighted the contents unique to each charter. To help us categorize the contents, we used the three broad themes that we used to study local autonomy in Canada in this paper:

legal-administrative powers, fiscal powers and political powers. Overall, we found that charter powers are mainly *conditional*. Namely, politics impacts the use of certain charter provisions. The change in use of Toronto's revenue tool is an excellent example. Consultants provided the City with eight possibilities allowed under the revised *City of Toronto Act*: a land transfer tax, a vehicle registration tax, a sign tax, an alcohol tax, a tobacco tax, an amusement tax, a parking tax and road pricing. City council eventually selected a vehicle registration tax, a billboard tax and a land transfer tax (Kitchen 2016). In 2011, however, newly elected Mayor Rob Ford was able to get council to agree to eliminate the vehicle registration tax. As such, powers granted are not always utilized and even if they are, they are not necessarily used forever.

The revenue generation tools that the City of Toronto Act gives Toronto can be significant, in the event that political leadership and council agree to use them. But perhaps more important is what is *not* in the Act, namely, protections against provincial attempts to intervene in municipal affairs. The City of Toronto is a powerful creature of the province, but it remains a creature of the province with no constitutional or legal protections, leaving it vulnerable to provincial interference. Which brings us to the recent events in 2018, which saw the province attack that very vulnerability.

Bill 5 and the Local Autonomy of Canada's Largest Cities

The City of Toronto, as municipalities periodically do, conducted a ward boundary review between 2013 and 2016 (Benzie 2018). Based upon the recommendations from the review, Toronto city council voted to increase the number of wards from 44 to 47 (Benzie 2018). The by-

law was appealed to the OMB and divisional court, but upheld in March 2018. Toronto was ready to conduct the 2018 municipal election with the revised ward system in place – 47 councillors were to be elected. The campaign period for the 2018 municipal elections in Ontario began on May 1, 2018. The nomination day was set for July 27, 2018, meaning that if a candidate wanted to put their name on the ballot or to withdraw their nomination, this process had to be completed by 2:00pm EST on this date. Election day was scheduled for October 22, 2018.

On July 30, 2018, the provincial government introduced Bill 5, *The Better Local Government Act*, which set out to reduce the number of wards and councillors in the City of Toronto to 25, align the wards with existing federal and provincial electoral boundaries, and remove Toronto's ability to change its ward boundaries and council composition by by-law in the future (Benzie 2018). Bill 5 also set a new nomination day for candidates in the City of Toronto and modified certain campaign finance rules (Benzie, Rider and Palagaro 2018). Somewhat related is that the Bill also cancelled the scheduled elections of regional chairs in the regional governments of York, Peel, Niagara and Muskoka, who were mandated to switch to at-large elections from appointment by the previous government (Benzie, Rider and Pagliaro 2018). Bill 5 was passed on August 14, 2018, with the associated regulations filed the following day.

The City of Toronto launched an immediate court challenge to this astonishing and unprecedented provincial action, along with several groups of concerned citizens. The City argued that Bill 5 violated several provisions enshrined in the Charter of Rights and Freedoms, namely that the rights of freedom to expression and equality were interfered with because the

changes included in Bill 5 were introduced in the midst of an election campaign (Rider and Pagliaro 2018). To the surprise of many, Justice Belobaba of the Ontario Superior Court sided with the City and struck down Bill 5 on September 10, 2018, finding that the Bill did meaningfully breach the Charter rights of certain Torontonians (Rider and Pagliaro 2018). Belobaba also argued that the lawyers for the provincial government did not effectively present evidence to support the timing and reasoning for the Bill (Pagliaro 2018). In rendering his decision, Belobaba essentially placed the election back to a 47-ward system.

Justice Balobaba's decision did not sit well with the Ford government, however. While Premier Doug Ford, a former City of Toronto councilor himself, had not campaigned on any changes to the size of Toronto's city council in the recent June 2018 election, he was nonetheless determined see the number of councillors reduced. In response to Justice Balobaba's decision, Ford announced he would invoke the notwithstanding clause, which would effectively allow the provincial government to suspend the relevant sections of the Charter brought to bear in this particular case for a five-year period (Pagliaro and Benzie 2018). To accomplish this, the provincial government embedded language invoking the notwithstanding clause into a new piece of legislation, Bill 31. Entitled *The Efficient Local Government Act*, the bill was generally the same as Bill 5, but included a new nomination day in light of the delays imposed by the original court challenge (Pagliaro and Benzie 2018). At the same time, lawyers for the provincial government appealed Belobaba's decision in the Court of Appeal and won a stay of decision, meaning the original components of Bill 5 remained in force (Pagliaro 2018). In doing so, the court's decision reiterated the province's authority over local government and effectively made the case that the province was free to set the boundaries of electoral wards for whichever

municipality they chose (Pagliaro 2018). As a result, the province chose not to proceed with the implementation of Bill 31. On October 22, 2018, Torontonians elected 25 councillors and a Mayor, under the auspices of Bill 5.

The provincial government's passage of Bill 5 and the ensuing legal battle create an interesting challenge for the study of local autonomy in Canada. Toronto fought for the introduction of the City of Toronto Act, a piece of legislation it was hoped would recognize its unique place in the province's municipal landscape, elevating it above its peers and providing it with certain rights and responsibilities that other municipalities were simply not afforded. While Bill 5 did not eliminate specific provisions of the *City of Toronto Act*, it certainly undermined the spirit with which the Act was signed. Bill 5 signified that the province was firmly in charge – something that the City of Toronto Act does not challenge in any way, but the Act did establish the framework for engagement between the two governments. The unilateral introduction of Bill 5 and its ensuing disruption in Toronto's local election, certainly destroyed any notion that City of Toronto and the Province of Ontario were fellow travelers in any regard.

Bill 5 also diminished Toronto's legal-administrative authority. While not captured in our index, the ability to independently study and establish ward boundaries is a responsibility afforded to all municipalities in Ontario with the exception of Toronto. As discussed above, Bill 5 removed this right. In this regard, Toronto has diminished autonomy in relation to Ontario's other municipalities, as it must seek the approval of the provincial government to adjust its boundaries. The same could be said for the Regional Municipalities of York, Peel, Niagara and Muskoka who no longer have the ability to establish elections for their respective regional chairs. In

contrast, the Regional municipalities of Halton, Niagara, Durham and Waterloo have done so many years and continue to have the ability to do so under the authority of Bill 5.

Conclusion: Whither local autonomy

The results presented in this paper paint a relatively bleak picture of local autonomy in Ontario. On the one hand, our index shows that Toronto has only slightly more autonomy than other Ontario municipalities. A close look at the results of our index show that this increased autonomy is almost entirely due to the mere presence of the City of Toronto Act, which we consider to be a Charter. The Charter does not, however, coincide with increased levels of autonomy for either the fiscal or political dimensions, which we would expect to see if the Charter was a meaningful attempt to enshrine additional powers and abilities in the city.

This paper also considered recent provincial changes, as introduced in Bill 5, which undercut Toronto's autonomy in unprecedented ways. The province's willingness to use the notwithstanding clause so as to interfere with the local election system - in the midst of an election cycle no less! – speaks powerfully to the limitations of the City of Toronto Act. In this case, it may be easy to brush off the intrusions of the Ford government as an outlier. After all, his actions were unprecedented and unlikely to be repeated by another government. However, Bill 5 speaks to the fragility of local autonomy in Canada. The provisions afforded to Toronto through the City of Toronto Act were all under the auspices of provincial authority. There was never any meaningful authority developed through the Act that would allow the City to protect itself against the disruption of Bill 5. Instead, the City's only legal recourse was to rely upon the Charter of Rights and Freedoms. To the surprise of many, the City found a supportive justice

who was willing to entertain the notion that Bill 5 meaningfully infringed upon certain Charter rights, but this argument did not withstand appeal. In fact, Justice Balobaba's judgement was almost mocked by the appeal court who relied on a basic reading of the Constitution Act to state definitively that responsibility for local government fell squarely under provincial authority.

For proponents of local autonomy in Canada, 2018 was a tough year. Bill 5 and the subsequent legal action quashed any hope that Canada's largest city could one day manage its own affairs, free from provincial authority or constraints. What this episode demonstrates clearly is that when provincial governments see fit, they have the same power over our largest cities as they do over our smallest towns and villages. Size does not matter when a provincial government is motivated enough to set the terms of their engagement with municipalities. One bright spot, however, is that ensuing controversy of Bill 5 sparked the discussion about local autonomy once again. But, without meaningful desire to change the system from the province's standpoint, increases in local autonomy are unlikely – at least in Ontario in the near future.

All Ontario municipalities have very low autonomy, and low autonomy across all dimensions. It remains to be seen if this is comparable to other provinces. In other words, do small and medium sized cities in other provinces also have low autonomy? If not, why not? Or if they do, why do all provinces behave so similarly towards their municipalities? These are questions we hope to answer as we continue to collect data on the local autonomy of other cities across the country.

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Appendix 1: Local Autonomy Indexes

| Legal-Administrative Dimensions | | | | | |
|--|-------------------------|---------------------|-------------------------|---------------------------|--------------|
| City | Local Employment | City Charter | Local Protection | Supralocal Control | Total |
| Toronto | 0.03 | 1.00 | 0.5 | 0 | 0.38 |
| London | 0.07 | 0.00 | 0.5 | 0 | 0.14 |
| Ottawa | 0.02 | 0.00 | 0.5 | 0 | 0.13 |
| St. Catharines | 0.01 | 0.00 | 0.5 | 0 | 0.12 |
| Guelph | 0.03 | 0.00 | 0.5 | 0 | 0.13 |
| Aurora | 0.00 | 0.00 | 0.5 | 0 | 0.12 |
| Fort Erie | 0.00 | 0.00 | 0.5 | 0 | 0.12 |
| East Gwillimbury | 0.00 | 0.00 | 0.5 | 0 | 0.12 |
| Scugog | 0.00 | 0.00 | 0.5 | 0 | 0.12 |
| Springwater | 0.00 | 0.00 | 0.5 | 0 | 0.12 |
| Niagara-on-the-Lake | 0.00 | 0.00 | 0.5 | 0 | 0.12 |
| Pelham | 0.00 | 0.00 | 0.5 | 0 | 0.12 |
| West Nipissing | 0.00 | 0.00 | 0.5 | 0 | 0.12 |
| Trent Hills | 0.00 | 0.00 | 0.5 | 0 | 0.12 |
| Wellington North | 0.00 | 0.00 | 0.5 | 0 | 0.12 |
| Erin | 0.00 | 0.00 | 0.5 | 0 | 0.12 |
| Kincardine | 0.00 | 0.00 | 0.5 | 0 | 0.12 |
| Norwich | 0.00 | 0.00 | 0.5 | 0 | 0.12 |
| Georgian Bluffs | 0.00 | 0.00 | 0.5 | 0 | 0.12 |
| Zorra | 0.00 | 0.00 | 0.5 | 0 | 0.12 |
| Drummond/North Elmsley | 0.00 | 0.00 | 0.5 | 0 | 0.12 |
| Hanover | 0.00 | 0.00 | 0.5 | 0 | 0.12 |

| Fiscal Dimensions | | | | | |
|--------------------------|---------------------|-----------------|---------------------------|------------------|--------------|
| City | Expenditures | Revenues | Conditional Grants | Borrowing | Total |
| Toronto | 0.08 | 0.04 | 0.16 | 0.4 | 0.17 |
| London | 0.01 | 0.01 | 0.17 | 0.4 | 0.15 |
| Ottawa | 0.02 | 0.02 | 0.25 | 0.4 | 0.17 |
| St. Catharines | 0.00 | 0.00 | 0.04 | 0.4 | 0.11 |
| Guelph | 0.00 | 0.00 | 0.16 | 0.4 | 0.14 |
| Aurora | 0.00 | 0.00 | 0.03 | 0.4 | 0.11 |
| Fort Erie | 0.00 | 0.00 | 0.03 | 0.4 | 0.11 |
| East Gwillimbury | 0.00 | 0.00 | 0.01 | 0.4 | 0.10 |
| Scugog | 0.00 | 0.00 | 0.02 | 0.4 | 0.11 |
| Springwater | 0.00 | 0.00 | 0.02 | 0.4 | 0.11 |

| | | | | | |
|------------------------|------|------|------|-----|------|
| Niagara-on-the-Lake | 0.00 | 0.00 | 0.02 | 0.4 | 0.11 |
| Pelham | 0.00 | 0.00 | 0.04 | 0.4 | 0.11 |
| West Nipissing | 0.00 | 0.00 | 0.20 | 0.4 | 0.15 |
| Trent Hills | 0.00 | 0.00 | 0.04 | 0.4 | 0.11 |
| Wellington North | 0.00 | 0.01 | 0.12 | 0.4 | 0.13 |
| Erin | 0.01 | 0.01 | 0.06 | 0.4 | 0.11 |
| Kincardine | 0.00 | 0.00 | 0.02 | 0.4 | 0.11 |
| Norwich | 0.01 | 0.01 | 0.04 | 0.4 | 0.11 |
| Georgian Bluffs | 0.01 | 0.01 | 0.05 | 0.4 | 0.12 |
| Zorra | 0.01 | 0.01 | 0.06 | 0.4 | 0.12 |
| Drummond/North Elmsley | 0.01 | 0.01 | 0.06 | 0.4 | 0.12 |
| Hanover | 0.00 | 0.01 | 0.06 | 0.4 | 0.12 |

| Political Dimensions | | | | | |
|-----------------------------|----------------------|--------------------------------------|--------------------------------------|-----------------------------|--------------|
| City | Corporate Rep | Prov Rep with Muni Experience | Muni Rep with Prov Experience | Election Regulations | Total |
| Toronto | 0.5 | 0.19 | 0.08 | 0.00 | 0.19 |
| London | 0.5 | 0.19 | 0.00 | 00.00 | 0.17 |
| Ottawa | 0.5 | 0.19 | 0.04 | 00.00 | 0.18 |
| St. Catharines | 0.5 | 0.19 | 0.00 | 00.00 | 0.17 |
| Guelph | 0.5 | 0.19 | 0.00 | 00.00 | 0.17 |
| Aurora | 0.5 | 0.19 | 0.00 | 00.00 | 0.17 |
| Fort Erie | 0.5 | 0.19 | 0.00 | 0.00 | 0.17 |
| East Gwillimbury | 0.5 | 0.19 | 0.00 | 0.00 | 0.17 |
| Scugog | 0.5 | 0.19 | 0.00 | 0.00 | 0.17 |
| Springwater | 0.5 | 0.19 | 0.00 | 0.00 | 0.17 |
| Niagara-on-the-Lake | 0.5 | 0.19 | 0.00 | 0.00 | 0.17 |
| Pelham | 0.5 | 0.19 | 0.00 | 0.00 | 0.17 |
| West Nipissing | 0.5 | 0.19 | 0.00 | 0.00 | 0.17 |
| Trent Hills | 0.5 | 0.19 | 0.00 | 0.00 | 0.17 |
| Wellington North | 0.5 | 0.19 | 0.00 | 0.00 | 0.17 |
| Erin | 0.5 | 0.19 | 0.00 | 0.00 | 0.17 |
| Kincardine | 0.5 | 0.19 | 0.00 | 0.00 | 0.17 |
| Norwich | 0.5 | 0.19 | 0.00 | 0.00 | 0.17 |
| Georgian Bluffs | 0.5 | 0.19 | 0.00 | 0.00 | 0.17 |
| Zorra | 0.5 | 0.19 | 0.00 | 0.00 | 0.17 |

| | | | | | |
|---------------------------|-----|------|------|------|------|
| Drummond/North Elmsley | 0.5 | 0.19 | 0.00 | 0.00 | 0.17 |
| Hanover | 0.5 | 0.19 | 0.00 | 0.00 | 0.17 |