A Patchwork of Participation: Stewardship, Delegation and the Search for Community Representation in Post-Amalgamation Ontario

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Introduction

Designing local institutions can be a challenging exercise, especially when attempting to balance the need for local participation with efficiency and fiscal health. Local participatory mechanisms have long been trumpeted as a method of strengthening local democracy and enhancing community representation (see Ball and Stobart, 1996; Barber, 1984; Fagotto and Fung, 2006; Monroe, 1990; Portney and Barry, 2007; Thomas, 1986; Thomson, 2001). These concepts, however, can often be at odds with centralized administration that is best placed to ensure policy and service continuity.

How, then, can we design institutions that balance community representation with central authority and efficiency? Many have espoused the benefits of "face-to-face democracy," which promotes collective behaviour within communities (Berry et al., 1993). It is at this truly local level that residents encounter the consequences of public decisions and, therefore, have the motivation and insight to engage fellow community members to find collective solutions (Fagotto and Fung, 2006; Kotler, 1969).

Municipal governments have an array of mechanisms to garner community input. These options range from consultation to the co-production of public goods, incorporating community members in either an advisory or participatory role (Bingham et al., 2005; Scavo, 1993). One such solution is a local deliberative body, similar to neighbourhood councils

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we find in many areas of the United States (Kathi and Cooper, 2005; Sirianni and Friedland, 2001), Canada (Collin and Robertson, 2005; Meloche and Vaillancourt, 2013) and Europe (Pendergrast and Farrow, 1997). Such local bodies are intended to operate on twin principles of delegation and stewardship, stewardship in that they allow a community to take responsibility for managing its own affairs and delegation, whereby a community can take on certain, localized functions from a central administration. These principles may, at times, operate at odds with each other, but constitute a basic rationale for community devolution and decentralization.

Calls for local participatory democracy are not usually initiated by institutional consolidation. As such, there is a gap in our understanding of local participatory bodies. Can such institutions recapture local decision making and community deliberation in the wake of large-scale institutional consolidation? Can we achieve the same benefits amid wholesale restructuring? This paper delves into these questions, examining the creation and partial abandonment of community councils—a form of neighbourhood governance, generally comprised of both residents and local city councillors—after widespread municipal amalgamation in Ontario.

Ontario is not the first jurisdiction to introduce community councils in the wake of local consolidation. Quebec's Bill 170 provides for "borough councils" that deliver certain city services and have some say over local matters (Collin and Robertson 2005).[1] Despite friction with central authorities and some concern about service duplication and efficiency, these councils are, by most accounts, strong political actors and a key part of Montréal's governance structure (Hamel, 2009; Meloche and Vaillancourt, 2013). Ontario's community councils look much different. Many have been abandoned and others are in various states of disuse. Why is this? What factors led to this relative failure?

After forcibly amalgamating hundreds of municipalities across the province in the 1990s and early 2000s, the government of Ontario promoted community councils to allow restructured communities to retain some control over local affairs. It was believed that these councils would soften the negative response from restructuring and provide some semblance of decentralized governance within the province's new, amalgamated municipalities (Arnold and Di Gregorio, 1997; Elliot, 2000; Sancton, 2011: 155; Spears, 1997). While provincial officials felt community councils may comfort those still holding reservations about local restructuring, they also made it clear that wholesale decentralization would not be entertained (Hughes, 1997).

Since amalgamation, very little attention has been paid to the implementation and operations of community councils, despite lingering concerns about local responsiveness and control in Ontario's amalgamated cities (Côté, 2009). This paper aims to better understand the role of

Abstract.   In the wake of wide-ranging municipal amalgamations Ontario, the provincial government promoted the use of community councils, citizen-led boards that would have input in local matters. Community councils were touted as a way of preserving local identity and policy control. However, more than a decade removed from Ontario's restructuring process, few municipalities have community councils in place. Those that have implemented community councils established them with purely advisory functions. This paper asks why community councils were so inconsistently implemented and introduced with such limited powers. Overall, it is found that community councils were victims of restructuring politics. Blocked by city councillors fearing decentralization would dilute their authority and foster political rivals, constrained through a restrictive legislative framework and pushed aside by city officials fearing they would effectively recreate a two-tier system, community councils were either abandoned or installed with a limited mandate.

Résumé.   Dans la foulée des vastes fusions municipales en Ontario, le gouvernement provincial a encouragé la mise sur pied de conseils communautaires, des conseils dirigés par des citoyens qui contribuent à la prise de décisions dans les affaires locales. Les conseils communautaires ont été présentés comme un moyen de préserver l'identité locale et le contrôle des politiques. Cependant, plus d'une décénie après la mise en application du processus de restructuration de l'Ontario, peu de municipalités sont dotées de conseils communautaires. Les quelques conseils communautaires qui existent n'exercent que des fonctions consultatives. Cet article interroge cet état de fait. Dans l'ensemble, il est établi que les conseils communautaires ont été victimes de la politique de restructuration. Les conseils communautaires ont été abandonnés ou limités dans leur mandat, parce que les conseillers municipaux ont craint qu'une décentralisation dilue leur autorité et favorise leurs rivaux politiques. Les conseils communautaires ont aussi été contraints par un cadre législatif restrictif et mis de côté par les responsables de la ville craignant qu'ils recréent un système à deux niveaux.

community councils and the nature of representation within Ontario's amalgamated cities.

Four communities provide a starting point to examine community council use in Ontario: Toronto, Hamilton, Ottawa and Sudbury.[2] Each city presents a very different implementation history. Sudbury fully implemented a widely used network of community councils called Community Action Networks (CANs). Toronto also fully implemented community councils but many have questioned their continued relevance (Côté, 2009; Golden and Slack, 2006). Hamilton has a voluntary system of community councils in certain wards, while Ottawa all but abandoned the notion of community-based governance (personal interview, August 14, 2014). With this varied implementation in mind, this paper asks four research questions:

1. Why did some municipalities implement community councils while others did not?
2. What factors led to a successful implementation?
3. What factors encourage continued participation in community councils?

4. Where do community councils fit within a post-amalgamation governance network?

To answer these questions, we rely on documents and reports from each city and eleven primary interviews with those close to the restructuring process and the operations of community councils in each municipality.[3]

Stewardship and Delegation: Community Participation in Theory and Practice

In the 1990s and 2000s, the Ontario government engaged in the country's largest municipal consolidation programmes. The scope of this restructuring was massive, as nearly half of the province's municipalities were restructured (Siegel, 2005: 129). Since this time, amalgamation in Ontario—and elsewhere—has been extensively studied. Much of this work has focused on economies of scale (Bird and Slack 1993; Byrnes and Dollery, 2002), servicing costs (Bird, 1995; Blom-Hansen, 2010; Dahlberg, 2010) and the efficiency of service delivery (Found, 2012; Kushner and Siegel, 2005; Moisio et al., 2010).[4] Much less research has been devoted to post-amalgamation governance, largely because municipal restructuring is rarely intended to enhance local democracy. Instead, consolidation is often cast as an opportunity to reduce duplication and enhance efficiency in service provision.

With that said, the importance of post-consolidation governance structures cannot be discounted. Even if our concern is placed solely on maximizing service efficiency, the optimal level of delivery and decision making should be of high concern (Church et al., 1997: 97). Local decision-making bodies hold the promise of enhancing community decision making, which is perhaps why they are so attractive in areas that have recently undergone municipal consolidation.

Thinking about local democracy

In its most basic form, deliberative democracy stresses the creation of institutions and practices that encourage collaboration between citizens and governments (Campbell and Marshall, 2000; Kathi and Cooper, 2005). These local institutions are premised on the idea that, in a democracy, citizens should have the primary say in placing value on the actions performed by government, including what government produces and delivers (Alford, 2002). Such organizations are designed to allow citizens to create "bottom up" structures within a larger governmental framework (Kathi and Cooper, 2005; Wagner, 2001). These institutional notions stem not only from a belief that existing central administrative and political structures are somehow deficient, but also that community difference is so significant it precludes some facets of centralized

decision making. A form of neighbourhood or community governance, then, would enable citizens to participate and represent their interests in services delivered by city agencies and cater policy design to community preference (Kathi and Cooper, 2005). A policy process stemming from co-operation rather than conflict is, therefore, intended to emerge.

Such local participatory bodies have found considerable support in past research (see, for example, Ball and Stobart, 1996; Barber, 1984; Monroe, 1990; Portney and Barry, 2002; Thomas, 1986; Thomson, 2001). Advocates of greater local participation argue that democracy requires widespread contribution and that the expansion of local participatory institutions "nourishes the democratic spirit of individuals" and "builds community" (Berry et al., 1993). The scale of these operations matters; the notion of "face-to-face democracy" necessitates a smaller scale. Simply put, we can better understand collective challenges within smaller settings, which are, in turn, thought to promote collective behaviour and attract individuals toward "solutions that are best for the broader community rather than single-mindedly pursuing what is best for themselves" (Berry et al., 1993).

While participatory democracy, in its idealized state, is thought to hold the benefit of unleashing a new democratic ethos, others are less enthusiastic. Many refer to citizen participation and deliberative bodies as a "supplement" or "complement" in a representative democracy (Pratchett, 1999). Others, of course, argue that the varieties of citizen participation can have negative consequences, especially when we more deeply consider structure of local bodies and the potential for participatory bias and domination of community agendas from wealthy property owners (Fagotto and Fung, 2006; Wandersman et al., 1987).

Needless to say, institutional design matters, not only in producing effective councils but also in allowing us to evaluate outcomes. In this task, Archon Fung (2006) introduces us to what he calls "the Democracy cube," a three dimensional space that maps key aspects of participatory democracy: participation, communication and decision making and authority and power. The categories—participation, communication and decision making and authority and power—can be arrayed on a spectrum. For example, participation, conceived broadly as the process of member selection, inclusion and contribution, may range from involving expert administrators at the more exclusive end of Fung's spectrum to open self-selection at the more inclusive end (2006: 68). As another example, authority and decision making can range from consultation and an expression of personal beliefs at the lower end of the spectrum to direct authority for community members at the higher end (70).

Fung's work is particularly helpful when we consider the range of institutional design options available to policy makers. Such bodies may be purely communicative, whereby participants have a venue to actively identify concerns with central decision makers, but would have no real expectation of influencing public action. Or these types of bodies could be

significantly strengthened and provide local decision makers with an active say and control over civic affairs, a scenario that Fung refers to as a "cogoverning partnership" (69). As such, there are a variety of options available to policy makers.

Regardless of the form, community governance operates on the twin principles of *stewardship* and *delegation*. Stewardship allows a community to take responsibility for managing its own affairs and promoting its own well-being, providing a modicum of autonomy and potentially insulating certain areas from city-wide authority (Feldman et al., 1997). In this, community councils provide recommendations to the city and consider initiatives that may have a local impact. In contrast, delegation sees a community council can take on certain, localized functions, such as minor planning, parking or zoning decisions. Community councils would be able to make decisions at a level more appropriate for very local issues, while also allowing city council to focus on larger, city-wide issues.

With this framework in mind, three factors, presented below in Table 1, help to determine the scope and function of community councils. Each category is a product of questions posed by Fung (2006) during his introduction of the democracy cube.[5]

Composition refers to the structure of the community council and is concerned with the nature of participation. *Capacity* refers to resources that are available to members. Finally, *authority* examines the ability of the council to make binding decisions. Taken together, these factors consider who participates, with what resources they participate and how binding are their decisions.

Designing institutions

Within a theoretical sense, local participatory bodies appear to hold promise in allowing communities to maintain a sense of identity and some control over local affairs in the wake of amalgamation (LeSage and Garcea, 2005; Slack and Bird, 2013; Vojnovic, 2000). Designing the right institutions to harness this promise, however, is a challenging task.

Pendergrast and Farrow helpfully provide three models of community council usage: the local community of interest model, the amalgamated municipal federation model and the radical decentralization model (1997).

TABLE 1
Factors Influencing Authority and Efficiency of Community Councils

Composition	Who participates? Who is invited to participate?
Capacity	With what resources does council operate?
Authority	What is the connection between their conclusions and opinions, on the one hand, and public policy and action, on the other?

The local community of interest model is based upon area-specific committees of council comprised of councillors from that community. In this case, communities would be included based upon shared interests and local identity, not current or former municipal boundaries (Church et al., 1997; Pendergrast and Farrow, 1997). Second, the amalgamated municipal federation model is established after consolidation around the boundaries of "old" lower-tier municipalities (Pendergrast and Farrow, 1997). The third and final model is conceived as the "radical decentralization model" and involves the devolution of all functions that can be devolved without completely eliminating central control (Chruch et al., 1997; Pendergrast and Farrow, 1997).

Each proposed model would rest at different positions of Fung's spectrum and allow for a different balance of power within the community. Communities would receive either strong local institutions or weak central institutions or vice versa. The decision as to which model to adopt would carefully balance concepts such as efficiency or democracy and devolution or centralization, placing more or less power in the hands of local, as opposed to central, decision makers.

Community Councils in Ontario

Toronto

Once the province's amalgamation programme began in earnest, the revised *City of Toronto Act* (1996) allowed for the establishment of "neighbourhood committees," leaving the new council responsible for determining scope and function.[6] The establishment and structure of these committees fed into the purview of the Toronto Transition Team.

In a report to the Toronto Transition Team regarding the new city's governance structure, consultants Lionel Feldman, Katherine Graham and Susan Phillips argued that community councils would provide a "strong voice" for communities at City Council, while also balancing individual, community and city-wide interests (1997: 20). However, in order to reduce the potential for conflict between city-wide and local community interests, Feldman, Graham and Phillips argued that community councils should not be responsible for approving budgets, delivering services, amending the official plan or employing their own staff (23).[7]

The greatest concern raised by Feldman, Graham and Phillips was the inequity in community council size. Some, such as the former City of Toronto represented a population of over 630,000, while others, such as East York, represented only 100,000. Feldman, Graham and Phillips argued that "such inequitable representation will harm the integrity of the councils as some may claim to have greater legitimacy or a stronger voice on council than others" (24).[8] To correct these imbalances, Feldman, Graham and Phillips

recommended City Council examine the borders of community councils early in their first term and potentially replaced them on a "regional basis" (25).

The Toronto Transition Team accepted many of these recommendations and argued that community councils were essential for the city's operations, not only in providing a direct link to the community but also making City Council business more efficient (56). The team's final report recommended that community councils should 1) hold public hearings and make recommendations on development applications within their boundaries, 2) hear public deputations and make recommendations on matters requiring a municipal by-law or commitment of unbudgeted city funds 3) hear and decide appeals to staff decisions regarding construction-related permits, snow removals, clearing debris, encroachments on municipal property and tree removal, and 4) monitor the well-being of local neighbourhoods (66). City Council would have final approval over all matters arising from community councils (70). The final report also recommended that the city review the community council boundaries at a future date (70).

During the city's 2003 governance review, it was recommended the number of community councils be reduced to four. It was argued community councils should be aligned with service districts to better provide continuity between planning, building, licensing and transportation functions while also providing a more even population distribution to each council (City of Toronto, 2003). Council accepted these recommendations. Since this change, Toronto's community councils have undergone only minor changes, none of which has been related to boundaries.[9]

Hamilton

The creation of community councils in the other three case studies was afforded under the *Municipal Act, 2001*. In Hamilton's first election after amalgamation, Bob Wade, the last mayor of the pre-amalgamation municipality of Ancaster, campaigned on a promise to establish "community districts" that would "represent neighbourhood viewpoints" along the lines recommended by the Hamilton-Wentworth Constituent Assembly but did not specify the amount of responsibility these councils would hold, a pledge that partially accounted for his victory (Elliot, 2000; Spicer, 2012). Despite Wade's election, community councils were never implemented. In 2006, Hamilton's then mayor, Fred Eisenberger, established a citizen-led Community Councils Task Force in the hopes of reviving the issue. The task force recommended Hamilton take advantage of new delegation powers provided under the *Municipal Statute Law Amendment Act, 2006*—an act designed to harmonize many of the new powers afforded in the *City of Toronto Act 2006* with the *Municipal Act 2001* and specifically included new powers for delegation from municipal councils—and enact a formal system of community councils (City of Hamilton, 2007).[10]

Specifically, the task force recommended that each ward have its own community council, with a minimum of seven and a maximum of eleven members and an elected chair and vice-chair. The ward councillor would be an ex-officio member. Each would have a selection committee who would interview and select members. Councils would have limited powers; each would be assembled to provide advice to the ward councillor (City of Hamilton 2007). The task force, however, did provide some possible delegated duties for community councils, namely, the ability to comment formally on all area planning activities, street naming, business license renewal, street lighting, snow removal, parking and traffic issues, and heritage permit applications and area recreation issues. Again, however, this system was never implemented, as Hamilton City Council dismissed the recommendations of the task force after its final report was submitted.

Sudbury

In Sudbury, community councils were a key recommendation from 2007's Greater Sudbury Community Solutions Team, which reviewed the city's governance structure after amalgamation. Sudbury initially introduced Community Action Networks (CANs) in 2001, following the recommendations of the Mayor's Task Force on Community Involvement and Volunteerism (City of Sudbury, 2007). After many years, however, attendance at most waned and many CANs stopped meeting entirely, leading the Community Solutions Team to describe them as "fledgling" (6). The team did, however, find a considerable amount of support for CANs, arguing that they possessed a "true grassroots nature" and were the "best options for community engagement and empowerment" (36).

The Community Solutions Team believed that while the CANs were beneficial, their authority needed to be enhanced, finding the network to be "loose" and responsibility ill-defined (36). The team feared the CANs would lose their grassroots nature if they were strengthened and formalized. As a result, the team sought a middle ground, recommending CANs be given responsibility for planning public consultations and local economic and community development initiatives, distributing municipal newsletters, holding pre-budget consultations, assisting with the utilization of community space and enhancing community policing efforts (37). The team also recommended the city designates an individual employee as a staff liaison and provide each CAN with a base annual budget (37).

Ottawa

In 1999, Glen Shortliffe was appointed by the province as a special advisor on restructuring. Shortliffe eventually produced a report calling for the region to be converted into a single-tier government. In it, Shortliffe

described community councils as having a "certain appeal" but ultimately not "practicable or workable" (1999: 10). Shortliffe argued that community councils would effectively re-create a two-tier government, lead to overlap and duplication and blur decision-making authority in the city (10).

After Shortliffe's recommendation, the restructuring process began in earnest, with a transition board tasked with implementation. Embedded within the transition board, a political infrastructure project team was responsible for establishing the new city's governance structure. This team also rejected the idea of community councils, arguing that community councils would distort lines of responsibility and did not have enough authority under the current provincial legislative framework (City of Ottawa, 2001: 8). Instead, they favoured voluntary, advisory ward councils that could be implemented at the discretion of individual councillors (City of Ottawa, 2001: 8). The team, however, did have concerns that these councils might become "a forum for complaints" and "create a de facto additional tier of government" (9).

The issue of community councils was raised again during the City of Ottawa's 2005 Rural Summit, which found a large and growing disconnect between urban and rural portions of the city (Ekos Research Associates, 2004). Stemming from these meetings, the city considered a "borough model" alongside a "ward council" model, the "borough model" possessing a degree of autonomy, limited taxing powers and local decision-making authority, while the "ward council" model would be largely advisory. Because the "borough model" would require significant legislative changes, it was abandoned, although some councillors did establish voluntary, advisory ward councils at this time (personal interview, 2014).

After the passage of Bill 130 (*Municipal Statute Law Amendment Act, 2006*), Ottawa examined the city's governance structure through a series of discussion papers. These discussion papers did not make any specific recommendations for council but did suggest that community councils play a positive role in other jurisdictions, most notably Toronto where, it is argued, they contribute greatly to the city's legislative efficiency (City of Ottawa, 2007). Very little came from these discussion and today Ottawa still does not have a system of community councils, only voluntary ward committees.

Community Council Use

Sudbury

Of the four case studies, Sudbury has the best-developed community council network. Sudbury's CANs are established to only provide advice to ward councillors and facilitate community meetings. Each has staff support and a modest annual budget to assist with administrative costs

(personal interview, January 29, 2014).[11] Each also elects a chair and assigns various other executive positions as it sees fit.

Those involved with Sudbury's CANs find them well attended. Participation from ward councillors can vary, however. The CANs are established independently from the ward councillor and can, therefore, operate in his or her absence. Some, in fact, do (personal interview, August 12, 2014). Certain councillors do not have any interaction with their ward CANs, while some will attend meetings but have very little other interaction with the executive. In fact, the participation from councillors tends to dictate the levels of participation from the community; CANs with more active councillors tend to have more participation from the public.

Toronto

Much like Sudbury, Toronto also has an established network of community councils. Those involved argue that community councils are largely in place to improve legislative efficiency, removing issues from the agenda of city council and addressing them at the local level. The most common issues to come before community councils in Toronto are property standards, business and event licensing and development applications (personal interview, August 12, 2014).

However, a major complaint of some involved with community councils is that issues approved at community council are still subject to decision at council of the whole. Decisions are frequently overturned, leading some to believe that this dissuades the public from bringing issues to community council (personal interview, July 18, 2014). Those involved with managing the city's network of community councils argue councillors from outside a given community council understand that if they overturn a decision, they could have a decision from their community council overturned as retribution (personal interview, August 12, 2014).

Hamilton

Unlike Sudbury and Toronto, Hamilton has a voluntary network of community councils. City Council rejected the notion of community councils, despite the mayor's taskforce finding widespread support amongst the public (personal interview, January 20, 2014). Three wards within the city have a community council: Ward 12 (Ancaster), Ward 13 (Dundas) and Ward 15 (Flamborough).[12] While the city allows these councils, there are no formal rules to guide their operation. The three existing community councils do have some similarities, however. Each formally incorporates a set group of residents. Each is also purely advisory and meets at regular times of the year. The activity of the council is generally dictated by the ward councillor. Certain councils get the opportunity to interview developers and those

hoping to build within the ward (personal interview, January 21, 2014[2]). City staff are often brought in to address questions of community councillors on certain issues (personal interview, February 12, 2014). As they are not formally recognized within the city's governance structure, they do not conform to the city's established practice of appointments of city committees (personal interview, January 28, 2014).[13]

Ottawa

Ottawa, perhaps, has the weakest community council structure of the four cases. While the city did not formally adopt community councils, it left the matter open for ward councillors to address. The process is voluntary and ward councillors are free to establish community councils, dissolve them and set their terms of engagement and use. Very few councillors currently have community councils. Those that do are seen as little more than "re-election committees" and are not open to the public (personal interview, August 14, 2014).

Below, in Table 2, the four cases are evaluated using the criteria from the second section of the paper.

When comparing cases, there is not much variation in authority or capacity. None of the cases examined has a powerful network of community councils. We do see some variation when it comes to composition, however. Toronto does not formally incorporate citizens into community councils. Sudbury has an open system where anyone can join a CAN if he or she shows interest. Finally, Ottawa and Hamilton have select participation, where councillors choose which residents sit on their individual community councils if they choose to establish them. Both operate outside the each city's established committee appointment structure.

Explaining Variance and Use

Why did some municipalities implement community councils while others did not? What factors led to a successful implementation? What factors

TABLE 2
Community Council Evaluation

	Toronto	Sudbury	Hamilton	Ottawa
Composition	No members of the public	Public - Open	Public - Select	Public - Select
Capacity	High amount of resources (financial and staff support)	Limited Resources	None	None
Authority	Challenged by City Council	None	None	None

encourage continued participation in community councils? Where do community councils fit within a post-amalgamation governance network?

The first task in evaluation is defining what is meant as "success." What, exactly, would a "successful implementation" entail? In this, we are given some criteria from those who advocated for community councils. Few were calling for strong decision-making bodies in the same vein of what Fung would call a "cogoverning partnership" (2006: 69). Instead, most were searching for a mechanism that allowed for community consultation, limited decision making and control over certain local matters. As such, most were searching for something in the middle of the *authority* spectrum: a large participatory body that could advise the city on regional or central matters, but one that had authority to make decisions on matters that did not affect the broader community. With that definition in mind, none of our cases could necessarily be viewed as a "successful implementation." Below, we explore factors contributing to this situation.

Recreating a two-tier system

Officials in a number of cities feared that the introduction of community councils would effectively re-create the two-tier system they had just dismantled. Nowhere was this idea more prevalent than in Ottawa. Shortliffe argued that the two-tier system in Ottawa had been "deemed no longer viable" meaning community councils—regardless if they had a policy development or revenue raising capabilities—would create redundancy (1999: 29).[14] Officials in Hamilton had similar reluctance to empower community councils to the point of recreating a two-tier system (personal interview, January 21, 2014[1]). There was a belief that focus had to be on making the new city work, rather than exploring decentralization.

Even in Sudbury, there was also concern a powerful set of community councils would draw from the authority of the city's government. The Community Solutions Team noted this in their final report, arguing "the team looked for a model of empowerment that would build pride in local communities and allow citizens to take an active role within certain issues, while also preserving the integrity of the city as a whole and ensuring that ultimate responsibility rests with the elected council" (City of Sudbury, 2007: 36). Those examining Sudbury's CANs felt that a purely advisory system would not undercut the authority of council or deconcentrate much power.

Conceptualizing community

Another problem with the implementation of community councils is conceptual murkiness. As Pendergrast and Farrow argue, the definition of a "community council" provided through the *City of Toronto Act* (Bill

103) is "virtually non-existent outside of Canada" (1997: 11). Largely due to the watered-down definition of a community council that was adopted from the Hamilton-Wentworth Constituent Assembly's work, there was very little understanding of what these councils were intended to do. In Toronto, for instance, each community council represents a population larger than most large Canadian cities, hardly fitting with our understanding of "community." As they were conceived in Hamilton and Ottawa, and as they were originally implemented in Toronto, community councils were drawn along the lines of former lower-tier municipalities, indicating they were designed more to placate those angry about amalgamation than to genuinely empower communities.

Opposition from local councillors

In most communities, the largest roadblocks towards community council use have been city councillors. As originally envisioned through the Hamilton-Wentworth Constituent Assembly's 1996 report, "community committees" would include a mix of councillors and citizens. When the report was ratified by regional council and a memorandum of negotiations was signed by the lower-tier municipalities, the committees were to be populated entirely by councillors, essentially leaving citizens out of the formal institutional structure. A 1997 report by MPP Ernie Hardeman reinforced this councillor-centric notion, which eventually laid the basis for Toronto's community council network (Pendergrast and Farrow 1997).

There has been concern that, if properly empowered, community councils could usurp the role of city council, perhaps even creating an alternate political base within the city that would not only shift policy and governance but also politics to a new scale. In Sudbury, councillors were concerned that others would have spending authority in their wards and supersede their own local spending priorities (personal interview, January 29, 2014). Councillors were also worried they were creating parallel councils that would become increasingly powerful and eventually duplicate much of the work done on city council. The same notions were present in Hamilton (personal interview, January 21, 2014[1]) and Ottawa (personal interview, August 14, 2014).

The second major concern was that community councils would become venues for potential political rivals to hone their skills and build a profile to one day challenge the incumbent councillor. Community councils provide an easy entry into community public policy issues, allowing potential rivals to better understand the intricacies of the area. It also puts potential rivals into frequent contact with the public, who are also potential voters, creating an opportunity to see them in a place of authority and provide them with civic experience to cite when running in a future election.

A restrictive legislative framework

The municipalities we have examined showed hesitancy and reluctance to embrace community councils, but part of this reaction is the legislative environment in which they were making decisions. The province provided a legislative opening for municipalities to establish community councils but was quite clear that a wholesale devolution of powers could not occur. The *Municipal Statute Law Amendment Act, 2006* provided broader authority to delegate municipal powers and duties but not planning matters, taxes and personnel issues (see also Section 23.3[1] of the *Municipal Act, 2001*).

A similarly restrictive framework and the impression that community councils are powerless and lack any meaningful decision-making ability has been a concern in other cities as well, such as Winnipeg (Higgins, 1977; Axworthy, 1980). In Toronto, former mayor David Miller was critical of the authority provided to community councils, arguing that "basically, they were a cynical exercise by the provincial government because they were given no power" (Hall, 2003: B4). Toronto City Council even voted to ask the province to expand the powers of the city's community councils. After the vote Councillor John Adams argued that "in order to make the megacity work for the people, we have to allow a lot of local decisions to be made at the local community council" (Spears, 1998).

In Hamilton, some community council participants have become frustrated by their lack of authority and have elected to not spend their time simply discussing issues (personal interview, January 21, 2014[1]). Even in Sudbury, where the city has a long and more established history with community councils, participants have expressed concern about not being able to have a say in policy creation (personal interview, January 29, 2014). The lack of authority leads to less participation, which puts community councils into a further state of decay, while also reinforcing the notion that they are not a viable component of municipal governance.

If an opposite legislative framework were constructed to mandate community councils, the results would obviously be very different. In Quebec, Bill 170 mandated the creation of community councils, assigning a number of servicing responsibilities, such as local roads, garbage collection and recreation (Collin and Robertson, 2005). Montreal, therefore, has a much more robust network of community councils, although many have noted sharing service responsibilities between central and community interests has led to a great deal of duplication and waste (Meloche and Vaillancourt, 2013).

Discussion and Conclusion

Participatory democracy is an attractive premise in local politics. Municipal governments are those closest to citizens, and therefore the likeliest places

to realize the promise of "face-to-face" democracy. Neighbourhood and community councils have been put in place in many jurisdictions around the world. As such, community councils are known commodities, but the environment in which they are introduced deserves exploration.

Post-amalgamation Ontario provides a unique environment to examine community councils. Here, community councils were not proposed as a way to complement or strengthen local democracy but rather as a method of recapturing autonomy and policy responsibility lost during the amalgamation process, the promise of which has largely been lost over time. Community councils, then, were seen as a way to increase participation in areas that were now seemingly lost in larger institutional structures.

Looking specifically at post-amalgamation Ontario, this paper asked four research questions: Why did some municipalities implement community councils while others did not? What factors led to a successful implementation? What factors encourage continued participation in community councils? Where do community councils fit within a post-amalgamation governance network?

There is significant variation when examining Toronto, Hamilton, Ottawa and Sudbury. Despite allowing voluntary councils, Hamilton and Ottawa currently do not have a formal community council network. Why is this? In both cases, there was fear that community councils would simply recreate a two-tier system the provincial government aimed to replace. Within this environment, community councils were seen as, at best, redundant and, at worst, harmful. Community councils also saw stiff resistance from city councillors who likely feared such bodies would duplicate their work and dilute their authority. Many councillors also feared community councils would establish an alternate political base, giving a profile to potential political rivals.

Toronto and Sudbury do have formalized community council networks. As mentioned above, neither community could be conceived as having a "successful implementation" as both fall short of an ideal type of local participatory body many called for at the time of consolidation. Nevertheless, they have a functioning system of community councils. Why is this? In Toronto, the council system does not formally incorporate citizens, but many continue to view it as a tool of legislative efficiency, removing smaller, local items from the agenda of City Council. As such, they are not conceived of as democracy enhancing but rather efficiency enhancing, which largely explains their longevity.

In Sudbury, the city's community council system had fallen into a state of disuse, as attendance waned and some councils ceased operations entirely many years after consolidation. In 2007, the Community Solutions Team, tasked with studying Sudbury's post-amalgamation governance structure, described the CANs as "fledgling" (City of Sudbury, 2007: 36) but saw significant value in their re-invigoration. After the Community Solutions Team

recommended giving the CANs resources and staff support, local volunteers shepherded them through initial transition periods and established them as staples within the city's governance structure.

Being the only community council with active participation from the public, it is worth asking why those involved with Sudbury's CANs continue to participate. Sudbury's CANs are independent from local councillors and have funding and staff support from the city, providing participants with a sense of autonomy. Those involved with Sudbury's CANs believe they have the ability to set an independent course of action in their communities. In a sense, they have a sense of ownership unseen elsewhere.

Where do community councils fit within a post-amalgamation governance network? In short, they do not. Ultimately, community councils were victims of the restructuring experience and captured by an impulse to consolidate authority within central structures. Community councils were intended as conciliation to communities that feared losing their identity rather than a method of strengthening local democracy. In sum, community councils were not given a chance to earn a place with the post-amalgamation governance of Ontario's cities.

Ontario's experience with community councils can tell us much about the challenges of creating local participatory bodies. Perhaps foremost, there needs to be a clear expression of intent and value. Simply put, local delegation and participation requires clear motivation. In Hamilton and Ottawa, the motivation for creating community councils was never clearly articulated. When councillors balked at creating community councils, critics of the amalgamation process did not challenge them, instead devoting their energy to reversing amalgamation, rather than realizing the opportunity they had to recapture authority at the community level. When amalgamation was finalized, the opportunity to introduce strong community councils was lost. In Toronto, legislative efficiency provided the clear purpose community councils needed to gain a foothold in the city. While Sudbury's network of CANs faltered immediately after consolidation, an external study group provided these community structures with not only a guiding ethos, but also institutional resources and autonomy from local politicians. Thanks to this process, Sudbury's CANs found their purpose and participation increased.

Ultimately, the province's interest in community councils was likely insincere. Past research into local democracy tells us that such bodies need to either be constructed on the premise of increasing local participation and representation or, on a more functional note, fulfilling a goal unreachable through central bodies (Collin and Robertson, 2005).[15] Neither of these aspects was present in the Ontario case, leaving the province's concept of community councils disadvantaged from the very beginning.

Local participatory bodies that aim to formally incorporate citizens can falter if not created some distance from central administrations. Sudbury's

CANs are not tied to ward councillors. While there is not a direct link to city council through the councillor, they have a measure of independence and cannot be directed or disbanded by the indifference or direct efforts of local politicians. In Hamilton and Ottawa, community councils were envisioned as having the representation of ward councillors and while extensively studied were largely abandoned when councillors resisted having to answer to local bodies and refused to foster potential political rivals. Therefore, those more interested in personal and political ends were able to more easily shape the nature of governance within consolidated communities.

Notes

1 For more on "borough councils" in Quebec, see Hamel and Rousseau (2006), Latendresse (2002) and Tomas (2012).
2 Toronto was amalgamated through the *City of Toronto Act, 1996*, while Hamilton and Ottawa were restructured under the *Fewer Municipal Politicians Act, 1999*.
3 Due to the research ethics approval for this project, those interviewed will not be named. However, a list of the general position and city of residence of each respondent it provided in appendix A.
4 The general conclusion from such research is that amalgamation has a negative effect on municipal fiscal health.
5 It should be noted, however, that these categories are not necessarily mutually exclusive, but driven by a desire to find evaluative criteria.
6 Despite being discussed in earnest in the wake of amalgamation (Sancton, 2000; Spicer, 2014), the concept of community councils in Ontario has its origins in the April 1996 report of the Hamilton-Wentworth Constituent Assembly, which introduced the term "community committee." Similar to the British Parish Council model, the Constituent Assembly envisioned these community committees as a flexible political forum that would "act as a link between the municipal council and citizens in a defined community [that would] provide a way for citizens to participate more effectively in the governance of their community" (Pendergrast and Farrow, 1997: 12). Each would have a mix of local citizens and councillors and would perform both a representative and participatory function (Pendergrast and Farrow, 1997). The Constituent Assembly's report, however, did not mention any specific functions for these committees to perform.
7 It was also recommended that potential city-community conflict could be reduced by declaring certain "community areas," such as Downsview, the central waterfront and the downtown core, also have a city-wide interest, particularly in economic development. Such specific geographic areas which are of city-wide importance were recommended to be removed from the purview of community councils (Feldman et al., 1997: 24).
8 A survey conducted by The Strategic Counsel Inc. as part of the Toronto Transition Team review process indicating that Torontonians were fairly split on their preference for community council borders. Of those surveyed, 43 per cent believed the boundaries should adhere to the former municipal boundaries, while 55 per cent believed the borders should be smaller to "better meet local needs" (1997, 58).
9 The only changes have come from the recommendations of 2005's Governing Toronto Advisory Panel (the members were Ann Buller, Sujit Choudhry and Martin Connell) who made four specific recommendations regarding community councils, including

meeting in the evening to make recommendations more accessible and creating a more open process for deputations.

10 Such delegation powers are covered in sections 23.1 to 23.5 of the act.

11 This funding is currently set at $2,500 a year.

12 It should be noted that all of these areas were once lower-tier municipalities in the Region of Hamilton-Wentworth prior to amalgamation.

13 The only caveat here is that some councillors establish a committee to review applications to the community council.

14 It is unclear why exactly Shortliffe believed the two-tier regional government of Ottawa-Carleton was "no longer viable" but he repeats this point several times throughout his report without much justification.

15 Montreal provides an interesting example of this. After amalgamation, there were concerns about representation and service efficiency. Providing some service responsibility to the borough councils, while sharing others with the city, was meant to accomplish both tasks, achieving greater allocative efficiency for residents. This, however, does not mean that there are not problems with such a system. The inevitable tension between borough and central administrations does add complexity to the governance within the city and region.

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Appendix 1: Interview Listing

Position	City	Interview Date
Member, Task Force on Community Councils	Hamilton	January 20, 2014
Member, Task Force on Community Councils	Hamilton	January 21, 2014[1]
City Councillor	Hamilton	January 21, 2014[2]
City Councillor	Hamilton	January 28, 2014
Constellation City Report Staff Liaison	Sudbury	January 29, 2014
Judi Partridge	Hamilton	February 12, 2014
Member, Toronto Transition Team	Toronto	July 8, 2014
City Councillor	Toronto	July 18, 2014
City Staff, Community Councils	Toronto	August 12, 2014
Member, New Sudbury Community Action Network	Sudbury	August 13, 3014
Member, Political Infrastructure Team (Ottawa Transition Team)	Ottawa	August 14, 2014