

**Subject: Adoption of Planning Advisory Committee Procedure By-law and
Mandatory Policies for Advisory Committees**

File Number: ACS2024-OCC-CCS-0019

Report to Planning Advisory Committee on 22 February 2024

**Submitted on February 15, 2024 by Caitlin Salter MacDonald, Manager of Council
and Committee Services**

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Ward: Citywide

**Objet : Adoption du Règlement de procédure du Comité consultatif sur
l'aménagement du territoire et des politiques obligatoires pour les
comités consultatifs**

Numéro de dossier : ACS2024-OCC-CCS-0019

Rapport présenté au Comité consultatif sur l'aménagement du territoire

Rapport soumis le 22 février 2024

**Soumis le 2024-02-15 par Caitlin Salter MacDonald, Gestionnaire des Services au
Conseil municipal et aux comités**

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Quartier : À l'échelle de la ville

REPORT RECOMMENDATION(S)

That, as set out in the [Advisory Body Review report](#) (ACS2023-OCC-GEN-0008), approved by City Council on July 12, 2023, the Planning Advisory Committee approve:

- 1. The Planning Advisory Committee Procedure By-law (Document 1);**
- 2. The Policies for sale and disposition of land, hiring of employees and procurement of goods and services (Document 2);**

3. **The Rules and procedures regarding the use of resources during the election campaign period (Document 3).**

RECOMMANDATION(S) DU RAPPORT

Que, tel qu'énoncé dans le rapport sur l'[Examen des organismes consultatifs](#) (ACS2023-OCC-GEN-0008), approuvé par le Conseil municipal le 12 juillet 2023, le Comité consultatif sur l'aménagement du territoire adopte:

1. **Le Règlement de procédure du Comité consultatif sur l'aménagement du territoire (document 1);**
2. **Les politiques concernant la vente et la disposition de terrains, l'embauche de personnel et l'acquisition de biens et de services (document 2);**
3. **Les règles et procédures sur l'utilisation des ressources pendant la période de campagne électorale (document 3).**

BACKGROUND

The [2022-2026 Council Governance Review report](#) considered by Council on December 7, 2022, noted a need for the City's advisory bodies, including Advisory Committees, to be reviewed further to recent decisions of the Ontario Divisional Court and Ontario Ombudsman. Council directed the City Clerk to undertake a review of advisory bodies and provided additional direction regarding other related matters.

The Office of the City Clerk worked with a Council-appointed working group and made recommendations with respect to the City's advisory body structure and related procedural requirements and guidance. These recommendations were included in the [Advisory Body Review report](#) (ACS2023-OCC-GEN-0008), approved by City Council on July 12, 2023.

The report also clarified that Advisory Committees, including the Planning Advisory Committee, are considered to be statutory "local boards" of the City of Ottawa and are therefore subject to certain mandatory by-law and policy requirements.

This report to the Planning Advisory Committee recommends the adoption of these mandatory policy requirements, in accordance with the provisions set out in Document 3, Appendix A of the Advisory Body Review report.

DISCUSSION

By approving the recommendations of this report, the Planning Advisory Committee will be meeting its statutory obligations under the *Municipal Act, 2001*, as a local board.

For a detailed analysis, see the Advisory Body Review Report.

Procedural requirements for Advisory Committees

Procedural requirements with respect to Advisory Committees are set out below. They include statutory requirements as well as matters relating to departmental support and consultation.

Statutory requirements

By-law and policies

1. Advisory Committees must:

- a. Pass a procedure by-law for governing the calling, place and proceedings of meetings, including public notice of meetings [Subsections 238(2) and 238(2.1) of the *Municipal Act, 2001*].
- b. Adopt and maintain policies with respect to the sale and other disposition of land; hiring of employees; and procurement of goods and services [Subsection 270(2) of the *Municipal Act, 2001*].
- c. Establish rules and procedures with respect to the use of board resources during the election campaign period [Section 88.18 of the *Municipal Elections Act, 1996*].

Open meetings

2. Advisory Committees must hold open meetings except in particular circumstances set out in the *Municipal Act, 2001* [Sections 239 to 239.2 of the *Municipal Act, 2001*].

Code of conduct

3. Advisory Committee members are subject to the [Code of Conduct for Members of Local Boards](#) [Section 223.2 of the *Municipal Act, 2001*].

Statutory accountability officers

4. Advisory Committees are subject to the City's Meetings Investigator appointed to review requests for investigation regarding whether a meeting of a local board was properly closed to the public [sections 239 to 239.2 of the *Municipal Act, 2001*].

5. Advisory Committee members are subject to the municipal Integrity Commissioner's

role with respect to the application of sections 5, 5.1 and 5.2 of the *Municipal Conflict of Interest Act* to local boards [Section 223.3 of the *Municipal Act, 2001*].

6. Advisory Committees are subject to the oversight role of the City's Auditor General [Section 223.19 of the *Municipal Act, 2001*].

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

LEGAL IMPLICATIONS

There are no legal impediments to approving the recommendations in this report.

COMMENTS BY THE WARD COUNCILLOR(S)

This is a city-wide matter.

CONSULTATION

This report relates to the Planning Advisory Committee meeting the minimum requirements under the *Municipal Act, 2001*, as a local board. No consultation was required.

SUPPORTING DOCUMENTATION

Supporting documents are included with the report as separate files.

Document 1 – Planning Advisory Committee Procedure By-law

Document 2 – Planning Advisory Committee Policies for sale and disposition of land, hiring of employees and procurement of goods and services

Document 3 – Planning Advisory Committee Rules and procedures regarding the use of resources during the election campaign period

DISPOSITION

By approving the recommendations of this report, the Planning Advisory Committee will be meeting its statutory obligations under the *Municipal Act, 2001*, as a local board.

Ottawa City Council will have the opportunity to review requirements for local boards twice per Term of Council, as part of the Governance Review and Mid-Term Governance Review reports. It is anticipated that the Chairs and Vice-Chairs of the

advisory committees will be consulted as part of each review.

Rules, procedures and policies would be “maintained” as required by the *Municipal Act, 2001*, by further adoptions of revisions approved by Council.