

**Finance and Economic Development Committee
Minutes 5
Tuesday, 4 June 2019
9:30 a.m.
Champlain Room, 110 Laurier Avenue W.**

8. [CITY OF OTTAWA WARD BOUNDARY REVIEW \(2019-2020\)](#)

ACS2019-CCS-GEN-0031

CITY WIDE

That the Finance and Economic Development Committee recommend that Council:

- 1. Direct staff to undertake a Request for Proposal (RFP) process to retain an independent consultant to conduct a comprehensive ward boundary review for the City of Ottawa, as described in this report and consistent with the Terms of Reference attached as Document 3;**
- 2. Approve that temporary annual funding, equivalent to one Full-time Equivalent (FTE), be provided to support any Member whose ward population size in Document 4 is projected to be larger than the average ward population size by more than 33 per cent during the 2018-2022 Term of Council, as an interim measure until a new ward boundary by-law comes into force, as described in this report; and**
- 3. Direct the City Clerk and Solicitor to send a letter to the Premier of Ontario and the Ontario Minister of Municipal Affairs and Housing to advise of any Council decisions with respect to a comprehensive ward boundary review for the City of Ottawa, as described in this report.**

At the outset, Vice-Chair Tierney read the following motion :

WHEREAS Subsection 217(1) of the Municipal Act, 2001 (the "Act") authorizes a municipality to change the composition of its Council and there is no provision for such a by-law to be appealed to the Local Appeal Planning Tribunal; and

WHEREAS the current composition of Ottawa City Council is confirmed by By-law No. 2005-534, which was approved by Council on November 30, 2005, and provides that, “Commencing with the 2006-2009 term of office, the City Council is composed of the mayor, elected by general vote, and 23 other members, elected on the basis of one member for each ward”; and

WHEREAS the staff report titled, “City of Ottawa Ward Boundary Review (2019-2020),” recommends that an independent consultant be retained to conduct a comprehensive ward boundary review for the City of Ottawa, pursuant to the municipality’s statutory authority “to divide or redivide the municipality into wards or to dissolve the existing wards” under Subsection 222(1) of the Act, and consistent with the Terms of Reference attached as Document 3; and

WHEREAS the recommended ward boundary review would be conducted without any predetermined outcome with respect to ward boundaries, and with the goal of achieving “effective representation” as well as various legislative and case law requirements and other objectives, as set out in the staff report and Terms of Reference; and

WHEREAS following recent events relating to the City of Toronto’s ward boundaries, the staff report recommends that the City Clerk and Solicitor be directed to send a letter to the Premier of Ontario and the Ontario Minister of Municipal Affairs and Housing to advise of any Council decisions with respect to a comprehensive ward boundary review for the City of Ottawa; and

WHEREAS the City Clerk and Solicitor’s letter would provide an opportunity to advise the Ontario Government that the City of Ottawa does not intend to exercise its authority under the Act to change the current composition of its Council through the proposed ward boundary review; and

WHEREAS further to the municipality’s statutory authority to establish Council composition, Council may direct the independent consultant to bring forward ward boundary options that retain the current Council composition while achieving “effective representation” and the other intended outcomes of the review; and

WHEREAS Council’s direction would not preclude the consultant from testing the concept of an increased or decreased number of wards as part of the preliminary work on the review prior to bringing forward to Council only those viable and recommended ward boundary options that retain the current Council composition and accomplish the principles, requirements and objectives described above;

THEREFORE BE IT RESOLVED that the City Clerk and Solicitor’s letter to the Premier of Ontario and the Ontario Minister of Municipal Affairs also specifies

that Council intends for the ward boundary review to be conducted on the basis of retaining the current number of wards, being 23, each represented by a single elected Member, in addition to a Mayor elected by general vote, as set out in By-law No. 2005-534; and

BE IT FURTHER RESOLVED that the Terms of Reference for the City of Ottawa's 2019-2020 comprehensive ward boundary review, as outlined in Document 3, be amended to direct the independent consultant to bring forward ward boundary options that retain the existing Council composition, as described in this motion, and pending any feedback received from the Ontario Government in response to the City Clerk and Solicitor's letter.

Questions to staff and Committee discussion touched upon the projected parameters, the prudence to informing the Provincial government in advance and the third party consultant.

After discussion, the Committee voted the following motion:

Motion No. 5/1

Moved by Councillor T. Tierney

WHEREAS Subsection 217(1) of the *Municipal Act, 2001* (the "Act") authorizes a municipality to change the composition of its Council and there is no provision for such a by-law to be appealed to the Local Appeal Planning Tribunal; and

WHEREAS the current composition of Ottawa City Council is confirmed by By-law No. 2005-534, which was approved by Council on November 30, 2005, and provides that, "Commencing with the 2006-2009 term of office, the City Council is composed of the mayor, elected by general vote, and 23 other members, elected on the basis of one member for each ward"; and

WHEREAS the staff report titled, "City of Ottawa Ward Boundary Review (2019-2020)," recommends that an independent consultant be retained to conduct a comprehensive ward boundary review for the City of Ottawa, pursuant to the municipality's statutory authority "to divide or redivide the municipality into wards or to dissolve the existing wards" under Subsection 222(1) of the Act, and consistent with the Terms of Reference attached as Document 3; and

WHEREAS the recommended ward boundary review would be conducted without any predetermined outcome with respect to ward boundaries, and with the goal of achieving "effective representation" as well as various

legislative and case law requirements and other objectives, as set out in the staff report and Terms of Reference; and

WHEREAS following recent events relating to the City of Toronto's ward boundaries, the staff report recommends that the City Clerk and Solicitor be directed to send a letter to the Premier of Ontario and the Ontario Minister of Municipal Affairs and Housing to advise of any Council decisions with respect to a comprehensive ward boundary review for the City of Ottawa; and

WHEREAS the City Clerk and Solicitor's letter would provide an opportunity to advise the Ontario Government that the City of Ottawa does not intend to exercise its authority under the Act to change the current composition of its Council through the proposed ward boundary review; and

WHEREAS further to the municipality's statutory authority to establish Council composition, Council may direct the independent consultant to bring forward ward boundary options that retain the current Council composition while achieving "effective representation" and the other intended outcomes of the review; and

WHEREAS Council's direction would not preclude the consultant from testing the concept of an increased or decreased number of wards as part of the preliminary work on the review prior to bringing forward to Council only those viable and recommended ward boundary options that retain the current Council composition and accomplish the principles, requirements and objectives described above;

THEREFORE BE IT RESOLVED that the City Clerk and Solicitor's letter to the Premier of Ontario and the Ontario Minister of Municipal Affairs also specifies that Council intends for the ward boundary review to be conducted on the basis of retaining the current number of wards, being 23, each represented by a single elected Member, in addition to a Mayor elected by general vote, as set out in By-law No. 2005-534; and

BE IT FURTHER RESOLVED that the Terms of Reference for the City of Ottawa's 2019-2020 comprehensive ward boundary review, as outlined in Document 3, be amended to direct the independent consultant to bring forward ward boundary options that retain the existing Council composition, as described in this motion, and pending any feedback received from the Ontario Government in response to the City Clerk and Solicitor's letter.

CARRIED with Councillor Moffatt dissenting.