

**SUBJECT: Ottawa Ward Boundary Review 2020 – Implementation Report**

**File Number: ACS2021-OCC-GEN-0024**

**Report to Finance and Economic Development Committee on 5 October 2021**

**and Council on 13 October 2021**

**Submitted on September 22, 2021 by M. Rick O'Connor, City Clerk**

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**Ward: City wide**

**OBJET : Examen des limites de quartiers de la ville d'Ottawa de 2020 –  
rapport de mise en œuvre**

**Dossier : ACS2021-OCC-GEN-0024**

**Rapport au Comité des finances et du développement économique**

**le 5 octobre 2021**

**et au Conseil le 13 octobre 2021**

**Soumis le 22 septembre 2021 par M. Rick O'Connor, greffier municipale**

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**Quartier : À l'échelle de la Ville**

## **REPORT RECOMMENDATIONS**

**That the Finance and Economic Development Committee recommend that City Council:**

- 1. Receive this report for information;**
- 2. Approve the ward numbers and names for use in the 2022 Municipal Elections, as described in this report and set out in Document 6;**

3. Approve amendments to the *Procedure By-law* related to the timing of the inaugural Council meeting in 2022, further to legislative changes made by Bill 68, the *Modernizing Ontario's Municipal Legislation Act, 2017*, as described in this report.

## RECOMMANDATIONS DU RAPPORT

Que le Comité des finances et du développement économique recommande au Conseil de

1. Prendre connaissance du présent rapport
2. Approuver les numéros et noms des quartiers en vue de l'élection municipale de 2022, comme il est décrit dans le présent rapport et dans le Document 6
3. Approuver les modifications au Règlement de procédure en ce qui a trait à la tenue de la séance inaugurale du Conseil en 2022 suivant les changements législatifs apportés par le Projet de loi 68, *Loi de 2017 sur la modernisation de la législation municipale ontarienne*), comme il est décrit dans le présent rapport.

## EXECUTIVE SUMMARY

On January 27, 2021, City Council enacted By-law No. 2021-3 to establish a new ward structure consisting of 24 wards and realigned ward boundaries for the 2022 Municipal Elections. The by-law's enactment followed a comprehensive review of the City of Ottawa's ward boundaries in 2020 by an independent consultant team. Two rounds of public consultation were conducted as part of the project.

The *Municipal Act, 2001* provides that a by-law to establish ward boundaries may be appealed to the Ontario Land Tribunal (OLT) [formerly the Local Planning Appeal Tribunal (LPAT)]. During the 45-day statutory appeal period that followed Council's enactment of By-law No. 2021-3, the City received two notices of appeal regarding the by-law – specifically in relation to portions of boundaries for the current Wards 12, 13 and 17. On April 14, 2021, Council approved Motion No. 51/5 (Document 3), which provided that Legal Services would seek modifications to By-law No. 2021-3 from the LPAT [OLT], in order to achieve a settlement to the appeals.

The OLT heard the appeals on July 12, 2021. On September 2, 2021, the Tribunal issued a written order that modified By-law No. 2021-3 to include the specific ward

boundary changes approved by Council through Motion No. 51/5. The OLT did not order any other changes to the by-law.

As such, the ward boundaries set out in By-law No. 2021-3 as modified by the OLT order will take effect for the 2022-2026 Term of Council and will serve as the basis for administering the municipal election to be held on October 24, 2022. This report addresses the following matters in order for the new ward boundary structure to be implemented for the 2022 Municipal Elections:

1. **Ward numbers and names** – Council has authority with respect to the numbering and naming of wards, and there is no appeal mechanism to the OLT. In keeping with the City’s past practices, staff recommend no changes be made to the current numbering for Wards 1 to 23, and that the new ward be numbered as “Ward 24.” In addition, new names for the additional ward and certain existing wards are proposed in Document 6 for use in the 2022 Municipal Elections. In keeping with past practice, Members of Council were provided with an opportunity to raise any proposals for specific ward name changes (for existing or new wards) for inclusion in this report. The proposed new ward names reflect geographical areas and identifiable communities, in keeping with the naming conventions used for existing wards. Any new ward numbers and names approved by Council would be part of a communication plan and public education campaign to be implemented in advance of the 2022 Municipal Elections.
2. **Distribution of ward-specific program funds** – Changes to ward boundaries and the establishment of a new ward will affect the administration of ward-based accounts relating to the Cash-in-lieu of Parkland (CILP) Funds Policy and the Temporary Traffic Calming Measures (TTCM) Program. Further to the approach set out in this report, and subject to any revisions to the CILP Funds Policy that may be made by Council through the review of that policy in 2022, the Finance Services Department will bring forward to Committee and Council updated ward balances with respect to CILP funds no later than Q1 of 2023. In addition, Traffic Services will identify the TTCM Program as a 2023-2026 Term of Council Priority, and a budget request will be made through the 2023 budget process to continue the TTCM Program ward-based funding for the 2022-2026 Term of Council. Any TTCM Program-related funding requested for the new term of Council would include the additional ward and be based on the new ward boundaries.

3. **Administrative and financial matters arising from the new ward boundary structure** – As noted in the staff report titled, “[Ottawa Ward Boundary Review 2020 – Recommendations Report](#),” which Council considered on December 9, 2020, the establishment of an additional ward will result in an estimated one-time cost of \$100,000 as well as ongoing costs estimated to be \$492,000 annually, as broken down further within this report.

In addition, staff are recommending a housekeeping amendment to the *Procedure By-law* in relation to the timing of the inaugural Council meeting in 2022. Bill 68, the *Modernizing Ontario’s Municipal Legislation Act, 2017*, moved the start date for a term of Council to November 15<sup>th</sup> in a regular election year, instead of December 1<sup>st</sup>, effective beginning in 2022. The proposed *Procedure By-law* amendment would provide for the earlier start date for the term of Council to be incorporated in provisions regarding Council’s inaugural meeting.

## **BACKGROUND**

### **Legislative Provisions – Ward Boundary Reviews in Ontario**

Municipalities in Ontario must adhere to rules established for them by the provincial government. The *Municipal Act, 2001* (the Act), a piece of legislation that provides much of the foundation for governance and authority for Ontario municipalities, includes guidance in two key areas relating to Council composition and ward boundaries by establishing as follows:

1. **That a municipality has authority to change the composition of its Council**, subject to the following rules, as set out in Subsection 217(1) of the Act:
  1. There shall be a minimum of five members, one of whom shall be the head of council.
  2. The members of council shall be elected in accordance with the *Municipal Elections Act, 1996*.
  3. The head of council shall be elected by general vote.
  4. The members, other than the head of council, shall be elected by general vote or wards or by any combination of general vote and wards.
  5. The representation of a local municipality on the council of an upper-tier municipality shall not be affected by the by-law of the local municipality under this section.

- 2. That a municipality may establish and change its ward boundaries**, through a process broadly outlined in the legislation that results in Council enacting a by-law to establish ward boundaries [Section 222 of the Act].

This authority is subject to some statutory requirements and potential appeal to the Ontario Land Tribunal (OLT), which was formerly known as the Local Planning Appeal Tribunal (LPAT)<sup>1</sup>. Specifically, Subsection 222(4) of the Act provides that, “Within 45 days after a by-law ... is passed, the Minister or any other person or agency may appeal to the Ontario Land Tribunal by filing a notice of appeal with the municipality setting out the objections to the by-law and the reasons in support of the objections.”

Under Subsection 222(3) of the Act, within 15 calendar days after passing a by-law to establish ward boundaries, the municipality must provide notice of the passing of the by-law to the public specifying the last date for filing a notice of appeal. Furthermore, the Act requires a municipality to forward any notices of appeal to the OLT within 15 calendar days after the last day for filing a notice of appeal.

In the event of an appeal, Subsection 222(7) of the Act provides that the OLT “shall hear the appeal and may, despite any Act, make an order affirming, amending or repealing the by-law.”

The Act also includes deadlines for when a by-law must be in effect for ward boundaries to be used in a municipal election [Subsections 222(8) and 222(9)]. Based on the relevant provisions, a by-law establishing new ward boundaries must be in force before January 1, 2022, for any ward boundary changes to be in effect for the 2022 Municipal Elections. If a by-law establishing new ward boundaries is appealed to the OLT, the notices of appeal must be withdrawn or the Tribunal must have issued an order to affirm or amend the by-law before January 1, 2022. In all other cases (unless the by-law is repealed by the OLT), the by-law would come into force for the second regular election after the by-law is passed.

## **The Ottawa Ward Boundary Review 2020**

On June 12, 2019, City Council considered the staff report titled, “[City of Ottawa Ward Boundary Review \(2019-2020\)](#).” The report noted that the City of Ottawa’s current ward

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<sup>1</sup> Effective June 1, 2021, the LPAT was amalgamated with other entities to become the OLT, further to changes made by Bill 245, the *Accelerating Access to Justice Act, 2021*. As such, references to the LPAT and OLT appear interchangeably in this report and its attachments, depending on the timing of certain events.

boundaries have largely been in place since the City's last comprehensive ward boundary review was conducted by an independent consultant in 2004-2005. Boundaries established by the 2004-2005 ward boundary review were expected to meet the test of "effective representation" until 2015. The staff report described how ward populations and future estimates for the City of Ottawa indicated that certain wards are, or are projected to be, outside of generally acceptable population variances.

The staff report proposed a ward boundary review process meant to establish boundaries that could be used in at least three municipal elections (2022, 2026 and 2030) and, perhaps, a fourth municipal election in 2034. Council approved a recommendation in the report directing 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. Through the RFP process, Beate Bowron Etcetera Inc., in association with The Davidson Group and Hemson Consulting Ltd., was the consultant team selected as the successful proponent.

The Ottawa Ward Boundary Review 2020 began in January 2020 and included two rounds of public consultation. Round One of public consultation collected opinions about Ottawa's current ward boundaries between March 4, 2020, and April 3, 2020.

Following Round One, the consultant team brought forward its Options Report that was considered by Council on July 15, 2020, through the report titled, "[Ottawa Ward Boundary Review 2020 – Options Report](#)." The Options Report provided five options for realigning Ottawa's wards. During the meeting of July 15, 2020, Council requested the development of a sixth option, based on certain criteria, as set out in [Motion No. 37/10](#). This resulted in the consultant team developing a [Supplementary Report](#) that included a sixth option.

Following Council's consideration of the Options Report and the subsequent development and release of the Supplementary Report, Round Two of public consultation began in August 2020. Round Two ran from August 19, 2020, to September 25, 2020, and collected feedback on the six options.

Following Round Two of public consultation, the consultant team brought forward its Recommendations Report. This report, as amended by the Finance and Economic Development Committee (FEDCO)<sup>2</sup>, was considered by Council on December 9, 2020, through the report titled, "[Ottawa Ward Boundary Review 2020 – Recommendations](#)

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<sup>2</sup> FEDCO amended the Recommendations Report on [December 1, 2020](#), through Motion Nos. 3/19, 5/19, 6/19, and 7/19.

[Report](#).” The Recommendations Report set out the consultant team’s recommended realignment of Ottawa’s ward boundaries, including a proposed structure that would increase the number of wards to 24, with 12 urban wards, nine suburban wards and three rural wards.

Council approved the Recommendations Report (including the FEDCO amendments), as further amended by Motion No. 45/20, which provided “that the 2018-2022 Term of Council recommend to future Councils that staff be directed to review the population and growth numbers every four years, beginning in 2024, to determine whether population figures have varied sufficiently from the projections forecasted in the Ottawa Ward Boundary Review 2020 – Recommendations Report to warrant a scoped ward boundary review, including but not limited to Cumberland and Barrhaven (Wards RW-6, RW-8 and RW-9 as adopted by City Council at its meeting of December 9, 2020).”<sup>3</sup>

On January 27, 2021, Council enacted [By-law No. 2021-3](#), being “A by-law of the City of Ottawa to establish ward boundaries and Council composition.” The by-law, which would implement the 24-ward structure approved by Council at its meeting of December 9, 2020, was to take effect for the 2022-2026 Term of Council and serve as the basis for administration of the 2022 Municipal Elections to be held on October 24, 2022.

### ***Statutory Appeals and Council Direction following Enactment of the Ward Boundaries and Council Composition By-law***

Following Council’s passing of By-law No. 2021-3, the City provided public notice of the enactment on January 28, 2021, in accordance with the statutory provisions described above. The public notice specified the last date for filing an appeal as March 15, 2021.

The City received two notices of appeal during the appeal period, as described in memoranda from the City Clerk and City Solicitor to Council dated March 16, 2021 (attached as Document 1), and April 9, 2021 (attached as Document 2), as follows:

1. The Overbrook Community Association filed a notice of appeal relating to a ward boundary change between the current Ward 12 and Ward 13 that originated by way of a motion at the FEDCO meeting of [December 1, 2020](#). The change moved the southern boundary between the wards from McArthur Avenue to

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<sup>3</sup> Pursuant to Council’s direction, should staff be directed by future Councils to conduct regular reviews, staff will undertake such reviews and report back to Council by way of a memorandum issued by the City Clerk, or as part of the regular governance review process.

Donald Street, with the eastern boundary remaining Rue de L'Église but extending west on McArthur Avenue and south on Brant Street to Donald Street.

2. The Old Ottawa East Community Association filed a notice of appeal relating to the ward boundaries between the current Ward 12 and Ward 17 and specifically the “transfer” of the uOttawa Lees Avenue campus from Ward 17 to Ward 12.

Following the submission of the notices of appeal to the LPAT, Legal Services engaged in discussions regarding the appeals with each appellant/appellant's counsel, the Mayor's Office and affected Ward Councillors. The City Clerk and City Solicitor memorandum of April 9, 2021, stated as follows:

“Further to these discussions, it appears that it may be possible to achieve a settlement acceptable to all parties, including the three affected Ward Councillors, that would resolve the narrow scope of matters raised in each notice of appeal. Such a settlement would need to be brought forward to the LPAT for ratification, which would provide for certainty at an early stage with respect to the ward boundaries and save the cost, time and resource requirements associated with a full hearing before the LPAT. ...

The practice of the City and that of the LPAT is to seek a resolution of matters as opposed to a contested hearing where such can reasonably be achieved. It is the opinion of Legal Services that in weighing the likelihood of success by the City in respect to the modifications sought by the appellants to By-law No. 2021-3 against the significance of such modifications in the overall context of the by-law and the benefit of the by-law being finalized at the earliest possible date, that it would be preferable to accept such modest modifications at a settlement hearing.”

On [April 14, 2021](#), Council approved Motion No. 51/5, which provided that Legal Services would seek modifications from the LPAT to By-law No. 2021-3 to achieve a settlement, as set out in Document 3. As noted above, the LPAT became the OLT effective June 1, 2021.

### **Ontario Land Tribunal Hearing and Order**

On July 12, 2021, the OLT held a video hearing to consider the two notices of appeal received regarding By-law No. 2021-3. Pursuant to Motion No. 51/5, Legal Services

sought modifications from the OLT to the by-law that reflected the limited ward boundary changes presented in the two notices of appeal.

On September 2, 2021, the OLT issued its written order, which is attached as Document 4. As described in a memorandum issued by the City Clerk and City Solicitor to Members of Council on September 2, 2021 (Document 5), the OLT decision modified By-law No. 2021-3 to include the specific ward boundary modifications approved by Council on April 14, 2021, as part of Motion No. 51/5. The OLT further ordered that the balance of the appeals be dismissed and affirmed By-law No. 2021-3 as modified.

A decision by the OLT is subject to appeal, with leave of the Court, to Divisional Court. An appeal must be presented by motion to Divisional Court within 15 days of the OLT decision being issued [i.e. by September 17, 2021]. The OLT's decision was not appealed.

Given that the OLT issued its order to modify and affirm the City's by-law before January 1, 2022, the new ward boundaries established by By-law No. 2021-3 as modified by the Tribunal will be effective November 15, 2022, and serve as the basis for the administration of the 2022 Municipal Elections.

## **DISCUSSION**

The Ontario Land Tribunal (OLT) order of September 2, 2021, finalized the City's new ward boundary structure for the 2022 Municipal Elections and the 2022-2026 Term of Council. As described in the Background section of this report, the new structure increases the number of wards to 24, with 12 urban wards, nine suburban wards and three rural wards. Some ward boundaries will be realigned, particularly in the southern and eastern parts of the City, and a number of existing wards are affected.

In their memorandum issued to Members of Council shortly after the Tribunal issued its order, the City Clerk and City Solicitor noted that various matters will need to be addressed in order to implement the new ward boundary structure. Further to the memorandum, which is attached as Document 5, this report provides information and recommendations with respect to the following:

1. Ward numbers and names to be used for the 2022 Municipal Elections and beginning with the 2022-2026 Term of Council;
2. Distribution of ward-specific program funds; and

3. Administrative and financial matters arising from the new ward boundary structure.

Additionally, staff are recommending a housekeeping amendment to the *Procedure By-law* relating to the timing of the inaugural Council meeting in 2022, further to legislative changes made by Bill 68, the *Modernizing Ontario's Municipal Legislation Act, 2017*.

Further discussion regarding each matter is set out below.

## **1. Ward Numbers and Names**

Given the establishment of a new ward and changes to existing ward boundaries, and in keeping with the City's past practices, recommendations are set out below and in Document 6 with respect to ward numbering and naming. The numbering and naming of wards falls within the purview of Council authority and there is no appeal mechanism to the OLT.

It should be noted that the approved schedules under By-law No. 2021-3 as modified by the OLT do not align with current ward numbers. Therefore, Document 6 includes the current/proposed ward numbers and schedule numbers for cross-referencing purposes.

As described below, any new ward numbers and names approved by Council would be part of a communication plan and public education campaign to be implemented in advance of the 2022 Municipal Elections.

### *Ward Numbers*

To minimize disruptions to the current ward numbering, and recognizing residents' familiarity with the current ward structure, staff recommend no changes be made to the current numbering for Wards 1 to 23. It is therefore recommended that the new ward be identified as Ward 24, as indicated in Document 6.

This approach is consistent with the process used following the City's last major ward boundary review in 2004-2005, when the City added two wards that were subsequently numbered as Ward 22 and Ward 23.

### *Ward Names*

While much of the administration of a municipal election relies upon assigned ward numbers, electors may better relate to their respective wards if there is a name attached to the ward. Further to the ward boundary changes finalized by the OLT, the new ward will require a name. In addition, the names of some existing wards should be adjusted

given the changes to their boundaries and in some cases the addition or removal of certain communities.

Selecting ward names, like defining ward boundaries, can be more complicated and contentious than might first appear. There may be divergent views in regard to the representative weight given to considerations such as historical interest, protection of community identity, the appropriate length of a name, and the role that a name will play in the city-building process.

The City's past practice with respect to ward naming has been for Council to establish temporary ward names following a ward boundary review as an interim arrangement for the purposes of the following election. Members of the following term of Council may then consider further adjustments to the ward names to reflect future public input.

For example, the following process occurred following the 2004-2005 Ward Boundary Review:

- At its meeting of July 11 and 12, 2006, Council approved the staff report titled, "[Ward Names for the 2006 Municipal Elections](#)," which set out a number of ward names recommended for the purposes of the 2006 Municipal Elections. This included the new "Gloucester-South Nepean" and "Kanata South" wards, as well as new ward names to reflect the boundary changes for "Barrhaven," "Kanata North," "West Carleton-March," "Stittsville-Kanata West," "College" and "Rideau-Goulbourn," further to boundary adjustments made through the 2004-2005 ward boundary review. The report noted that "... staff contacted all Members of Council to solicit their input. As this work proceeded it became clear that in certain areas the evolving nature of City growth means that it is not a straightforward undertaking to identify a ward name that will be embraced for the long term. Consequently, the names which are being recommended for Committee and Council consideration are recognized as an interim arrangement for purposes of the upcoming municipal elections." The report acknowledged that Members of the 2006-2010 Term of Council would be able to consider further individual adjustments to the ward names to reflect future public input.
- Prior to the 2010 election, Council was provided with a memo in November 2008 that discussed the process for the upcoming review and update of ward names for future elections. Councillors interested in the process were asked to assess public opinion through a consultation process appropriate for their ward, and

bring forward a recommendation to the City Clerk for consideration by Committee and Council.

- On [December 9, 2009](#), Council considered the report titled, "[Ward Names](#)," which recommended that the name of Ward 6 be changed from "Stittsville-Kanata West" to "Stittsville." The report noted that the former Ward 6 Councillor "has advised that the current name of the ward does not accurately reflect the major communities, and has provided a recommended name for the ward. The recommendation is that Council consider changing the name for Ward 6 from 'Stittsville-Kanata West' to 'Stittsville'. The Ward Councillor has confirmed that this proposed name was advertised in his community column and through an online poll on his website, and received favourable support." Council approved the recommended name. The new name for Ward 6 formally came into effect on December 1, 2010, at the start of the 2010-2014 Term of Council.

In keeping with past practice, memoranda from the City Clerk and City Solicitor of June 11, 2021, and September 2, 2021, provided Members with an opportunity to raise any proposals for specific ward name changes (for existing or new wards) for inclusion in this report. The Councillor for Ward 21 (Rideau-Goulbourn) provided a proposed new name for the ward (Rideau-Jock), with the following comments:

*"After conducting considerable research into name origins throughout Ward 21, the history of the ward's namesake, Henry Goulburn, came to light. Goulburn was a 19<sup>th</sup> Century British politician and significant slaveowner through his ownership of Jamaica's Amity Hall Plantation. Coupled with no significant contributions toward our communities, a decision was made to seek a new name for this ward for the next term of Council.*

*Over the last year, I have sought input from the community and consulted various community leaders and local historians as well as other organizations within Ottawa. Through these discussions, the general consensus was that we should consider a geographic name and that we keep it simple. With that, one of the community generated ward name ideas was Rideau-Jock. The name maintains the current use of Rideau and incorporates the other main river in the ward, the Jock River. Fittingly, the Jock River runs through the entire northern portion of Ward 21 from Ashton in the west, flowing by Munster and down to the edge of the Marlborough Forest before snaking its way through Richmond and finally winding through Nepean before feeding into the Rideau River at Jock Landing."*

In addition, it has been noted that Dominion Station is being renamed as Kìchì Sibi Station as part of the Confederation Line West extension. Staff can advise that the use and visibility of Indigenous languages with respect to the City's ward names will be reviewed in consultation with the Aboriginal Working Committee and the broader Indigenous community through the 2022-2026 Governance Review process.

Further to the Member proposals described above, staff are recommending other new ward names, as set out in Document 6, to reflect geographical areas and identifiable communities in keeping with naming conventions used for existing wards. Affected Ward Councillors were consulted on the recommended names and indicated their support.

Consistent with the approach that followed the last major ward boundary review, any names approved by Council would be recognized as an interim arrangement for the purposes of the 2022 Municipal Elections. Members in the 2022-2026 Term of Council may bring forward further individual adjustments to ward names that would reflect future public input. Should no such further adjustments be brought forward in the next term of Council, the ward names approved by Council at this time would also be used in future municipal elections.

#### *Communicating the Ward Boundary Changes for the 2022 Municipal Elections*

Staff recognize the importance of communicating new municipal ward boundaries and any related changes to ward numbers/names to residents in advance of the 2022 Municipal Elections on October 24, 2022.

Elections staff will implement a thorough communication plan and public education campaign to assist in ensuring that electors, candidates and third-party advertisers are aware of the new ward structure. Further information regarding the communication plan and public education campaign will be provided to Council in the first quarter of 2022.

In the meantime, a public service announcement will be issued further to Council's decisions regarding this report. The Ottawa Ward Boundary Review 2020 website will also be updated to reflect any Council decisions relating to this report, including any new ward numbers and names.

## **2. Distribution of Ward-specific Program Funds**

Changes to ward boundaries and the creation of a new ward will have an effect on the administration of ward-based accounts relating to the Cash-in-lieu of Parkland (CILP)

Funds Policy and the Temporary Traffic Calming Measures (TTCM) Program, as described below.

### *Cash-in-lieu of Parkland Funds Policy*

The [CILP Funds Policy](#) was approved by City Council on February 9, 2011, and amended on August 25, 2015. The Policy provides that the City “shall ensure the consistent and wise use of all funds collected for the provision of park and recreational purposes, pursuant to Sections 42 and 51.1 of the *Planning Act*, by defining the purposes for which ‘cash-in-lieu’ may be used and by establishing the mechanisms by which the ‘cash-in-lieu’ funds are accessed and accounted for.”

Among other things, the purpose of the Policy includes ensuring “that funds in ‘cash-in-lieu’ accounts are only used for eligible projects,” and, “that funds accumulated in ‘cash-in-lieu’ accounts associated with an individual ward are used only for eligible projects in that ward unless two or more of the Ward councillors agree to contribute to a common project that benefits one or more of the Wards.” Section 2 of the Policy further provides that cash-in-lieu funds collected through the development review will be allocated as follows:

- a. Sixty per cent of the funds paid will be allocated to use in the Ward in which the development is located and 40 per cent of the funds paid will be allocated for citywide purposes; and
- b. In a special administrative area identified in the *Parkland Dedication By-law*, 100 per cent of the funds paid will be allocated to use in the special administrative area where the development is located.

In addition, Section 3 of the Policy provides that cash-in-lieu funds collected and allocated to both ward and citywide use shall be free for use for any eligible project defined by the Policy except for the following:

- a. Funds that are subject to an appeal. These funds shall not be committed to or used for any purpose until the appeal is resolved.
- b. Funds that are collected through the development process in new communities and that are required to contribute to the acquisition of specific parkland already identified in a later phase of the community’s development. These funds shall be reserved for that purpose only and may not be used for any other eligible purpose.

- c. Funds collected for a development project that is abandon[ed] will be returned to the proponent unless they are committed to a specific eligible project. If they are committed to a project, the funds will be permanently credited to the development rights for that address.

As a result of changes to ward boundaries, certain special administrative areas or new communities may be located in different wards for the 2022-2026 Term of Council. Further to CILP policy provisions, once the new ward boundaries take effect on November 15, 2022, any funds that have been collected for such special administrative areas or new communities will be assigned to the ward that will contain the area/community during the 2022-2026 Term of Council, regardless of the ward in which the funds were originally collected. For example, all funds collected in Ward 22 for the purposes of the South Nepean Town Centre Secondary Plan will be assigned to Ward 3, and all funds collected in Ward 2 for the purposes of the East Urban Community will be assigned to Ward 19, in order to reflect the new boundaries in those areas.

Furthermore, collection of CILP funds in accordance with the new ward boundaries will also begin on November 15, 2022. Pending Council direction, the CILP Funds Policy is to be reviewed in 2022. Subject to any revisions to the Policy that may be made by Council through the review, the Finance Services Department will bring forward updated ward balances no later than Q1 of 2023 through the cash-in-lieu of parkland financial report that is submitted to the Planning Committee and Council in the first quarter of each year.

### *Temporary Traffic Calming Measures Program*

The [Temporary Traffic Calming Measures \(TTCM\) Program](#) was established through Council's consideration on July 8, 2015, of the staff report titled, "Proposed 2015-2018 Term of Council Priorities." The approved Term of Council Priorities included the Strategic Objective of "TM4 – Improve safety for all road users," which in turn included Strategic Initiative 15 (SI15), as follows:

#### **15 – Traffic, Pedestrian and Road Safety Enhancements**

To enhance pedestrian safety, mobility and resident engagement within the City of Ottawa through the development and implementation of pedestrian countdown signals and roadway modifications and improvement initiatives for all residents. This would also include traffic calming measures, identified for each Ward, such as flexible posts and speed display boards.

The TTCM Program was established further to Council's approval of SI15. Program funding has continued into the 2018-2022 Term of Council and includes an annual allotment for each Ward Councillor (\$50,000 per ward in the 2021 budget) to implement temporary traffic calming measures in their respective communities. As the ward-based funding associated with the TTCM Program is approved through the annual budget process, funding for the program will end with the current Term of Council and any unspent funds will be returned to the city-wide reserve.

Traffic Services will identify the TTCM Program as a 2023-2026 Term of Council Priority. A budget request will be made through the 2023 budget process to continue the TTCM Program ward-based funding for the 2022-2026 Term of Council. Any funding requested for the new term of Council would include the additional ward and be based on the new ward boundaries that will take effect on November 15, 2022.

### **3. Administrative and Financial Matters Arising from the New Ward Boundary Structure**

As noted in the staff report titled, "[Ottawa Ward Boundary Review 2020 – Recommendations Report](#)," which was considered by Council on December 9, 2020, the establishment of an additional ward will result in various one-time and ongoing costs.

In total, there is an estimated one-time cost of \$100,000 as well as ongoing costs estimated to be \$492,000 annually. This includes as follows:

- One-time capital fit-up adjustments required at City Hall to accommodate an office for the additional Member of Council within the current Councillors' Office Area are estimated at a cost of \$100,000 in direct costs, which can be funded and absorbed within existing budgetary resources. The Planning, Infrastructure and Economic Development Department has confirmed the additional City Hall office will be located on the second floor on Councillors' Row, in an area currently used by staff in the Office of the City Clerk.
- The Constituency Services Budget associated with one additional Member beginning in 2022-2023 is estimated to be \$275,000 annually.
- Benefits for Councillors' Assistants are estimated to be \$72,000 annually.
- Remuneration and benefits are estimated to be \$145,000 annually.

It is anticipated that the one-time fit-up cost of \$100,000 and the funding required for the Constituency Services Budget and remuneration and benefits for the period of November 15 to December 31, 2022, will be funded from within existing resources. It is

further anticipated that a budget pressure will be identified in the 2023 budget for ongoing costs beginning in 2023.

#### **4. Amendments to the *Procedure By-law* related to the Timing of the Inaugural Council Meeting in 2022**

Subsection 238(2) of the *Municipal Act, 2001* provides that, “Every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings.” With respect to the inaugural meeting of Council, which involves the ceremonial inaugural meeting and swearing-in ceremony, Section 91 of the City of Ottawa’s *Procedure By-law* currently provides as follows:

91. The Inaugural Meeting of the Council shall be held on the first weekday in December in the first year of its term at a time and place determined by the person who has been certified by the Clerk to be elected as Mayor.

Under Bill 68, the *Modernizing Ontario’s Municipal Legislation Act, 2017*, the *Municipal Elections Act, 1996* was amended such that the start date of a term of Council is changed from December 1<sup>st</sup> to November 15<sup>th</sup> in a regular election year, effective in 2022. Therefore, staff recommend a housekeeping amendment to the *Procedure By-law* such that the above-noted reference to December in the current Section 91 would be removed, as follows:

##### 91. Inaugural Meeting of Council

- (a) The inaugural Meeting of the Council shall be held on the first day of the Term of Council at a time and place determined by the person who has been certified by the Clerk to be elected as Mayor;
- (b) Notwithstanding subsection (a), should the first day of the Term of Council fall on a weekend or statutory holiday, the inaugural meeting may be held on the next business day.

As noted above, the inaugural meeting referenced in Section 91 refers to the ceremonial inaugural meeting and swearing-in ceremony. The first business meeting of Council in a new term is usually held shortly thereafter, at the call of the Mayor, and would include consideration of the Term of Council Governance Review report.

#### **FINANCIAL IMPLICATIONS**

As identified within the body of the report, one-time fit-up costs of \$100,000 and the funding required for constituency services and remuneration and benefits for the period of November 15 to December 31, 2022, will be funded from within existing resources.

Ongoing costs estimated to be \$492,000 annually will be covered through budget pressures to be identified in the 2023 budget process.

## **LEGAL IMPLICATIONS**

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

## **COMMENTS BY THE WARD COUNCILLOR(S)**

This is a citywide report.

## **CONSULTATION**

Public engagement and consultation were key components of the Ottawa Ward Boundary Review 2020 project. Participation by Members of Council, stakeholders and residents was sought throughout the course of the project using a variety of communication products and techniques. As described in this report, affected Members of Council were consulted with respect to recommended ward names. Further public consultation was not required as part of this report.

## **ACCESSIBILITY IMPACTS**

There are no accessibility impacts associated with this report.

## **RISK MANAGEMENT IMPLICATIONS**

There are no risk management implications associated with this report.

## **RURAL IMPLICATIONS**

As described in this report.

## **TERM OF COUNCIL PRIORITIES**

The Ottawa Ward Boundary Review 2020 is not a specific action connected to the Term of Council Priorities. That said, the review relates to the priority of “Service Excellence Through Innovation: Deliver quality bilingual services that are innovative and continuously improve to meet the needs of individuals and diverse communities.”

## **SUPPORTING DOCUMENTATION**

Document 1 – City Clerk and City Solicitor memorandum dated March 16, 2021

Document 2 – City Clerk and City Solicitor memorandum dated April 9, 2021

Document 3 – Motion No. 51/5, as approved by Council on April 14, 2021

Document 4 – Ontario Land Tribunal Order dated September 2, 2021

Document 5 – City Clerk and City Solicitor memorandum dated September 2, 2021

Document 6 – Recommended Ward Numbers and Names for the 2022 Municipal Elections

## **DISPOSITION**

The 2022 Municipal Elections will be conducted in accordance with the ward boundary structure established under By-law No. 2021-3 as modified by the Ontario Land Tribunal (OLT) decision of September 2, 2021. Should Council approve the recommendations in this report, the 2022 Municipal Elections will be administered using the ward numbers and names set out in this report. In addition, the City Clerk will address the *Procedure By-law* amendments as described in this report.