
The City of Winnipeg

Governance Review

Preliminary Report of Findings

October 2020



PREPARED BY
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EXECUTIVE SUMMARY

MNP was engaged to conduct a review of the governance structure, bylaws and processes of the City of Winnipeg, to consider ways the current model is effective and how it may be improved to further enable responsible and accountable government.

This preliminary report includes findings from the review of current documentation, internal stakeholder engagement, and an inter-jurisdictional scan. It also includes a public engagement strategy. The final report for this review, including detailed recommendations, will be prepared following public engagement.

Overall, the governance practices of the City of Winnipeg are consistent with the formal framework established through *The City of Winnipeg Charter Act* and the City's By-laws. The summary analysis below highlights areas of the City's governance framework and practices that are consistent with contemporary practices in other municipalities and support principles of effective governance, and areas of opportunity to further strengthen the governance practices of the City of Winnipeg.

Consistent with Contemporary Practice

The following aspects of the City of Winnipeg's governance framework (formal structures and practices) appear to be consistent with or leading the practices of the other jurisdictions reviewed, and support principles of effective municipal governance.

- By-laws to establish Council procedures and committee structures
- Processes and transparency regarding Council and committee meetings and decisions: Council and committee agendas, materials and minutes are posted on the web site. Council and committee meetings are live-streamed and open to the public. Decision-Making Information System is easily searchable. Information is posted on how to appear in delegation/public hearing
- New multi-year balanced budget process established, including budget priorities
- Establishment of the Office of the Integrity Commissioner, updated Code of Conduct for Members of Council
- Establishment of the Office of Public Engagement (OPE), new Public Engagement Policy

Areas of Opportunity

The following areas of opportunity are where challenges or concerns were identified in interviews, where the City of Winnipeg differs from common practice in other jurisdictions, or where change may create greater alignment with criteria for effective municipal governance. They are presented in MNP's opinion of approximate order of significance.

- Strategic Plan
- Flow of information / recommendations to Council
- Development application review process
- Mayoral appointments

- Council orientation and training
- Elected official requests for information
- Ease of access to information on Council budgets

Public Engagement Process

The original proposed multi-channel engagement plan included both on-line and in-person public engagement activities. To comply with Covid-10 public health measures, all engagement activities will be conducted on-line. Engagement activities include:

- Stakeholder Interviews and Focus Groups with representatives of groups representative of business, community, and planning and development.
- Four to six virtual public open-houses to provide an open opportunity for citizens to come together virtually to learn, ask questions and provide feedback.
- A short online survey and public comment/idea generation tool, hosted on an Office of Public Engagement Engage Winnipeg project page to enable broad, 24/7 public participation.
- Written submissions to provide organizations an opportunity to fully present their perspectives and ideas in a more formal and sometimes more thoughtful way, without being limited by specific questions in a survey or time limits in a public forum.
- Summary analysis of the results of the engagement process posted on the Engage Winnipeg project page.

Questions for engagement will seek feedback on participants' experiences with and opinions of City governance processes and priorities for improvement.

1 BACKGROUND

1.1 Introduction

The legislation and by-laws that guide governance of the City of Winnipeg were established following the last comprehensive review of the City's governance system in 1997. MNP was engaged to conduct a review of the current governance structure and processes: ways the current model is effective and how current structures and processes may be enhanced or changed to further enable responsible and accountable government.

This preliminary report includes findings from the review of current documentation, internal stakeholder engagement, and an inter-jurisdictional scan. It also includes a public engagement strategy. The final report for this review, including recommendations, will be prepared following public engagement.

The scope of the review included:

- A review of relevant provincial legislation and City of Winnipeg by-laws with respect to governance of the City of Winnipeg, including but not limited to:
 - *The City of Winnipeg Charter Act*
 - City Organization By-law 7100/97
 - Procedure By-law 50/2007
 - Development Procedures By-law 160/2011.
- Engagement of members of Winnipeg City Council and senior management to gather insights on current systems and processes
- A cross jurisdictional review of other Canadian municipalities to identify contemporary governance practices
- Development of a public engagement strategy to allow for in-person and online feedback, in collaboration with the Office of Public Engagement, and
- Development of recommendations for Council consideration on, but not limited to:
 - Structure of committees of Council including the mandate and delegated authorities of each, their function, relevance, distribution of workload, and appropriate process to all committees
 - The interface between the public service and elected representatives
 - Public hearing processes
 - Appeal processes for administrative and political decisions; and
 - Annual budget process – political oversight and review

The scope of the review included Council and its Standing Committees and Community Committees but did not include boards and commissions.

2 DATA COLLECTION & RESEARCH

MNP worked with the City of Winnipeg City Clerk's Office to confirm the approach and timelines for the review. Review activities included review of City of Winnipeg documentation, interviews with Council and senior administration, and a comparative analysis of governance systems in other Canadian cities.

Document Reviews

MNP was provided with and/or independently sourced City of Winnipeg documents for review and inclusion in the development of the context for this study. These documents included legislation and by-laws, reference materials for Council and citizens, organizational charts, and policies. A detailed list is included with References in Appendix A.

Interviews Conducted

In total MNP conducted 27 in-person interviews between September 30 and November 14, 2019, with supplementary discussion by phone as required. These interviews included all Members of Council, City Clerk and senior Clerk's Office staff, the Integrity Commissioner, six senior administration and three directors.

Other Jurisdictional and Best Practices Research

MNP conducted secondary research and reviewed legislation, by-laws and other published information to gain insight into governance structures, policies, and procedures for municipal governments in Vancouver, Calgary, Edmonton, Regina, Toronto, Ottawa, Hamilton, Montreal, and Halifax. This information was used to identify contemporary practices and policies.

MNP also conducted research into contemporary practices and thought leadership surrounding municipal governance generally. A list of this information is included in the references section in Appendix A.

3 REGULATORY FRAMEWORK

Several acts and regulations prescribe what and how public services will be provided in the City of Winnipeg. The most relevant legislation and policies to the City of Winnipeg governance review are:

- ***The City of Winnipeg Charter Act S.M 2002 c. 39 (The Charter)*** – The primary provincial legislation governing the City of Winnipeg, which establishes the general purpose of the city, composition of Council, the authority of Council to govern the city and the general powers and duties of Council.
- ***The Municipal Council Conflict of Interest Act C.C.S.M. c. M255*** – provincial legislation that defines when a Council member may have a direct or indirect pecuniary interest.
- **City Organization By-law 7100/97** – Under authority of *The Charter*, the City Organization By-law sets out the governance and administrative structure of the City. It establishes the powers, roles and responsibilities of the Executive Policy Committee (EPC), Standing Committees (all named as Standing Policy Committees (SPC)) and delegates certain powers and duties to administrative employees.
- **Procedure By-law 50/2007** – Under authority of *The Charter*, the Procedure By-law sets out the rules by which Council and committee meetings, hearings and appeals shall be conducted, and by-laws enacted.
- **Development Procedures By-law 160/2011** – The Development Procedures By-law outlines the approval procedures related to the different types of applications required for development in the city of Winnipeg according to the zoning and planning by-laws. It defines the types of applications and approval bodies for each, the public hearing process, notification and appeal processes. The primary planning and zoning by-laws include:
 - OurWinnipeg Plan By-law No. 67/2010
 - Complete Communities Direction Strategy By-law No. 68/2010
 - Secondary plan by-laws
 - Winnipeg Zoning By-law 200/2006
 - Downtown Winnipeg Zoning By-law 100/2004

At the time of this report, the City is undertaking a review of the Development Procedures By-law.

- **In Camera By-law 21/2011** – Specifies categories of matters that may be considered at in camera meetings of Council, committee or sub-committee of Council.
- **Members of Council Code of Conduct By-law 19/2018** – Most recently updated in October 2019, the Code of Conduct establishes a common understanding of the ethical obligations of Members of Council and their staff.
- **Board of Adjustment By-law 5894/92** – Provides for the appointment of members and the functions of the Board of Adjustment.

Specific sections of *The Charter*, by-laws and policies relevant to this governance review are included by topic in the sections that follow.

Provincial legislation that has some limited application to the City of Winnipeg includes the following:

- *The Municipal Act C.C.S.M. c. M225* – the provincial legislation that establishes the authority and responsibilities of municipalities in Manitoba. While certain sections of this Act apply to the City of Winnipeg, for example, related to annexation, taxation, intermunicipal roads, etc. it is mostly supplanted by *The City of Winnipeg Charter Act* including provisions related to Council.
- *The Planning Act C.C.S.M. c. P80* – provincial legislation that provides the framework for land use planning at the provincial, regional and local levels, establishes planning authorities and general requirements for a development plan, zoning by-laws, subdivision approvals and public hearings. Provincial Land Use Policies are established by regulation. Only certain sections of *The Planning Act* apply to the City of Winnipeg, for example provincial land use policies (Part 2 Division 1), regional strategies (if adopted with other planning districts or municipalities) (Part 2 Division 2),

4 PRINCIPLES OF “GOOD GOVERNANCE”

Municipal governments today are facing demands for more and better services, expectations of accountability, transparency and value for taxpayer investment, increasing costs and sometimes decreasing resources. More and more, local governments are critically reviewing their programs, services and their supporting systems and structures from governance and leadership to front line service delivery.

Municipal governance, like all governance, has a critical role in the leadership, stewardship and oversight of the organization. It also sets the tone for organizational behaviour and is integral to creating a culture that will deliver sustainable performance. Openness and accountability matter at every level. Good governance means a focus on how this takes place throughout the organization and those that act on its behalf. Effective governance requires more than individual dedication and commitment to responsible and responsive decision-making. It requires a system and structure that provides clarity, informed, efficient and democratic decision-making, and promotes accountability and performance in the organization.

While there is no “one size fits all” model of governance, sound governance principles and processes help to guide those charged with governance. Principles applied in the review of the City of Winnipeg’s governance structures and processes were identified through a review of related literature as well as common expectations of government. They include the following:

Accountability – The ultimate accountability of an elected official or body is to their voting constituents, who may choose not to re-elect them. Between elections, accountability can be supported by related principles. *Oversight* is the ongoing monitoring to ensure policies are implemented and resources are used as intended, and related reporting to the public. *Recourse* includes the means of correcting either incorrect action or unintended impacts, and includes processes to investigate public complaints, protect whistleblowers, and provide access to appeal of municipal decisions (Taylor, 2016).

Transparency – Open access to information regarding decisions, the decision-making process, and the basis for or influences on decisions such as outcomes of consultation processes or lobbying activity allows citizens to evaluate the quality of decisions and implementation, and satisfy themselves as to the fairness

of governance processes (Taylor, 2016). While transparency is also a significant aspect of accountability, it has sufficient import in today's society to merit separate consideration.

Efficiency – Efficiency in governance involves ensuring the best possible use of available resources (Council of Europe, 2008). This includes streamlined processes that minimize duplication and overlap, with only deliberate redundancy. Timeliness of governance processes is included within this principle as a balancing factor for the time and resources needed to support accountability, transparency and inclusivity. A perfect process is not valuable if decisions are too late to respond to urgent problems or if delays impose undue burdens on stakeholders.

Effectiveness – At its most basic, effectiveness means results meet the agreed objectives. It also includes the systems and processes to evaluate performance of the organization. Audits are carried out at regular intervals to assess and improve performance (Council of Europe, 2008).

Inclusivity – Inclusive processes are both an inherent good and a necessary condition of effective action, supporting social capital. People who feel they have had a reasonable opportunity to participate in a process are more likely to voluntarily comply with the outcome (Taylor, 2016) (Wilde, Narang, Laberge, & Moretto, 2009; Nogales & Zelaya-Fenner, 2012). For the purpose of this review we consider inclusivity as the opportunity for citizens to provide input to decision-making processes, and the degree to which Council deliberations reflect democratic process.

Impartiality – Impartiality generally refers to fairness and objectivity in decision-making processes, without bias towards a particular interest. These are generally supported by codes of conduct that emphasize honesty, and impartial treatment, as well as a duty to follow political direction within the law (Taylor, 2016) (Council of Europe, 2008).

Learning – Includes the processes and degree to which the knowledge and skills of those charged with governance are continuously maintained and strengthened, and performance is reflected upon to identify opportunities for growth. It also includes how decisions may be informed by both information and lessons learned from past experience (Council of Europe, 2008)

The City of Winnipeg's governance structures, systems and processes were reviewed in the context of these principles, with consideration to the formal structures of legislation, regulation, by-laws and policies and informal organizational norms (practices) and culture.

5 FINDINGS

The findings that follow reflect analysis of relevant legislation, by-laws, policies, insights from interviews, and governance practices in other Canadian cities.

Findings are presented for each topic under the categories of:

- **Formal Structures**— relevant legislation, by-laws and documented policies.
- **Current Practice**— Current processes and practices identified through review of City of Winnipeg information such as meeting agendas, minutes, reports, recommendations, procedures, webpages etc. and interviews.
- **Insights from Other Jurisdictions**— Information on corresponding approaches in other cities included in comparative research.

5.1 Council

5.1.1 Formal Structures

Responsible and Accountable Government

The City of Winnipeg Charter Act is the primary provincial legislation governing the City of Winnipeg. It establishes the general purpose of the city as:

- To provide good government for the city
- To provide services, facilities or other things Council considers necessary for all or part of the city
- To develop and maintain safe, orderly, viable and sustainable communities
- To promote and maintain the health, safety and welfare of the inhabitants.

The Charter further specifies “The City is created to be a responsible and accountable government with respect to matters within its jurisdiction.” [s.5(2)]

Mayor and Council Established by *The Charter*

As set out in *The Charter*, the City of Winnipeg Council consists of an elected Mayor and Councillors. Each Councillor is elected by the voters in an individual ward while the Mayor is elected by a vote of the city-at-large in the general election held every four years.

Under the authority of *The Charter*, wards and boundaries are established by the Winnipeg Wards and Boundaries Commission. There are currently 15 wards (and thus 15 Councillors), with boundaries and names most recently changed in September 2018.

Powers and Duties of Council

The powers given to Council under *The Charter* are stated in general terms, to give broad authority to govern the city in whatever way Council considers appropriate, and to enhance the ability of Council to respond to present and future issues in the city. [s.6(1)]

Under section 54(1) of *The Charter*, “Council may only act by by-law or resolution.” Council has the authority to establish committees of Council and may delegate a power, duty or function to such a committee by by-law. Under *The Charter*, Council also establishes the administrative structure for the City and may delegate any of its administrative powers to an employee of the City, subject to specified restrictions. Council delegates authority to the Chief Administrative Officer (CAO) to establish the administrative organizational structure in the City Organization By-law 7100/97 [s.17].

The Charter also sets out certain matters whereby Council has final decision-making authority and cannot delegate, specifically its power to:

- Enact by-laws, or any function that Council must perform by by-law
- Approve an operating or capital budget
- Appoint, suspend, or dismiss a statutory officer; or
- Enter into a collective agreement in respect of employees.

The City Organization By-law also establishes certain matters that remain the purview of Council as a whole:

- Approval/setting of mill rates, fees and charges for City services except as specifically delegated
- Approval of staff establishment
- Level of public services as per the operating budget
- Policies affecting inter-governmental relations, including requests for legislation
- Declaration of surplus properties and budget approval of land purchases
- Receipt of reports from the City Auditor and complaint investigation reports from the Integrity Commissioner.

Role

Councillors have a dual role. They are Members of Council dealing with decisions affecting the whole city, and representatives of their wards. All Councillors at the City of Winnipeg sit on at least one SPC and a Community Committee, and may serve on other committees of Council, boards and commissions.

A written Code of Conduct for Members of Council (Code of Conduct) was first established in 1994. By-law 19/2018 established a new Code of Conduct that was further updated by By-law 83/2019 in October 2019. It is intended to complement other statutes, by-laws and policies that govern the conduct of Council members including *The Charter*, *The Municipal Council Conflict of Interest Act*, *The Human Rights Code of Manitoba*, *The Freedom of Information and Protection of Privacy Act* (FIPPA), the *Criminal Code of Canada*, City of Winnipeg policies, by-laws and procedures, codes of conduct for City boards or commissions.

Under Key Principles, the Code of Conduct states “the public interest is best served when Members:

- perform their duties of office honestly and with integrity, impartiality and transparency, putting the public interest before private and self-interest;
- conduct themselves in such a way as to promote respect for Council and municipal government;
- serve their constituents and the City in a conscientious and diligent manner and approach decision making with an open mind; and
- perform their duties of office and manage their private interests in a manner that promotes public confidence and trust in the political process.”

It further provides Rules of Conduct in the following areas:

- Confidentiality
- Conflict of Interest
- Fundraising
- Gifts and Benefits
- Use of Influence
- Use of Staff, Resources and Property
- Election-Related Activity
- Conduct Concerning Staff
- Respectful Conduct
- Adherence to Council Policies and Procedures
- Reprisals and Obstruction

5.1.2 Current Practices

Roles and Responsibilities

A Council Reference Guide is provided to Council members upon taking office. It includes guidance on the use of the ward allowance, the Code of Conduct, administrative information and contacts, Council Procedure and City Organization by-laws, grant applications and related policies, FIPPA, the budget process, and information on 311. It does not define the duties and responsibilities of a Council member. *The Charter* also does not speak to the responsibilities of individual members of council. While there are many references to it in other material contained in it, the Guide does not include a copy of *The Charter* or a general explanation of what it contains.

The January 20, 2019 report of Acting Integrity Commissioner Gregory Levine submitted that Council ought to make representations to the Province to incorporate duties of Council members into *The Charter* as the Province has in *The Municipal Act*.

Resources

The City Clerk is a statutory officer appointed by Council whose role is to support the work of Council and its committees, the Mayor and Mayor’s Office. The City Council Reference Guide (City of Winnipeg, 2018) indicates the Clerk’s role is to

“support the work of Council, Executive Policy Committee, Standing Committees, Community Committees, the Mayor and Mayor’s Office, Members of Council and liaise with the Chief Administrative Officer, the Deputy Chief Administrative Officers and senior administrators...”

The Department works closely with each Member of Council to support the ongoing governance activities, especially through the decision-making process.

The Department provides direction on jurisdiction, legislation and by-laws as well as Council policy, procedure and precedent and liaises with the City Solicitor on all related matters. The Department

advises on options for decision-making matters and prepares motions at the request of Members of Council.”

Councillors all have a ward allowance fund, with expenditures guided by the Councillors Ward Allowance Fund Policy. Allowable expenses include advertising and promotions, business meetings and hospitality, community expenses and donations to community groups, employment of Councillor assistants, office expenses, professional and consulting services for the purpose of research related to City business, training and travel. All Councillors have the same base ward allowance fund (\$82,924 in 2018). Committee chairs receive a supplement of approximately \$6,200 for chair roles on SPCs and \$4,450 for other committees or responsibilities (Deputy Mayor, Speaker). Historically, the City Auditor has audited Councillor expenses annually and the Corporate Finance department has published Councillors’ budgets and spending. At the time of this report, options for audit of Councillor expenses on a rotational basis were being explored. A scan of 2018 expenses indicates 65-75% of Ward Allowance funds are typically used for Councillor assistant compensation. Councillors’ staff are considered political appointments and are not staff of the City of Winnipeg. (Auditor, 2019).

Conduct

The Office of the Integrity Commissioner was established in 2017 with the appointment of the current Integrity Commissioner, and a new Code of Conduct in 2018. The Integrity Commissioner has published two annual reports indicating the frequency of requests for advice, complaints and their disposition. The December 2018 report indicates four formal complaints. At the time of the annual report, three were dismissed and one remained under investigation. The Integrity Commissioner’s annual report for 2019 was not yet available.

The Code of Conduct By-law includes a requirement to review the Code of Conduct with each Council member once per year. The Integrity Commissioner recently facilitated a Council seminar regarding the Code of Conduct.

5.1.3 Insights from Other Jurisdictions

Like the City of Winnipeg, most cities reviewed elect a Councillor for each ward. The exception is Vancouver, where all Councillors are elected at large. Montreal has a unique structure whereby Councillors are elected for a district within a borough, and a Council is established for each borough.

Table 1 – Councils in Other Canadian Jurisdictions

	Winnipeg	Vancouver	Edmonton	Calgary	Regina	Toronto	Hamilton	Ottawa	Montreal	Halifax
Population*	705,244	631,486	932,546	1,239,220	215,106	2,731,57	536,91	934,243	1,704,69	403,131
Size of Council (including Mayor)	16	11	13	15	11	26	16	24	65	17
Councillor Election	By Ward	At-Large	By Ward	By Ward	By Ward	By Ward	By Ward	By Ward	By Borough district	By District

* (Statistics Canada Census, 2016)

Council Roles and Responsibilities

The Municipal Act (Manitoba) defines the duties of Council for other municipalities in Manitoba.

83(1) Each member of a Council has the following duties:

- (a) To consider the well-being and interests of the municipality as a whole and to bring to the Council's attention anything that would promote the well-being or interests of the municipality;*
- (b) To participate generally in developing and evaluating the policies and programs of the municipality;*
- (c) To participate in meetings of the Council and of Council committees and other bodies to which the member is appointed by Council;*
- (d) To keep in confidence a matter that is discussed at a meeting closed to the public under subsection 152(3) and that the committee decides to keep confidential until the matter is discussed at a meeting of Council or of a committee conducted in public;*
- (e) To comply with the code of conduct for Members of Council; and*
- (f) To perform any other duty or function imposed on the member by the Council or this or any other Act.*

The Council Members Guide published by Manitoba Municipal Government and the Association of Manitoba Municipalities (AMM, 2018) provides the following further guidance:

It is important to remember that wards are for election purposes. All Council members, even if elected by a ward, have a responsibility to the whole of a municipality.

The Manual also interprets other duties, as including:

- *Participating in developing and evaluating policies that direct planning, financing and municipal services*
- *Participating in and most importantly voting at Council meetings, committee meetings and on other bodies to which you are appointed. Council members are expected to attend and be actively involved in the business of those meetings*

Keeping municipal matters confidential until they are discussed at a meeting open to the public. The consequence of breaching confidentiality is disqualification from Council.

In B.C., roles and responsibilities for Mayor and Councillors are detailed in *The Community Charter* of B.C. and further explained in a guide (Stewart, 2012). This information is relevant for Vancouver City Councillors. More detail on the role of the Mayor is included in *The Vancouver Charter*.

The Government of Alberta's Department of Municipal Affairs has an online Council Member Handbook providing a detailed description of the responsibilities of the role such as governance, finance, and planning and development. The Handbook also contains detailed information on legislation, financial implications of decision-making and provides a detailed description of Alberta's Intermunicipal

Collaboration Framework. This material would be relevant for Council members in all cities in Alberta, including Calgary and Edmonton.

The Government of Saskatchewan has a webpage that describes in detail what an individual can expect when running for municipal office within the province (this would include Regina). The page describes how municipal governments are structured, Council roles and responsibilities, time commitment, how to run for office (including if government employees are seeking nomination), rules for campaigning and responsibilities once elected. There is also a Council Members Handbook available online that includes detailed information about the role, procedures and a link to the Municipal Leadership Development program.

The City of Toronto has three volumes of a City Council Handbook. Volume one focuses on operations and has detailed descriptions of Councillor salaries, benefits, budgets, staff, office space and how to run their office. Volume two focuses on Council decision-making and has detailed descriptions regarding the Council decision-making process, agendas, meetings and appointments. Volume three focuses on accountability and transparency and has detailed descriptions about the *City of Toronto Act* and Chapter three of the municipal code which talks about the integrity commissioner, lobbyist registrar, ombudsman and auditor general.

The Ontario Municipal Councillor's Guide 2018 applies to all other municipalities in Ontario apart from Toronto. It includes sections on the roles of Council, head of Council, individual Councillors and staff. It includes a section on Council-staff relationship and considerations for inclusion in a policy on the relationship between Members of Council and municipal staff (such a policy is mandated for all Ontario municipalities). Strategic planning and succession planning are also addressed in the guide.

The City of Moncton's Enhancing Democracy Committee has produced an updated document that details the duties and responsibilities of Councillors, the Mayor and the Deputy Mayor. Individual Councillor's performance against the set of responsibilities and expected outcomes is documented and reported annually to Council and posted on the City's website.

Integrity Commissioner

Seven of the nine other Canadian cities we reviewed have an Integrity Commissioner with similar mandates as established in Winnipeg. The two cities that do not currently have someone in this role are Vancouver and Halifax. It appears to be under consideration in Halifax.

The City of Edmonton's Council approved their first Integrity Commissioner (and an Ethics Advisor) in September 2018 on a contractual basis. The Integrity Office is an independent body that is responsible for ensuring that the Code of Conduct for Council is followed and supports elected officials in maintaining ethics and integrity in the work that they accomplish.

The City of Calgary was the first municipality in western Canada to create an independent Integrity Commissioner. The Integrity Commissioner is responsible for investigating and reviewing any breaches or issues related to ethics or integrity in matters undertaken by Members of Council.

The City of Regina appointed their first Integrity Commissioner in July 2018. The Integrity Commissioner was appointed to be an independent and unbiased body that will review and analyze violations or

contraventions in the City of Regina's Code of Ethics Bylaw in addition to providing guidance and counsel to Members of Council on any ethical matters they encounter as they fulfill their duties.

The City of Hamilton has an Integrity Commissioner who performs his or her duties on a part-time as needed basis (no permanent office in the City of Hamilton). The Integrity Commissioner is responsible for advising and educating Councillors on the code of conduct and works in a preventative nature. The Commissioner is also responsible for complaint investigation and complaint adjudication and administers the appropriate disciplinary actions as needed.

In Toronto the Integrity Commissioner is appointed for a five-year non-renewable term of office. Generally, the Commissioner is responsible for providing advice on the application of the *Municipal Conflict of Interest Act*, code of conduct, city or board by-laws, policies and protocols. The Commissioner is also responsible for conducting inquiries if policies/codes were contravened, providing educational training to Council and providing opinions on policies regarding topics of ethics and integrity.

The City of Ottawa has an independent Integrity Commissioner that reports directly to Council. This individual is responsible for overseeing the Code of Conduct and the Gifts Registry for Councillors which includes providing guidance and advice to Councillors regarding integrity and ethical matters, analyzing and investigating complaints and recommending sanctions on an as-needed basis. The Commissioner has also been given / delegated the Lobbyist Registrar and Meetings Investigator roles and responsibilities.

Montreal currently has an Ethics and Integrity Advisor that assists in advising elected officials and executive staff for the City of Montreal.

Halifax Council has had multiple discussions about appointing an integrity commissioner, but at this time there is not an individual in this role.

Ward Budgets / Spending

The City of Winnipeg ward budgets at \$82,000 - \$94,000 annually are low compared to most other jurisdictions reviewed. Net of Councillor remuneration, Councillor budgets ranged from a low of \$90,000 in Vancouver (no wards) to \$532,000 in Toronto. The average ward budget excluding Vancouver and Toronto, net of compensation, was \$238,000.

At its current funding level, the City of Winnipeg ward budget allows for one administrative staff member. In other cities, ward budgets accommodate multiple staff members. In Calgary, for example, ward budgets are designed to support three staff for each Councillor, plus a seven-member shared administrative office.

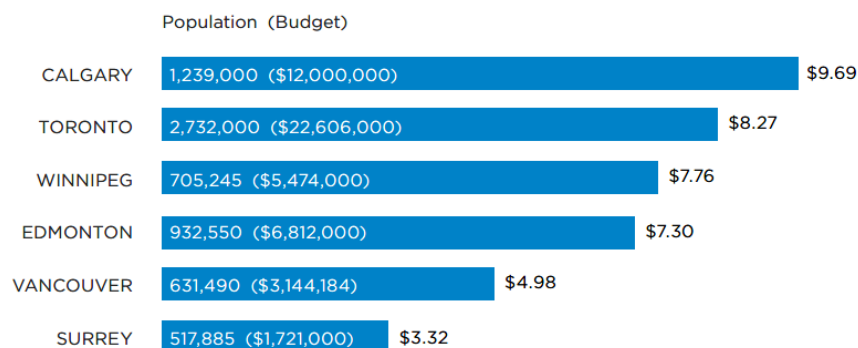
In Winnipeg, the budget for the Mayor's Office is approximately \$1.7 million, and includes communications, policy and strategic analysis personnel. Mayor's office budgets in compared cities ranged from \$89,000 in Edmonton (does not include personnel) to \$2.6 million in Toronto. Excluding these two cities, the average mayor's office budget for the remaining three cities was approximately \$1.08 million.

Vancouver, as per information on its website, expresses its Mayor and Council budget on a per capita basis and compares it to other Canadian cities.

Figure 1 - Comparison of per Capita Mayor and Council Budgets

FIGURE 2: CANADIAN COMPARISONS

Total per capita Mayor and Council spending



Source: City of Vancouver, Mayor's Office Budget 2019

Table 2 – Other Jurisdictions Ward Budgets

City	Ward Budget	Inclusions	Information Posted Online
Winnipeg	Mayor's Office \$1.7 million (approx.) Ward budgets \$82-94,000 (+/-)	- Personnel, office, travel, meeting expenses (all ward fund allowance or Mayor's office expenses) - Councillor salaries not included	Policy, month by month expenses https://winnipeg.ca/council/expenses.stm Ward Fund Allowance audits https://www.scribd.com/document/414496318/2018-Councillors-Ward-Allowance-Expenses
Vancouver	Mayor's Office \$1.345 million Council - \$1.79 million (179,000/Councillor, calculated average)	- Salaries and benefits for elected officials and staff - Local expenses - Discretionary expenses - Travel and training expenses	Mayor's office structure, functions, budget https://vancouver.ca/files/cov/mayors-office-budget-2019.pdf Council compensation, budgets and actual expenses https://vancouver.ca/your-government/city-council-salaries-expenses.aspx

GOVERNANCE REVIEW

City	Ward Budget	Inclusions	Information Posted Online
Edmonton	Mayor \$88,957 Ward Budgets \$191,649 (Does not include compensation for elected officials)	• Communications • Promotional items • Travel • Training and hosting • Tickets • Personnel included in ward budgets, not included in Mayor's expenses • FCM, AUMA conference travel paid through a central budget	Compensation, budgets and actual expenses https://www.edmonton.ca/city_government/city_organization/councillors-ward-expenses.aspx
Calgary	Mayor, \$1.87 million \$7.14 million Office of the Councillors, incl ward and shared office budgets (avg \$510,000/councillor) Ward Budgets \$285,900	• Communications, research and office projects • Travel • Courses and seminars • Ward budget funds up to three full time assistants • Shared office staff (7) for reception, secretarial, administration, etc	Code of conduct, budgets, duties, compensation https://www.calgary.ca/citycouncil/Pages/City-Council-Accountability.aspx https://www.calgary.ca/cfod/finance/plans-budgets-and-financial-reports/plans-and-budget-2019-2022/service-plans-and-budgets.html https://www.calgary.ca/content/dam/www/citycouncil/documents/duties-pay-and-benefits-for-office-of-the-councillors.pdf
Regina	\$1,278,300 (Mayors Office, City Council)	Not found	
Hamilton	2019 Mayor's Office \$1.13 million Ward Budgets \$4.11 million (avg \$275,000)	Inclusions not found Councillor remuneration \$90-97,000 Mayor remuneration \$185,000	Summary of total annual remuneration and expenses by council member https://www.hamilton.ca/government-information/accountability/council-expenses Mayor's Office and Ward budgets listed in Operating Budget, Appendix 3, p4

City	Ward Budget	Inclusions	Information Posted Online
Toronto	Mayor's Office - \$2.57 million \$532,000/Councillor - Ward activity - \$50,000 - Staffing - \$482,000, excluding benefits	- Constituency services - Office - Staffing	Budget for Mayor's office, Councillor offices, Remuneration, Annual reports https://www.toronto.ca/city-government/council/budgets-and-expense-reports/
Ottawa	Mayor's Office \$944,436 Ward Budgets \$266,565	- Staffing - Office - Engage with constituents	Policy, Budget, monthly actuals, year to date by Council member https://ottawa.ca/en/city-hall/accountability-and-transparency/accountability-framework/public-disclosure-office-expenses
Montreal		Not found	
Halifax	2019 Mayors Office \$857,000 2019 Councillor's Support Office \$2,802,700 total = \$175,169/ward (calculated average)	- Coordination of resident relations - Communications - Administrative support for members of Regional Council - Investigates issues and shares information to assist Councillors	Council expense and out of town travel claims (on each councillor page) https://www.halifax.ca/sites/default/files/documents/city-hall/budget-finances/2019-20_Budget_and_Business_Plans.pdf https://www.halifax.ca/city-hall/districts-councillors/district-2/expenses

Requests to the Administration

Two cities have by-law provisions regarding information requests from Members of Council.

- City of Calgary – Council votes whether to proceed with or abandon administrative inquiries from elected officials deemed to require funding beyond \$2,000.
- City of Regina – Council votes whether to proceed with or abandon an inquiry from an elected official deemed by the City Manager to require over \$1,000 in resources

5.2 Mayor

5.2.1 Formal Structures

The Mayor is a distinct position on Council, differing in both how the position is elected and the powers of the position.

Election

Under *The Charter*, the Mayor must be elected by the electors of the City. This differs from Councillors, who are elected by the electors of a ward.

Role

Under Section 57 of *The Charter*, the Mayor is established as the head of Council and the chief officer of the city. The Mayor is also *ex officio* a member of every committee of Council and is the chair of the EPC.

The role as head of Council or chief officer is not further explained in *The Charter*.

The Charter establishes that Council must appoint a CAO and establishes responsibilities of the CAO. It further establishes responsibility for supervision of the CAO with EPC. The Mayor's only separate authority under *The Charter* regarding the day to day activity of the public service is the authority to suspend the CAO for a period not exceeding three working days.

Under *The Charter*, the Mayor is also the Chair of the Executive Policy Committee (EPC). The City Organization By-law states that the Mayor is an *ex officio* member of each Standing Committee and is listed as a member of these committees in the membership lists posted online.

Authority to Appoint or Terminate Appointment

Under *The Charter*, the Mayor must appoint a Deputy Mayor and Acting Deputy Mayor at the first meeting of Council. The Mayor must also appoint Members of Council to serve as chairpersons of Standing Committees of Council if such committees are established, and members of EPC. The Mayor may determine the number of members of the EPC, but the number must be less than 50% of the total Members of Council.

The Mayor may at any time terminate such appointments or replace the Councillor with another.

Voting

Most acts required of or by Council and all motions are decided by majority vote. The Mayor votes as a Member of Council with no extraordinary powers. The Mayor may, within 48 hours after the end of the meeting, suspend the implementation of a by-law or resolution approved by Council in specific circumstances where procedure was not followed or if, in the Mayor's opinion, there is an error or omission.

Meetings

Under *The Charter*, the Mayor may call a Special Meeting of Council when the Mayor considers it appropriate to do so. Special meetings otherwise require a written request from the majority of all Members of Council. The Mayor may also convene an emergency meeting where in the Mayor's opinion an emergency exists.

The City Organization By-law No. 7100/97 [s. 16] specifies that the duties of the Mayor's Office shall include issues management and the scheduling and approval of the agendas of EPC and the Standing Committees of Council.

Under Procedure By-law 50/2007 the seating of Councillors and the CAO shall be arranged by the Mayor.

Office of Policy and Strategic Analysis

The City Organization By-law establishes that the Mayor's Office staff shall provide policy and strategic analysis, research, communication and support in such areas as necessary to assist the Office of the Mayor. There shall be a group of professional staff known as the Office of Policy and Strategic Initiatives, reporting to the Mayor's Chief of Staff which provides support to the EPC in the areas of policy development and analysis, strategic planning, economic development, communications and such other areas as the Mayor, as Chair of the EPC determines are required to assist in the discharge of EPC duties and responsibilities.

5.2.2 Current Practices

Appointments

Consistent with *The Charter*, the Mayor appoints the chairs of the Standing Committees, the Deputy Mayor and Acting Deputy Mayor, and may remove them from these roles. With six standing committees (increased from five in 2015), and no combined roles (e.g., appointment of Deputy Mayor as a Standing Committee Chair), this currently results in direct appointment of eight individuals.

Mandate Letters

In addition to appointing the chairpersons for SPCs, the Mayor has established a practice of providing mandate letters to the chairpersons, outlining expectations for them in this role. These letters set expectations for conduct and collaboration and indicate the importance of a city-wide view. The letters also establish specific policy direction on matters that would be considered within the purview of Council, including matters related to future budgets, or responsibilities of the public service, such as specific projects or operational improvements. While some matters may reflect past decisions of Council, some precede Council's formal consideration of the matter.

Vetting of Reports to Council and Committees

In addition to scheduling and approval of agendas, section 16 of the City Organization By-law No. 7100/97 states that the duties of the Mayor's Office include issues management. In practice, the Mayor's Office reviews all administrative reports to be considered by Council or an SPC. The Mayor may direct the administration to make changes prior to the materials being put forward to the committee or Council. The Mayor has also established a practice of inviting EPC, the Deputy Mayor and acting Deputy Mayor to

participate in informal Report Briefings on certain matters in advance of the matter appearing before the Standing Committee or Council.

More information on the flow and vetting of information from the administration to Council is explained in s. 5.3.1.2.

Webpage

The Mayor's web page includes tabs for priorities where mandate letters are posted, the Mayor's past calendar, news and videos, a journal that includes periodic communications on topics of interest to the Mayor, and information on how to contact the Mayor.

Budget

The Mayor's Office Expenditure Policy dated May 1, 2020 details allowable expenditures and related policy. The policy states staff of the Mayor's Office can be employees of the City of Winnipeg. The Mayor's Office annual expenses are reported annually in the Mayor's Office Expenditure Policy Audit Report. In 2018 total Mayor's Office expenditures were approximately \$1.8 million. Expenses by month are searchable on the Council Member expenses web page. The combined operating budget for Mayor and Council is included in the Preliminary 2020 Budget document. The Mayor's Office budget is not segregated.

The Office of Policy and Strategic Initiatives is part of the Mayor's Office and is referenced in the Mayor's mandate letters as a resource available to Committee chairs. Beyond the role specified in the City Organization By-law, and eligible expenses specified in the Mayor's Office Expenditure Policy, information on the functions and staffing of the Mayor's Office is not posted.

Learning

At the initiative of the Mayor, the City of Winnipeg is currently participating in the Bloomberg Harvard City Leadership Initiative, a leadership development experience for Mayors and senior members of their teams to foster their professional growth and to advance key practices and capabilities in municipal governments throughout the world.

Each year, the Bloomberg Harvard City Leadership Initiative offers leadership and management training to up to 40 Mayors from around the world, and to two senior officials from each Mayor's city who are most crucial to affecting organizational change. Over the course of a year, the program combines an intensive classroom experience with broader training and capacity-building to help each participating Mayor and senior leader foster their professional growth and advance key capabilities within their city hall.

5.2.3 Insights from Other Jurisdictions

Role

In all cities reviewed, the Mayor is the head of Council, as in Winnipeg. Unlike Winnipeg, this includes acting as the presiding officer in all cities except Montreal and Toronto, where Council designates a chairperson. The role of presiding officer is considered to somewhat dampen the influence of this

individual on topics under debate, as the Mayor must leave the chair to make a motion or participate in debates.

Vancouver by its *Charter*, and Ontario cities by way of *The Municipal Act*, also designate the Mayor as the Chief Executive Officer of the city. Duties as described are more generally as head of Council, with the CAO designated as the senior leader of the administration. In Vancouver, the Mayor oversees the conduct of all employees under jurisdiction of the Council, which includes the City Manager, Director of Finance, City Clerk and City Treasurer. Halifax specifies the additional role for the Mayor to monitor the administration and government of the city, and the Mayor may recommend measures to improve the administration and government. This authority, however, is limited to interaction with the CAO – no Member of Council is permitted to give direction to other city staff. The Executive Committee in Montreal has powers to grant contracts and subsidies, manage human and financial resources, buildings and purchases. The Mayor appoints the Executive Committee and recommends the Chair but does not appear to have individual authority.

Authority to Appoint Committee Members and Deputy Mayor

The only cities with similar appointment authority of the Mayor are Toronto and Montreal. Appointments to Deputy Mayor are most often made by Council as a whole. Committee chairs are generally appointed by Council as a whole or selected by the committee. In Toronto, the Mayor appoints Standing Committee Chairs and the Deputy Mayor and may replace them. In Ottawa the Mayor may recommend the Deputy Mayor for appointment by Council. In Montreal, the Mayor appoints all members of the Executive Committee and may replace them but does not appoint members of the other eleven standing committees. In Halifax, the Mayor chairs the Executive Standing Committee, which also acts as the nomination committee for committee members to be appointed by Council.

Vancouver – No Council roles appointed by Mayor. Council appoints Deputy Mayor with concurrence of Mayor; may appoint acting mayor in absence of Mayor

Calgary – No Council roles appointed by Mayor. Council adopts a roster of Deputy Mayors. Standing Policy Committee members appointed by Council; SPC Chairs selected by SPC members except Executive Committee and Intergovernmental Affairs Committee chaired by Mayor.

Edmonton – No Council roles appointed by Mayor. Standing Committee (SC) members appointed by Council. Mayor is chair of Executive, Agenda Review, Audit and Intermunicipal committees. Other SC chairs selected by SC members. Executive Committee members appointed for 16 month rotating terms; each Councillor must serve once during term.

Regina – No Council roles appointed by Mayor. Council appoints deputy mayor and acting deputy mayor. Standing Committee members selected by Executive Committee (Committee of the Whole). Deputy Mayor is chair of Executive Committee. Mayor is chair of Priorities and Planning Committee (Committee of the Whole). All other chairs selected by committee members.

Hamilton – No Council roles appointed by Mayor. Deputy Mayor is appointed for a one- month rotation determined by the clerk. Chairs appointed by committee members. Chair of General Issues Committee (Committee of the Whole) rotated among Deputy Mayors.

Toronto – The Mayor appoints and may remove Deputy Mayor and Chairs of Standing Committees (total 5). The Municipal Code states composition of Executive Committee is Mayor, Chairs of Standing

Committees, Deputy Mayor and one member at large of Council. Council appoints Members of Council to committees and boards on the recommendations of the Striking Committee. The Striking Committee is appointed by City Council on the recommendation of the Mayor. The Mayor can chair or assign the Deputy Mayor as chair. Appointments to most bodies are made for a half term after which a second appointment process is conducted.

Ottawa – Deputy Mayors recommended by Mayor, appointed by Council. Chairs and Vice Chairs of standing committees recommended to Council by Nominating Committee based on Council member voting process. Nominating committee elected by Council, chaired by the Mayor.

Montreal – Mayor appoints and may replace members of the Executive Committee and designates the chair and two vice chairs.

Halifax – No Council roles appointed by Mayor. Council selects Deputy Mayor, Standing Committee members.

Table 3 – Appointment Authority, Other Jurisdictions

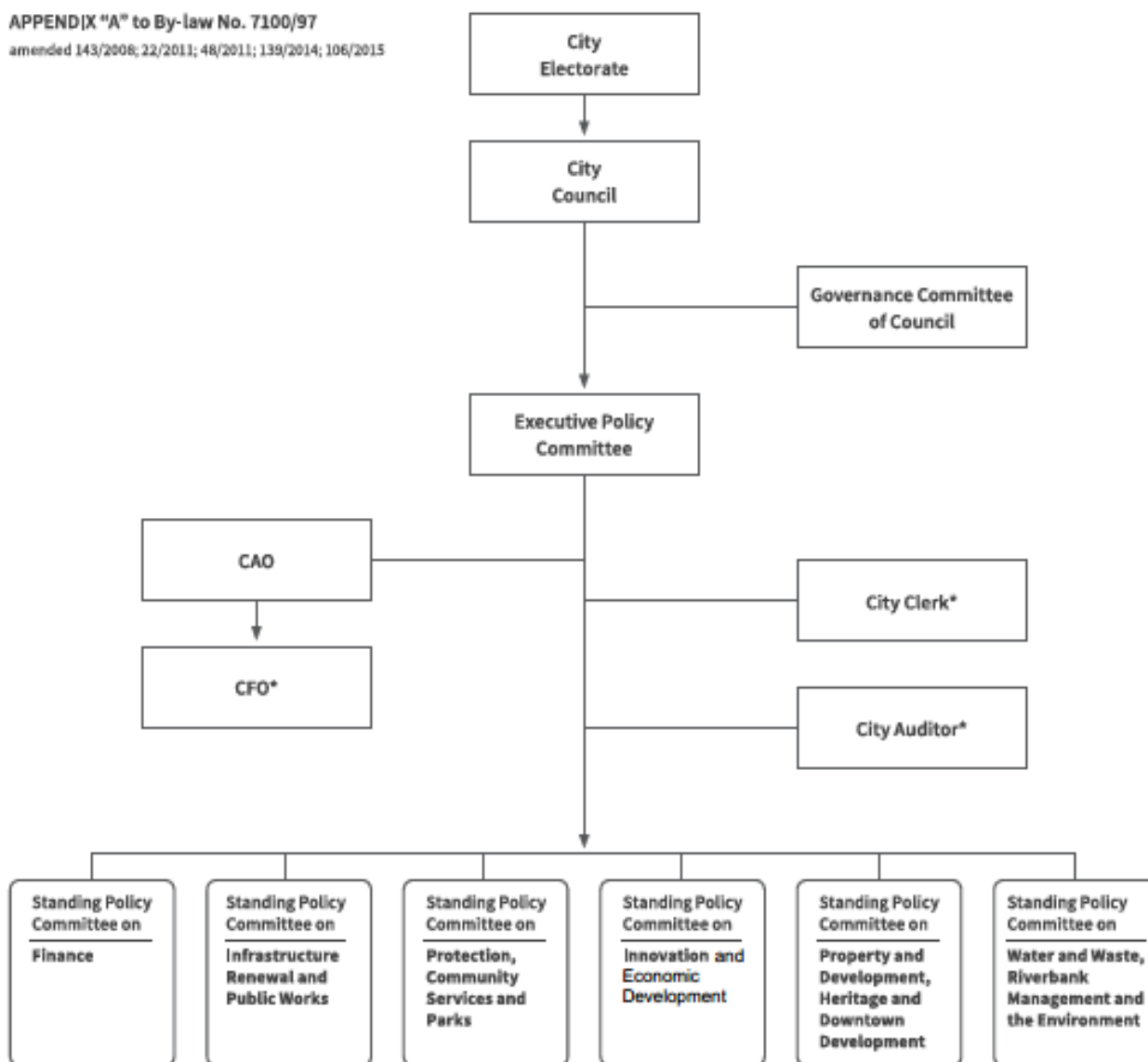
Appointment Authority	Winnipeg	Vancouver	Edmonton	Calgary	Regina	Toronto	Hamilton	Ottawa	Montreal	Halifax
Deputy Mayor	Mayor	Council (concurrency by Mayor)	Council (rotates among all monthly)	Council (adopts a roster)	Council	Mayor	Clerk / rotates among all monthly	Council (Recomm. by Mayor)	Mayor	Council
Committee Chairs	Mayor	Council	Council (Mayor Chairs 3)	Committee (Mayor Chairs 2)	Council (Mayor / Deputy Mayor Chair 1 each)	Mayor	Committee (Deputy Mayor chairs 1)	Council (Mayor chairs 1)		Council or Committee
Executive Committee	Mayor	Committee of Whole	Council (16 mo term; all must serve)	Council	Council	Mayor	n/a	Council	Mayor	Council

5.3 Committees

The *Charter* obligates Council to establish an EPC, prescribes its composition and duties. It provides enabling authority for Council to establish SPCs and other committees of Council. The overall committee structure is shown below.

Figure 2 – Council & Committees Organization Chart

APPENDIX "A" to By-law No. 7100/97
amended 143/2008; 22/2011; 48/2011; 139/2014; 106/2015



5.3.1 Executive Policy Committee

5.3.1.1 Formal Structure

The Charter requires Council to establish an Executive Policy Committee (EPC) made up of the Mayor, chairs of Standing Committees, and others as may be appointed by the Mayor. The total number of members on EPC must be less than 50% of Members of Council. With a Council of 16, the maximum number of members is therefore seven, including the Mayor. Where the Mayor appoints a Councillor to a position, the Mayor may at any time terminate the appointment or replace the Councillor with another.

EPC is currently a seven-member committee comprised of the Mayor and the chairs from the six Standing Committees (SPCs). EPC members receive modestly higher compensation than other Councillors (about 13%), as outlined in the Elected Officials Compensation By-law No. 158/2011, and receive a 'chairmanship' allowance as well as their Ward Allowance funds.

Section 62(1) of *The Charter* outlines the following duties of EPC:

- a. Formulate and present recommendations to Council respecting policies, plans, budgets, by-laws and other matters that affect the city as a whole;
- b. Ensure the implementation of policies adopted by Council;
- c. Recommend to Council
 - I. individuals for appointment as statutory officers, and
 - II. where necessary or appropriate, the suspension or dismissal of statutory officers;
- d. Supervise the chief administrative officer;
- e. Except as otherwise determined by Council, co-ordinate the work of committees of Council; and
- f. Except as otherwise determined by Council, receive the reports of other committees of Council and forward them to Council with its own recommendations.

The City Organization By-law establishes EPC's jurisdiction and additional duties which include:

- | | |
|--|---|
| • Audit Committee | • Property assessment, taxes |
| • Integrity Commissioner | • All fees, charges, rates, utility rate structures |
| • Capital region | • Labour contract negotiations |
| • Corporate communications | • Legal services and litigation |
| • Financial management | • Property Assessment |
| • Policy development | • Inter-governmental affairs |
| • Amendments to Plan Winnipeg (now <i>OurWinnipeg</i>) and impact | • Recommendations for street closing and openings |
| • Human resource and materials management policies | • Award contracts |

The City Organization By-law also assigns EPC the responsibility for planning, including annual and longer-range priorities for the growth and development of the City and alignment of Department Strategic Plans. EPC is also to receive all reports from the CAO, City Clerk, or Governance Committee of Council pertaining to the City Clerk with the exception of those reports which deal with matters that have specifically been delegated to one of the SPCs.

5.3.1.2 Current Practice

Flow of Information

The Charter states that EPC will receive all reports from committees prior to presentation to Council. EPC is also to receive all reports from the CAO, unless dealing with matters delegated to a standing committee. In practice, reports dealing with matters delegated to an SPC are reviewed by the Mayor's Office and may also be channeled through EPC (plus the deputy mayor and assistant deputy mayor) in an informal (off-the record) Report Briefing Meeting prior to being received by the SPC. This could be viewed as issues management, as delegated in the City Organization By-law [s.16] to the Mayor's Office. *The Charter* has an exemption allowing such meetings to occur outside the public record [s. 78(1)].

Reports prepared by the administration for a Standing Committee may go through repeated review cycles by elected officials and may result in revised reports before being presented to the Committee and finally Council.

1. The CAO may choose to send a report to the Agenda Management team for review and input. The Agenda Management team consists of the CAO, Legal, Clerks, Corporate Communications, and Mayor's Office staff. The agenda management team reviews the information and may suggest revisions.
2. The report, as may be revised, is approved by the CAO and/or other Chiefs for review by the Mayor's Office.
3. As per the City Organization By-law [s.16] the Mayor's Office approves all items for SPC and EPC agendas. The Mayor's Office reviews the information for this purpose and may request revisions. The Mayor may also convene a Report Briefing meeting with members of EPC and may include others such as the Deputy Mayor and Acting Deputy Mayor to discuss the report. The report may again be sent back for revisions. Any such revisions would again pass through the CAO.
4. Once satisfied with the report, the Mayor's Office approves the report for the agenda and provides it to the Clerk to put on the Standing Committee agenda*. Materials to be considered at a meeting are posted with the agenda four (4) business days prior to the meeting. The committee receiving the report would receive the information when it is publicly posted.
5. The Standing Committee considers the report at their meeting and may request further information from the administration. Any further reports or information to be requested from the administration are subject to a vote by the committee. Once satisfied with the information, the Standing Committee may make a recommendation to Council.
6. The Standing Committee recommendation is then formally considered by EPC, which may add its own recommendation to Council, and the matter is placed on the Council agenda.
7. Materials to be considered by Council are posted with the agenda four (4) business days prior to the meeting. Councillors may ask questions of the CAO. Any further reports or information to be requested from the administration are subject to a vote by Council.

*As the committee of jurisdiction on some matters, the EPC may be the committee receiving a report prepared by administration for consideration on its own agenda.

The Procedure By-law [s. 56] establishes a time limit of 30 days for EPC review of a recommendation of a Standing Committee, and 30 days for a CAO response on an EPC referral of such a Standing Committee report to the CAO for report. EPC may apply to Council for an extension of time.

Council members that are not on EPC would have access to reports when they are placed on the public agendas for the standing committee, EPC or Council. Meeting minutes show that the prescribed time for review of agenda materials has been the subject of debate at Council meetings, resulting in a change in the Procedure By-law (by By-law 98/2017) to require materials be posted four business days (from 96 hours) before the meeting, effective January 1, 2018.

5.3.1.3 Insight from Other Jurisdictions

Committee Structure

While the specific committee name varies, Calgary, Edmonton, Regina, Toronto, Ottawa, Montreal and Halifax have an executive committee with mandates that include strategy, budget, and other matters that broadly impact the City. Each of these committees differ in terms of the number of members on the committee, and their specific duties and responsibilities. Regina and Vancouver have executive committees of the whole. Executive committees in Calgary, Toronto, Ottawa and Halifax are most like Winnipeg in that they are composed of the chairs of the other standing committees, some with additional members. More detail is included in Appendix C.

Table 4 – Appointments to Executive Committees

	Winnipeg	Calgary	Edmonton	Toronto	Ottawa	Montreal	Halifax
Size of Council (including Mayor)	16	15	13	26	24	65	17
Size of Committee	7	7	5	8	12	12	7
Committee % of Council	44%	47%	38%	30%	50%	18%	41%

Flow of Information

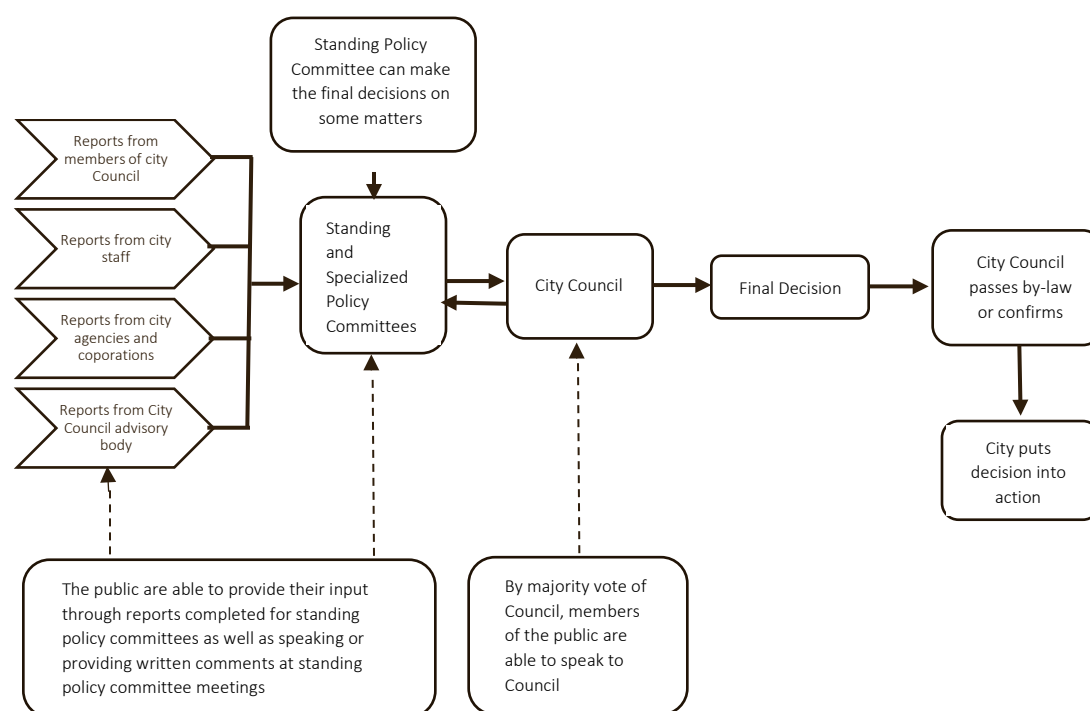
None of the other executive committee mandates in the cities reviewed have a similar provision as the Winnipeg EPC's authority under *The Charter* to receive all reports that require a Council vote from the standing committees and forward them to Council with their recommendations. Standing Committee recommendations are made directly to Council.

There is a high level of consistency for how information flows and decisions are made by City Council amongst the nine jurisdictions included in this report. Generally, reports are requested from City staff by a majority vote at a committee or Council meeting. Once complete, reports are reviewed by standing committees in accordance with their respective mandates. Toronto and Halifax also have community Councils, with limited authority to request reports to be completed by staff or external stakeholders. In eight of nine cities reviewed each standing committee has an exclusive mandate that does not allow for

any overlap between the work of separate committees. The City of Edmonton is the exception, where items may be re-routed to another committee to address, regardless of mandate, or a standing committee can request that staff complete a report for another committee. In all nine jurisdictions, direct contacts confirmed that standing committees do not formally or informally review and/or decide upon other standing committee reports and recommendations prior to their submission to Council.

As an example, the graphic below depicts the flow of information between committees and Council for the City of Calgary. It also shows where the public may provide input to City committee and Council decision-making. The process in most jurisdictions is similar, with variations mainly in where the public can provide input. Montreal has a unique structure where the Executive Committee would make decisions after review by Council. Further detail for all Canadian cities reviewed is included in Appendix B.

Figure 3 – Information Flow, City of Calgary



London, Hamilton, Toronto and Ottawa specifically allow for closed meetings of Council or committees for education or training of members, as long as no decisions are made at the meeting [*City of Toronto Act* s. 190 (3.1), *Municipal Act of Ontario* [s.239 (3.1)]. Each of these cities requires that a motion or resolution be passed stating that the meeting (or part) will be closed and the nature of the matter to be considered at the closed meeting. (Further detail on in camera meetings and Council Seminars is included in 5.4.1.1 and 5.4.1.3.)

None of the other cities consulted indicated a process similar to the City of Winnipeg's Report Briefing Meeting. Three jurisdictions specifically indicated that as a rule, when more than 50% of a committee or Council attend a meeting the content of the meeting should be made public by means of meeting minutes or a list of topics discussed. All other jurisdictions consulted for this study referred us to the applicable legislation for closed meetings.

5.3.2 Standing Committees

5.3.2.1 Formal Structure

The City Organization By-law 7100/97 establishes six Standing Committees, all named “Standing Policy Committees” (SPCs). The role of all SPCs, with the exception of Finance, is to provide policy advice to Council within their specified areas of jurisdictions. The Finance Committee is to provide input and advice to EPC, and report to Council through EPC.

The six SPCs of Council are:

- Finance
- Infrastructure Renewal and Public Works
- Protection, Community Services and Parks
- Property and Development, Heritage, and Downtown Development
- Water and Waste, Riverbank Management and the Environment
- Innovation and Economic Development

Each SPC has four members, plus the Mayor who is an *ex-officio* member of all standing committees. The Chairperson of each SPC is appointed by the Mayor after each election and each November after that, as per the Procedure By-law 50/2007. The other three members of each SPC are elected by Council each November at an Organizational Meeting of Council. The Finance Committee is an exception, whereby the Deputy Mayor or acting Deputy Mayor is mandated to sit on the Finance Committee. If the Deputy or Acting Deputy has also been appointed the Chairperson, the Mayor shall appoint one other member to sit on the committee and the two remaining positions are elected by Council.

The Charter also mandates that at least one member of the SPC on Property and Development, Heritage and Downtown Development be from a ward that lies within the area governed by the Downtown Winnipeg Zoning By-law.

Below are the powers and responsibilities of each of the SPCs as outlined in the City Organization By-law (not exhaustive).

Standing Policy Committee on Finance

The SPC on Finance shall coordinate and advise upon the City’s fiscal policy development and fiscal strategies. It shall provide input and advice to Executive Policy Committee on:

- Short and long-range fiscal strategies
- Budget development and program review
- Assessment policies and strategies
- Investment policies and strategies
- Fiscal and variance reporting
- Capital project recommendations and strategies
- Corporate fees and charges policies
- Economic forecasts and trends
- Other matters referred to it by EPC

The SPC on Finance may approve additional appropriations to an operating budget, including reallocations and additional operating expenditures. The SPC on Finance also shall consider and report to Council through EPC on matters respecting the Entertainment Funding By-law. The SPC on Finance is also responsible for hearing appeals matters respecting business tax.

Standing Policy Committee on Protection, Community Services and Parks

The SPC on Protection, Community Services and Parks provides policy advice to Council on the following areas of jurisdiction:

- Animal control
- By-law enforcement
- Cultural services
- Disaster planning
- Fire and paramedic services
- Harbour master
- Libraries
- Museums
- Police services¹
- Public health
- Recreation and parks programming and services
- Zoo
- Parks and open spaces

The SPC is also to consider and report to Council through EPC on a specific list of related matters detailed in the By-law. This committee is also responsible for the making of grants to cultural and artistic groups, and in accordance with the Community Incentive Grant Program, and matters relating to Community Centre Boards. This SPC also hears and decides on appeals for orders, notices or decisions made under the Fire Prevention By-law, the Alarm By-law, the Neighbourhood Liveability By-law, and the Doing Business in Winnipeg By-law.

Property and Development, Heritage and Downtown Development

Provides policy advice to Council on:

- Asset Management
- Building Inspections
- Civic Buildings
- Development Control
- Facility Maintenance
- Housing policy, including housing grants
- Land acquisition and development
- Parks planning
- Planning and land use
- Vacant and Derelict Buildings
- Heritage matters
- Downtown Development applications

The Committee is also to consider and report to Council through EPC on matters related to acquisition of buildings, shared services – schools, nuisances, building standards, planning and development, cemeteries, Downtown street name changes.

This SPC is the final authority on appeals from the Building Commission, the authority to dedicate City-owned land for street or other public purposes, and approving terms for lease, sale or purchase of land. It is also responsible for conceptual planning for urban development and transportation systems, and exclusive power to deal with street, lane and walkway closes, with specific exception. This SPC hears and

¹ Per By-Law 148/2012, authority over police services now resides with the Winnipeg Police Board

decides on appeals from owners regarding city employee decisions on zoning by-laws and town planning schemes, including the Downtown Winnipeg Zoning By-law.

Infrastructure Renewal and Public Works

The SPC on Infrastructure Renewal and Public Works provides policy advice to Council on:

- Engineering services (except for water, wastewater etc.)
- Fleet management
- Public works maintenance
- Traffic control (traffic authority of the City)
- Transit
- Transportation planning (including airports & ferries)

It also considers and reports to Council through Executive Policy Committee on matters respecting streets, utilities, parking sites and meters, pedestrian decks, service agreements, quarries, airports and ferries, stockyards, markets and scales, work with other municipalities and aid for works outside the City, and vehicles for hire.

Water and Waste, Riverbank Management and the Environment

This SPC Provides policy advice to Council on:

- Water, wastewater, land drainage services
- Solid waste services
- Riverbank management
- Environment
- Engineering services related to the above related utilities

The Committee is also to consider and report to Council through EPC on matters related to its jurisdiction and deal with matters pertaining to the Clean Environment Commission, and hear appeals from orders or decisions made by a City employee on waterways permits.

Innovation and Economic Development

The SPC on Innovation and Economic Development provides policy advice to Council on:

- Innovation, transformation and technology
- Economic development
- Business liaison
- CentreVenture Development Corporation
- Economic Development Winnipeg

This SPC also oversees the establishment and operation of special service units including evaluating feasibility studies for proposed new service units, reviewing annual reports and business plans and ensuring evaluation of effectiveness is performed every three years.

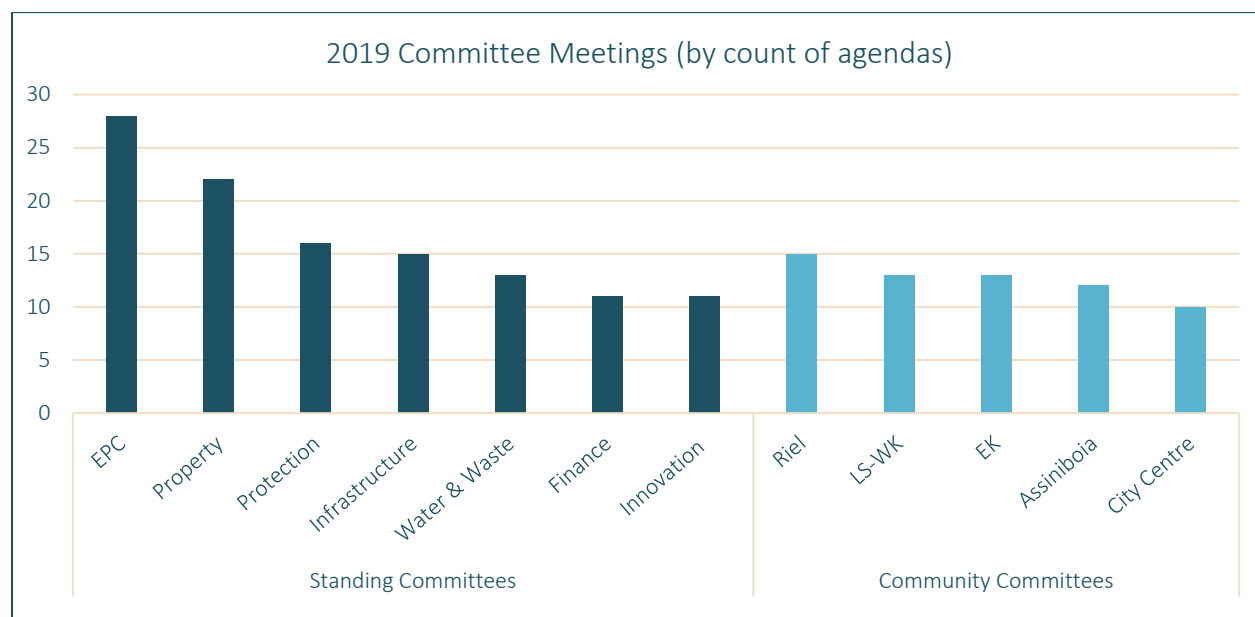
This SPC recommends through EPC to Council the Alternative Service Delivery Review agenda.

In addition to the specific appeals assigned to individual SPCs noted above, all SPCs, in their rotation as the Appeal Committee, hear and decide on appeals for conditional use orders and variance orders made by the Director of PP&D, Community Committees and the Board of Adjustment.

5.3.2.2 Current Practices

The workload of EPC and the standing committees varies significantly. The workload of EPC includes a list of its own distinct responsibilities, as well as review of all SPC recommendations to Council. Its unofficial workload also includes review of administrative reports before they are presented to an SPC.

Figure 4 – 2019 Committee Meetings (by count of agendas)



5.3.2.3 Insight from Other Jurisdictions

The Governance structures in the municipalities reviewed all include standing committees (SC). Generally, the Mayor is the *ex officio* member of all SCs. In Vancouver, the two SCs are made up of Council as a whole.

There is no standard number of SPCs across major municipalities in Canada as Table 1 below shows:

Table 5 – Number of Standing Committees, Other Jurisdictions

	Winnipeg	Vancouver	Edmonton	Calgary	Regina	Hamilton	Toronto	Ottawa	Montreal	Halifax
Number of Standing Committees	6	2	9	8	7	6	4	8	11	5

There is a wide range of standing committees found in other jurisdictions. The most frequent types of SCs are: Planning, Community and Protective Services, Audit/Finance, and Public Works/Environment. Edmonton and Regina include an Executive Committee among their SCs, while Toronto has an overarching Executive Policy Committee, similar to Winnipeg. Regardless of the number of SCs, they are generally responsible for providing a space for debate, public speakers, and providing recommendations to Council within their delegated area of responsibility.

Table 6 – Standing Committees, Other Jurisdictions

Winnipeg	Vancouver	Edmonton	Calgary	Regina	Toronto	Hamilton	Ottawa	Montreal	Halifax
Finance	Policy and Strategic Priorities	Agenda Review	Priorities and Finance	Priorities and Planning	General Government and Licensing	General Issues	Finance and Economic Development	Economic and Urban Development	Community Planning and Economic Development
Infrastructure Renewal and Public Works	City Finance and Services	Audit	Audit	Finance and Administration	Economic and Community Development	Audit, Finance, & Administration	Audit	Finance and Administration	Audit and Finance
Innovation		Community and Public Services	Community and Protective Services	Community and Protective Services	Planning and Housing	Emergency & Community Services	Community and Protective Services	Public Safety	Appeals
Property and Development, Heritage and Downtown Development		Council Services	Transportation and Transit	Mayor's Housing	Infrastructure and Environment	Planning	Transportation	Transport and Public Works	Transportation
Protection, Community Service and Parks		City Manager and City Auditor Performance Evaluation	Utilities and Corporate Services	Public Works and Infrastructure		Public Works	Environmental Protection, Water and Waste Management	Montreal Development and Development Plan	Environment and Sustainability
Water and Waste, Riverbank Management and the Environment		Inter-municipal and Regional Development	Gas, Power, and Telecommunications	Regina Planning Commission		Board of Health	Planning	Culture, Heritage and Sports and Housing	
		Urban Planning	Intergovernmental Affairs	Executive Committee			Transit	Inspector General	
		Utility	Planning and Urban Development				Agriculture and Rural Affairs	Council Presidency	
		Executive Committee						Contract Review	
								Social Development and Diversity	
								Water, Environment, Sustainable Development, and Large Parks	

5.3.3 Community Committees

5.3.3.1 Formal Structures

In addition to standing committees, there are five Community Committees. While there is no statutory requirement in *The Charter*, Council has chosen to continue the Community Committee structure under the City Organization By-law.

Community Committees are established by region of the city. Each committee is made up of the three Councillors that represent the wards in that region. The five areas are:

- Assiniboia
- City Centre
- East Kildonan-Transcona
- Lord Selkirk-West Kildonan
- Riel

The duties and responsibilities of the Community Committees include the authority to assign street names to roadways on private property and service roads on public rights of way.

Community Committees also conduct public hearings on land matters within their respective areas. Land matters include changes in zoning designation, a variance or a conditional use under the Winnipeg Zoning By-law No. 200/2006. The public hearing process is an opportunity for interested citizens to present their views and information to the Community Committee as they consider and render decisions on applications. For variance, conditional use and license applications, the Community Committees make decisions which can be appealed. For zoning and subdivision related land matters, the Community Committees submit recommendations to the SPC on Property and Development, Heritage and Downtown Development then EPC, then Council.

Community Committees have a budget allocated for per capita grants to support citizen community service activities and community incentive grants. The Community Committee has final approval on applications that meet all criteria. Community incentive grant applications that do not meet criteria go to the SPC on Protection, Community Services and Parks, then EPC and Council for recommendation, approval and waiving of criteria.

Community Committees also allocate funds collected from developers for the Land Dedication Reserve Fund to support the acquisition and development of land and facilities for parks and recreation. The Community Committee has final approval on applications that do not include the purchase of land, that meet all criteria. Land Dedication Reserve Fund applications for the purchase of land and/or that do not meet criteria go to EPC and Council for recommendation, approval and waiving of criteria where applicable.

The information on duties and responsibilities of Community Committees was found in the Municipal Manual (for citizens), 2017 (City of Winnipeg, 2017). It is not included in the Council Members' Reference Guide. The information on per capita grants, community incentive grants and Land Dedication Reserve

funds was found in the Council Members' Reference Guide. None of this information is included in the City Organization By-law.

Many matters heard at Community Committee require further review by an SPC, EPC and finally Council. Information on the hearing process for development applications at Community Committee is included in section 5.4.4 of this report.

5.3.3.2 Current Practice

Grants appear to be the most frequent items on Community Committee agendas. Hearings are less frequent but may take more actual committee time.

Community Committees often make requests for reports on issues brought forward by constituent concerns (e.g., traffic studies) that can require significant effort. For example, The Lord Selkirk-West Kildonan Community Committee requested three traffic studies at its October 15, 2019 meeting. Minutes of Community Committee meetings also show that Councillors who are not part of EPC may be using the Community Committee to get access to information or bring items forward to Council. For example

- The Assiniboia Community Committee recommended to the Executive Policy Committee:
 1. That the Province of Manitoba be requested to amend the *City of Winnipeg Charter* to ensure all Councillors are given equal opportunity to participate in the final preparation of the budget.
 2. That all Councillors be appointed to the Budget Working Group for the 2020-2023 Multi-Year Budget Process [Nov 5, 2019]

5.3.3.3 Insight from Other Jurisdictions

Among the nine other municipalities included in our review only Halifax and Toronto have established Community Councils. In 2017, Flynn and Spicer (Flynn, 2017) noted that Hamilton and Ottawa researched the implementation of Community Committees; however, neither decided to establish them. Montreal's Community Committees were replaced with neighbourhood [borough] Councils in 1996.

The City of Toronto Act s. 24.1 authorizes the City to establish one or more community Councils to perform functions assigned by the City and exercise the powers and duties delegated to it by the City. The Toronto Municipal Code Chapter 27, Council Procedures specifies the composition, duties and authorities of Community Councils. *The Halifax Regional Municipality Charter* s. 32 (1) authorizes Council to establish Community Councils and their boundaries by policy, and it establishes the powers and duties that may be established for a Community Council.

The mandate, activities and authorities of each differ and are included in table 3 below.

Table 7 – Community Council, Other Jurisdictions

Municipality	Composition	Duties/Responsibilities
Toronto 4 Community Councils	Councillors of the grouping of wards that the Community	Responsibilities include making recommendations and decisions on local planning and development, as well as neighbourhood matters including traffic plans and parking regulations. Community Councils report to City Council but they also have final decision-making power on certain items, such as traffic and parking, fence bylaw exemptions and appointments to local boards and

Municipality	Composition	Duties/Responsibilities
	Council represents.	Business Improvement Areas. (City of Toronto's Governance System, 2019) Specifically, duties, responsibilities include: • Holding public hearing required under <i>The Planning Act</i> for proposed official plans and zoning by-laws and amendments, applications for approval of subdivision plans. • Hearing public presentations and providing recommendations on neighbourhood matters, construction, street cleaning encroachments, grass-cutting and tree removals • Involving citizens in neighbourhood issues such as recreational and safety needs, monitoring these issues and reporting to Council • Nominating citizens for local board and panels • Making recommendations to Council or Planning and Housing Committee as appropriate planning and zoning matters. • Convening community meetings on matters of city-wide interest • Making recommendations to Council on buying or selling property less than \$500,000 • Hearing and making recommendations to Council on Ward Councillor appeals of Sign Variance Committee decisions The Community Committee has final authority on decisions for: • Exemptions to fence, natural garden and noise by-laws • Vending zones • Parking, taxi-cab stands • Street traffic regulations • Neighbourhood signs • Traffic calming • Citizen appointments to boards of community centres • Acceptance of donations of art (\$ limits apply) • Encroachment agreements re: city property • Demolition of residential property (less than six units) unless designated as heritage or in heritage district • Naming of city properties • Establishment of business improvement zone boards (after designation by Council by-law)
Halifax 4 Community Committees	Councillors of the grouping of districts that the Community Council represents	Duties of the Community Councils include: • Monitoring the provision of services to the area for which the committee is responsible and recommending the appropriate level of services, areas where additional services are required and ways in which the provision of services can be improved; • The establishment of one or more advisory subcommittees; • Making recommendations to the Council respecting any matter intended to improve conditions in their area, including but not limited to, recommendations respecting: (i) services, including the manner in which the costs of funding these services might be raised,

Municipality	Composition	Duties/Responsibilities
		(ii) by-laws or regulations, including those regarding planning, (iii) the adoption of policies that would allow the people of the area to participate more effectively in the governance of the area. • Providing opportunities for public input at the end of each community Council meetings. (Communicating with Halifax Regional Council, 2019) • Convening public hearings on certain re-zoning and variance matters.

Flynn's research on Community Committees found that there are positive and negative aspects of Community Committees outlined in the table below (Flynn, 2017):

Table 8 – Positive and Negative Aspects of Community Committees

Positives	Negatives
Improve oversight of local government	Lack of information and a lack of support has led to apathy by members and low levels of participation.
Empower citizens	Could rival City Council for authority over certain issues
Improve citizen life by aligning community needs with policy action	Promote NIMBYism
Improve the legislative efficiency of City Council by removing items that are entirely local in nature from its agenda	Lead to an uneven patchwork of policy implementation across a City

5.3.4 Appeal Committee

5.3.4.1 Formal Structures

The Charter allows for Council to establish bodies to hear appeals. The minimum size of a hearing body is to be three persons.

The City Organization By-law establishes the Appeal Committee. Each of the Standing Committees acts as the Appeal Committee on a rotational basis to hear appeals of conditional use or variance orders made by the Director of PP&D, Community Committees or the Board of Adjustment. The decision of the Appeal Committee is final.

In order to avoid conflicts of interest the Procedure By-law states in s. 52(2) and s. 52(5) that no member of a Community Committee may be in the room in which an appeal from a decision of that Committee is being heard by a Committee of Council. The same rule applies to a Council member who has spoken to an application at the Board of Adjustment that is now before the Appeal Committee.

The Development Procedures By-law describes the duty of the Appeal Committee as “*hear any person who may be affected by the result of the hearing and who wishes to make submissions, ask questions, or register objections*”. It describes the appeal as a ‘new public hearing’:

Development Procedures By-law Part 4 1. A. x. – The decision of the committee including one or more conditions attached to the decision may be appealed to the

Appeal Committee for a new public hearing, should the type of development application be appealable.

5.3.4.2 Current Practices

Appeals take the form of a new hearing which examines all the information again versus an appeal of application of policy. There are not well-established grounds of appeal. The annual schedule of Community Committee meetings posted on the City website includes a schedule of the standing committee assigned to hear appeals for each two-month period.

In practice, appeals must be registered within 14 days of the receipt of the hearing decision, therefore the ability to committee shop is limited. Once registered, it is possible in some cases to request an adjournment of the appeal which may result in a different SPC hearing the appeal, according to the schedule.

5.3.4.3 Insights from Other Jurisdictions

The involvement of City Council in other Canadian cities in the appeal of decisions made by City Staff or Council is limited. Seven out of eight jurisdictions have delegated the adjudication authority of appeals to independent, quasi-judicial boards. The only other jurisdiction with an Appeals Committee of Council is Halifax. Overall, the majority of appeals that are filed with a municipality are for development and planning applications. While the others all use an independent quasi-juridical board to rule on development and planning application appeals in some capacity, there are a limited number of appeals adjudicated by Councillors.

Halifax has a six-member Appeals Committee, appointed by Council. The Appeals Committee is established by the Halifax Regional Municipality By-law Number A-102. The matters which the Appeals Committee have jurisdiction over may be directed or delegated by *The Charter*, a by-law or Council policy. The Appeals Committee has been delegated the responsibility to hear appeals for demolition orders of dangerous or unsightly property under *The Charter*, and decisions under numerous by-laws. Appeals of certain development application decisions made by the Design Review Committee are heard by Council.

The table below outlines the appeal bodies in other Canadian cities reviewed. Any body that includes Council members is shaded.

Table 9 – Appeal Bodies, Other Jurisdictions

City	Appeal Body	
	Development Applications	Other
Winnipeg	Appeal Committee (of Council) Standing Policy Committee on Property and Development, Heritage and Downtown Development Executive Policy Committee	Standing Policy Committee on Finance Standing Policy Committee on Protection, Community Services and Parks Standing Policy Committee on Water and Waste, Riverbank Management and the Environment: Board of Appeal Board of Adjustment Board of Revision Vehicle for Hire Appeal Board
Vancouver	Board of Variance	Parking Variance Board Building Board of Appeal
Calgary	Subdivision and Development Appeal Board	Calgary Assessment Review Board Licence and Community Standards Appeal Board
Edmonton	Subdivision and Development Appeal Board	Assessment Review Board Community Standards and Licence Appeal Committee
Regina	Development Appeals Board	Regina Appeal Board
Hamilton, Ottawa	Local Planning and Appeal Tribunal (ON)	Local Planning Appeal Tribunal
Toronto	Toronto Local Appeal Body Local Planning Appeal Tribunal (ON)	Social Benefits Tribunal Toronto Licensing Tribunal General Government & Licencing Committee Community Council
Halifax	Halifax Regional Council	Appeals Standing Committee (of Council)

Further detail on appeal bodies in general is included in Appendix E. Further detail on appeal processes for planning and development applications is included in section 5.4.4 Planning and Development Applications and Appeals – Insights from Other Jurisdictions.

5.3.5 Governance Committee

5.3.5.1 Formal Structures

The City Organization By-law establishes the Governance Committee of Council (formerly named the Secretariat Committee), chaired by the Speaker and comprised of four other Members of Council. The five members of the Governance Committee are chosen annually at the Organizational Meeting of Council and must represent each of the Community Committees.

The City Organization By-law sets out the duties of the Governance Committee as:

- To provide a forum for Councillors to resolve issues for Interns, Secretaries, Volunteers, etc.
- To be responsible for operation of the Councillor's office including developing and administering a policy for Councillors' assistants, expense allowances, and advising on the preparation of the Council's operating budget.
- To resolve non-political issues between Councillors and difficulties between Councillors and administration
- To act as a liaison to EPC on all matters relating to the operation of the City Clerk's Department.
- To receive reports from the Integrity Commissioner (except reports of Code of Conduct complaints) and provide to Council through the EPC.
 - The City Organization By-law sets out that any reports of the Integrity Commissioner that deal with complaints against Members of Council shall not be considered by EPC, rather they are presented directly to Council.

The Governance Committee is also responsible for considering amendments to rules of procedure or the Procedure By-law for a report to Council. After civic elections, the committee receives election expense and advertising reports.

5.3.5.2 Current Practice

The Governance Committee has a fairly light workload. In 2019 to date, the Governance Committee held nine meetings. It re-appointed the Integrity Commissioner, received her annual report, and considered changes to the Councillors Ward Allowance Fund Policy in February, considered campaign expenses in April and received the Auditors report on Ward Fund Allowances in June. Most meetings have one item on the agenda and are related to policies specific to Council member activity.

5.3.5.3 Insights from Other Jurisdictions

Some cities have a Council Services committee, others assign responsibility for governance to the Executive Committee. In Toronto the Special Committee on Governance is established by City Council to consider the impacts on the City's governance structure and processes arising from the reduction in the size of Council, and to make recommendations to City Council on any further changes to its governance structure. Meetings of the Special Committee on Governance are called by the Chair.

Edmonton has a Council Service Committee with a mandate of "oversight of all Councillors' offices, excluding the office of the Mayor, and other matters referred to it by Council".

Calgary's Coordinating Committee of the Councillors' Office has a mandate to supervise the general operations of the Councillors Office and to act as approving authority in respect for the Ward Community Event Fund.

5.3.6 Indigenous Advisory

5.3.6.1 Current Practice

In July 2018, Council referred the establishment of an Advisory Council of Elders to provide advice to all members of Council to the Governance Review process. In the same Council meeting, Council members who had been members of the Mayor's Indigenous Advisory Circle spoke of the value of the direct interactions with Circle members.

The Mayor's Indigenous Advisory Circle (MIAC) was established in 2015. As of December 2019, the MIAC consisted of 16 members, including two City Councillors. Appointments of Councillors to the Circle were included with the set of mayoral appointments as part of the annual process in November 2019. Since 2015, five different Councillors have been members of the Circle. The Circle has met four times a year for the past three years.

At its December 2019 meeting the MIAC discussed its mandate and where it should focus for the next three years. As recorded in the meeting notes, the MIAC was never meant to operate like a traditional "Committee". Since its inception, the Circle has engaged on a significant breadth of issues.

5.3.6.2 Insights from Other Jurisdictions

None of the examples found were established as an advisory committee to the Mayor (not a common structure in general). Six of the other jurisdictions reviewed have some form of Indigenous advisory committee. In Vancouver and Toronto these committees provide advice directly to Council. In Calgary and Hamilton, the Indigenous advisory committee is a sub-committee of a Standing Policy Committee – Community and Protective Services in Calgary and Audit, Finance and Administration in Hamilton. In Ottawa, the Aboriginal Working Committee tends to work directly with City staff.

In Halifax the Committee is made up of five members of the Assembly of Nova Scotia Mi'kmaq Chiefs (Assembly) and five Halifax Regional Municipality (HRM) staff. Originally established as a Special Advisory Committee to Regional Council, the governance structure was changed to better reflect the equal partnership between the HRM and Assembly, and the committee now has the ability to set its own processes and procedures. The committee is funded equally by both parties, and administrative support is equally shared. Further detail is included in Appendix H.

5.4 Council Processes

5.4.1 Council and Committee Meetings

5.4.1.1 Formal Structures

Presiding Officer

The Charter mandates that at the first meeting of Council after a general election, and in November of each non-election year, Council must appoint a presiding officer and a deputy presiding officer. The Councillors appointed to these positions must not be members of EPC. The presiding officer is responsible to chair each meeting of Council, maintain order and decide questions of order. If the presiding officer wishes to participate in a debate of Council, they must leave the chair and the deputy presiding officer must chair the meeting until the presiding officer returns.

Meetings Open to Public

The Charter mandates that all meetings of Council, committees and sub-committees of Council are open to the public, subject to in camera rules, and that minutes of all meetings must be kept. (More detail on in camera rules later in this section.)

Quorum and Voting

A majority of the Members of Council or a committee is needed to constitute quorum. All decisions required by Council or a committee require a majority of Council or committee members present at the meeting, unless a larger percentage is directed by *The Charter* or a by-law. *The Charter* mandates that all members present at a Council meeting must vote on a matter presented, unless they are in a conflict of interest or excused from voting by a majority of the members present. According to *The Charter*, all voting must be open.

The Procedure By-law [s. 15] mandates that when EPC has made an alternative recommendation to that presented by an SPC, the EPC recommendation shall be voted upon first.

Council has established detailed rules, procedures and conduct for Council and committee meetings under the Procedure By-law. The Procedure By-law provides for the suspension of any of its rules by a vote of 2/3 of the members present, unless *The Charter* or the Procedures By-law requires otherwise.

Meeting Agendas and Minutes

Per the City Organization By-law [s. 16] the Mayor's Office is responsible for scheduling and approval of the agendas of Executive Policy Committee and Standing Committees of Council. The agenda for regular Council and committee meetings, including all reports, recommendations, summary of communications and other supporting materials must be provided to the Members of Council by the Clerk at least four business days in advance of the meeting. The Procedure By-law [s. 10.3] states that no other matters shall be considered at the Council or committee meeting. Supplementary materials provided by the clerk after this deadline may be considered at the Council or committee meeting only if approved by the majority of members present at the Council or committee meeting.

The Charter specifies that the City Clerk must make reports, agendas and minutes of any Council or committee meeting available to a Member of Council upon request. *The Charter* is silent on any requirement to make these materials available to the public.

The Procedure By-law also establishes timelines for automatic referral of SPC recommendations to Council agendas after a set period. For example, a recommendation that has been submitted from an SPC to EPC that hasn't been dealt with within 30 days is automatically deemed to have been accepted by EPC and the City Clerk shall put it on the Council agenda for a decision.

The sequence of events on the Council meeting agenda is specified in the Procedure By-law.

Question period

Question period procedures apply to the reports of SPC and EPC at regular Council meetings. As per the Procedure By-law, Councillors are permitted to ask one main question and up to two supplementary questions during the question period. A second set of questions may be allowed by a Councillor after all Councillors have asked their first set. Replies to *any reasonable* question may be given immediately or at the next meeting of Council. EPC question period is maximum 30 minutes, each SPC question period is maximum 15 minutes.

Proposed By-laws

For Council to enact a by-law *The Charter* mandates that a by-law must have three separate readings, each of which are put to a vote by Council. Not more than two readings may be given at any one Council meeting unless 2/3 of Council vote to allow all three readings at one meeting. A by-law may be amended at any of the readings. According to *The Charter s. 55 (3) and s. 55(4)*, the full text of a proposed by-law must be given to each Councillor present at the meeting, or they must have been given an opportunity to review the full text, including any amendments, before it receives its first and third readings. *The Charter* provides that the Mayor may suspend the implementation of a by-law that has been passed by Council under two specific circumstances. The first is where Council suspended the rules to give both second and third reading at the same meeting, the second is where the Mayor deems that the by-law contains an error or omission. In each case, the Mayor must provide written notice to the Clerk within 48 hours. The by-law would have no force or effect unless a majority of Council vote at a later meeting to overrule the suspension.

The Procedure By-law further provides that all by-laws to be submitted to Council must be approved by the City Solicitor as to form and legal validity. In addition, any by-law that is defeated at any of the readings may only be reconsidered if Council directs the City Solicitor to prepare a new by-law, and it must be submitted to Council for first reading. If a public hearing is required prior to the by-law proceeding to Council, the public hearing must be held again.

Suspension of Rules

According to the Procedure By-law, any rule in the Procedure By-law may be suspended with the agreement of 2/3 of the Council or Committee members present, unless *The Charter* or the Procedure By-law requires otherwise.

Council Rules Apply to Committees

The Procedure By-law states that Committee business shall be conducted, in so far as is possible, in accordance with the Procedure By-law.

In Camera Meetings

As per *The Charter*, Council may determine by by-law which specific categories of matters may be heard in camera by Council and/or committees. It stipulates that where a matter is in a permitted category in the In Camera By-law, 2/3 of the members present at the meeting must vote to have the matter heard in camera, and the reasons for considering the matter in camera must be recorded in the minutes.

The In Camera By-law allows that certain categories of matters, with agreement of 2/3 of the members, may be considered at in camera meetings of the following committees:

- Executive Policy Committee
- Standing Committees
- Audit Committee
- Alternative Service Committee²
- Emergency Control Committee
- Historical Building and Resources Committee

The categories of information that may be considered in camera include:

- Personnel-related
- Information that could compromise:
 - contractual negotiations including collective bargaining
 - existing or anticipated claims or legal proceedings
 - solicitor-client privilege
- Personal or business information deemed to be protected under section 17 or 18 of *The Freedom of Information and Protection of Privacy Act (FIPPA)*
- Information provided in confidence by another government, protected by section 20 of *FIPPA*
- Regarding actual or pending emergencies

According to the In Camera By-law the only matters that may be considered in camera at a Council meeting are the internal performance review reports of the City Auditor.

Council Seminars

The Charter allows for Council Seminars, which are “seminars convened by some or all of the Members of Council or a committee of Council for the purpose of receiving information or discussing policies and other matters” to be conducted in camera. Members of Council may not pass a by-law or resolution while convened for a seminar.

5.4.1.2 Current Practice

Council and committee meetings are live-streamed. All agendas, reports, minutes and dispositions are publicly available on the City of Winnipeg’s website.

² Recently removed by by-law amendment 16/2020

For reasons of transparency, Council has chosen not to establish provisions in the by-law for in camera meetings of Council, except for the reports of the City Auditor, as noted previously.

5.4.1.3 Insights from Other Jurisdictions

All other cities included in our review include similar items that may be discussed in camera sessions at meetings of Council and its committees, including:

- Labour negotiations
- Discussions involving personal information of an identifiable person
- Litigation or pending litigation
- Legal advice eligible for solicitor-client privilege
- Disclosure of information that would adversely impact the business interests of the city or a third party
- Security of the property of the city

London, Hamilton, Toronto and Ottawa also include education or training of members, as long as no decisions are made at the meeting.

Similar to Winnipeg, all jurisdictions require that members present pass a motion or resolution to have a qualifying matter heard in camera, and the reasons for considering the matter in camera must be recorded in the minutes.

Edmonton, Calgary, and Regina allow that all or certain bodies established for the purpose of hearing appeals may deliberate and make their decisions in camera

Some jurisdictions consulted indicated that as a rule, when more than 50% of a committee or Council attend a meeting the content of the meeting should be made public by means of meeting minutes or a list of topics discussed.

Further detail on the specific matters and other rules related to in camera meetings of Council of other cities are included in Appendix D.

5.4.2 Leave of Absence

5.4.2.1 Formal Structures

At its meeting on July 19, 2018, Council referred a motion to amend Procedure By-Law 50/2007 to the governance review. The motion was to amend By Law 50/2007 to state:

- A. A Leave of Absence Motion may be moved for a Member of Council only if the Member:
 - i. Is occupied with other official City Business;
 - ii. Is ill or injured;
 - iii. Is tending to a private personal or family matter; or
 - iv. Has encountered an extraordinary circumstance that precludes the Member from attending the meeting.

- B. If a member is absent from a Committee or Council meeting due to official City Business or extraordinary circumstances, the nature of said City Business or extraordinary circumstances shall be clearly stated in a Leave of Absence Motion for the Member.
- C. The City Clerk shall document in the official minutes of the Committee and Council meetings the reason(s) for a member's absence and in cases where a leave of absence motion has not been granted for a member, such absences shall be noted in the official minutes as an unauthorized absence.

Currently, *The Charter* s. 47(1)(c) states that a member of Council will forfeit the member's seat on Council if the member fails to attend three consecutive regular meetings of Council, unless the absences are authorized by a resolution of Council at or before one of those meetings. Section 18(1) of the Procedure By Law provides that requirements of previous notice shall not apply to a motion to authorize the absence of a member from a meeting of Council.

There is currently no further guidance in *The Charter*, the Procedural By law or other By laws regarding acceptable reasons for such an absence.

The Charter requires only that a Councillor not fail to attend three consecutive regular meetings of Council unless authorized by a resolution of Council. No such authorization is required for lesser absences or absence from a committee meeting. Requiring an absence to be officially noted as an 'unauthorized absence' where not specifically approved by resolution would appear to extend the authority of Council to provide such permission for every meeting. It also creates the need for motions and resolutions which may be unnecessary, for example where the Councillor is occupied with other official City Business, which could simply be noted by the Clerk.

Advantages of providing the proposed detail include establishing clear expectations for members of Council and the public regarding attendance at meetings, and increased transparency and accountability for Council attendance. Disadvantages of limiting the discretion of Council in such decisions includes the necessary inclusion of all acceptable circumstances, all of which may not be fully foreseen. The requirement to clearly state the circumstances for the leave may also create privacy concerns, unless the reasons stated are sufficiently general, in which case the increased accountability and transparency is limited.

5.4.2.2 Insights from Other Jurisdictions

Other jurisdictions' provincial municipal legislation or city charters have similar provisions as *The Charter*, with forfeiture of the Councillor's seat unless an extended absence is authorized by resolution of Council, with some variation in the duration of absence (e.g., 60 consecutive days, 3 consecutive months, 4 meetings of Council).

The compared legislation and municipal by laws are also similar in that they do not restrict Council discretion regarding acceptable reasons for granting a leave of absence. There are recorded Council resolutions granting a leave of absence for a specific meeting or period of time in several jurisdictions, without indication of a reason. Examples of where some limited detail is offered are as follows:

- The Vancouver City Charter s 143(6) indicates disqualification of a Councillor for absence will not apply if the absence is because of illness or injury. The Vancouver Procedure By-Law 12577c s.

15.8-15.10 states that an advisory committee member must not be absent for more than two consecutive Advisory Committee meetings without a leave of absence or is deemed to have resigned. The Advisory Committee may grant a leave of absence by simple majority if the member's request is considered to be reasonable. *Advisory Committees are established by Council and may include a member of Council as a liaison but are not made up of members of Council.*

- The Calgary Procedure By Law s. 76(1) indicates a motion to excuse the absence of a member of Council is discretionary. A member of Council who is absent by reason of other Council business at the direction of Council is not considered to be absent [s. 76(2)].
- The Edmonton Council Procedures By Law s. 14.1(1) requires a Councillor to notify the City Manager and Chair at least 24 hours in advance of an absence or late arrival to a Council meeting, including the general reason for and expected duration of the absence. The Councillor may request the reason to be announced at the meeting. If 24 hours notice is not possible, notice must be provided as soon as possible. This provision does not apply if the absence is authorized by a motion of Council or the City's Parental Leave for Councillors Bylaw. The City Manager must record in the minutes of the meeting the names of all Councillors absent, the reason if announced, and whether notification of the absence was provided.

Regina, Ottawa, Toronto, Hamilton, and Halifax do not specify further detail.

5.4.3 Planning and Priorities

5.4.3.1 Formal Structures

The City Organization By-law states that EPC has the duty to identify annual and longer-range priorities for the growth and development of the City.

OurWinnipeg is the City's municipal development plan. It sets a 25-year vision for the City, supported by four direction strategies:

- Complete Communities
- Sustainable Transportation
- Sustainable Water and Waste
- Sustainable Winnipeg.

OurWinnipeg is currently undergoing its scheduled review.

5.4.3.2 Current Practice

The City has not established a corporate strategic plan to support implementation of the longer-term development plan or other aspects of municipal activity. In 2019 Council established a set of priorities to support a multi-year budget process. The CAO reported the recent hire of a corporate strategic planner. This is expected to be a significant boost in the development and integration of departmental plans.

5.4.3.3 Insight from Other Jurisdictions

Strategic Plans

All municipalities reviewed publish some form of a strategic plan. Vancouver and Edmonton also have a further corporate plan. Generally, strategic plans for the city are in addition to various specific strategies (transportation, recreation, etc.). Most strategic plans are developed by Council or an SPC. Only the City of Calgary and London have aligned the term lengths of the strategic plan with the municipal budget. The City of Ottawa utilizes a Term of Council Priorities document that provides a scorecard to measure the performance of Council to achieve the goals established within the strategic plan.

Table 10 – Strategic Plans, Other Jurisdictions

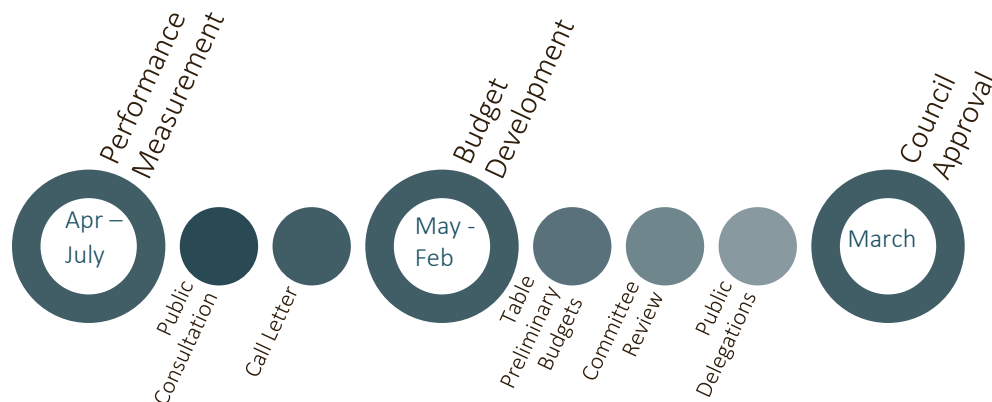
	Winnipeg	Vancouver	Edmonton	Calgary	Regina	London	Hamilton	Toronto	Ottawa	Montreal	Halifax
Term Length for Strategic Plan	Not applicable	1	10 (3 year priorities)	4	4	4	10	6	4	Borough strategic plans 7	5
Linked to Multi-Year Budget	No	No	No	Yes	No	Yes	No	No	No	No	No

5.4.4 Budget Development

5.4.4.1 Formal Structures

EPC is responsible for overall budget development. Under the City Organization By-law, each SPC's mandate includes making recommendations on the operating and capital budgets formulated by EPC that are covered by the administrative units having responsibility for the areas within the SPC's jurisdiction.

Each year, the CFO issues the Budget Call Letter to departments, launching the annual budget process. Committee reviews begin in the fall. Council approval is generally in March. The City of Winnipeg develops a service-based budget for the approval process. It also prepares a department-based budget for internal purposes.



5.4.4.2 In Practice

In 2019, for the second year in a row, the City of Winnipeg budget has received the Distinguished Budget Presentation Award from the Government Finance Officers Association. Based in Chicago, Illinois, the Government Finance Officers Association represents public finance officials throughout Canada and the US. The guidelines for the award consider how well the budget serves as a policy document, financial plan and operations guide as well as a communication device. (City of Winnipeg, 2019)

In 2019 Council established a new multi-year budget process. This is the first time the organization has been asked to bring forward plans to ensure a balanced budget within targeted caps on property taxes for multiple years.

From City of Winnipeg media release oct 2019:

Departments will be asked to prepare their annual operating budgets and capital investment programs using recommended targets for annual adjustments and will then be asked to make presentations to their respective Standing Policy Committee with suggested options to meet their targets. Members of the public will be invited to appear in delegation after the departments have made their presentations. Once that process has concluded, the Standing Policy Committees will provide multi-year budget recommendations to EPC on how the City departments can work within identified expenditure targets. EPC will consider the SPC recommendations in preparing the draft operating and capital budgets and make recommendations to Council for approval before March 31.

5.4.4.3 Insights from Other Jurisdictions

Most cities reviewed have an annual budget, and obligations to balance their budget. Seven of nine cities reviewed have one-year budgets, Calgary and Edmonton have four-year budgets, similar to Winnipeg's new process. The City of London has established a Council-term linked process.

City budgets are presented to the public in two distinct formats. The first is service-based, where the city presents revenues and expenses for each service line e.g. emergency services, roads. The second format is a department-based approach which presents revenues and expenses based on a municipality's

organization structure that specifies various departments. Although both formats provide a detailed financial picture service-based budgets are purported to:

- Improve public understanding of municipal expenditures: It is easier to show what level of funding different services are receiving from the municipality, as opposed to departments, that may not have a clear function to the public.
- Enhance Councillor's, administrator's, and citizen's ability to assess and value the services being provided by the city.
- Improve efficiency through department collaboration in developing the budget. Collaboration enhances the ability to identify any gaps or overlapping line items that may help identify areas of opportunity for cost savings in the delivery of a service.

To establish a budget, most municipalities use a department-based approach. Each department develops a budget that is reviewed by the finance department and finance committee and then submitted to Council for final approval. By contrast, feedback received from other jurisdictions indicated a service-based approach to budgeting as a more effective way to develop a budget.

Across the country the level of detail presented publicly varies greatly, regardless of budgeting approach. Two examples of department-based budgets, from Hamilton and Vancouver are included in Appendix F. Vancouver also was received the Distinguished Budget Presentation Award from the Government Finance Officers Association in 2018.

The most common approach across Canadian cities is to list the departments with 3-4 high-level accounts below. These accounts generally represent major components of the department. Hamilton and Regina follow this approach. A more detailed approach is conducted by the City of Vancouver, Toronto, Halifax, Ottawa and Edmonton which list the departments and a more complete list of accounts. Edmonton's budget presents the most detail. There do not appear to be standardized formats for city budgets, leaving it to the discretion of the city administration to determine the level of detail provided.

The City of Calgary shifted to a service-based view of its multi-year plans and budgets for 2019-2022. Calgary promotes the benefits of multi-year budgets, especially if they are linked to multi-year strategic plans. The perceived benefits of a multi-year budget being linked to a multi-year strategic plan include:

- Improved accountability and transparency.
- Greater certainty for Councillors, administrators, and the public for the direction of the municipality including municipal taxes.
- The ability to make longer term plans to achieve objectives identified by Council.

The only other municipality with a multi-year budget linked to a multi-year strategic plan included in this review is the City of London. In London, every new Council first develops a 4-year strategic plan, to match the 4-year term of Council, and subsequently uses the 4-year strategic plan to develop a 4-year budget.

Table 11 – Budget Horizon, Other Jurisdictions

	Winnipeg	Vancouver	Edmonton	Calgary	Regina	London	Hamilton	Toronto	Ottawa	Montreal	Halifax
Budget Period (years)	4	1	4	4	1	4	1	1	1	1	1
Budget Approach	Service-Based	Dept-Based	Dept-Based	Service-Based	Dept-Based	Service-based	Dept-Based	Service-Based	Dept-Based	Service-Based	Dept-Based

5.4.5 Planning and Development Applications and Appeals

In this section we focus on the decision-making process for planning and development applications involving Committees and Council.

5.4.5.1 Formal Structure

The Development Procedures By-law No. 160/2011 provides procedures for development applications and related matters. The by-law describes the process that all 16 development application types proceed through, in the following phases:

- 1) Draft Applications: A process that provides a prospective applicant with an opportunity to obtain written input from appropriate City departments as well as the ward Councillor in advance of making a formal application.
- 2) Submitting a Development Application: Outlines the process that is followed when submitting a formal development application, and the process that is followed when a development application is refused without a hearing due to the application not conforming with the OurWinnipeg Plan By-law or a secondary plan.
- 3) Approval Process: Outlines the approval process for each type of development application.
- 4) Public Hearing Process, Notice, Appeals: Details the public notice and appeal process for development applications (see Table 12 below).

As part of the approval process, a public hearing is typically required to be facilitated by the EPC, the SPC on Property and Development, Heritage and Downtown Development, one of the five community committees, or the Board of Adjustment. In some instances, the Director of Planning, Property and Development (PP&D) may decide with respect to the merits of certain development applications.

All 16 types of development application are identified in the table below along with the application process, public hearing body, and if applicable, the appeal body. Community members may make submissions or register in favour of or in opposition of an application being considered at a public hearing by a committee.

Where the hearing is by the Community Committee, it generally makes its recommendation to the SPC on Property and Development, Heritage and Downtown Development (except for demolition permits or conditional use and variance decisions decided by Community Committee). The SPC may forward its report and recommendations to EPC or refer the application back to the original hearing body.

(Community Committee) to consider new information by re-opening the public hearing. When EPC receives the SPC report and recommendation, it may forward its report and recommendations to Council, or refer the application back to the original hearing body (Community Committee or SPC) to consider new information by re-opening the public hearing.

A Community Committee may forward its report and recommendations directly to EPC when the Committee concurs in all respects with the Director's recommendation and no person registers in opposition or submits an objection.

No new information or representations can be presented to the SPC, EPC or Council after conclusion of the hearing. Council may consider additional recommendations from any committee of Council in relation to the application.

Of the 16 application types, nine may be appealed. The appellant may be the applicant or another interested party. For variances and conditional use, a decision by a designated employee, Board of Adjustment, Community Committee, SPC or EPC may be appealed to the Appeal Committee. If a decision is appealed, the notice of the appeal is provided to all parties and a note of the decision made must be provided to all applicants and those who made submissions at the hearing. As noted earlier in section 5.3.4, a Councillor who has made representations at a public hearing for an application or sat on a body which conducted a public hearing for an application shall not be or remain in the appeal hearing room during an appeal hearing for that development application.

One specific planning application; a change to a Secondary Plan by-law dealing with an airport vicinity protection area, may be appealed to the Municipal Board of the Province of Manitoba.

Table 12 – Development Applications Requiring a Public Hearing

Application Type	Public Hearing Process	Public Hearing Body	Appeal Body
<i>OurWinnipeg</i> Plan By-law Amendments	After the first reading and before the second reading a proposed amendment will be referred for a public hearing. The contents of the public hearing are incorporated into a report to Council. After a second reading by Council the proposed amending by-law is forwarded to the Minister of the Provincial Government. Once approved Council may give the by-law a third and final reading.	Requires public hearing at EPC, recommendation to and approval by Council	No appeal body for Council decision
Complete Communities Direction Strategy By-law	After the first reading and before the second reading, the proposed amendment will be referred for conduct of a public hearing. The contents of the public hearing are incorporated into a report to Council.	Requires public hearing at EPC (or designated SPC by EPC) and Council approval.	EPC for designated employee refusal of application prior to hearing
Secondary Plan By-law	After the first reading and before the second reading, the proposed amendment will be referred for a public hearing.	Requires public hearing at either Standing Committee (PDHDD or as designated by	

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Application Type	Public Hearing Process	Public Hearing Body	Appeal Body
	If Council deems appropriate, then EPC can designate itself or an SPC to conduct the public hearing. If an SPC conducts the public hearing, it forwards its report to EPC then to Council for a vote. If a community committee conducts a public hearing it forwards its report to the SPC on Property and Development, Heritage and Downtown Development (PDHDD) for recommendation to EPC and finally to Council for a vote.	Council) or Community Committee, and Council approval.	
Rezoning (DAZ)	Community committees hold a public hearing, except when the land is question is in the Downtown, in which case the SPC on Property and Development, Heritage and Downtown Development conducts the public hearing. The community committee sends its report and recommendation to the SPC on Property and Development, Heritage and Downtown Development, which makes recommendation to EPC then to Council. Alternatively, the SPC on Property Development Heritage and Downtown Development may send its report and recommendation to EPC and then Council without a recommendation of the Community Committee.	Requires public hearing at Community Committee or SPC, Council approval.	No appeal body of Council decision First Level Decision: SPC on Property and Development, Heritage and Downtown Development
Zoning Agreement Amendment (ZAA)			
Subdivision (DAS)			
Subdivision and Rezoning (DASZ)			
Subdivision, Short Form (DASSF)	Authority of the Director of Property, Planning and Development when no public street or land is being created and a zoning change is not required. For land located in the Downtown area, the SPC on Property and Development, Heritage and Downtown Development will be the public hearing body.	Not required	Director decision: SPC on Property and Development, Heritage and Downtown Development
Demolition Permits (DEMO)	Community Committees will serve as the public hearing body except for when the demolition permit is in combination with an application to amend the <i>OurWinnipeg</i> , Complete Communities, or another secondary plan; in which case EPC or an SPC designated by EPC will conduct the public hearing.	Requires public hearing and decision at Community Committee	SPC on Property and Development, Heritage and Downtown Development
Variance (DAV) 'A'	Granted by the Zoning Administrator	Not required	SPC Appeal Committee

Application Type	Public Hearing Process	Public Hearing Body	Appeal Body
Variance (DAV) 'B'	Granted by Director of Property, Planning, and Development	Not required	SPC Appeal Committee
Variance (DAV) 'C'	Granted by the Board of Adjustments	Not required	SPC Appeal Committee
Variance (DAV) 'D'	Granted by Community Committee	Requires a public hearing at Community Committee.	SPC Appeal Committee
Conditional Use 'B'	Granted by the Director of Property, Planning, and Development	Not required	SPC Appeal Committee
Conditional Use 'C'	Granted by the Board of Adjustments	Not required	SPC Appeal Committee
Conditional Use 'D'	Granted by Community Committee	Not required	SPC Appeal Committee

*Combination hearings will be held by EPC

**Public notification of public hearing information including the date, time, location, and nature of the development application is required by *The City of Winnipeg Charter*.

5.4.5.2 Current Practice

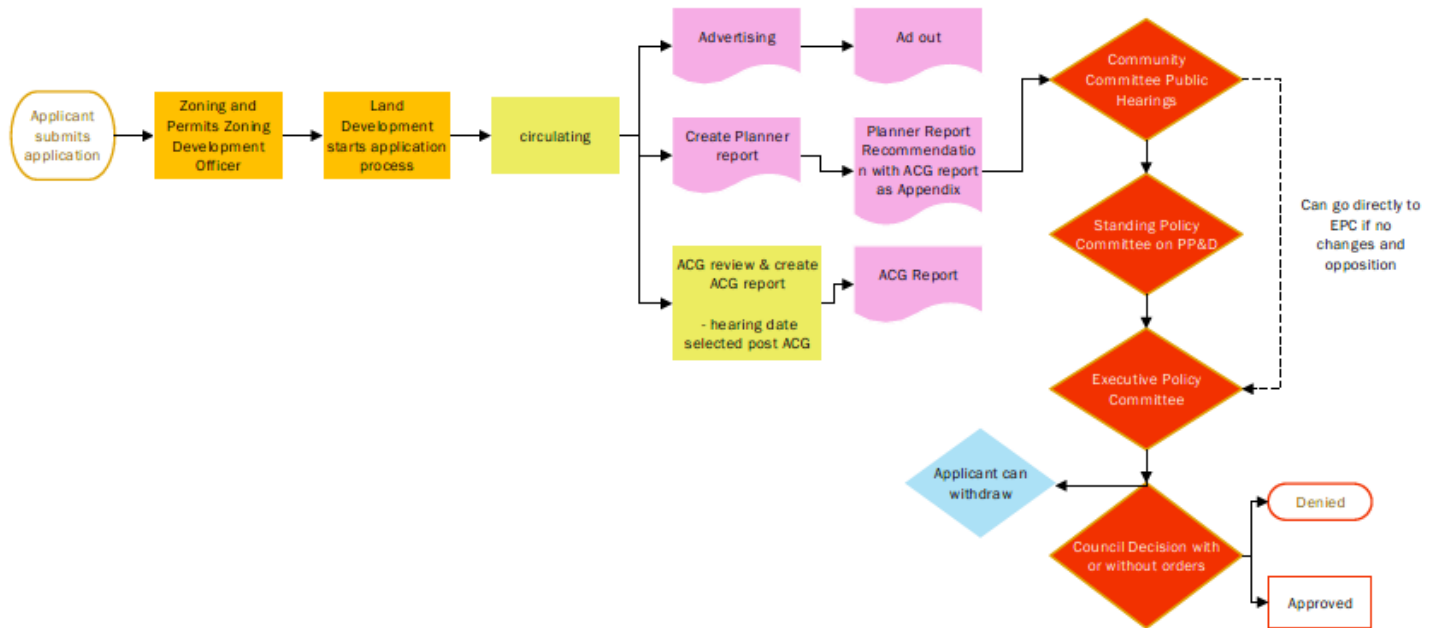
While encouraged as supporting information, consultation with immediate neighbours or the broader community is not a requirement of most development applications. The vast majority of planning and development application forms on the City's website list "written support from adjacent neighbours" and "public consultation program" as "may be required". "Written support from adjacent neighbours" is listed as mandatory on the following applications only:

- Attached Secondary Suite (DCU "B") Conditional Use Application
- Home-Based Business (Major) Conditional Use (DCU "B") Application
- Residential and Commercial Tolerance (DAV "A") Application
- Residential Zoning Variance (DAV "B") Application Single Family Dwelling or Two-Family Dwelling

The City may request the applicant chair a public consultation program in cases where there is expected to be significant public interest in the proposed development. The type of public engagement to be conducted (e.g. door to door canvassing, open house, or town hall format) is determined by the applicant, taking into account the nature of the proposal as well as the scope of the impact on other properties. The City has guiding documents on public consultation processes for PP&D applications available for applicants.

PP&D staff provide a comprehensive report to the committee or Council in support of their recommendation on all planning and development applications for which the PP&D department does not have decision-making authority. The report and recommendations are based on subject matter expertise, legislation and by-laws/plans.

Figure 5: Public Hearing Process for Rezoning or Subdivision (City of Winnipeg, 2018)



Current Planning and Development Process Improvement Initiatives

In April 2019 the SPC on Property and Development, Heritage and Downtown Development passed a motion for the public service to report back on the establishment of a planning commission to deal with all planning or development matters referred by Council. The motion acknowledged that *The Charter* provided Council the authority to establish a planning commission, and creation of a planning commission comprised of skilled experts would ensure consistent planning standards, practices and approvals across the City, thereby removing politics from the approval process. On September 4, the SPC directed the public service to engage stakeholders on recommendations for the role, responsibilities and membership structure of a planning commission.

The Development Procedures By-law is under review by Legal Services. Recommendations to Council for amendments were expected in 2020. Timing may be impacted by provincial initiatives.

The Province of Manitoba made a series of recommendations regarding Planning, Zoning and Permitting in 2019, including the following related to development applications and hearings:

- Accelerate the pace at which the Winnipeg Metropolitan Region is moving to adopt a co-ordinated approach to development.
- Create a new quasi-judicial tribunal or broaden and enhance the mandate of the existing municipal board, to allow it to hear a wide range of planning, zoning and permitting appeals across the entire province.

- Enact legislation that establishes ‘service standards’ (including specified and enforceable timelines) for all levels of permitting and zoning applications across the province.
- The Province should work collaboratively with the City of Winnipeg to achieve rapid progress on specific, known projects or objectives of shared interest, including opportunities to expedite development application processes through enhanced use of development agreements.

In March 2020, two related bills were introduced in the Manitoba legislature. Bill 48 – The Planning Amendment and City of Winnipeg Charter Amendment Act provides for planning regions and to make local land use decisions subject to appeal to the Municipal Board. Bill 49 – The Building and Electrical Permitting Improvement Act makes a number of changes to resolve disputes related to building and electrical permits and changes to *The Buildings and Mobile Homes Act*.

5.4.5.3 Insight from Other Jurisdictions

Our review of decision-making procedures for planning and development applications revealed a variety of practices and that there is no one “gold standard” for Canadian cities.

Once an application is submitted, all jurisdictions will first review the application to ensure that it is complete i.e. includes all relevant supporting documents and is filled in correctly, then provide the application to the City representative, committee, or board/commission for approval, depending on the type of application. Generally, a City representative will act as a file or application manager and ensure that all required information is gathered. Upon collecting all required information for an application, the File Manager will develop a report inclusive of rationale and recommendation to approve, approve with conditions, or deny the application to the Director of the relevant department or to a committee/board/commission.

The decision-making authority in the cities reviewed varies along a spectrum, with Edmonton and Vancouver having significant approval authority delegated to staff, and who make direct recommendations to Council for re-zoning, development plan or area plan approvals. Public hearings are held by Council in Vancouver, Edmonton and Calgary. Provincial legislation in Ontario requires at least one public meeting, but not a hearing. These meetings are typically held by staff prior to Committee review. Ottawa and Hamilton have a Planning Committee that makes recommendations to Council. Calgary and Regina employ Planning Commissions for this purpose. In Regina, the public meeting is held prior to review by the Planning Commission. In Toronto and Halifax, more delegated powers have been provided to Community Committees to hear and make decisions on development applications.

All jurisdictions included in this report have some form of an independent, quasi-judicial board composed of members of the public or representatives from the public sector trained in relevant by-laws and city plans to rule on appeals for rejected development applications. Generally, these independent, quasi-judicial boards are provided with the authority to act as an appeal body from the respective Land Development by-laws or City Charters. For example, in Regina appeals for decisions made by City staff are sent to the Development Appeals Board; while, appeals for decisions made by Council are sent to the Saskatchewan Municipal Board.

Detail on planning and development processes and decision-making in each city considered for this review is included in Appendix G.

6 SUMMARY ANALYSIS OF FINDINGS

Overall, the governance practices of the City of Winnipeg are consistent with the formal framework established through *The City of Winnipeg Charter Act* and the City's By-laws. The summary analysis below highlights areas of the City's governance framework and practices that are consistent with contemporary practices in other municipalities and support principles of effective governance. It also highlights areas of opportunity to further strengthen the governance practices of the City of Winnipeg.

6.1 Consistent with Contemporary Practice

The following aspects of the City of Winnipeg's governance framework (formal structures and practices) appear to be consistent with or leading the practices of the other jurisdictions reviewed, and support principles of effective municipal governance.

- By-laws to establish Council procedures and committee structures
- Processes and transparency regarding Council and Committee meetings and decisions: Council and committee agendas, materials and minutes are posted on the web site. Council and committee meetings are live-streamed and open to the public. Decision-Making Information System is easily searchable. Information is posted on how to appear in delegation/public hearing
- New multi-year balanced budget process established, including budget priorities.
- Establishment of the Office of Integrity Commissioner, updated Code of Conduct for Members of Council
- Establishment of the Office of Public Engagement, new Public Engagement Policy
- Participation in the Bloomberg Harvard City Leadership Initiative

6.2 Areas of Opportunity

The following represents a summary analysis of areas of opportunity where challenges or concerns were identified in interviews, where the City of Winnipeg differs from common practice in other jurisdictions, or where change may create greater alignment with criteria for effective municipal governance. They are presented in MNP's opinion of approximate order of significance.

Table 13 – Areas of Opportunity

Area of Opportunity	Current Practice	Other Jurisdictions
1. Strategic plan (No regulatory change required)	No strategic or corporate plan approved by Council. Mayor's priorities communicated through mandate letters. Priorities established in 2019 as part of new multi-year budget process. <i>Section 5.4.3.2</i>	Ten of ten cities reviewed post a multi-year strategic plan or annual corporate plan that includes longer term goals approved by Council <i>Section 5.4.3.3</i>
2. Flow of information /recommendations to Council (By-law amendment, Practice)	Reports to committees are vetted by the Mayor and sometimes EPC (informally) prior to receipt by the committee. All recommendations by committees must be reviewed formally by EPC prior to recommendation to Council. Community Committee recommendations may be reviewed by an SPC, then EPC, then Council. <i>Section 5.3.1.2</i>	All cities reviewed except Vancouver had a similar structure of standing committees. Standing committee recommendations are made directly to Council without the intervening step through an executive committee. <i>Section 5.3.1.3, Appendix B</i>
3. Development application review process (Charter, By-law amendment)	Many matters are referred for public hearing at Committee Council (first level of political decision making). This may be appealed to another committee of Council. Community Committee recommendations require review by Standing Committee, then EPC, then Council. <i>Section 5.4.5.2</i>	Five of seven cities reviewed in detail have significantly more authority delegated to planning department staff, and a dedicated appeal board for property matters (may be appointed by but not a committee of Council). All have more streamlined review. <i>Section 5.4.5.3, Appendix G</i>
4. Mayoral appointments (Charter amendment, officially. Could be managed by By-law, practice)	The Mayor has the authority to appoint or remove SPC committee chairs (6), the Deputy Mayor and Acting Deputy Mayor, resulting in a group, combined with the Mayor, that represents a majority of Council <i>Section 5.2.2</i>	All Council and committee roles are appointed by Council as a whole in six of nine cities reviewed. Members of the executive committee and Deputy Mayor are appointed by the Mayor in Toronto (7 of 25 members of Council) and Montreal. <i>Section 5.2.3</i>

Area of Opportunity	Current Practice	Other Jurisdictions
5. Council orientation and training <i>(No regulatory change required. Could be supported by By-law)</i>	Extensive binder of information supplied to new Councillors, but it does not include information on roles and responsibilities of Council, or Council processes beyond the By-laws. Limited orientation and training. <i>Section 5.1.2</i>	Four of the cities reviewed posted information on the roles and responsibilities of members of Council, in addition to the responsibilities detailed in provincial guides in Alberta, Saskatchewan and Manitoba. The City of Moncton (not part of detailed review) also publishes a position profile for members of City Council. <i>Section 5.1.3</i>
6. Elected official or committee requests for reports or information from the administration <i>(No regulatory change required)</i>	No policy to guide requests to the administration by Councillors or Committees for reports or information or means of determining relative priority. Recent process established by Interim CAO to prioritize such requests. <i>Section 5.1.2, 5.3.3.2</i>	Two cities have specific provisions for Council approval of any requests involving resources over a limit (\$1-2,000) to be confirmed by Council <i>Section 5.3.3.3</i>
7. Ease of access to information on Council budgets <i>(No regulatory change required)</i>	Council annual budgets not posted. Policy and expenses by person by month are posted online. <i>Section 5.1.2</i>	Seven of nine other cities post total budgets, year to date summaries as well as monthly actual expenses and policies <i>Section 5.1.3</i>

APPENDIX A – REFERENCES

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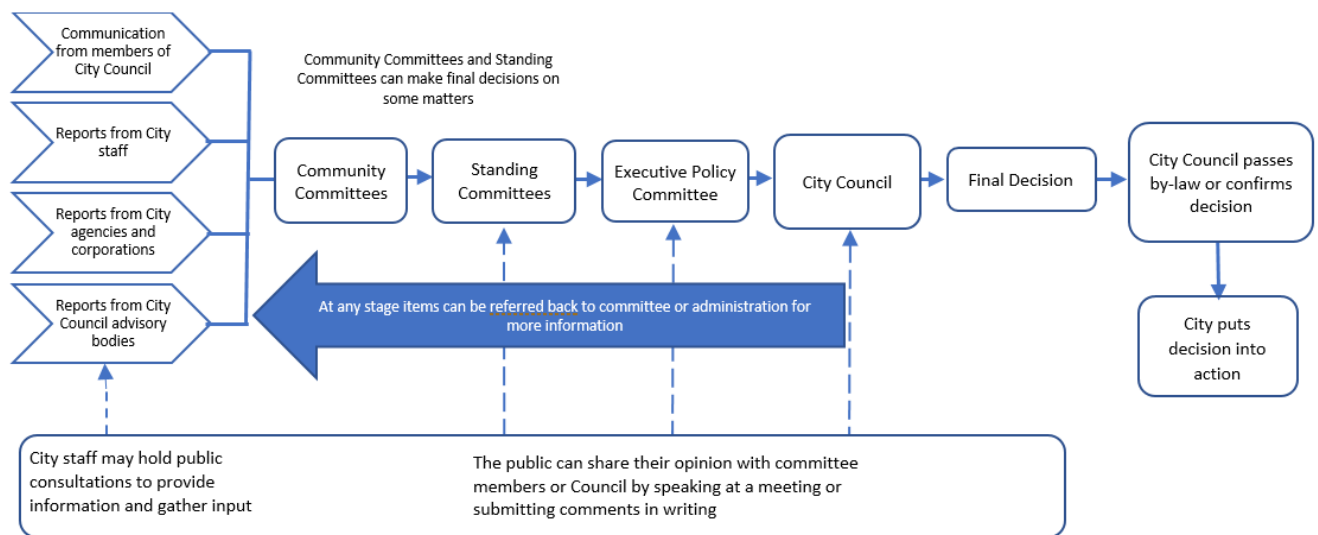
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- *Ontario Condominium Act*, 1998, S.O. 1998, c. 19
- *Ontario Planning Act*, R.S.O. 1990, c. P.13
- The Ontario municipal councillor's guide 2018
- City of Hamilton By-law No. 18-270 A By-law to Govern the Proceedings of Council and Committees of Council
- City of Hamilton 2016-2025 Strategic Plan
- City of Hamilton 2019 Approved Operating and Capital Budgets
- City of Hamilton By-law No. 05-200 (Zoning By-law)
- By-law No. A-50, Rules of Order and Procedure for the Council of the City of London
- 2016-2019 Multi-Year Budget for the City of London 2019 Annual Update, Approved 2019 Tax Supported Budget February 12, 2019
- *City of Toronto Act*, 2006 S.O. 2006, c. 11 , Sched. A
- Toronto Municipal Code Chapter 27, Council Procedures
- City of Toronto – Zoning By-law No. 569-2013
- 2019 City of Toronto Budget Summary
- Toronto Administrative Structure, updated August 19, 2019
- City of Toronto Committee Structure,
- Toronto City Council Handbook 2014-2018 (3 volumes)
- Toronto Corporate Strategic Plan (undated)
- Introduction to Toronto's Government, November 2018
- City of Ottawa Procedure By-law No. 2019-8
- Ottawa Operating and Capital Budget 2019, adopted March 6, 2019
- City of Ottawa 2015-2018 Strategic Plan, July 2015
- *Charter of Ville De Montréal, Metropolis of Québec*, chapter C-1.4
- Montreal 2019 Operating budget 2019-2021 Three-year capital works program
- Montreal 2020 Budget Executive Summary

- Public question period at the Montreal City Council and the Agglomeration Council – How to Participate, [ville.montreal.qc.ca/conseil municipal](http://ville.montreal.qc.ca/conseil_municipal)
- *Municipal Code of Quebec* chapter C-27.1
- *Halifax Regional Municipality Charter*, Chapter 39 of the *Acts* of 2008
- *Nova Scotia Municipal Government Act*, Chapter 18 of the *Acts* of 2008
- Halifax Regional Municipality By-law No. A-102, Respecting the Appeals Committee
- Halifax Regional Municipality Administrative Order One, Respecting the Procedures of the Council
- Halifax Strategic Plan 2017-21
- Halifax Budget and Business Plans 2019-2020, April 16, 2019
- Halifax Regional Municipality Board & Committee Organizational Chart
- Downtown Halifax Land Use By-law
- Downtown Halifax Secondary Municipal Planning Strategy
- Land Use By-law for Halifax Mainland
- Municipal Planning Strategy for Halifax
- Land Use By-law for Halifax Peninsula
- Halifax Regional Municipality, A Guide to Subdivision, January 2007

APPENDIX B – FLOW OF INFORMATION, WINNIPEG & OTHER CITIES

Winnipeg

The Charter, City Organization By-law and Procedures By-Law provide the powers and duties of Standing Policy Committees in addition to the procedures for establishing agendas, conducting meetings and reporting authorities. The infographic below outlines the process for the flow of information between committees and Council for the City of Winnipeg.

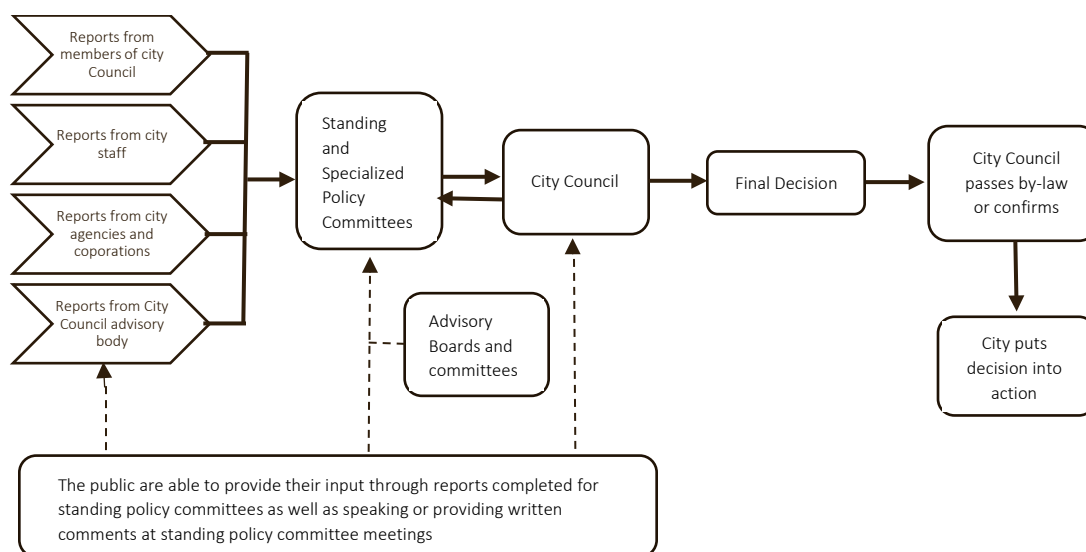


The Charter states that EPC will receive all reports from committees and administration prior to presentation to Council. As per the Organization By-law (s. 16) the Office of the Mayor schedules and approves the agendas of the Executive Policy Committee and the Standing Committees of Council.

Vancouver

The Procedures by-law establishes the guidelines for establishing agendas, conducting meetings, and reporting authorities. *The two Standing Committees of Council are committees of the whole.* Guidelines for Advisory Bodies establishes the mandates and duties for each subtype of board and/or committee.

The infographic below outlines the process for the flow of information between committees and Council for the City of Vancouver:

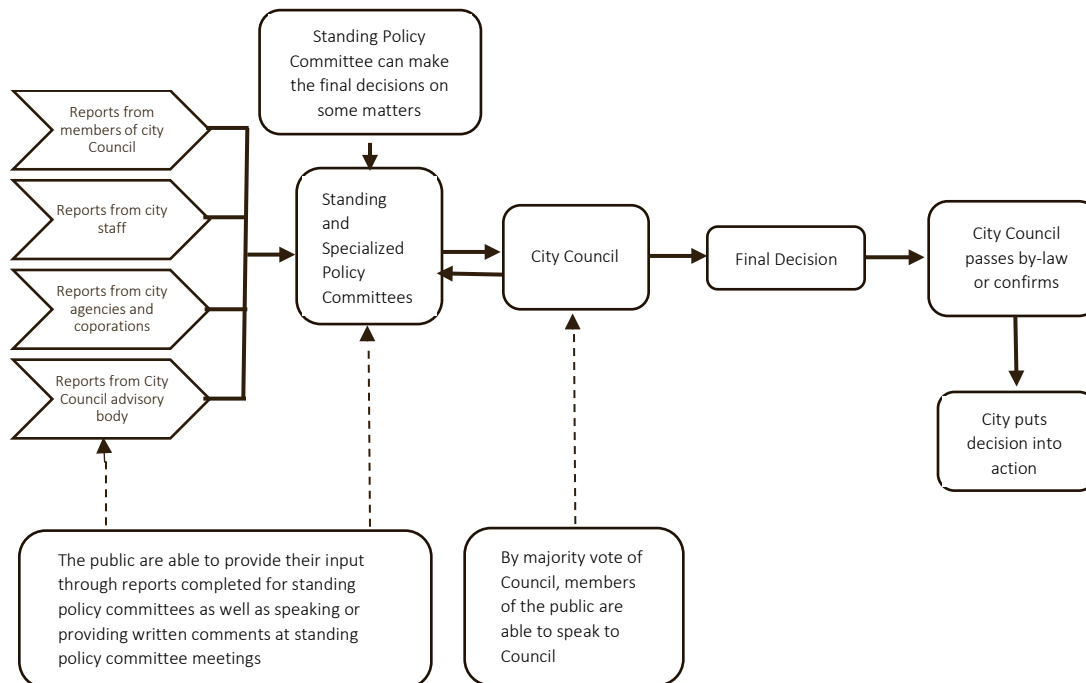


Calgary

The Procedures by-law provides the mandate for all committees in addition to the procedures for establishing agendas, conducting meetings, and reporting authorities. Specifically, part 3 section 19 specifies the duties of all Standing Policy Committees:

- a) To make final decisions at the Committee level within their mandate where City of Calgary policy exists;
- b) To receive any periodic reporting directed by Council for information;
- c) To create and be responsible for SPC sub-committees and approve their Terms of Reference; and
- d) To incorporate the community sustainability strategy into its deliberations

The infographic below outlines the process for the flow of information between committees and Council for the City of Calgary:



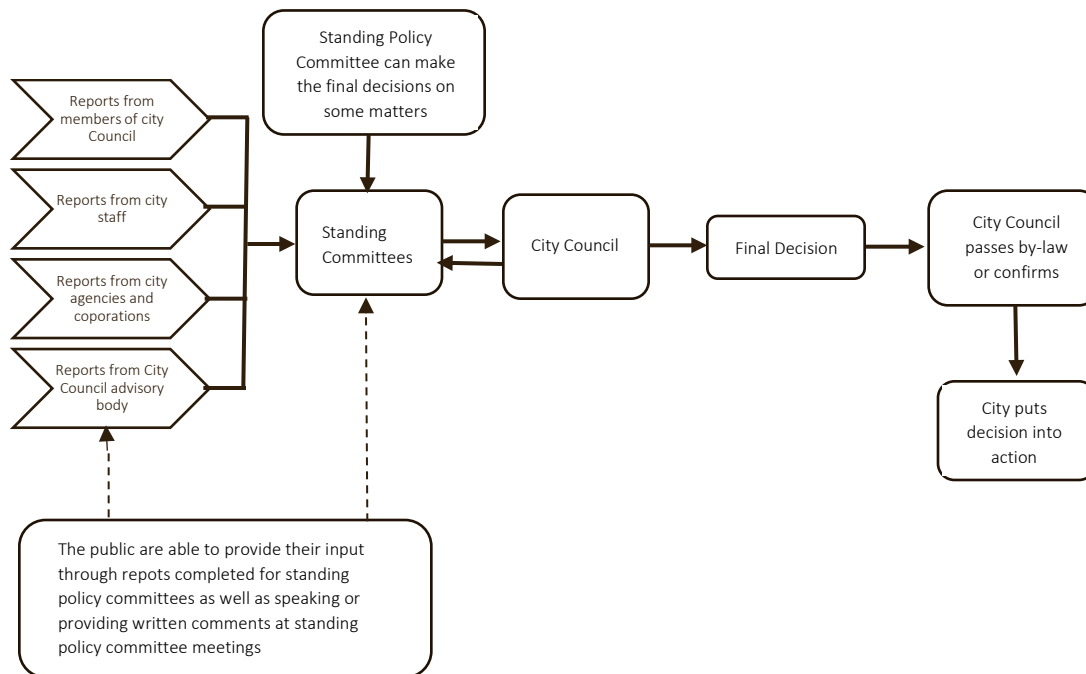
All committees in the City of Calgary have exclusive mandates in that they all report directly to Council. Consequently, no other standing policy committee is able to review, or request changes of reports completed by other committees prior to being submitted to Council.

Edmonton

The Council Committee by-law and the Procedures by-law provide the mandate for all committees in addition to the procedures for establishing agendas, conducting meetings, and reporting authorities. Specifically, part 3 section 19 specifies the duties of all Standing Policy Committees:

- e) Make recommendations to Council.
- f) Approve agreements that exceed the delegated authority of the City Manager as prescribed by the City Administration by-law or that are referred to the Standing Policy Committee by the City Manager; or
- g) Deal with any matter referred to it by Council.

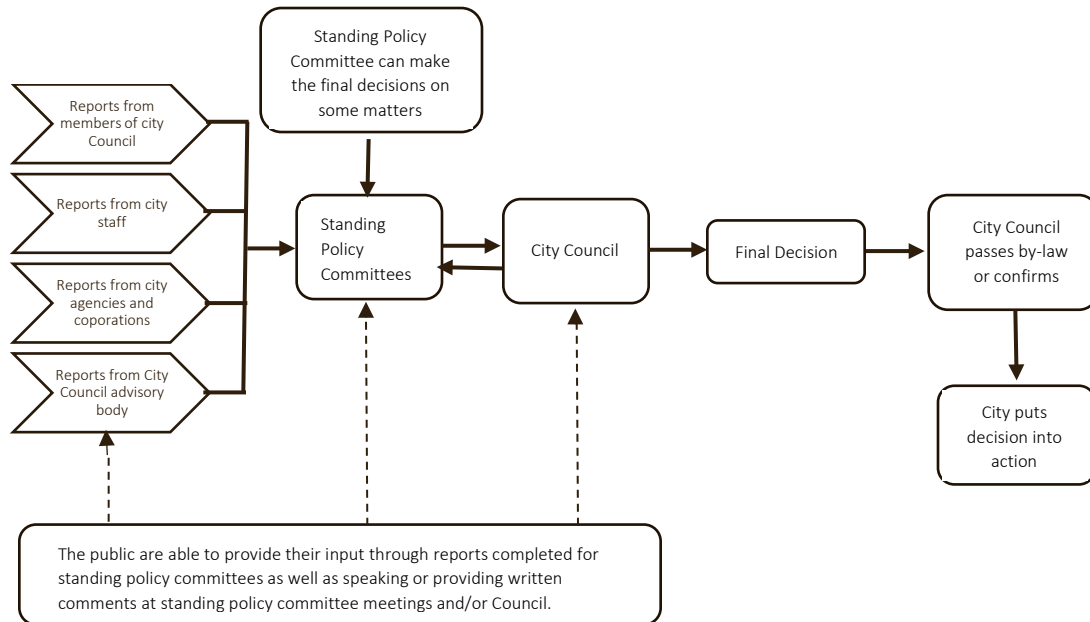
The infographic below outlines the process for the flow of information between committees and Council for the City of Edmonton:



In Edmonton, City Council is able to reroute items to different committees by majority vote regardless of the committee's mandate. Also, Standing Committees are able to request through a majority vote of Council that City staff complete a report for another committee. However, once a report is under the authority of a Standing Committee then no other committee is able to review or request changes to the completed report prior to submission to Council.

Regina

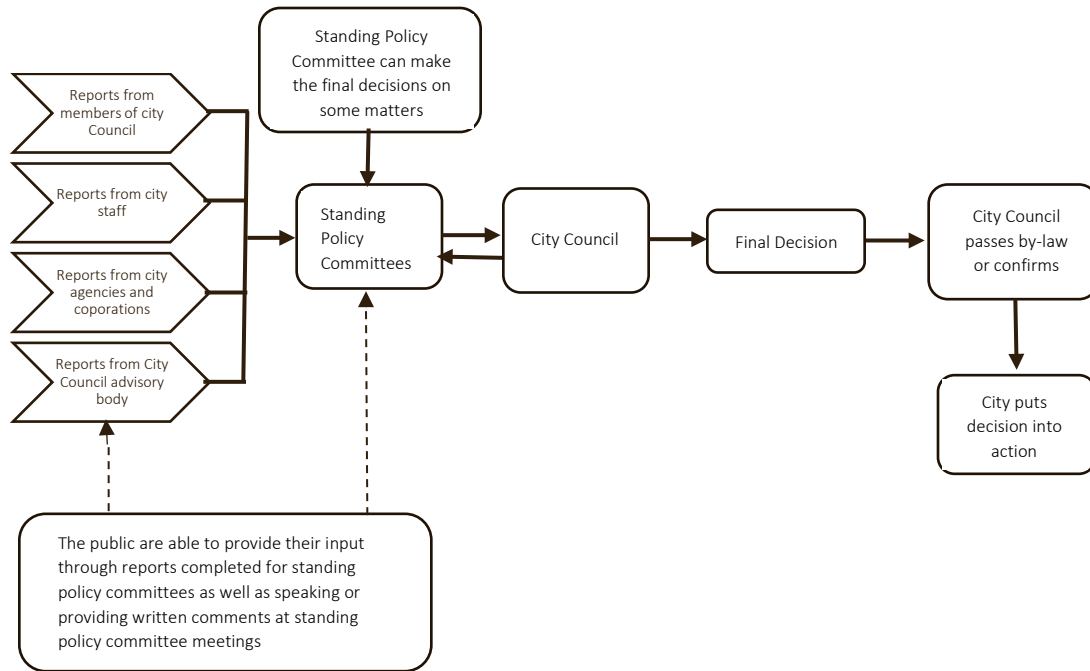
The Committee by-law and the Procedures by-law provide the mandate for all committees in addition to the procedures for establishing agendas, conducting meetings, delegated authorities and reporting authorities. The infographic below outlines the process for the flow of information between committees and Council for the City of Regina:



All committees in the City of Regina have exclusive mandates in that they all report directly to Council. Consequently, no other standing policy committee is able to review or request changes of reports completed by other committees prior to being submitted to Council.

Hamilton

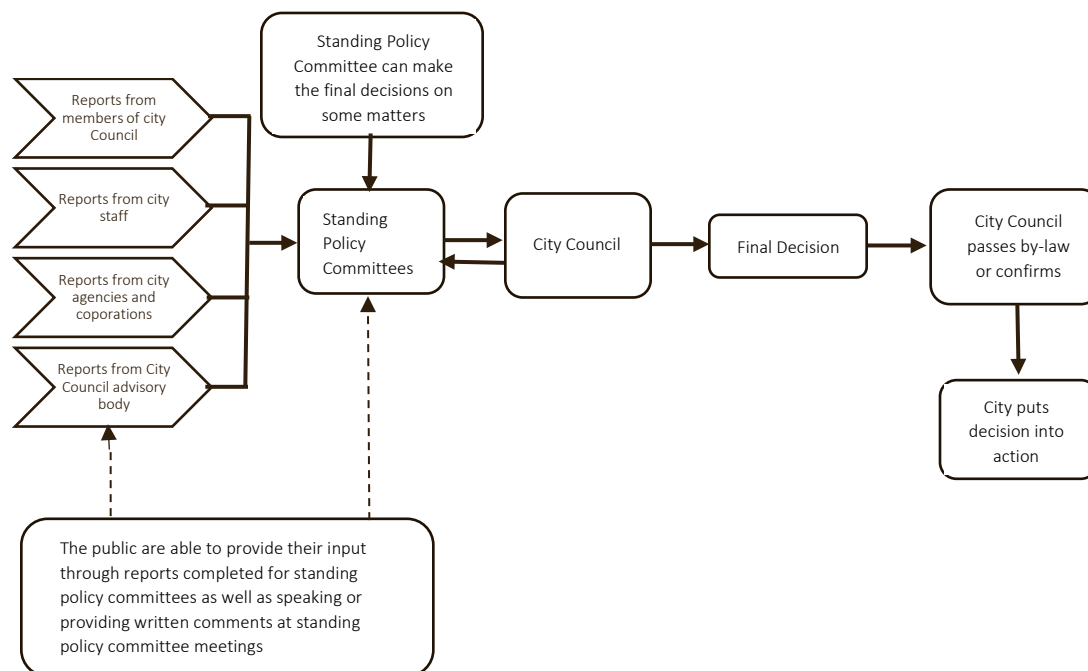
The Procedures by-law provides the mandates for all committees separately in addition to the procedures for establishing agendas, conducting meetings, and reporting authorities. The infographic below outlines the process for the flow of information between committees and Council for the City of Hamilton:



All committees in the City of Hamilton have exclusive mandates in that they all report directly to Council. Consequently, no other standing policy committee is able to review, or request changes of reports completed by other committees prior to being submitted to Council.

Ottawa

The Procedures by-law provides the procedures to establish agendas, conducting meetings, and reporting authorities. The infographic below outlines the process for the flow of information between committees and Council for the City of Ottawa:

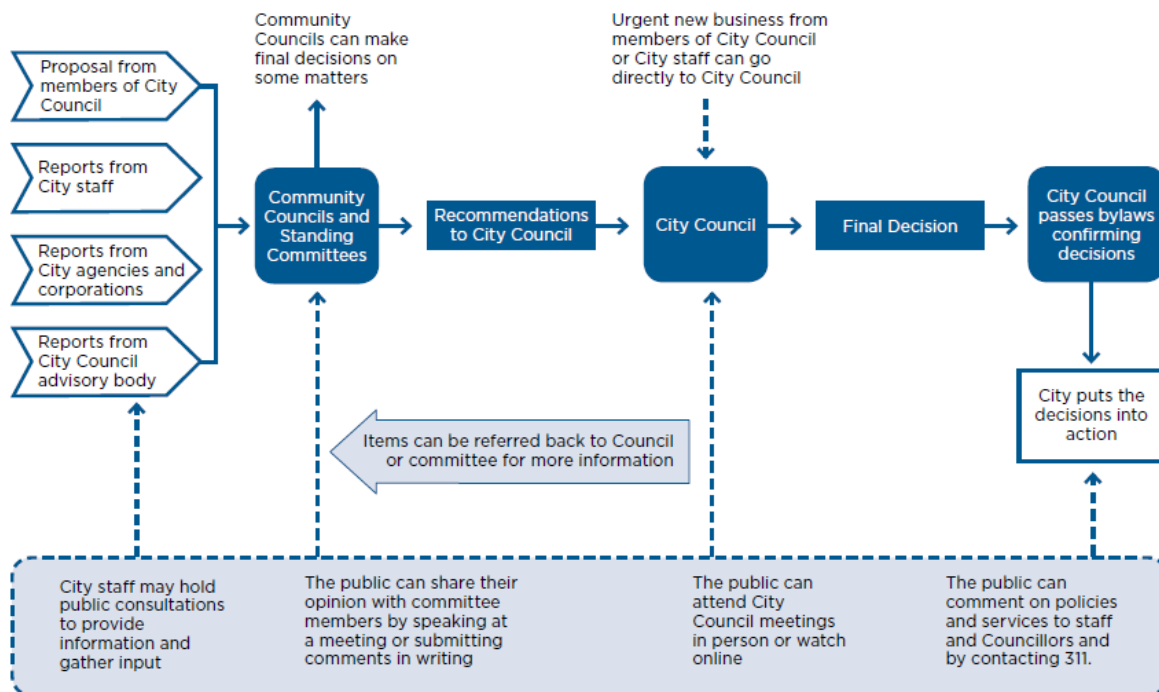


All committees in the City of Ottawa have exclusive mandates in that they all report directly to Council. Consequently, no other standing policy committee is able to review, or request changes of reports completed by other committees prior to being submitted to Council.

Toronto

Chapter 27, Council Procedures of the Toronto Municipal Code, provides the mandate for all committees in addition to the procedures for establishing agendas, conducting meetings, and reporting authorities. Specifically, section 27-16.2 A specifies that the duty of all Standing Committees is, “making policy recommendations to Council and recommending priorities within the committee’s budget”.

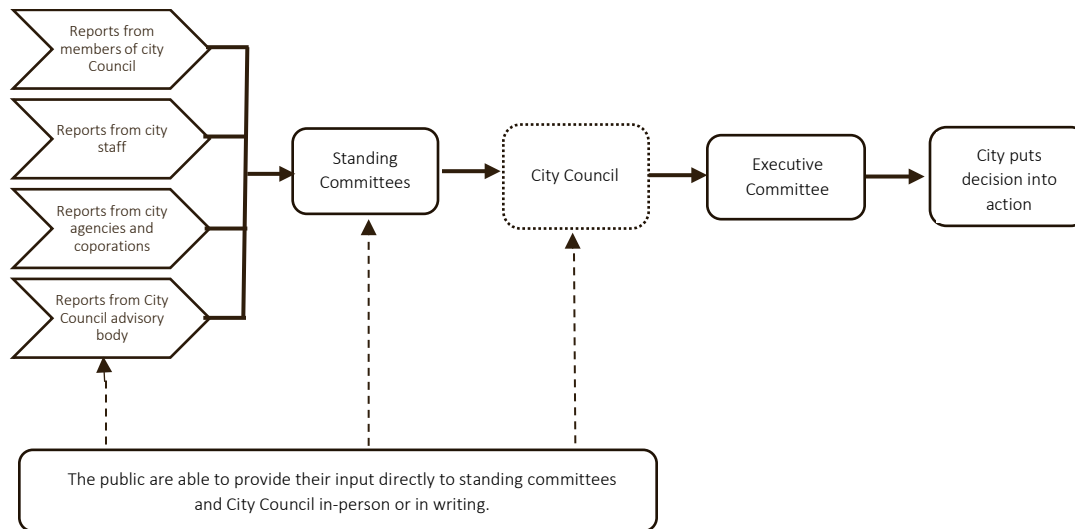
The infographic below outlines the process for the flow of information between committees and Council for the City of Toronto:



All committees in the City of Toronto have exclusive mandates in that they all report directly to Council with the exception of the Community Council and the Budget Committee. With regards to Community Councils, Appendix B-1 of Chapter 27, Council Procedures specifies that “considering and making recommendations to the Planning and Housing Committee on reports of the Chief Planner about planning applications of City-wide interest”. For the Budget Committee, Section 2.2.A of Chapter, 27 Council Procedures specifies that “reviewing other matters that may have a significant impact on a future budget, upon request from the Executive Committee”.

Montreal

The *Montreal Charter* and Standing Committee by-law provides the guidelines for establishing agendas, conducting meetings, and reporting authorities. The infographic below outlines the process for the flow of information between committees and Council for the City of Montreal:



Since it is unique, in Montreal standing committees are able to complete reports that are in accordance with their mandate and either approved or mandated to the committee by City Council by means of a majority vote of the committee/Council. Once completed, the Standing Committee will provide recommendations to the Executive Committee to be reviewed via City Council to keep them informed. Upon receiving recommendations from the Standing Committee, the Executive Committee will provide responses or actions with input from applicable City Departments.

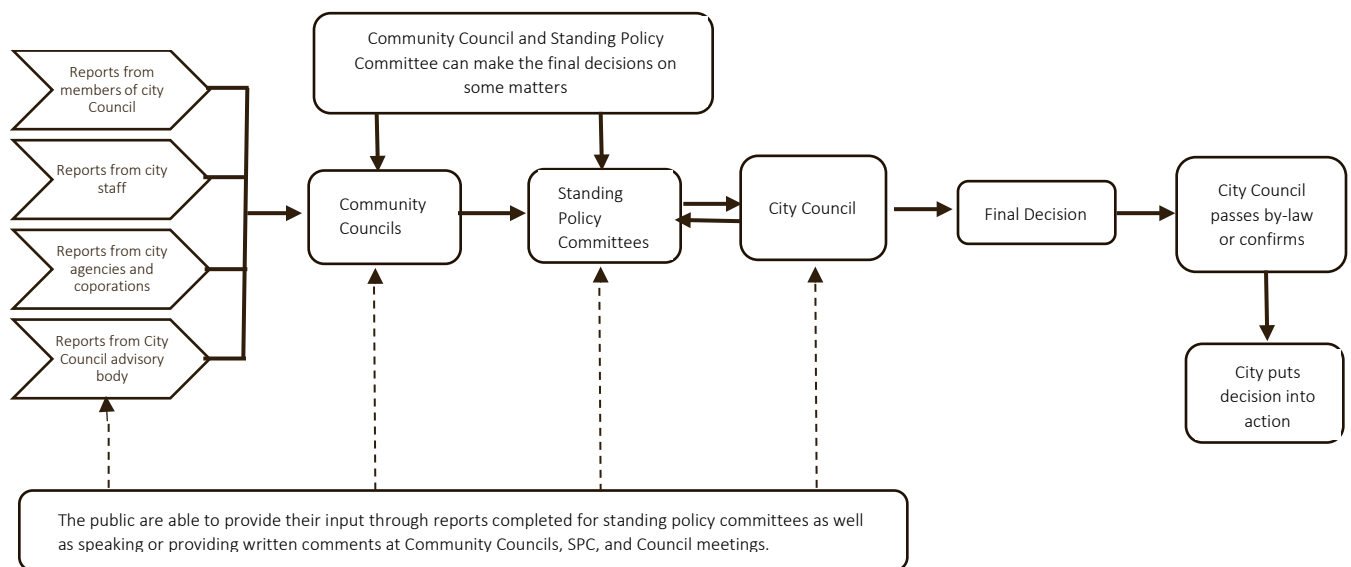
All committees in the City of Montreal have exclusive mandates in that they all submit their recommendations to the Executive Committee for responses/action. Consequently, no other standing policy committee is able to review, or request changes of reports completed by other committees prior to being submitted to Council.

Halifax

The *Halifax Regional Municipality Charter* as well as the Appeal Committee by-law, Executive Committee by-law, and the Procedure of Council Administrative Order, establishes the mandates for all committees in addition to the procedures for establishing agendas, conducting meetings, and reporting authorities. Section 118 of the Procedure of Council Administrative Order states the general duties of Standing Policy Committees include:

- a) to report to the Council, or the appropriate delegated body, from time to time whenever desired by the Council and as often as the interests of the Municipality may require on all matters connected with the duties imposed on it, and to recommend such action by the Council, in relation thereto, as may be deemed necessary;
- b) to consider and report on any and all matters referred to it by the Council;
- c) in the transaction of all business, to adhere to the administrative orders and by-laws of the Council; and
- d) to make its reports available to the Council prior to the same being given to the public

The infographic below outlines the process for the flow of information between committees and Council for the City of Halifax:



All committees in the City of Halifax have exclusive mandates in that they all report directly to Council. Consequently, no other standing policy committee is able to review, or request changes of reports completed by other committees prior to being submitted to Council.

APPENDIX C – OTHER CITIES EXECUTIVE COMMITTEE DUTIES/RESPONSIBILITIES

Municipality	Duties/Responsibilities
Winnipeg	As per <i>The Charter</i> and City Organization By-law the Executive Policy Committee (EPC) is responsible to: • Formulate and present recommendations to Council respecting policies, plans, budgets, by-laws and other matters that affect the city as a whole, including <i>Our Winnipeg</i> • Annual and longer-range planning / priorities for the growth and development of the City and alignment of Department Strategic Plans • Ensure the implementation of policies adopted by Council • Co-ordinate the work of standing committees • Receive the reports of other committees of Council and forward them to Council with its own recommendation • Receive Integrity Commissioner reports (except for those related to complaints) • Receive reports from the CEO, Governance Committee and City Clerk's Department • Supervise the chief administrative officer • Recommend to Council the appointment, suspension or dismissal of statutory officers. • Formulate human resource and materials management policies • Make recommendations on street closing and openings • Act as Intergovernmental Affairs Committee • Report to Council on audit reports received from Audit Committee • Approve legal settlements more than \$100,000 to maximum of \$250,000 • Make grants, except for cultural and artistic • Act as Audit Committee and oversee the internal and external audit processes • Receive reports and present recommendations to Council on street, lane and walkway closings and openings. EPC also has jurisdiction on matters of: • Capital region • Financial Management • Property Assessment

Municipality	Duties/Responsibilities
	• Taxes • Corporate communications • Property assessment, taxes • All fees, charges, rates, utility rate structures • Labour contract negotiations • Legal services and matters under litigation
Calgary	• Oversees the City's property assessment and taxation processes; • Oversees financial planning and reporting; • Coordinates projects initiated by elected officials that require significant administrative resources; • Directs notices of motion by elected official to Council or Council Committees for consideration' • Coordinates cross-Departmental strategies, initiatives and projects; • Oversees Council's community sustainability strategy; • Receives communications from the Mayor and City Clerk that cannot be resolved through the administrative process; • Coordinates the recruitment and appointment process for the City Manager for recommendation to Council, quarterly performance evaluations and ongoing monitoring of the City Manager • Recommending the establishment, governance and disbandment of City Boards, Commissions and Committees and filling of interim vacancies • Maintaining a process for regular review, reporting and amendments to Council's legislative governance practices; • Overseeing Council's accessibility, transparency and accountability to the public
Edmonton	• Reviews and makes recommendations about corporate structure, corporate finance, corporate personnel issues, intergovernmental issues, corporate policy • Approves collective bargaining agreements • Settlement of actions/claims against the city • Performance review of City Manager • Audit matters • Prepares the annual budget and monitors its implementation • Acts as a policy coordinator between the City Manager and Council's standing committee • Sets Council agenda • Coordinates flow of information and business between Council, committees and administration

Municipality	Duties/Responsibilities
	• Direct responsibility for City Manager's Office, Corporate Service Department, and parts of the Planning and Development Department.
Toronto	The Executive Committee makes recommendations on Council's: • Strategic policy and priorities • Governance policy and structure • Financial planning and budgeting • Fiscal policy including revenue and tax policies • Intergovernmental and international relations • Council and its operations, and human resources and labour relations.
Ottawa (Finance and Economic Development Committee)	Provides guidance / direction on: • financial and administrative practices • identifying corporate goals • economic development issues. Responsible for high-level fiscal and management policy issues including: • development of the fiscal framework and corporate financial planning • overseeing the Operating and Capital Budgets and establishing a budget reporting framework • reviewing efficiency and investment reports • providing guidance on corporate performance measurement policies • ensuring the financial sustainability of the Corporation • overseeing the City's audit functions Also responsible for: • communications, public engagement • client service delivery channels • accessibility • human resources • labour relations • bilingualism policies and French Language Services • purchasing • information technology • legal services • the Clerk's Office • real estate matters.
Montreal	The executive committee shall prepare and submit to the Council the following documents: • The city's annual budget; • Any request for the allocation of the proceeds of loans and for any other moneys required;

Municipality	Duties/Responsibilities
	- Any request in relation to the adoption, amendment or replacement of a planning program; - Draft by-laws; - Any request for the transfer of funds or moneys already voted; - Any report on taxes, permits or licences to be imposed; - Any report recommending the granting of franchises or privileges; - Any report concerning exchanges or emphyteusis in respect of an immovable belonging to the city, and the leasing of the city's movable or immovable property where the term of the lease exceeds one year; - Any report on any other subject submitted to it by the Council that falls within the Council's jurisdiction; - In addition, the executive committee acts for the city in all cases in which a provision of the internal management by-laws assigns the power to perform the act to the executive committee. The executive committee may grant any contract involving an expenditure that does not exceed \$100,000. The executive committee shall give the Council its opinion on any matter, where required to do so under a provision of the by-laws, at the request of the Council or on its own initiative.
Halifax	The purpose of the Executive Standing Committee is to fulfil the self-governance functions of the Council including: - Emergency Management, - Acting as nominating committee for Boards and committees, - CAO liaison and Review, and - Overseeing the Municipality's Volunteer Awards, By-law Rationalization, Corporate Performance Objectives, and the Council's priority areas

APPENDIX D – OTHER CITIES CLOSED MEETING (IN CAMERA) LEGISLATION

Municipality	Closed Meeting Legislation
Winnipeg	<i>City of Winnipeg Charter</i> Council may by by-law specify categories of matters that may be considered in camera where, in the opinion of not less than 2/3 of the total number of members of Council or the committee or subcommittee of Council where the matter comes within a category named in the by-law and the matter should be considered in camera. The reasons for considering the matter in camera must be recorded in the minutes of the meeting In Camera By-Law 21/2011 The committees that may consider matters in camera are: • Executive Policy Committee • Standing Committees • Audit Committee • Alternative Service Delivery Committee • Emergency Control Committee • Historical Building and Resources Committee The categories of matters that the <u>committees</u> may consider in camera are: (a) reports or information concerning personnel-related matters; (b) reports or information which, if disclosed, could prejudice contractual or other negotiations carried on by or on behalf of the City of Winnipeg, including collective bargaining; (c) reports or information which, if disclosed, could be prejudicial or injurious to existing or anticipated claims or legal proceedings; (d) reports or information which, if disclosed, would violate solicitor-client privilege; (e) reports or information containing personal information which, if disclosed, would be deemed to be an unreasonable invasion of an individual's privacy under section 17 of <i>The Freedom of Information and Protection of Privacy Act</i>; (f) reports or information containing information about a business, disclosure of which would be prohibited under section 18 of <i>The Freedom of Information and Protection of Privacy Act</i>; (g) reports or information containing information provided explicitly or implicitly in confidence by another government or governmental body, disclosure of which is prohibited under section 20 of <i>The Freedom of Information and Protection of Privacy Act</i>; (h) information concerning actual or pending emergencies <u>Council</u> may consider the following matters in camera: (a) The internal performance reviews of the City Auditor

Municipality	Closed Meeting Legislation
Vancouver	<i>City of Vancouver Charter</i> – 165.2 (1) A part of a Council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following: (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the city or another position appointed by the city; (b) personal information about an identifiable individual who is being considered for an award or honour, or who has offered to provide a gift to the city on condition of anonymity; (c) labour relations or other employee relations; (d) the security of the property of the city; (e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the city; (f) law enforcement, if the Council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment; (g) litigation or potential litigation affecting the city; (h) an administrative tribunal hearing or potential administrative tribunal hearing affecting the city, other than a hearing to be conducted by the Council or a delegate of Council; (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 [disclosure harmful to business interests of a third party] of the <i>Freedom of Information and Protection of Privacy Act</i>; (k) negotiations and related discussions respecting the proposed provision of an activity, work or facility that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the city if they were held in public; (l) a matter that, under another enactment, is such that the public may be excluded from the meeting; (m) the consideration of whether a Council meeting should be closed under a provision of this subsection or subsection (2); (n) the consideration of whether the authority under section 165.21 [other persons attending closed meetings] should be exercised in relation to a Council meeting. (2) A part of a Council meeting must be closed to the public if the subject matter being considered relates to one or more of the following: (a) a request under <i>the Freedom of Information and Protection of Privacy Act</i>, if the Council is designated as head of the local public body for the purposes of that Act in relation to the matter; (b) the consideration of information received and held in confidence relating to negotiations between the city and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party; (c) a matter that is being investigated under <i>the Ombudsperson Act</i>, of which the city has been notified under section 14 [ombudsperson to notify authority] of that Act; (d) a matter that, under another enactment, is such that the public must be excluded from the meeting;

Municipality	Closed Meeting Legislation
	(e) a review of a proposed final performance audit report for the purpose of providing comments to the auditor general on the proposed report under section 23 (2) of the <i>Auditor General for Local Government Act</i>. (3) If the only subject matter being considered at a Council meeting is one or more matters referred to in subsection (1) or (2), the applicable subsection applies to the entire meeting.
Edmonton	<i>Municipal Government Act</i> – 197(1) Councils and Council committees must conduct their meetings in public unless subsection (2), (2.01) or (2.1) applies. (2) Councils and Council committees may close all or part of their meetings to the public if a matter to be discussed is within one of the exceptions to disclosure in Division 2 of Part 1 of the <i>Freedom of Information and Protection of Privacy Act</i>. (2.01) Councils and Council committees may close all or part of their meetings to the public if a matter to be discussed is of a class prescribed or otherwise described in the regulations under subsection (7). (2.1) A municipal planning commission, subdivision authority, development authority or subdivision and development appeal board established under Part 17 may deliberate and make its decisions in meetings closed to the public. (3) When a meeting is closed to the public, no resolution or bylaw may be passed at the meeting, except a resolution to revert to a meeting of a Council or Council committee held in public. (4) Before closing all or any part of a meeting to the public, a Council or Council committee must by resolution approve (a) the part of the meeting that is to be closed, and (b) the basis on which, under an exception to disclosure in Division 2 of Part 1 of the <i>Freedom of Information and Protection of Privacy Act</i> or under the regulations under subsection (7), the part of the meeting is to be closed. (5) After the closed meeting discussions are completed, any members of the public who are present outside the meeting room must be notified that the rest of the meeting is now open to the public, and a reasonable amount of time must be given for those members of the public to return to the meeting before it continues. (6) Where a Council or Council committee closes all or part of a meeting to the public, the Council or Council committee may allow one or more other persons to attend, as it considers appropriate, and the minutes of the meeting must record the names of those persons and the reasons for allowing them to attend. (7) The Minister may make regulations prescribing or otherwise describing classes of matters for the purposes of subsection (2.01).
Calgary	Same legislation as Edmonton above.
Regina	<i>Cities Act</i> – 94(1) Subject to subsections (2), (3) and (4), Councils and Council committees are required to conduct their meetings in public. (2) Councils and Council committees may close all or part of their meetings to the public if the matter to be discussed is within one of the exemptions in Part III of

Municipality	Closed Meeting Legislation
	<i>The Local Authority Freedom of Information and Protection of Privacy Act.</i> (3) Any committee or other body that is established by Council solely for the purpose of hearing appeals may deliberate and make its decisions in meetings closed to the public. (4) Every Council may meet in meetings closed to the public for the purpose of long range or strategic planning, but no business may be transacted at that meeting. (5) When a meeting is closed to the public, no bylaws may be passed at the meeting.
London, Hamilton, Ottawa	<i>The Municipal Act- 239 (1)</i> Except as provided in this section, all meetings shall be open to the public. 2001, c. 25, s. 239 (1). Exceptions (2) A meeting or part of a meeting may be closed to the public if the subject matter being considered is, (a) the security of the property of the municipality or local board; (b) personal matters about an identifiable individual, including municipal or local board employees; (c) a proposed or pending acquisition or disposition of land by the municipality or local board; (d) labour relations or employee negotiations; (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose; (g) a matter in respect of which a Council, board, committee or other body may hold a closed meeting under another Act; (h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them; (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization; (j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board. 2001, c. 25, s. 239 (2); 2017, c. 10, Sched. 1, s. 26. Other criteria (3) A meeting or part of a meeting shall be closed to the public if the subject matter being considered is, (a) a request under the <i>Municipal Freedom of Information and Protection of Privacy Act</i>, if the Council, board, commission or other body is the head of an institution for the purposes of that Act; or

Municipality	Closed Meeting Legislation
	(b) an ongoing investigation respecting the municipality, a local board or a municipally controlled corporation by the Ombudsman appointed under the <i>Ombudsman Act</i>, an Ombudsman referred to in subsection 223.13 (1) of this Act, or the investigator referred to in subsection 239.2 (1). 2014, c. 13, Sched. 9, s. 22. Educational or training sessions (3.1) A meeting of a Council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied: 1. The meeting is held for the purpose of educating or training the members. 2. At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council, local board or committee. 2006, c. 32, Sched. A, s. 103 (1). Resolution (4) Before holding a meeting or part of a meeting that is to be closed to the public, a municipality or local board or committee of either of them shall state by resolution, (a) the fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting; or (b) in the case of a meeting under subsection (3.1), the fact of the holding of the closed meeting, the general nature of its subject-matter and that it is to be closed under that subsection. 2001, c. 25, s. 239 (4); 2006, c. 32, Sched. A, s. 103 (2).
Toronto	<i>City of Toronto Act</i> [s. 190] – a meeting can only be closed if the subject of debate falls under one of several exceptions to the open meeting rules. The City must close a meeting to consider an access to information request. The City may close a meeting to consider any of the following: • Receiving of advice that is subject to solicitor-client privilege • Security of the property of the municipality (or local board) • Acquisition or disposal of land • Considering personal information about an identifiable individual • Labour relations or employee negotiations • Litigation or pending litigation, including matters before administrative tribunals • Education or training of the members, so long as no decision-making is advanced • Any other matter permitted or required by statute No votes can be taken in closed session, except for votes on procedure and votes to give confidential instructions to staff, local boards or agents. Under the City's procedures, even if a closed session is required to consider a matter, the meeting must begin and end in public. Before closing a meeting, the committee or Council will adopt a motion to close the meeting setting out the nature of the subject to be discussed and the statutory reason for closing the session.
Montreal	Response not received
Halifax	19 (1) Except as otherwise provided in this Section, Council meetings and meetings of committees appointed by the Council are open to the public.

Municipality	Closed Meeting Legislation
	(2) The Council or any committee appointed by the Council may meet in closed session to discuss matters relating to (a) acquisition, sale, lease and security of municipal property; (b) setting a minimum price to be accepted by the Municipality at a tax sale; (c) personnel matters; (d) labour relations; (e) contract negotiations; (f) litigation or potential litigation; (g) legal advice eligible for solicitor-client privilege; (h) public security; (i) any subject, the discussion of which could, in the opinion of the Council or the committee, as the case may be, violate the confidentiality of information obtained from (i) the Government of Canada or the Government of the Province, (ii) an agency of the Government of Canada or the Government of the Province, or (iii) a public body. (3) No decision may be made at a private Council meeting except a decision concerning procedural matters or to give direction to staff of, or solicitors for, the Municipality. (4) A record that is open to the public shall be made, noting the fact that the Council met in private, the type of matter that was discussed, as set out in subsection (2) and the date, but no other information. (5) Subsections (3) and (4) apply to committee meetings or parts of them that are not public. (6) Any Councillor or employee of the Municipality who discloses any report submitted to, or details of matters discussed at, a private meeting of the Council or a committee, as a result of which the Municipality has lost financially or the Councillor or employee of the Municipality has gained financially, is liable in damages to the Municipality for the amount of the loss or gain. (7) Subsection (6) does not apply to information disclosed pursuant to subsection (4) or subsection 473(2) of <i>the Municipal Government Act</i>. 2008, c. 39, s. 19; 2014, c. 16, s. 2.

APPENDIX E – OTHER CITIES COUNCIL INVOLVEMENT IN APPEALS

Winnipeg

The Charter s83(2) establishes that Council may by by-law establish one or more hearing bodies for appeals. A hearing body must be composed of at least three persons appointed by Council and may consist

- entirely of members of Council
- of a combination of members of Council and other persons; or
- entirely of persons who are not members of Council.

A hearing body may sit in panels of at least three members of the hearing body.

As per *The Charter* and City Organization By-law, the following bodies that hear appeals are composed entirely of members of Council:

1. Appeal Committee: Each of the Standing Committees acts as the Appeal Committee on a rotational basis. The Appeal Committee hears appeals of conditional use or variance orders made by the Director of PP&D, Community Committees or the Board of Adjustment.
2. Standing Policy Committee on Finance: hears appeal matters respecting business tax.
3. Standing Policy Committee on Protection, Community Services and Parks: hears appeals for orders, notices or decisions made under the Fire Prevention By-law, the Alarm By-law, the Neighbourhood Liveability By-law, and the Doing Business in Winnipeg By-law.
4. Standing Policy Committee on Property and Development, Heritage and Downtown Development: hears appeals from decisions of the Building Commission and from owners regarding City employee decisions on zoning by-laws and town planning schemes, including the Downtown Winnipeg Zoning By-law.
5. Standing Policy Committee on Water and Waste, Riverbank Management and the Environment: hears appeals from orders or decisions made by a City employee on waterways permits.
6. Executive Policy Committee: hears appeals of planning applications that have been refused by City employee prior to public hearing based on non-conformance with *OurWinnipeg* Plan By-law or Complete Communities Direction Strategy By-law.
7. Board of Appeal: Hears Local Improvement Assessment appeals.

City Council is indirectly involved in the following appeals by way of selecting the members of the hearing body:

1. Board of Adjustment (BOA): is comprised of five citizens appointed by Council responsible for hearing applications and issuing orders for conditional uses and variances.
2. Board of Revision: a quasi-Judicial body composed of five citizens that has the responsibility to hear assessment appeals with respect to the assessed value, classification, liability or the refusal of the assessor to amend the assessment roll.
3. Vehicle for Hire Appeal Board: is comprised of five individuals appointed by Council that hears appeals with respect to orders and decisions regulated by the Vehicles for Hire By-law No. 129/2017.

Vancouver

With no formal appeals committee, City Council in Vancouver is only directly involved in business licenses and chauffer's permit appeals specified in part 12 of the Procedures By-law and part 6 section 277 of *The Vancouver Charter*. City Council is indirectly involved in development application appeals as they select the members to the Board of Variance and Parking Variance Board and the Development Permit Board.

1. Board of Variance: Is a quasi-judicial board established under *The Vancouver Charter* and the Board of Variance by-law that hears appeals for development applications.
2. Parking Variance Board: Is a quasi-judicial board established under *The Vancouver Charter* and the Parking Variance Board by-law.
3. Building Board of Appeal: Is a quasi-judicial board established under *The Vancouver Charter* and the Building Board of Appeal by-law that hears appeals of any decision of the City Building Inspector in respect of interpretation of the Vancouver Building by-law.

Calgary

The City of Calgary does not have an appeals committee, nor are there any bylaws or provincial legislation that appoints City Council as the adjudicator for an appeal process. Alternatively, all appeals are heard by the following three tribunals:

1. The Calgary Assessment Review Board (ARB): Is a quasi-judicial board established in accordance with the *Municipal Government Act* and the Assessment Review Board by-law. It is an impartial tribunal that hears formal complaints against the assessment of properties, businesses, local improvements, and brownfield property exemptions and deferrals, as determined by The City of Calgary. Community Standards and Licence Appeal Committee: Hears business license and contraventions of municipal bylaws about unsafe and unsightly properties.
2. The Licence and Community Standards Appeal Board (LCSAB): Is a quasi-judicial board established under the *Municipal Government Act* and the License and Community Standards Appeal Board by-law that hears appeals on a variety of decisions made by The City of Calgary's administration, including decisions on licences issued under the Livery Transport Bylaw, remedial orders issued under the Community Standards Bylaw, business licences, alarm permits and others.
3. Subdivision and Development Appeal Board (SDAB): Is a quasi-judicial board established in accordance with the *Municipal Government Act* and the Subdivision and Development Appeal Board by-law that hears appeals regarding decisions made by The City of Calgary subdivision and development authorities and renders decisions based on the evidence presented.

Edmonton

In Edmonton, Councillors are no longer responsible for hearing appeals after a recent bylaw change in 2019 to the composition of the Community Standards and License Appeal Committee. Now, all appeals are heard by the following three tribunals as well as the Community Standards and License Appeal Committee:

1. Assessment Review Board: Is a quasi-judicial board established in accordance with the *Municipal Government Act* and the Assessment Review Board by-law that hears complaints about property and business-revitalization assessments and local-improvement taxes.
2. Community Standards and Licence Appeal Committee: Is a quasi-judicial board establish in accordance with the *Municipal Government Act* and the Community Standards and Licence Appeal Committee by-law that hears business license and contraventions of municipal bylaws about unsafe and unsightly properties.
3. Subdivision and Development Appeal Board: Is a quasi-judicial board established in accordance with the *Municipal Government Act* and the Subdivision and Development Appeal Board by-law that hears from people who have been affected by a decision of the Development Authority and the Subdivision Authority

4. Community Standards and Licence Appeal Committee: Is a quasi-judicial board established in accordance with the *Municipal Government Act* and the Community Standards and Licence Appeal by-law that is mandated to adjudicate appeals regarding:
- The refusal, revocation, suspension or imposition of conditions pursuant to Business Licence Bylaw 13138 and Vehicle for Hire Bylaw 14700
 - Orders issued pursuant to Sections 545 and 546 of the *Municipal Government Act*
 - Notices issued under the provincial *Weed Control Act*
 - Conditions imposed on a Nuisance Dog Licence pursuant to the Animal Licensing and Control Bylaw 13145

The tribunals and committee are all quasi-judicial bodies that adjudicate on concerns and complaints brought forward to them by concerned citizens.

Regina

The Development Appeals Board and the Regina Appeal Board are the only two bodies that are composed of Councillors that adjudicate appeals. First, the Regina Appeal Board Bylaw is designated as a local appeal board pursuant to section 329 of *The Cities Act*. The Board is established to hear appeals related to property nuisances, property standards, the revocation or suspension of business licenses and other orders made pursuant to sections 328 of *The Cities Act*. Second, The Development Appeals Board hears appeals of decisions made regarding sections 222 to 226 and section 58(1) of *The Planning and Development Act*, 2007.

London, Hamilton, Ottawa

London, Hamilton, and Ottawa do not have an appeal standing committee or standing committee with a duty to review appeals for decisions made by city staff or Councillors/Committee. The City Clerks office in each jurisdiction reported that there are no appeals that are adjudicated by Councillors or Committees. Alternatively, these three jurisdictions have delegated the authority to appeal to the Local Planning and Appeal Tribunal that is an adjudicative tribunal for hearing appeal cases in reference to:

- *The Planning Act* governs land use planning and development in the province of Ontario. LPAT may hear appeals based on the decisions of local authorities. *The Act* sets out who is eligible to make an appeal to LPAT, and the procedures that must be followed to do so.
- *The Municipal Act* sets out the broad areas of authority in which municipalities can act in order to respond to taxpayers' needs. *The Act* also details what municipalities can do and how they must do it.
- *The Aggregate Resources Act* provides for the standards and policies that aggregate and petroleum industries must comply with. *The Act* aims to ensure long-term management of resources and reduces negative impacts on the public.
- *The Development Charges Act, 1997* grants municipalities the right to impose charges on developers to pay for new services and infrastructure needed for growth. *The Act* also provides for Education Development Charges.
- *The Expropriations Act* provides for a means for those expropriated to receive fair compensation when their lands are expropriated or affected by nearby expropriation. It also sets out the authority and process that must be followed in order to expropriate.
- *The Consolidated Hearings Act* provides a streamlined hearing process for municipal, private and provincial projects or proposed activities that might otherwise require hearings by more than one tribunal.

- *The Environmental Assessment Act* is an example of legislation that LPAT deals with under the Consolidated Hearings Act (by way of a Joint Board with Members of the Environmental Review Tribunal).
- *The Statutory Powers Procedure Act* defines rules and procedures for various tribunal proceedings such as hearings and motions.
- *The Ontario Heritage Act* gives municipalities and the provincial government powers to preserve the heritage of Ontario. The primary focus of *The Act* is the protection of heritage buildings and archaeological sites. The legislation also mandates the Ontario Heritage Trust – a Crown agency – and the Conservation Review Board – a tribunal that hears objections to municipal and provincial decisions under the act.

LPAT is part of the Environment and Land Division (ELD) of Tribunals Ontario. Tribunals Ontario was established on January 1, 2019, bringing together three justice clusters that report to the Ministry of the Attorney General.

Toronto

The City of Toronto does not have an Appeal Committee composed of City Councillors. However, the General Government and Licensing Committee as well as Community Councils do have the authority to hear appeals according to the *Municipal Act* and chapter 27 of the Toronto Municipal Code. Specifically, the General Government and Licensing Committee has been delegated the authority to hold a hearing by Chapter 760 (Municipal Land Transfer Tax), 765 (Personal Vehicle Tax), 771 (Third Party Sign Tax), and 758 (Municipal Accommodation Tax) in part 8 of the Toronto Municipal Code..

Section C and F(1) of Article 18 of the Toronto Municipal Code authorizes Community Councils to adjudicate appeals with regards to:

- Buskers and street entertainers and artists permit appeals.
- Residential front-yard parking permit appeals, including appeals related to boulevard parking permits, front yard parking permits, and driveway widening permits, except where regulated only by zoning by-law.
- Street vending permit appeals.
- Fire route designation on public routes

Appeals can be made to the Local Planning Appeal Tribunal of Ontario as outlined in the section on London, Hamilton, and Ottawa above.

Halifax

The Appeals Committee is established in the Halifax Regional Municipality By-law Number A-102. Jurisdiction includes:

- 1) Hearing appeals that are directed to the Appeals Committee by *The Charter*, a by-law or Council policy.
- 2) Exercise the authority and discretion conferred or delegated to the Appeals Committee by *The Charter*, a by-law, or Council policy.
- 3) Delegated authority pursuant to demolition orders as brought forward by staff under “dangerous and unsightly premises” under *Halifax Regional Municipality Charter*.

Appeals of decisions made under the following bylaws fall under the jurisdiction of the Appeals Committee:

- By-law A-100 Respecting the Appeals Standing Committee
- By-law A-200 Respecting Automatic Machines [Section 10]
- By-law A-600 Respecting Advertisement on Provincial Highways [Section 10]

- By-law A-700 Respecting Animals and Responsible Pet Ownership [Section 9]
- By-law B-600 Respecting Blasting [Section 24]
- By-law C-501 Respecting Commerce and Vending on Municipal Lands [Section 7]
- By-law D-300 Respecting Derelict Buildings [Section 5]
- By-law E-200 Respecting Encroachments Upon, Under or Over a Street [Section 8]
- By-law L-200 Respecting Licensing Of Construction and Demolition Materials Recycling and Disposal Operations [Section 7]
- By-law L-400 Respecting Lot Grading [Section 15]
- By-law M-200 Respecting Standards for Residential Occupancies [Section 31]
- By-law P-600 Respecting Municipal Parks [Section 16A]
- By-law S-300 Respecting Streets [Section 42]
- B-law S-801 Respecting Temporary Signs [Section 37]
- By-law S-900 Respecting the Establishment of Controlled Access Streets for Streets within the Halifax Regional Municipality [Section 12]
- By-law S-1000 Respecting the Regulation of Sidewalk Cafés [Section 44]
- By-law T-600 Respecting Trees on Public Lands [Section 4]
- By-law T-1000 Respecting the Regulation of Taxis, Accessible Taxis and Limousines [Section 48]

Under section 15 of the Downtown Halifax Land Use by-law, Halifax Regional Council will hear appeals for development applications that are decided upon by the Design Review Committee. The Design Review Committee is a 12-member committee composed of members of the public, planning and develop experts, and city staff that is appointed by the Halifax Regional Council.

APPENDIX F – SAMPLE BUDGETS FROM OTHER CITIES

Hamilton Department-Based Budget

CITY OF HAMILTON 2019 APPROVED NET TAX OPERATING BUDGET

	2018		2019 Approved Budget	2019 Approved vs. 2018 Restated	
	Restated Budget	Year-End Actual		\$	%
PLANNING & ECONOMIC DEVELOPMENT					
General Manager	1,074,800	1,046,610	965,570	(109,230)	(10.2)%
Transportation, Planning and Parking	1,992,060	896,210	2,181,440	189,380	9.5%
Building	1,334,080	1,368,990	1,307,960	(26,120)	(2.0)%
Economic Development	5,478,590	5,240,520	5,424,280	(54,310)	(1.0)%
Growth Management	176,940	(133,110)	467,860	290,920	164.4%
Licensing & By-Law Services	6,696,140	6,515,860	6,680,930	(15,210)	(0.2)%
Planning	3,747,150	3,617,840	3,392,010	(355,140)	(9.5)%
Tourism & Culture	8,886,320	9,071,410	9,251,720	365,400	4.1%
TOTAL PLANNING & ECONOMIC DEVELOPMENT	29,386,080	27,624,330	29,671,770	285,690	1.0%
HEALTHY AND SAFE COMMUNITIES					
HSC Administration	2,568,720	2,755,990	2,760,720	192,000	7.5%
Children's Services and Neighbourhood Dev.	8,441,390	8,727,600	8,675,010	233,620	2.8%
Ontario Works	11,823,090	10,496,800	11,917,630	94,540	0.8%
Housing Services	45,318,550	44,314,810	45,068,420	(250,130)	(0.6)%
Long Term Care	13,338,090	11,775,880	13,472,300	134,210	1.0%
Recreation	32,156,490	32,747,430	33,851,890	1,695,400	5.3%
Hamilton Fire Department	91,105,420	90,442,540	93,137,410	2,031,990	2.2%
Hamilton Paramedic Service	22,361,980	24,258,480	23,794,770	1,432,790	6.4%
Public Health Services	12,488,880	11,447,190	12,455,510	(33,370)	(0.3)%
TOTAL HEALTHY AND SAFE COMMUNITIES	239,602,610	236,966,720	245,133,660	5,531,050	2.3%

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Vancouver Department-Based Annual Budget

City of Vancouver

Operating Budget (continued)

Expenditures & Transfers (\$000)	2019 Restated Budget	2020 Draft Budget	Net Change (\$)	Net Change (%)	Notes
Department					
Engineering					
Public Works					
Street Maintenance	26,561	26,129	(432)	-1.6%	
Parking Operations	18,312	18,758	446	2.4%	
Street Use	14,121	16,432	2,311	16.4%	
Street Cleaning	8,589	11,253	2,665	31.0%	
Street Lighting	6,704	6,845	140	2.1%	
Transportation	4,049	4,599	551	13.6%	
General Public Works	5,594	5,918	324	5.8%	
Shared support services	10,157	10,729	572	5.6%	
Transfers to / (from) reserves & other funds	(11,669)	(15,928)	(4,259)	36.5%	
Subtotal Public Works	82,418	84,736	2,318	2.8%	29
Department Services					
Equipment Service Operations	(4,542)	(3,970)	572	-12.6%	
Equipment Management Group	1,569	1,618	49	3.1%	
Construction Supplies & Services	(1,424)	(1,394)	29	-2.1%	
Operations Safety & Support	1,630	1,953	323	19.8%	
Shared support services	80	177	96	119.7%	
Transfers to / (from) reserves & other funds	20,077	22,978	2,901	14.5%	
Subtotal Department Services	17,391	21,363	3,972	22.8%	30
Total Engineering	99,808	106,098	6,290	6.3%	
Police Services					
Patrol	154,321	162,944	8,622	5.6%	
Investigations	88,389	93,735	5,346	6.0%	
Operational Services	41,777	43,057	1,279	3.1%	
Administration	15,078	16,032	954	6.3%	
E-Comm allocation	16,888	17,305	418	2.5%	
Shared support services	7,200	7,087	(113)	-1.6%	
Transfers to / (from) reserves & other funds	(112)	282	394	-351.6%	
Total Police Services	323,542	340,442	16,900	5.2%	31
Fire & Rescue Services & Vancouver Emergency Management Agency					
Fire & Rescue Services					
Fire Suppression & Medical	112,439	118,683	6,244	5.6%	
Prevention	3,952	4,191	238	6.0%	
Training & Administration	5,402	5,936	534	9.9%	
E-Comm allocation	4,601	4,720	119	2.6%	
Shared support services	2,375	2,581	206	8.7%	
Transfers to / (from) reserves & other funds	6,147	5,973	(174)	-2.8%	
Subtotal Fire & Rescue Services	134,915	142,083	7,168	5.3%	
Vancouver Emergency Management Agency					
Emergency Management	1,590	1,640	51	3.2%	
Subtotal Vancouver Emergency Management Agency	1,590	1,640	51	3.2%	
Total Fire & Rescue Services & Vancouver Emergency Management Agency	136,505	143,724	7,218	5.3%	32

Note: Totals may not add due to rounding

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London Service-Based Multi-year Budget

SERVICE	2016-2019 Approved Net Budget ¹	2016 Approved Net Budget ¹	2017 Approved Net Budget ¹	2018 Approved Net Budget ¹	2019		2016-2019 Revised Net Budget	2019 Net Budget Inc/(Dec)
					Approved Net Budget ¹	Revised Net Budget ¹		
ENVIRONMENTAL SERVICES								
Kettle Creek Conservation Authority ²	1,995	436	467	516	576	551	1,970	(25)
Lower Thames Valley Conservation Authority	644	153	158	164	169	169	644	-
Upper Thames River Conservation Authority	13,354	2,926	3,240	3,467	3,720	3,720	13,354	-
Environmental Action Programs & Reporting	3,097	765	776	778	778	778	3,097	-
Garbage Recycling & Composting ³	68,943	16,412	16,942	17,581	18,008	17,608	68,543	(400)
TOTAL ENVIRONMENTAL SERVICES	88,034	20,693	21,584	22,505	23,251	22,826	87,608	(425)
PARKS, RECREATION & NEIGHBOURHOOD SERVICES								
Neighbourhood & Recreation Services ^{2&4}	83,682	19,445	20,277	21,652	22,309	21,952	83,326	(356)
Parks & Urban Forestry	53,033	12,535	13,096	13,618	13,785	13,785	53,033	-
TOTAL PARKS, RECREATION & NEIGHBOURHOOD SERVICES	136,715	31,979	33,372	35,270	36,093	35,737	136,358	(356)
PLANNING & DEVELOPMENT SERVICES								
Building Approvals	(2,834)	(725)	(910)	(605)	(594)	(594)	(2,834)	-
Planning Services	14,560	3,421	3,517	3,622	4,000	4,000	14,560	-
Development Services ³	17,809	4,189	4,267	4,706	4,647	4,535	17,697	(112)
TOTAL PLANNING & DEVELOPMENT SERVICES	29,536	6,886	6,874	7,723	8,053	7,941	29,424	(112)

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Edmonton Department-Based Multi-Year Budget

(\$000)	2017 Actual	2018 Adjusted Budget	2019 Budget	2020 Budget	2021 Budget	2022 Budget
Revenue & Transfers						
Boards & Commissions						
Economic Development Corporation	25,080	29,528	42,181	44,382	45,038	46,857
Police Service	94,971	93,805	95,445	93,805	93,805	93,805
Public Library	7,771	10,236	8,251	8,948	9,128	9,474
Other Boards & Commissions	3,674	3,426	3,554	3,316	3,316	3,316
Total Boards & Commissions	\$131,496	\$136,995	\$149,431	\$150,451	\$151,287	\$153,452
Civic Departments						
Citizen Services	111,257	108,779	111,251	114,471	116,441	117,011
City Operations	193,512	207,361	209,812	216,045	241,635	246,340
Communications & Engagement	287	1,332	1,649	1,554	1,253	1,267
Employee Services	330	-	-	-	-	-
Financial & Corporate Services	19,891	16,453	13,455	14,668	14,255	12,027
Integrated Infrastructure Services	2,130	521	918	918	1,418	1,418
Office of the City Manager	2,538	732	732	732	2,375	732
Urban Form & Corporate Strategic Development	93,459	106,328	122,075	124,051	131,164	143,024
Corporate Revenues	611,406	650,846	722,461	726,009	709,675	708,616
Total Taxation Revenue	1,497,658	1,578,834	1,648,934	1,721,950	1,801,980	1,885,191
One-time Items	-	76,914	-	-	-	-
Total Revenue & Transfers	\$2,663,964	\$2,885,095	\$2,980,718	\$3,070,849	\$3,171,483	\$3,269,078
Net Expenditure & Transfers						
Boards & Commissions						
Economic Development Corporation	46,084	49,571	62,224	63,925	64,581	66,400
Police Service	417,117	430,822	451,725	466,311	482,615	500,061
Public Library	60,735	64,893	63,060	63,757	63,937	64,283
Other Boards & Commissions	37,196	37,988	40,558	42,675	44,602	46,640
Total Boards & Commissions	\$561,132	\$583,274	\$617,567	\$636,668	\$655,735	\$677,384
Civic Departments						
Citizen Services	446,829	463,981	480,003	488,637	492,085	492,563
City Operations	652,782	697,937	716,730	725,079	750,531	753,494
Communications & Engagement	31,049	32,511	34,048	33,865	33,473	33,662
Employee Services	15,922	22,259	23,970	24,238	24,310	24,428
Financial & Corporate Services	159,026	160,085	158,039	158,438	155,550	152,974
Integrated Infrastructure Services	27,149	23,135	23,187	25,059	22,692	22,525
Mayor & Councillor Offices	5,640	6,812	6,892	6,980	7,054	7,118
Office of the City Auditor	2,402	2,605	2,644	2,679	2,706	2,731
Office of the City Manager	14,832	14,551	14,981	14,982	17,218	14,985
Urban Form & Corporate Strategic Development	133,453	155,254	178,243	184,541	192,750	207,190
Corporate Expenditures	448,102	486,321	568,468	606,977	649,293	706,638
Neighbourhood Renewal	134,442	156,332	155,946	162,706	168,086	173,386
One-time Items	-	80,038	-	-	-	-
2017 Surplus	31,204	-	-	-	-	-
Total Net Expenditure & Transfers	\$2,663,964	\$2,885,095	\$2,980,718	\$3,070,849	\$3,171,483	\$3,269,078

APPENDIX G – PLANNING AND DEVELOPMENT PROCESSES IN OTHER CITIES

Winnipeg

The Development Procedures By-law No. 160/2011 provides procedures for development applications and related matters. The by-law describes 16 types of development application types and the four phases each proceeds through:

1. Draft Applications: A process that provides a prospective applicant with an opportunity to obtain written input from appropriate City departments as well as the ward Councillor in advance of making a formal application.
2. Submitting a Development Application: Outlines the process that is followed when submitting a formal development application, and the process that is followed when a development application is refused without a hearing due to the application not conforming with the OurWinnipeg Plan By-law or a secondary plan.
3. Approval Process: Outlines the approval process for each type of development application.
4. Public Hearing Process, Notice, Appeals: Details the public notice and appeal process for development applications.

While encouraged as supporting information, consultation with immediate neighbours or the broader community is not a requirement of most development applications. The City may request the applicant chair a public consultation program in cases where there is expected to be significant public interest in the proposed development. The type of public engagement to be conducted (e.g. door to door canvassing, open house, or town hall format) is determined by the applicant.

PP&D staff provide a comprehensive report to the committee or Council in support of their recommendation on all planning and development applications for which the PP&D department does not have decision-making authority. The report and recommendations are based on subject matter expertise, legislation and by-laws/plans.

As part of the approval process, a public hearing is typically required to be facilitated by the EPC, the SPC on Property and Development, Heritage and Downtown Development, or one of the five community committees. In some instances, the Director of Planning, Property and Development (PP&D) may decide with respect to the merits of certain development applications. Community members may make submissions or register in favour of or in opposition of an application being considered at a public hearing by a committee.

Where the hearing is by the Community Committee, it generally makes its recommendation to the SPC on Property and Development, Heritage and Downtown Development. There are a small number of application types that the Community Committees have jurisdiction to decide on their own. The SPC may forward its report and recommendations to EPC or refer the application back to the original hearing body (Community Committee) to consider new information by re-opening the public hearing. When EPC receives the SPC report and recommendation, it may forward its report and recommendations to Council, or refer the application back to the original hearing body (Community Committee or SPC) to consider new information by re-opening the public hearing.

No new information or representations can be presented to the SPC, EPC or Council after conclusion of the hearing or any re-hearing by the original body. Council may consider additional recommendations from any committee of Council in relation to the application.

Of the 16 application types, nine may be appealed. The appellant may be the applicant or another interested party. One specific planning application; a change to a Secondary Plan by-law dealing with an airport vicinity protection area, may be appealed to the Municipal Board of the Province of Manitoba.

The following table outlines the public hearing and appeal bodies for the 16 Planning and Development application types.

Table 14 – Development Applications Requiring a Public Hearing

Application Type	Public Hearing Process	Public Hearing Body	Appeal Body
<i>OurWinnipeg</i> Plan By-law Amendments	After the first reading and before the second reading a proposed amendment will be referred for a public hearing. The contents of the public hearing are incorporated into a report to Council. After a second reading by Council the proposed amending by-law is forwarded to the Minister of the Provincial Government. Once approved Council may give the by-law a third and final reading.	Requires public hearing at EPC, recommendation to and approval by Council	No appeal body for Council decision EPC for designated employee refusal based of application prior to hearing
Complete Communities Direction Strategy By-law	After the first reading and before the second reading, the proposed amendment will be referred for conduct of a public hearing. The contents of the public hearing are incorporated into a report to Council.	Requires public hearing at EPC (or designated SPC by EPC) and Council approval.	
Secondary Plan By-law	After the first reading and before the second reading, the proposed amendment will be referred for a public hearing. If Council deems appropriate, then EPC can designate itself or an SPC to conduct the public hearing. If an SPC conducts the public hearing, it forwards its report to EPC then to Council for a vote. If a community committee conducts a public hearing it forwards its report to the SPC on Property and Development, Heritage and Downtown Development (PDHDD) for recommendation to EPC and finally to Council for a vote.	Requires public hearing at either Standing Committee (PDHDD or as designated by Council) or Community Committee, and Council approval.	
Rezoning (DAZ)	Community committees hold a public hearing, except when the land is question is in the Downtown, in which case the SPC on Property	Requires public hearing at Community	

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Application Type	Public Hearing Process	Public Hearing Body	Appeal Body
Zoning Agreement Amendment (ZAA)	and Development, Heritage and Downtown Development conducts the public hearing. The community committee sends its report and recommendation to the SPC on Property and Development, Heritage and Downtown Development, which makes recommendation to EPC then to Council. Alternatively, the SPC on Property Development Heritage and Downtown Development may send its report and recommendation to EPC and then Council without a recommendation of the Community Committee.	Committee or SPC, Council approval.	First Level Decision: SPC on Property and Development, Heritage and Downtown Development
Subdivision (DAS)			
Subdivision and Rezoning (DASZ)			
Subdivision, Short Form (DASSF)	Authority of the Director of Property, Planning and Development when no public street or land is being created and a zoning change is not required. For land located in the Downtown area, the SPC on Property and Development, Heritage and Downtown Development will be the public hearing body.	Not required	Director decision: SPC on Property and Development, Heritage and Downtown Development
Demolition Permits (DEMO)	Community Committees will serve as the public hearing body except for when the demolition permit is in combination with an application to amend the <i>OurWinnipeg</i> , Complete Communities, or another secondary plan; in which case EPC or an SPC designated by EPC will conduct the public hearing.	Requires public hearing and decision at Community Committee	SPC on Property and Development, Heritage and Downtown Development
Variance (DAV) 'A'	Granted by the Zoning Administrator	Not required	SPC Appeal Committee
Variance (DAV) 'B'	Granted by Director of Property, Planning, and Development	Not required	SPC Appeal Committee
Variance (DAV) 'C'	Granted by the Board of Adjustments	Not required	SPC Appeal Committee
Variance (DAV) 'D'	Granted by Community Committee	Requires a public hearing at Community Committee.	SPC Appeal Committee
Conditional Use 'B'	Granted by the Director of Property, Planning, and Development	Not required	SPC Appeal Committee
Conditional Use 'C'	Granted by the Board of Adjustments	Not required	SPC Appeal Committee
Conditional Use 'D'	Granted by Community Committee	Not required	SPC Appeal Committee

*Combination hearings will be held by EPC

**Public notification of public hearing information including the date, time, location, and nature of the development application is required by *The City of Winnipeg Charter*.

In April 2019 the SPC on Property and Development, Heritage and Downtown Development passed a motion for the public service to report back on the establishment of a planning commission comprised of skilled experts to deal with all planning or development matters referred by Council, to ensure consistent planning standards, practices and approvals across the City and thereby removing politics from the approval process. On September 4, the SPC directed the public service to engage stakeholders on recommendations for the role, responsibilities and membership structure of a planning commission. The Development Procedures By-law is under review by Legal Services. Recommendations to Council for amendments are expected in early 2020.

Vancouver

Part 27 of the *Vancouver Charter* provides the City of Vancouver with the authority to regulate land use within the jurisdiction of the municipality. Within the *Charter* under Division 2 section 560, “the Council may appoint a Director of Planning, who shall have such duties and powers as the Council may from time to time prescribe”. The augmenting document to the *Charter* is the Zoning and Development By-law, that states under section 3.3.1 that:

In dealing with applications for development permits the Director of Planning or the Development Permit Board may in every case and in accordance with the provisions of this By-law grant such permits either unconditionally or subject to conditions, including a limitation in time, or may refuse such applications.

The Director of Planning is the approval authority on subdivision and development applications, except those referred to the Development Permit Board.

The Development Permit Board hears and will approve or deny development permit applications that may have a significant impact on their surroundings, because of the scale and context of the project or because of community controversy about the project. The Board consists of four senior staff members – the Director of Development Services, the General Manager of Engineering Services, the Deputy City Manager and Director of Planning. The Board is limited in its authority by existing zoning and parking regulations, and by the Official Development Plan (ODP) provisions that City Council has enacted. These provisions generally outline acceptable uses and building forms in a given area. The Board cannot deny a development if it meets the zoning / ODP and guidelines, or approve a development if it does not fall within the zoning / ODP. The Development Permit Board may approve, approve with certain conditions, or refuse an application.

Amendments to zoning and land use regulations, whether in the Zoning and Development By-law or in an official development plan, require Council approval by adoption of an amending by-law following a public hearing. Amendments to policies and guidelines are also approved by Council, but do not require a public hearing. For applications requiring Council approval, the City may direct an applicant to hold a pre-application public open house. The Planning Department also holds an open house in the early stages of reviewing the proposal. The Director makes a recommendation to City Council to approve, modify or refuse the application and summarizes the feedback heard.

Council appoints members of the following advisory boards that provide the Director with input into more complex development applications as well as conduct appeals of development applications as per the respective by-laws:

Board of Variance and Parking Variance Board: Hear appeals to decisions made under the Zoning and Development, Sign, Protection of Trees, and Parking by-laws.

Chinatown Historic Area Planning Committee: Works to preserve and protect the heritage and character of the Chinatown area of Vancouver

Development Permit Board Advisory Panel: Supports the work of the Development Permit Board by advising the Board about the applications the Board is reviewing.

First Shaughnessy Advisory Design Panel: Offers feedback to City Council and staff on development and design issues in First Shaughnessy, focusing on preserving the area's special character.

Gastown Historic Area Planning Committee: Works to preserve and protect the heritage and character of the Gastown area (zone HA-2).

Urban Design Panel: Advises City Council and staff on development proposals and policies, and reviews all civic building projects.

Vancouver City Planning Commission: Advises City Council on planning and development issues in Vancouver, including ideas and opinions about the future of the city, to consider and report to Council on any proposal likely to have a significant effect on the future of the City. The commission organizes conferences, consultations, competitions, presentations, and research on topics including housing, public realm, neighbourhoods, transportation, and public engagement.

ALBERTA (applies to all cities in Alberta, including Calgary and Edmonton)

The Municipal Government Act of Alberta establishes authority, requirements and standards for property development. This includes requirements to:

- Establish a development authority and a subdivision authority. Both may be a designated officer, municipal planning commission or other person or organizations. Any or all members of Council also may be designated as the subdivision authority. [s. 623-624] The subdivision authority is not required to hold a hearing.
- Establish a Subdivision and Development Appeal Board, with authority to hear appeals of decisions of the development and subdivision authorities [s.627]. The composition of this appeal board cannot include any municipal employee, other person that carries out subdivision and development activity on behalf of the municipality, or member of a planning commission. Appeals may only be made if by law provisions were relaxed, misinterpreted, etc.
 - Appeal of a decision of a subdivision authority is to the Municipal Government Board if the land is within certain areas classified in the public lands act or within a prescribed distance of a highway, body of water, sewage treatment, waste management, or historical site
 - Decisions of the SDAB or the Municipal Government Board (specific circumstances) may be made to the Court of Appeal
- Consider statutory plans or land use by laws at Council. Statutory plans include an intermunicipal development plan, municipal development plan, area structure plan, and area redevelopment plan. Council must hold a public hearing before giving second reading of these matters. [s. 692].

- Conduct reviews within specified timelines. For example, confirm an application is complete [20 days from receipt], make a decision on a development application [40 days from complete application], schedule an appeal [30 days of notice of appeal].

Calgary

The Land Use By-law specifies the powers and duties of the Development Authority and Subdivision Authority as required under *the Municipal Act*. The Subdivision and Development Appeal Board is established by separate by-law.

The City of Calgary Procedural By-law establishes and specifies the duties of a Standing Policy Committee on Planning and Urban Development. The mandate of this committee includes land use planning and policy, development and building approvals, urban strategy, and community planning. A review of committee agendas indicates matters considered include city planning and priorities, reviews of the municipal development plan and Calgary transportation plan, and policy recommendations for Council approval. The committee also made recommendations to Council for a hearing and decision on statutory plans (re-development plan, area structure plans).

The Planning Commission By-law 28P95 establishes the Calgary Planning Commission to consist of the Mayor or deputy mayor (if the Mayor is a member of the SDAB), two members of Council, six citizens, and two employees of the City (must be a General Manager or a Director). One of the two employees is to serve as Chairperson of the commission.

By-law 28P95 appoints the Calgary Planning Commission and employees so designated by the City Manager as a Subdivision Authority. A *person* appointed as a Subdivision Authority has the power to make decisions on approval of tentative plans which conform in all respects, or conform with variances which are in the opinion of the decision maker of a minor nature, with an Outline Plan approved by the Commission; Refusal of any subdivision matter which could not be approved by the Commission; review and approval of subdivisions by instrument; or Subdivision applications which comply in all respects to the applicable enactments.

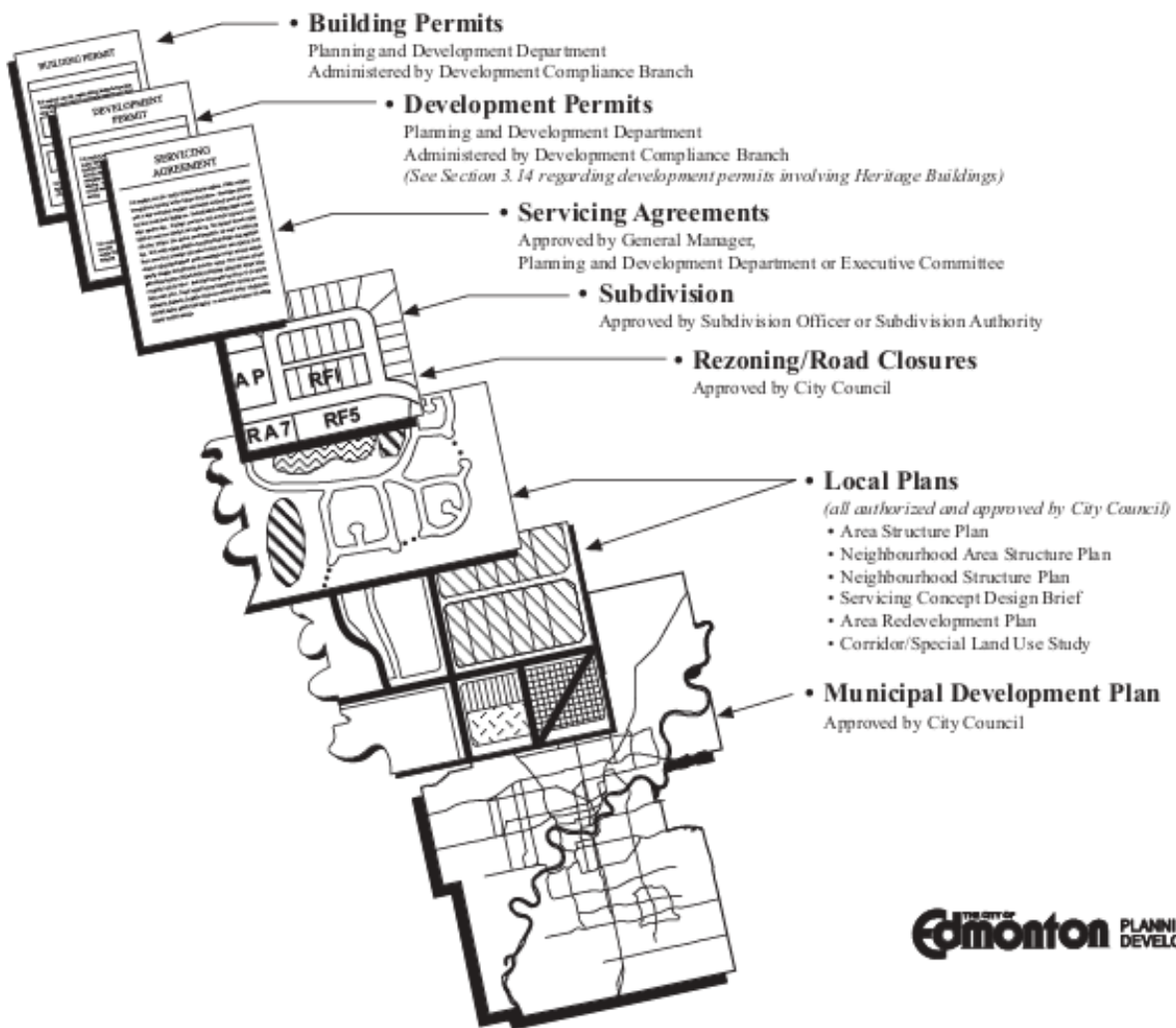
The Commission's role includes review and approval of Outline Plans; review and approval of Tentative Plans not within the scope of section 5(a) above; advising Council on land use matters; review and recommendations on municipal projects referred to it; and review and approval of development permit applications as a Development Authority pursuant to The Development Authority Bylaw. The CPC recommends Land Use Amendments to Council for a public hearing and approval.

For Land Use Amendments, an application is filed and reviewed for completeness by the Corporate Planning Applications Group (CPAG). The CPAG coordinates technical review and notifies adjacent landowners. The CPAG makes a recommendation to the Calgary Planning Commission (CPC). The CPC meeting is open for the public to attend but not participate. The CPC makes a further recommendation to City Council. A public hearing must be held at the City Council meeting, and the applicant may address Council regarding their application. After reviewing the information collected during the public hearing, Council will either approve, approve with conditions, or deny the application.

Edmonton

Development and Subdivision authority to exercise power on development and subdivision applications on behalf of the municipality is outlined in Part 1, Division 11 Zoning By-law. Edmonton also publishes a Planning and Development Handbook that explains all processes and approval authorities related to land development. Council maintains decision making responsibilities for those aspects of the planning and development system which establish policy. Council has delegated responsibility to the Executive Committee, Subdivision Authority, General Manager of Planning and Development Department, the Subdivision Officer and the Development Officer for those aspects of the system which implement established policy. (City of Edmonton) Edmonton also has established timelines for each aspect of the development application process. Approval responsibilities for the various activities within the planning and development approval process are shown below.

FIGURE 1 *Approval Responsibilities at Various Levels of the Planning and Development Process*



Edmonton City Council has a standing committee on Urban Planning, whose mandate is sustainable City planning, including:

- Growth, development and management of the urban form
- Urban transportation
- Infrastructure
- Parks
- Municipal reserve
- Environmental, housing and real estate planning, and
- Community engagement for urban planning matters.

A review of minutes of this committee indicates consideration of planning policy matters (versus development applications).

In Edmonton, employees from the Planning and Development Department make decisions on development and subdivision applications in accordance with the Zoning By-law.

Council has delegated its subdivision authority through a bylaw to the Subdivision Authority. The Subdivision Authority is a non-political body comprised of three staff members from the Planning and Development Department. Decisions on subdivisions (and matters of provincial concern or intermunicipal dispute) may be appealed to the Subdivision and Development Appeal Board (SDAB). The SDAB is established by Bylaw of Council with members appointed by Council. New legislation also provides for certain subdivision matters to be appealed to the Municipal Government Board, a provincially appointed body.

The approval process for a subdivision plan is shown below.

FIGURE 10 *Process for Approving and Registering a Plan of Subdivision*

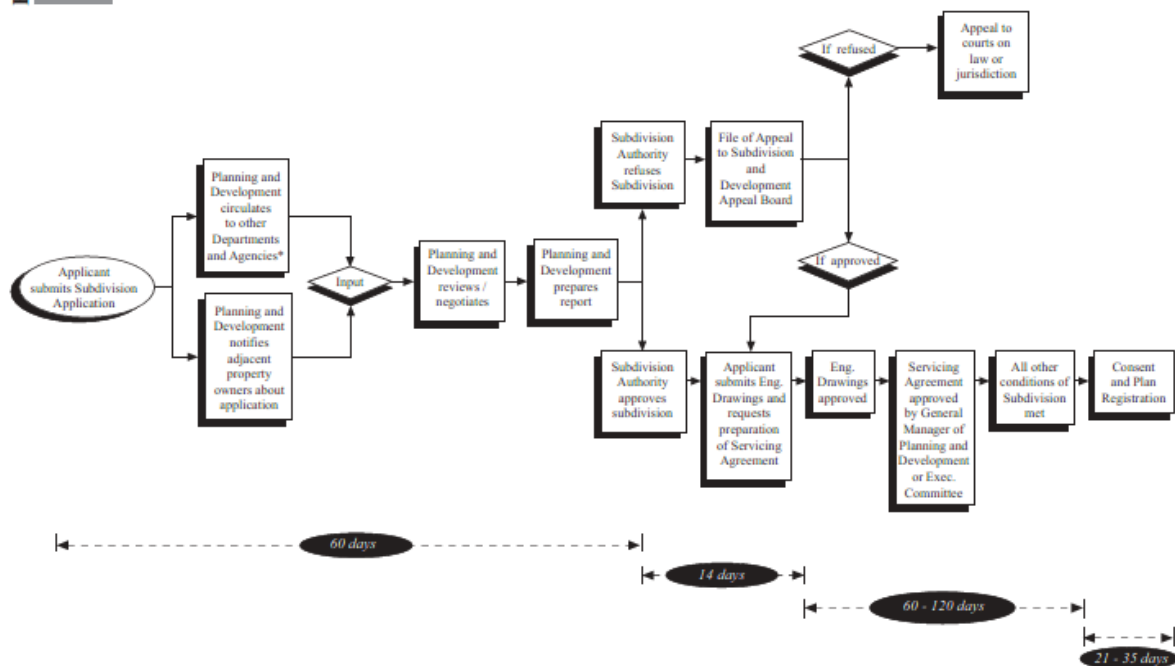
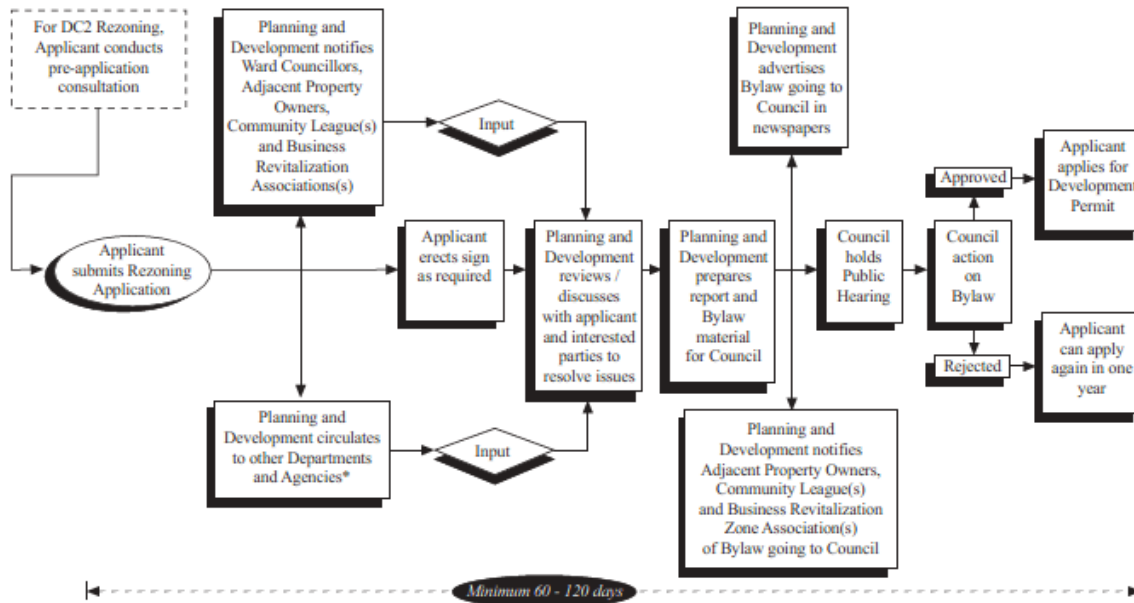


Figure 6: City of Edmonton – Approval Process for a Subdivision Plan

Re-zoning applications and reviewed by staff and submitted directly to Council for public hearing and approval.

FIGURE 9 *Land Rezoning – Process for Application and Approval*



* This may include adjacent municipalities pursuant to Schedule A of Plan Edmonton



Figure 7: City of Edmonton – Approval Process for Land Rezoning

Area structure plans applications are subject to review by a technical review committee made up of representatives from various city departments prior to consideration by Council. These applications, once reviewed, are also referred directly by staff to Council for a public hearing and approval.

FIGURE 8 *Neighbourhood Structure Plan (NSP) Preparation and Approval Process*



Figure 8: City of Edmonton – Approval for Neighbourhood Structure Plan

Regina

Part 3 of *The Planning Act* provides the City of Regina with the authority to regulate land use within the jurisdiction of the municipality. Within *The Planning Act*, under Division 1 section 13(1), “subject to subsection (3), the minister may, by order, declare that on or after the date specified in the order, a Council, district planning authority or regional planning authority is an approving authority within the area under its jurisdiction”. Subsection 3 reads:

To be eligible to be declared an approving authority pursuant to subsection (1), the Council, district planning authority or regional planning authority must: (a) employ or retain a registered professional planner; and (b) have adopted: (i) in the case of a Council, an official community plan; (ii) in the case of a district planning authority, a district plan; or (iii) in the case of a regional planning authority, a regional plan

In accordance with *The Planning Act*, City Council undergoes the following process to develop the official community plan, secondary and concept plans as well as oversee zoning by-laws:

- 1) Pre-Application: Prior to the submission of a development application, the city encourages applicants to meet with Development Officers to ensure the applicable application is complete as well as the applicable supporting documents. Similarly, for concept plans and other development applications reviewed by planners, applicants are encouraged to come to speak with the department to verify the proposed plan is in accordance with existing plans and bylaws.
- 2) Approval Process: Upon receiving a development permit application for a land use requiring Council approval, a File Manager is assigned to the application. The File Manager reviews the application and circulates it to internal and external departments for comment. The File Manager is also tasked with sending out public notification to neighbouring property owners for comment. After all of the required information has been collected a report is completed by the File Manager. The File Manager’s report is provided to Council with a recommendation to approve, approve with conditions or deny. Council will deliberate, request additional edits and revisions or make a decision to approve, approve with conditions or deny the plan/application with the official community plan requiring a final approval from the Government of Saskatchewan.

Although City Council retains its authority to decide zoning by-laws, Part 1D section 1.2 of the Zoning By-law, states that the Executive Director of City Planning and Community Development is appointed as the Development officer that:

- (1) The Development Officer is authorized to exercise and shall carry out all of the powers and duties required to be performed by the Development Officer pursuant to this By-law and *The Planning and Development Act*, 2007, including, but not limited to, carrying out all actions necessary to administer and enforce this By-law.
- (2) Further to and without limiting the generality of section (1), the Development Officer is delegated the authority and responsibility to exercise and carry out any and all of the powers and duties conferred or imposed on Council as an approving authority pursuant to *The Planning and Development Act*, 2007, including those respecting the following:
 - a) approval of plans and drawings in a Direct Control District; and
 - b) Architectural Control District development permits.

Under section 3A of the subdivision by-law:

- 1) Council hereby delegates to the Development Officer the responsibility to exercise or carry out all of the powers and duties of Council as an approving authority for subdivision applications as provided in this By-law.
- 2) The Development Officer shall serve as the approving authority for the following types of applications for a subdivision certificate of approval:
 - a) subdivisions or consolidations by plan;
 - b) re-issuance of certificates of approval; and
 - c) registration of leases pursuant to section 121 of the Act.

Finally, building permits, inspections, and occupancy permits are appointed to City Staff in reference to Building By-law section 1.2.3

The Regina Planning Commission advises and assists City Council with respect to all matters pertaining to community planning and development. The Commission has the duties and powers as set forth in *The Planning and Development Act*, 2007 and The Committee Bylaw, No. 2009-40. Specifically, the Regina Commission will:

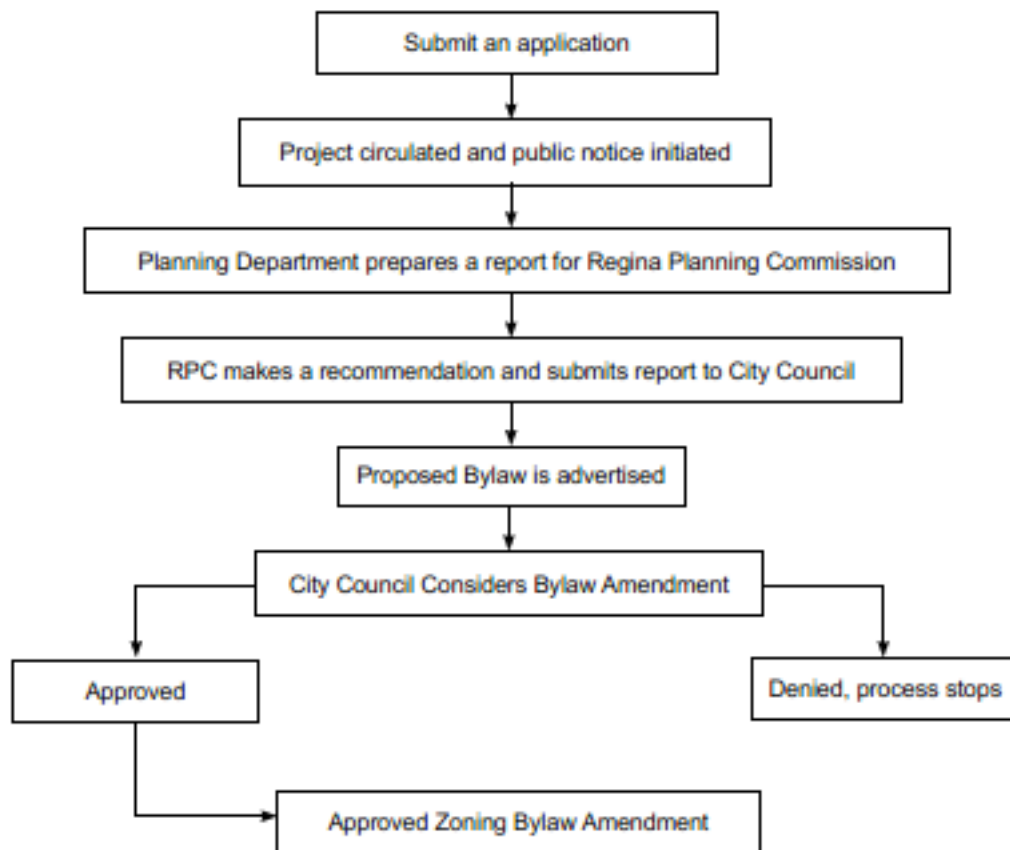
- Advise and make recommendations to Council regarding City Planning & Development policies, programs and services;
- Review all discretionary use requests
- Make recommendations to Council regarding the preservation, interpretation, development and designation of heritage properties and heritage districts;
- Consider and make recommendations to Council regarding rail relocation matters;
Review and make recommendations to Council regarding items emanating from the Committees that report to the Regina Planning Commission;
- Consider and make recommendations to Council for those items emanating from Developmental Engineering related to long term planning items such as transportation planning; and
- Consider and make recommendations to Council on all consulting contracts over \$500,000 related to the mandate of the Regina Planning Commission.

Additionally, Council has delegated the authority to interpret and approve the policy and guidelines for names of streets, city facilities, and parks pursuant to section 100 of *The Cities Act*.

Secondary and concept plans are reviewed by the Reginal Planning Commission, which makes a recommendation to Council. A public meeting is arranged by staff prior to consideration by the Planning Commission. There is no further hearing.

A zoning by-law amendment is also reviewed by the Regina Planning Commission for recommendation to Council. An overview of the process is shown below.

Figure 9 Regina Zoning Amendment Review Process



ONTARIO

The Planning Act (the Act) is provincial legislation that sets out the ground rules for land use planning in Ontario. It describes how land uses may be controlled, and who may control them.

The act provides the basis for:

- preparing official plans and planning policies that will guide future development
- establishing a streamlined planning process which emphasizes local autonomy in decision-making
- exempting official plans and official plan amendments from provincial or upper-tier approval (s. 2, Official plans)
- regulating and controlling land uses through zoning bylaws and minor variances (s.3, Zoning bylaws)
- dividing land into separate lots for sale or development through a plan of subdivision or a land severance (See s. 4, Subdivisions and s.5, Land severances)

- ensuring the rights of local citizens to be notified about planning proposals, to give their views to their municipal Council and, where permitted, to appeal decisions to the Local Planning Appeal Tribunal (LPAT) or in some cases, a municipal Local Appeal Body (LAB) where a LAB has been established by a municipality. The LPAT and LAB are independent administrative tribunals responsible for hearing appeals and deciding on a variety of contentious municipal matters (s.6, Local Planning Appeal Tribunal)
- establishing local planning administration, including planning boards in Northern Ontario (s. 7, Northern Ontario)
- allowing that provincial appeals can only be made through the Ministry of Municipal Affairs and Housing (s. 9, The plan review and approval process)

(Ministry of Municipal Affairs and Housing, 2019)

The Planning Act requires a municipal Council to appoint a planning advisory committee. The planning advisory committee must include at least one resident of the municipality who is neither a member of a municipal Council nor an employee of the municipality.

The Planning Act establishes a municipal Council as the approval authority for zoning bylaws or amendments and requires that the process of approval include at least one public meeting. The decision of Council is subject to appeal by the LPAT or local appeal body. The Act enables municipalities to establish a Committee of Adjustment to consider variance applications. The municipality is the approval authority for subdivisions [s. 51] subject to criteria set out in the Act and processes in the Subdivision Regulation 544/06.

The Local Planning Appeal Tribunal (LPAT) is an adjudicative tribunal that hears cases in relation to a range of land use matters, heritage conservation and municipal governance (formerly known as Ontario Municipal Board). Appeals that come before LPAT include matters such as official plans, zoning by-laws, subdivision plans, consents and minor variances, land compensations, and development charges. LPAT is part of the Environment and Land Division (ELD) of Tribunals Ontario. Tribunals Ontario was established on January 1, 2019, bringing together three justice clusters that report to the Ministry of the Attorney General.

A municipality may establish its own local appeal body in stead of the LPAT. An appeal lies from the local appeal body to the Divisional Court, with leave of the Divisional Court, on a question of law.

Hamilton

In Hamilton there are 2 official plans that must be approved by Council: first, is an Urban Hamilton Official Plan that applies to land within the urban area of the city; second, is a Rural Hamilton Official Plan that applies to the rural areas of the city.

Hamilton has established a Planning Committee of Council made up of 9 members of Council plus the Mayor. The Planning Committee is responsible for considering applications and making recommendations to Council for all matters under *The Planning Act*, including zoning and subdivision applications. Staff make recommendations to the Committee. The Committee recommends the matter to Council.

Below is a summary of the process:

- Pre-Application Consultation Meeting: Those who apply for a draft plan of subdivision development application is required to meet with Planning staff to establish what must be included in the application.

- Public Notification: The City will post notification signs and notify nearby property owners and registered community groups when a public hearing will occur to provide their input.
- Review: The Planning Committee will review a final report and recommendation provided by City staff from applicable departments will review the application taking into consideration information gathered from public hearings to inform a decision.
- Decision Making: City Council will approve, approve with conditions, or deny the application utilizing the report and recommendation made by the Planning Committee.
- Appeal: All appeals are heard by the Local Planning Appeal Tribunal, the provincial tribunal that is the final arbiter of any planning decisions.

Under section 1 subsection 8, of the Zoning By-law the City of Hamilton's General Manager of Planning and Economic Development has been delegated the authority to administer the bylaw. Additionally, the City of Hamilton has delegated authority to the General Manager of Planning and Economic Development for part lot control applications. Site plan approval has also been delegated to the Manager of Development Planning.

Lastly, the Committee of Adjustment has been delegated the authority to rule on consent and minor variance applications in reference to Section 53 of *the Planning Act*. The Committee of Adjustment is composed of members of the public and operates with six panels. Each panel comprises five members, including a chairperson. They regularly hold public hearings to consider applications for minor variances, permissions and consents.

Toronto

The City of Toronto posts a development guide online with detailed information explaining its planning approval processes (City of Toronto, 2019). Most applications are vetted first by staff, which may include public meetings and consultation, then by a Community Council OR the Planning and Growth Management Committee, before consideration by Council. Public meetings are generally held by the Community Council. The process in detail is provided below:

Official plan amendments, zoning by-law amendments and combined applications are circulated to a number of City Divisions and/or Agencies, Boards and Commissions for detailed technical review and comment. External agencies may also be asked to comment on the proposal. Target timelines are for the first internal comments to be provided to the City Planning Division within eight (8) weeks of the initial application submission.

All Official Plan and Zoning By-law Amendment applications are presented to Community Council or the Planning and Growth Management Committee (if the application has city-wide significance) for review and direction through a Preliminary Report. This report provides an early opportunity to raise and discuss any issues of concern, recommends direction on the extent of community consultation and indicates the expected timing for a final report to City Council. Technical review of the application will continue during this process.

Although not required by *the Planning Act*, a community consultation meeting is held on almost every Official Plan and Zoning By-law amendment application. The meeting is organized by Planning staff and usually attended by the Ward Councillor. The meeting provides staff an opportunity to outline the planning process to the local community

and an opportunity for the applicant to publicly present their proposal. It also provides the local community an opportunity to comment on the proposal. Target timelines are to hold this meeting within two months from the date that Community Council considers the Preliminary Report.

The Planner assigned to the application(s) co-ordinates responses from the circulation, political input received through the consideration of the Preliminary Report and any comments from the public. These responses are then forwarded to the applicant for the purpose of revising their proposal. Target timelines are to give the applicant a response within nine (9) weeks of the application submission.

The Planning Act requires that the City hold a Public Meeting to consider all applications for amendments to the Official Plan or Zoning By-laws. This responsibility has been assigned to the four Community Councils and, if the application has City-wide significance, the Planning and Growth Management Committee. The City will issue a formal notice of the Public Meeting in accordance with the requirements of *the Planning Act*, or as directed by Community Council through the Preliminary Report. A Final Report that contains staff recommendations is prepared for Community Council. The Public Meeting provides a public forum for debate on the merits of the application(s) to inform Community Council's consideration of the application(s).

Community Council and/or the Planning and Growth Management Committee will make recommendations on the application(s) to City Council for a final decision. Based on these recommendations, City Council can amend the Official Plan and Zoning By-laws through enactment of an amending bylaw. *The Planning Act* provides an administrative process to appeal City Council's decision to the Local Planning Approval Tribunal (LPAT) on amending the Official Plan and/or Zoning By-laws. The City must issue a notice of approval within 15 days of City Council's decision. After this notice has been issued, there is a 20-day period within which a party can appeal this approval to the LPAT. If no appeal is submitted, the amendment(s) comes into effect. A similar administrative and appeal procedure applies should City Council refuse an application(s). If no appeal is submitted, the Official Plan and Zoning By-law Amendment(s) come into full force and effect on the day that they were passed.

This process is illustrated below.

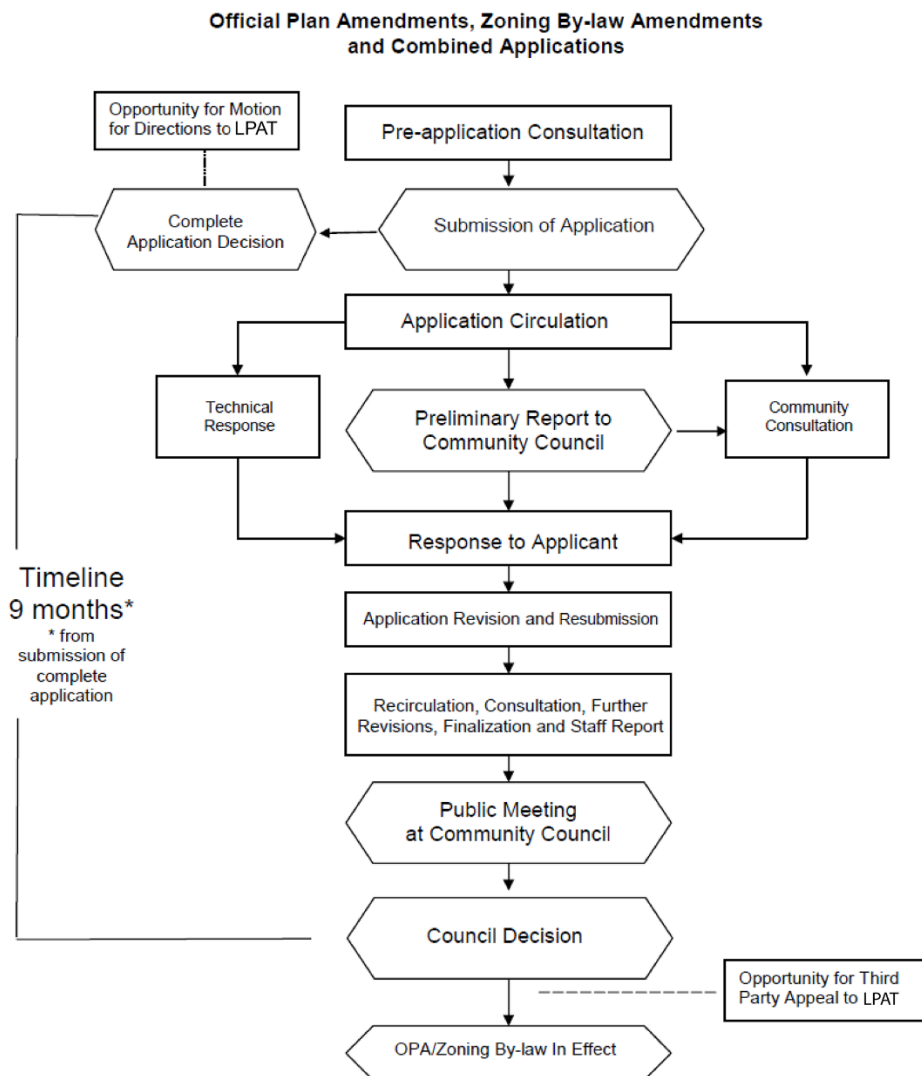


Figure 10: City of Toronto – Official Plan, Zoning By-law, and Combined Applications Process

A similar process is followed for subdivision approvals, without the preliminary report to the Community Council. Subdivision applications are also subject to a public meeting at Community Council.

City Council has delegated the approval authority for Site Plan Control applications to the Chief Planner or his/her designates, being the four District Directors of Community Planning. The City of Toronto has a two-stage approval process for Site Plans. The first stage is the issuance of the Notice of Approval Conditions (the “NOAC”) and the second stage, once all pre-approval conditions have been met, the issuance of the Statement of Approval which signifies final site plan approval. The Director of Community Planning will issue the NOAC, recommending approval subject to a list of pre-approval and post-approval conditions. Pre-approval conditions must be met, one of which is entering into the Site Plan Agreement which secures the post-approval conditions.

The Ward Councillor can request that any application be “bumped-up” for a report to City Council. Usually, a Ward Councillor will make this request to provide an opportunity for consultation with the local community. In this case, the community consultation meeting is organized and chaired by the Ward Councillor. Planning staff usually will

attend the meeting as a resource. This request, and the subsequent meetings of Community Council and City Council, may occur at any time during the evaluation process. The Planner assigned to the application will prepare a report with recommendations and appropriate conditions of approval for consideration by Community Council. City Council will receive the staff report and Community Council's recommendations and then make a decision on the application. If City Council approves the application, the responsibility for issuing the Statement of Approval (final Site Plan Approval) is delegated to the Chief Planners designate; the Director of Community Planning.

Consent and minor variance applications have been delegated by Council to The Committee of Adjustment that is composed of members of the public. Section 53 of *the Planning Act* permits the Committee of Adjustment to decide minor variances. The Committee of Adjustment operates with six panels. Each panel comprises five members, including a chairperson. They regularly hold public hearings to consider applications for minor variances, permissions and consents.

(City of Toronto, 2019)

Ottawa

In 2003, the City adopted the current official plan that is in effect until 2031. The process for developing the official plan includes:

- Pre-Application Consultation Meeting: Those who apply for an Official Plan amendment must meet with Development Review staff from the City of Ottawa for a preapplication consultation meeting. Development Review staff outline what studies and plans are required and provide an overview of the land use principles that must be addressed by the proposed Official Plan amendment before it will be reviewed.
- Public Notification: The City notifies registered community groups once the application is submitted to the City. For a site-specific Official Plan amendment, the City installs a notification sign on the lands affected by the proposal and notifies nearby property owners. For a Citywide Official Plan amendment, notices are published in local newspapers.
- Technical Review: Reviewing an Official Plan amendment application involves many individuals including City Planners, Engineers, Architects, City Councillors, registered community groups, residents, provincial ministries and agencies, and other professionals. *The Planning Act* lays out the base standards for when consultation takes place, with whom, and to what degree.
- Staff Recommendation at Committee Meeting: Planning staff provide a recommendation, in most cases, to either the Agriculture and Rural Affairs Committee (for rural area amendments) or the Planning Committee (for all other proposed amendments).
- Council decision and Appeal: Committee considers the report and the opinion of public delegations and makes a recommendation to City Council. City Council then approves or refuses the Official Plan amendment. Notice of the decision is given within 15 days of the approval or refusal date. The process takes approximately six months. The Council decision may be appealed to the Local Planning Appeal Tribunal, which is the provincial tribunal that is the final arbiter of any planning disputes.

Zoning by-laws and combined applications i.e. applications involving both zoning and planning amendments, follow the same process as the official plan. In accordance with *the Planning Act*, the City of Ottawa has a Zoning By-law that regulates the use and development of buildings and land.

The Condominium Act states in section 9(2) that an application for a condominium are processed in the same way as subdivisions that are outlined in section 51 of *the Planning Act*. The process to approve a subdivision or condominium application is outlined below:

- Pre-Application Consultation Meeting: Those who apply for a draft plan of subdivision development application must meet with Development Review staff from the City of Ottawa for a pre-application consultation meeting. Development Review staff outline what studies and plans are required and provide an overview of the land use principles that must be addressed by the proposed draft plan of subdivision before it will be reviewed.
- Public Notification: The City installs a notification sign on the lands affected by the proposed draft plan of subdivision application and notifies nearby property owners and registered community groups once the application is submitted to the City. The notification signs also indicate when a public open house will occur. Residents are invited to attend the public open house and provide their comments.
- Technical Review: Reviewing a draft plan of subdivision application involves many individuals including Development Review Planners, Engineers, Architects, City Councillors, registered community groups, residents and other professionals. *The Planning Act* lays out the rules on when consultation takes place, with whom, and to what degree.
- Decision Making: Managers in Development Review Services are delegated the authority to decide if the draft plan of subdivision is approved or refused. Before a decision is made, staff prepare a delegated authority report which addresses comments received by members of the public and many technical issues such as stormwater management, environmental and transportation considerations as well as the arrangement of land use. Afterwards, a notice of decision is sent out to individuals that provided comments to the Development Review Planner. The Ward Councillor and local registered community groups are also notified.
- Appeal: Once the draft plan of subdivision is approved, an appeal can be submitted to the Development Review Planner within 20 days of the approval of the draft plan of subdivision. Residents, community groups and the applicant can all submit an appeal to the Development Review Planner. The Manager's approval becomes in effect if an appeal is not received within 21 days of the approval. All appeals are heard by the Local Planning Appeal Tribunal, the provincial tribunal that is the final arbiter of any planning decisions. Following the approval of the draft plan of subdivision, the developer may decide to develop the subdivision in many phases during the course of multiple years. Minor reviews to the plan of subdivision may occur but all development will have to respect the original draft plan of subdivision.

City Council has delegated their authority to City Staff for site plan controls. Consent and minor variance applications have been delegated by Council to The Committee of Adjustment that is composed of members of the public. Section 53 of *the Planning Act* permits the Committee of Adjustment to decide minor variances. The Committee of Adjustment operates with six panels. Each panel comprises five members, including a chairperson. They regularly hold public hearings to consider applications for minor variances, permissions and consents.

Halifax

Part 8 of *The Halifax Regional Municipality Charter* provides the City of Halifax with the authority to regulate land use within the jurisdiction of the municipality. Within the *Charter* under part 8 section 280 (b), “enable the Municipality to assume the primary authority for planning within its jurisdiction, consistent with its urban or rural character, through the adoption of municipal planning strategies and land-use by-laws consistent with interests and regulations of the Province”.

In Halifax there are 21 community plan areas that reflect differing community interest, and each have their own municipality planning strategy as well as Land Use By-law(s). The City Halifax is split into two plan areas with Halifax being one community area and Downtown Halifax being another. The following are the relevant by-laws and planning strategies for each community area:

Halifax:

- Halifax Municipal Planning Strategy
- Halifax Peninsula Land Use By-law
- Halifax Mainland Land Use By-law

Downtown Halifax:

- Downtown Halifax Secondary Municipal Planning Strategy: A 25-year plan to provide guidance on the ‘look and feel’ of Downtown and identify where change ought to occur and where it ought to be managed carefully.
- Downtown Halifax Land Use By-law

The Halifax Municipal Planning Strategy and Downtown Halifax Secondary Municipal Planning Strategy were developed and approved by the Halifax Regional Council in accordance with part 8 section 228 of *The Halifax Regional Municipality Charter*.

The Halifax Mainland Land Use By-law (section 1) and the Halifax Peninsula Land Use By-law (section 2), is administered by the Development Officer of the City of Halifax. A Design Review Committee is established in the Downtown Halifax Land Use By-law (section 3) with authority to review and approve site plan approval applications. The Design Review Committee is a 12-member committee composed of members of the public, planning and develop experts, and city staff that is appointed by the Halifax Regional Council to:

- a) approve, approve with conditions, or deny an application for substantive site plan approval consistent with the requirements of the Design Manual;
- b) seek and consider the advice of the Heritage Advisory Committee on site plan applications on registered heritage properties or abutting registered heritage properties, and on applications within heritage conservation districts;
- c) advise the Development Officer on matters pertaining to bonus zoning in relation to substantive site plan approvals; and
- d) advise Council on potential amendments to regulation and policy to carry out the role and responsibilities of the Committee or to further the intent of this By-law as may be required from time to time.

Under all three Land Use By-laws, most of the authority is delegated to the City of Halifax and the Design Review Committee to approve, approve with conditions, or deny an application. However, the Halifax Regional Council is the exclusive body to hear Land Use By-law Map Amendments, while Community Councils* will hear development applications for subdivision, minor variances, and parking permits. For both the Land Use By-law Map Amendments and the development applications, applicants will meet with a planner from the Planning and Development Department to review the request to confirm compliance with planning policies and identify all supporting information required. The Planning and Development Department reviews completed applications, and prepares a report to approve, approve with conditions, or deny the application. The report is sent to Halifax Regional Council, Community Planning and Economic Development Committee or the Community Council depending on the application. Each body has exclusive jurisdiction to make a decision with regards to the applications that they review.

*The mandate of Community Councils is established under the *HRM Charter* and includes monitoring provision of services to the community and recommending the level of services, recommending by-laws, regulations and development standards. The Community Planning and Economic Development Committee is responsible for overseeing the Municipality's Regional Plan and related review processes.

APPENDIX H – INDIGENOUS ADVISORY COMMITTEES IN OTHER CITIES

Vancouver

Vancouver has established an Urban Indigenous Peoples Advisory Committee to advise Council and staff on enhancing access and inclusion for urban Indigenous Peoples to fully participate in City services and civic life. Mandate of the committee includes developing and maintaining a positive relationship with others who are addressing issues of concern to Vancouver Urban Indigenous Peoples, and to advise Council and staff on the City of Reconciliation Framework as it is developed, implemented and updated.

The committee provides input to City Council and staff about issues of concern, considers any matters which may be referred to the committee by Council or staff, and may take positions on policy initiatives from other levels of government within the mandate of the committee.

The Committee produces an annual work plan with specific objectives in consultation with Council and staff liaisons and submits an annual report to Council describing its accomplishments for the year. The committee meets six times a year and is made up of 15 members who represent Urban Indigenous Peoples, with at least 3 members identifying as Metis. The committee also includes two non-voting Council liaisons, and five other liaisons, including from Park Board Commission, Vancouver Aboriginal Executive Council, School Board and City staff.

Calgary

The Calgary Aboriginal Urban Affairs Committee is a collaborative effort between the City of Calgary and the Indigenous community to address and resolve issues pertaining to urban Aboriginal residents.

The CAUAC is authorized, on behalf of City Council, to investigate areas of concern to people of Aboriginal ancestry and to make recommendations on policies. These recommendations are meant to help give urban Aboriginal people a more meaningful role within the governance of the Calgary community. The Committee reports to Council through the Standing Policy Committee on Community and Protective Services.

The Committee consists of 10 people selected at large based on their interest and merit without any consideration as to tribal origin or membership in any special interest group. 50% plus one shall be Aboriginal. An Alderman appointed by City Council is included in the count.

Edmonton

The Edmonton Indigenous Relations department provides support to the Edmonton Urban Aboriginal Affairs Committee, however the Committee is currently inactive and under review. The City of Edmonton also has memorandums of understanding that establish working relationships with Enoch Cree Nation, Confederacy of Treaty No. 6 First Nations and the Metis Nation of Alberta

Regina – nil result

Ottawa

In 2007, the Aboriginal Working Committee (AWC) was established to work together with the community to address emerging issues and to improve City services for Aboriginal communities. Since the beginning, the AWC has focused on building trust, relationships, and awareness through concrete actions. The AWC partners are very proud of the work accomplished together since the beginning of the relationship. The City of Ottawa's General Manager of Community and Social Services and the Chair of the Ottawa Aboriginal Coalition co-chair the Committee. The Committee is a formal partnership between the Ottawa Aboriginal Coalition, non-Indigenous community organizations and City staff and supports the City's Reconciliation Action Plan, approved by Council.

The Aboriginal Working Committee works within a cultural working model. It produces action plans that reflect the priorities of urban Aboriginal communities, in partnership with the Ottawa Aboriginal Coalition.

Areas of focus include:

- Culture
- Employment
- Education
- Housing
- Health

Hamilton

The Hamilton Aboriginal Advisory Committee is a Sub-Committee of the Audit, Finance & Administration Committee. Its mandate is to address issues of mutual interest and concern, and to enhance and empower the Aboriginal community. The Committee meets monthly. The Committee is chaired by a member of Council and includes 10 additional members.

Toronto

The City receives Indigenous focused advice and recommendations through the Aboriginal Affairs Committee (AAC), an advisory body to City Council. Members are made up of Executive Directors and/or Designates from the organizations and institutions in Toronto serving Toronto's Indigenous communities. The AAC regularly requests information and input from City staff and community organizations to assist them in their advisory role to City Council.

Any advice or recommendations regarding Aboriginal Peoples that require action or implementation by staff must be considered by the Aboriginal Affairs Committee and approved by City Council.

Halifax

On October 30, 2018 Regional Council approved the formation of a new committee to reflect an equal partnership between Halifax Regional Municipality (HRM) and the Mi'kmaq community, as represented by the Assembly of Nova Scotia Mi'kmaq Chiefs (ANSMC). This Committee is tasked to advise Regional Council on the following:

(a) Proposed changes to the commemoration of Edward Cornwallis on municipal assets, including Cornwallis Park and Cornwallis Street.

(b) Recognizing and commemorating the indigenous history in the lands now known as Halifax Regional Municipality.

The Committee was asked to complete its work within two years.

The Committee is made up of five members of the Assembly of Nova Scotia Mi'kmaq Chiefs and five Halifax Regional Municipality staff. Originally established as a Special Advisory Committee to Regional Council, the new governance structure better reflects the equal partnership between the HRM and Assembly, and the committee now has the ability to set its own processes and procedures. The Committee is funded equally by both parties, and administrative support is equally shared.