

## **Integrity Commissioner Report Regarding the Conduct of Councillors Jon Burnside and John Campbell and a Member of the Leaside Memorial Community Gardens Arena Board of Management**

**Date:** April 20, 2017  
**To:** City Council  
**From:** Valerie Jepson, Integrity Commissioner  
**Wards:** All  
**Reference:**

### **SUMMARY**

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A member of the public, (the "Complainant") filed three complaints about the conduct of Councillor Jon Burnside, Councillor John Campbell, and Raymond J. White, the Chair of the Leaside Memorial Community Gardens Arena (the "Arena") Board of Management (the "Board") (collectively, the "Respondents").

The complaints alleged that the Councillors contravened Article XV (Failure to Adhere to Council Policies and Procedures) of the Code of Conduct for Members of Council and that Mr. White contravened Article XV (Failure to Adhere to Council Policies and Procedures) of the Code of Conduct for Members of Local Boards (Restricted Definition) (collectively, the "Codes") because they failed to adhere to the "Donations to the City of Toronto for Community Benefits Policy" (the "Donations Policy" or the "Policy") with respect to an application for a bylaw amendment that would allow a third party sign (a billboard) located at the City-owned Arena.

I conducted an investigation and for the reasons set out in the attached report concluded that there was no contravention of the Code of Conduct. I recommend that City Council receive the attached report for information.

### **RECOMMENDATIONS**

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#### **The Integrity Commissioner recommends that:**

1. Council receive the April 20, 2017 Report Regarding the Conduct of Councillors Jon Burnside and John Campbell and a Member of the Leaside Memorial Community Gardens Arena Board of Management for information.

## **FINANCIAL IMPACT**

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This report has no financial impact.

## **DECISION HISTORY**

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City Council has not previously considered this matter.

## **COMMENTS**

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On June 30, 2016, a member of the public (the "Complainant"), filed three complaints about the conduct of Councillor Jon Burnside, Councillor John Campbell, and Raymond J. White, the Chair of the Leaside Memorial Community Gardens Arena (the "Arena") Board of Management (the "Board") (collectively, the "Respondents").

The complaints alleged that the Councillors contravened Article XV (Failure to Adhere to Council Policies and Procedures) of the Code of Conduct for Members of Council and that Mr. White contravened Article XV (Failure to Adhere to Council Policies and Procedures) of the Code of Conduct for Members of Local Boards (Restricted Definition) (collectively, the "Codes") because they failed to adhere to the "Donations to the City of Toronto for Community Benefits Policy" (the "Donations Policy" or the "Policy") with respect to an application for a bylaw amendment that would allow a third party sign (a billboard) located at the City-owned Arena.

The complaint was received and investigated in accordance with the applicable Code of Conduct Complaint Protocol. The attached report outlines the findings and conclusions that the Respondents did not contravene the Code of Conduct.

The complaints are about the application of the Donations Policy, a policy that is currently under review. As I have previously commented, the principles advanced by the Donations Policy are important. Whether and how these principles ought to apply to the sign approval process requires review. I therefore welcome the ongoing review of the Donations Policy.

Part B, s. 6(3) of the Complaint Protocols gives the Integrity Commissioner discretion to make a report to Council about a dismissed complaint in exceptional circumstances. I conducted a confidential investigation but the fact of this complaint has been made public. In my view, it is important and appropriate to bring the fact of the investigation, the findings, and the discussion of the Donations Policy to the attention of Council and to assist with an ongoing review of the Donations Policy. I am therefore, filing this report with Council with the recommendation that it be received for information.

## **CONTACT**

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## **SIGNATURE**

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Valerie Jepson, Integrity Commissioner

## **ATTACHMENTS**

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Attachment 1: April 20, 2017 Report Regarding the Conduct of Councillors Jon Burnside and John Campbell and a Member of the Leaside Memorial Community Gardens Arena Board of Management (13 Pages)