

Declaration of Vacancy in the Office of Councillor, Ward 1, Etobicoke North

Date: June 8, 2022

To: City Council

From: City Clerk

Wards: Ward 1

SUMMARY

Michael Ford was elected to the Legislative Assembly on June 2, 2022. City Council needs to officially declare the Ward 1, Etobicoke North seat vacant.

RECOMMENDATIONS

The City Clerk recommends that:

1. City Council declare a vacancy in the office of Councillor, Ward 1, Etobicoke North.

FINANCIAL IMPACT

The costs to advertise and recruit qualified electors for appointment to Council are minimal and can be absorbed by the City Clerk's Office budget.

DECISION HISTORY

At its meeting on May 11 and 12, 2022, City Council authorized a contingency plan to deal with further vacancies on Council, should they arise:

2022.CC43.4 - Vacancies in the Offices of Councillor, Ward 10, Spadina-Fort York and Ward 13, Toronto Centre, and Contingency Plan for Any Further Vacancies
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.CC43.4>

Michael Ford was elected to the Legislative Assembly on June 2, 2022.

COMMENTS

City Council must declare the seat vacant

Under the City of Toronto Act, if a seat becomes vacant due to resignation or election to the Legislative Assembly, City Council must declare the seat vacant at its next scheduled meeting.

Michael Ford has submitted his resignation to the City Clerk effective on the earlier of June 14, 2022 or the day the official election results are published in the Ontario Gazette.

As of the date of this report, the election results have not yet been published in the Gazette.

City Council must fill the vacancy

Under the City of Toronto Act, 2006, City Council must fill any vacancy that occurs more than 90 days before the election. After that date (July 26, 2022) filling any vacancies that occur is optional.

The City of Toronto Act, 2006 also requires that seats be filled no later than 60 days after they have been declared vacant, which is August 14, 2022 in the case of a declaration made at this meeting.

City Council must appoint, it cannot fill the vacancy by by-election

Under the Municipal Elections Act, no by-election may be held for a seat that becomes vacant after March 31st in an election year.

To be qualified to hold office, a person must be:

- 18 years of age or older
- a Canadian citizen
- a resident of the City of Toronto, or an owner or tenant of land in the City or the spouse of such an owner or tenant
- not be prohibited from holding municipal office or from voting under any Act.

City Council has approved an appointment process to fill the vacancy

In approving a process to fill the previous vacancies in the Offices of Ward 10 and 13, City Council also authorized the City Clerk to establish deadlines and seek applications from interested persons for appointment should a further vacancy arise.

City Council also decided to fill any further vacancy using the same process:

- a. the City Clerk advertises the vacancy inviting any interested and qualified applicants to seek appointment to City Council;
- b. interested persons complete a Consent of Nominee and Acknowledgement of Qualifications and provide personal identification showing their name and qualifying address within the City of Toronto;
- c. the deadline for submitting the required forms to the City Clerk is Monday, June 20, 2022 at 4:30 p.m.;
- d. the City Clerk submits a report with the list of applicants for publication on the agenda of a special City Council meeting;
- e. each applicant is provided the opportunity to address City Council for up to 5 minutes;
- f. the order in which applicants address City Council is determined by random draw conducted by the City Clerk when City Council begins its debate on the item;
- g. Members of City Council are entitled to ask one question of each candidate;
- h. City Council votes on the appointment by ballot in accordance with procedures established by the City Clerk; and
- i. City Council enacts a by-law confirming the appointment of the successful candidate to the office for the remainder of the term of the present Council.

There will be several resulting committee and board vacancies

There will also be a number of vacancies on City committees and boards:

- Audit Committee
- Economic and Community Development Committee
- Exhibition Place Board of Governors
- Etobicoke York Community Council, Vice Chair
- Greater Toronto Airports Authority (GTAA) Consultative Committee
- Striking Committee
- Toronto Police Services Board

The incoming Councillor for Ward 1 will become a member of the Etobicoke York Community Council by virtue of office. They will also assume various ward based appointments by virtue of office, such as Arena Boards, Business Improvement Area Boards and Community Centre Boards.

Customarily when vacancies occur, City Council appoints the incoming Councillor to the resulting standing committee vacancy, in keeping with the requirement of the Council Procedures that every Member is required to sit on at least one standing committee.

The City Clerk would also canvass Members for their interest in appointment to the other vacancies and report the results to the Striking Committee. Given the lateness in the term, Council may wish to consider making appointments to fill some of these vacancies at this meeting.

The Mayor has called a special City Council meeting to make an appointment to Ward 1, Etobicoke North

In accordance with the Council Procedures, the Mayor has called a special City Council meeting for Friday, June 24, 2022 at 1 p.m. to make an appointment to the office of Councillor, Ward 1, Etobicoke North.

CONTACT

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SIGNATURE

John D. Elvidge
City Clerk