



John Tory
Mayor

July 12, 2022

Members
Executive Committee
City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Dear Members:

Re: Vacant City Council Seats

During every term of City Council several Councillor seats are vacated. These positions are filled by a by-election or an appointment made by Council. The City of Toronto Act outlines the process for filling vacancies, by either requiring a by-election, or by appointing a qualified person. By-elections cannot be held after March 31 in the year of a general election.

Section 208, subsection 3, paragraph 3 of the City of Toronto Act currently states that if a vacancy occurs within 90 days before voting day of a regular election, the City is not required to fill the vacancy.

I asked the City Clerk's Office to help determine how this process may be improved. As a result of these discussions, I am putting this motion forward to request the Province of Ontario to amend the City of Toronto Act so that if a City Council vacancy occurs after March 31 in the year of a regular election, the City is not required to fill the vacancy.

Residents of Toronto should decide who acts on their behalf at City Council. By-elections are the ideal method of choosing a new Councillor. Only when absolutely necessary should Council decide to appoint individuals to a City Councillor position such as when there are multiple vacancies and there is a need to ensure quorum and functionality of our committees, boards, and Council, etc.

Council should, however, make certain that the regular day to day operations of a Ward Office continue when its Council seat is vacant. In 2018 (EX35.20), this Council authorized

the City Clerk to provide administrative management of a vacant Council Member office including, but not limited to, purchasing and staffing matters. The staff will be responsible for the operations of the Ward Office and will assure that constituents are being served.

Recommendations

1. City Council request that the Province of Ontario amend the City of Toronto Act so that if a Council vacancy occurs after March 31 in the year of a regular election, the City is not required to fill the vacancy.

John Tory
Mayor of Toronto