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To be listed on the Community Services  
Agenda, 5 October 2000

DATE 21 September 2000

TO/DEST. Coordinator, Community Services Committee

FROM/EXP. Director, Litigation & Employment Law

SUBJECT/OBJET **PARTICIPATION OF REGIONAL COUNCILLORS ON THE  
OTTAWA-CARLETON HOUSING BOARD  
(CSC INQUIRY NO. 38(00))**

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BACKGROUND

At the Community Services Committee meeting of September 8, 2000, Councillor W. Byrne made an inquiry concerning the June 5, 2000 meeting of the Ottawa-Carleton Housing Board, wherein she was declared in conflict of interest on an item dealing with a housing building located in her ward. The following two questions were raised:

1. Given how severely this would limit Councillors' participation in Ottawa-Carleton Housing Board matters, what is the purpose of the requirement for Regional Councillors on the Board of Ottawa-Carleton Housing?
2. What does the Region expect Councillors to contribute to the Board?

Subsequent to the Committee meeting, Councillor Byrne provided further clarification of her request by asking:

“Please define a Councillor’s role under a ward system as prescribed by existing legislation and the *New City of Ottawa Act*.”

## RESPONSE TO INQUIRY

From the legal perspective, it is difficult to answer the initial two questions as they require some insight into, firstly, the intentions of the Provincial Government in appointing Regional Councillors to the Board, and, secondly, the expectations of Regional Council as to what Regional Councillors would contribute to the Board. I am not aware that either the Province or Regional Council have spoken directly on these issues.

In terms of the further request given by way of clarification, I can indicate that the role of a Councillor is not specifically dealt with in existing municipal legislation or the *New City of Ottawa Act*. However, I believe it is safe to say that the role of a Regional Councillor is to, in general, speak to the well-being of and represent the residents of Ottawa-Carleton, with particular attention to those residents in the Councillor's ward.

In the case of social housing, the Regional Municipality is presently paying for its cost and the management of this portfolio will be assumed by the new City on January 1, 2001. Presently, five spaces on the Ottawa-Carleton Housing Board are reserved for Regional Councillors and, presumably, this is to allow for Regional input in preparation for final assumption. Since there is no limitation on the appointment of Regional Councillors or the extent of their participation on the Board, it is expected Regional Councillors are there to participate on the Board as full members with full rights and responsibilities. In my view, this would include any perspective or obligations Regional Councillors would bring with them by reason of their being on Regional Council. If Regional Councillors were to be limited to something less than a full role, I would have expected some limitation to exist in their appointment.

## CONCLUSION

In conclusion, it is my view that there is no conflict of interest in a Regional Councillor sitting on the Ottawa-Carleton Housing Board. In each case, there is a general responsibility towards the population at large. There is nothing to indicate in the appointment that the Regional Councillor is not free to continue to serve their ward constituents while participating on the Board. To allege otherwise would have the effect of largely nullifying the appointment.

*Approved by  
Donald W. Wilson*