

# Staff Report



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To	<b>City Council</b>
Service Area	Corporate Services
Date	Tuesday, May 27, 2025
Subject	<b>City Council Vacancy Declaration – Ward 6</b>

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## Recommendation

1. That City Council declare the seat of Councillor Dominique O'Rourke, Ward 6 Councillor, to be vacant per Section 262 of the Municipal Act, 2001.
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## Executive Summary

### Purpose of Report

To seek City Council's declaration of a vacancy in the office of Ward 6 Councillor, following the election of Councillor Dominique O'Rourke to the position of Member of Parliament for Guelph.

### Key Findings

The Municipal Act (the Act) establishes grounds under which someone is not eligible to hold office as a member of City Council. [Sub-section 258\(1\)](#) includes election to the House of Commons of Canada as one of those grounds. As such, City Council is legislatively required to declare a vacancy under [sub-section 262\(1\)](#) of the Act.

This vacancy also creates vacancies in other positions, including chair of Infrastructure, Development and Environment (IDE) section of the Committee of the Whole. Staff recommend filling these vacancies after the Ward 6 seat is filled. This will allow the incoming councillor to participate and be considered for those vacancies, should they wish to do so. In the interim, it is recommended that the vice-chair of IDE acts as the chair until a permanent replacement is appointed.

Following the declaration of the vacant seat, a subsequent staff report will outline options for filling the vacancy.

### Strategic Plan Alignment

This report aligns with the Foundations theme of the Future Guelph Strategic Plan. It supports the objective of leading with accountability, ensuring continued effectiveness of City Council processes by addressing governance vacancies ahead of the next municipal election in 2026.

### Future Guelph Theme

Foundations

## **Future Guelph Objectives**

Foundations: Lead with accountability

## **Financial Implications**

None.

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## **Report**

### **Council vacancy declaration**

[Section 259](#) of the Act outlines the conditions under which the office of a member of City Council becomes vacant. Grounds for disqualification include election to the House of Commons of Canada in accordance with [Section 258](#) of the Act.

On April 28, 2025, Councillor Dominique O'Rourke was elected to the position of Member of Parliament for Guelph. A resignation from her position on Council was received effective as of May 14, 2025. A City Council vacancy declaration is now legislatively required by [sub-section 262\(1\)](#) of the Act at the next meeting of City Council.

### **Board and Committee vacancies**

With Councillor O'Rourke's Ward 6 seat declared vacant, the following positions have now also become vacant:

- Committee of the Whole Chair, Infrastructure, Development and Environment
- Member, Chief Administrative Officer Recruitment, Selection and Performance Sub-committee (as the Chair of IDE)
- Member, Joint Social Services and Land Ambulance Committee (JSSLAC) (as the Chair of IDE)
- Member, Board of Trustees of the Elliott
- Member, Committee of Management of the Elliott (as the City Council appointed representative on the Board of Trustees of the Elliott)
- Member, Well Interference Committee

There are no legislative requirements that apply regarding the filling of these board and committee vacancies and City Council is free to fill them in whatever way it chooses. City staff recommend that these positions be filled after the vacant Ward 6 seat is filled. Depending on the method chosen by City Council to fill the Ward 6 seat, the duration of these vacancies could extend into September or as late as early November.

In the interim, it is recommended that the vice-chair of IDE assumes the responsibilities of the IDE chair, including as a member of the JSSLAC and Chief Administrative Officer Recruitment, Selection and Performance Sub-committee. The Well Interference Committee, the Committee of Management of the Elliott, and the Board of Trustees for the Elliott are not expected to experience any negative impacts from this vacancy over a period of four to six months. The Board of Trustees for the Elliott has confirmed that they are comfortable with the vacancy during this time.

Should City Council wish to fill some or all of these vacancies prior to the filling of the vacant Ward 6 seat, the following motions can be used:

2. That Councillor \_\_\_\_\_ be appointed as the Committee of the Whole Infrastructure, Development and Environment Services chair for a term ending November 15, 2026.
3. That Councillor \_\_\_\_\_ be appointed to the Board of Trustees of The Elliott for a term ending November 15, 2026.
4. That Councillor \_\_\_\_\_ be appointed to the Well Interference Committee for a term ending November 15, 2026.

### **Next steps**

Once the seat has been declared vacant, the Act requires that City Council decide on how to fill the vacancy within 60 days. Staff are seeking City Council direction on how to fill the vacancy at the May 27, 2025 City Council meeting. More details regarding these options, along with associated timelines, costs and operational considerations, are included in that report.

### **Financial Implications**

None. Financial implications will vary considerably based on how City Council chooses to fill the vacant seat. More information on the financial implications of that decision are included in the May 27, 2025 staff report titled Ward 6 Council Vacancy.

### **Consultations and Engagement**

Michelle Karker, CEO, The Elliott Community

### **Attachments**

None.

### **Departmental Approval**

None.

### **Report Author**

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### **This report was approved by:**

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**This report was recommended by:**

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