

Staff Report

Report To: City Council

Report From: Briana Bloomfield, City Clerk

Meeting Date: December 18, 2017

Report Code: CR-17-116

Subject: Question on the Ballot - Casinos

Recommendations:

That in consideration of Staff Report CR-17-116 respecting a question on the ballot relating to casinos, City Council receives the report for information purposes.

Strategic Initiative:

1. Develop a coordinated approach to attract new investment and encourage economic development
2. Leverage our City's assets in order to enhance tourism opportunities
3. Attract new and retain existing residents

Background:

On October 14, 1997, City Council passed By-law No. 1997-156 to submit a question to the electors in the 1997 municipal election respecting approval of a charity gaming club (mini-casino) in Owen Sound. The question was as follows:

"Are you in favour of the City approving a Charity Gaming Club (Mini-Casino) in the City of Owen Sound?"

Although the results of the plebiscite were extremely close, the final result was that the majority of voting electors were not in favour of the City approving a Charity Gaming Club in the City.

At the May 17, 2012 Economic Development and Tourism Advisory Committee meeting, the Manager of Economic Development and Tourism presented a report respecting Ontario Lottery and Gaming Corporation (OLG) opportunities and the following Resolution No. R-120528-023 was adopted by City Council on May 28, 2012:

"That in consideration of the report dated May 11, 2012, the Economic Development and Tourism Committee recommend to Council that staff monitor and pursue opportunities for expanded gaming in the City of Owen Sound."

At the June 11, 2012 City Council meeting, the Manager of Economic Development and Tourism presented a further report respecting OLG opportunities and the following Resolution No. R-120611-018 was adopted:

"That in consideration of a report dated June 11, 2012 from the Manager of Economic Development and Tourism, City Council hereby directs staff to respond to the OLG's request for information regarding the new gaming zones expressing the City's interest in being considered for a new gaming zone."

On June 25, 2012 the Mayor sent a letter to the OLG expressing the City's interest and requesting a meeting to discuss the matter further. The Minister of Finance declined the meeting stating that the casino boundaries had been decided and the City is not eligible to apply to have a casino.

City Council, at its meeting held on November 20, 2017 passed the following Resolution No. R-171120-020:

"THAT City Council requests that staff prepare a report respecting the effectiveness of a plebiscite for allowing a casino to open in the City of Owen Sound."

Analysis

Municipal Elections Act, 1996 ("MEA") Requirements

In order to place a question on the ballot there are several MEA requirements including:

- the question must be within Council's jurisdiction;
- a public meeting must be held to consider the question and notice must be provided at least 10 days in advance of the public meeting;

- notice of the intention to pass the by-law must be provided at least 10 days in advance of the passing of the by-law;
- the by-law must be passed on or before March 1, 2018 and cannot be amended after this date;
- the question must be capable of being answered in the affirmative or the negative (yes or no); and
- the results of a question are binding on the municipality if at least 50% of the eligible electors vote on the question and more than 50% of the votes on the question are in favour of those results.

As noted above, in order for the answer to the question to be binding, at least 50% of eligible voters need to vote. Typically, Owen Sound does not have this type of voter turnout; there are elements that can increase voter turnout such as a controversial race, question on the ballot or voting method.

OLG Requirements

The OLG have advised of the following:

- the gaming zones that were set in 2012 remain unchanged today and Owen Sound is not included in a gaming zone;
- they have no plans to add to or adjust the current number of gaming zones and have no directive from the provincial government to make any additions or alterations to the current gaming zones that were approved in 2012;
- being added as a gaming zone is not within Council's jurisdiction;
- Council could send a letter notifying the OLG of their interest in being a location for a gaming zone and the letter would be kept on file;
- Placing a question on the ballot would be for information purposes only and not considered by OLG in determining gaming zones;
- they are happy to provide a deputation to Council; and
- a casino is planned for either Wasaga Beach or Collingwood.

Staff do not recommend adding a question on the ballot respecting the opening of a casino in Owen Sound. Gaming zones are not within Council's jurisdiction and there would be no action to take by asking a question about the public's interest in having a casino, contradicting the MEA which states that the decision must be binding.

Financial/Budget Implications:

To put notices in the Sun Times it costs approximately \$350 and at least two notices would be required. There would be costs involved in communicating to the public that there is a question on the ballot (printed material and radio ads). There would also be staff time involved in preparing notices and communication material.

Communication Strategy:

Communication of a question on the ballot would be provided in accordance with the MEA as well as other means of advertisement as decided by the Clerk.

Consultation:

Jake Pastore, OLG's Director of Municipal and Community Relations

Attachments:

None

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