

Events Between Survey #1 and Survey #2 Which Could Affect City of Ottawa Politicians' Respect for Trust, Transparency, and Accountability, or Citizens' Access to Public Records

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Interim Report 26, Research Project Chronicling the Use of Transparency and Accountability as Political Buzzwords, or as Drivers Ensuring the Standard of Access to Public Records in Canada Is Best Practice

April 8, 2024

Events Between Survey #1 and Survey #2 Which Could Affect City of Ottawa Politicians' Respect for Trust, Transparency, and Accountability, or Citizens' Access to Public Records

“Increasing trust, transparency and accountability [is] a tremendous priority for me.”

Comment by Mayor Mark Sutcliffe, City of Ottawa,
published in the *Ottawa Citizen*, August 23, 2023.

A. Background

The research project, [Chronicling the Use of Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring the Standard of Access to Public Records in Canada is Best Practice](#), commenced in 2019.

To the date of this publication, five surveys have been administered in which City of Ottawa council members during the terms 2018-2022 and 2022-2026 are asked,

Do you agree that citizens are entitled to free, easy, timely, and direct online access to public records?

Published survey reports include:

- [Interim Report 2. Responses of City of Ottawa Mayor and Councillors to the Question: Do You Agree that Citizens Are Entitled to Free, Easy, Timely, and Direct Online Access to the Public Records Held by the City of Ottawa?](#)
- [Interim Report 3. Using Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring Access to Public Records in Canada Is Best Practice, Ottawa Council Score: Political Buzzwords, 87.5%; Drivers, 12.5%](#)
- [Interim Report 8. Second Survey Asking City of Ottawa Mayor and Councillors, Do you agree that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa?](#)
- [Interim Report 9. Using Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring Access to Public Records in Canada is Best Practice: Ottawa Council Rating after the Second Citizen Access Survey–Political Buzzwords, 79%; Drivers, 21%](#)
- [Interim Report 16. Third Survey Asking City of Ottawa Mayor and Councillors, Do you agree that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa?](#)

- [Interim Report 17. Using Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring Access to Public Records in Canada is Best Practice: Ottawa Council Rating after the Third Citizen Access Survey–Political Buzzwords, 79%; Drivers, 21%](#)
- [Interim Report 22. City of Ottawa Mayor and Councillors, 2022-2026: Do You Agree that Citizens Are Entitled to Free, Easy, Timely, and Direct Online Access to the Public Records Held by the City of Ottawa? Survey #1](#)
- [Interim Report 23. Analysis and Implications of Survey #1, City of Ottawa Mayor and Councillors, 2022-2026: Do You Agree that Citizens Are Entitled to Free, Easy, Timely, and Direct Online Access to the Public Records Held by the City of Ottawa?](#)
- [Interim Report 25. City of Ottawa Mayor and Councillors, 2022-2026: Do You Agree that Citizens Are Entitled to Free, Easy, Timely, and Direct Online Access to the Public Records Held by the City of Ottawa? Survey #2](#)

Interim Report 25 presented the results of administering survey #2 to the 15 members of the 2022-2026 City of Ottawa council who did not respond yes to survey #1, and again are asked,

Do you agree that citizens are entitled to free, easy, timely, and direct online access to public records?

Interim Report 27 and Interim Report 28 analyse the results from survey #2 of the 2022-2026 council and discuss the implications of survey #2 results for citizens in terms of their being accorded free, easy, timely, and direct online access to City of Ottawa public records.

The core research question for Interim Report 27 and Interim Report 28 is,

How close is the 2022-2026 City of Ottawa council to agreeing that citizens are entitled to free, easy, timely, and direct online access to City of Ottawa public records?

Or, to re-phrase,

How close is the 2022-2026 City of Ottawa to using the terms transparency and accountability as drivers to ensure public access to public records is best practice?

Before proceeding to the analysis and implications investigations, however, an intervening research step is necessary.

That is, it is necessary to consider whether any political, institutional, inter-governmental, jurisdictional, legislative, legal, or other factors affecting transparency, accountability, trust, and access to public records in the City of Ottawa differ significantly between survey #1 and survey #2.

The research concern is that significant differences in one or more of those factors could affect the survey results, and the validity of analyses undertaken, and implications drawn.

Consequently, if such differences occurred then it is necessary to incorporate them in the research design so that we might better understand the reasons, causes, forces, etc., behind changes or lack of changes in the results between survey #1 and survey #2.

B. Context for Analysis and Implications Comments Regarding the Results of Survey #2

Numerous events involving public access to City of Ottawa public records occurred between the publication of reports discussing the results and implications of survey #1, and the launch of survey #2.

Specifically, what these events entail include promises, pledges, calls, complaints, concerns, declarations, decisions, and actions which point to the current City of Ottawa mayor and councillors transforming or not transforming use of the terms transparency and accountability into actions ensuring or denying whether the quality of citizens' access to City of Ottawa public records is improved over what it was during the term of the previous council.

And regard for those potential changes brings us to consideration of the state of practice which characterizes the quality of access that the City of Ottawa provides to its citizens and anyone else wishing to access City of Ottawa public records. **(1)**

As previous reports establish, characterizing the state of practice achieved by a municipal government in any domain is relative to the practices achieved by other municipal governments. For the purposes of this project there are six states of practice, and they range from worst to best with worse, bad, good, and better lying between the two end states.

The evidence acquired to date puts the City of Ottawa on the negative side of the access practices ledger, which means that if the 2022-2026 council improves on the 2018-2022 council it is moving the access needle from worst to worse, worse to bad, or bad to good. **(2)**

We know from survey #1 that ten members of the 2022-2026 council – **Bradley, Brockington, Brown, Devine, Johnson, Kavanagh, King, Kitts, Luloff, and Menard** – agree that citizens are entitled to free, easy, timely, and direct online access to City of Ottawa public records.

The remainder of section B explores a selection of events which could be indicative of motivating factors that might induce members of this council to improve on the low-level quality of access situation left for it by the previous council.

And, conversely, if seemingly motivating factors for change have no effect on members of council who did not respond in the affirmative to survey #1 – **Sutcliffe, Carr, Curry, Darouze, Desroches, Dudas, Gower, Hill, Hubley, Kelly, Leiper, Lo, Plante, Tierney, and Troster** –, then code of conduct and other questions arise about municipal politicians' obligations while holding office in the Province of Ontario. **(3)**

And that brings me to residents as a factor in the motivating process, and especially as it involves politicians at any level who are not inclined to be responsive to constituents during a term, or who may be planning to seek re-election to a further term and do not want to irritate voters before the election.

This matter is very pertinent to the present report, and for context purposes Table 1 contains the links to a selection of previous reports and communications about the role of citizens, and especially constituents, as a motivating factor to move municipal politicians into action. **(4)**

Table 1. Links to a selection of materials discussing the need and means for voters to motivate politicians to improve citizens' access to public records

1. <https://ottawacitizen.com/opinion/wellar-city-of-ottawa-needs-to-be-more-transparent-only-voters-can-make-that-happen>
2. “With election ahead, we need to make public records truly public”, in The Conversation. January 2, 2019 6.55pm EST. (<http://theconversation.com/with-election-ahead-we-needto-make-public-records-trulypublic-107645>)
3. <https://ottawacitizen.com/opinion/columnists/wellar-we-need-free-easy-access-to-public-records>
4. “Building the case that a free and democratic society means free, easy, timely, and direct online access to public records”, in The GIS Professional.

<https://www.urisa.org/clientuploads/directory/Documents/The%20GIS%20Professional/2019/JanFeb2019.pdf>

5. <https://ottawa.ca/en/city-hall/accountability-andtransparency/accountability-framework/code-conduct-members-council-and-relatedpolicies/code-conduct-and-related-policies#code-conduct-members-council>
6. [Interim Report 14. Asking the Question: Is Freedom of Information Legislation a Citizens' Conduit to Public Records, or an Institutional Barrier to Public Records?](#)
7. [Interim Report 15. Identifying Tactics Used by Politicians to Restrict Citizens' Access to Public Records](#)
8. [Interim Report 18. Invoking the Code of Conduct to Publicly Oblige City of Ottawa Politicians to Demonstrate Due Regard for Transparency and Accountability](#)
9. [Interim Report 19. Nomination for the 2020 Code of Silence Award: City of Ottawa Supporting Evidence – Reports from the Pilot Study Chronicling the Use of Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring the Standard of Access to Public Records in Canada is Best Practice](#)
10. [Interim Report 20. Nomination for the 2020 Code of Silence Award: City of Ottawa Supporting Evidence – Communications to Mayor and Councillors that Received 'The Silent Treatment'](#)
11. [Interim Report 21. Nomination for the 2020 Code of Silence Award: City of Ottawa Supporting Evidence – Media Stories That Indicate a Code of Silence Has Been Adopted by Members of Council](#)
12. [Investigating the Need for Structural and Functional Reform of Ottawa Police Service and Ottawa Police Services Board](#)
13. [How Does Ottawa Council Ensure that a Police Reform Initiative Primarily Serves the Interests of Citizens?](#)
14. [Interim Report 24. Survey Says Citizens Should Ask MPs Hard Questions About the Access to Information Act \(ATIA\) Review Process](#)

Residents of a particular ward could be aware, as might residents of other wards, that pressure on a councillor about a particular item caused that councillor to change her or his position, including whether to participate in a survey.

However, what we are considering here are broad-based events which seemingly could, and some might say should, cause members of council to change their positions from non-response to yes when asked the survey question, Do you agree that citizens are entitled to free, easy, timely, and direct online access to public records?

Ten events for which a paper trail or digital record exists are presented to illustrate the kinds of events which could motivate members of the gang of 15 to transform use of the terms transparency, accountability, trust, liability, and integrity into actions that ensure citizens' access to public records is best practice. **(5)**

Event 1. Report of the Ottawa Light Rail Transit (OLTR) Public Inquiry

As announced in multiple broadcast media and social media accounts, the Honourable Justice William Hourigan released the final report of the Ottawa Light Rail Transit (OLRT) Public Inquiry on November 30, 2022.

https://www.archives.gov.on.ca/en/e_records/OLRTPI/documents/final-report/index.html

The inquiry reports in combination with “The video, Summary of Findings”, and “The Video, News Conference”, provide a massive compilation of communications failures which made a total mockery of any notions about transparency and accountability in the mayor’s office, in the offices of those councillors directly involved as insiders in light rail transit decision-making, and in the offices of the members of staff and consultants to staff who were directly involved as insiders in light rail transit project decision-making,

On the outside of the inner circle with little more to go on than incidental observations, conversational comments, rumours, gossip, and musings about the state of OLRT affairs were members of council who were not party to the OLRT inner circle, members of the broadcast and social media, and, ultimately and most disturbingly, the citizens of Ottawa who were last to learn what they are getting and not getting for their tax dollars, and who are last to hear about past LRT failures, current LRT failings, and future LRT shortcomings, shortfalls, uncertainties, etc. **(6)**

Mention of the Hourigan inquiry is pertinent to this report for a number of reasons, three of which should be sufficient to confirm that just talking the talk about transparency and accountability is not likely to engender citizens’ trust in and respect for politicians.

First, while much lip service is given by Ottawa’s municipal politicians to transparency and accountability, there is no published evidence that citizens believe they are now

getting timely, accurate, and complete information about LRT operations, costs, performance, etc.

Second, the Hourigan inquiry continues to have prominent standing, and will likely do so for decades because many of the LRT problems are systemic and are not going to go away any time soon.

Third, the Hourigan inquiry comprehensively documented how former mayor Jim Watson and an inner circle of councillors and senior staff failed Ottawa citizens as well as other provincial and federal taxpayers in a number of respects, including the failure of the 2018-2022 council to properly inform citizens about the light rail transit mess.

Fourth, it seems to be a given that every candidate for office in the run-up to the 2022 municipal election had to be fully aware of the LRT communications muck up, and upon election would strive mightily to avoid such a muck-up in any future city initiative.

Survey #1 was taken shortly after this council took office, and by the time of survey #2, 15 months had passed.

Given that time span, as well as high broadcast and social media coverage of the Hourigan report and ongoing LRT troubles, it is a reasonable expectation that by the time of survey #2 every member of council knew that citizens *have had it up to here* with continuing communication problems and lack of proper access to records.

Further, it is a reasonable expectation that after the blistering Hourigan *exposé* of the LRT mess caused by some members of the previous council, all members of the current council would be motivated to avoid communications problems by such measures as ensuring that citizens have free, easy, timely, and direct online access to City of Ottawa public records. (7)

Event 2. Email to Mark Sutcliffe re 'Cone of Silence', Rideau Transit Group (RTG) File

After 11 months of highly publicized activity on Hourigan's Ottawa light rail transit file, and then the publication of reports (Event 1) that went on at great lengths about numerous communication failures traceable to the office of former mayor Jim Watson, it was to be hoped that incoming Mayor Mark Sutcliffe would not replicate the Watson failures.

However, that was wishful hoping, because within less than three months of taking office Sutcliffe did exactly what Watson had done by keeping secret from citizens the details of a financial settlement deal worked out between a group of city officials and Rideau Transit Group, one of the participants in the OLRT fiasco.

With thoughts of Watson 2-0, Cone of Silence 2.0, Same Old, Same Old 2.0, and *Plus ça change, plus c'est la même chose* 2.0 top of mind, the following email was sent to Mayor Sutcliffe in the hope that it might motivate him and council to change course and immediately take action to ensure that citizens have free, easy, timely, and direct online access to City of Ottawa public records.

From: wellar.barry@gmail.com <wellar.barry@gmail.com>

Sent: Sunday, February 5, 2023 9:44 PM

To: 'Mark Sutcliffe' <Mark.Sutcliffe@ottawa.ca>

Cc: 'Laine Johnson' <Laine.Johnson@ottawa.ca>; 'George A. Neville'

<george.neville@ncf.ca>; 'douglasarnold douglasarnold'

<douglasarnold@sympatico.ca>; 'le hibou' <ottawaowl2@yahoo.ca>; 'Horizon Ottawa'

<info@horizonottawa.ca>; 'Charles Ficner' <ec323@ncf.ca>; 'Ange Holmes'

<ange.holmes@ryerson.ca>; nylamiles48@gmail.com; bdeachman@postmedia.com;

'Erwin Dreessen' <erwin_dreessen@ncf.ca>; 'kenrubin' <kenrubin@rogers.com>; and

Ottawa Council

Subject: Re: Settlement with RTG

Mayor Mark Sutcliffe City of Ottawa

Re: Settlement with RTG.

Given the repeated bungling of the RTG file, I wish to have full access to the settlement details. I have been searching for same via the City of Ottawa website, but without success.

However, my failure in that regard became clear while catching up on my news reading.

The Andrew Duffy column in the Ottawa Citizen of January 29, 2023, reports that a financial settlement has been reached between the City of Ottawa and RTG. Say what?

And, I also see, despite the numerous mistakes made on the RTG file during the last term of council, that we have more of the same old, same old 'cone of silence' M.O. with the terms of the settlement not being made public, and are to remain confidential according to Renee Amilcar, the city's general manager of transit services. Say what?.

Whatever are you and city staff thinking?

Good grief, it flies in the face of good sense and good governance that you or anyone else at city hall who is in service to citizens would think even for a careless moment that citizens are to be precluded from seeing what you or anyone else is doing with our money.

I want to see the details of that settlement, because I have zero confidence after repeated instances of bungling over many months by politicians and staff that the settlement is in the best interests of me as a taxpayer.

Please provide me the link to all the pertinent records at the earliest moment.

Thank you.

Barry Wellar

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No reply to that email was received from Sutcliffe, but other recipients of the email commented that the message might motivate him and council to ensure that all city deals incorporate free, easy, timely, and direct online access to citizens: NO MORE SECRET DEALS.

Otherwise, feelings of trust in this council would go down the tubes, just as they did with the Watson council.

Further in terms of motivation, the LRT mess dominated both broadcast and social media communications throughout much of the 2018-2022 term of council, so the provided email is typical of communications which should have tipped of all members of the 2022-2026 council that any semblance of a cone of silence must be deep-sixed.

Moreover, the email should have served as a loud, loud, motivational wake-up call to seven members of the group of 15 – **Curry, Darouze, Dudas, Gower, Hubley, Leiper, and Tierney** who were on the 2018-2022 council during the LRT mess –, to end the cone of silence treatment of citizens.

Event 3. Emails informing Mayor Sutcliffe and councillors of publications reporting on City of Ottawa Council contributions to research on Best Practice Standards for Citizens' Access to Spatial Records Held by Local Governments

Ottawa's municipal politicians have frequently referred to Ottawa as a "world-class city", and although such claims by municipal politicians are often regarded as puffery, "world-class" can be equated with best practices for whatever topic is under discussion.

In this case the general topic is public access to public records, and the specific topic is public access to spatial records which comprise in the vicinity of 80% of all records held by any local government, including the City of Ottawa.

The GIS-Pro 2023 conference of the Urban and Regional Information Systems Association was an opportunity to report on research into the state of public access to public records, City of Ottawa, and to perhaps motivate Ottawa's mayor and councillors to raise the city's access standard from the negative to the positive side of the practice ledger.

The body of this email was sent to all members of council.

Sent: Thursday, August 10, 2023, 9:28 PM

To: Mark Sutcliffe <Mark.Sutcliffe@ottawa.ca>

Cc: George A. Neville <george.neville@ncf.ca>; 'douglasarnold douglasarnold' <douglasarnold@sympatico.ca>; 'Ange Holmes' <ange.holmes@ryerson.ca>

Subject: Your contribution to GIS-Pro 2023 presentation on Contributions by City of Ottawa Council to Best Practice Standards for Citizens' Access to Spatial Records Held by Local Governments

Mayor Mark Sutcliffe

I write to acknowledge your contribution to several documents on the matter of public access to public records held by the City of Ottawa in particular, and by local governments in general. The published documents are as follows:

[Interim Report 22. City of Ottawa Mayor and Councillors, 2022-2026: Do You Agree that Citizens Are Entitled to Free, Easy, Timely, and Direct Online Access to the Public Records Held by the City of Ottawa? Survey #1](#)

[Interim Report 23. Analysis and Implications of Survey #1, City of Ottawa Mayor and Councillors, 2022-2026: Do You Agree that Citizens Are Entitled to Free, Easy, Timely, and Direct Online Access to the Public Records Held by the City of Ottawa?](#)

[Thoughts on adding geo-records to the pilot study on best practices for citizen access to public records \(Presentation Slides\)](#)

[Contributions by City of Ottawa Council to Best Practice Standards for Citizens' Access to Spatial Records Held by Local Governments](#)

Two GIS-Pro 2023 documents that will be published in due course are:

Best Practice Standards for Citizens' Access to Spatial Records Held by Local Governments (Abstract, GIS-Pro 2023 session).

Session on Best Practice Standards for Citizens' Access to Spatial Records Held by Local Governments (Session keynote, PowerPoint slide deck, GIS-Pro 2023)

The PowerPoint slide deck will be published in due course and will be available to you through any City of Ottawa employee who is a member of URISA which is responsible for the GIS-Pro 2023 conference.

Sincerely,

Barry Wellar

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Nepean, ON K2H 6T4
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As suggested in numerous previous reports, responding in the affirmative to the question, “Do you agree that citizens are entitled to free, easy, timely, and direct online access to City of Ottawa public records?” is a critical, early step in moving a local government up the practices ladder which has rungs ranging from worst to best.

Moreover, a majority of local government politicians not responding to inquiries on this topic sends a strong signal that it is likely to remain stuck on a lower rung for the foreseeable future.

Event 4. Ottawa Mayor Mark Sutcliffe declares at a media event announcing Wendy Stephenson as Ottawa’s new city manager that “increasing trust, transparency, and accountability an enormous priority.”

Events 1, 2, and 3 are part of the political backdrop to event 4, in that Sutcliffe’s predecessor Jim Watson is criticized multiple times in Hourigan inquiry productions for not properly informing council and, by extension citizens, regarding all manner of transparency, accountability, and trust shortcomings, errors, failings, etc., etc., regarding the massively bungled LRT file.

Further, events 1, 2, and 3 are also part of the professional, administrative, legal, operational, and technical backdrop to event 4 at the staff level, because Stephenson’s predecessor, Steve Kanellakos was also criticized in Hourigan inquiry productions for all manner of transparency, accountability, and trust shortcomings, errors, failings, etc., etc., regarding the massively bungled LRT file.

The Ottawa Citizen story follows for context, and to recall what appear to be compelling motivational reasons for Ottawa council to enthusiastically jump *en masse* to seize the opportunity to fix some of the many transparency, accountability, and trust issues identified by the Hourigan inquiry.

Wendy Stephanson named Ottawa's new city manager, I talked about how important it was to restore trust, not only with our residents, but with council as well.

Blair Crawford

Ottawa Citizen. Published Aug 23, 2023

Wendy Stephanson has been named Ottawa's new city manager, taking over a post she had filled on an interim basis for the past eight months.

Stephanson's appointment was announced Wednesday after an in-camera session of Ottawa city council. Stephanson, one of 10 candidates for the job, had been the city's chief financial officer before she stepped in to fill the vacancy created by the resignation of former city manager Steve Kanellakos last November.

"I'm very much looking forward to working with Wendy Stephanson to make our city safer, more reliable, and more affordable," Mayor Mark Sutcliffe announced on X, the social media platform formerly known as Twitter.

In making the announcement, Sutcliffe said, "We chose the absolute best candidate for the job."

Stephanson is a graduate of the Telfer School of Management at the University of Ottawa and studied commerce at Carleton University. She has worked for the city for more than 23 years.

The position pays a maximum salary of \$392,655. Stephanson's five-year term expires in 2028.

Stephanson became the city's top bureaucrat after the sudden resignation of Kanellakos just days before the damning public inquiry into the Confederation Line LRT was released last November. In his report, Justice William Hourigan laid blame on Kanellakos and former mayor Jim Watson for a "willful and deliberate" decision to withhold information about the train's poor performance in testing from council.

Hourigan specifically blamed Kanellakos for issuing "misleading" memos to council that were "inconsistent with the reality."

Speaking to reporters after Wednesday's meeting, Sutcliffe said increasing trust, transparency and accountability was "an enormous priority for me." (Bold added)

"I know it's a priority for Wendy as well. We spoke about it during the interview process, the need to increase trust in city services, including light rail," Sutcliffe said.

Stephanson echoed the mayor, saying she planned a three-pronged approach: good communication, increased transparency and providing reliable service.

"I talked about how important it was to restore trust, not only with our residents, but with council as well," Stephanson told reporters.

"It's going to take time, there's no question, and we're taking steps towards that. I hope everybody sees that."

<https://ottawacitizen.com/news/local-news/wendy-stephanson-named-ottawas-new-city-manager>

Statements by Sutcliffe and Stephanson about restoring and increasing trust, transparency, and accountability confirm that there was a cone of silence/secretcy problem at Ottawa city hall which was caused by politicians and staff, and that politicians and staff are obliged to fix the cone of silence/secretcy problem.

Moreover, while fixing the cone of silence/secretcy problem is just one of many priorities for Mayor Sutcliffe, it is deemed a "**tremendous priority**" for him and, presumably, members of council.

The news article did not elaborate what Mayor Sutcliffe meant by "tremendous priority", but contacted residents interpreted his remarks to mean that his actions and those of council and staff to restore and increase trust, transparency, and accountability would be top of to-do lists, first and foremost undertakings, right off the bat initiatives, no excuses given, immediate and comprehensive efforts, no secrecy stone left unturned, no councillor or staffer left behind, no directive about improving public access to public records left unsaid, the cone of silence totally gone, etc., etc.

On its face, therefore, the interview statements amounted to a charge to council to do whatever it takes to ensure that in order to earn their trust, residents must have the means in the first instance to hold council and staff to standards of transparency and accountability set by residents. **(8)**

One expectation of Sutcliffe and the 13 councilors who have not yet agreed that citizens are entitled to free, easy, timely, and direct online access to City of Ottawa public records is that after those 'marching orders' made the news Sutcliffe himself and the 13 councilors would be motivated to change their positions and endorse citizens having free, easy, timely, and direct online access to City of Ottawa public records.

This could be seen as one necessary step among many that are needed to fix some of the many transparency, accountability, and trust problems afflicting Ottawa city hall.

Event 5. Search for Mayor Sutcliffe's plan of action for him and council to restore and increase trust, transparency, and accountability!

Events 1, 2, and 3 establish that transparency, accountability, and trust were pretty much wiped out by former mayor Jim Watson and a majority of the 2018-2022 council, which means that a 'pep talk' kind of press scrum hailing the appointment of a new city manager is not going to restore and increase trust, transparency, or accountability.

Rather, what is needed from the get-go is a detailed plan of action with benchmarks, timelines, objective statements, measurement instruments, and the names of those responsible to ensure that the 'pep talk' is not just idle chatter.

An email sent a week after the "pep talk" interview asked Mayor Sutcliffe,

"... what practices have been or are identified, and their schedules for adoption and implementation by council to improve citizens access to the evidence needed to establish the validity of claims about trust, transparency and accountability which are achieved by you and other members of the City of Ottawa 2022-2026 council."

From: wellar.barry@gmail.com <wellar.barry@gmail.com>

Sent: Wednesday, August 30, 2023 9:45 PM

To: Mark Sutcliffe <Mark.Sutcliffe@ottawa.ca>; + Ottawa Council

Cc: George A. Neville <george.neville@ncf.ca>; 'douglasarnold douglasarnold' <douglasarnold@sympatico.ca>; 'Ange Holmes' <ange.holmes@ryerson.ca>; 'Horizon Ottawa' <info@horizonottawa.ca>; 'Ecology Ottawa' <info@ecologyottawa.ca>; wellar.barry@gmail.com; Wendy.Stephanson@ottawa.ca; 'Greg Babinski' <gbabinski@gmail.com>; 'Ed Wells' <ed.wells@gmail.com>; pcroswell@croswell-schulte.com; 'Steve Steinberg' <SSteinberg@isd.lacounty.gov>; 'Martha Wells' <martha.wells1@gmail.com>

Subject: Re: Transparency, communication top new city manager's agenda, Ottawa Citizen, August 24, 2023.

Dear Mayor Mark Sutcliffe,

Re: Transparency, communication top new city manager's agenda, Ottawa Citizen, August 24, 2023.

The article by Blair Crawford states that after the council meeting you met with reporters, and according to his account "... Sutcliffe said increasing trust, transparency, and accountability was an enormous priority for me."

I presume the past tense “was” also applies to the present, and it is fair and accurate to say that what you meant is “increasing trust, transparency, and accountability is an enormous priority for me” and, I presume, by extension you mean council.

This communication proceeds on that understanding but, if it is in error, please so advise at your earliest opportunity.

In recent years I surveyed members of two City of Ottawa councils, including this council, to attempt to measure members` regard for transparency and accountability in principle and in practice.

For reasons discussed in a number of posted reports (<http://wellar.ca/informationresearch/Publications.html>), the means used in the survey to measure City of Ottawa council members` regard for transparency and accountability is the question:

“Do you agree that citizens are entitled to free, easy, timely, and direct online access to City of Ottawa public records?”

The premise is that at minimum those are the conditions which must be met for citizens to have the level of access to City of Ottawa public records needed to hold politicians to levels of trust, transparency, and accountability set by citizens.

I look forward to learning at the earliest moment your position and that of council on what practices have been or are identified, and their schedules for adoption and implementation by council to improve citizens access to the evidence needed to establish the validity of claims about trust, transparency and accountability which are achieved by you and other members of the City of Ottawa 2022-2026 council.

Thank you.

Barry Wellar

Dr. Barry Wellar, C.M., Professor Emeritus, University of Ottawa; President, Information Research Board

Based on more than 50 years of experience dealing with politicians, I believe it is prudent to attempt to ascertain at the earliest moment the likelihood that words will be followed by actions. The final paragraph speaks to that belief. **(9)**

That is, in terms of motivating Ottawa’s mayor and council to actually follow through on the ‘tremendous priority’ pledge by Mayor Sutcliffe, I turn to the words of former U.S. Senator Everett Dirksen who opined,

“When I feel the heat, I see the light.”

The 2018-2022 council experienced a great deal of heat for its many trust, transparency, and accountability failings but, as the Chronicling project reports attest, it never saw the light on the matter of ensuring that citizens were provided proper access to City of Ottawa LRT records.

The hope, therefore, is that emails such as the one of August 24, 2023, would motivate the 2022-2026 council to be much more than a 2.0 version of its cone of silence predecessor.

Event 6. Letter to Editor, Ottawa Citizen, Asking Mayor Sutcliffe about plans to act on promises of restoring and increasing transparency, accountability, and trust.

It was my hope that a quick broadcast news follow-up to the story published August 23 (Event 4 and event 5) would motivate Mayor Mark Sutcliffe to shift himself, councillors, and new city manager Wendy Stephanson into high gear, and provide details on how he and they are going to deliver on his “tremendous priority” promise about restoring and increasing trust, transparency, and accountability.

As good fortune would have it, the letter was published shortly after his promise-filled interview a week previous.

Letter, Ottawa Citizen, Three Questions on Transparency, Saturday Sept. 2, 2023

<https://ottawacitizen.com/opinion/todays-letters-24-sussex-drive-is-part-of-our-history-preserve-it>

Three questions on transparency

Re: [Transparency, communication top new city manager's agenda](#), Aug. 24.

If rhetoric counted, the City of Ottawa would be top-ranked in promises about trust, transparency, and accountability.

However, in the real world rhetoric does not count, especially when most members of two councils, including mayors Jim Watson and Mark Sutcliffe, did not respond to recent surveys asking the question, “Do you agree that citizens are entitled to free, easy, timely, and direct online access to City of Ottawa public records?”

That level of access to public records is the only way to hold politicians to levels of trust, transparency and accountability set by citizens.

As the survey author, I have three questions to ask Sutcliffe on behalf of citizens:

1. Do you agree that citizens are entitled to free, easy, timely, and direct online access to City of Ottawa public records?
2. If you agree, what are you doing to ensure that level of access is achieved to the standard of best practice?
3. If you do not agree, what are you doing to ensure that citizens have proper access to the evidence needed to establish that claims about trust, transparency and accountability are the real deal and not just empty rhetoric?

I suggest that Mayor Sutcliffe reply on these pages.

Barry Wellar, Ottawa

Following the adage, "Strike while the iron is hot", within a week of Sutcliffe's remarks that letter was published in the Ottawa Citizen. Its intent was to emphasize that talk is cheap in the access to records domain, and that corrective action which speaks for itself needs to be taken to earn trust. **(10)**

Further, it was intended that the letter motivate Mayor Sutcliffe to publicly separate himself, councillors, and city manager Stephanson as quickly as possible in word and deed from the 2018-2022 mayor and councillors who caused him to publicly proclaim the need to restore and increase trust, accountability, and transparency as a matter of 'tremendous priority'.

Event 7. Less than a month after Mayor and City Manager went all in about trust, a story breaks calling for an audit of new land parcels.

Questions and challenges about how Sutcliffe and Stephanson plan to restore and increase trust, transparency, and accountability call out for examples, case studies, actions, etc., demonstrating how each of those principles is to be achieved.

When that story appeared, abounding with hints of the Greenbelt debacle and the resignation of Steve Clark, former Minister of MAH, it struck me as an opportunity to ask Mayor Sutcliffe to use the audit issue to demonstrate how he intends to restore and increase trust, transparency, and accountability of elected and appointed officials, recalling that both elected and staff officials were blamed by the Hourigan inquiry for the LRT communications fiasco.

The following email was sent to motivate Mayor Sutcliffe to respond in full detail to matters raised in the story.

From: wellar.barry@gmail.com <wellar.barry@gmail.com>
Sent: Monday, September 18, 2023, 4:28 PM
To: Mark Sutcliffe <Mark.Sutcliffe@ottawa.ca>
Cc: George A. Neville <george.neville@ncf.ca>; 'douglasarnold douglasarnold' <douglasarnold@sympatico.ca>; wellar.barry@gmail.com; + Ottawa Council
Subject: Ottawa councillor wants audit of new land parcels, Ottawa Citizen, Sept. 15.

Mayor Sutcliffe,

Re: Ottawa councillor wants audit of new land parcels, Ottawa Citizen, Sept. 15.

Based on my experience as a Registered Professional Planner (RPP) and a member of OPPI for more 35 years, I believe that Councillor Shawn Menard is correct to bring a motion to council requesting the Ontario Auditor General investigate the arbitrary decision by disgraced former Municipal Affairs and Housing Minister Steve Clark to designate lands for development outside the current city boundary.

In brief, because those lands are not serviced, and the Ford government has cut development fees, all capital costs will fall on Ottawa taxpayers and there will have to be increases in property taxes to maintain any added services. Clearly those are wasted tax dollars.

Further, I have seen no evidence that substantive analysis was done to support any contention of good planning, much less a determination of highest and best use.

Moreover, due to location shortcomings and high building costs, it is likely that very few affordable housing units will be built on lands outside the current city boundary.

However, in addition to issues with you arising because you did not lead council to immediately challenge what is an obviously nonsensical initiative by Steve Clark and the Ford government, serious concerns arise over a statement attributed to you that you are not interested in revisiting past decisions.

On its face the statement seems to be beyond bizarre, because most decisions made by this council and any other council are derived from and/or affected by decisions made by prior councils.

Cases in point demonstrating that this council will spend a great deal of time revisiting decisions made by previous councils include those made regarding big ticket items such as the LRT, Lansdowne, transit, waste disposal, police budgets, the hockey stadium,

public housing, the convoy occupation, the Official Plan, the baseball stadium, the pedestrians' safety plan, the urban boundary plan, etc., etc.

If you are misquoted in the article, or misrepresented your position, please clarify.

On the other hand, if what you said or meant is not at issue, please explain how you intend to govern in a political environment which is far from *de novo*.

Dr. Barry Wellar, Professor Emeritus, University of Ottawa, Ontario Registered Professional Planner (ret.), Nepean

Of particular interest are answers to these two paragraphs which cut to the heart of the relationship between reality as it affects citizens and 'wannabe reality' as it is sometimes portrayed by politicians.

“However, in addition to issues with you arising because you did not lead council to immediately challenge what is an obviously nonsensical initiative by Steve Clark and the Ford government, serious concerns arise over a statement attributed to you that you are not interested in revisiting past decisions.

On its face the statement seems to be beyond bizarre, because most decisions made by this council and any other council are derived from and/or affected by decisions made by prior councils.”

The bottom line, again, is that asserting you are “not interested in revisiting past decisions” seems to be totally at odds with your avowal that “restoring and increasing trust, transparency, and accountability are of tremendous priority for you”.

Indeed, given that this council will spend a great deal of time revisiting decisions made by previous councils regarding such big ticket items as the LRT, Lansdowne, transit, waste disposal, police budgets, the hockey stadium, public housing, the convoy occupation, the Official Plan, the baseball stadium, the pedestrians' safety plan, the urban boundary plan, etc., etc., it seems likely that councillors and staff as well as citizens could seek clarification as to what you mean by trust, transparency, and accountability and especially when taxpayer dollars are at stake.

Seemingly, it is high time for the mayor to self-motivate, and start spreading the word about how he intends to apply his tremendous priority of restoring and increasing trust, transparency, and accountability.

Event 8. News item about improper lobbying by staff for a dirt dump: How does that action square with restoring and increasing trust, transparency, and accountability, and applying the code of conduct or other professional standards to affected staff?

This news item prompts recall of staff engagement in the LRT boondoggle, leads to comments about 'same old, same old', and deeply diminishes claims by Mayor Mark Sutcliffe and City Manager Wendy Stephanson about restoring trust, transparency, and accountability.

Moreover, this is far from a casual chit-chat matter because of its negative implications and connotations for registered professional planners (RPPs) and geographic information system professionals (GISPs), as well as and code of conduct concerns for any politicians or staff associated with improper lobbying activities of any kind. **(11)**

The following email was sent to motivate Mayor Mark Sutcliffe to lift the Cone of Silence from what appear to be serious acts of misconduct by staff and, perhaps, members of council.

From: wellar.barry@gmail.com <wellar.barry@gmail.com>

Sent: Saturday, November 25, 2023 5:05 PM

To: Mark Sutcliffe <Mark.Sutcliffe@ottawa.ca>; George A. Neville <george.neville@ncf.ca>; 'doug arnold' <douglasarnold@sympatico.ca>; 'Horizon Ottawa' <info@horizonottawa.ca>; 'Erwin Dreessen' <erwin_dreessen@ncf.ca>; 'info' <info@ecologyottawa.ca>; 'Gordon Plunkett' <gplunkett@esri.ca>; 'Michael Sawada' <Michael.Sawada@uottawa.ca>; 'Info Sandra Crutcher' <info@bespatialontario.ca>; 'Marikka Williams' <Marikka.Williams@flemingcollege.ca>; **Cc:** arthur.white-crummey@cbc.ca.; wellar.barry@gmail.com; + Ottawa Council

Subject: City officials improperly lobbied for Barrhaven development, AG finds -- Inappropriate letter urged conservation authority to approve massive dirt dump, report finds

Mayor Mark Sutcliffe and Councillors,

Re: City officials improperly lobbied for Barrhaven development, AG finds -- Inappropriate letter urged conservation authority to approve massive dirt dump, report finds. (<https://www.cbc.ca/news/canada/ottawa/auditor-conservancy-barrhaven-ottawa-caivan-report-1.7037648>)

As we are inclined to ask in the GISP and general GIS research communities,

What is the full story behind this slap in the face to even the loosest notions of why and how trust, transparency, and accountability are imbedded in digital

and non-digital maps developed by and for the City of Ottawa for policy, plan, program, or operations purposes?

As a taxpayer, I request that mayor and councillors ensure that the answer to the question posed above is made available to taxpayers at a best practices level in the immediate future.

Further, as an RPP (ret.), and a GISP (ret.) and C.M. who publishes on GIS topics, including reports about the City of Ottawa which have previously been brought to your attention, I expect that the “full story” will in fact be the “full story” ready for direct inclusion in professional publications.

Thank you.

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of
Ottawa
President, Information Research Board Inc.
133 Ridgefield Crescent
Nepean, ON K2H 6T4
CANADA
<http://wellar.ca/informationresearch/>

Two paragraphs in the email are directly pertinent to this report:

“Stephanson echoed the mayor, saying she planned a three-pronged approach: good communication, increased transparency and providing reliable service.

‘I talked about how important it was to restore trust, not only with our residents, but with council as well,’ Stephanson told reporters.”

Review of the recorded meeting of the Audit Committee on this matter did not answer any non-trivial questions about trust, transparency, or accountability, much less get into code or conduct or professional standards matters.

Based on their earlier declarations (Event 4) just three months previously, it is expected that Sutcliffe and Stephanson attach tremendous priority to building on the Auditor General’s report and informing citizens at the best practices level to restore and increase trust, transparency, and accountability at Ottawa city hall. **(12)**

Event 9. Does Lansdowne 2.0 pass the smell test for trust, transparency, and accountability? Or, to re-phrase, if developers are not complaining then should taxpayers be alarmed about sweet deals for the developers?

The redevelopment of Lansdowne Park has been a topic of discussion by Ottawa's regional and municipal councils for decades, with a lot of that discussion along the lines of two constants.

First, sound, evidence-based financial, economic, transit, traffic, heritage, etc., arguments have not been made.

Second, council after council failed to properly inform citizens about what it was intending and why, with numerous unanswered questions hanging in the air about who pays for and who benefits from whatever is proposed.

Deliberations by the current council about what is referred to as Lansdowne 2.0 Redevelopment is no exception to either of those constants, and both broadcasting and social media stories challenge claims about trust, transparency, and accountability by a number of members of this council.

Two emails report on inquiring into the trust, transparency, and accountability aspects of Lansdowne 2.0 thoughts and actions.

From: wellar.barry@gmail.com <wellar.barry@gmail.com>

Sent: Sunday, December 31, 2023 4:03 PM

To: Mark Sutcliffe <Mark.Sutcliffe@ottawa.ca>

Cc: wellar.barry@gmail.com; Allan Hubley <Allan.Hubley@ottawa.ca>; Ariel Troster <Ariel.Troster@ottawa.ca>; Catherine Kitts <Catherine.Kitts@ottawa.ca>; Cathy Curry <Cathy.Curry@ottawa.ca>; Clarke Kelly <Clarke.Kelly@ottawa.ca>; David Brown <Ward21@ottawa.ca>; David Hill <david.hill@ottawa.ca>; George Darouze <George.Darouze@ottawa.ca>; Glen Gower <Glen.Gower@ottawa.ca>; Jeff Leiper <Jeff.Leiper@ottawa.ca>; Jessica Bradley <Jessica.Bradley@ottawa.ca>; Laine Johnson <Laine.Johnson@ottawa.ca>; Laura Dudas <Laura.Dudas@ottawa.ca>; Marty Carr <Marty.Carr@ottawa.ca>; Matt Luloff <Matt.Luloff@ottawa.ca>; Rawlson King <rideaurockcliffeward@ottawa.ca>; Riley Brockington <Riley.Brockington@ottawa.ca>; Sean Devine <Sean.Devine@ottawa.ca>; Shawn Menard <capitalward@ottawa.ca>; Stephanie Plante <stephanie.plante@ottawa.ca>; Steve Desroches <Steve.Desroches@ottawa.ca>; Theresa Kavanaugh <BayWard@ottawa.ca>; Tim Tierney <Tim.Tierney@ottawa.ca>; Wilson Lo <Wilson.Lo@ottawa.ca>

Subject: Still waiting for response to issues raised/questions asked:87 OSEG Lansdowne 2.0 proposal fails critical tests: Reject.

Mark Sutcliffe, Mayor

City of Ottawa

The material which follows was sent to you August 6, 2023. To this date I have not received a response consistent with your claim that improving trust, transparency, and accountability is a matter of enormous priority to you.

In view of your media comments that improving trust, transparency, and accountability are matters of enormous priority to you, I expected an informed and timely response.

However, that did not happen, and I am obliged to again request that you provide a response consistent with your claim that improving trust, transparency, and accountability is a matter of enormous priority to you.

Sincerely,

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board
133 Ridgefield Crescent
Nepean, ON K3H 6T4

The email above was sent five months after the email below.

Over that period of time it is reasonable to expect that Sutcliffe might have apprised himself, and/or he would have been informed by one his advisors, office staff, city staff, confidants, political supporters on or off council, or other contact, that the Ottawa Citizen story in which he assigned tremendous priority to restoring and increasing trust, transparency and accountability did not square with the broadcast media and social media stories that he and council failed to properly inform citizens about Lansdowne 2.0 negotiations, or to listen to citizens about their concerns with the proposal, the consultation process, and the decision-making process.

From: wellar.barry@gmail.com <wellar.barry@gmail.com>

Sent: Sunday, August 6, 2023 7:10 PM

To: Mark Sutcliffe <Mark.Sutcliffe@ottawa.ca>

Cc: 'douglasarnold douglasarnold' <douglasarnold@sympatico.ca>; George A. Neville <george.neville@ncf.ca>; wellar.barry@gmail.com; Allan Hubley <Allan.Hubley@ottawa.ca>; Ariel Troster <Ariel.Troster@ottawa.ca>; Catherine Kitts <Catherine.Kitts@ottawa.ca>; Cathy Curry <Cathy.Curry@ottawa.ca>; Clarke Kelly <Clarke.Kelly@ottawa.ca>; David Brown <Ward21@ottawa.ca>; David Hill

<david.Hill@ottawa.ca>; George Darouze <George.Darouze@ottawa.ca>; Glen Gower <Glen.Gower@ottawa.ca>; 'Jeff Leiper' <Jeff.Leiper@ottawa.ca>; 'Jessica Bradley' <Jessica.Bradley@ottawa.ca>; 'Laine Johnson' <Laine.Johnson@ottawa.ca>; 'Laura Dudas' <Laura.Dudas@ottawa.ca>; 'Marty Carr' <Marty.Carr@ottawa.ca>; 'Matt Luloff' <Matt.Luloff@ottawa.ca>; 'Rawlson King' <rideaurockcliffeward@ottawa.ca>; Riley Brockington <Riley.Brockington@ottawa.ca>; Sean Devine <Sean.Devine@ottawa.ca>; Shawn Menard <capitalward@ottawa.ca>; Stephanie Plante <stephanie.plante@ottawa.ca>; Steve Desroches <Steve.Desroches@ottawa.ca>; Theresa Kavanaugh <BayWard@ottawa.ca>; Tim Tierney <Tim.Tierney@ottawa.ca>; Wilson Lo <Wilson.Lo@ottawa.ca>

Subject: OSEG Lansdowne 2.0 proposal fails critical tests: Reject.

Dear Mayor Mark Sutcliffe

In my experience there is insufficient evidence that the OSEG proposal for Lansdowne redevelopment (so-called 2.0) comes anywhere near passing the critical integrated transportation planning and land use planning test.

Due to the many deficiencies in the proposal, I assign the proposal an “F” for failing that critical redevelopment test.

Further, because the OSEG proposal fails the integrated transportation and land use planning test, it also fails critical highest and best use test, which means another “F”.

The overall consequence of failing two fundamental urban development and redevelopment tests is that more planning and development shortcomings follow, including those related to financial liabilities and oversight protocols, a matter which is all too familiar to Ottawa taxpayers because of the prior, ill-advised Lansdowne program, and the disastrous, without-end LRT fiasco which was totally bungled by the previous council and will have negative repercussions for years to come.

If there is necessary and sufficient evidence that might compel you to support the OSEG proposal, I welcome it being brought to my attention. I hasten to emphasize that I am seeking verified and verifiable evidence.

Summary comment: Vote to reject the OSEG Lansdowne 2.0 proposal.

Barry Wellar, Registered Professional Planner (Ret.)

Given the long, well-publicized history of Lansdowne development conflicts, and the contentious nature of this development proposal – e.g., a large amount of public money involved (more than \$400 million and that is likely a lowball number); critically needed

affordable housing in competition with high-end housing in two or three towers; fuzzy notions about shifting the affordable housing component to some other area; even fuzzier notions about the amount of funding to be allocated; very problematic private motor vehicle and transit transportation and traffic issues; loss of greenspace – , it is reasonable to expect that the current council would strive to ensure that citizens have all the information they need, when it is needed, in order to put trust, transparency, and accountability totally up front to mitigate concerns that this council is fronting for the developer(s).

To this point in time Sutcliffe has not responded to either email, which seems diametrically opposed to his claim that restoring and increasing trust, transparency, and accountability is a tremendous priority for him. **(13)**

However, the words trust, transparency, accountability, and tremendous priority are repeated again and again, which could cause reasonable minds among the group of 14 to connect the dots between those words and agree that citizens are entitled to free, easy, timely, and direct online access to all public records about Lansdowne 2.0.

Event 10. Does rezoning a chunk of the Central Experimental Farm (CEF) pass the smell test for trust, transparency, and accountability at Ottawa city hall? Or, to rephrase, if developers are not complaining, then should taxpayers be alarmed about a sweet deal for the CEF 2.0 development proponents?

The place of the Central Experimental Farm (CEF) in Ottawa's urban fabric has been a topic of political, planning, development, and zoning discussions at the municipal level in Ottawa for decades. The basic explanation for pushing this discussion appears to be that if we not squeezing every cent that can be squeezed from a piece of land in an urban area – money, money, money, always the money –then let us see what can be changed to modify planning or zoning restrictions.

Long story short, it appears fair to say that the primary origins of those discussions lie with developers and agents of developers seeking to hive off chunks of the Farm's land. And, among the secondary players are pro-development municipal politicians, including those who present CEF lands as sources of municipal tax revenues.

Again, however, and like Lansdowne Park redevelopment proposals and propositions before and during the 1.0 and 2.0 episodes, mention of CEF lands were and still are characterized by two constants.

First, "data-driven", evidence-based financial, economic, transit, traffic, heritage, etc., arguments have not been made. **(14)**

Second, CEF development proponents fail to properly inform citizens about what they were intending and why, with numerous unanswered questions hanging in the air about who pays for and who benefits from whatever is proposed, bearing in mind that CEF is a national research facility situated in an inward-looking local government setting.

Having seen many attempted grabs of CEF land since coming to Ottawa in 1972 with both constants front and center, the proclamation about restoring and increasing trust, transparency, and accountability by Mayor Mark Sutcliffe prompted several emails to him and council about this council's CEF rezoning affair.

But first, Exhibit A, a Letter to the Editor, Ottawa Citizen, to put the emails in context.

Exhibit A. Don't cast shade on the Experimental Farm. Ottawa Citizen, Feb. 17, 2024

Re: Baseline highrises near Experimental Farm approved by Ottawa city council, Feb. 9.

The highest use of land comprising the Central Experimental Farm site is agriculture, and the best use of that land is for research. In every way, the farm provides an exceptionally clear example of the highest and best-use principle in planning.

However, not so for the towers approved for Baseline Road, in part because they can be situated in hundreds and hundreds of locations throughout Ottawa.

Based on reports, there is nothing special or even significant about that development proposal, and no evidence has been given that it is even close to the "highest and best use" ballpark, much less in it.

Putting a pair of high towers near the experimental farm causes a shade problem which fatally compromises one of the relatively few sites in Ottawa that can be characterized as meeting "highest and best use" criteria.

Council, seize the day and insist that those towers be cut down to proper size.

Barry Wellar, professor emeritus, University of Ottawa

Responses to the letter include those from community-activist and attention-paying citizens of many years in this city who have never heard the phrase *highest and best use* associated with any planning or zoning application.

I have been a resident of this city for more than 50 years and can see why that is the case: simply put, with the exception of the Parliamentary Precinct and its environs, and

several dozen natural features, there is little in or of the City of Ottawa for which a compelling case can be made for highest and best land use.

However, as stated in the letter and emails, I believe that such a case can be made for the research lands comprising the Central Experimental Farm, and I put it to Sutcliffe, his council colleagues, and their planning advisors to tell me where I have it wrong.

From: wellar.barry@gmail.com <wellar.barry@gmail.com>

Sent: Sunday, February 18, 2024, 5:18 PM

To: Allan Hubley <Allan.Hubley@ottawa.ca>; Ariel Troster <Ariel.Troster@ottawa.ca>; Catherine Kitts <Catherine.Kitts@ottawa.ca>; Cathy Curry <Cathy.Curry@ottawa.ca>; Clarke Kelly <Clarke.Kelly@ottawa.ca>; David Brown <Ward21@ottawa.ca>; David Hill <david.Hill@ottawa.ca>; George Darouze <George.Darouze@ottawa.ca>; Glen Gower <Glen.Gower@ottawa.ca>; Jeff Leiper <Jeff.Leiper@ottawa.ca>; Jessica Bradley <Jessica.Bradley@ottawa.ca>; Laine Johnson <Laine.Johnson@ottawa.ca>; Laura Dudas <Laura.Dudas@ottawa.ca>; Mark Sutcliffe <Mark.Sutcliffe@ottawa.ca>; Marty Carr <Marty.Carr@ottawa.ca>; Matt Luloff <Matt.Luloff@ottawa.ca>; Rawlson King <rideaurockcliffeward@ottawa.ca>; Riley Brockington <Riley.Brockington@ottawa.ca>; Sean Devine <Sean.Devine@ottawa.ca>; Shawn Menard <capitalward@ottawa.ca>; Stephanie Plante <stephanie.plante@ottawa.ca>; Steve Desroches <Steve.Desroches@ottawa.ca>; Theresa Kavanaugh <BayWard@ottawa.ca>; Tim Tierney <Tim.Tierney@ottawa.ca>; Wilson Lo <Wilson.Lo@ottawa.ca>

Cc: George A. Neville <george.neville@ncf.ca>; wellar.barry@gmail.com; 'doug arnold' <douglasarnold@sympatico.ca>; lesliemaitland99@gmail.com; 'Bruce Deachman' <bdeachman@ottawacitizen.com>; 'Chandra Pasma' <chandra.pasma@ontariondp.ca>; chandra.arya@parl.gc.ca; 'Anita Vandenberg C1' <Anita.Vandenberg.C1@parl.gc.ca>; yasir.naqvi@parl.gc.ca; wellar.barry@gmail.com; 'le hibou' <ottawaowl2@yahoo.ca>; nylamiles48@gmail.com; 'David Flemming' <dbflemming@rogers.com>; 'Horizon Ottawa' <info@horizonottawa.ca>; 'Ecology Ottawa' <info@ecologyottawa.ca>; 'Christina Spencer' <cspencer@postmedia.com>

Subject: Don't cast shade on the Experimental Farm (Re: Baseline highrises near Experimental Farm approved by Ottawa city council, Feb. 9, 2024.)

Mayor Mark Sutcliffe and Councillors, City of Ottawa

Re: Don't cast shade on the Experimental Farm, Ottawa Citizen, February 17, 2024
(Letter to the editor, *Re: Baseline highrises near Experimental Farm approved by Ottawa city council, Feb. 9, 2024.*)

Communications regarding my Letter to the Editor, Ottawa Citizen, Saturday February 17, 2024, **Don't cast shade on the Experimental Farm** (*Re: Baseline highrises near Experimental Farm approved by Ottawa city council, Feb. 9, 2024.*), prompt questions for which I seek answers at the earliest opportunity.

In the interests of transparency and accountability, please respond by email.

On the matter of highest and best use:

1. I cannot locate any references to the highest and best use planning principle in any of the published documentation. If such references exist, please provide the link(s) to that/those reference(s).
2. If the highest and best use principle is referenced, what use did you make of it in the council decision to approve the two highrise towers on Baseline Road that cast shade over part of the Experimental Farm. Please do not hold back on details which are a matter of record and can be cited.
3. If the highest and best use planning principle is not referenced, why not?
4. If the highest and best use planning principle is not referenced, what planning principles in what order of priority were used to make a decision which, on its face, prompts comments among citizens about developer bias?
5. Were the credentials of the third party responsible for the make-up shade study deemed to meet expert witness standards?
6. If so, what is the link to the ratifying documentation, including the names and credentials of those who vetted and approved the credentials of the third party selected to conduct the shade study after the proponent's shade study was rejected?
7. What is the 'good planning' rationale for approving the two-tower proposal which, due to excessive height is cause for a shade problem affecting crop research on sections of the Experimental Farm?
8. Is it agreed that crop research which is of benefit to everyone in this city and Canada, as well as internationally, is not the kind of research that can be flipped around hither and thither at the drop of a hat, but that same condition does not hold for two residential towers which can be situated in any of hundreds of plots already zoned residential, and hundreds more which could be re-zoned from commercial, industrial, and institutional to residential?
9. I request any member of council who used or somehow relied on a 'needed housing' argument to provide the specific here and only here evidence used for the subject application on Baseline Road so that I might examine the thinking behind a decision to support an application which has already been described in social media as a gift by another Ottawa council to the development industry.

Finally, I am among those copied by George Neville in his communication to you of February 17, 2024, re "Two highrises near Experimental Farm approved by city council (Citizen A3, 9th Feb./24)".

Please copy me on any reply to Dr. Neville, so that I might better understand and report on why the current mayor of the City of Ottawa and 23 of 24 members of council voted to put at risk sections of Canada's internationally recognized food-related research facility in order to accommodate a development application which could be situated at hundreds of other locations in the city and do no harm to the Experimental Farm, one of the very few highest and best land uses in the City of Ottawa.

In the interests of transparency and accountability on the parts of politicians, and evidence of advocacy for good planning on the parts of professional planners, I look forward to receiving your communications at the earliest moment.

Thank you.

Barry Wellar

Dr. Barry Wellar, C.M., GISP
Professor Emeritus, University of Ottawa
President, Information Research Board
133 Ridgefield Crescent
Nepean, ON K3H 6T4
<http://wellar.ca/informationresearch/>

From: wellar.barry@gmail.com <wellar.barry@gmail.com>
Sent: Friday, February 23, 2024 11:12 AM
To: Mark Sutcliffe <Mark.Sutcliffe@ottawa.ca>
Cc: 'George A. Neville' <george.neville@ncf.ca>; 'doug arnold' <douglasarnold@sympatico.ca>; lesliemaitland99@gmail.com; 'Bruce Deachman' <bdeachman@ottawacitizen.com>; 'Chandra Pasma' <chandra.pasma@ontariondp.ca>; chandra.arya@parl.gc.ca; 'Anita Vandenberg C1' <Anita.Vandenberg.C1@parl.gc.ca>; yasir.naqvi@parl.gc.ca; 'le hibou' <ottawaowl2@yahoo.ca>; nylamiles48@gmail.com; 'David Flemming' <dbflemming@rogers.com>; 'Horizon Ottawa' <info@horizonottawa.ca>; 'Ecology Ottawa' <info@ecologyottawa.ca>; 'Christina Spencer' <cspencer@postmedia.com>; wellar.barry@gmail.com
Subject: RE: Don't cast shade on the Experimental Farm (Re: Baseline highrises near Experimental Farm approved by Ottawa city council, Feb. 9, 2024.)

Mayor Mark Sutcliffe, City of Ottawa

On February 18, 2024, you received an email with the subject heading, "Don't cast shade on the Experimental Farm" and the sub-heading "Re: Baseline highrises near Experimental Farm approved by Ottawa city council, Feb. 9, 2024." That email follows for your convenience.

I have not received your reply to the email of February 18, hence this follow-up in the interests of transparency, accountability, and trust, each of which is time-dependent and each of which is a declared desideratum of tremendous priority to you.

I look forward to receiving your timely response to the nine items of concern expressed in the email of February 18, 2024, as well as your response to concerns raised by Dr. George Neville in his communication to you.

I hasten to add in this regard that because council deliberations regarding the Experimental Farm issue occurred just two weeks ago, I believe it is reasonable to expect the pertinent files and your recollections are still hot, and that a response on this important matter will be received within ten (10) business days in order to meet a report production schedule.

Finally, your response will be included in the report as is to the fullest extent possible, and I respectfully request that your response separately addresses each of the nine points and Dr. Neville's concerns to minimize any need to engage in further communications on this matter, or to require detailed cross-referencing in the report.

Thank you.

Barry Wellar

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Subject: Re: Don't cast shade on the Experimental Farm, Ottawa Citizen, February 17, 2024 (Letter to the editor, Re: Baseline highrises near Experimental Farm approved by Ottawa city council, Feb. 9, 2024.)

Dear Member of Council,

The Ontario Farmland Trust is holding its [Farmland Forum: The Future of Ontario Farmland \(ontarioplanners.ca\)](https://www.farmlandforum.ca/) on March 31, which brings to mind my communication of February 23 to Mayor and Councillors, Re: Don't cast shade on the Experimental Farm, Ottawa Citizen, February 17, 2024 (Letter to the editor, Re: Baseline highrises near Experimental Farm approved by Ottawa city council, Feb. 9, 2024.)

I believe that planning and zoning decisions by City of Ottawa council affecting lands of the Experimental Farm will be of considerable interest to in-person and online attendees, the overwhelming majority of whom in my experience are very knowledgeable about the relationship between research undertaken at the Farm and the application of that research at working farms in Ontario, across Canada, and internationally.

If it has not already been sent to me, I look forward to receiving at the earliest moment your response to my communication, **Re: Don't cast shade on the Experimental Farm, Ottawa Citizen, February 17, 2024** (Letter to the editor, *Re: Baseline highrises*

near Experimental Farm approved by Ottawa city council, Feb. 9, 2024.), so that I have sufficient time to do them justice in Forum discussions and subsequent productions.

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As of this writing a response was received from Councillor Sean Devine.

However, despite a letter to the editor in the city's major newspaper by an Ontario Registered Professional Planner (Lifetime) about the Central Experimental Farm blunder, and three emails asking non-complex questions about a frivolous decision to hive off a chunk of the CEF, Sutcliffe and 23 councillors came up with nothing in reply, nothing, even though Sutcliffe announced the previous August the **tremendous priority** which he attaches to trust, transparency, and accountability.

Further, nothing was said about planning staff regarding the criticism that council failed to give due consideration to and have due regard for the planning principle of highest and best use.

C. Using the events analysis to critique the performance of council members who did not respond to survey #2

Questions arise when a majority of council members do not respond to questions about any matters which they discussed and made promises about during their election campaigns.

In this report, ten events are presented which, based on reviews with citizens, should have motivated members of council who did not respond in the affirmative to survey #1, "Do you agree that citizens are entitled to free, easy, timely, and direct online access to City of Ottawa public records?", to do so in response to survey #2 which asks the same question.

The next two reports, 27 and 28, discuss the implications for citizens of the non-responses by each of the remaining 14 council members, i.e., Mayor Mark Sutcliffe, and Councillors Darouze, Dudas, Gower, Hubley, Leiper, and Tierney who were surveyed on

both the 2018-2022 and current councils, and Councillors Carr, Clarke, Curry, Desroches Hill, Kelly, and Lo of the current council.

D. Conclusion

In two surveys 13 months apart, 14 of 15 members of council did not respond in the affirmative, to the question, “Do you agree that citizens are entitled to free, easy, timely, and direct online access to City of Ottawa public records?”.

To attempt to better understand council members' positions, this study sought to answer the question, “Did any event(s) occur which could have or should have caused changes in positions from non-responses to affirmative responses?”

Ten significant events among many are presented to support the case of citizens having free, easy, timely, and direct online access to City of Ottawa records.

The central argument is that this basic level of access to records is required for citizens to hold council members to standards of transparency, accountability, and earned trust set by citizens.

However, because the 14 non-respondents more or less draped personalized cones of silence over the survey process, it was necessary to adopt a different route in order to respond to the question,

How close is the 2022-2026 City of Ottawa council to agreeing that citizens are entitled to free, easy, timely, and direct online access to City of Ottawa public records?

The approach taken, given the cone of silence stance by non-respondents, is to use the events as a proxy measure for council members' unstated positions about the significance they attach to citizens being able to hold council members to standards of transparency, accountability, and earned trust set by citizens. **(15)**

Further, it was anticipated that the non-participation route could be taken by some members of council.

Consequently, the research design for the next phase of the Chronicling project is to drill down, so to speak, and discuss the implications of this report for citizens on a case-by-case for each of the members of council who have not responded in the affirmative to the question, “Do you agree that citizens are entitled to free, easy, timely, and direct online access to City of Ottawa public records?”.

E. Endnotes

1. It is common to see the phrase *best practice* in media reports, and promotional statements by businesses, governments, academic organizations, and other entities, but relatively few reports make it clear that best practice is a relative concept.

Further, even fewer reports present the methodology documenting how the rating of best practice is derived, or why it is a goal to seek in any governance function, activity, endeavour, etc.

In the case of this report, no evidence was found of the City of Ottawa substantively using “best practice” in association with access to City of Ottawa records, but the mayor could be the source of an indicative synonym.

That is, Mayor Mark Sutcliffe claimed that “*Increasing trust, transparency and accountability [is] a tremendous priority for me.*”, and **tremendous priority** could be slotted into the superlative category or class, along with highest and best, which are also superlatives.

To that point and to my knowledge, Sutcliffe has not defined what he means by “tremendous priority”, and if that is the case then one can only guess, infer, conjecture, speculate, etc., as to what he means by “tremendous priority” when it comes to restoring and increasing trust, transparency, and accountability.

However, his word choice and the public nature of his comment suggests that he intends to proceed in a timely manner at the best practices level to achieve that end.

If so, then his disposition of the two surveys – failure to respond – takes on considerable significance as a measure of his sincerity, integrity, and authority as head of council. We return to this topic and Mayor Sutcliffe in interim report 27 and interim report 28.

2. Anyone who conducts methodologically designed research involving public sector or private sector people who are not inclined to participate in a research project, such as by not responding to surveys, not participating in interviews, or not giving free, easy, timely, and direct online access to records, likely knows from experience that conjecture, imputation, implying, inferencing, estimating, guessing, etc., is par for the course and is incorporated in the research process.

That is the case here, and it is my expectation that most members of council are aware that such an outcome must occur when cone of silence tactics are employed.

As for those who seek to use a cone of silence shield, they are kidding themselves if they think such a guise is of much use when determined researchers are on the case.

Interim reports 27 and 28 illustrate how an informed research design can extract highly credible findings from a cone of silence situation.

3. Previous reports posted on the Information Research Board website and feedback on those reports reveal that there are individual politicians and officials of political parties who do not respond to inquiries in a timely manner. One consequence of those cones of silence are complaints about access to information legislation failures. However, as noted in previous reports ([Interim Report 14. Asking the Question: Is Freedom of Information Legislation a Citizens' Conduit to Public Records, or an Institutional Barrier to Public Records?](#) and [Interim Report 15. Identifying Tactics Used by Politicians to Restrict Citizens' Access to Public Records](#)), the word failure is problematic because the legislation is working as designed for politicians.

4. I do not include Ottawa area federal politicians (e.g., Arya, Fortier, Lalonde, McCrimmon, McGuinty, Naqvi, Poilievre, Sudds, Vandenbeld) or provincial politicians (e.g., Blais, Collard, Fraser, Fullerton, Ghamari, Harden, MacLeod, McCrimmon, Pasma, Roberts) in the list as having a need to know because I found no evidence that any of them, or their parties, cared enough to do anything substantive when it counted to deal with the massive LRT communications mess at Ottawa city hall.

5. Other motivating factors or forces to induce politicians turning words into actions to achieve citizens having best access to public records include proper regard for the code of conduct, due diligence, public interest, and responsible public service. The fact of 15 non-respondents to a survey about public access to public records suggests that turning words into actions is not best practice for many members of Ottawa council.

6. Our concern is with City of Ottawa municipal politicians who were intimately involved in matters considered by the Hourigan inquiry and not with staff *per se*. Citizens can hold politicians directly accountable to a degree, but they have little influence over what staff and consultants do unless they file a code of conduct complaint.

It is noted in this regard that the Consultation on Improving the Accountability of Municipal Politicians that was launched in 2021 under former Municipal Affairs Minister Steve Clark failed to report prior to his resignation due to the Greenbelt mess, and no evidence has been obtained to affirm that the Consultation is still in process under the authority of now-Minister Paul Calandra, more than 150 weeks (36 months or three years) after it was launched.

7. A theme common to inquires from citizens about this project are questions about why any politician at any level, and the municipal level in particular, does not immediately say Yes to the survey question. Perhaps after reports 27 and 28 are posted would be a good time for citizens, community groups, and public interest groups to ask that question of the remaining 14 non-respondents to survey #1 and survey #2.

8. As the emails reveal, Sutcliffe did not respond to inquires between surveys, and we await a signal as to when he intends to explain his statement, and when he plans to provide a timeframe to deliver on what might be termed a solemn pledge. We re-visit this matter in interim report 27 and interim report 28.

9. It is my experience, shared with many other government researchers, policy advisors, and consultants, that when politicians want to go public or want deliberations about a policy, plan, or program to go public, it is done in a heartbeat so to speak. Or, sometimes, they *sit in the bush* for tactical or strategic reasons. And, quite often, they are in the stall mode, the hide mode, the deflect mode, the distract mode, the cone of silence mode, or any other mode of denying transparency or accountability. For more details see [Interim Report 14. Asking the Question: Is Freedom of Information Legislation a Citizens' Conduit to Public Records, or an Institutional Barrier to Public Records?](#) and [Interim Report 15. Identifying Tactics Used by Politicians to Restrict Citizens' Access to Public Records.](#)

The 14 non-respondents to survey #1 and survey #2 fit into the latter kinds of modes. More on this in reports 27 and 28.

10. It is now more than 40 years since federal freedom of information (FOI) legislation was passed. It was flawed at the outset from the perspective of citizens, and it remains flawed from that perspective. Further, the same story holds for related legislation at the provincial and municipal levels across Canada.

To illustrate what amounts to silliness of FOI rules, if records can be obtained via an FOI application, it makes no sense that the records are not directly accessible without having to go through a time-wasting FOI application process.

That and other politician-serving features of FOI legislation are discussed in several Chronicling project reports (e.g., [Interim Report 14. Asking the Question: Is Freedom of Information Legislation a Citizens' Conduit to Public Records, or an Institutional Barrier to Public Records?](#); [Interim Report 15. Identifying Tactics Used by Politicians to Restrict Citizens' Access to Public Records](#); [Interim Report 24. Survey Says Citizens Should Ask MPs Hard Questions About the Access to Information Act \(ATIA\) Review Process](#)), so the message to Mr. Sutcliffe is abundantly clear: Earning trust in the access to public records domain requires much more than just issuing platitudes. We return to this matter in report 27.

11. About 80% of City of Ottawa records have what are termed locational, spatial, or geographic attributes, and are supported by geographic information systems (GIS) hardware, software, and firmware. The GIS field has a history in excess of 60 years, and the Region of Ottawa-Carleton/City of Ottawa became engaged in the burgeoning GIS field in the early 1970s. The dirt dump event involves paper and digital maps, and

GIS, and prompts questions about the ethical conduct of politicians and staff members involved with any aspect of producing or using GIS products and processes in association with lobbying on behalf of the dirt dump development approval.

12. This news story flies in the face of the news just three months previous in which Sutcliffe and Stephanson shared their views on restoring and increasing trust, transparency, and accountability. Moreover, it makes a mockery of the notion that Sutcliffe or Stephanson was doing anything effective of a best practices nature to increase trust, transparency, and accountability at Ottawa city hall.

13. The concept of quality of practice from worst to best remains a concept until it is operationalized, and a current puzzle within the walls of Ottawa city hall is whatever does Mayor Mark Sutcliffe mean by tremendous priority?

Does he equate tremendous priority with achieving at the level of best practice, or is it just a buzz phrase that popped out during the excitement of a media interview? Moreover, what do our municipal politicians and staff think he means and, if no one knows or asks, what does that say about them and their code of conduct obligations regarding transparency and accountability?

As a possibly related case, while running for office Sutcliffe also presented planting 1,000,000 trees this term of office as a tremendous priority. However, what he means by that pledge is iffy at best, because to date there does not appear to be any evidence of activity on that front.

14. Including the term “data-driven” is consistent with its popular usage by some Ottawa municipal politicians. However, based on the seeming absence of public records using methods or techniques of quantitative analysis or synthesis to drive data use, it appears fair to say that the term is primarily used by Ottawa’s municipal politicians as a buzzword.

Should I be in error, then I welcome receiving links to records describing the use by Ottawa’s municipal politicians of such quantitative methods and techniques as comparative analysis, cost-benefit analysis, cost-effectiveness analysis, cross-impact analysis, econometric analysis, forecasting, highest and best use analysis, impact assessment, indicators, indexing, life-cycle analysis, modelling, normative delphi, optimization, sensitivity analysis, spatial analysis, and statistical analysis. These and more data-driven quantitative methods and techniques for can be found in https://escholarship.org/content/qt9kb4921k/qt9kb4921k_noSplash_4ef23019fd4c270a7538a34beec1c017.pdf?t=krnjs1, so a considerable number of ways exist to put the data-driven concept to work. In the names of transparency and accountability, it is high time for data-driven decision-making to be put on display, with links to records, please.

15. The idioms, *You can run, but you can't hide*, and *Actions have consequences* come to mind to characterize the behaviour of City of Ottawa politicians who choose to not engage with a public interest survey administered by this or any city resident.

The non-response tactic is a form of running from pledges, promises, duties, obligations, etc., which in this case has the egregious civic consequence of mocking the notion that the non-respondents have due regard for the principles of trust, transparency, and accountability.

Interim reports 27 and 28 address the can't hide and consequences components of the idioms for the 14 non-respondents.

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