



## Ottawa City Council

### Minutes

**Meeting #: 2**

**Date: November 30, 2022**

**Time: 10 am**

**Location: Andrew S. Haydon Hall, 110 Laurier Avenue West, and by electronic participation**

1. Call to order and moment of reflection

The Council of the City of Ottawa met at Andrew S. Haydon Hall, 110 Laurier Avenue West, Ottawa, on Wednesday, 30 November 2022 beginning at 10:00 a.m. The Mayor, Mark Sutcliffe, presided over the meeting from Council Chambers with some Members attending in person and the remaining Members participating remotely by Zoom.

Mayor Sutcliffe led Council in a moment of reflection.

2. Public notices and meeting information

Notices and meeting information are attached to the agenda and minutes, including: availability of simultaneous interpretation and accessibility accommodations; *in camera* meeting procedures; information items not subject to discussion; personal information disclaimer for correspondents; notices regarding minutes; and remote participation details.

Accessible formats and communication supports are available, upon request.

**This draft Minutes document contains a summary of the disposition of items and actions taken at the meeting. This document does not include all of the text that will be included in the final Minutes, such as the record of written submissions. Recorded votes and dissents contained in this draft Minutes document are draft until the Minutes of the meeting are confirmed by the Committee. The final draft Minutes will be published with the**

**agenda for the next regular Council meeting and once confirmed, will replace this document.**

3. Roll Call

All Members of Council were present.

4. Confirmation of Minutes

4.1 Minutes of the Council meeting of 9 November 2022

**Carried**

5. Declarations of Interest Including Those Originally Arising from Prior Meetings

No Declarations of Interest were filed.

6. Association of Municipalities of Ontario (AMO) Communications

The communications from AMO were received.

7. Regrets

No regrets were filed.

8. Announcements / Ceremonial Activities

There were no Announcements / Ceremonial Activities

9. Motion to Introduce Reports

Motion No. **2022 - 01/01**

Moved by G. Gower

Seconded by C. Kitts

**That the report from the City Clerk entitled “Summary of Oral and Written Public Submissions for Items Subject to the *Planning Act* ‘Explanation Requirements’ at the City Council Meeting of November 9, 2022” be received and considered; and**

**That the report from the City Clerk entitled “2022-2026 Council Governance Review” be received and tabled for consideration by Council at its meeting on December 7, 2022.**

**Carried**

## 10. City Clerk

10.1 2022-2026 Council Governance Review

ACS2022-OCC-GEN-0030 - City wide

**Recieved and Tabled**

## 11. Bulk Consent Agenda

11.1 City Clerk – Summary of Oral and Written Public Submissions

11.1.1 Summary of Oral and Written Public Submissions for Items Subject to the Planning Act ‘Explanation Requirements’ at the City Council Meeting of November 9, 2022

ACS2022-OCC-OCC-0019 - City-wide

**Report Recommendation**

**That Council approve the Summaries of Oral and Written Public Submissions for items considered at the City Council Meeting of November 9, 2022, that are subject to the ‘Explanation Requirements’ being the *Planning Act*, subsections 17(23.1), 22(6.7), 34(10.10) and 34(18.1), as applicable, as described in this report and attached as Documents 1-12.**

**Carried**

## 12. In Camera Items

There were no *in camera* items.

## 13. Motion to Adopt Reports

Motion No. **2022 - 02/02**

Moved by G. Gower

Seconded by C. Kitts

**That report from the City Clerk entitled “Summary of Oral and Written Public Submissions for Items Subject to the *Planning Act* ‘Explanation Requirements’ at the City Council Meeting of November 9, 2022” be received and adopted as amended.**

**Carried**

14. Motions Requiring Suspension of the Rules of Procedure

14.1 Councillor G. Gower

Motion No. **2022 - 02/03**

Moved by G. Gower

Seconded by L. Dudas

**WHEREAS on November 28, 2022, Steve Kanellakos advised Council that he would be resigning as City Manager of the City of Ottawa effective immediately; and**

**WHEREAS in accordance with the Statutory Officer Recruitment, Appointment and Contract Administration Policy it is anticipated that the City will initiate a comprehensive executive search for a new City Manager in the coming weeks; and**

**WHEREAS the City of Ottawa requires stable leadership during the coming months, including to support Council in considering the 2023 Draft Budget; and**

**WHEREAS on November 30, 2022, Mayor Sutcliffe advised City Council that he had delegated to Council his authority under Section 284.5 of the *Municipal Act, 2001*, to appoint an acting chief administrative officer of the municipality, in accordance with Subsection 284.13(1) of the *Municipal Act, 2001* and Regulations; and**

**WHEREAS, by virtue of By-law 2019-390, Wendy Stephanson may retain her statutory role as Treasurer for the City of Ottawa while acting as City Manager, but requires an acting Chief Financial Officer to manage the Finance Services Department and to whom those statutory duties may be delegated;**

**THEREFORE BE IT RESOLVED that Wendy Stephanson, Chief Financial Officer, be appointed interim City Manager of the City of Ottawa effective immediately; and**

**BE IT FURTHER RESOLVED that Cyril Rogers be appointed as the acting Chief Financial Officer, effective immediately.**

**Carried**

14.2 Councillor J. Leiper

Motion No. **2022 - 02/04**

Moved by J. Leiper

Seconded by L. Dudas

**That the Rules of Procedure be suspended to consider the following motion in order to provide Council's request to the Province of Ontario as soon as possible**

**WHEREAS Bill 23, *More Homes Built Faster Act, 2022* proposes extensive changes to several Acts and regulations including the *Development Charges Act, Planning Act, Municipal Act*; and**

**WHEREAS in combination with Bill 109 these changes will have significant impacts on municipal financing, processes, and operational matters; and**

**WHEREAS the City supports the overarching objective of Bill 23, which is to address the need for housing and to provide the housing capacity and planning framework necessary to stimulate home-building across the province; and,**

**WHEREAS several of the proposed amendments represent a positive step toward achieving this goal, and complement bold actions already taken by Ottawa's City Council to increase housing supply; and**

**WHEREAS Bill 23 will compromise our efforts to improve the quality of buildings and the public realm, compromise the work of the Urban Design Review Panel, and limit staff's ability to implement good urbanism across all building types; and**

**WHEREAS Council is concerned about the reduction in environmental oversight that will result in the loss of diverse and mature ecosystems, which will have immediate and long-term environmental and climate change impacts, including increased flooding risk; and**

**WHEREAS there are concerns regarding the changes to parkland and Development Charge (DC) collection for supporting infrastructure and transportation; and**

**WHEREAS DCs are critical to build the infrastructure needed to support development and if the city doesn't get this funding, then**

residents may not receive the infrastructure they reasonably expect, or property taxes will need to be raised in an inequitable manner; and

**THEREFORE BE IT RESOLVED** that City Council request that the Province delay implementation of Bill 23, the *More Homes Built Faster Act, 2022* to allow for more fulsome analysis and meaningful consultation and collaboration with municipalities and other stakeholders; and

**BE IT FURTHER RESOLVED** that City Council request the Province to consider further amendments to Bill 23 to preserve the City's High Performance Development Standard, parkland provisions, community benefits charges and Development Charges to facilitate responsible growth; and

**BE IT FURTHER RESOLVED** City Council request that the Province allow a review of the reduction in environmental oversight that will have immediate and long-term environmental impacts, such as increased flooding risk; and

**BE IT FURTHER RESOLVED** City Council request the Province commit to considering amendments to the *Planning Act* to enable the implementation of Inclusionary Zoning across the City and incorporate definitions of affordable housing that respond to low and moderate household income; and

**BE IT FURTHER RESOLVED** City Council direct the City Manager and the City Treasurer make public the financial impacts of Bill 23 and outline the impact on specific capital projects that will need to be deferred or delayed in each ward; and

**BE IT FURTHER RESOLVED** City Council request the Province enact a regulation to permit the use of conditional zoning, paragraph 70.1(1) 24 and subsection 34(16) of the *Planning Act*; and

**BE IT FURTHER RESOLVED** City Council request the Province delay the implementation of refunds for development applications pursuant to Bill 109 in light of the significant changes to the Planning regulations and internal City processes regarding development; and,

**BE IT FURTHER RESOLVED** that the Province expedite ongoing consultation with municipalities to determine a Province-wide

framework to protect renters who have low household income and existing affordable rental stock; and

**BE IT FURTHER RESOLVED** City Council request that the Provincial government provide additional funding and funding tools to the City matching the amount of revenue lost through development charges, community benefits charges, and Section 42 of the *Planning Act* in Bill 23 to ensure the services needed to facilitate growth continue to be delivered; and

**BE IT FURTHER RESOLVED** that the Province reconsider proposed changes to the *Ontario Heritage Act* and its regulations and convene a working group with municipalities to review this issue.

For (21): M. Sutcliffe, L. Dudas, C. Curry, C. Kelly, G. Gower, T. Kavanagh, L. Johnson, S. Devine, J. Bradley, T. Tierney, S. Plante, R. King, A. Troster, J. Leiper, R. Brockington, S. Menard, M. Carr, C. Kitts, D. Brown, S. Desroches, and W. Lo

Against (4): M. Luloff, D. Hill, G. Darouze, and A. Hubley

**Carried (21 to 4)**

14.3 Councillor S. Menard

Motion No. **2022 - 02/05**

Moved by S. Menard

Seconded by M. Luloff

**That the Rules of Procedure be suspended to consider the following motion so that the City of Ottawa will have representation at the December 8, 2022, meeting of the Federation of Canadian Municipalities Board of Directors**

**WHEREAS** Council has traditionally appointed its representatives to municipal organizations early in the Term of Council, and usually for the duration of the Term of Council; and

**WHEREAS** Councillor Tim Tierney has been Ottawa City Council's representative to the Federation of Canadian Municipalities (FCM) since 2012 and currently serves as a Director on the Board of Directors and Ontario Caucus Chair; and

**WHEREAS** all positions on FCM's Board of Directors are filled by election on an annual basis as outlined in the FCM by-laws, during the Annual Conference in June, 2023; and

**WHEREAS** at the Annual Conference in June Councillor Tierney intends to seek nomination for the position of Third Vice-President of the Board and, should he be successful, there would be a potential opportunity for another Member of Council to fill the vacancy; and

**WHEREAS** early in 2023 there will be the opportunity for additional Members of Council to be approved to attend the 2023 Annual Conference;

**WHEREAS** it would be beneficial for the City of Ottawa to continue to have representation on the FCM Board until the Annual Conference;

**THEREFORE BE IT RESOLVED** that Council approve Councillor Tierney as the City of Ottawa's Representative to the Federation of Canadian Municipalities until the latter of June 2023, or until such time as Council chooses to revisit this appointment.

**Carried**

14.4 Councillor T. Kavanagh

Motion No. **2022 - 02/06**

Moved by T. Kavanagh

Seconded by L. Johnson

**That the Rules of Procedure be suspended to consider the following motion in order to provide Council's request to the Province of Ontario as soon as possible**

**WHEREAS** Bill 39, the *Better Municipal Governance Act, 2022*, was approved on second reading and was referred to Ontario's Standing Committee on Heritage, Infrastructure and Cultural Policy on November 23, 2022; and

**WHEREAS** Bill 39 provides that if a head of council is of the opinion that a by-law could potentially advance a prescribed provincial priority, the head of council may propose the by-law and require city council to consider and vote on the proposed by-law at a meeting. In such case, the by-law will be passed if more than one-third of the members of city council vote in favour of the by-law; and



**WHEREAS Ottawa City Council has always conducted its business with a firm commitment to the basic principles of democracy, open debate, and inclusive decision-making; and**

**WHEREAS Ottawa's Mayor and City Council are in agreement that the principles of democracy currently in place should be protected;**

**THEREFORE BE IT RESOLVED that Ottawa City Council opposes Bill 39 and request that the Province of Ontario maintain the requirement under *Municipal Act, 2001* to have Majority approval (50% plus one) to pass a by-law or resolution at Ottawa City Council; and**

**BE IT FURTHER RESOLVED that a copy of this motion be sent to the Premier of Ontario and the Minister of Municipal Affairs and Housing and the Clerk of the Standing Committee on Heritage, Infrastructure and Cultural Policy for distribution to Committee members.**

**Carried**

14.5 Councillor G. Darouze

Councillor R. Brockington dissented on the suspension of the rules.

Motion No. **2022 - 02/07**

Moved by G. Darouze

Seconded by M. Luloff

**That the Rules of Procedure be suspended to consider the following motion in order to communicate the extended deadline as soon as possible.**

**WHEREAS Country Hill Estates is a unique development, registered prior to amalgamation in which the former Township of Osgoode participated within an ownership interest; and**

**WHEREAS it was anticipated that certain lands within the subdivision would have landscaped, grassed ditches; and**

**WHEREAS the rocky nature of such lands renders the permanent grass, landscaped nature of such ditches not viable; and**

**WHEREAS the lots within the third phase have not yet been sold, and will provide revenues to the City as they are sold ; and**

**WHEREAS Council on June 22, 2022 carried a motion in respect of Country Hill Estates that provided:**

THEREFORE BE IT RESOLVED that City Staff be directed to implement a compensation funding program for property owners within the second phase of Country Hill Estates to align with the terms of the Subdivision Agreement that would follow the principles outlined in the attached document:

Country Hill Estates Ditch Compensation Funding Program

A total budget of \$600,000 to be funded through the City's sale of surplus land and replenished as part of the profit sharing of future lot sales in Country Hill Estates Phase 3.

Funding to be divided equally to homeowners on the basis of frontage on a public street, with 7,022m of ditches, resulting in a compensation of \$85/m of frontage Eligible lots will be located between: 7860 to 8120 Iveson Drive (Inclusive), 1600 to 1704 Whiteside Way (Inclusive) 1599 to 1655 Loney Cres. (Inclusive) 1610 to 1627 Ira Morgan Way (Inclusive)

Funding to be conditional on a full and final release from the individual property owners, (To be registered on title) with respect any future claims related to the subdivision agreement.

Property owners will have until December 31, 2022 to request this funding and agree to these terms to be eligible

**WHEREAS the documentation to be sent to the Property Owners has not yet been finalized and thus additional time is required to allow for the Property Owners to request the funding;**

**THEREFORE BE IT RESOLVED that the deadline for the Property Owners to request funding pursuant to Council Item 24.7 adopted on June 22, 2022 be extended to be the end of the calendar month that is 90 days after information package is mailed.**

**Carried**

15. Notices of Motion (for Consideration at Subsequent Meeting)

15.1 Councillor C. Curry

Moved by C. Curry

Seconded by A. Hubley

**WHEREAS the *Police Services Act* requires City Council to appoint two Members of Council to the Ottawa Police Services Board (in addition to the Mayor), as well as a third appointee who is neither a Member of Council nor an employee of the municipality (the “Public Member”); and**

**WHEREAS the *Police Services Act* requires the Ottawa Police Services Board to annually elect a Chair from among its Membership; and**

**WHEREAS the position of Chair of the Police Services Board is one of significant responsibility, requiring a substantial personal commitment of time and resources;**

**WHEREAS as part of 2018-2022 Mid-Term Governance Review, Council approved funding for a budget credit equivalent to approximately ½ FTE to support the Chair of the Police Services Board, should a Member of Council be elected as Chair; and**

**WHEREAS the City of Ottawa has historically provided an honorarium to the Public Member of the Police Services Board in the amount of \$12,000, where the Public Member is elected as the Chair of the Police Services Board; and**

**WHEREAS the City of Toronto and other large municipalities across Ontario provide for the Chair of their respective police services boards, a higher level of remuneration that is commensurate with the complexity and time requirements of the position;**

**WHEREAS the Office of the City Clerk is currently undertaking a recruitment process for public members to be appointed by Council to the City of Ottawa’s Boards, Committees and Agencies, including the Public Member of the Police Services Board;**

**WHEREAS the *Community Safety and Policing Act, 2019* – which has been passed but not yet declared in force and is intended to replace the *Police Services Act* – will require City Council, when appointing**

or reappointing a member to the police service board, to consider the following:

- the need to ensure that the police service board is representative of the area it serves, having regard for the diversity of the population in the area;
- the need for the police service board to have members with the prescribed competencies, if any;
- any applicable diversity plan ; and

WHEREAS the *Community Safety and Policing Act, 2019*, when it comes into force, will also require City Council to “consider the results of a potential appointee’s police record check that was prepared within the past 12 months before appointing him or her as a member of a police service board”; and

WHEREAS the future requirements of the *Community Safety and Policing Act, 2019*, may help to inform the recruitment process for the Public Member of the Ottawa Police Services Board; and

WHEREAS a Selection Panel of Members of Council, appointed through the Nominating Committee process, will be responsible for reviewing applications for the public member position and making recommendations to Council;

THEREFORE BE IT RESOLVED that Council approve an increase in the honorarium for a Public Member of the Ottawa Police Services Board who is elected as Chair to \$54,000, to be funded from the existing honorarium and the Council Administration budget credit that would otherwise go to the Constituency Services Budget of a Member of Council who is elected as Chair of the Board; and

BE IT FURTHER RESOLVED that Council direct the Office of the City Clerk to revise the recruitment process and advertisements for the Ottawa Police Services Board Public Member to reflect that Council may recommend to the Board that this Public Member be appointed as Chair, and that the candidate recommended for appointment may be required to undertake a Police Records Check; and

BE IT FURTHER RESOLVED that the Selection Panel for the Ottawa Police Services Board be directed to take into account the provisions of the *Community Safety and Policing Act, 2019*, when recommending the appointments to Council.

15.2 Councillor M. Luloff

Moved by M. Luloff

Seconded by C. Kitts

**WHEREAS the Alcohol and Gaming Commission of Ontario (AGCO) has introduced a Manufacturer's Limited Liquor Sales license (also known as a "By the Glass" license) to permit Ontario alcoholic beverage producers that already hold a manufacturer's license from the AGCO to sell and serve their own beverages to patrons for consumption in single servings at their manufacturing sites under certain conditions; and**

**WHEREAS, because "By the Glass" license applicants are exempt from the public advertising process, the AGCO requires a resolution from the municipal council indicating the support of the local community for "By the Glass" licenses as part of the application for this license; and**

**WHEREAS the existing Council resolution, passed January 30, 2021 is set to expire on December 31, 2022; and**

**WHEREAS given the economic development potential of the alcoholic beverage manufacturing industry, it is desirable to proactively provide support to existing manufacturers that wish to apply to the AGCO for a Manufacturer's Limited Liquor Sales license ("By-the Glass" license);**

**THEREFORE BE IT RESOLVED that City Council hereby supports the application of any manufacturer already duly licensed by the AGCO in the City of Ottawa seeking a Manufacturer's Limited Liquor Sales License ("By the Glass" license) from the AGCO, until revoked by Council or the AGCO changes the requirements.**

16. Confirmation By-law

Motion No. **2022 - 01/08**

Moved by G. Gower

Seconded by C. Kitts

**That the following by-law be read and passed:**

**To confirm the proceedings of the Council meeting of November 30, 2022.**

**Carried**

17. Inquiries

There were no Inquiries.

18. Adjournment

Motion No. **2022 - 01/09**

Moved by G. Gower

Seconded by C. Kitts

**That the proceedings of the City Council meeting of November 30, 2022, be adjourned.**

**Carried**

The meeting adjourned at 10:57 a.m.

---

City Clerk

---

Mayor