

PUBLIC ORDER EMERGENCY COMMISSION

**INSTITUTIONAL REPORT
SUBMITTED BY THE CITY OF OTTAWA**

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Introduction

The Public Order Emergency Commission has requested that the City prepare an institutional report addressing the following matters:

- The City of Ottawa's organizational structure as it relates to emergency response and response to demonstrations in general, and its response to the demonstrations in early 2022 in particular;
- The City of Ottawa's statutory authority and decision-making powers as it relates to emergency response and response to demonstrations in general, and its response to the demonstration in early 2022 in particular;
- Any requests for assistance to the federal government or provincial governments and any information it provided to the federal or provincial governments in relation to those requests and/or security concerns more generally;
- The impact of demonstrations in early 2022 on the City of Ottawa or Ottawa's residents; and,
- Any other information that the City of Ottawa deems relevant to the Commission's mandate as set out in Order in Council 2022-392.

This report addresses all of the above, in the following order:

1. First, we address the City's Corporate Structure, Powers and Emergency Plan.
2. Second, we describe the City's Approach to Demonstrations.
3. Third, we describe the City's Approach to the Freedom Convoy.
4. Fourth, we summarize the City's Requests for Assistance to the Federal or Provincial Governments.
5. Finally, we attempt to describe the Impact of the Freedom Convoy on the City, its Residents and Businesses.

1. The City's Corporate Structure, Powers, and Emergency Plan

a. The City of Ottawa: Corporate Structure and Powers

The City of Ottawa was incorporated on January 1, 2001, when twelve local municipalities amalgamated.¹ Pursuant to s. 2 of the *Municipal Act, 2001*, municipalities are created by the Province of Ontario to be responsible and accountable governments with respect to matters within their jurisdiction.² Section 2 goes on to provide that each municipality is given powers

¹ *City of Ottawa Act, 1999*, SO 1999, c 14, Sched E, ss. 2(1) and 5 (*City of Ottawa Act*).

² *Municipal Act, 2001*, SO 2001, c 25, s. 2 (*Municipal Act*).

under the *Municipal Act, 2001* and other Acts for the purpose of providing good government with respect to those matters.

The powers of a municipality such as the City of Ottawa are exercised by its Council.³ Ottawa's City Council is composed of the Mayor, who is elected by a general vote, and 23 other members.⁴ In accordance with the *City of Ottawa Act*, each of the City's 23 wards is represented by a councillor at the City Council.⁵ City Council exercises municipal powers by adopting by-laws and resolutions.⁶ A member of Council cannot exercise any of those powers individually.

Pursuant to s. 8(2) of the *Municipal Act, 2001*, City council may pass by-laws respecting:

- Governance structure of the municipality and its local boards;
- Accountability and transparency of the municipality and its operations and of its local boards and their operations;
- Financial management of the municipality and its local boards;
- Public assets of the municipality acquired for the purpose of exercising its authority under this or any other Act;
- Economic, social and environmental well-being of the municipality, including respecting climate change;
- Health, safety and well-being of persons;
- Services and things that the municipality is authorized to provide;
- Protection of persons and property, including consumer protection;
- Animals;
- Structures, including fences and signs; and,
- Business licensing.

In addition to the general powers listed above, the City also has specific powers under the *Municipal Act, 2001* and other statutes.

Pursuant to s. 8(1) of the *Municipal Act, 2001*, the powers of a municipality shall be interpreted broadly so as to confer broad authority on the municipality to enable it to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues. Consistent with s. 8(1), courts have held that municipal powers are to be interpreted broadly and generously within their context and statutory limits, to achieve the legitimate interests of the municipality and its inhabitants.⁷

City Council may, subject to certain exceptions and limitations, delegate its powers.⁸ To this effect, Ottawa's City Council has passed the *Delegation of Authority By-Law*.⁹ Sections 5 to 8 of the *Delegation of Authority By-Law* address the delegation of powers in cases of emergency or "special circumstances."

³ *Municipal Act*, s 5(1).

⁴ This statement refers to the composition of Council at the time of the demonstration. As of November 15, when the new Council is sworn in for the next term, there will be 25 members on Council (24 councillors plus the Mayor).

⁵ *City of Ottawa Act*, ss 3, 4(1) and 4(2).

⁶ *Municipal Act*, ss 5(3) and 5(4).

⁷ *Croplife Canada v Toronto (City)*, 2005 CanLII 15709 at para 37 (ONCA).

⁸ *Municipal Act*, including ss. 23.1 to 23.3.

⁹ By-Law No. 2022-253.

The role of Council is:

- to represent the public and to consider the well-being and interests of the municipality;
- to develop and evaluate the policies and programs of the municipality;
- to determine which services the municipality provides;
- to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;
- to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- to maintain the financial integrity of the municipality; and
- to carry out the duties of Council under the *Municipal Act, 2001* or any other Act.¹⁰

The Mayor is the head of Council and the City's statutory Chief Executive Officer (CEO).¹¹ He presides over Council meetings, provides leadership to Council, and represents the City at official functions.¹² As CEO, he represents and promotes the City locally, nationally and internationally.¹³ In addition, he participates in and fosters activities that enhance the economic, social and environmental well-being of the City and its residents.¹⁴ The Mayor also has a convenor role, which describes his ability to bring people together for municipal purposes.

Pursuant to s. 229 of the *Municipal Act, 2001*, the City has appointed a Chief Administrative Officer, generally referred to as the City Manager. The current City Manager is Steve Kanellakos. The City Manager exercises general control and management of the affairs of the City for the purpose of ensuring its efficient and effective operation. Council directs the City Manager via by-law and resolution, and delegates certain powers to him. The City Manager must report to Council on the exercise of his delegated authority.

City staff, led by the City Manager, implement Council's decisions and establish administrative practices and procedures to carry out those decisions. They also provide advice to Council on the City's policies and programs.¹⁵

The City is divided into ten (10) departments, one of which is Emergency and Protective Services (EPS). Each department is led by a General Manager, who reports to the City Manager. The General Manager of EPS is Kim Ayotte. EPS includes By-Law and Regulatory Services (BLRS), Ottawa Fire Services, the Ottawa Paramedic Service, and Public Safety Services. The latter includes the Office of Emergency Management, Corporate Security, the Corporate Radio system, and is responsible for the 911 system, though operation of the 911 system has been contracted out to the Ottawa Police Service (OPS). EPS also includes other services, but the above-listed services are those which were directly involved in the response to the Freedom Convoy.

¹⁰ *Municipal Act*, s. 224.

¹¹ *Municipal Act*, s. 225. The *Strong Mayors, Building Homes Act, 2022*, SO 2022, c 18, received Royal Assent on September 8, 2022. The Act amends the *Municipal Act, 2001* by adding a new Part V1.1 which provides the Mayor in designated municipalities with special powers and duties. Schedule 2 of the *Strong Mayors, Building Homes Act, 2022*, comes into force on a day to be named by proclamation of the Lieutenant Governor (Schedule 2, s. 2). The Act, and the new powers afforded to the Mayor in designated municipalities, were not in force in early 2022.

¹² *Ibid.*

¹³ *Municipal Act*, s. 226.1

¹⁴ *Ibid.*

¹⁵ *Municipal Act*, s. 227.

The Legal Services Branch falls under the authority of the General Manger for Innovative Client Services. The City Solicitor provides legal advice to Council, the City Manager, and the Ottawa Police Services Board (OPSB). Unlike the Attorney General for Canada, the City Solicitor has no statutory powers and no inherent authority to act on behalf of the public interest. The City Solicitor takes instructions from the City Manager and/or Council.

b. Municipal Powers and Responsibilities in relation to Policing

Pursuant to s. 4(1) of the *Police Services Act*, the City is required to provide adequate and effective police services in accordance with its needs.¹⁶ Police services include law enforcement, public order maintenance, and emergency response.¹⁷ The City's responsibility to provide police services must be discharged in one of six (6) ways specified in s. 5(1) of the Act.

OPS is the successor to the Ottawa-Carleton Regional Police Service and was established on January 1, 2001, by virtue of the municipal amalgamation referred to above. The members of the Ottawa Police Service are under the jurisdiction of the OPSB. Pursuant to s. 38 of the *Police Services Act*, a municipal police force shall consist of a Chief of Police and such other police officers and employees employed by the Police force as are adequate, and shall be provided with adequate equipment and facilities.

The OPSB consists of:

- The Mayor or, if the Mayor chooses not to be a member of the board, another member of Council appointed by resolution of Council;
- Two (2) members of Council appointed by resolution of Council;
- One (1) person appointed by resolution of Council, who is neither a member of Council nor an employee of the City; and
- Three (3) persons appointed by the Lieutenant Governor in Council.

Although Mayor Watson was previously a member of the OPSB, he chose not to sit on the Board this term. During the events in question and up until February 16, 2022, Councillors Deans, King, and Meehan were members of the OPSB. City Council had also appointed Sandy Smallwood as a lay member. Until she was replaced on February 16, 2022, Councillor Deans chaired the OPSB.

In addition to appointing three (3) Councillors and one (1) lay person to the Board, Council must establish a budget for the OPSB. The OPSB is required to submit operating and capital estimates that show, separately, the amounts required to:

- Maintain the police force and provide it with equipment and facilities; and
- Pay the expenses of the Board's operation other than the remuneration of Board members.

¹⁶ *Police Services Act*, RSO 1990, c P.15, s. 4(1) (*Police Services Act*).

¹⁷ *Police Services Act*, s. 4(2).

Council must then establish an overall budget for the OPSB. In doing so, however, Council does not have the authority to approve or disapprove specific items in the Board's estimates.¹⁸

The OPSB operates separately and independently from the City. It exercises independent statutory authority conferred by the *Police Services Act*. It is, however, supported by City services, including the City's Legal Services Branch. During the Freedom Convoy, the Board retained external counsel for advice.

Pursuant to s. 31(1) of the *Police Services Act*, the OPSB:

- Appoints the members of the municipal police force;
- Generally determines, after consultation with the Chief of Police, objectives and priorities with respect to police services in the City;
- Establishes policies for the effective management of the Police force;
- Recruits and appoints the Chief of Police and any Deputy Chief of Police; and
- Directs the Chief of Police and monitors his or her performance.

Pursuant to s. 31(3) of the *Police Services Act*, the Board may give orders and directions to the Chief of Police. Pursuant to s. 31(4), however, the Board shall not direct the Chief of Police with respect to specific operational decisions or with respect to the day-to-day operation of the Police force.

There is no legal authority for Council, the Mayor or City staff to direct the Chief of Police.

The Chief of Police reports to the OPSB.¹⁹ The Chief administers the police force and oversees its operation in accordance with the objectives, priorities and policies established by the Board. In addition, he or she ensures that the members of the police force carry out their duties in a manner that reflects the needs of the community, and that the police force provides community-oriented police services.²⁰

c. Ottawa's Emergency Plan

Pursuant to ss. 2.1(1) and 3(1) of the *Emergency Management and Civil Protection Act (EMCPA)*,²¹ every municipality shall develop and implement an emergency management program (EMP) and formulate an emergency response plan. City Council has adopted the City of Ottawa EMP, which includes the Municipal Emergency Plan (the "Plan").²²

The Plan is an all-hazard emergency plan designed to be used during planned or unplanned situations. The term "situation" captures any incident, event, emergency, or disaster that requires an extraordinary or emergency response.

The goal of the Plan is to maintain public confidence by:

¹⁸ *Police Services Act*, s. 39.

¹⁹ *Police Services Act*, s. 41(2).

²⁰ *Police Services Act*, s. 41(1).

²¹ *Emergency Management and Civil Protection Act*, RSO 1990, c E.9, ss. 2.1(1) and 3(1) (EMCPA).

²² The City of Ottawa *Emergency Management Program By-law*, 2018-98, as amended. Ontario Regulation 380/04 adopted pursuant to the *EMCPA* prescribes standards for municipal emergency programs (ss. 10-15). For the Municipal Emergency Plan, see OTT00010824. For the EMP Terms of Reference, see OTT00010825.

- Protecting the health and safety of employees;
- Saving lives;
- Reducing suffering;
- Protecting public health;
- Protecting infrastructure and property;
- Protecting the environment; and
- Reducing economic and social losses.

Each City department has at least one (1) on-call Duty Officer, who acts as the single point of contact for their department or service area. There is also a Corporate Duty Officer, who coordinates the City-wide Duty Officer network. If a department becomes aware of a situation that may require City-wide awareness, it escalates the matter to the Corporate Duty Officer. The Corporate Duty Officer gathers information about a situation that may have a significant impact on the City and shares it with other Duty Officers.

The City's Response Escalation Level Guideline²³ recognizes four (4) levels of response escalation that require coordination through the Corporate Duty Officer: Monitoring, Enhanced Operations, Activated Operations, and a State of Emergency.

When the City enters into Monitoring, City departments, partners and stakeholders are made aware of a situation. The aim is to understand how that situation may impact normal operations. The Corporate Duty Officer and some or all departmental Duty Officers may be notified and engaged.

If faced with a situation that is imminent or occurring and could threaten public safety, public health, the environment, property, critical infrastructure and economic stability, the City enters into Enhanced Operations. The Corporate Duty Officer and some or all departmental Duty Officers are notified and engaged.

If a situation requires the engagement of the City's senior leadership team through the mobilization of the Emergency Operations Centre (EOC), then the response level is further escalated to Activated Operations. In Activated Operations, the Ontario Provincial Emergency Operations Centre (PEOC) and Federal Government Operations Centre (GOC) are notified and may also be mobilized. The EOC Control Group, discussed below, may also recommend to the Mayor that he declare a State of Emergency.

Pursuant to s. 4 of the *EMCPA*, the Mayor may declare that an emergency exists and may take such action and make such orders as he or she considers necessary and are not contrary to law to implement the Plan and to protect property and the health, safety, and welfare of the inhabitants of the emergency area. The declaration does not grant the Mayor any additional powers beyond those already provided by law or authorized by by-law. As an example, s. 23 of the *Procurement By-law*²⁴ provides the City with authority to sole-source goods and services in the event of a "special circumstance" as defined in the By-law, which would include a situation giving rise to a declaration of emergency.

²³ OTT00010823.

²⁴ By-law No. 2000-50.

The Response Escalation Level Guideline provides a list of criteria, for each department, for Enhanced Operations and Activated Operations levels. By way of example, a 3-alarm fire would be sufficient for Ottawa Fire Services to notify the Corporate Duty Officer that they need to move into Enhanced Operations. Similarly, a major labour disruption that affects normal business operations would cause Human Resources Services to notify the Corporate Duty Officer that they need to enter into Activated Operations.

The City implements the Incident Management System (IMS) to manage a situation. IMS consists of a framework that organizations use to coordinate a structured response to a situation of any scale. Coordination of the response may take place within a single organization, between several organizations, across jurisdictions, and/or across and outside the province.²⁵ In addition to coordination, the core principles of the IMS are communication, collaboration and flexibility.²⁶ With respect to collaboration, Ontario's IMS Guidance document (Version 2.0) cautions that incident responders and the communities and organizations they represent should avoid working independently of one another when developing and sharing information and strategies.²⁷

As part of the IMS framework, the Incident Commander has overall authority and responsibility for all site activities, including developing objectives, strategies, and tactics, and ordering and releasing resources. Incident Command is the single point of command for the response. Ontario's IMS Guidance document (Version 2.0) recognizes that a Single Command is generally the preferred form of incident management.²⁸

If there are multiple incident sites, an Area Command may be set up. Area Command determines the overall objectives and strategies and provides logistical and administrative support to the Incident Commander.

In response to a situation, each department may mobilize a Command Centre to monitor resource requests from Incident Command or Area Command and to ensure continuity of City operations.²⁹

If it is necessary to coordinate resources between departments or with partners and external agencies, the City may mobilize an Emergency Operations Centre (EOC). The EOC is the central facility that provides overall policy direction for the City's response and coordinates all extraordinary resource requests. The EOC has two fundamental roles: (i) ensuring continuity of City operations and (ii) supporting the response to the situation. The EOC is not involved in tactical and operational decisions.

The EOC is comprised of two distinct groups: The EOC Control Group (EOCCG) and the EOC Operations Group (EOC Ops Group). The EOCCG provides the overall policy direction for the City's response to a situation.³⁰ It is chaired by the City Manager and comprised of the City's

²⁵ IMS Guidance Version 2.0, approved by the Office of the Chief, Emergency Management, Ministry of the Solicitor General, Ontario, p. 26. The Guidance document is available on Ontario's website: <https://files.ontario.ca/solgen-ims-guidance-version-2.0-en-accessible.pdf>.

²⁶ *Ibid* at p. 22.

²⁷ *Ibid* at p. 28.

²⁸ *Ibid* at p. 39.

²⁹ In the absence of a Command Centre, the Duty Officer fulfills the role of a Command Centre.

³⁰ Pursuant to s. 12(4) of Ontario Regulation 380/04, adopted pursuant to the *EMCPA*, the EOCCG directs the City's response in an emergency, including the implementation of its Plan.

senior leadership team and others such as the Fire Chief and Paramedic Chief. In addition, the EOCCG includes external partners and agencies, such as the Ottawa Police Chief and the Medical Officer of Health.

The EOC Ops Group is an extension of the EOCCG. Once the EOC is mobilized, the Duty Officer network transitions into the EOC Ops Group. The EOC Ops Group ensures continuity of operations across the City, supports departmental Command Centres, provides recommendations to the EOCCG, and develops strategies for implementing EOCCG objectives. Duty Officers provide updates from the EOC Ops Group to their respective Command Centres.

The following chart shows the overall structure of the response:



In any IMS, the selection of Incident Command depends on the nature of the hazard. The City department or external agency with the most relevant expertise is selected as Incident Commander, having regard to statutory responsibilities. For demonstrations such as the Freedom Convoy, the primary risk is to the maintenance of public order. That is a policing matter, as confirmed by s. 4(2) of the *Police Services Act*. As set out further below, the Ottawa Police Service manages any major demonstration in Ottawa. By contrast, the Incident Commander for the COVID-19 pandemic emergency response was the Medical Officer of Health (Ottawa Public Health). By way of further example, the Incident Commander for large storms is generally the City's Public Works department.

As mentioned above, flexibility is one of the core principles of Ontario's IMS. Consistent with this principle, the Plan is scalable. For incidents that can be managed according to a department's standard operating procedures, guidelines, legislation, and policies, the response is coordinated by an Incident Commander, supported by the departmental Command Centre.

For larger situations, an EOC may be mobilized. Each City department is represented at the EOC. Each Duty Officer reports back to their respective Command Centre, who supports the continuity of City operations and any resource requests from Incident Command, Area Command or the EOC.

The Freedom Convoy was a major multi-jurisdictional situation. OPS assumed Incident Command, and the National Capital Region Command Centre (NCRCC) assumed Area

Command. The role of the NCRCC was to support the OPS as Incident Command. The NCRCC is police-led and is comprised of representatives from the various organizations involved in the response, including the Royal Canadian Mounted Police (RCMP), Ontario Provincial Police (OPP), OPS, Parliamentary Protective Services (PPS), and the city of Ottawa.

The City of Ottawa had liaison officers embedded at the NCRCC. Those liaison officers brought information and resource requests back to the City's EOC. The role of the City's EOC was two-fold: (i) to manage City service impacts and (ii) to support Area Command. Each City department was represented at the EOC through a duty officer. The duty officer shared any information and resource requests with their departmental Command Centre.

As set out above, the role of the EOCCG, once mobilized, is to provide the overall policy direction for the City's response to a situation. In this case, however, the response was Police-led. As a result, the role of the EOCCG was somewhat different. The EOC managed City service impacts caused by the Convoy and supported NCRCC as Area Command. As Area Command, NCRCC was responsible for setting overall objectives and strategies for the response to the Convoy.

For clarity, the Freedom Convoy EOC was separate from the COVID-19 pandemic EOC, which mobilized again in December 2021 as a result of the Omicron variant. In and around February 2022, the City was responding to two separate emergencies at the same time.

2. The City's Approach to Demonstrations

The City has a by-law for *Special Events on City Streets*.³¹ Pursuant to that by-law, a special event is specifically defined to include a demonstration.³² Section 2 requires a permit for any special event occurring on a highway or City street. Pursuant to s. 4(1), a permit may be refused if there is any reason to believe that the demonstration may result in a breach of the law, or may be in any way adverse to the public interest. Consistent with s. 7, the by-law is enforced by both the City³³ and the Chief of Police.

Section 5(1) of the *Special Events on City Streets* by-law provides that the City³⁴ or the Chief of Police may close highways or parts thereof to pedestrians or vehicular traffic, or both, to preserve public order and protect persons and property during the demonstration. Moreover, pursuant to s. 5(2), every police officer is authorized and required to take any or all lawful means as may be required to keep or maintain order and prevent obstruction of pedestrian or vehicular traffic. Pursuant to s. 6(1)(c), any permit is conditional on the applicant paying for the costs of policing required during the demonstration.

The City website lists a number of conditions applicable to demonstrations, including that demonstrators must respect restrictions on noise and open air fires contained in municipal by-laws or prescribed by provincial legislation. In addition, the conditions expressly state that

³¹ By-law No. 2001-260. There is a separate by-law for *Special Events on Public and Private Property*, By-law No. 2013-232, which does not apply to special events on a highway or City street.

³² *Ibid* at s. 1(k).

³³ Specifically, the General Manager of Public Works and Environmental Services (previously, the Transportation, Utilities and Public Works General Manager of the City).

³⁴ The authority rests with the General Manager of Public Works and Environmental Services (previously, the Transportation, Utilities and Public Works General Manager of the City).

Police supervision is required for a demonstration, and that it is the responsibility of the demonstration organizer to contact Ottawa Police to arrange for supervision.³⁵

The permit application form for demonstrations on City streets is available on the City's website. There is no cost for this service. The purpose of the application form is to allow all stakeholders to be informed of any impacts on their areas of responsibility. For example, OC Transpo may need to reroute transit routes, and Ottawa Fire Services and the Ottawa Paramedic Service will want to be aware of potential route delays. The City also ensures that any such service impacts are communicated to staff, partners, stakeholders and the general public.

The City provides the information collected on the application form, including the contact information for organizers and the expected number of participants, to Police. Demonstrations are managed by OPS. As indicated on their website, OPS works with event organizers and other stakeholders to ensure a safe environment for a demonstration.³⁶ OPS' Police Liaison Teams will generally reach out to demonstration organizers in advance of the event. The role of the City is to support OPS and mitigate the impact of the demonstration on residents and businesses.

The City does not fine or otherwise penalize demonstration organizers for failing to complete an application form or obtain a permit. The City's position is that a permit is not a mandatory prerequisite to the right to demonstrate, having regard to the right to freedom of expression enshrined in the *Canadian Charter of Rights and Freedoms*. While the City requires a permit in accordance with the By-law, the City does not deem a demonstration without a permit to be an unlawful assembly.

Where the information received from Police warrants, the City may enter into Monitoring and escalate its response level as appropriate. In the event the demonstration requires a coordinated response, OPS assumes the role of Incident Command. Depending on the size and scale of the demonstration and the associated risk assessment, the NCRCC may be stood up as Area Command. The City may in turn mobilize its own EOC to support the NCRCC and manage City service impacts.

Building on lessons learned during the Freedom Convoy, the City and OPS have modified their approach to demonstrations. In anticipation of vehicle-based demonstrations, they have created motor vehicle exclusion zones, which exclude only motor vehicles taking part in a demonstration, event, protest, or rally. Barricades, heavy equipment or police officers and vehicles are located at various access points surrounding the exclusion zone to filter lawful traffic onto those streets. The roads are not closed, and normal traffic circulation is permitted. Thus, motor vehicles not participating in a demonstration, event, protest, or rally, as well as pedestrians and cyclists are able to enter and exit the zone. Parking and stopping in the zone or in part thereof may be prohibited, to ensure roadways remain clear for all traffic. Any motor vehicles failing to observe road signs may be ticketed and towed.

Although this represents a new strategy to manage demonstrations, there is authority for the City to restrict access to public roads. Section 170 of the *Highway Traffic Act*³⁷ provides

³⁵ See: <https://ottawa.ca/en/living-ottawa/laws-licences-and-permits/laws/laws-z/special-events-city-streets-law-no-2001-260#section-a651b8a3-a85f-43f7-b09a-496e0aa16ca3>.

³⁶ See: <https://www.ottawapolice.ca/en/safety-and-crime-prevention/Demonstrators.aspx>.

³⁷ *Highway Traffic Act*, RSO 1990, c H.8.

authority for a municipal law enforcement officer to move a vehicle or require it to be moved if it is parked or stopped on a roadway,

- (a) when it is practicable to park, stand or stop the vehicle off the roadway; or
- (b) when it is not practicable to park, stand or stop the vehicle off the roadway unless a clear view of the vehicle and of the roadway for at least 125 metres beyond the vehicle may be obtained from a distance of at least 125 metres from the vehicle in each direction upon the highway.

In addition, the *Delegation of Authority By-Law* provides some authority for temporary road closures.³⁸ Section 7(1) of Schedule “K” delegates to the General Manager of Public Works and the Director of Traffic Services the authority to temporarily close a City road provided that the road closure is for the purpose of routine road operations including construction, rehabilitation, or maintenance and appropriate signs are erected to provide reasonable notice of the temporary closure. Section 8(1) of Schedule “K” delegates the authority to prohibit and regulate the movement, parking, or stopping of vehicles for a temporary period, including the temporary closing of a City street, during such times and days as deemed proper and necessary for the safe operation of the street and the safe performance of a vital City function.³⁹

Moreover, ss. 5 and 7 of the *Delegation of Authority By-Law* delegate certain authorities to the City Manager and to General Managers in the context of an emergency. Section 5 provides that in cases of emergency or special circumstances where it is necessary to act **within** the normal mandate of a department, but such action is not strictly within the terms of a delegated authority, a General Manager or Director, in respect of their specific Department, may take such action as necessary to rectify the situation. Section 7 provides that, in cases of emergency or special circumstances where it is necessary to take an action **outside** the normal mandate of a department, the City Manager may take such action as necessary to rectify the situation.⁴⁰

Finally, s. 65 of the *Traffic and Parking By-Law* provides that a police officer or the General Manager of Transportation Services may, during any emergency or special circumstance, by the erection of appropriate signs or signals, prohibit or regulate the movement of vehicles on any highway or part of a highway.⁴¹

Since the Freedom Convoy, the City has established motor vehicle exclusion zones jointly with Police, each exercising their independent statutory authority and powers. Practically speaking, the City must coordinate with Police to establish such zones. As mentioned above, Police are primarily responsible for managing demonstrations, including establishing safe routes into the City. The City relies on Police Liaison Teams to work with demonstration organizers to ensure a peaceful event. Moreover, the City relies on the Police Service’s risk assessment in planning for a demonstration as it has no mechanism to independently validate information it receives

³⁸ By-law No. 2022-253.

³⁹ The exercise of these delegated authorities must be reported to the appropriate Standing Committee at least once in each calendar year: *ibid* at ss. 7(2) and 8(2).

⁴⁰ The exercise of these delegated authorities must be reported immediately to the appropriate Standing Committee, and in the case of section 7, subsequently to Council: *ibid* at ss. 6 and 8.

⁴¹ By-law No. 2017-301.

about an upcoming demonstration. Finally, motor vehicle exclusion zones are physically staffed by police.

Indeed, the City does not typically place unstaffed concrete jersey barriers perpendicular to the roadway or a lane of traffic as they can create significant safety and operational issues. In particular,

- The lack of retroreflective paint or markings impacts conspicuity at night, creating a potential collision hazard.
- They may impact or remove the ability to provide access for emergency services.
- They may impact or remove the ability to provide access for City services like winter maintenance and waste collection.
- Local school buses cannot access impacted streets.
- They can result in diverting traffic onto other local streets that are parallel to the closed street.

The City may deploy concrete jersey barriers to create hardenings throughout the core in an attempt to control the footprint of a demonstration. These barriers are generally augmented with a police officer and vehicle. The barriers are also typically placed in a manner that still provides access to a segment of the roadway for vehicles, with traffic access directed by a police officer on site.

3. The City's Approach to the Freedom Convoy

Information about the City's response to the Freedom Convoy can be found in the City's Timeline of Events.

The City did not issue any permits in relation to the Freedom Convoy. INTERSECT sent an initial notification relating to the demonstration on January 21, 2022.⁴² INTERSECT is a police-led, multi-jurisdictional information-sharing initiative in the National Capital Region.

The City entered into Monitoring on January 25, 2022. A Duty Officer meeting was held that same day to obtain situational awareness from Police and discuss mitigation activities, coordination requirements, and potential impacts of the Convoy on City operations.

The City escalated to Enhanced Operations on January 27, 2022, and entered into Activated Operations on January 29, 2022.

OPS assumed Incident Command for the response to the Freedom Convoy. The NCRCC was mobilized as Area Command on January 28, 2022. City representatives were embedded within the NCRCC. The City was not privy to the details of OPS' risk assessment or operational plans.

Also on January 28, 2022, the City mobilized an EOC to manage City service impacts and support the NCRCC as Area Command. Representatives from the EOC and from certain other City services, including Ottawa Traffic Services and Fire and Paramedic Services, were

⁴² OTT00000013.

embedded within the NCRCC. This was a separate EOC from the COVID-19 pandemic EOC that had mobilized in December 2021 as a result of the Omicron variant.

Finally, the Traffic Incident Management Group (TIMG) mobilized on January 28, 2022. The TIMG is made up of representatives from the City of Ottawa Public Works Department, Ontario's Ministry of Transportation, the Quebec Ministry of Transportation, OPS, Gatineau Police Service, RCMP, OPP and Sûreté du Québec as well as OC Transpo, Fire and Paramedic Services from Ottawa and Gatineau.

In planning for the Convoy, the City relied on information obtained from Police, including information shared in the NCRCC and obtained from INTERSECT. At the time of the Freedom Convoy, INTERSECT was providing members daily updates, or multiple updates per day.

The City received some information, notably from a local hotel association, indicating that the protestors were planning to stay for an extended period. The City forwarded this information to OPS,⁴³ as it has no way of independently validating such information. The City based its planning and response on the global intelligence and threat assessment received from OPS, as opposed to individual pieces of information.

One of the early concerns identified by the City was maintaining an emergency lane through downtown for emergency services vehicles. Convoy organizers had agreed to maintain an emergency lane and did, for the most part, maintain such a lane throughout the demonstration. The City used concrete barriers or heavy vehicles to block emergency lanes and towed any vehicles blocking these lanes. This towing occurred primarily during the early days of the demonstration.

Between January 28 and February 22, 2022, BLRS issued a total of 3,182 parking tickets. The primary goal of parking enforcement within the perimeter of the demonstration was to ensure that emergency lanes were clear and the flow of traffic was maintained. Tickets were issued accordingly, with the exception of roads not within the jurisdiction of the City of Ottawa, such as the Queen Elizabeth Driveway.

By-law officers were not assigned for any enforcement in the red zone or requested to assist OPS until February 4, 2022. Because this was a police-led response and due to safety concerns, By-law enforcement officers were only deployed within the red zone or with the police-led Quick Response Team when requested by OPS through the NCRCC. For safety reasons, By-law officers required a police escort to take enforcement action.

The City's BLRS applied and received approval for an increase in the set fine for specific by-law violations, including for idling and noise violations.⁴⁴ City Council also amended the *Idling Control By-law*⁴⁵ to lower the applicable temperature at which ticketing could occur.

⁴³ Email from Beth Gooding, Director, Public Safety, EPS, City of Ottawa, to Sergeant Roberts, OPS, sent January 25, 2022, Document No. OTT00000070.

⁴⁴ For the Idling By-law, see OTT00024226-OTT00024228; for the Noise By-law, see OTT00024231-OTT00024233; for the Open Air Fire By-law, see OTT00024235-OTT00024237; for the Use & Care of Roads By-law, see OTT00024239-OTT00024241.

⁴⁵ A by-law of the City of Ottawa to amend By-law No. 2007-266 respecting vehicle idling control under certain circumstances in specified areas of Ottawa on a temporary basis (By-Law No. 2022-44), Document No. OTT00005770.

The City supported the police in other ways as well. On January 28, 2022, the day Convoy participants began arriving in Ottawa, OPS' General Counsel suggested to the City Solicitor that the demonstration might not end on Sunday, January 30, and that an injunction might be required.⁴⁶ On Sunday, January 30, Chief Sloly spoke separately with the City Solicitor and the City Manager about a possible injunction application. The City Manager agreed to commence the formal process of preparing for and seeking an injunction in regard to the demonstration.⁴⁷

On February 4, 2022, the City Solicitor wrote to OPS' General Counsel to confirm his understanding that, at that time, OPS did not require any injunctive court orders in order to continue to action its operational plan.⁴⁸ He explained that the City's Legal Services Branch wanted to ensure that they were in the best position possible to respond in the event that circumstances changed and Police requested that the City seek an injunction. In order to further their preparations, the City's legal team requested supporting information from OPS. The City Solicitor never received a response to his February 4 email.

The City ultimately filed its application on February 11, 2022, at which time it was more confident that Police would have sufficient resources to permit it to enforce the injunction order. The injunction sought was in relation to the enforcement of municipal by-laws. The injunction was granted on February 14, 2022, the same day that the federal government declared a public order emergency.

At the request of OPS, the City Manager also agreed to meet with certain protesters and their representatives. The OPS advised the City Manager that communication between the protesters and the Police Liaison Teams had broken down. Ultimately, an agreement was reached between the Mayor and certain protesters,⁴⁹ pursuant to which a number of trucks were moved out of residential neighbourhoods on Monday, February 14, 2022.

The EOC also supported police during the eventual enforcement action. This included, but was not limited to: coordinating and implementing various requests from police including snow clearing, provision of buses to shuttle police to various locations, traffic management, installation of fencing, facility access, and deployment of paramedic resources.⁵⁰ By-law also engaged some towing at the request of police and was able to leverage one of the City's standing offer providers, as well as sole sourced providers.⁵¹ The EOC also worked with the NCRCC to facilitate essential worker entry into the secured area, including for Human Needs Task Force staff trying to access the physical distancing centre on Nicholas Street.⁵²

As police cleared out the red zone, City staff supported Police in cleaning up city streets. Roads and Parks crews had to clean up debris and clearing snow from areas that they could previously not access, as well as remove the hundreds of barriers that had been used to block off streets. Solid Waste is filled garbage bins and then hauled them back to the Trail Road dump.

⁴⁶ Text message from OPS General Counsel to City Solicitor sent January 28, 2022, Document No. OTT00010771.

⁴⁷ Email from Chief Sloly to City Manager sent January 30, 2022, Document No. OTT00002090.

⁴⁸ Email from the City Solicitor to OPS' General Counsel sent February 4, 2022, Document No. OTT00029787.

⁴⁹ See the letters exchanged between Mayor Watson and Tamara Lich on February 12, 2022, Document Nos. OTT00006964-OTT00006965.

⁵⁰ Email update from K. Ayotte to EOCCG sent February 18, 2022, Document No. OTT00008339.

⁵¹ OTT00010194.

⁵² Email update from K. Ayotte to EOCCG sent February 18, 2022, Document No. OTT00008339.

Wastewater Services had to become involved to support the removal of human waste left on City streets.⁵³

As the final part of clean up, the City's Public Works Department and Infrastructure and Water Services Department had to conduct safety inspections – particularly for those downtown streets where heavy vehicles had been parked during the protest and which had been used as encampments. The inspections included above ground and below ground infrastructure (buildings, streets, sidewalks, street furniture, bus shelters etc.), as well as catch basins, manholes, valves and hydrants, to identify any signs of damage.⁵⁴

Other aspects of the City's response are set out in the City's Timeline of Events. Among other things, City Officials engaged with their provincial and federal counterparts, primarily to secure additional resources that Police advised were required in order to respond to the Freedom Convoy. We summarize some of those discussions next.

4. The City's requests for assistance to the federal or provincial governments

City Officials had several discussions with their provincial and federal counterparts. The Mayor spoke with the Prime Minister and with the Ontario Premier on a few occasions. He also spoke with the Public Safety Minister, who suggested that they organize tripartite meetings. These meetings were organized at the senior staff level and at the ministerial level. The Public Safety Minister, the Emergency Preparedness Minister and the Mayor, among others, attended the ministerial meetings. These occurred on February 7, 8 and 10, 2022. Police representatives from OPS, OPP and/or RCMP also participated. The province's engagement at these meetings was limited.

The City requested Police resources and inquired what the various levels of government could do in light of existing legislation to put pressure on the protesters. The City asked the province, in particular the Deputy Minister of Transportation, whether there was anything that could be done in regard to the truckers' insurance or Commercial Vehicle Operator's Registration (CVOR) certificates, but the province was not prepared to do anything in this respect.

After Ottawa Police Chief Sloly advised the Mayor and Councillor Deans, in her capacity as Chair of the OPSB, that OPS needed 1800 additional officers, the City requested these additional resources from other levels of government.⁵⁵ On February 7, 2022, the Mayor and Chair Deans issued letters to the provincial and federal governments requesting these additional resources.⁵⁶ City representatives continued to request these additional resources during their conversations with representatives from the provincial and federal governments.

The numbers of officers that the federal Ministers and their staff thought were on the ground did not correspond with the information the City obtained from OPS. Many of the additional RCMP officers were assigned to federal institutions, such as Parliament Hill and the Prime

⁵³ Email update from K. Ayotte to EOCCG sent February 20, 2022, Document No. OTT00008569.

⁵⁴ Memo re Downtown Core – Re-Opening Actions Required, February 24, 2022, Document No. OTT00009289.

⁵⁵ Notes of February 6, 2022 meeting between the Mayor, Councillor Deans and Chief Sloly taken by Councillor Dean's assistant, Document No. OTT00029539; email from OPS to Mayor Watson and Chair Deans sent February 6, 2022, Document No. OTT00018172; email from Chief Sloly to Mayor Watson sent February 7, 2022, Document No. OTT00005223.

⁵⁶ OTT00006057 and OTT00005513.

Minister's residence, and not under OPS command. The disagreement or misunderstanding regarding the number of RCMP officers persisted for several meetings.

During the meetings, there were also some questions from federal officials with respect to the readiness of the OPS' plan. City representatives were never provided with OPS' plan and nor briefed.

The final ministerial-level tripartite meeting occurred on February 10, 2022. Additional resources were provided after the Integrated Command Centre was stood up on February 12, 2022.

There were also discussions between City representatives and their provincial and federal counterparts about the cost of the Freedom Convoy and the financial impact on businesses, and what support the provincial and federal governments could provide in that respect.

5. The Impact of Demonstrations in Early 2022 on the City of Ottawa, its Residents and Businesses

a. Impact on Residents

The impact of the Convoy on Ottawa's residents, particularly those who live in the downtown core, was well-documented in the media and in the thousands of emails sent to elected officials at the City during the relevant time. City staff documented common and persistent impacts to residents, including seemingly never-ending noise from horns, fumes from idling trucks, issues with food security, transportation, safety, and mental health.

Residents and businesses in the downtown core experienced the direct negative consequences of this demonstration on federal matters every day for over three weeks.

It is worth noting that the EOC itself did not have access to the complaints being submitted directly to OPS. During the occupation, OPS was directing residents to report incidents of harassment, hate crimes, and other unlawful behavior to a specific extension associated with the Police's non-emergency phone line. Those reports were not shared with the EOC.

i. Reality for Downtown Residents

The Ward Councillor for Somerset (which includes Centretown), Catherine McKenney, described the situation for downtown residents during the occupation as follows:

Ottawa's urban core is in crisis. For six days and nights, downtown residents have been under siege. They have faced unprecedented noise and pollution. Wearing a mask in public means being threatened with violence and sexual violence or being spat at and screamed at.

We've experienced public urination, defecation, symbols of hatred and intolerance including nazi flags circulating our downtown.

Horns are blasting 24 hours every day, keeping our children awake. Drivers threatening pedestrians and others with erratic and dangerous behaviour. Seniors

and others are afraid to leave their homes to buy groceries or take their children to school.

There are open fires, tanks of fuel being delivered to vehicles, illegal parking everywhere, downtown gridlock, and more.⁵⁷

[...] thousands of car & truck horns directly outside of people's homes on Kent, Metcalfe, Bay, Bronson and surrounding streets are having the intended effect of terrorizing residents, both Centretown grocers had to close this afternoon because of unmasked & harassing mobs overwhelming their stores and intimidating their mostly young and low-wage staff (who will again forgo wages), seniors and women and other more vulnerable people continue to be afraid to leave their homes, a mom broke down sobbing today because she couldn't get a birthday gift for her 5 year old because she is traumatized and can't leave her apartment and hundreds of other similar heartbreaking accounts⁵⁸

Councillor McKenney also forwarded concerns about risks arising from fuel being carried down City streets, as well as canisters filled with pesticides and other materials being used to make explosives.⁵⁹

The City anticipates that further submissions and evidence in this regard will be led by the Ottawa Coalition of Residents and Businesses.

ii. Impact on Health

On February 14, 2022, Dr. Vera Etches and Donna Gray issued the following joint statement on the impact of the Convoy on the health of the citizens of Ottawa:

Environmental pollution, noise, racism and safety concerns have negatively impacted people's health and created fear and anxiety in our community far beyond those physically affected. Many residents have felt the need to limit their daily activities leading to further isolation and mental health challenges especially for racialized groups, vulnerable youth, our 2SLGBTQ+ community, people with disabilities, people experiencing homelessness, older adults and other groups.⁶⁰

In relation to the impact of environmental pollution and fumes specifically, Ottawa Public Health reviewed data from Environment Canada and the provincial Ministry of the Environment regularly. Based on local air quality concerns, OPH was forced to issue a caution on February 18, 2022 to people on social media to avoid the area. OPH noted that the protest had become an occupation:

[A]s the protest has become entrenched and become an on-going occupation, the potential risk of exposure to diesel exhaust, that has well documented health concerns, has increased for those in impacted areas. As a result, we would like to bring this to your attention and ask that you share this with any agency

⁵⁷ OTT00003039.

⁵⁸ OTT00025446.

⁵⁹ OTT00005306.

⁶⁰ OTT00007033.

conducting health and safety risk assessments during this event, including the EOC, Ottawa Police Services Integrated Command and by extension the Children's Aid Society of Ottawa. We are aware that there are several sub-populations amongst the demonstrators (e.g., children, pregnant women, and people with pre-existing cardiovascular and respiratory conditions) who would likely have prolonged exposure to the diesel exhaust pollution and who are particularly vulnerable to poor air quality. At this time, OPH does not think point source monitoring would contribute significantly to a risk assessment because it is already known that spending time in areas impacted by diesel exhaust is something that should be avoided.

Health Canada and other health and environment authorities concur that diesel emissions have direct and immediate effects on human health as well as longer term health impacts. The very small particles in diesel exhaust are small enough to penetrate deep into the lungs, where they contribute to a range of health problems. Diesel exhaust can irritate the eyes, nose, throat and lungs, and it can cause coughs, headaches, lightheadedness and nausea. Studies have found that diesel exhaust particles made people with allergies more susceptible to the materials to which they are allergic, such as dust and pollen. Exposure to diesel exhaust also causes inflammation in the lungs, which may aggravate chronic respiratory symptoms and increase the frequency or intensity of asthma attacks. The elderly and people with emphysema, asthma, and chronic heart and lung disease are especially sensitive to fine-particle pollution. Numerous studies have linked elevated particle levels in the air to increased hospital admissions, emergency room visits, asthma attacks and premature deaths among those suffering from respiratory problems. Diesel exhaust has been identified as a carcinogen. Because children's lungs and respiratory systems are still developing, they are also more susceptible than healthy adults to fine particles. Exposure to fine particles is associated with increased frequency of childhood illnesses and can also reduce lung function in children. For these reasons, exposure to diesel emissions should be limited in both the short and long term.⁶¹

Broader health impacts were also experienced outside of the downtown core on account of traffic disruptions. In particular, travel to and from Quebec was very challenging. Local hospitals advised the City that healthcare workers were experiencing very long commutes.⁶² So were patients, including those seeking chemotherapy and radiation treatments. In addition, the EOC worked with health partners to find hotel accommodations, outside the downtown core, for a small group of higher-risk home and community care clients, whose level of care was compromised due to traffic impacts and concerns about the safety of healthcare workers entering the perimeter.⁶³ On Saturday February 19th, while the police enforcement action was ongoing, the Ottawa Hospital General and Civic campuses had to be put into lock down after fake bomb threats.⁶⁴

⁶¹ Email message from Michael Ferguson, MSc, Program Manager, Environmental Public Health, Ottawa Public Health, February 18, 2022, Document no. OTT00030002.

⁶² See e.g., OTT00011155.

⁶³ OTT00003632.

⁶⁴ EOC Operations Group meeting minutes, February 19, 2022, Document no. OTT00008446.

In terms of the noise experienced by citizens, the City's 311 service experienced a significant increase in calls from the affected area. For the month of February, the total number of noise complaints for the affected area nearly doubled as compared to 2021:⁶⁵

- February 2021: 367 Noise Service Requests
- February 2022: 732 Noise Service Requests

In addition to formal complaints via 311, City staff and elected officials received thousands of email complaints from citizens complaining of incessant disturbances at all hours of the day.

iii. Financial Impact to Citizens

As a result of the temporary closure of businesses located in the downtown core, many Ottawa residents were left suddenly unemployed.

Employment and Social Services provided a streamlined, single point of contact process for impacted residents who required financial or employment assistance, with a specific focus on employees of the Rideau Centre who endured a prolonged job loss.

A one-page document describing how impacted residents could access emergency financial assistance and employment supports was developed and distributed to community partners via the Human Needs Task Force, Ward Councillors and the General Manager of the Rideau Centre. The document identified the help available and provided a direct phone number for both financial and employment help, as well as supports for employers. This document was also provided to all Members of Council via a memorandum from the General Manager on February 25, 2022, and again by the City Manager on March 18, 2022.

A team of dedicated Case Workers were assigned to quickly process any requests for financial assistance. A staff member from the City's Employment Ontario program was also available to discuss available employment supports with residents and employers.

Twenty-seven individuals reached out to access information, services, and/or supports.⁶⁶ This process remained in place until March 31, 2022, to ensure a seamless connection to services.

b. Impact on Business

Businesses located in the downtown core were significantly impacted by the Convoy. The City anticipates that further submissions and evidence in this regard will be led by the Ottawa Coalition of Residents and Businesses.

City Councillors and staff pivoted during the relevant period and in the aftermath of the Convoy in order to mitigate these impacts.

Councillor Mathieu Fleury met with representatives from the impacted local Business Improvement Areas (BIAs) on January 28, 2022, prior to the Convoy's arrival. At the request of the affected BIAs,⁶⁷ he organized a "Daily meeting with Downtown BIAs" to facilitate

⁶⁵ Between January 18 and February 28, 80% of all noise service requests originated in the affected area.

⁶⁶ None of these individuals were social assistance recipients.

⁶⁷ OTT00002881.

communications between the City and local businesses. Senior City staff, elected officials and representatives from OPS attended these meetings when possible. The list of attendees also received email updates from Councillor Fleury.⁶⁸

As soon as police enforcement action ended the occupation, City Council moved promptly to implement several initiatives to help downtown businesses recover:⁶⁹

- **Tax deferrals** - The City deferred the interim tax bill for affected businesses in the areas impacted by the occupation.
- **Financial support** - The City of Ottawa provided up to \$50,000 for each of the following organizations to support area recovery: Sparks Street BIA, Bank Street BIA, Downtown Rideau BIA, ByWard Market BIA, and the Elgin Area Business Association. Up to \$25,000 was provided for each of the following organizations to support area recovery: Quartier Vanier BIA, Somerset Village BIA, Somerset Street Chinatown BIA, Preston Street BIA, Westboro Village BIA, Wellington West BIA, Glebe BIA, Ottawa Markets Corporation.
- **Ottawa Music Industry Coalition (OMIC)** - The City provided funding of \$50,000 to OMIC to deliver the City Sounds concert series in 2022.
- **No Charge Transit** – From February 20 – March 27, 2022, 15 OC Transpo bus routes serving downtown, as well as Para Transpo trips to and from Rideau-Vanier and Somerset wards, were no-charge. O-Train Line 1 was also no-charge between February 25 and March 27.
- **No Charge Parking** - From February 25 until March 31, 2022, the City did not charge for parking at any of the following parking lots or garages: 210 Gloucester Street, 234-250 Slater Street, 422 Slater Street, 70 Clarence Street, 141 Clarence Street, and 110 Laurier Avenue West

The full extent of the impacts on local businesses are perhaps most evident though the size and scale of the funding programs created by the federal and provincial governments to assist local businesses adversely affected by the convoy.

On February 19, 2022, FedDev Ontario announced that up to \$20 million would be provided in non-repayable contributions to Ottawa businesses who suffered losses due to the illegal blockades. The announcement noted small businesses would be able to apply for non-repayable contributions of up to \$10,000 for non-deferrable operational costs not covered by other federal programs.⁷⁰

On March 4, 2022, the Ontario government announced it would be providing up to \$11.5 million to local businesses in Ottawa impacted by the nearly four-week long occupation near Parliament Hill in January and February 2022. The funding included a \$10-million grant, which

⁶⁸ See e.g., OTT00005741.

⁶⁹ City of Ottawa plan for downtown business recovery, February 25, 2022, Document no. OTT00009538.

⁷⁰ OTT00030041.

was administered by Invest Ottawa. Eligible Ottawa businesses could apply for grants of up to \$5,000 to help pay for non-deferrable operating expenses incurred during the blockade.⁷¹

c. Impact on City Services

One of the major challenges for City staff and the EOC was to manage impacts on City services caused by the Convoy and the prolonged occupation of the downtown core. As is clear from the time of many of the emails and other documents produced by the City of Ottawa, staff worked around-the-clock, in very difficult conditions, to help maintain the health and safety of residents.

City services impacted in the affected area throughout the occupation include the following:

- Solid Waste Management
- Ottawa Public Library branches (Main and Rideau)⁷²
- City Hall access
- COVID-19 vaccination clinic operations
- Snow removal
- Public transit (OC Transport routes had to be rerouted around the downtown core throughout the occupation)⁷³

Other City services were affected as City staff who normally worked in the impacted area were unable to do so. This impact was mitigated to some degree by improvements to remote work capacity necessitated by the COVID-19 pandemic.

Staff who were required to go into the red zone, such as paramedics, were sometimes harassed and threatened. In some cases, this included racial slurs directed at and rocks being thrown at paramedics.⁷⁴

Finally, the City's 9-1-1 service, managed by OPS but for which the City is responsible, was frequently disrupted by crank calls by protesters and their supporters from around North America.⁷⁵

In addition to the above, the Convoy significantly impacted services provided by the City to vulnerable people and children, both of which are set out in more detail, below.

i. Vulnerable People: Human Needs Command Centre and the Human Needs Task Force

The department of Community and Social Services (CSS) worked with non-profit organizations to address the critical needs of vulnerable citizens adversely impacted by the convoy.

⁷¹ OTT00030042.

⁷² The Ottawa Public Library Main Branch was closed between Jan 28 to Feb 23, whereas the Rideau Branch was closed from January 29, 2022 to February 22.

⁷³ See e.g., OTT00001239. During police enforcement action, all five downtown LRT stations were closed from Friday Feb 18-Sunday Feb 20: OTT00008569.

⁷⁴ OTT00010720.

⁷⁵ OTT00010044.

The Human Needs Command Centre (HNCC) was CSS' departmental Command Centre. The HNCC coordinated activities with community members, agencies and OPH, including the Somerset West and Centretown Community Health Centres. The HNCC shared mental health and substance use tools and resources, including links to community service providers.

CSS was also able to leverage the Human Needs Task Force (HNTF) established as part of the COVID-19 pandemic response. Through the HNTF, staff engaged with OPH and key community agencies to connect and assist residents. Many residents experienced common and persistent impacts with respect to food security, transportation, safety, and mental health. Staff worked closely with partners to support and coordinate services and information, including emergency food deliveries and connecting residents to counselling, health, financial and employment services. Targeted and temporary financial, employment and social services support were provided to downtown residents in need.⁷⁶ While the HNTF was able to respond to requests for food, they experienced issues related to access and delivery. These issues were escalated to the EOC.

The HNTF collaborated with 311, 211 and key community partners such as Meals on Wheels and Good Companions to help mitigate the impact of the demonstrations on vulnerable residents. Impacted residents requiring social services support were asked to call 311 or 211, or to email or phone the HNTF, whose communications were monitored seven days per week.

During the week of January 31, 2022, the HNTF completed an outreach to 31 community agencies to assess impact to services and determine mitigation strategies. They addressed food access and delivery issues, impacts on individuals' mental health, outreach to seniors and difficulties attending medical appointments.

Finally, the HNTF prepared numerous fact sheets to assist vulnerable residents in obtaining the services they need. Many of these services were provided by community organizations. The fact sheets were distributed to community partners to share with their respective networks.

ii. Children's Services

Two municipal childcare centres located in the downtown core, Centre éducatif Pinocchio and St. Luke's, closed during the Convoy. Children's Services assessed information shared by OPS and the City's EOC on a daily basis to decide whether it was necessary to close these centres. Their priority was the safety of children and frontline childcare staff. These childcare services were essential for families already heavily impacted by the COVID-19 pandemic, and the closures were very disruptive. Childcare staff remained in regular contact with impacted families and provided support and alternate care options at other childcare centres, where feasible.

Number of days closed due to the truck demonstration in January and February 2022:

- St. Luke's: 9 days closed
- Pinocchio: 8 days closed

Number of families impacted:

⁷⁶ OTT00009529.

- St. Luke's: 23 families (34 children)
- Pinocchio: 20 families (22 children)

The Children's Services team also provided dedicated supports to community partners delivering childcare services in the impacted areas.

d. Convoy Costs to the City

Wendy Stephanson, the Chief Financial Officer at the City of Ottawa, has compiled the costs incurred by the City of Ottawa in relation to the Convoy. They total **\$7,060,717**, not including policing costs. A breakdown by service is set out below:

City Service Name	Total (\$)
ICSD	38,940
City Clerk	21,570
By-Law	116,527
Fire	191,287
Paramedic	373,566
EPS BTSS	2,460
OEM	76,403
PW BSS and TOSS	10,010
Solid Waste	33,456
Roads	571,680
Parks	21,731
Traffic	176,384
Water	876
Waste Water	2,799
RCFS	10,891
Facilities	24,503
Rail Construction	-
Transit	658,385
	-
Sub Total	2,331,467
Transit Revenue ⁷⁷	3,834,000
Economic Development Funding	
Sparks Street, Bank Street, Downtown Rideau, ByWard, Elgin	250,000
Quartier Vanier, Somerset, Chinatown, Preston, Westboro, Wellington, Glebe	175,000

⁷⁷ The \$3.834 million lost transit revenue was a result of the routes impacted driven by the road closures as a result of the Convoy Occupation, in addition to the no charge fares for O-Train Line 1, 15 bus routes and Para Transpo services in the affected areas as approved on February 17, 2022, Motion 71/7.

Ottawa Markets	25,000
OMIC City Sound Series	50,000
Parking Fee loss Revenue	380,000
Infrastructure Cost	15,250
Total	7,060,717

The City's understanding is that OPS costs to address the Convoy totalled \$55,479,044.⁷⁸

The OPS incurred additional costs of \$4,447,296 and \$8,160,571, respectively, to address the Rolling Thunder and Canada Day demonstrations.

⁷⁸ This information is taken from the draft supplemental funding request to Public Safety Canada, produced as Document no. OTT00030027. The final submission is due September 30, 2022 and will be provided to the Commission thereafter.