

1. **Office of the Auditor General (OAG) – Investigation of Allegations Related to Planning Activities for the Conservancy Development**
- Bureau de la vérificatrice générale (BVG) – Enquête sur les allégations relatives aux activités de planification pour le développement de conservation**

**Committee recommendation, as amended**

**That Council:**

1. **consider and approve the recommendations; and,**
2. **consider Motion No. AC 2023-04-02.**

**Recommandation du Comité, telles que modifiées**

**Que le Conseil :**

1. **examine les recommandations, à des fins d’approbation; et,**
2. **examine la motion no. AC 2023-04-02.**

**For the information of Council**

The following motion was put to Committee and lost on a tie and is referred to Council for consideration pursuant to Subsection 83(8) of the *Procedure By-law*.

**Motion No. AC 2023-04-02**

Moved by T. Kavanagh

**WHEREAS development other than utilities and flood and drainage is not permitted in floodplains, and;**

**WHEREAS building in floodplains puts residents in potentially costly and devastating, and;**

Whereas RVCA stated they did not believe a new assessment of the floodplain in this area because it would not differ from the existing mapping conducted in 2005, and;

Whereas the Auditor General's report found the letters written in regard to floodplain mapping and the cut and fill application stated Council supported this, but the Auditor General found that most members of Council were not even aware that there was a cut and fill application, and;

Whereas the Auditor General's report states: "It is not the City's role as part of the planning process to endorse, support or advocate for a developer's application with another regulatory body, such as the RVCA.", and;

Whereas the writing of a letter of support was a violation of departmental process;

**THEREFORE BE IT RESOLVED** that Audit Committee recommend to Council to bring forward the report regarding their investigation of the allegations related to planning activities for the conservancy development to the Office of the Auditor General of Ontario (AGO) for further investigation if AGO sees fit.

Pour la gouvernance du conseil

La motion suivante a été présentée au comité et rejetée en raison de l'égalité des voix. La motion est adressée au Conseil municipal pour étude conformément au paragraphe 83(8) du Règlement de procédure.

**Motion no. AC 2023-04-02**

Proposée par T. Kavanagh

**ATTENDU QUE** les aménagements autres que des services publics et des ouvrages de lutte contre les inondations et de drainage ne sont pas permis dans les plaines inondables; et

**ATTENDU QUE** la construction d'immeubles dans les plaines inondables expose les résidentes et résidents à des risques aux conséquences potentiellement coûteuses et catastrophiques; et

**ATTENDU QUE** l'Office de protection de la nature de la vallée Rideau (OPNVR) a indiqué qu'il ne croyait pas qu'une nouvelle évaluation de la plaine inondable de cette zone produirait une carte différente de la dernière, qui remonte à 2005; et

**ATTENDU QUE**, selon le rapport de la vérificatrice générale, des lettres écrites au sujet de la cartographie de la plaine inondable et d'une demande de déblai-remblai indiquaient que le Conseil appuyait la démarche, alors qu'il a été établi par la vérificatrice générale que la plupart des conseillères et conseillers n'étaient même pas au courant de l'existence d'une telle demande; et

**ATTENDU QUE**, selon le rapport de la vérificatrice générale : « Dans le cadre du processus de planification des travaux d'aménagement, le rôle de la Ville n'est pas d'autoriser, d'appuyer, ni d'entériner la demande déposée par le promoteur auprès d'un autre organisme de réglementation comme l'OPNVR »; et

**ATTENDU QUE** la rédaction d'une lettre d'appui contrevenait aux processus de la Direction générale;

**PAR CONSÉQUENT, IL EST RÉSOLU QUE** le Comité de la vérification recommande au Conseil de fournir le rapport de l'Enquête sur les allégations relatives aux activités de planification du projet d'aménagement The Conservancy au Bureau du vérificateur général de l'Ontario afin qu'il détermine si une enquête plus poussée doit être effectuée.

Documentation/Documentation

- 1 Auditor General's report, dated November 16, 2023 (ACS2023-OAG-BVG-011)  
  
Rapport de la Vérificatrice générale, le 16 novembre 2023 (ACS2023-OAG-BVG-011)
- 2 Extract of draft Minutes, Audit Committee, November 27, 2023  
  
Extrait de l'ébauche du procès-verbal, Comité de la vérification, le 27 novembre 2023

**Audit Committee  
Report 4  
December 6, 2023**

**4**

**Comité de la vérification  
Rapport 4  
Le 6 décembre 2023**

**Extract of Draft Minutes 4  
Audit Committee  
November 27 2023**

**Extrait de l'ébauche du  
procès-verbal 4  
Comité de la vérification  
Le 27 novembre 2023**

Office of the Auditor General (OAG) – Investigation of Allegations Related to Planning Activities for the Conservancy Development

ACS2023-OAG-BVG-011 - Citywide

Joanne Gorenstein, Deputy Auditor General and Nathalie Gougeon, Auditor General, presented an overview of the report and answered questions from Committee. A copy of the slide presentation is filed with the Office of the City Clerk. The following staff were also available and answered questions from the Committee:

- Don Herweyer, General Manager, Planning, Real Estate and Economic Development
- David White, City Solicitor and Interim City Clerk

The following delegations spoke before the committee and provided comments on the report:

- Doug Yonson
- J.P. Unger

Motion No. AC 2023-04-02 was introduced and defeated on a tie vote.

Following discussions on this item, the Committee carried the report recommendation as presented.

**Report Recommendation**

**That the Audit Committee receive the Conservancy Development Investigation report and recommend that Council consider and approve the recommendations.**

**Carried**

**Amendment:  
Motion No. AC 2023-04-02**

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**THEREFORE BE IT RESOLVED that Audit Committee recommend to Council to bring forward the report regarding their investigation of the allegations related to planning activities for the conservancy development to the Office of the Auditor General of Ontario (AGO) for further investigation if AGO sees fit.**

For (4): C. Curry, T. Kavanagh, M. Carr, and C. Kitts

Against (4): D. Brown, D. Hill, A. Hubley, and W. Lo

**Lost on a tie (4 to 4)**