



MEMO / NOTE DE SERVICE

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TO: Transit Commission and Council

DESTINATAIRE : Commission du transport en commun et Conseil municipal

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SUBJECT: Report on the use of Delegated Authority from 2017 to 2023 by the City Manager and Transit Services Department as set out in Schedule G of the Delegation of Authority By-law 2023-67.

OBJET : Rapport sur l'exercice des pouvoirs délégués de 2017 à 2023 par le directeur municipal ou la directrice municipale et la Direction générale des services de transport en commun, conformément à l'annexe G du Règlement municipal sur la délégation de pouvoirs (no 2023-67).

PURPOSE

The purpose of this memorandum is to report to Council on the use of delegated authority from 2017 to 2023 under Sections 6(1) and (2) of Schedule 'G' – Transit Services Department By-Law 2023-67 as amended pertaining to regulatory obligations for the Confederation Line and the Trillium Line as required by Section 6(3).

BACKGROUND

The Delegation of Authority By-law 2023-67 (DOA) By-law is “a by-law of the City of Ottawa respecting the delegation of authority to various officers of the City”. This By-law provides delegated authority to officers within the City of Ottawa, including the City Manager, to perform various activities, and requires the use of delegated authority be reported to the appropriate standing committee or Council.

Specifically, Schedule G Section 6 pertains to the regulatory obligations for Line 1 and Line 2. It states:

6. (1) The City Manager or designate is delegated the responsibility as the senior executive accountable for the operations and activities of the Capital Railway O-Train Line 2 (“O-Train Trillium Line”), including the safety management system, railway operating certificate, and other matters imposed by applicable Federal legislation and regulations, and is authorized to take all necessary actions to fulfill the City’s obligations for regulatory filings required by Transport Canada or other Federal departments and agencies under applicable Federal legislation.

(2) The City Manager or designate is delegated the authority for and responsibility for the operations and activities of the O-Train Line 1 (O-Train Confederation Line), including the safety management system and other regulatory matters imposed by applicable Federal legislation and regulations, and are authorized to take all necessary actions to fulfill the City’s obligations for filings required by the Delegation Agreement with Transport Canada or other applicable Federal departments and agencies under applicable legislation, and to fulfill all regulatory reporting requirements to City Council.

(3) The exercise of delegated authority under subsection (1) and (2) shall be reported to the appropriate Standing Committee at least once in every calendar year.

The change to the DOA By-law requiring reporting on this specific use of delegated authority came into effect at the end of 2016. All required regulatory reporting prior to the change in the DOA By-law were submitted as part of the usual course of business. In addition, all the regulatory reporting requirements have been submitted on time and the City has been and continues to be in compliance with all regulatory requirements. Beyond the regulatory filings that are required by Schedule G Section 6 of the DOA By-law, there have been a number of other regulatory filings submitted by the City for both rail lines that have been submitted on time, in accordance with the respective regulatory requirements.

DISCUSSION

The City Manager has delegated authority under the DOA By-law for the Confederation Line and the Trillium Line (operating as Capital Railway) with respect to regulatory obligations with Transport Canada for both rail lines and Canadian Transportation Agency for the Trillium Line specifically. To date, all of the regulatory reporting requirements have been submitted on time, in accordance with the regulations and with no concerns from the regulators. Filings include items such as the safety management system (SMS), the security management system (SeMS) and other regulatory submissions required by the governing bodies.

To meet the reporting requirements as identified in Schedule “G” Transit Services of the DOA By-Law, a summarized list has been produced, which highlights the use of delegated authority from 2017 to 2023.

CONCLUSION

Moving forward, the City Manager will report to Council annually on the use of delegated authority for both the Confederation Line and the Trillium Line as required by the DOA By-Law.

For additional information, please contact Renée Amilcar, General Manager, Transit Services.

SUPPORTING DOCUMENTATION

The following table summarizes the regulatory filings or other uses of the City Manager’s delegated authority for the Confederation Line and the Trillium Line from 2017 to 2023 that have not been previously reported to Council. Note that some regulatory submissions for Trillium Line have been suspended since the line was closed

for construction on May 4, 2020, and will resume once the Trillium Line resumes service.

Name of Document	Trillium or Confederation	Document Date(s)	Description
Capital Railway Safety Management System (SMS)	Trillium	2017-2020	The safe operation and maintenance of the O-Train Line 2 is governed by this Safety Management System, which has been developed as required by the <i>Railway Safety Act, R.S.C., 1985, c. 32 (4th Supp)</i> , and the <i>Railway Safety Management System Regulations, 2015</i> .
Capital Railway Safety Management System (SMS) Annual Report	Trillium	2017-2020*	Each year OC Transpo provides a report to Transport Canada that summarizes the ongoing safety focused monitoring activities undertaken by Rail Operations to ensure the full and complete implementation of the <i>O-Train Trillium Line SMS</i> .
Security Management System (SeMS) & Security Plan	Both	2018-2020	The OC Transpo Security Management System (SeMS) is developed to enhance and maintain the security of our public transit system by establishing a framework in which comprehensive, effective and sustainable security measures can be developed, implemented and maintained. As part of the SeMS, there is the Security Plan, which is a strictly controlled, confidential document regarding specific security efforts.

Name of Document	Trillium or Confederation	Document Date(s)	Description
Capital Railway Safety Policy	Trillium	2017-2018	Prior to 2019, Capital Railway had a separate standalone Safety Policy which was reviewed and signed annually by the City Manager. Since 2019, the Capital Railway Safety Policy has been the same as the OC Transpo Safety Policy.
OC Transpo Safety Policy	Both	2019-2023	The OC Transpo Safety Policy outlines OC Transpo's commitment to a safe work environment that covers all OC Transpo services, including bus, rail and para. As per the regulatory requirements, the Policy is reviewed and signed by the City Manager annually.
Capital Railway Safety Policy	Trillium	2017-2018	Since 2019, the Capital Railway Safety Policy has been the same as the OC Transpo Safety Policy. Prior to 2019, there was a separate standalone Capital Railway Safety Policy. The Safety Policy was also reviewed and signed by the City Manager annually.

Name of Document	Trillium or Confederation	Document Date(s)	Description
O-Train Line 1 – Confederation Line, 2019-2020 Annual Report	Confederation	2021	As part of the 2011 Delegation Agreement between the City of Ottawa and the Federal Government of Canada, as represented by the Minister of Transportation, the City is required to file an Annual Report regarding the City's regulatory oversight of safety and security matters in relation to the Confederation Line. The first annual report submitted in Q1 2021 covered the first full year of operations of Line 1, commencing with launch of revenue service on September 14, 2019 through to December 31, 2020.
<p>Audit of the Safety Management System, Confederation Line</p> <p>Audit of the Security Management System, Confederation Line</p>	Confederation	2021	Under the 2011 Delegation Agreement for the Confederation Line, the City must conduct an audit of the Safety Management System (SMS) and Security Management System (SeMS) after the first year of revenue service, and every three years thereafter. The SMS and SeMS audits were completed by Orbis Risk Consulting Inc. in June 2021.
City Manager Designation – Light Rail Regulations	Confederation	2021	In February 2021, a City Manager Designation document was issued by the City Manager's Office for the purpose of reaffirming and clarifying confirmation of the current LRT Regulations and the current roles and responsibilities of the key

Name of Document	Trillium or Confederation	Document Date(s)	Description
			participants and stakeholders involved in the rail transit regulatory oversight of the regulatory regime for O-Train Line 1.
O-Train Line 1 – Confederation Line, 2021 Annual Report	Confederation	2022	As part of the 2011 Delegation Agreement between the City of Ottawa and the Federal Government of Canada, as represented by the Minister of Transportation, the City is required to file an Annual Report regarding the City's regulatory oversight of safety and security matters in relation to the Confederation Line. The annual report submitted in Q1 2022 covered operations of Line 1 from January 1, 2021, through to December 31, 2021.
O-Train Line 1 – Confederation Line, 2022 Annual Report	Confederation	2023	As part of the 2011 Delegation Agreement between the City of Ottawa and the Federal Government of Canada, as represented by the Minister of Transportation, the City is required to file an Annual Report regarding the City's regulatory oversight of safety and security matters in relation to the Confederation Line. The annual report submitted in Q1 2023 covered operations of Line 1 from January 1, 2022, through to December 31, 2022.

*Note that the Capital Railway Trillium 2017 SMS Annual Report was not submitted in early 2018 as it coincided with an audit completed by Transport Canada. However annual safety data was compiled in a report entitled *O-Train: Trillium Line, Annual Safety Analysis Report – 2018*.

Please contact the City Solicitor or City Clerk to review any of the aforementioned documents.