



**OTTAWA CITY COUNCIL**

**Wednesday, 24 May 2017**

**10:00 a.m.**

**Andrew S. Haydon Hall, 110 Laurier Avenue West**

**MINUTES 51**

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The Council of the City of Ottawa met at Andrew S. Haydon Hall, 110 Laurier Avenue West, Ottawa, on Wednesday, 24 May 2017 beginning at 10:00 a.m.

The Mayor, Jim Watson, presided and led Council in a moment of reflection.

**NATIONAL ANTHEM**

The national anthem was performed by St. Daniel's School Choir.

**ANNOUNCEMENTS/CEREMONIAL ACTIVITIES**

**RECOGNITION - MAYOR'S CITY BUILDER AWARD**

Mayor Watson presented the Mayor's City Builder Award to the Very Reverend Father Ghattas Hajal, the Dean and Pastor of St. Elias Antiochian Orthodox Cathedral. Father Ghattas has served at the Holy Altar for 35 years and is recognized as a City Builder for enriching the life of the Cathedral and its faithful with his pastoral experience and leadership.

Born in Lebanon and ordained to the Holy Priesthood in 1977, father Ghattas and his family left Lebanon to build a new life in Canada 1990. Father Ghattas assumed the pastorate of Saint Elias Cathedral in Ottawa in 1992,

significantly increasing the membership to 1,800, completing the new church and paying off the mortgage. In addition to his pastorship, Father Ghattas holds many other leadership positions in the Orthodox Church.

Father Ghattas is also an active and outspoken pillar in the Ottawa Lebanese community. Under his guidance, the Ottawa Lebanese Festival, chaired by George Hanna, celebrates Lebanese culture and the Orthodox Cathedral where he proudly and patriotically dances at the opening, carrying the Lebanese flag.

#### **PROCLAMATION - CARLETON UNIVERSITY RAVENS MEN'S BASKETBALL TEAM DAY**

Mayor Watson presented a proclamation declaring May 24<sup>th</sup>, 2017 Carleton University Ravens Men's Basketball Team Day to members of the Carleton University Ravens Men's Basketball team, in recognition of winning their 7<sup>th</sup> consecutive and 13<sup>th</sup> record-breaking Canadian Interuniversity Sport Basketball Championship national title in fifteen years.

#### **ROLL CALL**

All members were present for the meeting except Councillor D. Deans.

#### **CONFIRMATION OF MINUTES**

Confirmation of the Minutes of the regular Council meeting of 10 May 2017

CONFIRMED

#### **DECLARATIONS OF INTEREST INCLUDING THOSE ORIGINALLY ARISING FROM PRIOR MEETINGS**

See specific Agenda Items for declaration: Motions Requiring Suspension of the Rules of Procedure (Motion No. 51/5).

## COMMUNICATIONS

The following communications were received.

Association of Municipalities of Ontario (AMO):

- AMO Policy Update - Several Important Amendments to Bill 68 Achieved
- AMO Policy Update - Ontario Announces New Proposed Changes to the Land Use Planning and Appeal System

Response to Inquiries:

- OCC 01-17 - Rat and Rodent Population

Petitions:

- Petition received containing the signatures of 357 individuals petitioning the City of Ottawa to:
  - 1) Ensure that the Ottawa Police are enforcing by-law 2001-260 in order to ensure the safety and protect the rights of clinic services providers, doctors, and patients.
  - 2) Provide financial grants to the Morgentaler clinic in order to assist with court costs associated with fighting for a necessary bubble injunction.”

Other Correspondence Received:

- Electronic Submission received containing the names of 568 individuals with respect to ensuring safe access to the Morgentaler Clinic in Ottawa, with the same request as the petition noted above.

## **REGRETS**

Councillor D. Deans advised she would be absent from the City Council meeting of 24 May 2017.

## **MOTION TO INTRODUCE REPORTS**

### **MOTION NO. 51/1**

Moved by Councillor S. Qadri

Seconded by Councillor A. Hubley

**That the report from the Ottawa Community Lands Development Corporation entitled “Ottawa Community Lands Development Corporation (OCLDC) - 2016 Annual Report”; the report from the City Clerk and Solicitor’s Office entitled “Status Update – Council Inquiries and Motions for the Period Ending May 19, 2017” ; Community and Protective Services Committee Report 23; Planning Committee Reports 43B and 44A; and the report from the City Clerk and Solicitor’s Office entitled “Summary of Oral And Written Public Submissions for Items Subject to Bill 73 ‘Explanation Requirements’ at the City Council Meeting of May 10, 2017”, be received and considered; and**

**That the petition respecting access to the Morgentaler clinic, listed under Communications, be received**

CARRIED

## REPORTS

### OTTAWA COMMUNITY LANDS DEVELOPMENT CORPORATION

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| <ol style="list-style-type: none"><li>1. OTTAWA COMMUNITY LANDS DEVELOPMENT CORPORATION (OCLDC) 2016 – ANNUAL REPORT</li></ol> |
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### REPORT RECOMMENDATIONS

#### That Council:

1. **Receive the Audited financial statements of the Ottawa Community Lands Development Corporation (OCLDC) for the Year 2016 in the Annual Report in Document 1; and**
2. **Appoint Ernst & Young LLP as the auditor of the Ottawa Community Lands Development Corporation for the Year 2017.**

CARRIED

### CITY CLERK AND SOLICITOR

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| <ol style="list-style-type: none"><li>2. STATUS UPDATE – COUNCIL INQUIRIES AND MOTIONS FOR THE PERIOD ENDING MAY 19, 2017</li></ol> |
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### REPORT RECOMMENDATION

**That Council receive this report for information.**

RECEIVED

## **COMMITTEE REPORTS**

### **COMMUNITY AND PROTECTIVE SERVICES COMMITTEE REPORT 23**

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| 3. ESSENTIAL HEALTH AND SOCIAL SUPPORTS: GRANTS AND CONTRIBUTIONS |
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#### **COMMITTEE RECOMMENDATION**

**That Council reaffirm the eligibility criteria, applicant selection process, approval process and reporting requirements for the existing Essential Health and Social Supports (EHSS) Program as identified in this report.**

CARRIED

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| 4. OTTAWA FIRE SERVICES 2016 ANNUAL REPORT |
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#### **COMMITTEE RECOMMENDATION**

**That Council receive this report for information.**

RECEIVED

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| 5. BY-LAW REVIEW STRATEGY – WORK PLAN STATUS UPDATE |
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#### **COMMITTEE RECOMMENDATION**

**That Council receive this report for information.**

CARRIED

6. NOISE BY-LAW REVIEW
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**COMMITTEE RECOMMENDATIONS AS AMENDED That Council:**

1. **Approve the repeal of the Noise By-law (2004-253, as amended) and the re-enactment of the by-law as described in Document 1 and in this report to:**
  - a) **define and specify bass noise in the general provision of the by-law that addresses noise likely to disturb;**
  - b) **reduce the maximum noise threshold for construction exemptions from 90 dB(A) to 85 dB(A), in accordance with provincial standards;**
  - c) **exempt municipal waste collection;**
  - d) **enable charging of companies for after-hours waste collection and deliveries; and**
  - e) **reduce permitted car alarm time to 5 minutes from 20.**
2. **Authorize the Manager, By-law & Regulatory Services Branch, to finalize and make minor adjustments to the amended and re-enacted by-law to give effect to the intent of Council.**
3. **Direct:**
  - a) **Fleet Services review the feasibility of installing broadband back-up alarms on appropriate City vehicles and report back to Council with options and the associated costs for consideration in 2018 Budget Deliberations;**
  - b) **Road Services and Facilities staff or others as identified, in consultation with Supply, review the**

**feasibility of incorporating requirements for broadband back-up alarms into purchasing documents for external snow-clearing service providers using vehicles where such alarms are appropriate;**

- c) By-law & Regulatory Services staff review the feasibility of adding to the licensing regulations related to snow plow contractors the requirement for broadband back-up alarms on private snow plow vehicles, as appropriate, and report back to Council in the next Term of Council.**

CARRIED with Councillors C. McKenney, T. Nussbaum and S. Qadri dissenting.

PLANNING COMMITTEE REPORT 43B

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| <p>7. APPLICATION FOR DEMOLITION AND NEW CONSTRUCTION AT 270 BUCHAN ROAD, A PROPERTY DESIGNATED UNDER PART V OF THE <i>ONTARIO HERITAGE ACT</i> AND LOCATED IN THE ROCKCLIFFE PARK HERITAGE CONSERVATION DISTRICT</p> |
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**COMMITTEE RECOMMENDATION AS AMENDED**

**That Council approve the application to demolish 270 Buchan Road, a property located in the Rockcliffe Park Heritage Conservation District, designated under Part V of the *Ontario Heritage Act*.**

**(Note: The statutory 90-day timeline for consideration of this application under the *Ontario Heritage Act* was extended and will expire on June 30, 2017.)**



LOST, on a division of 10 YEAS and 13 NAYS, as follows:

YEAS (10): Councillors S. Moffatt, J. Harder, S. Blais, R. Chiarelli, R. Brockington, T. Tierney, A. Hubley, K. Egli, M. Wilkinson, E. El-Chantiry.

NAYS (13): Councillors J. Leiper, M. Qaqish, J. Cloutier, C. McKenney, G. Darouze, M. Taylor, D. Chernushenko, S. Qadri, J. Mitic, M. Fleury, B. Monette, T. Nussbaum, Mayor J. Watson.

The below motion was then put to Council:

**MOTION NO. 51/2**

Moved by Councillor T. Nussbaum

Seconded by Mayor J. Watson

**BE IT RESOLVED THAT Council:**

- 1. Refuse the application to demolish 270 Buchan Road, a property located in the Rockcliffe Park Heritage Conservation District, designated under Part V of the *Ontario Heritage Act*; and**
- 2. Refuse the application to construct a new building on the property located at 270 Buchan Road, located in the Rockcliffe Park Heritage Conservation District, designated under Part V of the *Ontario Heritage Act*.**

CARRIED, on a division of 13 YEAS and 10 NAYS, as follows:

YEAS (13): Councillors J. Leiper, M. Qaqish, J. Cloutier, C. McKenney, G. Darouze, M. Taylor, D. Chernushenko, S. Qadri, J. Mitic, M. Fleury, B. Monette, T. Nussbaum, Mayor J. Watson

NAYS (10): Councillors S. Moffatt, J. Harder, S. Blais, R. Chiarelli, R. Brockington, T. Tierney, A. Hubley, K. Egli, M. Wilkinson, E. El-Chantiry.

PLANNING COMMITTEE REPORT 44A

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| 8. BUILDING BETTER SMARTER SUBURBS- INFRASTRUCTURE STANDARDS REVIEW UPDATE REPORT |
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**COMMITTEE RECOMMENDATION**

**That Council receive this report for information.**

RECEIVED

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| 9. DEVELOPMENT CHARGES BY-LAW AMENDMENT 2017 |
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**COMMITTEE RECOMMENDATIONS AS AMENDED**

**That Council approve:**

- 1. the City of Ottawa Development Charges Amendment Background Study: Public Transit and Roads and Related Services dated March 24, 2017 attached as Document 1, and as amended by Document 6 (replacement for pages 77 to 83 inclusive of the Background Study, attached below as Supporting Document 1);**
- 2. that the current Development Charges By-law be amended substantially in the form and content attached as Document 5; and**
- 3. that, pursuant to the *Development Charges Act*, subsection 12(3), Council determines that no further public meeting is necessary.**

CARRIED

10. SECTION 37 FIVE-YEAR REVIEW

**COMMITTEE RECOMMENDATION**

**That Council approve the Section 37 Guidelines 2017, attached as Document 1.**

CARRIED as amended by the following motion:

**MOTION NO. 51/3**

Moved by Councillor J. Leiper

Seconded by Councillor J. Harder

**WHEREAS report ACS2017-PIE-EDP-0010, which recommends Council approve the Section 37 Guidelines 2017, was approved by Planning Committee on May 9, 2017;**

**AND WHEREAS Planning Committee requested that additional wording to guideline 7.7 Affordable Housing of the Section 37 Guidelines 2017;**

**THEREFORE BE IT RESOLVED that guideline 7.7 Affordable Housing of Document 1, be amended by deleting and replacing the last sentence with:**

***The use of any cash payments towards affordable housing will be determined under the discretion of the General Manager of Community and Social Services in consultation with the Ward Councillor.***

CARRIED

The Committee Recommendations, as amended by Motion No. 51/3 and as set out in full below, were put to Council:

- 1. That Council approve the Section 37 Guidelines 2017, attached as Document 1, as amended by the following:**

**That guideline 7.7 Affordable Housing of Document 1, be amended by deleting and replacing the last sentence with:**

***The use of any cash payments towards affordable housing will be determined under the discretion of the General Manager of Community and Social Services in consultation with the Ward Councillor.***

CARRIED

## **BULK CONSENT AGENDA**

### **COMMUNITY AND PROTECTIVE SERVICES COMMITTEE REPORT 23**

A. COMMEMORATIVE NAMING PROPOSAL – MARY DURLING PARK
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#### **COMMITTEE RECOMMENDATION**

**That Council approve the proposal to name Cypress Gardens Park, located at 33 Brae Crescent, “Mary Durling Park”.**

CARRIED

#### **CITY CLERK AND SOLICITOR**

B. SUMMARY OF ORAL AND WRITTEN PUBLIC SUBMISSIONS FOR ITEMS SUBJECT TO BILL 73 ‘EXPLANATION REQUIREMENTS’ AT THE CITY COUNCIL MEETING OF MAY 10, 2017
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#### **REPORT RECOMMENDATION**

**That City Council approve the Summaries of Oral and Written Public Submissions for items considered at the City Council Meeting of May 10, 2017 that are subject to the ‘Explanation Requirements’ of Bill 73, the *Smart Growth for Our Communities Act, 2015*, as described in this report and attached as Documents 1 to 4.**

CARRIED

## **MOTION TO ADOPT REPORTS**

### **MOTION NO. 51/4**

Moved by Councillor S. Qadri

Seconded by Councillor A. Hubley

**That the report from the Ottawa Community Lands Development Corporation entitled “Ottawa Community Lands Development Corporation (OCLDC) - 2016 Annual Report”; the report from the City Clerk and Solicitor’s Office entitled “Status Update – Council Inquiries and Motions for the Period Ending May 19, 2017” ; Community and Protective Services Committee Report 23; Planning Committee Reports 43B and 44A; and the report from the City Clerk and Solicitor’s Office entitled “Summary of Oral And Written Public Submissions for Items Subject to Bill 73 ‘Explanation Requirements’ at the City Council Meeting of May 10, 2017” be received and adopted as amended.**

CARRIED

## **MOTIONS REQUIRING SUSPENSION OF THE RULES OF PROCEDURE**

### **DECLARATION OF INTEREST**

Councillor Eli El-Chantiry declared a potential direct pecuniary interest on the below Blais/Taylor Motion (Motion No. 51/5) with respect to a Property Tax Deferral program for residents impacted by the 2017 Flood, as he owns property in the area affected by the May flooding event. Councillor El-Chantiry did not take part in the discussion or vote on this item.

### **MOTION NO. 51/5**

Moved by Councillor S. Blais

Seconded by Councillor M. Taylor

***That City Council approve that the Rules of Procedure be suspended to consider the following motion as the due date for final tax bill is June 15, 2017 and it is recommended that residents impacted by the flooding event receive notice of the option to defer their taxes before that date;***

**WHEREAS** several low-lying areas within the City of Ottawa have been directly impacted by flooding in early May as a result of higher water levels in the Ottawa Waterways; and

**WHEREAS** on May 10, 2017, Council directed the City Treasurer to work with City staff to identify property owners impacted by this flooding event and report back within 30 days with recommendations to extend the due date payment of 2017 final taxes for those impacted properties; and

**WHEREAS** the City Treasurer, in consultation with the Manager, Security and Emergency Management, has identified approximately 357 properties impacted by flooding located primarily in, but not limited to, West Carleton, Cumberland, Bay, Kitchissippi, and Orléans Ward; and

**WHEREAS**, to ensure that the City could provide tax deferrals for impacted residents as soon as possible and without an undue administrative burden, the City Treasurer has established the criteria for eligibility for property tax deferral of the final tax bill in 2017 for impacted property owners based on the existing Farm Grant program, as further described in Schedule "A"; in accordance with Council's authority under section 342 of the *Municipal Act, 2001*;

**THEREFORE BE IT RESOLVED THAT** Council approve the extension of the due date for payment of 2017 final taxes to December 7, 2017, for those properties identified by the City Treasurer in consultation with the Manager, Security and Emergency Management that are damaged by the May flooding event, which has prevented their normal use, which are located in primarily, but not limited to, West Carleton, Cumberland, Bay, Kitchissippi, and Orleans Ward, and based on the eligibility criteria set out in Schedule "A"; and

**BE IT FURTHER RESOLVED** that the City Treasurer be directed to provide impacted residents with information on their tax deferral options as soon as possible following the adoption of this motion; and

**BE IT FURTHER RESOLVED** that the City Treasurer be delegated the authority to extend the option for tax deferral to any impacted property that may have been missed in the initial gathering of information.

## **SCHEDULE "A"**

### **Eligibility**

Properties owners impacted by the May flooding event located in primarily, but not limited to, West Carleton, Cumberland, Bay, Kitchissippi, and Orleans Ward, may qualify for tax deferral of the 2017 final taxes to December 7, 2017 if the following criteria is met, as determined by the City Treasurer:

1. The property must be located in an area impacted by flooding.
2. The building on the property was occupied in 2017 by a residence or business which was damaged by the flooding and the flooding damage has prevented the normal use of the residence or business located on the property.
3. Property taxes have been paid up to date before the June 2017 final instalment.
4. Property owners already enrolled in the Farm Grant Program and Low Income Seniors or Low Income People with Disabilities Tax Deferral programs are not eligible.
5. Property owners who are not identified and notified by the City Treasurer may notify Revenue Services prior to December 7, 2017 to confirm eligibility, to the satisfaction of the City Treasurer.

Eligible property owners will receive a confirmation letter through Revenue Services to confirm the extended due date for the tax deferral of the final 2017 property taxes.

CARRIED

**MOTION NO. 51/6**

Moved by Councillor D. Chernushenko

Seconded by Councillor E. El-Chantiry

***That the Rules of Procedure be waived to consider the following motion to allow for use of the devices and the first event would occur before the next Council meeting on June 14, 2017.***

**WHEREAS the Ottawa Sports and Entertainment Group (OSEG) would like to use smoke devices at Ottawa Fury Games at TD Place and;**

**WHEREAS OSEG has developed procedures to ensure the safety of staff and patrons of the events and;**

**WHEREAS the City of Ottawa prohibits the use of smoke devices in By-law No. 2003-237 and;**

**WHEREAS OSEG would like to pilot use of the smoke devices for five (5) games this season and;**

**WHEREAS Ottawa Fire Services has been consulted on the smoke devices and believes these devices can be used safely;**

**THEREFORE BE IT RESOLVED that the City of Ottawa grant an exemption to By-law No. 2003-237 to Ottawa Sports and Entertainment Group (“OSEG”), to allow for the use of smoke devices for Fury Games starting May 24, 2017, for five (5) games during the 2017 season, and granting OSEG an exemption from Section 17 of the By-law, which requires a permit application to be made 30-days in advance to the proposed use, subject to OSEG meeting all other permit requirements of the By-law, including Section 18, to the satisfaction of the Fire Chief.**

CARRIED



**MOTION NO. 51/7**

Moved by Mayor J. Watson

Seconded by Councillor K. Egli

***That the Rules of Procedure be waived, permit Council to consider authorizing necessary repairs to the asphalt overlay to begin as soon as possible, as set out below in the following motion:***

**WHEREAS the 2016-2017 winter season was among the worst in recent memory, with over 310 cm of snow and 70 freeze-thaw cycles over a six-month period; and**

**WHEREAS that number of freeze-thaw cycles generated stress on road pavement, creating ideal conditions for potholes; and**

**WHEREAS the challenging winter season was followed by record rainfalls in May and more cold weather, damaging asphalt repairs that were made over the winter, meaning that there are considerably more potholes and other asphalt damage this year than in a standard year; and**

**WHEREAS staff advises that repairing the winter damage now is necessary to keep the City's asphalt overlay from deteriorating further; and**

**WHEREAS staff has further advised that the Unscheduled Asphalt Road and Pathway Surface Repairs program in Road Services includes repairs to paved bike lanes; and**

**WHEREAS the City Treasurer confirms that sufficient funding is available in the One-time and Unforeseen account to address the additional operating resources required and that \$2.5 million in funds being returned as part of the capital close exercise can be made available to allow staff to undertake this work;**

**THEREFORE BE IT RESOLVED that City Council approve that \$400,000 be added to the Road Services Operating Budget for the Unscheduled Asphalt Road and Pathway Surface Repairs program, to be funded from the One-time and Unforeseen account; and**

**BE IT FURTHER RESOLVED that \$2.5 million be added to Project 908492 – 2017 Road Resurfacing – City-wide, to be funded as part of the capital closing exercise, as described in this motion.**

CARRIED

**MOTION NO. 51/8**

Moved by Councillor A. Hubley  
Seconded by Councillor T. Tierney

***That City Council approve that the Rules of Procedure be suspended to consider the following motion:***

**WHEREAS the Water Services branch of the Public Works and Environmental Services Department responds to requests for services from residents relating to rodents in sewers and provides baiting services as requested; and**

**WHEREAS the current population assessment in Ottawa is based on response rates by the various service areas; and**

**WHEREAS the City of Ottawa does not currently have a mechanism in place for rodent population tracking;**

**THEREFORE BE IT RESOLVED THAT staff be directed to report back to the appropriate Standing Committee on the establishment of a proactive monitoring and baiting program as part of a longer-term comprehensive strategy for determining baseline rodent population, and potential funding sources for such a program, in advance of development of the 2018 draft budget.**

CARRIED

**NOTICE OF INTENT**

- Notice of Intent from the Ottawa Community Housing Corporation to hold the Annual General Meeting of the Shareholder at the Council meeting scheduled for June 14, 2017.

## **MOTION TO INTRODUCE BY-LAWS**

### **MOTION NO. 51/9**

Moved by Councillor S. Qadri

Seconded by Councillor A. Hubley

That the by-laws listed on the Agenda under Motion to Introduce By-laws, Three Readings be read and passed.

**CARRIED**

By-Laws

### **THREE READINGS**

- 2017-175. A by-law of the City of Ottawa to amend By-law No. 2014-229 respecting Development Charges.
- 2017-180. A by-law of the City of Ottawa to appoint Municipal Law Enforcement Officers in accordance with private property parking enforcement and to repeal By-law No. 2004-60, as amended.
- 2017-181. A by-law of the City of Ottawa to amend By-law No. 2007-338, as amended, to appoint Municipal Law Enforcement Officers in the Special Constable Unit of the Transportation Services Department.
- 2017-182. A by-law of the City of Ottawa to establish certain lands as common and public highway and assume it for public use (rue de la Mélodie Street).
- 2017-183. A by-law of the City of Ottawa to provide for the partial abandonment of drainage works in the City of Ottawa - Staidler Municipal Drain, Main Drain from station 68+69 to station 116+13 and Staidler Municipal Drain, Brooks Branch from station 0+00 to station 5+60.
- 2017-184. A by-law of the City of Ottawa to amend By-law 2016-326, being the regulation of permanent signs on private property.
- 2017-185. A by-law of the City of Ottawa to amend By-law No. 2008-250 of the City of Ottawa to remove the holding symbol from of the lands known municipally as 655 and 755 Anand Private.

- 2017-186. A by-law of the City of Ottawa to designate certain lands at Brian Good Avenue on Plan 4M-1481, as being exempt from Part Lot Control.
- 2017-187. A by-law of the City of Ottawa to designate certain lands at Brambling Way on Plan 4M-1471, as being exempt from Part Lot Control.
- 2017-188. A by-law of the City of Ottawa to designate certain lands at Strandherd Drive and promenade Dealership Drive on Plan 4M-1538, as being exempt from Part Lot Control.
- 2017-189. A by-law of the City of Ottawa to designate a part of Block 110 on Plan 4M-1170, as being exempt from Part Lot Control.
- 2017-190. A by-law of the City of Ottawa to designate certain lands at rue Mishawashkode Street and rue du Cartographe Street Plan 4M-1578, as being exempt from Part Lot Control.
- 2017-191. A by-law of the City of Ottawa to designate certain lands at avenue River Run Avenue, croissant Brassy Minnow Crescent, cercle Logperch Circle, croissant Pumpkinseed Crescent, plateau Riverboat Heights and voie Millars Sound Way on Plan 4M-1585, as being exempt from Part Lot Control.
- 2017-192. A by-law of the City of Ottawa to designate certain lands at Loosestrife Way on Plan 4M-1492, as being exempt from Part Lot Control.
- 2017-193. A by-law of the City of Ottawa to designate certain lands at 279, 281, 283 and 285 Meadowbreeze Drive on Plan 4M-1468, as being exempt from Part Lot Control.
- 2017-194. A by-law of the City of Ottawa to designate certain lands at cercle Willow Aster Circle, ruelle Helenium Lane, ruelle Gerardia Lane, voie Monardia Way on Plan 4M-1580, as being exempt from Part Lot Control.

CARRIED

## **CONFIRMATION BY-LAW**

### **MOTION NO. 51/10**

Moved by Councillor S. Qadri

Seconded by Councillor A. Hubley

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

**By-law 2017-195 to confirm the proceedings of the Council meeting of May 24, 2017.**

CARRIED

## **INQUIRIES**

Councillor R. Brockington:

*Given that the quantity and severity of potholes and overall poor road conditions exist in many parts of River Ward and across the City, what is the City of Ottawa doing to research and utilize new technologies and innovative road paving techniques to maximize the quality and longevity of our roads?*

*Has the City conducted performance audits of roads where the condition deteriorated at a much faster rate than expected, such as, but not limited to the Airport Parkway and the on/off ramps of the Parkway at Hunt Club Road?*

Councillor D. Chernushenko:

*The prevalence of asbestos in the construction of homes prior to the 1970s is a well-known concern in mature neighbourhoods. The risk of exposure to airborne asbestos exists when a home or building is being renovated or demolished, including disturbing or removing insulation, roofing shingles, floor tiles, roof tiles, felt or siding that contains asbestos. The known risks associated with breathing in asbestos fibers are cancers and other diseases, such as: asbestosis, mesothelioma and lung cancer.*

*Under the Building Code Act, the City does not have the authority to ensure compliance with the Ministry of Labour's Ontario Health and Safety Act (OHSA), in*

*particular the prevention of the release of harmful substances in the air as a result of demolition.*

*Although the Building Code Act requires a permit for the demolition of a building, buildings less than three storeys may be demolished without professional involvement, while for properties over three stories in height, there are no requirements under the Professional Engineers Act to compel an applicant or engineer to address harmful substances as a result of demolition.*

*In addition, since the Ontario Health and Safety Act only pertains to the safety of the workers and not to the general public, and the enforcement of asbestos abatement is primarily complaint-based, there is a clear gap not only in the enforcement of the provincial legislation but also in the assurance of public health and safety.*

*Can the City Clerk and Solicitor provide Council with legally enforceable options to ensure that builders follow appropriate abatement measures prior to demolition or may a supplementary bylaw be added under the Building Code Act requiring that proof of harmful substance abatement, including documentation from the Ministry of Labour, be provided prior to the issuance of demolition permit? Are there any other Ontario municipalities which have successfully implemented such regulations?*

Councillor C. McKenney:

*Construction projects can often generate considerable noise that may disturb residents, particularly on weekends when they expect there to be less noise for a restful time.*

*While the City has measures in place to help ensure accountability on its projects, can staff please advise what measures are currently in place to mitigate private construction noise, and review what opportunities could be developed to further reduce noise disruption by private developers in the vicinity of residential properties.*

## **ADJOURNMENT**

Council adjourned the meeting at 12:23 p.m.

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**CITY CLERK**

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**MAYOR**