



OTTAWA CITY COUNCIL

Wednesday, 12 February 2020

10:00 am

Andrew Haydon Hall, 110 Laurier Avenue W.

MINUTES 27

Note: Please note that the Minutes are to be considered DRAFT until confirmed by Council.

The Council of the City of Ottawa met at Andrew S. Haydon Hall, 110 Laurier Avenue West, Ottawa, on Wednesday, 12 February 2020 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 the Saint Andrew School Choir.

ANNOUNCEMENTS/CEREMONIAL ACTIVITIES

RECOGNITION - MAYOR'S CITY BUILDER AWARD

Mayor Jim Watson presented the Mayor's City Builder Award to Ms. Jennifer Cook Baniczky in honour of her of outstanding volunteerism and philanthropy. Ms. Cook Baniczky has been volunteering with the Shepherds of Good Hope for more than 35 years. She is known for her warmth, her steady demeanor, and her steadfast commitment to supporting some of Ottawa's most vulnerable people.

Her decades of acting as the Coordinator of Volunteers earned her the Shepherds of Good Hope's "Calmer of Storms" award.

In 2015, Ms. Cook Baniczky participated in a neighbourhood group that sponsored a refugee family from Syria and helped them to settle in Ottawa. She is also a member of the Writers Union of Canada and has published several books for children and young adults. She has also donated her time reading to children at her local school and helped to build a library in West Africa. Additionally, Ms. Cook Baniczky is very involved with the Stephen Lewis Foundation's Grandmothers to Grandmothers Campaign raising funds for sub-Saharan grandmothers bringing up their AIDS-orphaned grandchildren.

PRESENTATION - UNIVERSITY OF OTTAWA GEE GEES
WOMEN'S SOCCER 2019 FISU UNIVERSITY WORLD CUP
CHAMPIONS DAY

Mayor Watson presented a proclamation declaring February 12th, 2020 University of Ottawa Gee Gees FISU University World Cup Champions Day in Ottawa.

The University of Ottawa Gee Gees women's soccer team competed against Paulista University of Brazil in the 2019 FISU University World Cup final on Saturday, November 30, 2019 in Jinjiang, China and won the gold medal to claim the inaugural FISU World Cup title.

The University of Ottawa Gee Gees women's soccer team was undefeated in this competition, and recorded victories over university teams from China, Russia, and Thailand, and was also awarded the tournament's *Fair Play* award.

ROLL CALL

All Members were present at the meeting, except Councillor D. Deans (See Motion No. 20/1 of September 25, 2019), and Councillor R. Chiarelli.

CONFIRMATION OF MINUTES

Confirmation of the Minutes of the regular Council meeting of January 29, 2020.

CONFIRMED

DECLARATIONS OF INTEREST INCLUDING THOSE ORIGINALLY ARISING FROM PRIOR MEETINGS

No declarations of interest were filed.

COMMUNICATIONS

The following communications were received.

Association of Municipalities of Ontario (AMO):

- January 31st AMO Board Highlights

REGRETS

Councillor D. Deans (See Motion No. 20/1 of September 25, 2019) and Councillor R. Chiarelli advised they would be absent from the City Council meeting of 12 February 2020.

MOTION TO INTRODUCE REPORTS

MOTION NO 27/1

Moved by Councillor M. Luloff

Seconded by Councillor S. Moffatt

That the report from the Integrity Commissioner entitled “Interim Report to Council on an Inquiry Respecting the Conduct of Councillor Chiarelli”; Agriculture and Rural Affairs Committee Reports 10 and 11; Finance and Economic Development Committee Report 10; Finance and Economic Development Committee and Nominating Committee Joint Report 1;

Transportation Committee Report 8; and the report from the City Clerk entitled “Summary of Oral and Written Public Submissions for Items Subject to the *Planning Act* ‘Explanation Requirements’ at the City Council Meeting of January 29, 2020”; be received and considered.

CARRIED

REPORTS

FINANCE AND ECONOMIC DEVELOPMENT COMMITTEE AND
NOMINATING COMMITTEE JOINT REPORT 1

- | |
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| 1. MOTION – APPOINTMENT – CHAIR OF TRANSPORTATION COMMITTEE |
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COMMITTEE RECOMMENDATION

That Council appoint Councillor Tim Tierney as Chair of Transportation Committee.

The following motion was put to Council and LOST:

MOTION NO 27/2

Moved by Councillor C. McKenney

Seconded by Councillor T. Kavanagh

BE IT RESOLVED that Council amend the Joint FEDCo/Nominating Committee Recommendation to replace “Councillor Tim Tierney” with Councillor Jeff Leiper.

LOST on a division of 7 YEAS and 15 NAYS, as follows:

YEAS (7): Councillors T. Kavanagh, R. King, M. Fleury, R. Brockington, J. Leiper, S. Menard, C. McKenney

NAYS (15): Councillors E. El-Chantiry, L. Dudas, J. Harder, K. Egli, S. Moffatt, A. Hubley, J. Cloutier, G. Gower, J. Sudds, T. Tierney, G. Darouze, C. A. Meehan, M. Luloff, S. Blais, Mayor J. Watson

The Committee Recommendation was then put to Council and CARRIED on a division of 17 YEAS and 5 NAYS, as follows:

YEAS (17): Councillors E. El-Chantiry, L. Dudas, J. Harder, K. Egli, S. Moffatt, A. Hubley, J. Cloutier, G. Gower, J. Sudds, T. Tierney, G. Darouze, C. A. Meehan, M. Luloff, S. Blais, R. Brockington, S. Menard, Mayor J. Watson

NAYS (5): Councillors T. Kavanagh, R. King, M. Fleury, J. Leiper, C. McKenney

2. MOTION – MEMBER OF THE HYDRO OTTAWA HOLDING INC.
BOARD OF DIRECTORS

COMMITTEE RECOMMENDATION

That Council appoint Councillor Jenna Sudds as member of the Hydro Ottawa Holding Inc. Board of Directors.

CARRIED

INTEGRITY COMMISSIONER

3. INTERIM REPORT TO COUNCIL ON AN INQUIRY RESPECTING
THE CONDUCT OF COUNCILLOR CHIARELLI

That Council receive this report for information.

RECEIVED

AGRICULTURE AND RURAL AFFAIRS COMMITTEE REPORT 10

4. ZONING BY-LAW AMENDMENT – 4837 ALBION ROAD

COMMITTEE RECOMMENDATIONS, AS AMENDED

That Council

1. **approve an amendment to Zoning By-law 2008-250 for 4837 Albion Road (Hard Rock Ottawa Raceway and Casino) to amend Exception 528r and Schedule S381, as detailed in Documents 4 and 5, to enable a revised layout at the expanded casino, by:**
 - a. **permitting a new location for the proposed hotel;**
 - b. **permitting outdoor commercial patios, minimum 6-metre wide drive aisles, and front yard parking with a minimum 3-metre landscaped strip;**
 - c. **clarifying the intent of the previous by-law by removing text; and**
 - d. **revising the holding provisions; and**
2. **direct staff in Transportation Services to review the implementation timing for Earl Armstrong Extension, from Albion Road to Bank Street, and look for ways to advance this segment as part of the ongoing Transportation Master Plan update.**

CARRIED

5. FLEWELLYN SPECIAL STUDY AREA AND GOULBOURN WETLAND OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT

COMMITTEE RECOMMENDATIONS, AS AMENDED

That Council:

1. **approve the proposed Official Plan amendment to remove Policy 3.2.5 – Flewellyn Special Study Area, to remove the Flewellyn Special Study Area Overlay from Schedule A of the Plan, and to change the designated significant wetland boundaries of the Goulbourn Wetland Complex on Schedules A and B of the Plan, as shown in Document 1.**
2. **approve the proposed Zoning By-law amendment to change the zoning to reflect the revisions to designated boundaries of to the Goulbourn Wetland Complex, as shown in Document 2.**
3. **replace Flewellyn Maps A to I found in Document 2 and OPA Schedule 1a, 1b, and 1c, found in Document 1 with the replacement maps per Motion No ARAC 2020 11/2.**

CARRIED with Councillors T. Kavanagh, C. McKenney and S. Menard dissenting.

AGRICULTURE AND RURAL AFFAIRS COMMITTEE REPORT 11
(RISING FROM THE AGRICULTURE AND RURAL AFFAIRS
COMMITTEE MEETING OF 11 FEBRUARY 2020)

6. ZONING BY-LAW AMENDMENT – 5651 FIRST LINE ROAD

COMMITTEE RECOMMENDATIONS

1. That Council approve an amendment to Zoning By-law 2008-250 for 5651 First Line Road to correct a provision to a previous approved By-law (2018-349), as detailed in Document 2.
2. That Council consider this report at the February 12, 2020 meeting.

CARRIED

FINANCE AND ECONOMIC DEVELOPMENT COMMITTEE
REPORT 11

7. KILMORIE HOUSE – 21 WITHROW – SPECIAL LEVIES

COMMITTEE RECOMMENDATIONS, AS AMENDED

That Council approve:

1. **that the Clerk's Office undertake a special area levy vote in coordination with the community and as described in report ACS2020-ICS-LEG-0003; and**
2. **that the cost to undertake the levy vote be assessed to the constituency services budget of the College Ward Councillor's Office.**

CARRIED

8. DISPOSAL OF 755 SOMERSET STREET WEST TO THE
SOMERSET WEST COMMUNITY HEALTH CENTRE

COMMITTEE RECOMMENDATIONS

The Council:

- 1. Declare the property known municipally as 755 Somerset Street West described as Part of Lot 3 East of Lorne Avenue; Lots 1 and 2 North of Somerset Street; Lots 2 and 3 West of Empress Avenue; all on Plan 11285, as in NS 584, in the City of Ottawa and shown as Document 1, attached as surplus to the City's needs;**
- 2. Waive the requirement in Section 5 of the City's Real Property Disposal Policy requiring notification to the public of the pending sale of a City property;**
- 3. Waive the requirement in Section 1.2 of the City's Real Property Disposal Policy requiring all Real Property to be disposed of at market value and approve the sale of the lands known municipally as 755 Somerset Street West to the Somerset West Community Health Centre for the sum of \$1.00 pursuant to a Memorandum of Understanding between the City of Ottawa and the Somerset West Community Health Centre dated November 18, 2019;**
- 4. Delegate authority to the Director, Corporate Real Estate Office, to negotiate, conclude, and execute, on behalf of the City, the final documents required to complete this transaction, within the contractual and financial parameters set forth in this report.**

CARRIED

9. KANATA NORTH MOSQUITO CONTROL PROGRAM SPECIAL
LEVY

COMMITTEE RECOMMENDATIONS

That Council:

1. **Receive the results of the community-wide vote on the proposed continuation of the Kanata North Mosquito Control Program and related area-specific levy; and**
2. **Approve the continuation of the Kanata North Mosquito Nuisance Program special levy from 2020 through 2023 for the area identified in Document 1;**
 - a. **Direct the City Solicitor to prepare the necessary by-laws for Council's enactment;**
 - b. **Direct the Chief Financial Officer to administer the special levy for the amount identified in Document 2, from 2020 through 2023 for the area identified in Document 1; and**
 - c. **Delegate the authority to the General Manager of Public Works and Environmental Services, in consultation with the City Solicitor and the Ward Councillor, to award, finalize, execute and manage the contract to GDG Environment.**

CARRIED

10. MOTION – WAIVE SECTION 1.1 OF THE APPOINTMENT POLICY

COMMITTEE RECOMMENDATION

That Council waive Section 1.1 of the Appointment Policy to allow M. Patrick Ladouceur to finish his term of office as a member of the French Language Services Advisory Committee.

CARRIED with Councillor M. Fleury dissenting.

BULK CONSENT AGENDA

AGRICULTURE AND RURAL AFFAIRS COMMITTEE REPORT 10

- A. ZONING BY-LAW AMENDMENT – PART OF 6008 FALLOWFIELD ROAD

COMMITTEE RECOMMENDATION

That Council approve an amendment to Zoning By-law 2008-250 for part of 6008 Fallowfield Road for the purposes of rezoning the lands from Agricultural Zone (AG) to Agricultural, Subzone 5 (AG5), to prohibit residential uses on the retained farmland, as detailed in Document 2.

CARRIED

- B. ZONING BY-LAW AMENDMENT – 200 GOLDEN LINE ROAD

COMMITTEE RECOMMENDATION

That Council approve an amendment to Zoning By-law 2008-250 for part of 200 Golden Line Road for the purposes of rezoning the lands from Rural Countryside Zone (RU) to Agricultural Zone, Rural Exception [xxxxr] (AG[xxxxr]), so that the entire parcel would be consistently zoned in line with the Official Plan designation, and for part of 200 Golden Line Road for the purposes of rezoning the lands from Rural Countryside Zone (RU) to Agricultural, Subzone 4 (AG4), to prohibit residential uses on the retained farmland, as detailed in Document 2.

CARRIED

- C. ZONING BY-LAW AMENDMENT – ANOMALY – PART OF 3760 GRAINGER PARK ROAD

COMMITTEE RECOMMENDATION

That Council approve an amendment to Zoning By-law 2008-250 for the purposes of rezoning the entirety of 3760 Grainger Park Road to Rural Countryside Rural Exception 353r (RU [353r]) to correct an error, as detailed in Document 2.

CARRIED

- D. ZONING BY-LAW AMENDMENT – PART OF 8590 MARVELVILLE ROAD

COMMITTEE RECOMMENDATION

That Council approve an amendment to Zoning By-law 2008-250 for part of 8590 Marvelville Road, for the purposes of rezoning a portion of the lands from Agricultural Subzone 2 (AG2), to Agricultural Subzone 6 (AG6), to prohibit residential uses on the retained farmland, as detailed in Document 2.

CARRIED

- E. ZONING BY-LAW AMENDMENT – 1892 YORK'S CORNERS ROAD

COMMITTEE RECOMMENDATION

That Council approve an amendment to Zoning By-law 2008-250 for part of 1892 York's Corners Road, for the purposes of rezoning a portion of the lands from Agriculture Zone (AG), to Agriculture Zone, Subzone 5 (AG5), to prohibit residential uses on the retained lands, and to rezone the severed land from

Agriculture Zone (AG) to Agriculture Zone, Exception xxx1r (AG[xxx1r]) to permit a reduced lot width of 10 metres, as detailed in Document 2.

CARRIED

F. ZONING BY-LAW AMENDMENT – PART OF 3779 YORK'S CORNERS ROAD

COMMITTEE RECOMMENDATION

That Council approve an amendment to Zoning By-law 2008-250 for part of 3779 York's Corners Road, for the purposes of rezoning a portion of the lands from Agricultural Subzone 2 (AG2), to Agricultural Subzone 6 (AG6), to prohibit residential uses on the retained farmland, as detailed in Document 2.

CARRIED

G. ZONING BY-LAW AMENDMENT – PART OF 6496 FIRST LINE ROAD

COMMITTEE RECOMMENDATION

That Council approve an amendment to Zoning By-law 2008-250 for part of 6496 First Line Road for the purposes of rezoning the lands from Agricultural Zone, Subzone 2 (AG2) to Agricultural, Subzone 6 (AG6), to prohibit residential uses on the retained farmland, as detailed in Document 2.

CARRIED

H. DILLON-WALLACE AND JOHNSTON MUNICIPAL DRAINS –
APPOINTMENT OF ENGINEER

COMMITTEE RECOMMENDATION

That Council appoint Mr. Andy Robinson, P. Eng of Robinson Consultants Inc. as the Engineer of record to prepare a report under Section 78(1) of the *Drainage Act* to inform Council on the current status of the Dillon-Wallace Municipal Drain and the Johnston Municipal Drain and whether one or more of the projects listed under section 78(1.1) is required for the better use, maintenance or repair of the drainage works or lands or roads.

CARRIED

FINANCE AND ECONOMIC DEVELOPMENT COMMITTEE REPORT 11

I. APPOINTMENT TO THE HEART OF ORLÉANS BUSINESS
IMPROVEMENT AREA

COMMITTEE RECOMMENDATION

That Council approve the appointments of Robert McCallan and Lina Hariri to the Heart of Orléans Business Improvement Area Board of Management for the 2018-2022 Term of Council or until a successor is appointed during the next term of Council.

CARRIED

- J. APPOINTMENT TO THE BYWARD MARKET BUSINESS IMPROVEMENT AREA

COMMITTEE RECOMMENDATION

That Council approve the appointment of Stephanie Hault to the ByWard Market Business Improvement Area Board of Management for the 2018-2022 Term of Council or until a successor is appointed during the next term of Council.

CARRIED

- K. PARK BLOCK REALLOCATION IN EMERALD LINKS ESTATES PHASES II AND III - 6247 PEBBLEWOODS DRIVE

COMMITTEE RECOMMENDATIONS

- 1. That Council waive the requirement in Section 5 of the City's Real Property Disposal Policy requiring notification to the public of the pending sale of a City property;**
- 2. That Council waive the requirement in Section 1.2 of the City's Real Property Disposal Policy requiring all real property to be disposed of at market value and approve the disposal of the lands described in Recommendation 1 in accordance with Document 3 attached to this Report.**

CARRIED

- L. DECLARATION OF SURPLUS AND SALE OF 3099 UPLANDS DRIVE TO COADY CO-OPERATIVE HOUSING INC

COMMITTEE RECOMMENDATIONS

That Council:

- 1. Waive Section 2.3 of the Disposal of Real Property Policy pertaining to the public marketing of viable properties and Section 5.1 pertaining to public notification of the proposed disposal;**
- 2. Declare the property municipally known as 3099 Uplands Drive and legally described as Block H, Registered Plan 4M-213, being all of PIN 04075-0241, shown as Parcel 1 on Document 1 attached, as surplus to City requirements;.**
- 3. Approve the sale of property identified in Recommendation 1 above, subject to easements as LT206528, LT261102 and LT261102 and any easements that may be required, to Coady Co-Operative Housing Inc. for \$2,880,000.00 plus HST, if applicable, pursuant to an Agreement of Purchase and Sale that has been received.**

CARRIED

- M. CLOSING CAPITAL ACCOUNT FOR THE BUY-BACK OF BUSINESS PARK PROPERTIES

COMMITTEE RECOMMENDATION

That Council approve closing Capital Account 905673 established for the Buy Back of Business Park Properties.

CARRIED

TRANSPORTATION COMMITTEE REPORT 8

N. MAPLE GROVE ROAD SPEED LIMIT REDUCTION

COMMITTEE RECOMMENDATION

That Council approve that the posted speed limit along Maple Grove Road be reduced from 50 km/h to 40 km/h from Huntmar Drive to Alon Street.

CARRIED

O. ALL WAY STOP CONTROL AT THE INTERSECTION OF BORLAND DRIVE/VINETTE CRESCENT AND JEANNE D'ARC BOULEVARD

COMMITTEE RECOMMENDATION

That Council approve the installation of an all-way stop control at the intersection of Borland Drive/Vinette Crescent and Jeanne d'Arc Boulevard.

CARRIED

CITY CLERK

P. SUMMARY OF ORAL AND WRITTEN PUBLIC SUBMISSIONS FOR ITEMS SUBJECT TO THE *PLANNING ACT* 'EXPLANATION REQUIREMENTS' AT THE CITY COUNCIL MEETING OF JANUARY 29, 2020

That Council approve the Summaries of Oral and Written Public Submissions for items considered at the City Council Meeting of January 29, 2020 that are subject to the 'Explanation Requirements' being the *Planning Act*, subsections 17(23.1), 22(6.7), 34(10.10) and 34(18.1), as applicable, as described in this report and attached as Documents 1 to 7.

CARRIED

DISPOSITION OF ITEMS APPROVED BY COMMITTEES UNDER DELEGATED AUTHORITY

That Council receive the list of items approved by its Committees under Delegated Authority, attached as Document 1.

RECEIVED

MOTION TO ADOPT REPORTS

MOTION NO 27/3

Moved by Councillor M. Luloff

Seconded by Councillor S. Moffatt

That the report from the Integrity Commissioner entitled "Interim Report to Council on an Inquiry Respecting the Conduct of Councillor Chiarelli"; Agriculture and Rural Affairs Committee Reports 10 and 11; Finance and Economic Development Committee Report 10; Finance and Economic Development

Committee and Nominating Committee Joint Report 1; Transportation Committee Report 8; and the report from the City Clerk entitled “Summary of Oral and Written Public Submissions for Items Subject to the *Planning Act* ‘Explanation Requirements’ at the City Council Meeting of January 29, 2020”; be received and adopted as amended.

CARRIED

MOTIONS OF WHICH NOTICE HAS BEEN PREVIOUSLY GIVEN

MOTION NO 27/4

Moved by Councillor R. Brockington
Seconded by Councillor S. Blais

WHEREAS the City is undertaking a water, sewer and road renewal project on Claymor Avenue, Senio Avenue, and Falaise Road in Ward 16; and

WHEREAS as part of the design process for these streets, staff has reviewed the driveways within the project limits and found some driveway widths are not in full conformance with the City’s front yard parking restrictions and Private Approach By-law;

WHEREAS for existing properties, the front yard parking restrictions and Private Approach By-law are normally enforced only on a complaint-driven basis; and

WHEREAS there have been no complaints with respect to non-compliant driveways (private approaches) or front-yard parking in this area; and

WHEREAS the area residents support providing relief for residents with existing driveways (private approaches) while acknowledging that any future driveways (private approaches) and front-yard parking must be in accordance with City by-laws.

THEREFORE BE IT RESOLVED that in respect of the renewal of Claymor Avenue, Senio Avenue, and Falaise Road, that private approaches be reinstated as they were immediately prior to the reconstruction of these streets.

CARRIED

Pursuant to Subsection 59(5) of the Procedure By-law, the following revised Motion has been substituted by the mover and seconder for the original one contained in the Notice of Motion:

MOTION NO 27/5

Moved by Councillor S. Menard

Seconded by Councillor C. Meehan

WHEREAS on March 6th, 2019, City Council approved, based on available information provided by senior staff and external legal counsel, the staff-recommended Stage 2 LRT proponent, TRANSITNEXT, to construct and maintain the north-south Trillium Line; and

WHEREAS members of the public, transit users, media and Councillors have raised concerns with the effectiveness of the procurement and decision-making process that resulted in the staff recommendation to Council; and

WHEREAS staff have since confirmed that the bid put forward by TRANSITNEXT did not meet the 70% minimum technical requirement as set out in the Request for Proposal process; and

WHEREAS on January 23rd, 2020, staff released the October 3rd and October 23rd Technical Evaluation Committee's Consensus presentation for the Trillium Line South Extension which revealed significant technical deficiencies in the bid put forward by the preferred proponent TRANSITNEXT; and

WHEREAS the release of this information has further eroded the public's confidence in the procurement and decision-making process as well as in TNEXT's ability to successfully deliver the Trillium Line Extension; and

WHEREAS City Council has engaged the City's Auditor General who conducted an audit of specific elements of the Stage 2 LRT Project and provided Council with a list of recommendations to improve the process for future public-private projects which included enhancing public transparency, as detailed in the November 26th, 2019 Annual Audit Report ACS2019-OAG-BVG-0011; and

WHEREAS the Auditor General's recommendations only address a portion of public concerns and despite the audit there is still significant pressure from the public to continue the investigation into the Stage 2 LRT Trillium Line Extension procurement and decision-making processes; and

WHEREAS the Auditor General shall not call into question or review the merits of the policies and objectives of Council; and

WHEREAS Council is accountable to the public and therefore should explore all options to restore public trust;

THEREFORE FURTHER RESOLVED that, at its meeting of February 26, 2020, City Council appoint 3 regionally representative Councillors to review evaluation criterion, a proposed statement of work and serve as the evaluation committee for the engagement of a consultant to review and report back to Council by October of 2020 on the City's Public-Private Partnership Policy, as it pertains to Public-Private Partnership (P3) Projects, as well as projects of significant public interest along with any implications for the City's Purchasing By-law, being By-law No. 2017-362 as amended and the Delegation of Authority By-law, being By-law No. 2018-397 as amended, in order to improve Council's ability to exercise leadership and oversight as mandated by Subsection 224(d) and (d.1) of the *Municipal Act, 2001* and to ensure that best practices are incorporated so that in the future the process is more transparent to the public; and

BE IT FURTHER RESOLVED that the costs to engage a consultant be funded from the Tax Stabilization Reserve, to an upset limit of \$150,000.

The following motion was introduced as a substitution for Motion 27/5 above:

MOTION NO 27/6

Moved by Mayor J. Watson

Seconded by Councillor S. Menard

WHEREAS in Ontario, the Provincial government has made P3 procurement screening a requirement for partnership funding for projects of \$100 million or greater in value to improve value for money as compared to more traditional procurement models such as design-bid-build (and this was also a requirement for federal funding for the Stage 2 LRT project); and

WHEREAS the Stage 2 Light Rail Transit (LRT) project, which was approved and deemed appropriate to be procured as a P3 by PPP Canada as a requirement for federal funding, incorporated a number of third-party review mechanisms for the Stage 2 LRT procurement process, including as follows:

- **A 'Lessons Learned' report from the Stage 1 LRT procurement, undertaken by a consultant;**

- **An Independent Fairness Commissioner who oversaw the entire Stage 2 Procurement Process and confirmed “compliance with the fairness requirements of the RFQ and RFP process and further confirm that the process resulting in the selection of the winning proposal was consistent with the RFQ and RFP; and**
- **An Independent Rail Certifier who indicated that the system met the requirements for substantial completion under the Project Agreement; and**

WHEREAS, when questions were raised about the Stage 2 LRT procurement process, City Council also asked the City of Ottawa’s Auditor-General, a statutory officer that is independent of the City’s administration and who reports directly to Council, to audit this process; and

WHEREAS after having full and unfettered access to all procurement documentation with respect to the Stage 2 LRT procurement process and all City officials and advisors who oversaw the process, the City of Ottawa’s Auditor General and his independent consultant team (Samson and Associates) reported on November 26, 2019 that the procurement process was followed and was consistent and compliant with the Trillium Line RFP and that the delegated authorities were adhered to by City officials and advisors, but that improvements in the procurement process could be made; and

WHEREAS, due to the on-going problems with the Stage 1 LRT and bus operations over the course of the first five months of the service, Members of Council and the public are continuing to express concerns about the Stage 2 Trillium Line Procurement, in particular in light of the technical evaluation scores; and

WHEREAS, although staff has advised that the winning proponent, TNext (or TransitNext), was a technically compliant bid and that the technical parts of the bid that did not meet Council’s criteria for the project were addressed to the City’s satisfaction before the March 6, 2019 City Council meeting approving the selection of TransitNext and included in the executed contract, neither Council or the public has seen the documents that support staff’s assertions and they have a right to see them now that the procurement is closed; and

WHEREAS these documents would not be complete without Council and the public also seeing the legal opinion by Norton Rose Fulbright, dated October 23,

2018 and titled, “Trillium DBFM RFP-Technical Evaluation Bid Evaluation Steering Committee Discretion and Re-evaluation”; and

WHEREAS the City is currently completing the Environmental Assessment, preliminary engineering and costing on Stage 3 LRT which, once completed will extend LRT to the fast-growing communities of Barrhaven, Kanata and Stittsville and it is expected that the City will have a proposal ready for consideration by the Province of Ontario and the Government of Canada by the end of 2020; and

WHEREAS, given that provincial funding for Stage 3 is anticipated to require the use of a P3 approach, and City Council’s decision on the Stage 3 Procurement Process should be informed by the lessons learned in Stage 1 and Stage 2 of LRT, starting with the improvements recommended by the City’s Auditor-General and augmented by a third-party review;

THEREFORE BE IT RESOLVED that City Council approve the following in substitution for the Motion from Councillors Menard and Meehan:

- 1. That Council direct the City Manager to release the Stage 2 Light Rail Transit Trillium Line Project Procurement documents, including the technical compliance scores, the technical evaluations and the specific bid amendments made to the contract to ensure that Council’s criteria for the project are going to be met, to City Council and the public as soon as possible and in advance of the March 3, 2020 Finance and Economic Development Committee meeting; and**
- 2. that City Council waive its solicitor-client privilege with respect to the October 23, 2018 legal opinion by Norton Rose Fulbright, titled, “Trillium DBFM RFP-Technical Evaluation Bid Evaluation Steering Committee Discretion and Re-evaluation” so that it can be included for release with the above-noted procurement documents; and**
- 3. that an independent consultant be engaged to undertake a ‘Lessons Learned’ exercise on the Stage 2 Light Rail Transit Project Procurement Process, building on the recommendations in the Auditor-General’s November 26, 2019 report titled, “Audit of Stage 2 Light Rail Transit (LRT) Project Procurement”, as well as options to strengthen any of the following key public procurement principles: Transparency, Integrity, Value for Money, Openness, Fairness, Competition and Accountability, such that the work is completed in time for the Stage 3 procurement process; and**

4. that the scope of work and recommended consultant for the Lessons Learned exercise be brought to the Finance and Economic Development Committee and full Council for their approval by the end of Q2 2020, with the intention that the consultant's report be presented to Committee and Council by November 2020; and
5. that City Council direct staff to incorporate a review of the City's Public-Private Partnership Policy, in addition to the City's Purchasing By-law and the Delegation of Authority By-law, as part of the Mid-Term Governance Review process, which includes consultation with every Member of Council.

CARRIED

Motion No 27/6 was put to Council CARRIED on a division of 22 YEAS and 0 NAYS, as follows:

YEAS (22): Councillors T. Kavanagh, E. El-Chantiry, L. Dudas, J. Harder, K. Egli, S. Moffatt, A. Hubley, J. Cloutier, G. Gower, R. King, J. Sudds, T. Tierney, G. Darouze, M. Fleury, C. A. Meehan, M. Luloff, S. Blais, R. Brockington, J. Leiper, S. Menard, C. McKenney, Mayor J. Watson

NAYS (0):

MOTIONS REQUIRING SUSPENSION OF THE RULES OF PROCEDURE

MOTION NO 27/7

Moved by Councillor A. Hubley
Seconded by Councillor J. Cloutier

WHEREAS OC Transpo Fares are scheduled to increase on April 1, 2020, in accordance with the 2020 Budget approved by Council on December 11, 2019; and

WHEREAS it would be beneficial for City staff to receive Council's direction with respect to the continuation of the fare freeze as soon as possible, as arrangements need to be made to confirm fare prices before the April 2020 monthly passes go on sale;

THEREFORE BE IT RESOLVED that the Rules of Procedure be suspended to permit the introduction of the following motion.

WHEREAS Council on December 11, 2019, approved an overall 2.5% base increase to OC Transpo Fares as part of the Transit Commission portion of the 2020 Budget; and

WHEREAS, in recognition of the challenges experienced by OC Transpo customers since the launch of the O-Train Confederation Line, Transit Commission and Council approved that the effective date for the recommended 2020 fare increase be delayed to April 1, 2020, and directed the General Manager of Transportation Services to bring forward recommendations to Transit Commission and Council no later than February 2020 on how a freeze beyond March 2020 could be funded in the event that LRT service to transit passengers has not improved to the City's satisfaction; and

WHEREAS, while progress is being made towards resolving the operational issues, service has not yet improved to a level that meets the City's satisfaction, as transit customers continue to experience challenging and uncertain commutes as a result of ongoing issues and service disruptions; and

AND WHEREAS staff have estimated the net cost of continuing the fare freeze at \$340,000 per month in reduced fare revenue; and

WHEREAS the current fare freeze is being funded through the financial and performance provisions in the Project Agreement with the Rideau Transit Group (RTG)/Rideau Transit Maintenance (RTM); and

WHEREAS in June 2019, following approval of the 2019 Budget, Council subsequently approved a Motion delegating authority to the City Manager to determine the effective date of the 2019 fare changes;

THEREFORE BE IT RESOLVED THAT Council delegate authority to the City Manager, in consultation with the General Manager of the Transportation Services Department, to determine the effective date of the 2020 fare changes once service on O-Train Line 1 has improved to the City's satisfaction, in accordance with the satisfactory service levels prescribed in the Project Agreement with RTG; and

BE IT FURTHER RESOLVED that, in accordance with the *Delegation of Powers Policy*, which includes the principle that "every delegation of a power or duty of Council shall be accompanied by a corresponding accountability and

transparency mechanism”, that the exercise of this delegated authority be reported to Members of Transit Commission and Council by way of a Memorandum, such that the fare changes would come into effect on the first day of the month no less than one month following the issuance of said Memorandum; and

BE IT FURTHER RESOLVED THAT Council approve that the cost of the fare freeze continue to be funded through the anticipated funds from the financial and performance provisions in the Project Agreement with the Rideau Transit Group (RTG)/Rideau Transit Maintenance (RTM).

CARRIED

MOTION NO 27/8

Moved by Councillor Kavanagh
Seconded by Councillor Meehan

THEREFORE BE IT RESOLVED that the Rules of Procedure be suspended to permit the consideration of the following motion.

WHEREAS in 1910 women delegates from around the world met in Copenhagen to propose that Women’s Day become an international event to promote equal rights for women; and

WHEREAS the first International Women’s Day was held in 1911 with the support of over a million people; and

WHEREAS in 1977, the General Assembly of the United Nations officially called for all countries to mark a day for the recognition of women’s economic, political and social achievements; and

WHEREAS we are witnessing a significant rise in women’s activism to accelerate women’s equality along with a deepening resolve to reject gender discrimination in all forms; and

WHEREAS every year thousands of events are held around the world to inspire, celebrate and honour women.

THEREFORE BE IT RESOLVED THAT Ottawa City Council declare March 8, 2020, to be International Women’s Day in the City of Ottawa.

CARRIED

NOTICES OF MOTION (FOR CONSIDERATION AT SUBSEQUENT MEETING)

MOTION

Moved by Councillor S. Menard
Seconded by Councillor C. McKenney

WHEREAS in 2019 the Province of Quebec enacted *Bill 21 (An Act Respecting the Laicity of the State)* which prohibits certain public servants from wearing religious symbols including turbans, hijabs, kippahs, the cross and many others;

AND WHEREAS religious wear in certain traditions is considered an important act of devotion and is not a mere symbol of religious identity;

AND WHEREAS the wearing of religiously-mandated articles of faith or clothing is a fundamental right in the exercise of “freedom of thought, conscience and religion,” as written in Article 18 of the Universal Declaration of Human Rights; and does not in any way diminish the ability of public servants to fulfill their duties;

AND WHEREAS restricting the ability of citizens from wearing religious symbols affects all components of society: first nations, settlers and immigrants;

AND WHEREAS freedom of religion in Canada is protected by the Canadian Charter of Rights and Freedoms and the *Canadian Human Rights Act*;

AND WHEREAS the City of Ottawa stands firmly to support religious freedom as this is aligned with the Canadian Charter of Human Rights;

AND WHEREAS a secular and religiously neutral state is achieved by treating all citizens fairly through unbiased governance structures that do not favour one religion over another;

AND WHEREAS forcing citizens to abandon certain cultural and religious practices as a condition of employment will create an environment that fosters intolerance and inequity;

AND WHEREAS Bill 21 is a divisive law that perpetuates exclusion, discrimination, and class division by increasing systematic barriers to employment for religious groups;

AND WHEREAS the National Council of Canadian Muslims (NCCM), the Canadian Civil Liberties Association (CCLA), the World Sikh Organization of Canada (WSO), and others have initiated a constitutional challenge against Bill 21;

AND WHEREAS Ottawa is a multicultural, socially diverse, and inclusive city that is home to many different faiths, religions, genders, languages, and cultures;

AND WHEREAS Ottawa takes its role as a human rights city seriously;

AND WHEREAS all levels of government have an important role in protecting our shared values of tolerance and diversity;

AND WHEREAS other municipalities—including Brampton, Calgary, Mississauga and Victoria—along with the province of Ontario have condemned Quebec’s Bill 21;

BE IT RESOLVED THAT Ottawa City Council oppose Quebec’s Bill 21 and support in principle the constitutional challenge to Bill 21, and that Ottawa City Council continue to support building a welcoming city where everyone has access to opportunity and prosperity.

BE IT FURTHER RESOLVED THAT a copy of the motion is forwarded to the Premier of Quebec.

MOTION TO INTRODUCE BY-LAWS

MOTION NO 27/9

Moved by Councillor M. Luloff

Seconded by Councillor S. Moffatt

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

- 2020-44. A by-law of the City of Ottawa to amend the fees in By-law No. 2019-74, as amended, regulating the municipal water supply.
- 2020-45. To amend By-law No. 2017-180 respecting the appointment of Municipal Law Enforcement Officers in accordance with private property parking enforcement
- 2020-46. A by-law of the City of Ottawa to establish fees in respect of the Committee of Adjustment and to repeal By-law No. 2018-35.
- 2020-47. A by-law of the City of Ottawa to repeal By-law No. 2019-245 closing an untraveled portion of Treadwell Road in the City of Ottawa.
- 2020-48. A by-law of the City of Ottawa to amend By-law No. 2008-250 to change the zoning of part of the lands known municipally as 8590 Marvelville Road.
- 2020-49. A by-law of the City of Ottawa to amend By-law No. 2008-250 to change the zoning of the lands known municipally as 3760 Grainger Park Road.
- 2020-50. A by-law of the City of Ottawa to amend By-law No. 2008-250 to change the zoning of the lands known municipally as 4837 Albion Road.
- 2020-51. A by-law of the City of Ottawa to amend By-law No. 2008-250 to change the zoning of the lands known municipally as 5651 First Line Road
- 2020-52. A by-law of the City of Ottawa to amend the Official Plan for the City of Ottawa to update the Significant Wetlands boundaries and to remove the Flewellyn Special Study Area and policies.
- 2020-53. A by-law of the City of Ottawa to amend By-law No. 2008-250 to reflect the revisions made to designated boundaries of the Goulbourn Wetland Complex.

- 2020-54. A by-law of the City of Ottawa to amend By-law No. 2008-250 to change the zoning of the lands known municipally as 200 Golden Line Road.
- 2020-55. A by-law of the City of Ottawa to amend By-law No. 2008-250 to change the zoning of the lands known municipally as 1892 Yorks Corners Road.
- 2020-56. A by-law of the City of Ottawa to amend By-law No. 2008-250 to change the zoning of the lands known municipally as 6496 First Line Road
- 2020-57. A by-law of the City of Ottawa to establish the Kanata North Area within the City of Ottawa as a designated area for a special service and to repeal By-law No. 2016-88.
- 2020-58. A by-law of the City of Ottawa to amend By-law No. 2018-33 to authorize the payment of rebates to individuals who make contributions to candidates for office on the municipal council
- 2020-59. A by-law of the City of Ottawa to amend By-law 2007-268 respecting fees and charges for public transit services
- 2020-60. A by-law of the City of Ottawa to provide for the abandonment of drainage works in the City of Ottawa – Burnett Municipal Drain, Main Drain between Station 0+00 and Station 86+25 and to repeal By-law NO. 107-68.
- 2020-61. A by-law of the City of Ottawa to amend By-law No. 2008-250 to change the zoning of part of the lands known municipally as 6008 Fallowfield Road
- 2020-62. A by-law of the City of Ottawa to amend By-law No. 2008-250 to change the zoning of part of the lands known municipally as 3779 York's Corners Road.
- 2020-63. A by-law of the City of Ottawa to close an untraveled portion of Treadwell Road in the City of Ottawa.

CARRIED

CONFIRMATION BY-LAW

MOTION NO 27/10

Moved by Councillor M. Luloff

Seconded by Councillor S. Moffatt

That the following by-law be read and passed:

To confirm the proceedings of the Council meeting of February 12, 2020.

CARRIED

INQUIRIES

Councillor L. Dudas (Inquiry OCC 20-07)

Toxic work environments and the impact on city staff is an issue that has recently come up here at City Hall, and I am aware that the City is taking steps as to how it can be addressed. However, when we talk about our work environment, we must ensure that this also considers the online world and social media.

While my Council colleagues who have been here for multiple terms can speak more in depth, the past year has seen an exponential increase in the amount of online vitriol directed at City Councillors, too often at the instigation of a fellow Councillor.

Last week, a tweet by one Councillor, was then retweeted by a second Councillor and I quote: *"I dare Jim Watson to run next election. He would lose. I just wonder when some Councillor's realize he is a sinking ship and their jobs are also at risk. #WatsonClub"*.

This tweet was then used as fodder, triggering a chain of other abusive tweets on other Councillors. Including ones such as: *You're an absolute joke. You are so corrupt and do nothing to advance the city. You're just a Jim Watson robot. How much money did they pay you? #watsonclub*

Other messages included: *"You corrupt Watson Club b*tch. resign now"*

In July 2019, a Councillor introduced the hashtag Watson Club to Twitter, a term previously only previously used by a nightclub in Uruguay. This hashtag was then used as an attack on those Councillors that did not support the Councillor's position

on an issue. At the time, the Ottawa Citizen and the CBC both ran articles covering the term, the existence of such a “club”, and noted the divisive nature of this term of council, versus previous ones.

As a result of this, I have been called “Lapdog Laura” as well as numerous other much more profane, sexual, and misogynistic comments that I will not repeat today, unfortunately many of these messages also pointedly reference the hashtag Watson Club.

Councillors have been turning to social media to make generalized accusations, dismissing other Councillors with whom they disagree. In doing so, we disregard those Councillors’ rationales and their residents’ views, instead opting for defamatory and generalized attacks.

Many may suggest that Councillors just ignore or block the abuse. However, as we saw when a local federal candidate went to court to seek clarification on whether Councillors’ social media channels are official methods of communication, a precedent was quickly established they were in the public realm, and the notion of “blocking” people became a non-starter.

Last week, this hit a new low. The torrent of abuse that was directed at those Councillors who had been duly-elected to positions, much of which was sent as a direct reply to the offending tweet, was read by those Councillors’ parents, children, and friends. As Councillors we would never think to include such an attack in a community newsletter, so why is it acceptable to tweet or post?

To see such a tweet, and other Councillor’s supporting these personal attacks, and increasing the audience by retweeting, is not something I believe any of us want as a Council. This is especially ridiculous when that same Councillor, an hour later, tweeted about encouraging more women to enter politics. When a Councillor knowingly, and I say knowingly because it would, Number 1: require ignoring all of the social media abuse over the past 10 months we have all seen; and Number 2: ignore that female politicians experience online abuse that our male counterparts are spared; when any Councillor indirectly encourages such abuse, how can we in good conscience then encourage more women to enter this abusive realm.

My inquiry today is directed to the Integrity Commissioner and the City Clerk, I would like them to report back to Council on their leeway to investigate cyber bullying of City Staff, Councillors, Commission, Committee and Board Members. Additionally, what existing policies are in place regarding social media behaviour by these

officials. I am aware there are rules in place for city staff, generally, but I appreciate the unique nature of being an elected official or appointed board member.

If there are no existing city-level policies, could city staff include recommendations from other jurisdictions and other levels of government for city council's consideration and implementation. Additionally, include in the report any other jurisdiction's punitive measures that may be appropriate fitting for Ottawa as well.

Specifically, I look to the City of Toronto, which implemented a Code of Conduct regarding social media use for Councillors which includes the following 2 sections:

Article XII - Respecting Staff

21. The Code of Conduct requires members to be respectful of the role of staff to provide professional and politically neutral advice. Members should not use social media to engage in criticism of City staff. The public nature of social media can increase the risk of harming the professional and ethical reputation of City staff.

And

Article XIV - Respecting Each Other and the Public

22. Just as Torontonians expect members of Council to maintain decorum at City Hall, they also expect members to act with decorum on social media. Members must never use social media as a platform to treat members of the public, one another, or staff without respect. Members should not engage in or encourage bullying, flaming, or shaming of any other social media users. These types of interactions on social media misplace the focus of the interaction on attacking individuals rather than engaging in constructive discussion or debate. This manner of communication is inconsistent with the Code of Conduct and unbecoming of the office that members hold.

This inquiry is also a call out to all of my fellow Councillors, Committee, Commission and Board members to stop it. To rise above this, and I ask all of us to work together, as the residents of Ottawa elected us to do.

Very few, if any, around this table are wholly innocent. We did not run under party banners, we represent a wide swath of political views, but that does not mean that we cannot work together and collaborate.

Because a Councillor disagrees or votes against a motion, does not mean there is an ulterior motivation that warrants attacks into what can be a cesspool of social

media. I have a 20-year-old daughter, she is on social media, she reads these things about me, but she contextualizes it. I also have a 10-year-old daughter who is just starting to look at social media. In a world where we are already having to educate our kids younger and younger about the dangers of social media, what kind of example are we setting as city leadership, and we are all leaders around this table.

When we are turning to social media and publicly attacking each other and knowingly having our followers attack each other because we can't walk down the hall to have an adult conversation; at the end of the day, the only one being hurt is the City. With every angry tweet we send out, we are hurting Ottawa's reputation to tourists, investors, and also in the eyes of our own residents.

Councillor C. A. Meehan (Inquiry OCC 20-08)

To ensure that the residents and taxpayers of Ottawa have complete confidence in the transparency and integrity of Stage 2 LRT, could staff please provide the following information:

1. On what basis was the decision made not to partner with Infrastructure Ontario for Stage 2 LRT? Please include the business case used to make this decision.
2. Who authored the procurement documents for Stage 2 LRT? Please provide the specific staff name(s).
3. Why was the RFP for Stage 2 LRT not made public, despite this being standard practice in Ontario (with redactions)?
4. Why did staff not fully explain to Council that unlike other Delegations of Authority they regularly sign with staff, the Delegation of Authority on Stage 2 LRT would severely limit our ability to provide oversight?
5. Why was it not made clear to Council that a Discretionary Clause was included in the RFP for Stage 2 LRT?
6. How were the services of the Law Firm Norton, Rose Fulbright obtained? What specifically was their role in the procurement process? Who was their client, City Staff with Delegation of Authority or Council?
7. On what basis did the City Manager exercise the discretionary clause to

allow, TNEXT's bid, to continue in the procurement process despite its failing technical score?

8. What was the rationale behind Norton, Rose Fulbright's advice that the City of Ottawa was at risk of litigation if the TNEXT bid was disqualified?
9. Did the Executive Steering Committee have the expertise needed to properly assess the accuracy and specificity of TNEXT remediation solutions to its technically deficient bid? Please outline their specific technical qualifications.

Councillor C. McKenney (Inquiry OCC 20-09)

With intensification happening in the Downtown core, consistent with the current and future directions of the Official Plan, how is the City:

1. Assessing the needs for recreation, cultural, and community meeting space in existing downtown city-owned facilities; (Recreation, Cultural and Facility Services)
2. Taking into account the implications of future population growth; (Recreation, Cultural and Facility Services)
3. Looking for opportunities to expand, acquire and provide space for future needs; (Planning, Infrastructure and Economic Development)
4. Identifying methods to pay for enhanced community space through Community Benefits Charges which are soon replacing soft Development Charges. (Planning, Infrastructure and Economic Development)

Councillor J. Leiper (Inquiry OCC 20-10)

For the Confederation Line, please provide a detailed accounting of:

- The failure deductions that have been assessed against Rideau Transit Maintenance (RTM) since Revenue Service Availability (RSA);
- All failures for which the City has agreed there was an excusing cause, inclusive from August 31 until today;
- For each rolling three-month period of RSA, how many failure points have

been assessed?

ADJOURNMENT

Council adjourned the meeting at 12:09 pm.

CITY CLERK

MAYOR

DRAFT