

Policy, Priorities and Budgeting Committee
Comité des politiques, des priorités et des budgets

Agenda 12
Ordre du jour 12

Thursday, July 27, 2000 - 9:15 a.m.
Le jeudi 27 juillet 2000 - 9 h 15

Victoria Hall, First Level
Bytown Pavilion, City Hall

Salle Victoria, niveau 1
Pavillon Bytown, hôtel de ville



**Confirmation of Minutes
Ratification des procès-verbaux**

Minutes 12 (June 29, 2000)

Procès-verbal 12 (Le 29 juin 2000)

Index

Information Items

Articles pour information

Action Items

Articles pour exécution

- | | | |
|----|--|----|
| 1. | Sale of Surplus City Property - 200 Coventry Road
Vente de biens-fonds excédentaires de la Ville - 200, chemin Coventry
Ref.: ACS2000-CO-ECD-0001 OT4 - Rideau | 1 |
| 2. | Property - Disposal - Closed Streets at 85-91 Beech Street
Propriété - Cession - Fermeture des rues à 85-91, rue Beech
Ref.: ACS2000-CS-PTY-0008 OT6 - Somerset | 13 |
| 3. | Property - Disposal - Closed Lane Adjacent to 9 - 15 Robinson Avenue
Propriété - Cession - Fermeture d'une rue contiguë aux 9-15, avenue Robinson
Ref.: ACS2000-CS-PTY-0010 OT5 - Bruyère-Strathcona | 17 |
| 4. | Disabilities Issues Advisory Committee -1999-2000 Annual Report and objectives for year 2001
Comité consultatif sur les handicaps - Rapport annuel de 1999-2000 et les object de l'an 2001
Ref.: ACS2000-CV-DIA-0005 City Wide | 21 |
| 5. | Advisory Committee on French Languages Services- 1999-2000 Annual Report and 2001 Objectives
Comité consultatif sur les services en français- Rapport annuel de 1999-2000 et objectifs de 2001
Ref.: ACS2000-CV-FLS-0002 City-wide | 31 |

Regional Matters
Questions régionales

Municipal Government Reform
Réforme du gouvernement municipal

External Relations Matters
Questions de relations extérieures

Correspondence
Correspondance

Members' Reports - Enquiries
Rapports des membres - demandes de renseignements

Councillor/Conseillère Diane Deans, Chairperson/Présidente

Councillor/Conseiller Jim Bickford, Vice-Chairperson/Vice-président

Councillor/Conseillère Inez Berg

Councillor/Conseiller Richard Cannings

Councillor/Conseiller Ron Kolbus

Councillor/Conseiller Brian Mackey

BJW

July 13, 2000

ACS2000-CO-ECD-0001
(File: RHI2709/6001)

Office of the Chief Administrative Officer

Ward/Quartier
OT4 - Rideau

- Policy, Priorities and Budgeting Committee / Comité des politiques, des priorités et des budgets
- City Council / Conseil municipal

Action/Exécution

1. Sale of Surplus City Property - 200 Coventry Road

Vente de biens-fonds excédentaires de la Ville - 200, chemin Coventry

Recommendation

That the sale of 2.65 acres of surplus City property at 200 Coventry Road to BONA Property Management, as detailed in the attached Agreement of Purchase and Sale (Document 1.), be APPROVED.



July 13, 2000 (10:19a)

John S. Burke
Chief Administrative Officer

MC:

Contact: Mitchell Cogan - 244-5300 ext. 1-3449

Financial Comment

In 1997, the City issued debt to cover financing costs of the Triple "A" Stadium pending the sale of land. Since the project budget has been financed from the issuance of the debenture in 1997, these proceeds from land sales of \$1.6 million will be credited to the Reserve for General Capital Expenditures. The reserve normally receives the proceeds from surplus land sales and balances in the reserve are used to fund the capital program. The debt servicing cost associated with the \$3 million in debt is funded through the property tax base. These proceeds from land sale will offset these costs.

The sale of this property is subject to Transition Board approval.



July 13, 2000 (10:30a)

Mona Monkman
City Treasurer
MM/BH:cds

Executive Report

Reasons Behind Recommendation

In 1991, City Council declared that four acres of land that constitute a portion of JetForm Stadium were surplus to the City's needs and were to be sold. In 1997, City Council approved the sale of a portion of those lands (1.35 acres) to BONA Building and Management for the construction of a 170 room hotel development. The hotel was completed in 1999.

Due to the success of the initial hotel project, BONA Building and Management has submitted an offer to acquire the remaining lands (2.65 acres) for the phased construction of convention centre and restaurant, with another hotel or office tower to follow. The Agreement of Purchase and Sale is included as Attachment 1 and contains the following details:

- Lot area of 2.65 acres.
- Purchase price of \$1,600,000.00.
- Deposit of \$100,000 provided with interest accruing to the City.
- Closing on September 29, 2000, and conditional upon City Council and Ottawa Transition Board approval, soils and zoning being in place to accommodate their proposed development.
- GST payable by the Purchaser.
- Purchaser responsible for maintenance of a private hydro service.
- City to provide a maintained access to the site via an existing laneway on the stadium lands.
- City to prepare and register a survey plan and legal description.

- Requirement to commence construction on a minimum sized building of 30,000 sq.ft. within eighteen months of closing and complete construction within another year. Failure to comply provides the City with an option to reacquire the property.
- No real estate brokerage fees.

This sale to BONA Building and Management is recommended for the following reasons:

- An independent appraisal (Document 2, On File with the City Clerk) has verified that the purchase price exceeds the current market value of the property.
- The sale complies with the City and Transition Board regulations for disposal of surplus property, namely; the site has been declared surplus by City Council and advertised in local daily newspapers, advertising signage has been on the site for a number of years, and a market value appraisal has been completed.
- The development of a convention facility, restaurant and future hotel and/or office tower is complimentary to the current hotel and baseball stadium operations.
- The site is currently zoned to permit all aspects of the project.

Economic Impact Statement

This sale will result in no immediate economic impact, however the City will gain property tax revenues arising out of the change in assessment.

Environmental Impact

No environmental impact is anticipated as the recommendation falls within the MEEP Automatic Exclusion List - Section I a) Administrative and Personnel Services.

Consultation

No public consultation was undertaken as this is an administrative matter only. Councillor Richard Cannings is aware of this land sale.

Disposition

Office of the CAO to seek approval of the transaction from the Ottawa Transition Board following City Council approval.

Office of the City Solicitor to prepare the necessary documents to complete the transaction.

List of Supporting Documentation

- Document 1 Agreement of Purchase and Sale
Document 2 Appraisal Report Prepared by Higgs, Cameron Cyr & Wilson Ltd., Dated
 June 7, 2000 (On File with the City Clerk)

PART II**SUPPORTING DOCUMENTATION****Document 1****PURCHASE AND SALE AGREEMENT****BETWEEN:**

THE CORPORATION OF THE CITY OF OTTAWA

(the "Vendor")

AND:

BONA BUILDING & MANAGEMENT CO. LTD.

(the "Purchaser")

1. The Purchaser agrees to purchase from the Vendor the property, (the "Real Property"), situated in the City of Ottawa, Regional Municipality of Ottawa-Carleton, being Part of Part 1, Plan 4R-11750 together with a right of access over a right-of-way maintained by The Corporation of the City of Ottawa for access to Coventry Road as shown on the sketch attached hereto as Schedule "A" on the following terms and conditions.
2. The purchase price of the Real Property shall be \$1,600,000.00 in lawful money of Canada based upon an area of 2.646 acres (subject to variation upon completion of a Reference Plan) at \$604,686.00 per acre payable as follows:
 - (a) The sum of \$100,000.00 to be paid to the Vendor upon acceptance of this Agreement as a deposit to be held in trust pending completion or other termination of this Agreement; and
 - (b) The balance of the purchase price, subject to adjustments, shall be paid to the Vendor on closing by certified cheque.
3. The closing date for this transaction shall be September 29, 2000, (the "Closing Date") or at a mutually agreed to earlier date, should the Purchaser wish to close on such earlier date, when vacant possession of the Real Property shall be given to the Purchaser.

6

4. Any Goods and Services Tax (GST) applicable to this transaction shall be in addition to and not included in the purchase price. If GST is payable, and if the Purchaser is a registrant for purposes of GST, the Purchaser may choose to self-assess in respect of GST and to provide to the Vendor before the closing date evidence that the Purchaser is a registrant for purposes of GST.
5. The obligation of the Vendor to complete this transaction is conditional upon the Council of the Vendor ("City Council") and the Ottawa Transition Board approving this purchase and sale transaction. Should City Council or the Ottawa Transition Board not approve this transaction by September 27, 2000, this Agreement shall, at the option of the Purchaser, be null and void and the deposit shall be returned to the Purchaser.
- 6.(a) The obligation of the Purchaser to complete this transaction is conditional upon:
 - (i) the Purchaser, within thirty (30) days from the date of acceptance hereof, being satisfied as to the soil conditions of the Real Property, failing which this Agreement shall be null and void and the deposit shall be returned to the Purchaser; and
 - (ii) the Real Property being zoned CE10(270) F(1.72) SCH.51 pursuant to City of Ottawa Zoning By-law, 1998, which zoning shall permit, but not limited to uses including a public hall, restaurant, office building and hotel, up to 198,000 sq.ft. of gross floor area with underground parking.
- 6.(b) These conditions are for the benefit of the Purchaser and may be waived by the Purchaser at any time in writing.
- 6.(c) The Purchaser shall deliver notice(s) in writing to the Vendor, within the times stipulated to fulfil these conditions, confirming that these conditions are satisfied, not satisfied or waived and failing receipt of such notice(s), these conditions shall be deemed to be satisfied.
7. The Purchaser shall be permitted access to the Real Property to carry out the soil tests pursuant to paragraph 6(a)(i) above, but not on a day when a baseball game is scheduled at the adjacent ball park. The Purchaser shall save harmless and indemnify the Vendor at all times during such period of access and shall be liable for all claims, damages and losses howsoever arising from any action taken by itself, its agents, subcontractors, workers or invitees with respect to such access and soil tests. Should this transaction not be completed for any reason, the Purchaser shall reinstate the Real Property to the reasonable satisfaction of the Vendor.

8. The Vendor shall, at its expense, have prepared by a qualified Ontario Land Surveyor, a plan of survey/reference plan showing the extent of the Real Property, and the right-of-way over the Vendor's land in favour of the Purchaser for access to Coventry Road and shall provide a registerable legal description of the Real Property prior to the Closing Date.
- 9.(a) On the Closing Date, the Vendor will deliver a good and marketable title to the Real Property free from encumbrances, except
- (i) any subdivision, site plan or other agreement with The Corporation of the City of Ottawa or The Regional Municipality of Ottawa-Carleton;
 - (ii) any utility easement affecting the Real Property; or
 - (iii) any registered rights-of-way or other registered easements, registered restrictions or covenants that run with the land, provided that such are complied with and do not materially or adversely affect, the value, use or enjoyment of the Real Property for the purpose of which the property is being used; or
 - (iv) Hydro-Electric Service Cost-Sharing Agreement between The Corporation of the City of Ottawa and Robert Vocisano, In Trust dated November 25, 1998 and registered on January 18, 1999 as Instrument Number 1174760.
- 9.(b) As, immediately after the closing of this transaction, the Vendor will no longer be the owner of the "City Development Lands" and the Purchaser will be the owner of the "City Development Lands", the parties acknowledge and agree that the Vendor shall have no further liability or responsibility with respect to the "City Development Lands" as defined in the above-noted Cost-Sharing Agreement. The parties further acknowledge and agree that as of the closing of this transaction, the Purchaser, its successors and assigns, shall assume the liability and responsibility set forth in the said Cost-Sharing Agreement with respect to the "City Development Lands" as defined in that Agreement. The City shall continue to be a party to the said Agreement with respect to the "City Stadium Lands" as defined in the said Agreement.
- 9.(c) The Purchaser has until August 30, 2000, (the "Requisition Period") to examine the title to the Real Property. If the Purchaser has any valid objection to the title the Purchaser must deliver a written description of the objection to the Vendor before the expiry of the Requisition Period. Then, if the Vendor, acting reasonably and in good faith, is unable or unwilling to satisfy the objection, and the Purchaser will not withdraw it, the Vendor may cancel this Agreement despite the Vendor's attempts to clear the objection or despite discussions with the Purchaser about it. Under these circumstances, the deposit shall be returned to the Purchaser and the Vendor and the Purchaser shall have no further liability to the other.
- 9.(d) The Vendor shall not be bound to produce any abstract of title or title deeds or any other evidence of title except as are in its possession.

10. The Purchaser covenants and agrees to commence construction of a building of a minimum of 30,000 sq.ft. for the purposes of its business not later than eighteen (18) months from the Closing Date, and to have substantially completed the said building within one (1) additional year from the end of the said eighteen month period. Failing this, the Vendor may, at its option, at any time after either of such dates, require the Purchaser to retransfer the Real Property to the Vendor free from encumbrances at a price equal to the purchase price paid by the Purchaser for the Real Property or the then current market value of the Real Property, whichever is lower. The Purchaser shall execute all such transfers and assurances as may be requisite in order to transfer good title to the Vendor within thirty (30) days of having been requested to do so by the Vendor. The Purchaser shall also pay to the Vendor, at the time of such retransfer, the reasonable legal and administrative fees of the Vendor including Land Transfer Tax and registration costs incurred to complete the retransfer.
- 11.(a) In this paragraph, “Hazardous Materials” means any contaminants, pollutants, substances or materials that, when released to the natural environment, could cause at some immediate or future time, harm or degradation to the natural environment or risk to human health, whether or not such contaminants, pollutants, substances or materials are or shall become prohibited, controlled or regulated by any government authority and any “contaminants”, “dangerous substances”, “hazardous wastes”, “industrial wastes”, “liquid wastes”, “pollutants” and “toxic substances”, all as defined in, referred to or contemplated in federal, provincial and/or municipal legislation, regulations, orders and/or ordinances relating to environmental, health and/or safety matters.
- 11.(b) The Vendor warrants that to the best of the Vendor’s knowledge there are no Hazardous Materials on or affecting the Real Property except in substantial compliance with all laws, regulations, or orders rendered by any government authority, whether on or below the surface of the Real Property or located in structures or buildings erected thereon, including, without limitation, any urea formaldehyde foam type insulations, any asbestos or building materials containing asbestos, gasoline, PCB’s or radioactive substances, nor to the best of the Vendor’s knowledge, are any Hazardous Materials present on properties currently owned by the Vendor adjacent to the Real Property which would affect the uses to which the Real Property may be put or the market value thereof.
- 11.(c) The Vendor further warrants that it has not received notice of and has no knowledge of any pending, contemplated, or threatened litigation or claim for judicial or governmental administrative action relating to the use of the Real Property by the Vendor or the Vendor’s predecessors in title, the existence on the Real Property of, or leakage from the Real Property of, Hazardous Materials.

- 11.(d) The Vendor further warrants that it has not received notice of, nor does the Vendor have any knowledge or information regarding, any compliance notice, order, directive, request, or advice from or issued by any government authority relating to the existence on, or leakage or emission from the Real Property of any Hazardous Materials.
12. All adjustments, including taxes, shall be made as of the date of closing.
13. The parties covenant and agree that the Real Property shall be subject to all statutes, by-laws, notice(s), orders, rules or regulations of all municipal, regional and other governmental authorities which are of general application, and specifically, shall be subject to Site Plan Approval under the provisions of the Planning Act, R.S.O. 1990, Chapter P.13.
14. Tender may be validly and effectively made upon the designated solicitors for the party being tendered upon. Payment must be made or tendered by certified cheque drawn on a Canadian chartered bank or trust company.
15. This Agreement is effective only if it does not offend the Planning Act, R.S.O. 1990, Chapter P.13, as amended, from time to time.
16. The Vendor confirms that the Vendor and any other person having to sign the Transfer will be residents of Canada on the Closing Date.
17. The Purchaser's lawyer will prepare the Transfer and it shall be registered at the Purchaser's expense.
18. Any written notice or delivery concerning this Agreement shall be made to either party, their lawyers or their agents at their respective last known addresses and may be made by facsimile. The facsimile copy or its transmission receipt is sufficient evidence of the original notice or document so delivered in this fashion.
19. The successor and assigns of the Vendor and the Purchaser are bound by and may benefit from the terms of this Agreement.
20. All the time periods and dates referred to in this Agreement must be strictly observed by both parties.
21. This offer shall be irrevocable by the Purchaser until 5:00 p.m. on the 7th day of July, 2000 (the "Irrevocable Date"), after which time, if not accepted by the Vendor, this offer shall be null and void and of no further force and effect and the deposit without deduction shall be forthwith returned to the Purchaser.

Purchaser's Acceptance signed on July 6th, 2000.

BONA BUILDING & MANAGEMENT CO. LTD.


Per: (Name and Title)

ROY NEILSON,
VICE-PRESIDENT

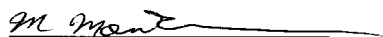
I/We have the authority to bind the Corporation.

The lawyer for the Purchaser is Jeffrey W. Beedell, Lang, Michener, 300-50 O'Connor Street, Ottawa, Ontario K1P 6L2

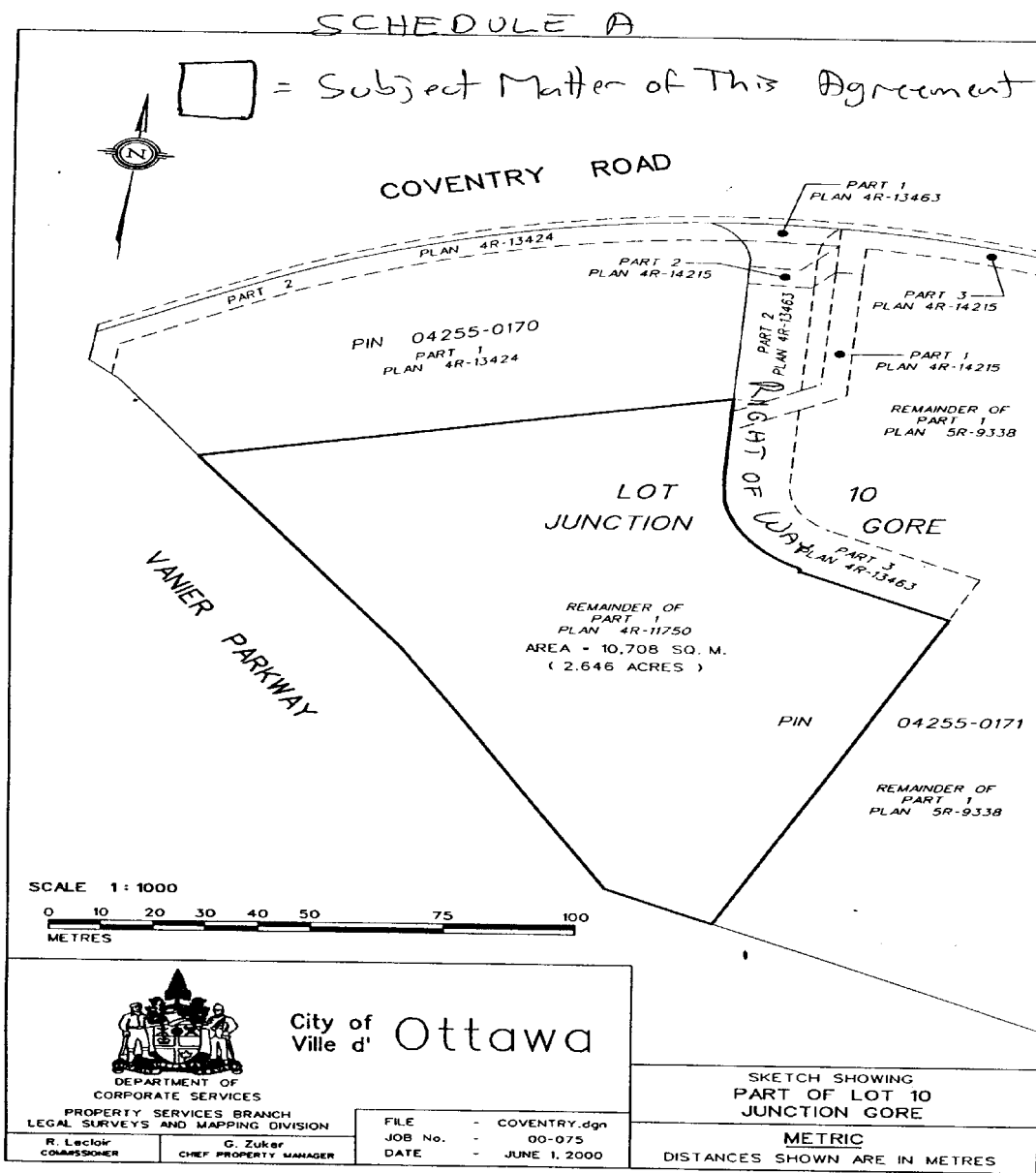
Vendor's Acceptance signed on July 6th, 2000.

THE CORPORATION OF THE CITY OF OTTAWA

for


John S. Burke,
Chief Administrative Officer

The lawyer for the Vendor is Janet L. Mitchell, Office of the City Solicitor, The Corporation of the City of Ottawa, 111 Sussex Drive, Rideau Pavilion, Ottawa, Ontario,



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June 30, 2000

ACS2000-CS-PTY-0008
(File: RHS3000/BEEC 0320)

Department of Corporate Services

Ward/Quartier
OT6 - Somerset


- Policy, Priorities and Budgeting Committee / Comité des politiques, des priorités et des budgets
- City Council / Conseil municipal

Action/Exécution

2. Property - Disposal - Closed Streets at 85-91 Beech Street Propriété - Cession - Fermeture des rues à 85-91, rue Beech


Recommendation

Should the portions of Aberdeen Street and Beech Street (Document 1) be closed as approved at City Council on April 5, 2000, that they be declared surplus to City requirements and disposed of in accordance with the Corporate Policy on Disposal of Surplus Real Property and the Commissioner of Corporate Services' delegated authority.



June 30, 2000 (9:00a)

R.T. Leclair
Commissioner of Corporate Services



July 5, 2000 (2:58p)

Approved by
John S. Burke
Chief Administrative Officer

DR:dr

Contact: David Richardson - 244-5300 ext. 1-3736

Financial Comment

The 2000 budget approved January 17, 2000 has \$1.7 million budgeted in land sales as part of the Reserve for General Capital. Further, City Council approved a motion whereby once the \$1.7 million in net land sales revenues has been received and credited to the R.G.C., the disposition of all other revenues from land sales will then be determined by City Council. There will be a future report brought forward to Council at the time that this budgeted net land sales for 2000 has been achieved.

Therefore, subject to City Council approval of this report, the net sales proceeds from this property once received will be credited to the Reserve for General Capital.



July 5, 2000 (2:31p)

for Mona Monkman
City Treasurer

RL:cds

Executive Report

Reasons Behind Recommendation

A street closure application has been initiated by the property owner whose lands abut part of Aberdeen Street and Beech Street. A plan to illustrate the portions of the streets to be closed is included as Document 1. The purpose of the proposed road closure is to create privatized parking for a residential development proposal in an area where there is a shortage in the availability of on-street public parking.

At its meeting held on April 5, 2000, City Council approved the street closures (PEDC Report 6) subject to specific terms and conditions which are standard in order to ensure that the abutting owner has completed its due diligence prior to the City proceeding with its closure.

In instances where the terms and conditions have not been met by the abutting owner within the prescribed time, generally one year from the date of Council approval of the street closure, the City Solicitor's Office would not proceed to register the street closure on title and the sale would not be completed for that portion of the street.

With respect to the closure and conveyance of any part of a street or lane over which a municipality has jurisdiction, the Ontario Municipal Act requires the municipality to set by by-law, the sale price of the land to be sold.

City Council on April 4, 1990 carried a recommendation by the Department of Planning and Development "that market value be charged where applicable, for lands which are proposed to be conveyed as a result of closing a street or lane". Subsequently, as a means to clarify the concept of market values as it pertains to undevelopable land, as well as to standardize the methodology in establishing sale prices in transactions to abutting owners, City Council on May 1, 1991, carried the following recommendations by the then Department of Housing and Property:

“That in cases where the city intends to sell surplus property to adjacent owners that have no development potential as a separate entity, the market value of such lands will be arrived at by estimating the market value of the adjacent lands before and after the assembly”; and

“That where the City offers for sale any property which it owns, that has no development potential, does not enhance the development potential of the property to the current owner, and has no inherent value on the open market (such as laneways), it shall be conveyed to the purchaser at one half the cost per square foot of neighbouring land possessing similar zoning.”

While the closed portions of Aberdeen Street having an area 3,552± square feet and Beech Street having an area of 234± square feet would not be developable on their own, they will form an intricate part of the proposed development of the abutting property. This closure will benefit the abutting property owner in enabling the residential building conversion to incorporate balconies that project over this part of the street. Therefore, the closed streets are being acquired by the abutting owner as part of a land assembly for the proposed development and full market value should apply.

An independent appraisal has determined that the market value of the proposed closed portions of Aberdeen Street and Beech Street is \$15.00 per square foot which the abutting owner has agreed to pay. Should the streets be closed, the conveyance of the closed portions of the Streets to the abutting owner would be for the total consideration of \$56,790, subject to survey.

In accordance with the Transition Board Property Guideline No. 1, Transition Board approval is not required as both the property value and the transaction are less than \$100,000.

Disposition

Originating Department

List of Supporting Documentation

Document 1 Sketch to illustrate property to be conveyed.

Part II - Supporting Documentation

Document 1



July 17, 2000

ACS2000-CS-PTY-0010
(File: RHI2233/6000)

Department of Corporate Services

Ward/Quartier
OT5 - Bruyère-Strathcona

- Policy, Priorities and Budgeting Committee / Comité des politiques, des priorités et des budgets
- City Council / Conseil municipal

Action/Exécution

**3. Property - Disposal - Closed Lane Adjacent to 9 - 15 Robinson Avenue
Propriété - Cession - Fermeture d'une rue adjacente aux 9-15,
avenue Robinson**

Recommendation

Should the portion of the lane adjacent to 9 - 15 Robinson Avenue be closed, that it be declared surplus to City requirements and disposed of in accordance with the Corporate Policy on Disposal of Surplus Real Property and the Commissioner of Corporate Services' delegated authority.



July 18, 2000 (8:50a)

J.J. Bellomo
A/Commissioner of Corporate Services



July 19, 2000 (8:48a)


Approved by
John S. Burke
Chief Administrative Officer

NH:nh

Contact: Nancy Hay - 244-5300 ext. 1-3718

Financial Comment

Subject to City Council approval, the net proceeds from the disposal of the property will be credited to the General Capital Reserve.


July 18, 2000 (11:09a)

for Mona Monkman
City Treasurer

BH:ari

Executive Report

Reasons Behind Recommendation

A street closure application has been initiated by the property owners whose lands abut the lane illustrated in Document 1. The purpose of the proposed lane closure is to facilitate a planned townhouse development on the adjacent property at 9 - 15 Robinson Avenue site.

With respect to the closure and conveyance of any part of a street or lane over which a municipality has jurisdiction, the Ontario Municipal Act requires the municipality to set by by-law, the sale price of the land to be sold.

City Council on April 4, 1990 carried a recommendation by the Department of Planning and Development “that market value be charged where applicable, for lands which are proposed to be conveyed as a result of closing a street or lane”. Subsequently, as a means to clarify the concept of market values as it pertains to undevelopable land, as well as to standardize the methodology in establishing sale prices in transactions to abutting owners, City Council on May 1, 1991, carried the following recommendations by the then Department of Housing and Property:

“That in cases where the city intends to sell surplus property to adjacent owners that have no development potential as a separate entity, the market value of such lands will be arrived at by estimating the market value of the adjacent lands before and after the assembly”; and

“That where the City offers for sale any property which it owns, that has no development potential, does not enhance the development potential of the property to the current owner, and has no inherent value on the open market (such as laneways), it shall be conveyed to the purchaser at one half the cost per square foot of neighbouring land possessing similar zoning.”

While the closed portions of the lane adjacent to 9 - 15 Robinson Avenue, having an area of 1,383.12 ± square feet, would not be developable on its own, it will form an part of a planned townhouse unit development on the adjacent lands and will, therefore, benefit the abutting property owner. Therefore, the closed lane is being acquired by the abutting owner as part of a land assembly for the proposed development and full market value should apply.

The market value for the proposed closed lane, which has been determined based on a review of recent comparable sales in the area, is \$12.00 a square foot. Should the lane be closed, the conveyance of the closed portion of the lane to the abutting owner would be for the total consideration of \$16,597, subject to survey.

In accordance with the Transition Board Property Guideline No. 1, Transition Board approval is not required as both the property value and the transaction are less than \$100,000.

Disposition

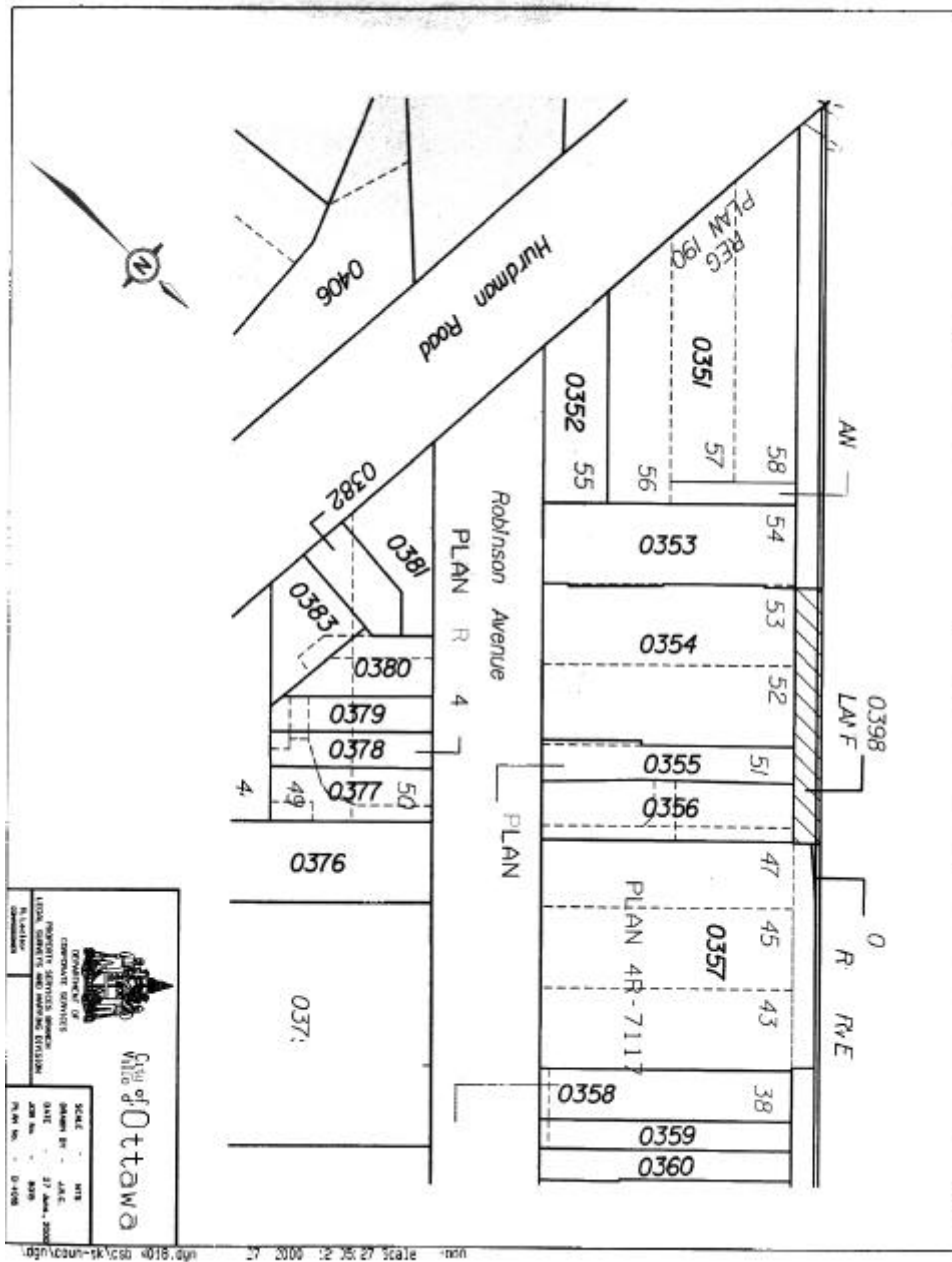
Originating Department.

List of Supporting Documentation

Document 1 Sketch to illustrate portion of lane to be closed and conveyed.

Part II - Supporting Documentation

Document 1



June 27, 2000

ACS2000-CV-DIA-0005
(File: ACS1300)

Disability Issues Advisory Committee

Ward/Quartier
City Wide

- Policy, Priorities and Budgeting Committee / Comité des politiques, des priorités et des budgets
- City Council / Conseil municipal

Action/Exécution

4. Disabilities Issues Advisory Committee -1999-2000 Annual Report and objectives for year 2001

Comité consultatif sur les handicaps - Rapport annuel de 1999-2000 et les object de l'an 2001

Recommendations

1. That the 1999-2000 Annual Report, as detailed in Document 1, be received.
2. The Committee recommends that the objectives for the year 2001 be approved
3. That the accompanying resources requirements, as described in the submission, be considered within the year 2001 budget and be made available to Council as part of the budget documentation.



June 27, 2000 (11:00a)

Bob Brown
Chairperson

MB:cl

Contact: Carole Langford - 244-5300 ext. 1-3617
Bob Brown - 731-1989

Financial Comment

Funds for the Disabilities Issues Advisory Committee base budget of \$2,500 are currently provided for in account 2231921 in the Department of Corporate Services 2000 approved Operating Budget. Further, DIAC has received an additional \$900 from the unallocated bulk provision of \$10,000 provided in account 2231911 as approved during budget deliberations of January 17, 2000.

On April 5, 2000 City Council approved a report New Municipal Model - Advisory Committee Structure, which requests the existing advisory committees of the current City of Ottawa be included in the transition process to the new City of Ottawa. Therefore, Recommendation 3 pertaining to this advisory committee's 2001 budget will be made available to the Ottawa Transition Board for consideration as part of the budget process and included in budget documents.



June 28, 2000 (3:05p)

for Mona Monkman
City Treasurer

RL:cds

Executive Report

Reasons Behind Recommendations

Recommendation 1

The Disability Issues Advisory Committee, in accordance with the reporting requirements for Advisory Committees, submits its 1999/2000 annual report for the information of Council.

Recommendation 2

In addition to the tasks prescribed by its mandate, the Committee submits the following objectives for the year 2001:

OBJECTIVE 1

DIAC will continue its consultative and advisory role with the Office of the Chief Administrative Officer(or its equivalent in the amalgamated City).

OBJECTIVE 2

DIAC will continue its consultative and advisory role with the Department of Urban Planning and Public Works regarding the Accessibility Audit of City owned/operated property.

OBJECTIVE 3

DIAC will seek to coordinate a two-stage Disability Issues Forum at City Hall. The forum will focus on issues which relate to accessibility, transportation, housing, employment and recreation opportunities and obstacles. The first phase will target Council and senior staff at City Hall while the second phase will be targeted towards Ottawa based representatives of the general public.

Budget requested for Objective 3 from the bulk allocation \$2,000

OBJECTIVE 4

DIAC will continue to provide advice to Council and city staff on the following:

- Municipal Election Procedures
- Municipal Buildings Access
- Infrastructure and Services, such as Building Inspections, recreation programming
- Site Plans for Major Projects
- The City's Website with respect to accessibility for persons using adaptive technologies or who have learning disabilities
- Issues anticipated with the Francophone Games

OBJECTIVE 5

DIAC will provide representation on the Advisory Committee on Equity and Diversity and TAC, as well as at official disability related events where the City of Ottawa has been asked to participate or other as require.

OBJECTIVE 6

DIAC will continue presenting the yearly Breaking Barriers Award Program to city employees and wishes to inaugurate an annual award to recognize architects/developers for significant innovation/awareness in addressing accessibility barriers.

OBJECTIVE 7

DIAC will promote and/or assist in organizing an event to foster cross-disability cooperation and setting of common goals between groups.

OBJECTIVE 8

DIAC will assist the Transition Team, the newly elected Council and the City Manager in developing an appropriate process for assimilating DIAC into the operation of the new city.

Recommendation 3

In addition to the funds requested for the Objectives for 2001, funding is also requested to cover expenditures associated with food, taxis and child care services since the Committee meets during the lunch hour.

Budget requested from the bulk allocation \$400.00

Consultation

There was no broad consultation on these objectives; however, public input came through the members of the Advisory Committee and from participation by the public, at the invitation of the Committee, on issues of particular concern to them at the monthly meetings of the Committee.

Disposition

Objective 1-8 Disability Issues Advisory Committee
Objective 1 Human Rights and Employment Equity Division, Office of the Chief
 Administrative Officer

List of Supporting Documentation

Document 1 Annual Report for June 1999-2000

Part II - Supporting Documentation**Document 1**

**DISABILITIES ISSUES ADVISORY COMMITTEE (DIAC)
ANNUAL REPORT FOR JUNE 1998-1999**

1. ADMINISTRATIONMembership

During 1999-2000, three members resigned or retired, bringing the total membership to eight. Mr. Bob Brown was elected Chairperson. Barry McMahon was re-elected as Vice-Chairperson.

2. Motions Passed By City Council

The following is a summary of the motions which were brought before the appropriate Standing Committees and passed by City Council:

a. Taxi Cabs

That City Council, in recognition of the community need for accessible taxicab service awarded twelve licenses to owners of cabs designed for disabled passengers.

b. Access Canada - Pilot Project

That the City of Ottawa review the Hotel Association of Canada's Access Canada Program (a universally recognized group of symbols identifying the level of accessibility of a public facility e.g. availability of washrooms accessible to the disabled) in order to determine the feasibility of city wide implementation and that subject to the acceptance of such a program the ByWard Market area be used as a pilot project.

c. New City Organizational Structure

That City Council recommend to the Transition Board:

- i. That the new City Council include in the new municipal model an Advisory Committee structure such as the one currently in place in the City of Ottawa.

- ii. That the current Advisory Committees of the City of Ottawa, in collaboration with similar Committees from the other municipalities which will form the new City of Ottawa, where appropriate, be included in the transition process as Advisory Committees to the Transition Board.

d. Fines for Misuse of Handicapped Parking

That in view of the short supply and to discourage the misuse of designated handicapped reserved parking stalls, the City of Ottawa will display the amount of the parking fine on all official signage. A separate tab sign will be added to all existing and future signage posts.

3. Site Plan Application Review Sub-Committee

In December 1998, DIAC formed a Site Plan Application Review Sub-Committee to address concerns that appropriate input was not being provided to the decision makers at the appropriate time in the process for new building construction and commercial renovations. Following a one year trial, the Committee decided to continue the Sub-Committee's work indefinitely.

The Sub-Committee has reviewed Site Plans for over 50 major projects and has offered comments on corrective measures, where appropriate, to the City Planner within the designated time frames. The experience has given the Committee valuable insights and we believe has resulted in a heightened awareness by city staff of accessibility issues as many design weaknesses are flagged to us by them for discussion on remedies.

Also DIAC has learned of deficiencies in the current By-laws such as the parking space allotment for the disabled being limited to five spaces in any lot having greater than 1000 spaces. The St-Laurent Shopping Centre with over 4,500 spaces and having over 60 spaces dedicated to disabled parking could legally reduce that number to 5 as per the By-law rather than increase it, as DIAC and management as part of their proposed expansion would prefer, to 120 spaces. However, management and DIAC believe it is appropriate that these spots be recognized in the total parking space count since the disabled spot is 50% bigger than a regular spot. There is currently no provision in the By-law to recognize this fact.

As well, the Committee found that there is no provision for assignment of disabled spots in a parking garage if sufficient disabled spots are provided in an adjoining outdoor lot on the same premises. This means that the indoor garage could be designed without elevators or ramps and be inaccessible to someone in a wheelchair desiring a spot inside when the weather is inclement.

4. Ontarians with Disabilities Act

Joining with disability advocates throughout the province, DIAC reacted swiftly to voice its opposition to the proposed Bill 83 - The Ontarians with Disabilities Act, when the Legislature tabled the document. Prior to the tabling of this Bill, DIAC was invited to consult with provincial representatives, at which time it expressed the urgent need for clear leadership and an enforceable, powerful piece of legislation that would improve life for Ontario's 1.5 million people with disabilities. Ottawa is building thousands of new houses that people using wheelchairs cannot even visit, let alone reside in. Extensive renovations are being made to existing buildings without the need for providing barrier-free access, due to a weak Ontario Building Code. The Mayor and members of Council unanimously supported contacting the Premier to urge reconsideration of the proposed Bill 83, but such action was obviated by the death of the Bill on the order paper.

The Committee participated in the organization of a consultation session with Steve Peters, the Liberal Critic on Disability Issues, which was held at City Hall on March 16 and was attended by approximately 100 people. Mr. Peters conducted a tour of the major cities in Ontario gathering information to present to the Minister for inclusion in the ODA legislation promised for next year.

5. OCTranspo Low Floor Buses

DIAC took issue with OCTranspo for its extraordinarily long delay in providing barrier-free access to its public system buses. Letters were written in protest of the purchase of 80 new high-floor inaccessible buses since they would require expensive retrofitting. With a life-span of 20 years, DIAC found OCTranspo was not demonstrating concern for users with mobility difficulties when purchasing these buses or following the 1994 accessibility plan. OCTranspo has since started to purchase new low-floor wheelchair accessible buses and have just introduced them on a few routes. A letter from the Interim General Manager to DIAC stated that there will be 160 new low-floor buses by the end of 1999. The Committee is currently working to ensure that the new busses are deployed on the most frequently used routes and that they are scheduled so that the users can be assured of their availability.

6. Joint Project on Equity and Diversity

DIAC has recognised the need for a communications program targeted towards new Canadians, especially those from countries that do not afford persons with disabilities equal rights, opportunity or dignity. Discussions have taken place with the Advisory Committee on Equity and Diversity with the intention of creating a joint project with the two committees. DIAC has reached an agreement in which one of its members will sit as a non-voting member of the Equity and Diversity Committee.

7. City Accessibility Audit

The City is in the process of assessing all of its buildings and facilities to make sure architectural barriers are identified and recorded with the goal of eliminating them. This audit is scheduled for completion by the end of this year. Periodic reports to DIAC indicate the audit is on schedule. The Committee has collaborated with staff in prioritizing the more than one hundred items for renovation identified in the audit of the Sandy Hill Community Centre to maximize the benefits from the funds available.

8. Site Plan Award/ Breaking Barriers Award

In addition to the yearly Breaking Barriers Award, which is given to a City of Ottawa representative who has been exemplary in issues having to do with people with disabilities, DIAC proposed to create a Site Plan Award that would recognise a developer or business that has made the extra effort to modify their premises to include the needs of clients or employees with disabilities. The award would be presented by the Mayor and a representative of the business community. Media coverage would be encouraged.

9. Accessibility to Housing

The southern end of the City of Ottawa has witnessed a boom in housing development projects. In the past decade, many hundreds of brand new single and multi-dwelling units have been built throughout the city, especially in the south end. With that new construction came lots of new infrastructure. Unfortunately, none of these new communities were built to accommodate people with disabilities and the elderly. The shopping centres, community centres, and various services have had to be constructed barrier-free, in compliance with the provincial building code. However, due to lack of provincial guidelines, Ottawa does not promote accessible residential communities. Wheelchair users wishing to purchase a home in Ottawa continue to be subjected to blatant discrimination. They cannot even visit homes, let alone reside in a readily accessible unit. And once they have paid for all the adjustments to these new units, they find themselves segregated and marginalized because they cannot even visit a neighbour due to the architectural barriers.

Following further study, the Committee intends to present a motion to waive, reduce or exempt residents and builders from certain building fees if their construction is for the purpose of providing a means of access to the disabled or if the construction is intended specifically to be flexible in its design to accommodate the disabled whether as resident or visitor.

10. Reconstruction of Laurier Avenue Bridge

The Committee is providing input to the Region of Ottawa-Carleton design team on improvements to the bridge sidewalks, access ramps, access to the canal and the intersection at Nicholas Street.

11. Consultation with Architects

At the invitation of the architects working on the Sparks Street Mall, Ottawa University Residence and Engineering Buildings and the St. Laurent Shopping Centre, the Committee members met to offer suggestions on improving accessibility of entrances, location of parking spaces, Para-Transpo pick-up, etc.

12. Parking Issues at Private lots

A number of private operators have started to deploy the pay and display ticket dispensing machines which are used in unattended parking lots or after normal working hours. DIAC is particularly concerned about these machines as they pose a barrier to equal access and is in the committee's view a discriminatory practice against persons with disabilities. There is presently a human rights complaint which has been filed against the City as the licensing authority and a private parking lot in the downtown core.

13. Parking Issues at City Controlled Lots

DIAC is also concerned about the City's use of these machines at municipally operated parking lots.

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June 26, 2000

ACS2000-CV-FLS-0002
(O/Ref.: ACS1300)

Advisory Committee on French Language
Services

Ward/Quartier
City-wide

- Policy, Priorities and Budgeting
Committee / Comité des politiques, des
priorités et des budgets
- City Council / Conseil municipal

Implementation

5. Advisory Committee on French Languages Services- 1999-2000 Annual Report and 2001 Objectives

Comité consultatif sur les services en français- Rapport annuel de 1999-2000 et objectifs de 2001

Recommendations

1. That the 1999-2000 Annual Report included in Document 1 hereto be received.
2. The Committee recommends that the 2001 Objectives be approved.
3. That the attendant resource needs described in this report be accounted for in the 2001 Budget and included in the budget documents distributed to Council.



June 26, 2000 (12:54p)

France Pégeot
Chair

FP:bje

Contact: France Pégeot, 759-7558
Brenda Emond, 244-5300, ext. 3541

Financial Comment

Funds for the Advisory Committee on French Language Services base budget of \$2,000 are currently provided for in account 2231951 in the Department of Corporate Services 2000 approved Operating Budget. Further, ACFLS has received an additional \$200 from the unallocated bulk provision of \$10,000 provided in account 2231911 as approved during budget deliberations of January 17, 2000.

On April 5, 2000 City Council approved a report New Municipal Model - Advisory Committee Structure, which requests the existing advisory committees of the current City of Ottawa be included in the transition process to the new City of Ottawa. Therefore, Recommendation 3 pertaining to this advisory committee's 2001 budget will be made available to the Ottawa Transition Board for consideration as part of the budget process and included in budget documents.



June 29, 2000 (9:23a)

for Mona Monkman
City Treasurer

RL:cds

Report to Management

Reasons for Recommendations

Recommendation 1

Pursuant to the reporting requirements incumbent on Advisory Committees, the Advisory Committee on French Language Services is submitting its 1999/2000 report (Document 1) to City Council for information.

Recommendation 2

In addition to the duties inherent in its terms of reference, the Committee is submitting the following objectives for 2001.

Objective 1:

ROC and French-language

In the event that the City of Ottawa amalgamates with other municipalities in the Region, make recommendations concerning French-language service delivery and the protection of established rights.

Action

Lobby elected officials.

Hold information and awareness meetings with regional agencies and associations and with Francophones in other municipalities.

Objective 2:

Jeux de la Francophonie: Ensure the Committee's participation.

Action

Advise the National Committee responsible for organizing the games that the ACFLS is interested in participating in its activities.

Create a direct tie with the Executive Director of the games in order to receive regular updates on such activities.

Objective 3:

Take action to advance the bilingual character of the City of Ottawa.

Action

Ensure that residents are properly informed about the City of Ottawa's Official Languages Policy, their rights to service in the language of their choice, and the existing mechanism for following up on language-related complaints.

Recommendation 3

The Committee is requesting additional credits of \$500 to add to the amounts allocated for the payment of costs related to taxi services, child care services and meals.

Consultation

No public consultation was held given that members of the Advisory Committee on French Language Services discussed the issue at their meeting on June 15, 2000.

The Corporate Human Resources Branch, Department of Corporate Services, was consulted and the comments of its staff members were incorporated into the report.

Disposition

The Advisory Committee on French Language Services and the Corporate Human Resources Branch, Department of Corporate Services.

List of Supporting Documents

Document 1 - Annual Report of the Advisory Committee on French Language Services
(June 1999 to June 2000)

Part II - Supporting Documents

Document 1

1999-2000 Annual Report

This report covers the period from June 1999 to June 2000, during which the Committee held 6 meetings.

In light of the provincial government's decision to amalgamate the cities within the Regional Municipality to create the new City of Ottawa and given the challenge this new structure presents to the availability of services in French to taxpayers, the Committee focused its efforts on this issue this year.

Accordingly, the Committee frequently lobbied various provincial authorities, the Committee which eventually recommended amalgamating the cities, and the Transition Board. The Committee's objectives were to ensure the continued and perhaps improved delivery of services in French, and that the existing Official Languages Policy of the City of Ottawa would be adopted by the new municipality. The Committee's lobbying efforts also aimed to ensure that citizens' advisory committees, such as those which form part of the current City of Ottawa, would be included in the municipality's new political structure. This lobbying was conducted through letters to the above-mentioned authorities as well as written submissions and oral presentations to the committee chaired by Glen Shortcliffe and the Transition Board, as well as public consultation forums.

The Committee also submitted various motions related to the above two objectives to City Council, all of which were adopted.

Furthermore, the Committee organized a meeting with the other City of Ottawa Advisory Committees and with the French Language Services Committee of the Regional County Municipality of Ottawa-Carleton to discuss various topics related to the transition and the new municipal structure.

The Committee met with the Executive Director of the Jeux de la francophonie and requested a report from the City of Ottawa to know what steps it had taken to ensure the success of the games.

The Committee followed-up on language-related complaints to the City of Ottawa. It monitored the situation and recommended corrective action in each case.



June 26, 2000

ACS2000-CV-FLS-0002
(N/Réf.: ACS1300)Comité consultatif sur les services en français Quartier
À l'échelle de la ville

- Comité des politiques, des priorités et des budgets Exécution
- Conseil municipal Interprétation

Comité consultatif sur les services en français- Rapport annuel de 1999-2000 et les objectifs de 2001**Advisory Committee on French Languages Services- 1999-200 Annual Report and 2001 Objectives****Recommandations**

1. Que le Rapport annuel de 1999-2000, qui figure au document 1 ci-joint, soit reçu.
2. Le Comité recommande que les objectifs de 2001 soient approuvés.
3. Que les besoins y afférents en ressources décrits dans le présent rapport soient pris en considération dans le cadre du budget de 2001 et inclus dans les documents budgétaires distribués au Conseil.

June 26, 2000 (1:01p)

France Pégeot
Présidente

FP:bje

Personne-ressource: France Pégeot 759-7558
Brenda Emond 244-5300- poste 3541

Commentaire financier

Les fonds de 2 000 \$ au titre du budget de base du Comité consultatif sur les services en français sont présentement versés au compte 2231951 du budget de fonctionnement des Services intégrés approuvé pour l'an 2000. De plus, le Comité consultatif a reçu une somme supplémentaire de 200 \$ provenant de l'affectation globale non attribuée de 10 000 \$ versée au compte 2231911 qui a été approuvée durant les délibérations budgétaires du 17 janvier 2000.

Le 5 avril 2000, le Conseil municipal a approuvé le rapport *New Municipal Model - Advisory Committee Structure*, recommandant que les comités consultatifs de l'actuelle Ville d'Ottawa soient inclus dans le processus de transition vers la nouvelle Ville d'Ottawa. En conséquence, la recommandation 3 relative au budget de 2001 de ce comité consultatif sera soumise à l'examen du Conseil de transition dans le cadre du processus budgétaire et comprise dans les documents du budget



Le 29 juin 2000 (9h08)

pour Mona Monkman
trésorière municipale

RL:cds

Rapport pour la direction

Motifs à l'appui des recommandations

Recommandation 1

Le Comité consultatif sur les services en français, conformément aux exigences sur la présentation des rapports des comités consultatifs, soumet son rapport de 1999/2000 (Document 1) au Conseil municipal pour information.

Recommandation 2

En plus des tâches qui lui incombent par son mandat, le Comité soumet les objectifs suivants pour 2001:

Objectif 1:

ROC et la langue Française:

Faire des recommandations lors de la fusion de la ville d'Ottawa avec les municipalités de la région pour la prestation des services en français ainsi que la protection des droits acquis.

Mise en oeuvre

Interventions auprès des élus.

Sessions d'information et de sensibilisation auprès d'organismes et d'associations de la région ainsi qu'auprès des francophones des autres municipalités.

Objectif 2:

Jeux de la Francophonie: Assurer l'implication du Comité

Mise en oeuvre

Aviser le Comité national chargé de l'organisation des jeux de l'intérêt du CCLSF à participer aux activités.

Établir un lien direct avec le directeur général des Jeux afin d'être tenu au courant de ces activités.

Objectif 3:

Agir pour faire progresser le caractère bilingue de la ville d'Ottawa.

Mise en oeuvre

S'assurer que les résidents soient mis au courant de la Politique des langues officielles de la ville d'Ottawa, de leurs droits à se faire servir dans la langue de leur choix et du mécanisme en place pour donner suite aux plaintes de nature linguistique.

Recommandation 3

Le Comité demande des crédits supplémentaires de 500 \$ pour compléter les sommes affectées au paiement des coûts liés aux services de taxis, au gardiennage d'enfants et aux repas.

Consultation

Le public n'a pas été consulté étant donné que les membres du Comité consultatif sur les services en français ont discuté de la question à l'occasion de sa réunion le 15 juin 2000.

La Direction des ressources humaines, Services intégrés, a été consultée et les commentaires de son personnel sont intégrés dans le rapport.

Décision

Le Comité consultatif sur les services en français et la Direction des ressources humaines, Services intégrés, seront responsables de la mise en oeuvre des objectifs.

Liste des documents à l'appui

Document 1 - Rapport annuel du Comité consultatif sur les services en français (juin 1999 à juin 2000)

Rapport annuel 1999-2000

Ce rapport touche la période de juin 1999 à juin 2000, au cours de laquelle le Comité a tenu 6 réunions.

Compte tenu de la décision du gouvernement provincial de fusionner les villes de la municipalité régionale pour former la nouvelle ville d'Ottawa et de l'enjeu que représente cette nouvelle structure pour l'accessibilité à des services en français par les contribuables, le Comité a concentré ses efforts autour de cette question, cette année.

Ainsi, le Comité consultatif sur les services en français a fait plusieurs représentations auprès des instances provinciales, et le comité M. Shorcliffe qui a éventuellement recommandé de fusionner les villes et du comité de transition. Les objectifs visés par le Comité étaient que la prestation de services en français soit maintenue et même améliorée, et que la politique sur les langues officielles en place à la ville d'Ottawa soit adoptée par la nouvelle municipalité. Les représentations du Comité ont aussi été faites pour que des comités consultatifs composés de citoyens et de citoyennes, comme ceux faisant partie de la structure de la présente ville d'Ottawa, fassent partie de la structure politique de la nouvelle municipalité. Ces représentations ont pris la forme de lettres aux instances mentionnées ci-haut, de soumissions écrites et des présentations orales auprès du comité présidé par Glen Shortcliffe et du comité de transition ainsi que lors de forums public, de consultation.

Le Comité a également soumis au Conseil municipal plusieurs motions en relation avec les deux objectifs cités ci-haut, lesquelles ont toutes été adoptées.

Le Comité a également organisé une réunion avec les autres comités consultatifs de la ville d'Ottawa ainsi qu'avec le comité sur les services en français de région d'Ottawa-Carleton pour échanger sur différents sujets entourant la transition et la nouvelle structure municipale.

Le Comité a rencontré le directeur général des Jeux de la francophonie et a demandé un rapport à la ville d'Ottawa sur ce que la ville avait entrepris pour assurer le succès des Jeux.

Le Comité a assuré le suivi des plaintes de nature linguistique faites auprès de la ville d'Ottawa. Dans chaque cas, il a surveillé la situation et recommandé des mesures correctives.