

Community Services and Operations Committee
Comité des services communautaires et des opérations

Agenda 16
Ordre du jour 16

Wednesday, September 29, 1999 - 9:15 a.m.
Le mercredi 29 septembre 1999 - 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 15 (September 8, 1999)
 In-Camera Minutes 11 (September 8, 1999)

Procès-verbal 15 (Le 8 septembre 1999)
 Procès-verbal 11 huis clos (Le 8 septembre 1999)

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Councillor/Conseiller Stéphane Émard-Chabot, Chairperson/président

Councillor/Conseillère Inez Berg, Vice-Chairperson/vice-présidente

Councillor/Conseillère Elisabeth Arnold

Councillor/Conseillère Diane Deans

Councillor/Conseiller Allan Higdon

Councillor/Conseiller Shawn Little

LZF

September 7, 1999

CC2Z1999246
(File: ACC1560/99)

Ward/Quartier
City Wide

1. Meeting Schedule - 2000
Calendrier des réunions - 2000

The following 2000 Standing Committee and City Council meeting schedule is provided to each Standing Committee for approval of their own specific Committee:

For your information the March Break in 2000 is the week of March 13 - 17, 2000 for all School Boards.

Planning and Economic Development Committee Comité de l'urbanisme et de l'expansion économique	
January 11 and 25	Les 11 et 25 janvier
February 8 and 22	Les 8 et 22 février
March 28	Le 28 mars
April 11 and 25	Les 11 et 25 avril
May 9 and 30	Les 9 et 30 mai
June 13 and 27	Les 13 et 27 juin
July 25	Le 25 juillet
August 29	Le 29 août
September 12 and 26	Les 12 et 26 septembre
October 10 and 24	Les 10 et 24 octobre
November 7 and 28	Les 7 et 28 novembre
December 12	Le 12 décembre

Community Services and Operations Committee Comité des services communautaires et des opérations	
January 12 and 26	Les 12 et 26 janvier
February 9 and 23	Les 9 et 23 février
March 29	Le 29 mars
April 12 and 26	Les 12 et 26 avril
May 10 and 31	Les 10 et 31 mai
June 14 and 28	Les 14 et 28 juin
July 26	Le 26 juillet
August 30	Le 30 août
September 13 and 27	Les 13 et 27 septembre
October 11 and 25	Les 11 et 25 octobre
November 8 and 29	Les 8 et 29 novembre
December 13	Le 13 décembre

**AUDIT COMMITTEE SCHEDULE TO BE ISSUED FOLLOWING ITS
DECEMBER MEETING.**

Policy, Priorities and Budgeting Committee Comité des politiques, des priorités et des budgets	
January 13 and 27	Les 13 et 27 janvier
February 10 and 24	Les 10 et 24 février
March 30	Le 30 mars
April 13 and 27	Les 13 et 27 avril
May 11	Le 11 mai
June 1, 15 and 29	Les 1, 15 et 29 juin
July 27	Le 27 juillet
August 31	Le 31 août
September 14 and 28	Les 14 et 28 septembre
October 12 and 26	Les 12 et 26 octobre
November 9 and 30	Les 9 et 30 novembre
December 14	Le 14 décembre
City Council/Conseil municipal	
January 19	Le 19 janvier
February 2 and 16	Les 2 et 16 janvier
March 1	Le 1 ^{er} mars
April 5 and 19	Les 5 et 19 avril
May 3 and 17	Les 3 et 17 mai
June 7 and 21	Les 7 et 21 juin
July 5	Le 5 juillet
August 2	Le 2 août
September 6 and 20	Les 6 et 20 septembre
October 4 and 18	Les 4 et 18 octobre
November 1 and 15	Les 1 et 15 novembre
December 6 and 20	Les 6 et 20 décembre

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September 15, 1999

ACS1999-PW-ENG-0015
(File: EW-129-E2)

Department of Urban Planning and Public
Works

Ward/Quartier
City Wide

- Community Services and Operations
Committee / Comité des services
communautaires et des opérations
- City Council / Conseil municipal

Action/Exécution

2. Encroachment By-law Number 167-73 - Minor Revision

Arrêté municipal 167-73 sur l'empiétement - Révision mineure

Recommendation

That the Encroachment By-law Number 167-73 be amended as set out in Document 1.



September 20, 1999 (2:16p)

Edward Robinson
Commissioner of Urban Planning and Public
Works



September 20, 1999 (2:41p)

Approved by
John S. Burke
Chief Administrative Officer

TH:th

Contact: Trevor Harris - 244-5300 ext. 1-3764

Financial Comment

There are no direct financial implications in this recommendation.



September 20, 1999 (2:09p)

for Mona Monkman
City Treasurer

CP:cds

Executive Report

Reasons Behind Recommendation

During the operational period of outdoor patios there is very significant usage by members of the public thereby increasing the possibility of injury or loss occurring. As a pro-active risk management measure to protect itself from any third party legal claims or actions, it is recommended that permit holders for outdoor patios be required to indemnify the Corporation and provide and maintain comprehensive general liability insurance subject to limits of not less than \$1,000,000 inclusive per occurrence and naming the Corporation as an additional insured. These insurance requirements are a standard clause in all City of Ottawa contracts and will not impose any additional costs with respect to the existing insurance arrangements of patio permit holders.

This wording essentially cedes associated patio encroachment liabilities to the applicant and the applicant's employees and agents, and replaces the need for the Corporation to defend itself and pay a claim by making the applicant's insurance primary.

Consultation

Given the minor technical nature of the proposed changes to the by-law, no public consultation was considered necessary.

Disposition

Office of the City Solicitor

Undertake the necessary action to process the amending by-law to City Council. Establish and maintain proof of insurance within an automated insurance registry for patio permit holders.

Department of Urban Planning and Public Works, Engineering Branch

Enforce By-law Number 167-73 in accordance with the most recent revisions.

List of Supporting Documentation

Document 1 Amendments to the Encroachment By-law Number 167-73

Part II - Supporting Documentation

Document 1

BY-LAW NUMBER

A by-law of The Corporation of the City of Ottawa amending By-law Number 167-73.

The Council of The Corporation of the City of Ottawa enacts as follows:

1. Section 19A of By-law Number 167-73 entitled "A By-law of The Corporation of the City of Ottawa regulating encroachments on streets", as amended, is repealed and the following section substituted therefor:

19A. (1) In the case of temporary surface encroachment as defined in subclauses (II) of clause (A) of subparagraph (iii) of paragraph (c) of Section 2, the applicant shall file an application for a permit to be made on Form A together with the following:

- (a) information as to the specified encroachment and the materials to be used,
- (b) a plan in triplicate showing the location and dimensions of the encroachment and of the adjacent part of the premises to which it will be appurtenant and the location of the lot lines,
- (c) an agreement respecting indemnification, satisfactory to the Corporation, in accordance with subsection (2),
- (d) evidence of insurance, satisfactory to the Corporation, in accordance with subsection (3),
- (e) the sum of Two Hundred and Eight Dollars (\$208.00) to cover the cost of processing the first application for the specified encroachment filed on or after April 15 of the current year, and
- (f) an indication as to whether the application is for an annual permit or a seasonal permit.

(2) The applicant agrees to indemnify and save harmless the Corporation from any and all claims, demands causes of action, loss, costs, or damages that the Corporation may suffer, incur or be liable for, resulting from the performance of the applicant, its employees and agents as set out in the Encroachment By-law related to outdoor patios, save and except, claims, demands, actions or causes of action arising out of or as a result of the negligent actions of the Corporation.

(3) The applicant shall provide and maintain Comprehensive General Liability insurance subject to limits of not less than \$1,000,000 inclusive per

occurrence for bodily injury, death and damage to property including loss of use therefor and, such insurance shall be in the name of the applicant and shall name The Corporation of the City of Ottawa as a additional insured thereunder.

- (4) The insurance referred to in subsection (3) shall contain an endorsement to provide the Corporation with thirty (30) days written notice of cancellation.
- (5) Evidence of insurance, satisfactory to the Corporation, shall be provided prior to the issuance of a permit.

GIVEN under the corporate seal of the City of Ottawa this day of ,
1999.

CITY CLERK

MAYOR

September 20, 1999

ACS1999-PW-LTB-0052
(File: TGR2170/EDIS)

Department of Urban Planning and Public
Works

Ward/Quartier
OT7 - Kitchissippi

- Community Services and Operations
Committee / Comité des services
communautaires et des opérations
- City Council / Conseil municipal

Action/Exécution

**3. Parking - Permit Parking - Edison Avenue - Westboro United Church
Stationnement - Permis de stationnement - Avenue Edison - Église unie
Westboro**

Recommendations

1. That exclusive on-street permit parking privileges NOT be granted to Westboro United Church at this time.
2. That staff review in detail the existing on-street parking permit programs by November 30, 1999, with the intention of preparing a comprehensive evaluation, including consideration to how parking can be provided for charitable and other not-for-profit organizations within the framework of these existing programs, by Spring 2000.



September 20, 1999 (1:59p)

Edward Robinson
Commissioner of Urban Planning and Public
Works

RKO:lf

Contact: Robert Orchin - 244-5300 ext. 1-3662



September 20, 1999 (2:38p)

Approved by
John S. Burke
Chief Administrative Officer

Financial Comment

There are no direct financial implications in these recommendations.



September 20, 1999 (11:26a)

for Mona Monkman
City Treasurer

CP:cds

Executive Report

Reasons Behind Recommendations

Background

At its meeting of September 8, 1999, the Community Services and Operations Committee referred a motion (**Document 1**) to staff for review of options, including the implications to current parkers in the vicinity, and report back at the next meeting - September 29, 1999. The directive set out in the motion (**Document 1**) is as follows:

- that a pilot program be implemented that designates the parking fronting on the Westboro United Church property on the east side of Edison Avenue as “Permit Parking Only”, 8:00 a.m. - 5:00 p.m., Monday - Friday; and, that the Church be issued the permits for distribution;
- that the Department of Urban Planning and Public Works review the pilot program, suggest guidelines and recommendations for the implementation of a city-wide program to address similar situations on a permanent basis, and report back to CSOC in one year.

It is staff's understanding that this request has been made as the Westboro United Church does not have any off-street parking. Granting of the request would provide six on-street spaces in front of the Church. The Church uses an adjacent school on Sundays, however, this off-site parking is unavailable on weekdays. Volunteers and others associated with Church activities during the week have received tickets for overtime parking, and parking is not available at times.

The general (unsigned) 3-hour parking time limit regulations apply on Edison Avenue. The three-hour general parking limit is in effect to deter all motorists from long-term parking on City streets. It assists in ensuring that vehicles are not stored on the street for extended periods of time, which can interfere with street maintenance operations, particularly during

the winter. Compliance with this general regulation is not normally considered to be a hardship.

In the vicinity of Westboro United Church, many streets with parking permitted on both sides are available, although only a limited number of spaces are available directly in front the Church or along Edison Avenue. Churchill Alternative School, at 345 Ravenhill Avenue, is located in the immediate vicinity of the Church and participants of activities and service programs at both locations often compete for the few on-street spaces that are located conveniently nearby. Due to on-street parking restrictions required in front of the school, the spaces along Edison Avenue are well used, however, many spaces are available elsewhere in the neighbourhood on roadways such as Churchill, Melbourne and Kenwood Avenues. To grant special parking privileges to volunteers and services workers affiliated with Westboro United Church would therefore be at the detriment to those participating in school activities and programs offered at the neighbouring school.

Recommendations 1 and 2

Under provisions of the Municipal Act, permits can be issued for on-street parking by the City. There are two distinct issues which must be considered in analyzing this request.

- the appropriateness of issuing permits for exemptions to on-street parking *regulations*, which include parking and no parking zones, and time limits, which otherwise apply to all users. The City's Traffic and Parking By-law 1-96 includes regulations for on-street parking; and,
- the appropriateness of issuing permits that provide *exclusive parking privileges* only to permit holders to park in a certain area.

The main issue with respect to the request from the Church is that the type of permit requested would allow a particular individual or group of permit holders *exclusive* use of curb space. In addressing this request, staff have undertaken a brief review of the existing parking permit programs. Given the short time period to report back to Committee, it has not been possible to obtain comments from all staff who are involved in the parking permit programs.

Legislation

Section 210 (124) of the Municipal Act provides the authority for a municipality to grant permits for parking on roadways within the City's jurisdiction:

“For allowing the parking of motor vehicles or any class or classes thereof on designated parts of highways for specified periods and during specified hours pursuant to permits issued and charging such fee as the council may determine for the privilege of parking for such periods and during such time.

- The by-law may prohibit the parking, standing or stopping of motor vehicles on the designated highways or the designated parts of highways during specified hours except by authority of a permit.
- The by-law may provide for exemptions from parking, standing or stopping prohibitions of any by-law of the Corporation regulating traffic where a permit is used.”

By-laws 232-97 and 233-97 (**Documents 2 and 3**) pertain to the existing parking permit programs. These two by-laws are office consolidations of the original by-laws passed by Council (By-law 271-82 and By-law 76-84, as amended by By-laws 152-88, 153-88, and 224-89).

Parking Permit Programs

There are currently three permit parking programs in effect which provide permit holders with specific exemptions from certain sections of the Traffic and Parking By-law:

- the **Residential Parking Permit Program**, which grants exemptions from certain regulations (time limits) of the City’s Traffic and Parking By-law. It does not provide special or exclusive parking privileges to permit holders;
- the **Visitor Permit Parking Program**, which is supplementary to the Residential Program, and allows visitors to residents who live within designated areas equivalent privileges, on a temporary basis (2 week maximum); and,
- the **Guest Permit Parking Program**, which offers an opportunity for guests to park on-street in certain areas where parking has been prohibited typically due to proximity to a major traffic generator. It does not grant exemptions to maximum 3-hour parking time limits, as specified in Section 15(2) of the Traffic and Parking By-law 1-96.

The three programs are described briefly as follows:

The **Residential Permit Parking Program** was a response to Council banning overnight parking in 1974, limited on-site parking in inner-city neighbourhoods, and as an alternative to debates over front yard parking, in areas of limited legal off-street parking. Two trial areas, one in the Glebe and the other in Centretown, were approved by the City in 1981. In 1982, an additional area around the new General Hospital was approved in order to prevent spill-over parking from the hospital complex, yet allow limited parking for residents and their visitors. In 1984, Council approved the establishment of a general by-law to provide on-street permit parking for residents in approved areas with a demonstrated lack of off-street parking. Several communities within the inner city had residential permit parking areas established under this program. While Council approved the establishment of a general by-law, a clear policy or guidelines were never established for expanding residential permit

parking areas. The program was established and is intended only to serve as a remedial measure to deal with current parking shortages in inner-city, residential areas. A monthly cost applies to each permit.

The **Visitor Permit Parking Program** was developed to allow residents in **Residential Permit Parking Program Areas** to obtain and issue Visitor Permits for their longer-term visitors. It affords the visitor the same privileges as the permit holder for a maximum of two weeks.

The **Guest Permit Parking Program** was developed to allow residents in certain designated areas, (i.e. Jetform Park, Ottawa Hospital, General and Civic Sites) to purchase a permit for use by their guests. Typically, on-street parking has been limited or eliminated in the vicinity of such high traffic generators, and to permit visitors to park, this program was developed. The permits, which apply year-round or for the summer months (depending on location), provide the permit holder with what could be considered to be “exclusive” parking privileges. These permits allow guests an exemption to NO PARKING AT ANYTIME regulations, but parking is limited to normal time limits (three hour limit, 7am to 7pm). Residents purchase these permits for a one-time fee, and are responsible for retaining them.

Alternatives

In considering the request from the Church, the following alternatives could be considered:

1. Status quo. This would be consistent with regulations pertaining to parking City-wide. Regulations are not specific to any individual or group, and general regulations (such as the daytime, three-hour parking limit) apply.
2. Retain existing parking regulations, issue (at a cost) permits to the Church, providing an exemption from the general 3-hour parking limit. Erect signs, indicating three-hour limit, permit holders exempted. This would be similar to the **Residential Permit Parking Program**.
3. Provide reserved parking by erecting “No Parking, Permit Parking Only” signs on Edison Avenue, along the Church frontage. This would be consistent with the existing **Guest Parking Permit Program**, expanded to include the Church within the qualifications for this type of permit (exclusive use of curb space). Within the **Guest Permit Parking Program**, the general regulations of the Traffic and Parking By-law (such as the three-hour limit) would still apply.
4. As per Alternative #3, but issue permits which would also exempt holders from the general three-hour daytime parking limit. This would fully meet the request, but is not consistent with, and would be granting privileges beyond, any of the existing permit parking programs.

Given the complexity of this issue, the limited time to consult fully with appropriate staff, and given that requests for permit parking (residents, guests, businesses, and other non-residential users) have increased in recent years, staff recommend that a thorough examination be undertaken of the options and implications, prior to any consideration being given to expanding parking permit programs.

As the request from the United Church would be the first application of “non-residential” permits for on-street parking, and given the potential for expansion of such a program to several areas of the City, and possibly a variety of non-residential uses, it is considered prudent to examine several locations and situations where non-residential parking permits could be considered, prior to granting privileges to a particular location. It should be noted that there may be cost implications associated with such a program expansion.

Environmental Impact

No environmental impact is anticipated as the recommendation fall within the MEEP Automatic Exclusion List - Section 1 (f) - Routine Operations.

Consultation

It was Council’s directive that a report be prepared for the September 29, 1999, Community Services and Operations Committee meeting, which did not permit additional public consultation to take place beyond the delegations who attended the September 8, 1999, Community Services and Operations Committee meeting with respect to this matter.

Options and Analysis of Options

While not recommended by staff, should Committee and Council consider a pilot project for an expansion of the parking permit programs to include non-residential uses, it is recommended that in order to control the expansion, the following criteria be applied as a minimum:

To qualify, an applicant must:

- be a non-commercial, not-for-profit organization;
- demonstrate that no off-street parking is available, nor is there an ability to reasonably construct or otherwise obtain off-street parking;
- demonstrate a need for exemptions to the existing regulations;
- be willing to cover administrative costs and cost of signage; and,

- distribute and be responsible to control the use of the permits

The establishment of a “permit parking only” area:

- will only apply to the road frontage immediately abutting the property;
- must not create a shortage of on-street parking opportunities for adjacent businesses and/or residents; and,
- must not result in safety concerns (school zone; traffic control, such as stop signs, signals; pedestrian crossings; etc.).

Such permit will not allow exemptions to overnight parking restrictions, therefore, no increased maintenance costs.

Disposition

Recommendations 1 and 2

The Licensing, Transportation and Buildings Branch, Department of Urban Planning and Public Works, to prepare Status Report by November 30, 1999, and co-ordinate the Comprehensive Review by Spring 2000.

List of Supporting Documentation

- Document 1 - Motion Referred by Community Services and Operations Committee - September 8, 1999 Meeting
- Document 2 - Excerpts from By-law 233-97 - Residential Parking Permit Program
- Document 3 - Excerpts from By-law 232-97 - Guest Parking Permit Program

Part II - Supporting Documentation

Motion from Community Services and Operations Committee - September 8, 1999 Meeting

Document 1

At its meeting of September 8, 1999, the Community Services and Operations Committee referred the following motion to staff for review of options, including the implications to current parkers in the vicinity, and report back at the next meeting - September 29, 1999:

WHEREAS funding for all types of social programs has been decreased in recent years from the Federal and Provincial Governments;

AND WHEREAS the need for all types of social programs has risen in recent years;

AND WHEREAS local non-profit charitable organizations, such as churches, have rallied to increase the number and level of social services they provide, in order to fill the gap left by funding cutbacks of all levels of governments;

AND WHEREAS Westboro United Church is such an organization that has increased its staff and volunteer base to provide additional outreach programs throughout the week;

AND WHEREAS Westboro United Church does not have any off-street parking throughout the week;

AND WHEREAS this has caused hardship for staff of the outreach programs;

THEREFORE BE IT RESOLVED that a pilot program be implemented that designates the parking fronting on the Westboro United Church property on the east side of Edison Avenue as "Permit Parking Only" 8:00 a.m. - 5:00 p.m., Monday - Friday; and, that the church be issued the permits for distribution;

AND THEREFORE BE IT FURTHER RESOLVED that the Department of Urban Planning and Public Works review the pilot program, suggest guidelines and recommendations for the implementation of a city-wide program to address similar situations on a permanent basis, and report back to CSOC in one year.

A by-law of The Corporation of the City of Ottawa respecting permit parking on certain highways.

2. The areas of the City of Ottawa set out in Section 1 of Schedules "E" to "AG" inclusive, annexed hereto, are hereby designated as permit parking areas and the highways set out in Section 2 of the said Schedules are hereby designated as highways on which permit parking applies.

3. (1) The permit parking regulations shall be as set out in Schedule "A", annexed hereto.

(4) The eligibility rules and priority guidelines shall be as set out in Schedule "D", annexed hereto.

9. Despite the provisions of Sections 9 (*no parking, or no parking at certain times*) and 9c and subsections (1), (2) and (4) of Section 15 (*parking time limits, as posted, general three hour limit, and overnight winter*) of By-law Number 1-96 entitled "A by-law of The Corporation of the City of Ottawa regulating traffic and parking on highways", as amended, or the corresponding provisions of any by-law enacted in substitution therefore, a permit holder may:

- (a) park for longer periods of time than the erected official sign indicates during the period from 7:00 a.m. to 7:00 p.m. of the same day on the sides and between the limits of highways where parking is permitted, and where official signs bearing the words "Permit Holders Exempted" are posted, (*exempt from time limits during the day*);
- (b) park for a period of up to 48 hours, on the sides of highways where official signs bearing the words "Permit Holders Exempted" are posted;
- (c) park in the permit parking area for which a permit has been issued, and the provisions of the by-law are complied with;
- (d) not park in a parking space controlled by a parking meter during the days and times that require payment of the parking meter rate prescribed by Section 18 of the said By-law Number 1-96 unless payment and the parking time limits set out in Sections 18 and 19 of the said By-law Number 1-96 are adhered to; or,
- (e) not park on the sides or between the limits of a highway where stopping is prohibited during the times posted on the official signs, notwithstanding any of the provisions herein.

14. The permit holder shall comply with the permit parking regulations set out in Schedule "A".

SCHEDULE "A"
(of By-law 233-97)

PERMIT PARKING REGULATIONS

1. For the purposes of this Schedule:
 - (a) "daytime" means the period from 7:00 a.m. to 7:00 p.m. of the same day, and
 - (b) "overnight" means the period from 7:00 p.m. of one day to 7:00 a.m. of the next following day.
2. Permit holders may park their vehicles for longer periods than posted during the daytime period on the sides and between the limits of highways that permit daytime public parking and have signs posted bearing the words "Permit Holders Exempted".
3. A permit holder may not park on the sides and between the limits of a highway during the times of day that stopping is prohibited.
4. Permit holders may park their vehicles overnight on the sides and between the limits of highways that permit daytime public parking and have signs posted bearing the words "Permit Holders Exempted".
5. Permit holders may park their vehicles in the area for which a permit has been issued, as shown on the sketch given with the permit, provided space is available and that all parking regulations are complied with including the general regulations of the said By-law Number 1-96.
6. Permit holders shall not park their vehicles in a parking space controlled by a parking meter during those hours that require payment as set out in instructions contained on the parking meter unless the payment instructions and parking time limits are adhered to.
7. When temporary "No Parking" signs are placed by The Corporation of the City of Ottawa, permit holders shall remove their vehicles from these highways and the permits are not valid until such time as the temporary signs are removed.
8. A permit holder who contravenes any of the provisions of this by-law is subject to the set fine and towing away at the owner's expense. In addition, repeated violations may result in the revocation of the permit.
9. A permit holder may park the vehicle in respect of which the permit was issued on a highway designated for permit parking in the designated permit parking area up to 48 hours without moving the vehicle so long as the signs bearing the words "Permit

Holders Exempted" are posted. Requests for extension in emergency situations, may be granted by the Commissioner of Urban Planning and Public Works (By-law 123-98).

SCHEDULE "D"
(of By-law 233-97)

ELIGIBILITY RULES AND PRIORITY GUIDELINES

1. Eligibility

In order for an on-street parking permit to be issued the applicant must:

- (a) be the registered owner or lessee of a:
 - (i) passenger automobile
 - (ii) station wagon
 - (iii) motorcycle
 - (iv) taxicab
 - (v) van or truck that is not more than 5.18 metres (17 ft.) in length or 1360 kilograms (3,000 lbs.) in weight and is the sole means of family transportation.
- (b) reside on a highway in the designated permit parking area for which an application has been made. Where a regional road bounds a permit area, the centre line of the highway shall be the boundary line, and,
- (c) have no on-site parking space available.

2. Priority Guidelines

Where an applicant has satisfied the requirements in Section 1, the issuing of permits by the Commissioner shall be subject to the following priorities and guidelines:

- (a) that the number of permits issued does not exceed the maximum number approved by the Council of The Corporation of the City of Ottawa for a given area.

A by-law of The Corporation of the City of Ottawa respecting permit parking on certain highways.

The Council of The Corporation of the City of Ottawa enacts as follows:

2. (1) The area of the City of Ottawa set out in Schedule "A" annexed hereto is hereby designated as a permit parking area, which Schedule "A" forms part of this by-law.
- (2) The area of the City of Ottawa set out in Schedule "B" annexed hereto is designated as a permit parking area from the 1st day of May to the 31st day of October in each year, which Schedule "B" forms part of this by-law.
3. The Commissioner shall, upon application on such form as may be prescribed from time to time and payment of the prescribed fee, issue a permit to an applicant to park a motor vehicle in a permit parking area in accordance with this by-law.
4. The owner of any residence on a highway within the area designated as a permit parking area by Section 2, is eligible to obtain parking permits for the area designated and to distribute them at no cost for visitor's use.
6. (1) The fee for the permit shall be forty (\$40.00) dollars, as a one-time fee, for the first permit issued for each residence.
- (2) If more than one permit is requested for a residence, the additional permits shall be issued at no extra charge.
7. Despite the provisions of Section 9 (*no parking, or no parking at certain times*) in particular but subject to all other provisions of By-law Number 1-96 entitled "A by-law of The Corporation of the City of Ottawa regulating traffic and parking on highways", as amended, a permit holder may:
 - (a) park in accordance with the maximum parking limits prescribed in Section 15 (*parking time limits, as posted, general three hour limit, and overnight winter*) of the said By-law Number 1-96 only on the sides of streets where official signs bearing the words "Permit Holders Exempted" are posted.
 - (b) park in the permit parking area for which a permit has been issued pursuant to this by-law, and the provisions of the by-law are complied with.

8. Every permit holder shall remove the motor vehicle or cause the motor vehicle to be removed from the permit parking area when temporary "No Parking" signs are placed in accordance with the provisions of the said By-law Number 1-96 for the purpose of snow or ice removal operations including highway clearing and cleaning by The Corporation of the City of Ottawa and the permit is suspended until the temporary signs are removed.

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September 15, 1999

ACS1999-CM-CUL-0004
(File: RFH7000/0110)

Department of Community Services

Ward/Quartier
City Wide

- Community Services and Operations Committee / Comité des services communautaires et des opérations
- City Council / Conseil municipal

Action/Exécution

4. Archives - Delegation of Authority **Archives - Délégation de pouvoir**

Recommendation

That the Commissioner of Community Services be delegated the authority to execute agreements respecting the long-term deposit of library and archival materials in the Archives, and that such agreements include the standard provisions set out in Document 1.



September 15, 1999 (1:37p)

Janette K. Foo
Commissioner



September 16, 1999 (1:51p)

Approved by
John S. Burke
Chief Administrative Officer

NZ:nz

Contact: Louise Roy-Brochu - 244-5300 ext. 1-3789

Financial Comment

There are no financial implications as a result of City Council approval of this submission.



September 15, 1999 (11:22a)

for Mona Monkman
City Treasurer

ML:cds

Executive Report

Reasons Behind Recommendation

On May 7, 1986 City Council approved the Delegation of Authority - Archival material to the City Clerk as follows:

“That the execution of contracts and agreements concerning collections of archival material placed on deposit, loaned or given to the Corporation be delegated to the City Clerk when no financial obligations are to be assumed by the Corporation and no OMB approval is required.”

The delegation relates to archival material only when no financial obligations are to be assumed. In 1998, as a result of corporate reorganization, the responsibility for the Archives was transferred to the Department of Community Services. In January 1999, the Archives was relocated from Stanley Avenue to Whitton Hall. A standard agreement has been developed for use with organizations depositing library and reference materials with the municipal archives to reflect these two changes. The proposed agreement would be executed by the Commissioner of Community Services who will have delegated authority to approve and conclude agreements respecting the long-term deposit of library and archival materials in the Archives in accordance with the standard provisions attached in Document 1.

The proposed agreements relate to the provision of space and public access to the Archives and Corporate Resource Centre and reference materials deposited with the Corporation in the Archives. The groups involved are the Ontario Genealogical Society (Ottawa Branch), the C. Robert Craig Memorial Library and La Société franco-ontarienne d'histoire et de généalogie. The proposed agreements include standard provisions for volunteer hours, insurance, indemnity, handling of materials, etc. The ownership of the materials remains with the groups. The groups are required to provide between 10 to 30 hours per week of volunteer help at the Reference Desk and the Corporation will provide the library volunteers with free access to the underground parking garage through a stamp validation system. Parking costs will be assumed by the Department within the existing Archives budget.

This authority is necessary to formalize the arrangements in accordance with the Corporate risk management process. The agreements have been drafted in consultation with the three groups and the Office of the City Solicitor. The standard agreement (Document 1) will be used for all three groups, with some minor modifications specific to each group, i.e. number of volunteer hours, copyright clause.

Consultation

The Department of Corporate Services has been consulted and their comments incorporated into the submission. The three volunteer groups have reviewed and commented on the draft agreement and, where practicable, their requirements have been reflected in the agreement.

Disposition

The Commissioner of Community Services to forward an original copy of the agreement to the City Clerk.

List of Supporting Documentation

Document 1: Standard Agreement - City of Ottawa Archives and Corporate Resource Centre

Part II - Supporting Documentation

Document 1

Standard Agreement - City of Ottawa Archives

THIS AGREEMENT made in triplicate the ____ day of _____, 1999

BETWEEN:

THE CORPORATION OF THE CITY OF OTTAWA

hereinafter called the "Corporation"

AND

THE ONTARIO GENEALOGICAL SOCIETY (OGS)

(acting on behalf of the Ottawa Branch)

hereinafter called the "OGS"

WHEREAS the Corporation has, as part of its overall civic administration, its own archives known as "The City of Ottawa Archives" hereinafter referred to as the "Archives", administered by an officer designated "Chief, Arts and Heritage Division";

AND WHEREAS the OGS has requested the Archives to provide space and public access to the materials of the library of its Ottawa Branch, hereinafter referred to as the "materials", in or adjacent to the space occupied and maintained by the Archives and Corporate Resource Centre in Whitton Hall, Ottawa City Hall, 111 Sussex Drive;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants herein contained and subject to the terms and conditions hereinafter set out, the Corporation and the OGS agree as follows;

1. The Archives will provide space for, and public access to the materials belonging to the OGS in a suitable library and reference area of the Archives on a long-term loan deposit, but the materials will remain in the ownership of the OGS.
2. The OGS through its Ottawa Branch will provide up to 30 hours per week of volunteer help at the Reference Desk.
3. The OGS will assume all costs associated with the removal from the Archives, of the materials, including costs of packing, physical removal and transfer and unpacking, in the event of the termination of this agreement.
4. The Archives will provide shelving, tables and chairs in a library and public reference area, and a work-station, if required, adjacent to the library and reference area for the use of library personnel.
5. The materials (except those requiring climate controlled storage) will be available in the library and reference area of the Archives, where the public and Corporation staff will have access to them for consultation, viewing, reading or reference in the library and reference area during regular operating hours of the Archives.
6. The marking and numbering of materials will be done by the Ottawa Branch Librarian of OGS in a manner agreed to be acceptable by the OGS and the Chief, Arts and Heritage Division.
7. The OGS will maintain a library cataloguing system for the materials taking into consideration the special nature of the OGS and its materials, and, at the discretion of the Chief, Arts and Heritage Division, the Archives may take such measures as professionally acceptable for the creation, development and maintenance of a master index catalogue.

8. The Archives shall preserve the materials in accordance with the normal methods of preservation in effect for such items, but the Archives shall not be responsible for destruction or loss arising from degeneration or aging, or arising out of fire, flood, misplacement, theft, wrongful use or vandalism.
9. Repairs to the materials will be undertaken, where practicable, at the discretion of the Chief, Arts and Heritage Division.
10. By mutual agreement of the Ottawa Branch Librarian and Chief, Arts and Heritage Division, the materials from the OGS may be removed temporarily from the Archives;
 - (a) by specifically authorized members of the OGS after reasonable notice of withdrawal has been given to the Chief, Arts and Heritage Division; or,
 - (b) by the staff of the Archives.
11. The materials may be reproduced for purposes of study at the discretion of the Chief, Arts and Heritage Division; but for any other purpose, including publication, the written consent of the OGS must be obtained; the OGS expressly disclaims that it has any authority to release copyright in the materials other than its own publications.
12. Limited additions may be made to the materials by the OGS but every effort must be made to avoid duplication.
13. The Archives reserves the right to require ninety (90) days notice of any additions requiring additional space and if there is a shortage of space, the Chief, Arts and Heritage Division may refuse to accept additional materials after every effort has been made to locate additional space.
14. Where practicable, the Archives will supply any audio-visual equipment that is necessary to view the materials.

15. Where practicable, meeting space will be provided in the Archives meeting room at no charge, for Directors and/or Officers of the OGS and, from time to time, for other persons who belong to or are authorized by the OGS.
16. The Archives will provide temperature and humidity-controlled storage for the OGS's negatives and other film items and access will be provided by Archives staff at all times the Archives is open.
17. The OGS, its employees, volunteers and agents shall indemnify and save harmless the Corporation from any and all claims, demands causes of action, loss, costs or damages that the Corporation may suffer, incur or be liable for, resulting from the performance of the OGS as set out in the Agreement, save and except damages, claims, demands, actions or causes of action arising out of or as a result of the actions of the Corporation.
18. Reference Room and library volunteers will have free access to the underground parking garage at City Hall through a stamp validation system. The OGS will provide the names of these volunteers to the Corporation.
19. Subject to Section 20, this agreement and any amendments thereto shall continue in effect for a period of twenty (20) years. This Agreement will be renewed automatically, in the absence of notice of termination by either party, for a term or terms of twenty (20) years.
20. This agreement may be terminated prior to its expiry date by either party, upon giving at least one hundred eighty (180) days written notice of such termination.
21. The OGS shall provide and maintain during the term of the agreement:

- (a) Comprehensive General Liability insurance subject to limits of not less than \$1,000,000 inclusive per occurrence for bodily injury, death and damage to property including loss of use thereof. Such insurance shall be in the name of the OGS and shall name the Corporation of the City of Ottawa as an additional insured thereunder,

- (b) Broad Form Property insurance coverage to the replacement value of assets owned by the library which occupy the Ontario Genealogical Society (OGS).

IN WITNESS WHEREOF the parties named herein have caused this Agreement to be executed by The Corporation of the City of Ottawa under the hand of the Commissioner of Community Services and the Ontario Genealogical Society (OGS), hereunto by affixing its corporate seal and attested to by the hands of the proper signing officers duly authorized in that behalf.

SIGNED, SEALED AND DELIVERED	)	THE CORPORATION OF THE CITY OF
	)	OTTAWA
)	
	)	COMMISSIONER OF COMMUNITY
	)	SERVICES
	)	I have the authority to bind the Corporation
	)	pursuant to the authority delegated by City
	)	Council on , 1999.
)	
	)	THE ONTARIO GENEALOGICAL
	)	SOCIETY (OGS)
)	
)	
	)	PRESIDENT
)	
)	
	)	SECRETARY
)	