



OTTAWA CITY COUNCIL

Wednesday, 10 October 2012, 10:00 am

Andrew S. Haydon Hall, 110 Laurier Avenue West

MINUTES 42

The Council of the City of Ottawa met at Andrew S. Haydon Hall, 110 Laurier Avenue West, Ottawa, on 10 October 2012 beginning at 10:00 a.m.

The Mayor, Jim Watson, presided and led Council in prayer.

The National Anthem was performed by the Holy Trinity Jazz Band.

ANNOUNCEMENTS/CEREMONIAL ACTIVITIES

RECOGNITION – MAYOR’S CITY BUILDER AWARD

Mayor Jim Watson and Councillor Peter Hume presented the Mayor’s City Builder Award to Mr. Michael Hanna for his outstanding generosity and community service.

RECOGNITION – OTTAWA FIRE SERVICES

Mayor Jim Watson welcomed the Acting Fire Chief Kim Ayotte and presented letters of congratulations to seven members of the Ottawa Fire Services who participated in the North American Rescue Challenge, and returned with first place.

ROLL CALL

ALL MEMBERS WERE PRESENT.

CONFIRMATION OF MINUTES

The Minutes of the regular meeting of 26 September 2012 were confirmed.

DECLARATIONS OF INTEREST INCLUDING THOSE ORIGINALLY ARISING FROM PRIOR MEETINGS

No declarations were received.

COMMUNICATIONS

The following communications were received:

Association of Municipalities of Ontario (AMO):

- Municipalities are Counting on the Legislature to Get Arbitration Reform Right
- AMO Report to Members - Highlights of the September 2012 Board Meeting

Other Correspondence Received:

- Memorandum dated 25 September 2012 from the Director, Corporate Programs and Business Services, City Manager's Office, with respect to the City of Ottawa's response to the Province's Proposed Changes to Regulations of the AODA.
- Document submitted by Liam Mooney, containing 295 names, asking Council to examine other options for economic development rather than a casino and submitted in reference to Finance and Economic Development Committee Report 25, Item 11, City Of Ottawa's Response to Ontario Lottery Gaming Corporation Request for Expressions of Interest.
- Memorandum from the City Treasurer dated 03 October 2012 on the subject matter of New Funding Agreement with Ontario Lottery Gaming Corporation

REGRETS

No regrets were filed.

MOTION TO INTRODUCE REPORTS

MOTION NO. 42/1

Moved by Councillor D. Deans
Seconded by Councillor T. Tierney

That Agriculture and Rural Affairs Committee Report 23; Community and Protective Services Committee Report 16A; Finance and Economic Development Committee Report 25; and Planning Committee Report 37, be received and considered.

CARRIED

COMMITTEE REPORTS

COMMUNITY AND PROTECTIVE SERVICES COMMITTEE REPORT 16A

- | |
|-----------------------------------------------------------------------------------------------------------------------------------|
| 1. CRIME PREVENTION OTTAWA: WHY COMMUNITY-BASED CRIME PREVENTION WORKS, UPDATED NEIGHBOURHOOD TOOLKIT AND ACTION REPORT 2011-2012 |
|-----------------------------------------------------------------------------------------------------------------------------------|

COMMITTEE RECOMMENDATION

That Council receive this report for information.

RECEIVED

FINANCE AND ECONOMIC DEVELOPMENT COMMITTEE REPORT 25

- | |
|-------------------------------------------|
| 2. COMPREHENSIVE ASSET MANAGEMENT PROGRAM |
|-------------------------------------------|

COMMITTEE RECOMMENDATIONS AS AMENDED

That Council:

1. a) **Receive the Comprehensive Asset Management Program, 2012 State of the Asset Report (Document 1);**
 - b) **Approve the Comprehensive Asset Management Policy (Document 2);**

- c) Approve an infrastructure renewal funding target, indexed annually to construction inflation, to maintain City assets in a state of good repair, as outlined in this report, to be reached within 10 years and included for consideration as part of each year's draft budget; and
 - d) Approve inclusion of an Asset Management section in all relevant future Committee and Council reports to ensure the long-term infrastructure implications of recommended projects are specifically identified.
 - e) Approve working with the Association of Municipalities of Ontario (AMO) and the Federation of Canadian Municipalities (FCM) to achieve long-range infrastructure funding for municipalities.
2. Approve the report with the REVISED "Legal Implications" section, distributed on October 1, 2012.

CARRIED

3. LONG RANGE FINANCIAL PLAN IV – TAX SUPPORTED CAPITAL

COMMITTEE RECOMMENDATIONS

That Council approve that the existing debt policies be continued while providing the required investment to maintain City assets in a state of good repair, and that in order to address the funding target as recommended in the *Comprehensive Asset Management Program* report, the following funding strategies be approved for consideration as part of future budgets:

- 1. That the use of debt for tax supported capital works continue to correspond to the amount of debt retiring within the year in accordance with Council's adopted target to limit debt service for tax supported debt to 7.5% of own source revenues;
- 2. To ensure capital funding is maintained and increased, starting in the 2013 budget year, the annual contribution from taxation for capital projects be increased by inflation (Construction Price Index) and by an additional \$5.4 million per year for both the renewal of existing assets and the increase in the asset base, as a priority within Council's approved tax targets;

3. Starting in the 2015 budget year, the portion of the contribution to capital used to fund capital projects classified as strategic initiatives (new capital works) be maintained at \$20 million per year and that priority be given, after the completion of the “Service Ottawa” project, to infrastructure investment;
4. Starting in the 2015 budget year, the enhancement component of any capital renewal project be identified and approved separately;
5. That the City of Ottawa Endowment Fund be maintained at \$200 million and any excess continue to be directed to fund the capital program; and
6. That Council’s priorities for the use of any future federal or provincial infrastructure funding programs be for the renewal of existing assets and transit related projects included in the Transportation Master Plan.

CARRIED

Note: Items 6 and 7 of Finance and Economic Development Committee Report 25 (Items 4 and 5 on the Ottawa City Council Agenda) were considered concurrently.

4. LANSDOWNE PARTNERSHIP PLAN IMPLEMENTATION – FINAL REPORT ON LEGAL AGREEMENTS

COMMITTEE RECOMMENDATIONS

That Council:

1. Approve amendments to the Lansdowne Partnership Plan Project Agreement, as contemplated by the updated LPP Project Agreement Framework, as follows:
 - (a) That the previously approved LPP Project Agreement Framework be amended to state that the City will agree to act reasonably, in accordance with pre-determined criteria, in deciding whether to permit a sale of either or both of the Canadian Football League team and/or the Ontario Hockey League team in exchange for a binding commitment by the Ottawa Sports and Entertainment Group (OSEG), or OSEG’s successor, to extend its legal obligations to operate the teams for the first eight (8) years under the Lansdowne Partnership Plan instead of the current, first five (5) years, as described in this report;

- (b) That the Project Agreement be amended to treat any cost overruns above the conditional guaranteed maximum price contract incurred by the members of OSEG for the City's portion of the Stadium Parking Garage as Additional Equity under the Closed System for the Lansdowne Partnership Plan, as described in this report; and,
- (c) That the description of the formula for City Funding Equity in the previously approved LPP Project Agreement Framework be amended to read as follows, "the lesser of the Maximum City Cost or the actual cost borne by the City for the Stadium Improvements and City's share of Cost of Parking less proceeds from the sale of air rights, less the amount that can be debentured from 75% of the realty taxes estimated from the project other than the residential component, less the amount that can be debentured from the avoided costs of \$3.8 million per year of the City by it not having to operate the Stadium" and that the Project Agreement be revised accordingly, as further described in this report.
2. Confirm that the priorities for the distribution of net cash flow between the City and OSEG in the Closed System under the LPP are as set out in the previously approved June 28, 2010 LPP Project Agreement Framework referenced in this report.
 3. Approve the updated LPP Project Agreement Framework as described in this report and attached as Document 1 – "Overview of Structure and Content – Final LPP Project Agreements" as amended by the above recommendations.
 4. Receive the final legal Agreements, as amended by the recommendations above and by the updated LPP Project Agreement Framework, as set out in Document 2 – "Listing of Final LPP Legal Agreements on file with the City Clerk and Solicitor".

MOTION NO. 42/2

Moved by Councillor M. McRae
Seconded by Councillor K. Hobbs

WHEREAS it is necessary that certain technical amendments be made to the final LPP legal Agreements, including those described in the two Council Lansdowne Partnership Plan Reports, the updated LPP Project

Agreement Framework attached as Document 1 – “Overview of Structure and Content – Final LPP Project Agreements” or on file with the City Clerk and Solicitor in order to implement the legal close of the Lansdowne Partnership Plan;

AND WHEREAS such changes would not affect the upset maximum cost to the City or the maximum upset limit of potential liability to it under the LPP;

AND WHEREAS the Ottawa Sports and Entertainment Group, the Members and the City are undertaking to complete certain legal Agreements described in the two Council Reports in accordance with such Reports and in carrying out the undertaking the parties shall act reasonably and in good faith;

THEREFORE BE IT RESOLVED THAT:

- 1. Document 2 of the Lansdowne Partnership Plan Implementation – Final Report on Legal Agreements, being the “Listing of final LPP legal Agreements on file with the City Clerk and Solicitor” be amended to show that two legal Agreements from each of the “Agreements for Closing” and “Completed Agreements” categories be moved into the “Post-Closing Agreements” category, namely: the Master Site Agreement and the Additional Reciprocal Agreements and the CFL Partnership and OHL Partnership Sublease Agreements; and,**
- 2. The City Manager be delegated authority to make such additions, deletions, amendments and other changes as may be necessary or desirable to the final LPP legal Agreements, including those described in the two Council LPP Reports, the updated LPP Project Agreement Framework attached as Document 1 – “Overview of Structure and Content – Final LPP Project Agreements” or on file with the City Clerk and Solicitor in order to implement the legal close of the Lansdowne Partnership Plan, providing such changes do not affect the upset maximum cost to the City or the maximum upset limit of potential liability; and,**
- 3. The authority delegated to the City Manager in these reports and in all other prior reports in respect of the Lansdowne Partnership Plan be further delegated to the Deputy City Managers such that either the City Manager or a Deputy City Manager be authorized and directed to exercise such authority, including to execute and to deliver any LPP legal Agreements, should the City Manager be unable for any reason to exercise the delegated authority (e.g. the Deputy City Manager of Planning and Infrastructure between**

October 11 and 18, 2012 and the Deputy City Manager of City Operations between October 19 and 21, 2012).

CARRIED

Item 6 of Finance and Economic Development Committee Report 25 (Item 4 of the Ottawa City Council Agenda), as amended by Motion No. 42/2 and set out in full below, was then put to Council:

That Council:

- 1. Approve amendments to the Lansdowne Partnership Plan Project Agreement, as contemplated by the updated LPP Project Agreement Framework, as follows:**
 - (a) That the previously approved LPP Project Agreement Framework be amended to state that the City will agree to act reasonably, in accordance with pre-determined criteria, in deciding whether to permit a sale of either or both of the Canadian Football League team and/or the Ontario Hockey League team in exchange for a binding commitment by the Ottawa Sports and Entertainment Group (OSEG), or OSEG's successor, to extend its legal obligations to operate the teams for the first eight (8) years under the Lansdowne Partnership Plan instead of the current, first five (5) years, as described in this report;**
 - (b) That the Project Agreement be amended to treat any cost overruns above the conditional guaranteed maximum price contract incurred by the members of OSEG for the City's portion of the Stadium Parking Garage as Additional Equity under the Closed System for the Lansdowne Partnership Plan, as described in this report; and,**
 - (c) That the description of the formula for City Funding Equity in the previously approved LPP Project Agreement Framework be amended to read as follows, "the lesser of the Maximum City Cost or the actual cost borne by the City for the Stadium Improvements and City's share of Cost of Parking less proceeds from the sale of air rights, less the amount that can be debentured from 75% of the realty taxes estimated from the project other than the residential component, less the amount that can be debentured from the avoided costs of \$3.8 million per year of the City by it not having to operate the Stadium" and that the Project Agreement be revised accordingly, as further described in this report.**

2. **Confirm that the priorities for the distribution of net cash flow between the City and OSEG in the Closed System under the LPP are as set out in the previously approved June 28, 2010 LPP Project Agreement Framework referenced in this report.**
3. **Approve the updated LPP Project Agreement Framework as described in this report and attached as Document 1 – “Overview of Structure and Content – Final LPP Project Agreements” as amended by the above recommendations.**
4. **Receive the final legal Agreements, as amended by the recommendations above and by the updated LPP Project Agreement Framework, as set out in Document 2 – “Listing of Final LPP Legal Agreements on file with the City Clerk and Solicitor,” and as amended by the following:**

Document 2 of the Lansdowne Partnership Plan Implementation – Final Report on Legal Agreements, being the “Listing of final LPP legal Agreements on file with the City Clerk and Solicitor” be amended to show that two legal Agreements from each of the “Agreements for Closing” and “Completed Agreements” categories be moved into the “Post-Closing Agreements” category, namely: the Master Site Agreement and the Additional Reciprocal Agreements and the CFL Partnership and OHL Partnership Sublease Agreements.

5. **The City Manager be delegated authority to make such additions, deletions, amendments and other changes as may be necessary or desirable to the final LPP legal Agreements, including those described in the two Council LPP Reports, the updated LPP Project Agreement Framework attached as Document 1 – “Overview of Structure and Content – Final LPP Project Agreements” or on file with the City Clerk and Solicitor in order to implement the legal close of the Lansdowne Partnership Plan, providing such changes do not affect the upset maximum cost to the City or the maximum upset limit of potential liability; and,**
6. **The authority delegated to the City Manager in these reports and in all other prior reports in respect of the Lansdowne Partnership Plan be further delegated to the Deputy City Managers such that either the City Manager or a Deputy City Manager be authorized and directed to exercise such authority, including to execute and to deliver any LPP legal Agreements, should the City Manager be unable for any reason to exercise the delegated authority (e.g. the Deputy City Manager of Planning and Infrastructure between October 11 and 18, 2012 and the Deputy City Manager of City**

Operations between October 19 and 21, 2012).

CARRIED on a division of 21 YEAS to 3 NAYS as follows:

YEAS (21): Councillors P. Clark, S. Desroches, J. Harder, R. Bloess, S. Qadri, S. Blais, K. Egli, E. El-Chantiry, M. Fleury, S. Moffatt, M. Wilkinson, D. Thompson, M. McRae, B. Monette, P. Hume, M. Taylor, T. Tierney, A. Hubley, R. Chiarelli, K. Hobbs and Mayor J. Watson.

NAYS (3): Councillors D. Holmes, D. Deans and D. Chernushenko.

5. LANSDOWNE PARTNERSHIP PLAN - AUTHORIZATION TO PROCEED WITH LEGAL CLOSE AND IMPLEMENTATION

COMMITTEE RECOMMENDATIONS AS AMENDED

That Council:

- 1. Approve that By-laws 2005-439 and 2004-239, being by-laws regulating permanent and temporary signs on private property, be amended so as to establish Lansdowne as a special signage zone where the implementation of signage, including the review and approval for purposes of issuing sign permits, will be in accordance with the policies, directions, and regulations set out in the Lansdowne Signage and Way-finding Plan approved by Council on June 27, 2012, as revised by this report, and that the required by-laws setting out the details of the amendments be brought forward for enactment by Council prior to the end of 2012.**
- 2. Approve the Heritage Easement Agreement between the City of Ottawa and the Ontario Heritage Trust as outlined in Document 1 to this report and authorize the City Manager to execute the Agreement on behalf of the City.**
- 3. Approve an increase of \$12 Million in capital authority and the funding sources as outlined in this report.**
- 4. Receive the final report on the satisfaction of all of the conditions precedent to close the Lansdowne Partnership Plan Project Agreement as outlined in Document 4 to this report, as amended by the recommendations above.**
- 5. Approve the legal close of the Lansdowne Partnership Plan in order to move to the construction stage of the redevelopment**

of Lansdowne Park and approve that the City Manager be delegated the authority to carry out the intent of the foregoing approvals including, but not limited to, the execution and delivery of such other agreements, documents, instruments, acts and things as are required or deemed necessary or desirable to give full effect to the terms of this report and the transactions contemplated herein.

6. That the site plan for the Lansdowne Partnership Plan redevelopment be approved with the inclusion of the modified language in the Site Plan Agreement as follows:

“The Owner acknowledges and agrees that any LED or electronic messaging/advertising to be provided on the Bank Street frontage of the Stadium scoreboard, outside those time periods when this area of the stadium scoreboard is being used for messaging/information/wayfinding or advertising in association with an event being held at Lansdowne, shall be subject to controls.

The controls shall be in accordance with any conditions that may be imposed by the General Manager, Planning and Growth Management at his/her sole discretion, as part of the sign permit that will be required for this feature , as set out in the Lansdowne Signage and Wayfinding Plan. The owner acknowledges that such conditions may relate to but are not necessarily limited to matters of size, intensity of light, and the time periods when such messaging/advertising may be provided. The owner acknowledges that such conditions, as they relate to any commercial advertising but not naming rights or sponsorship applications, can be reviewed and updated as required during the first year of operation, so as to address any community concerns regarding the intensity of illumination, time of use and appropriateness of the messaging/advertising for this public space and main street environment.”

7. a) That Council approve the Value Engineering proposals number 1, 3 & 4 subject to the design recommendations of the LDRP namely:
 - i. Reductions or modifications must follow the same conceptual curvature and/or an acceptable one to the design architect if the veil is modified and whereas modifications to the approved site plan requires Council approval;
 - ii. The method and materials should be applied to the

design of the pedestrian bridge in keeping with the design of the stadium. The stadium architect should assist the design build contractor to ensure the suitability is consistent.

- b) That in light of the concerns raised by the LDRP that the Committee recommend that Council request the LDRP to review other design decisions related to stadium construction with a view to recommending to City Council any realistic alternatives to the value engineering recommendations for the stadium canopies.**
 - c) That the alternatives for the stadium canopies, if any, provide for a cost saving of at least \$750,000.**
- 8. That staff be directed to reinstate \$3.46 million to the Parking Cash-in-lieu Fund and that the same amount be issued as debt for the Lansdowne revitalization project.**

Item 7 of Finance and Economic Development Committee Report 25 (Item 5 of the Ottawa City Council Agenda), as amended by Motion No. 42/2, presented at item 4, and set out in full below, was then put to Council:

That Council:

- 1. Approve that By-laws 2005-439 and 2004-239, being by-laws regulating permanent and temporary signs on private property, be amended so as to establish Lansdowne as a special signage zone where the implementation of signage, including the review and approval for purposes of issuing sign permits, will be in accordance with the policies, directions, and regulations set out in the Lansdowne Signage and Way-finding Plan approved by Council on June 27, 2012, as revised by this report, and that the required by-laws setting out the details of the amendments be brought forward for enactment by Council prior to the end of 2012.**
- 2. Approve the Heritage Easement Agreement between the City of Ottawa and the Ontario Heritage Trust as outlined in Document 1 to this report and authorize the City Manager to execute the Agreement on behalf of the City.**
- 3. Approve an increase of \$12 Million in capital authority and the funding sources as outlined in this report.**

4. Receive the final report on the satisfaction of all of the conditions precedent to close the Lansdowne Partnership Plan Project Agreement as outlined in Document 4 to this report, as amended by the recommendations above.
5. Approve the legal close of the Lansdowne Partnership Plan in order to move to the construction stage of the redevelopment of Lansdowne Park and approve that the City Manager be delegated the authority to carry out the intent of the foregoing approvals including, but not limited to, the execution and delivery of such other agreements, documents, instruments, acts and things as are required or deemed necessary or desirable to give full effect to the terms of this report and the transactions contemplated herein.
6. That the site plan for the Lansdowne Partnership Plan redevelopment be approved with the inclusion of the modified language in the Site Plan Agreement as follows:

“The Owner acknowledges and agrees that any LED or electronic messaging/advertising to be provided on the Bank Street frontage of the Stadium scoreboard, outside those time periods when this area of the stadium scoreboard is being used for messaging/information/wayfinding or advertising in association with an event being held at Lansdowne, shall be subject to controls.

The controls shall be in accordance with any conditions that may be imposed by the General Manager, Planning and Growth Management at his/her sole discretion, as part of the sign permit that will be required for this feature , as set out in the Lansdowne Signage and Wayfinding Plan. The owner acknowledges that such conditions may relate to but are not necessarily limited to matters of size, intensity of light, and the time periods when such messaging/advertising may be provided. The owner acknowledges that such conditions, as they relate to any commercial advertising but not naming rights or sponsorship applications, can be reviewed and updated as required during the first year of operation, so as to address any community concerns regarding the intensity of illumination, time of use and appropriateness of the messaging/advertising for this public space and main street environment.”

7. a) That Council approve the Value Engineering proposals number 1, 3 & 4 subject to the design recommendations of the LDRP namely:

- i. **Reductions or modifications must follow the same conceptual curvature and/or an acceptable one to the design architect if the veil is modified and whereas modifications to the approved site plan requires Council approval;**
 - ii. **The method and materials should be applied to the design of the pedestrian bridge in keeping with the design of the stadium. The stadium architect should assist the design build contractor to ensure the suitability is consistent.**
 - b) **That in light of the concerns raised by the LDRP that the Committee recommend that Council request the LDRP to review other design decisions related to stadium construction with a view to recommending to City Council any realistic alternatives to the value engineering recommendations for the stadium canopies.**
 - c) **That the alternatives for the stadium canopies, if any, provide for a cost saving of at least \$750,000.**
- 8. **That staff be directed to reinstate \$3.46 million to the Parking Cash-in-lieu Fund and that the same amount be issued as debt for the Lansdowne revitalization project.**
- 9. **The City Manager be delegated authority to make such additions, deletions, amendments and other changes as may be necessary or desirable to the final LPP legal Agreements, including those described in the two Council LPP Reports, the updated LPP Project Agreement Framework attached as Document 1 – “Overview of Structure and Content – Final LPP Project Agreements” or on file with the City Clerk and Solicitor in order to implement the legal close of the Lansdowne Partnership Plan, providing such changes do not affect the upset maximum cost to the City or the maximum upset limit of potential liability; and,**
- 10. **Document 2 of the Lansdowne Partnership Plan Implementation – Final Report on Legal Agreements, being the “Listing of final LPP legal Agreements on file with the City Clerk and Solicitor” be amended to show that two legal Agreements from each of the “Agreements for Closing” and “Completed Agreements” categories be moved into the “Post-**

Closing Agreements” category, namely: the Master Site Agreement and the Additional Reciprocal Agreements and the CFL Partnership and OHL Partnership Sublease Agreements.

- 11. The authority delegated to the City Manager in these reports and in all other prior reports in respect of the Lansdowne Partnership Plan be further delegated to the Deputy City Managers such that either the City Manager or a Deputy City Manager be authorized and directed to exercise such authority, including to execute and to deliver any LPP legal Agreements, should the City Manager be unable for any reason to exercise the delegated authority (e.g. the Deputy City Manager of Planning and Infrastructure between October 11 and 18, 2012 and the Deputy City Manager of City Operations between October 19 and 21, 2012).**

CARRIED on a division of 21 YEAS to 3 NAYS as follows:

YEAS (21): Councillors P. Clark, S. Desroches, J. Harder, R. Bloess, S. Qadri, S. Blais, K. Egli, E. El-Chantiry, M. Fleury, S. Moffatt, M. Wilkinson, D. Thompson, M. McRae, B. Monette, P. Hume, M. Taylor, T. Tierney, A. Hubley, R. Chiarelli, K. Hobbs and Mayor J. Watson.

NAYS (3): Councillors D. Holmes, D. Deans and D. Chernushenko.

<p>6. CITY OF OTTAWA'S RESPONSE TO ONTARIO LOTTERY GAMING CORPORATION REQUEST FOR EXPRESSIONS OF INTEREST</p>

COMMITTEE RECOMMENDATIONS AS AMENDED

That Council:

- 1. Approve that the City of Ottawa respond to the Ontario Lottery Gaming Corporation's ("OLG") Request for Interest (RFI) by sending a letter from the Mayor stating that the City of Ottawa supports in principle becoming a "host city" for a gaming entertainment centre;**
- 2. Direct staff to provide an analysis that gives a broad picture of the potential economic benefits and impacts of a gaming facility for the City of Ottawa. As part of this analysis, staff will consult with relevant stakeholders and consult with Ottawa Public Health staff on the potential public health impacts of an expanded gaming facility in Ottawa, including providing an**

overview of the current mitigation measures for populations at-risk of problem gambling. The staff report will be provided to FEDCO and Council when Council reconsiders the matter once a preferred proponent has been selected by OLG.

- 3. That the Mayor's letter stating the City of Ottawa's support in principle for becoming a "host city" for a gaming entertainment centre include the following:**
 - a) That the City of Ottawa strongly encourages the Ontario Lottery and Gaming Corporation establish a Request for Proposal process that is fair, transparent, open and competitive and which provides all proponents, including the Rideau Carleton Raceway, an opportunity to compete within a level playing field; and**
 - b) That the Ontario Lottery and Gaming Corporation consider providing an opportunity for the Rideau Carleton Raceway to be pre-qualified to take part in the final bidding process, given their strong record of success in the Ottawa region.**
- 4. That the report be amended by the REVISED pages 299 and 306 (French version) issued on September 27, 2012.**

DIRECTION TO STAFF

That staff be directed to report back to Finance and Economic Development Committee and Council with information on the proponents (e.g. requests they have made of staff, proposed sites, etc.). The timing of such report to be determined by staff after consulting with the Ontario Lottery Gaming Corporation (OLG). And that staff be prepared to take from Committee and Council, any guidance with respect to responding to inquiries from proponents or the OLG.

Item 11 of Finance and Economic Development Committee Report 25 (Item 7 of the Ottawa City Council Agenda) CARRIED on a division of 19 YEAS to 5 NAYS as follows:

YEAS (19): Councillors P. Clark, S. Desroches, J. Harder, R. Bloess, S. Qadri, D. Holmes, S. Blais, K. Egli, E. El-Chantiry, M. Wilkinson, D. Thompson, M. McRae, B. Monette, P. Hume, M. Taylor, A. Hubley, R. Chiarelli, K. Hobbs and Mayor J. Watson.

NAYS (5): Councillors M. Fleury, S. Moffatt, D. Deans, D. Chernushenko and T. Tierney.

PLANNING COMMITTEE REPORT 37

7. CULTURAL HERITAGE IMPACT STATEMENTS

COMMITTEE RECOMMENDATION

That Council adopt the “Guidelines for the Preparation of Cultural Heritage Impact Statements” included as Document 1.

CARRIED

8. PERMANENT SIGNS ON PRIVATE PROPERTY –
AMENDMENTS TO PERMIT DIGITAL BILLBOARD SIGNAGE

COMMITTEE RECOMMENDATIONS AS AMENDED

That Council:

- 1. Amend the Permanent Signs on Private Property By-law 2005-439, as amended, to allow digital billboards, subject to the regulations, substantially in the form as contained in Document 1, effective December 1, 2012.**
- 2. Close the digital billboard pilot project, and direct the Planning and Growth Management Department to explore other emerging sign technologies with a view to establishing pilot programs if warranted, and return to Council in Q3 of 2013 with an update on digital billboard location criteria in the suburban and rural areas and recommendations with respect to other emerging digital technologies in signs.**

MOTION NO. 42/3

Moved by Councillor P. Hume
Seconded by Councillor J. Harder

WHEREAS Recommendation 2 of the report entitled “Permanent Signs on Private Property – Amendments to Permit Digital Billboard Signage” was amended by Planning Committee at their meeting of September 25, 2012, directing staff to return to Council in Q3 of 2013 with an update on digital billboard location criteria in the suburban and rural areas and recommendations with respect to other emerging digital technologies in signs; and

WHEREAS the resulting change in wording to Recommendation 2 has the effect of omitting the recommended requirement to follow-up on digital billboards, in particular with respect to traffic safety, and of the need to report back on emerging signage technologies on a city-wide basis in 2015 which was not intended;

THEREFORE BE IT RESOLVED that that Recommendation 1 be amended to remove the word “and” after the semi-colon; that Recommendation 2 be re-instated as originally worded prior to amendment by Planning Committee; and that a new recommendation, Recommendation 3 be approved to reflect Planning Committee’s intent with respect to the review of digital billboards in suburban and rural areas, as follows:

2. Close the digital billboard pilot project, and direct the Planning and Growth Management Department to explore other emerging sign technologies with a view to establishing pilot programs if warranted, and return to Council in 2015 with an update on digital billboards and recommendations with respect to other emerging digital technologies in signs; and
3. Direct the Planning and Growth Management Department to return to Council in Q3 of 2013 with an update on digital billboard location criteria in the suburban and rural areas.

CARRIED

MOTION NO. 42/4

Moved by Councillor D. Chernushenko
Seconded by Councillor K. Hobbs

WHEREAS concern has been expressed by members of the public that the proposed regulations will not require the digital billboards to be shut off late at night;

AND WHEREAS requiring digital billboards to be shut off late at night will reduce potential driver distractions and eliminate any impact from illumination on adjacent uses during the late night hours;

THEREFORE BE IT RESOLVED THAT Document 1 of Recommendation 1 be amended to require that digital billboards be shut-off between 12 a.m. (midnight) and 6:00 a.m. of the following day so that a digital billboard not emit any light, or display any image or message, during that time.

Motion No. 42/4 LOST on a division of 5 YEAS to 18 NAYS as follows:

YEAS (5): Councillors R. Bloess, D. Holmes, D. Chernushenko, P. Hume and K. Hobbs.

NAYS (18): Councillors P. Clark, S. Desroches, J. Harder, S. Qadri, S. Blais, K. Egli, E. El-Chantiry, M. Fleury, S. Moffatt, M. Wilkinson, M. McRae, D. Deans, B. Monette, M. Taylor, T. Tierney, A. Hubley, R. Chiarelli and Mayor J. Watson.

Item 4 of Planning Committee Report 37 (Item 8 of the Ottawa City Council Agenda), as amended by Motion No. 42/3 and set out in full below, was then put to Council:

That Council:

- 1. Amend the Permanent Signs on Private Property By-law 2005-439, as amended, to allow digital billboards, subject to the regulations, substantially in the form as contained in Document 1, effective December 1, 2012.**
- 2. Close the digital billboard pilot project, and direct the Planning and Growth Management Department to explore other emerging sign technologies with a view to establishing pilot programs if warranted, and return to Council in 2015 with an update on digital billboards and recommendations with respect to other emerging digital technologies in signs; and**
- 3. Direct the Planning and Growth Management Department to return to Council in Q3 of 2013 with an update on digital billboard location criteria in the suburban and rural areas.**

CARRIED

9. DEMOLITION CONTROL - 446 FRASER AVENUE

COMMITTEE RECOMMENDATIONS

That Council approve that 446 Fraser Avenue be exempted from the notice requirements and processes set out in the Demolition Control By-law in order to enable the demolition of the building immediately subject to the following conditions which shall be incorporated into a registered agreement prior to the exemption taking effect:

-
1. The Owner ensures the property is graded, sodded or seeded and maintained to the standards set out in the Property Standards By-law pending development;
 2. The property is not used or occupied for any other interim use; and
 3. The Owner submits a building permit application for the reconstruction of the building no later than October 1, 2013 and completes the construction of the replacement dwelling unit no later than October 1, 2014.

CARRIED

BULK CONSENT AGENDA

AGRICULTURE AND RURAL AFFAIRS COMMITTEE REPORT 23

A. MONAHAN CREEK MUNICIPAL DRAIN MODIFICATIONS

COMMITTEE RECOMMENDATION

That Council adopt the Engineer's Report prepared by Robinson Consultants Inc., entitled *Amendment to the Engineer's Report for the Monahan Creek Municipal Drain Modifications and Improvements* dated June 2012, for a drainage works project under Subsection 78 of the *Drainage Act* with respect to the existing drainage works known as the Monahan Creek Municipal Drain and give 1st and 2nd reading to the By-law attached as Document 2 to this report in accordance with Sections 42 and 45 of the *Drainage Act* of Ontario.

CARRIED

COMMUNITY AND PROTECTIVE SERVICES COMMITTEE REPORT 16A

B. COMMEMORATIVE NAMING COMMITTEE PROPOSAL – NORMAN EDWARDS PARK

COMMITTEE RECOMMENDATION

That Council approve a proposal to name a new park at 155 Sunshine Crescent, "Norman Edwards Park".

CARRIED

C. COMMEMORATIVE NAMING COMMITTEE PROPOSAL -
EGBERT REITSMA PARKETTE

COMMITTEE RECOMMENDATION

That Council approve a proposal to name the parkette at 100 Clifford Campbell Street, as “Egbert Reitsma Parkette.”

CARRIED

D. COMMEMORATIVE NAMING COMMITTEE PROPOSAL – JIM
MALONE PARK

COMMITTEE RECOMMENDATION

That Council approve a proposal to rename Goldridge Park, at 400 Goldridge Drive, as “Jim Malone Park.”

CARRIED

E. COMMEMORATIVE NAMING COMMITTEE PROPOSAL - SYD
AND VERNA COTTON PARK

COMMITTEE RECOMMENDATION

That Council approve a proposal to name an unnamed park at 1070 Forest Lea Drive, as “Syd and Verna Cotton Park.”

CARRIED

F. COMMUNITY PARTNERSHIP MINOR CAPITAL PROGRAM
SUMMARY OF FUNDING ALLOCATIONS 2011

COMMITTEE RECOMMENDATION

That Council receive the listing of projects funded through the program in 2011 as detailed in Document 1.

CARRIED

- G. COMMUNITY PARTNERSHIP MAJOR CAPITAL PROGRAM
SUMMARY OF FUNDING ALLOCATIONS 2012

COMMITTEE RECOMMENDATION

That Council approve the listing of projects as detailed in Document 1.

CARRIED

FINANCE AND ECONOMIC DEVELOPMENT COMMITTEE REPORT
NO 25

- H. OFFICE OF THE AUDITOR GENERAL (OAG) – 2013 WORK PLAN,
BY-LAW AND PROTOCOL AMENDMENTS AND SUCCESSION
PLAN

COMMITTEE RECOMMENDATION AS AMENDED

That Council approve the 2013 OAG's Work Plan, as amended by the motion below, and the amendments to the Audit Protocol and receive this report.

That the Office of the Auditor General 2013 work plan be revised to include an audit of Infrastructure Services and to defer an audit of Service Excellence until after the program is fully implemented in 2014.

CARRIED

- I. OTTAWA MUNICIPAL CAMPGROUND AUTHORITY - ANNUAL
REPORT

COMMITTEE RECOMMENDATION

That Council receive this report for information.

RECEIVED

J. DELEGATION OF AUTHORITY – CONTRACTS AWARDED FOR THE PERIOD APRIL 1, 2012 TO JUNE 30, 2012

COMMITTEE RECOMMENDATION

That Council receive this report for information.

RECEIVED

K. LEASE - RIVERAIN PARK – OTHER PROPERTIES - NATIONAL CAPITAL COMMISSION

COMMITTEE RECOMMENDATION

That Council approve a lease between the City of Ottawa and the National Capital Commission (NCC) for the property at 400 North River Road, known as Riverain Park, for a forty-nine (49) year term at a rental rate for the term of \$1, and that in kind services (maintenance) on various NCC properties in the amount of \$370,000 per annum be performed to reflect the current market lease value of the Riverain Park property.

CARRIED

L. SURPLUS DECLARATION AND SALE – 1357 KITCHENER AVENUE

COMMITTEE RECOMMENDATIONS AS AMENDED

That Council declare as surplus to the City's needs two (2) residential building lots located at 1357 Kitchener Avenue shown as Parcels 'A' and 'B' on Document 1, and authorize staff to proceed with the sale of the lots in accordance with the City's Disposal of Real Property Policy and subject to the following:

- 1. That the provisions regarding the sale of these parcels include the following in the agreement of purchase and sale:**
 - a. That development on each parcel be limited to a detached dwelling; and**
 - b. That no more than one dwelling be permitted on each parcel; and**

-
2. That the above provisions be set forth in a restrictive covenant to be registered against the title to this property on closing.

CARRIED

M. PROPERTY ACQUISITION - URBAN NATURAL FEATURES: UNA #98 – RIVERSIDE SOUTH FOREST AND UNA #100 – ARMSTRONG ROAD SOUTH WOODS – URBANDALE CORPORATION AND RIVERSIDE SOUTH DEVELOPMENT CORPORATION

COMMITTEE RECOMMENDATIONS

That Council approve:

1. The Urban Natural Features acquisitions described in this report in accordance with the terms and conditions contained in a Memorandum of Understanding between City of Ottawa and Urbandale Corporation and Riverside South Development Corporation attached as Document 1; and
2. Subject to approval of Recommendation 1 and to the City satisfying all requirements of the Disposal of Real Property Policy, the delegation of authority to the Deputy City Manager, Planning and Infrastructure to declare surplus the City lands described as Parcel 5 on Document 2, and to finalize and execute the required agreements with Urbandale Corporation and Riverside South Development Corporation.

CARRIED

PLANNING COMMITTEE REPORT 37

N. APPLICATION FOR NEW CONSTRUCTION AT 506 KENT STREET, A PROPERTY LOCATED IN THE CENTRETOWN HERITAGE CONSERVATION DISTRICT

COMMITTEE RECOMMENDATIONS

That Council:

1. Approve the application for new construction at 506 Kent Street as per drawings submitted by Harish Gupta Architect Inc. on July 16, 2012;

2. Issue the heritage permit with a three year expiry date from the date of issuance; and
3. Delegate authority for minor design changes to the General Manager, Planning and Growth Management Department.

(Note: The statutory 90-day timeline for consideration of this application under the *Ontario Heritage Act* will expire on October 15, 2012)

(Note: Approval to Alter this property under the *Ontario Heritage Act* must not be construed to meet the requirements for the issuance of a building permit.)

CARRIED

O. ZONING – 300 GREENBANK ROAD

COMMITTEE RECOMMENDATION

That Council approve an amendment to Zoning By-law 2008-250 to modify the existing exception of 300 Greenbank Road, being GM15[1672] H(8), General Commercial subzone 15, Exception 1672, as detailed in Document 2.

CARRIED

MOTION TO ADOPT REPORTS

MOTION NO. 42/5

Moved by Councillor D. Deans
Seconded by Councillor T. Tierney

That Agriculture and Rural Affairs Committee Report 23; Community and Protective Services Committee Report 16A; Finance and Economic Development Committee Report 25; and Planning Committee Report 37, be received and adopted as amended.

CARRIED

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN PREVIOUSLY

MOTION NO. 42/6

Moved by Councillor R. Bloess
Seconded by Councillor B. Monette

WHEREAS since June 2007 it has been the position of the City of Ottawa that, if there is to be an east-end Interprovincial bridge crossing, it be located at the Kettle Island corridor; and

WHEREAS Council voted in 2009 to oppose corridors 6 and 7 to be considered during Phase 2 of the Interprovincial Crossings study; and

WHEREAS the National Capital Commission has included corridors 6 and 7 for consideration during Phase 2; and

WHEREAS the damage to Highway 174 known as the “sinkhole” provides a preview of future traffic issues if an Interprovincial bridge connects to the 174; and

WHEREAS the 174 “sinkhole” demonstrates that the priority of Council should be on extending LRT to Orléans to alleviate highway concerns, rather than on a bridge to Quebec;

THEREFORE BE IT RESOLVED THAT Council is opposed to an Interprovincial bridge in the east-end of Ottawa.

MOTION NO. 42/7

Moved by Councillor M. Fleury
Seconded by Councillor P. Clark

WHEREAS at the Council meeting of 26 September 2012, Councillor Bloess introduced a Notice of Motion for consideration at a subsequent meeting, seconded by Councillor Monette, on the subject of an Interprovincial bridge in the east-end of Ottawa;

AND WHEREAS the above-referenced Motion is scheduled to be considered at today’s meeting of Ottawa City Council under “MOTIONS OF WHICH NOTICE HAS BEEN GIVEN PREVIOUSLY”;

AND WHEREAS City Council at its meeting of 14 July 2010 approved the following: “That the Interprovincial Transportation Study be completed prior to the selection of an interprovincial corridor.”

AND WHEREAS the Interprovincial Transportation Study is expected to be completed in 2013

THEREFORE BE IT RESOLVED that this matter be deferred until the Interprovincial Transportation Study is completed.

DEFERRAL CARRIED, with Councillors S. Blais, B. Monette, J. Harder, R. Bloess, and T. Tierney dissenting.

MOTIONS REQUIRING THE SUSPENSION OF THE RULES OF PROCEDURE

MOTION NO. 42/8

Moved by Councillor P. Hume
Seconded by Mayor J. Watson

THAT the Rules of Procedure be waived to consider the following motion, as this matter is currently before Provincial Legislature.

WHEREAS, the City of Ottawa Police Services Board passed a motion on September 24, 2012, directing the Chair to write to the Leaders of political parties and the Government of Ontario regarding the issue of interest arbitration reform; and

WHEREAS, the City of Ottawa is pleased that both the Liberal government and the PC party have kept the issue of interest arbitration reform at the forefront of major policy discussions; and

WHEREAS, the City of Ottawa supports the overall intention of interest arbitration reform; and

WHEREAS, a preliminary review indicates that there appears to be room for improvement in both pieces of draft legislation before the legislature; and

WHEREAS, the City of Ottawa trusts that through further consultation these issues can be resolved; and

WHEREAS, the City of Ottawa is aware that AMO and the Emergency Services Steering Committee are reviewing these issues and look forward to further discussion and input;

THEREFORE BE IT RESOLVED, that the City of Ottawa requests that the Legislature work collectively in the best interests of Ontario municipalities and Ontario taxpayers on this important issue of interest arbitration reform.

AND BE IT FURTHER RESOLVED THAT the Mayor write to the Premier, the Leader of the Opposition and the leader of the New Democratic Party conveying Council's approval of this motion.

CARRIED

MOTION NO. 42/9

Moved by Councillor D. Chernushenko
Seconded by Councillor M. McRae

WHEREAS City Council approved Motion 41/9 at its meeting on September 26th, 2012, in order to submit applications for the Province of Ontario's Feed-in Tariff (FIT) Program which is anticipated to open soon;

THEREFORE BE IT RESOLVED THAT the *Rules of Procedure* be waived to consider the following revision to that motion:

WHEREAS City Council's Motion 41/9 supported the construction and operation of Rooftop Solar Projects anywhere in the City of Ottawa; and

WHEREAS Ontario Power Authority has subsequently advised the City that the phrase "subject to staff review" in the approved resolution supporting the FIT Program does not meet their requirement for approval purposes;

THEREFORE BE IT RESOLVED that Motion 41/9 be amended to delete the phrase "subject to staff review."

CARRIED

MOTION NO. 42/10

Moved by Councillor S. Desroches
Seconded by Councillor M. McRae

That the Rules of Procedure be suspended to consider the following motion:

WHEREAS The Ottawa Senators are involved in collective bargaining negotiations between the National Hockey League Players' Association ("NHLPA") and the National Hockey League ("NHL");

AND WHEREAS the NHL and NHL Players' Association remain in lockout, and stalemated with no clear path to resolution in sight;

AND WHEREAS the Ottawa Senators activities in Ottawa contribute millions of dollars to the local economy;

AND WHEREAS the loss of Ottawa's only professional sports team will have a rippling effect on thousands of City of Ottawa residents: from employees of the Ottawa Senators, food vendors and security and cleaning staff at Scotiabank Place as well as impact on local sports bars, restaurants, hotels etc. and economic impact attributable to visiting teams such as fewer hotel room nights, fewer airport landing fees, smaller corporate hospitality expenditures;

AND WHEREAS the absence of Ottawa Senator's games in the 2012/13 season will mean millions of dollars in lost indirect economic activity in Ottawa related to companies and suppliers to Scotiabank Place and the Senators as well as a reduction in expenditures by employees disaffected directly;

AND WHEREAS the loss of Ottawa Senators games will have material negative impact on the branding and attractiveness of Ottawa as a destination; the marketing value alone of U.S. broadcasts of Ottawa games generates more than 4.5 million impressions per game.

AND WHEREAS the Ottawa Senators have a deep connection to the community, but are unable to continue making the considerable contribution to the quality of life in Ottawa that is usual because those players who are absent, playing abroad are unable to participate in community events and charities; charities, hospitals and other community organizations that use Senators tickets as part of their fundraising are materially disaffected and the Ottawa Senators Community Foundation is less able to contribute as usual because they are unable to raise funds at games;

THEREFORE BE IT RESOLVED that the City of Ottawa seek a swift resolution of this impasse by sending a letter from the Mayor to the Executive Director of the NHLPA and to the commissioner of the NHL highlighting the economic impact of this situation and urging them to reach a settlement;

AND BE IT FURTHER RESOLVED that the Mayor also write to the Mayors of other Canadian NHL franchise municipalities encouraging them to write similar letters to the NHLPA and to the NHL.

CARRIED

MOTION TO INTRODUCE BY-LAWS

MOTION NO. 42/11

Moved by Councillor D. Deans
Seconded by Councillor T. Tierney

That the following by-laws be enacted and passed:

FIRST AND SECOND READINGS

A by-law of the City of Ottawa to provide for a drainage works project improving, extending to an outlet and altering the drainage works that were originally authorized and constructed under Monahan Creek Municipal Drain By-laws 19-69 and 41-73 and modified under Monahan Creek Municipal Drain By-law 2003-396.

THREE READINGS

- 2012-352 A by-law of the City of Ottawa to amend By-law No. 2003-499 respecting fire routes.
- 2012-353 A by-law of the City of Ottawa to close the Lane on Registered Plan No. 342654, located in the Geographic Township of Nepean, City of Ottawa.
- 2012-354 A by-law of the City of Ottawa to establish certain lands as common and public highway and assume them for public use.
- 2012-355 A by-law of the City of Ottawa designating the Kanata North Business Park Area as an improvement area.
- 2012-356 A by-law of the City of Ottawa to establish a Board of Management for the Kanata North Business Park Improvement Area.
- 2012-357 A by-law of the City of Ottawa to amend By-law No. 2007-338 to appoint Municipal Law Enforcement Officers in the Transit Safety and Enforcement Services Branch of the Transit Services Department.
- 2012-358 A by-law of the City of Ottawa to amend By-law No. 2004-60 to appoint Municipal Law Enforcement Officers in accordance with private property parking enforcement.
- 2012-359 A by-law of the City of Ottawa to establish certain lands as common and public highway and assume it for public use (Richardson Side

Road).

- 2012-360 A by-law of the City of Ottawa to amend By-law No. 2008-250 of the City of Ottawa to change the zoning of lands known municipally as 300 Greenbank Road.
- 2012-361 A by-law of the City of Ottawa to designate certain lands at 100 to 118 Battersea Crescent (even only); 130 to 146 Battersea Crescent (even only); 117 to 151 Battersea Crescent (odd only) as being exempt from Part Lot Control.
- 2012-362 A by-law of the City of Ottawa to designate certain lands at 552 and 554 Barrick Hill Road as being exempt from Part Lot Control.
- 2012-363 A by-law of the City of Ottawa to designate certain lands and improvements thereon as a municipal capital facility.
- 2012-364 A by-law of the City of Ottawa to close the Lane on Registered Plan No. 342654, located in the Geographic Township of Nepean, City of Ottawa.
- 2012-365 A by-law of the City of Ottawa to close the Lane on Registered Plan No. 342654, located in the Geographic Township of Nepean, City of Ottawa.

CARRIED

CONFIRMATION BY-LAW

MOTION NO. 42/12

Moved by Councillor D. Deans
Seconded by Councillor T. Tierney

THAT By-law 2012-366 to confirm the proceedings of Council be enacted and passed.

CARRIED

ADJOURNMENT

Council adjourned the meeting at 2:45 p.m.

CLERK

MAYOR