



OTTAWA CITY COUNCIL

Wednesday, 19 December 2012, 10:00 am

Andrew S. Haydon Hall, 110 Laurier Avenue West

DRAFT MINUTES 47

The Council of the City of Ottawa met at Andrew S. Haydon Hall, 110 Laurier Avenue West, Ottawa, on Wednesday, 19 December 2012 beginning at 10:00 a.m.

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

NATIONAL ANTHEM

The National Anthem was performed by the Lisgar Collegiate String Quartet.

ANNOUNCEMENTS/CEREMONIAL ACTIVITIES

RECOGNITION - MAYOR'S CITY BUILDER AWARD

Mayor Jim Watson and Councillor Rick Chiarelli presented the Mayor's City Builder Award to Mrs. Kathy Yach and Mr. Hi Carswell for their extensive volunteer work, community service, and their many contributions to the Copeland Park Community.

RECOGNITION – CITY MANAGER

Mayor Watson presented City Manager, Kent Kirkpatrick, with the Queen Elizabeth II Diamond Jubilee Medal for his years of dedicated public service to residents.

ROLL CALL

ALL MEMBERS WERE PRESENT.

CONFIRMATION OF MINUTES

The Minutes of the regular meeting of 28 November 2012 and of the special meeting of 12 December 2012 were confirmed.

DECLARATIONS OF INTEREST INCLUDING THOSE ORIGINALLY ARISING FROM PRIOR MEETINGS

See specific Agenda Item for declarations: Bulk Consent Agenda, Item G, Finance and Economic Development Committee Report 27, St. Joseph Boulevard Community Improvement Plan Grant Application – Place d'Orléans Holdings Inc. - 3025 St. Joseph Boulevard.

COMMUNICATIONS

The following communications were received.

Association of Municipalities of Ontario (AMO):

- AMO Report to Members - Highlights of the November 2012 Board Meeting
- Provincial Auditor's 2012 Report – Key Municipal Interest in OPP Recommendations
- Ontario Distribution Sector Review Panel Releases Report
- Additional Funding for Municipal Infrastructure Available

Response to Inquiries:

- 08-12 - Transportation and Traffic Management

REGRETS

No regrets were filed.

MOTION TO INTRODUCE REPORTS

MOTION NO. 47/1

Moved by Councillor T. Tierney
Seconded by Councillor B. Monette

That the report from the Deputy City Manager, Planning and Infrastructure, entitled "Design, Build, Finance and Maintenance of Ottawa's Light Rail Transit (OLRT) Project"; the report from the City Clerk and Solicitor, entitled "Status Update - Council Inquiries and Motions for the Period Ending 14 December 2012"; Police Services Board Citizen Appointment Selection Committee Report 2; Audit Sub-Committee Report 2; Agriculture and Rural Affairs Committee Report 26;

Finance and Economic Development Committee Report 27; Planning Committee Reports 41 and 42; and, Transportation Committee Report 23, be received and considered;

And that the Rules of Procedure be suspended to allow the Citizen Members of the Transit Commission to sit at the Council table to ask questions on the two audits related to OC Transpo during Council's consideration of the item contained in Audit Sub-Committee Report 2, entitled "Office of the Auditor General (OAG) - 2011 Annual Report and Detailed Audit Reports."

CARRIED

REFERRALS

Referred to Council by Committee of the Whole at the Special Council Meeting held on 12 December 2012.

DEPUTY CITY MANAGER, PLANNING AND INFRASTRUCTURE REPORT

- | |
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| <p>1. DESIGN, BUILD, FINANCE AND MAINTENANCE OF OTTAWA'S LIGHT RAIL TRANSIT (OLRT) PROJECT</p> |
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REPORT RECOMMENDATIONS

That Council:

1. **Receive the results of the Request for Proposals (RFP) process, as described in this report, and as overseen by a Fairness Commissioner, to design, build, finance and maintain the Ottawa Light Rail Transit Project (OLRT) and to build and finance the Highway 417 widening project, and approve the selection of Rideau Transit Group as the Preferred Proponent to design, build, finance and maintain the OLRT project, and to build and finance the Highway 417 widening project including the undertaking of certain related civic works in the manner described in this report.**
2. **Approve the budgets and funding sources for the projects as follows:**
 - a. **The \$2.130B OLRT project budget and funding sources as outlined in this report;**
 - b. **The project budgets and funding sources for the associated works as outlined in this report and as follows:**

- i. Highway 417 widening (\$226 million);
 - ii. OLRT transition (\$63 million); and
 - iii. Project contingency (\$100 million).
 - c. The City's payment obligations under the Project Agreement, both during the construction term and the maintenance and service term, as described in this report;
 - d. The delegation of authority to the City Treasurer to take any further steps and carry out any further acts as may be necessary to give effect to the approved budgets and funding sources for the OLRT project, the Highway 417 widening, the OLRT transition and the project contingency, subject to the terms and conditions described in this report;
 - e. The delegation of authority to the City Manager to negotiate and to the Mayor the authority to execute and deliver any further amendments to the Federal and Provincial OLRT Contribution Agreements and Infrastructure Ontario Memorandum of Understanding on and subject to, the terms and conditions described in this report and the report approved by City Council on July 14, 2011 entitled "Implementation of the Ottawa Light Rail Transit (OLRT) Project" (Ref N° ACS2011-ICS-RIO-0002); and to take any further steps and carry out any further acts as may be necessary to give effect to the foregoing, subject to the terms and conditions described in this report.
- 3. Delegate to the City Manager the authority to negotiate, approve, execute, deliver, amend and extend the Project Agreement and associated ancillary agreements for the OLRT project, the Highway 417 widening project and specific related civic works on and subject to the terms and conditions described in this report.
- 4. Approve the land acquisitions for the OLRT and related projects as follows:
 - a. The negotiated agreements, listed in Appendix 2, and as described in this report

as follows:

- i. **The Memorandum of Understanding with the National Capital Commission (NCC) including approving the deposit of \$24.5 million in escrow to the NCC, pending finalization of a land transfer agreement with the NCC;**
 - ii. **The Hydro Agency Agreement with Hydro Ottawa Limited;**
 - iii. **The Memorandum of Understanding with the University of Ottawa, including the declaration of the lands outlined in the MOU as surplus to the City's needs;**
 - iv. **Approve the continuation of negotiating a Memorandum of Understanding with VIA Rail Canada Inc. ("VIA MOU") on the basis of what is described in this report; and**
- b. **The delegation of authority to the Deputy City Manager, Planning and Infrastructure, to negotiate, approve, execute, deliver, amend and extend the Memorandum of Understanding with the NCC, and any documents, agreements or instruments resulting therefrom, including a land transfer agreement with the NCC and each of following: the Hydro Agency Agreement with Hydro Ottawa Limited, the Memorandum of Understanding with the University of Ottawa, the Memorandum of Understanding with Public Works and Government Services Canada, the Memorandum of Understanding with Parks Canada, and the Memorandum of Understanding with VIA Rail Canada, and any documents, agreements or instruments resulting therefrom on and subject to the terms and conditions described in this report;**
 - c. **The delegation of authority to the Deputy City Manager, Planning and Infrastructure, to complete and execute the agreements required for station integrations, within the project's budget authority and subject to the terms and conditions described in this**

- report;
- d. The expropriations as follows and in accordance with any related legislation:
 - i. The enactment of a by-law authorizing the making of an application to expropriate certain lands as set out in Schedule 1 of this report;
 - ii. The enactment of a by-law to authorize the expropriation of certain lands for which expropriation proceedings were commenced in June of 2012, as set out in Schedule 2 of this report.
5. The delegation of authority to the Deputy City Manager, Planning and Infrastructure, to negotiate, approve, execute, deliver, amend and extend the Utility Works Infrastructure Letter of Agreement with Hydro Ottawa Limited, subject to the terms described in this report.
6. Approve the re-naming of the OLRT project as the “Confederation Line” as described in this report.
7. Direct staff to prepare the By-Law and Official Plan amendments required for the Ottawa Light Rail Project as described in this report and in accordance with legislation.
8. Approve the amendments to the City’s noise by-law (by-law number 2004-253), as outlined in schedule 3.

MOTION NO. 47/2

Moved by Councillor M. Fleury
Seconded by Councillor S. Moffatt

WHEREAS Schedule 3 of the staff Report proposes an amendment to the Noise By-law (By-law 2004-253, as amended) to provide extended times for the construction of the tunnel portion of the Confederation Line of the Ottawa Light Rail Transit Project;

AND WHEREAS a number of clarifications are necessary to give full effect to the proposed amendments, including the detailing of specific portions of the construction work and activities to be undertaken together with the associated permitted days and times of construction and applicable noise levels,

AND WHEREAS a new draft amending by-law has been prepared for clarification;

BE IT RESOLVED THAT the draft amending by-law attached at Schedule 3 of the Report be deleted and the revised amending by-law attached hereto be substituted in its place.

BY-LAW NO. 2012 -

A by-law of the City of Ottawa to amend By-law No 2004-253 respecting noise from construction of the Confederation Line Project of the Light Rail Transit Project.

WHEREAS, on December 19th, 2012, this Council determined that By-law No. 2004-253 respecting noises, as amended, should be further amended to implement the Confederation Line Project of the Ottawa Light Rail Transit project as hereinafter set out;

THEREFORE, the Council of the City of Ottawa enacts as follows:

1. Section 1 of By-law No. 2004-253 entitled "A by-law of the City of Ottawa respecting noises", as amended, is amended by adding the following definition thereto:

"Confederation Line Project" means those sections of the existing or future right-of-way between the Tunney's Pasture and Blair Rapid Transit Stations that are to be utilised, or are utilised, for light rail transit as approved by City Council, and includes the following components:

- (a) railway tracks;
- (b) guideways;
- (c) overhead catenary system;
- (d) underground tunnel;
- (e) access shafts;
- (f) maintenance and storage facilities (MSF);
- (g) associated access tracks;
- (h) staging areas;
- (i) stations; and,
- (j) all associated infrastructure and facilities required for its construction;

2. Said By-law No. 2004-253 is further amended by adding the following heading and Section immediately after Section 20:

**CONFEDERATION LINE PROJECT – CONSTRUCTION AND
MAINTENANCE**

- 20A. (1) (a) Despite subsection 7(1), tunnel construction work for the Confederation Line Project occurring three (3)

metres and deeper below the immediate ground surface using tunnelling, sequential excavation or other similar tunnel construction techniques is permitted between 2200 hours of one day and 0700 hours of the next day.

- (b) No person shall perform or cause to be performed the tunnel construction work referred to in clause (a) if the noise from such construction has a level greater than 60 dBA when measured at the point of reception.
- (2) (a) Despite subsection 7(2), construction vehicles or construction equipment used for construction of the Confederation Line Project shall be permitted to operate before 0900 hours on any Sunday or statutory or public holiday for work performed three (3) metres or below the immediate ground surface using tunnelling, sequential excavation, or other similar tunnel construction techniques.
 - (b) No person shall operate or use, or permit to be operated or used, any construction vehicle or construction equipment as described in clause (a) if the noise from such operation or use has a level greater than 60 dBA when measured at the point of reception.
- (3) (a) Despite subsection 8(1), transport trucks or vehicles may be used the between 2300 hours of one day and 0700 hours of the next day to haul, load or unload material in support of the tunnel construction for the Confederation Line Project.
 - (b) No person shall operate or use, or permit to be operated or used, any transport trucks or vehicles as described in clause (a) if the noise from such operation or use has a level greater than 60 dBA when measured at the point of reception.
- (4) (a) Despite subsection 15(1), power equipment for the Confederation Line Project shall be permitted to operate between 2100 hours of one day and 0700 hours of the next day to support tunnel excavation work performed three (3) metres and deeper below the immediate ground surface using tunnelling,

sequential excavation or other similar tunnel construction techniques.

- (b) No person shall operate or use, or permit to be operated or used, any power equipment as described in clause (a) if the noise from such operation or use has a level greater than 60 dBA when measured at the point of reception.
- (5) (a) Despite subsection 15(2), power equipment for the Confederation Line Project shall be permitted to operate before 0900 hours on any Saturday, Sunday or statutory or public holiday, to support tunnel excavation work performed three (3) metres and deeper below the immediate ground surface using tunnelling, sequential excavation or other similar tunnel construction techniques.
- (b) No person shall operate or use, or permit to be operated or used, any power equipment as described in clause (a) if the noise from such operation or use has a level greater than 60 dBA when measured at the point of reception.

ENACTED AND PASSED this day of , 2013.

CITY CLERK

MAYOR

CARRIED

Item 1 of the City Council Agenda, Report from the Deputy City Manager, Planning and Infrastructure, entitled “Design, Build, Finance and Maintenance of Ottawa’s Light Rail Transit (OLRT) Project” as amended by Motion No. 47/2 and set out in full below, was then put to Council:

That Council:

- 1. Receive the results of the Request for Proposals (RFP) process, as described in this report, and as overseen by a Fairness Commissioner, to design, build, finance and maintain the Ottawa Light Rail Transit Project (OLRT) and to build and finance the Highway 417 widening project, and approve the selection of Rideau Transit Group as the Preferred Proponent to design, build, finance and maintain the OLRT project, and to build and**

finance the Highway 417 widening project including the undertaking of certain related civic works in the manner described in this report.

- 2. Approve the budgets and funding sources for the projects as follows:**
 - a. The \$2.130B OLRT project budget and funding sources as outlined in this report;**
 - b. The project budgets and funding sources for the associated works as outlined in this report and as follows:**
 - i. Highway 417 widening (\$226 million);**
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- 5. The delegation of authority to the Deputy City Manager, Planning and Infrastructure, to negotiate, approve, execute, deliver, amend**

and extend the Utility Works Infrastructure Letter of Agreement with Hydro Ottawa Limited, subject to the terms described in this report.

- 6. Approve the re-naming of the OLRT project as the “Confederation Line” as described in this report.**
- 7. Direct staff to prepare the By-Law and Official Plan amendments required for the Ottawa Light Rail Project as described in this report and in accordance with legislation.**
- 8. That the draft amending by-law attached at Schedule 3 of the report be deleted and the revised amending by-law attached hereto be substituted in its place.**

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2. Said By-law No. 2004-253 is further amended by adding the following heading and Section immediately after Section 20:

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- (b) No person shall operate or use, or permit to be operated or used, any transport trucks or vehicles as described in clause (a) if the noise from such

operation or use has a level greater than 60 dBA when measured at the point of reception.

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- (b) No person shall operate or use, or permit to be operated or used, any power equipment as described in clause (a) if the noise from such operation or use has a level greater than 60 dBA when measured at the point of reception.

ENACTED AND PASSED this day of , 2013.

CITY CLERK

MAYOR

CARRIED on a division of 24 YEAS to 0 NAYS as follows:

YEAS (24): Councillors S. Blais, D. Deans, S. Moffatt, M. Fleury, D. Thompson, R. Chiarelli, D. Holmes, S. Desroches, M. Wilkinson, K. Egli, P. Hume, A. Hubley, T. Tierney, E. El-Chantiry, R. Bloess, P. Clark, B. Monette, S. Qadri, J. Harder, M. McRae, M. Taylor, K. Hobbs, D. Chernushenko and Mayor J. Watson.

NAYS (0):

DIRECTIONS TO STAFF

DIRECTION 1

That staff be directed to work with the National Capital Commission to assist in identifying viable new locations for the Bixi Bike Program along the Confederation Line, O-Train and Transitways.

DIRECTION 2

That staff be directed to develop a plan to explore options to re-configure some of the area now occupied by the Laurier Station, including identifying the potential for pedestrian/cycling connectivity from the existing Laurier station to the Confederation Line Rideau and Campus stations and bring that plan to Committee and Council.

DIRECTION 3

Given that the City's Downtown Moves projects have been planned to capitalize on opportunities presented by the Confederation Line project, and given that construction methods and schedules with respect to the Confederation Line are now known, that staff be directed to report back as soon as possible on what is required to advance the design for Rideau Street streetscaping plans between Dalhousie and Sussex to align with the Confederation Line project plans in the Rideau Street area.

DIRECTION 4

Given that the City's Downtown Moves projects have been planned to capitalize on opportunities presented by the Confederation Line project, that staff be directed to report back as soon as possible on what is required to meet redesign of Queen Street such that it achieves the "Showcase Street" designation as outline in Downtown Moves, and to align with the Confederation Line transit station construction planned for Queen Street as seamlessly as possible, while accommodating the anticipated increase in pedestrian volumes.

DIRECTION 5

Given that the Convention Centre is directly connected to the Rideau Centre, that staff be directed to work with the National Arts Centre and the National Capital Commission to explore a weather-protected connection from the National Arts Centre to the Ottawa Convention Centre via the MacKenzie-King Bridge.

DIRECTION 6

That staff be directed to conduct a pedestrian and cycling safety review of the planned Bus Rapid Transit detour along Scott and Albert and report on the results of this review to Transportation Committee and Council in time to implement any supplementary measures as may be required.

MOTION No. 47/3

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

THEREFORE BE IT RESOLVED that the Mayor's remarks given at the City Council Meeting on December 19, 2012 be printed in the Minutes of today's Council meeting.

CARRIED

Check against delivery

I want to thank my Council colleagues for their comments. I want to congratulate City Manager Kent Kirkpatrick, Deputy City Manager Nancy Schepers, John Jensen, their staff, consultants and partners at Infrastructure Ontario for their tremendous work on this impressive proposal. You have provided a steady hand throughout a very complex and thorough procurement process. You should be very proud of this significant accomplishment – and for working so diligently and passionately on behalf of your city.

I want to also thank our provincial and federal partners for their milestone contributions in finally making this dream a reality. This could not have been done without your support. I am so pleased we were able to work together to move this project – and this city – forward. This final proposal accurately reflects the direction by Council – and more importantly – the needs and priorities of Ottawa residents. The Confederation Line will benefit not just one neighbourhood, but the whole city. The success of this first phase is in everyone's interest, no matter where you live, or how you commute. More people on the Confederation Line means less people in cars – which is good news for everyone.

Our way forward is clear and we will not take our eye off the ball. In a project of this size, there will of course be bumps along the road. But with the Rideau Transit Group, a world-class consortium, I have every confidence that disruptions will be mitigated as much as possible. There will be short-term pain, for significant long-term gain. And with important safeguards built into this contract, the City and its taxpayers are protected.

While delivering on this project, we will begin some exciting conversations about the future of our city. We will review our Transportation Master Plan next year. Through this, we will begin to address some of our most critical transportation issues. And we will quickly see that the Confederation Line allows us to re-imagine travel in our city.

Ottawa's population is projected to grow to 1.14 million residents by 2031 – that's an increase of 30% from 2006. This means that about 148,000 new housing units may be needed in Ottawa by 2031. Will these new commuters take transit, cycle, walk or take their cars? We have a role to play in determining and accommodating that future. And we will do everything we can to make alternative modes of transportation a more attractive option. And of course, we will take the exciting first steps towards bringing the convenience of light rail transit to our east, west and south end residents.

We will also move forward with the principles of transit oriented development, initiated by our Planning Committee, under Councillors Hume and Harder's leadership. This means intensification around transit hubs – but more importantly – smart intensification. Because it is just common sense to co-locate residences and businesses where it is easy to jump on the Confederation Line. I'm proud to be part of this historic day. To cast the final vote on an economic, employment and transportation game-changer for Ottawa.

It is not often that we have the chance to make a decision that will have such a transformative impact on our city. I'm proud that this is one of those moments. This is a project, not just for today, but for tomorrow. This is a gift for future generations. The time for talk is over. The time for action starts right now. Today, we will roll up our sleeves, start the heavy lifting, and deliver this project on time, on budget, and with a fixed price.

REPORTS

CITY CLERK AND SOLICITOR DEPARTMENT

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| 2. STATUS UPDATE - COUNCIL INQUIRIES AND MOTIONS FOR THE PERIOD ENDING 14 DECEMBER 2012 |
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REPORT RECOMMENDATION

That Council receive this report for information.

RECEIVED

POLICE SERVICES BOARD CITIZEN APPOINTMENT SELECTION
COMMITTEE REPORT 2

3. CITIZEN APPOINTMENT TO THE CITY OF OTTAWA POLICE SERVICES BOARD

COMMITTEE RECOMMENDATION

That Council approve the appointment of Mr. Leo Alexander (Sandy) Smallwood to serve as the City of Ottawa's citizen appointment to the Ottawa Police Services Board, effective December 31, 2012 and expiring on 30 November 2014.

CARRIED

COMMITTEE REPORTS

AUDIT SUB-COMMITTEE REPORT 2

Ottawa Transit Commission Citizen Members, Emily Rahn and Blair Crew were present at the Council meeting to ask questions of the Auditor General and OC Transpo staff, concerning the two audits related to OC Transpo.

4. OFFICE OF THE AUDITOR GENERAL (OAG) - 2011 ANNUAL REPORT AND DETAILED AUDIT REPORTS

COMMITTEE RECOMMENDATION

That Council consider and approve the audit recommendations and refer all recommendations where management is in disagreement to the Audit Sub-Committee or other Standing Committee as directed by Council.

CARRIED

AGRICULTURE AND RURAL AFFAIRS COMMITTEE REPORT 26

5. ZONING - 1127 AND 1128 MILL STREET AND 1125 CLAPP LANE

COMMITTEE RECOMMENDATION

That Council approve an amendment to the Zoning By-law 2008-250 to change the zoning of 1127 Mill Street from Rural Institutional Subzone 1 (RI1) and Village Mixed Use Subzone 2

(VM2) to Village Mixed Use with Exceptions and a Schedule (VM [aaar] Syyy) and 1128 Mill Street from Village Mixed Use Subzone 2 (VM2) to Village Mixed Use with an Exception (VM [cccr]) and 1125 Clapp Lane from Village Mixed Use Subzone 2 (VM2) to Village Mixed Use with an Exception (VM [dddr]) as shown in Document 1 and as detailed in Documents 2 and 3.

CARRIED

FINANCE AND ECONOMIC DEVELOPMENT COMMITTEE REPORT 27

6. PUBLIC PRIVATE PARTNERSHIP – SHEFFORD ROAD PARK

COMMITTEE RECOMMENDATIONS

That Council:

- 1. Approve that the City enter into a Public-Private Partnership (P3) with Ottawa Community Ice Partners (OCIP), the preferred proponent, for a four-pad ice complex at 813 Shefford Road as set out in this report.**
- 2. Authorize the General Manager of Parks, Recreation and Cultural Services to finalize the negotiations and conclude and execute all necessary agreements on behalf of the City with OCIP in accordance with the proposal submitted by OCIP as amended through negotiations; the terms and conditions in the Request for Proposal; and the business terms set out in the attached Document 1.**
- 3. Designate 813 Shefford Road as a Municipal Capital Facility (MCF) as permitted under section 110 of the Municipal Act, 2001 and Ontario Regulation 603/06 and that this designation be implemented by way of a MCF Agreement between the City and OCIP and by the enactment of a by-law in accordance with the requirements of the Municipal Act, 2001 and to declare that the Facility is for the purposes of the municipality and for public recreational use.**
- 4. Exempt the facility from the City portion of Development Charges payable, except for the Public Transit service component.**

5. **Authorize the General Manager of Parks, Recreation and Cultural Services to execute any necessary amending agreement to amend the terms of the existing Bell Sensplex West Project Agreement to allow for the following:**
 - a) **the City's contribution to the Bell Sensplex West Operating Reserve Fund (ORF) will remain in the ORF and be released to the City at the end of the term in 2034.**
 - b) **to provide OCIP with the City's consent to utilize funds currently held in the Bell Sensplex West Surplus Account to provide the working capital and start-up funding required for the new facility, in accordance with the Proforma approved by the City and as set out in this report.**

6. **Authorize the City Treasurer to execute any agreements required to have the City guarantee the OCIP loan associated with the construction period and long-term loan.**

CARRIED

PLANNING COMMITTEE REPORT 41

7. RESIDENTIAL LAND SUPPLY AND DEMAND TO 2031: 2012 UPDATE
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COMMITTEE RECOMMENDATION

That Council confirm the position that the City of Ottawa Official Plan has identified sufficient residential lands to be consistent with the Provincial Policy Statement.

CARRIED

PLANNING COMMITTEE REPORT 42

8. SITE PLAN CONTROL BY-LAW AMENDMENT –
CONVERSIONS IN SANDY HILL

COMMITTEE RECOMMENDATION

That Council repeal By-law No. 2012-230 and approve an amendment to the Site Plan Control By-law, 2002, as amended, to require site plan control approval when existing low density residential buildings are converted to three or more dwelling units in Sandy Hill, as detailed in Document 2.

CARRIED

TRANSPORTATION COMMITTEE REPORT 23

9. MULTI-USE CROSSING OF THE O-TRAIN CORRIDOR NEAR
HICKORY STREET: ENVIRONMENTAL ASSESSMENT STUDY

COMMITTEE RECOMMENDATIONS

That Council:

- 1. Approve the Environmental Assessment Study's recommended plan for the multi-use (pedestrian and cycling) crossing of the O-Train corridor between Hickory Street and Adeline Street as described in this report; and**
- 2. Direct staff to finalize the Project File for the Multi-use Crossing of the O Train Corridor near Hickory Street Environmental Assessment and post the Notice of Study Completion.**

CARRIED

BULK CONSENT AGENDA

AGRICULTURE AND RURAL AFFAIRS COMMITTEE REPORT 26

A ZONING – 3536 UPPER DWYER HILL ROAD

COMMITTEE RECOMMENDATION

That Council approve an amendment to the Zoning By-law 2008-250 to change the zoning of 3536 Upper Dwyer Hill Road from AG (Agricultural) to AG5 (Agricultural, subzone 5), as shown on Document 1.

CARRIED

B ZONING – 2396 FAIRMILE ROAD AND 2382 DONNELLY DRIVE

COMMITTEE RECOMMENDATION

That Council approve an amendment to the Zoning By-law 2008-250 to change the zoning of 2396 Fairmile Road from RU[136r] to RU and 2382 Donnelly Drive by amending exception 136r, as shown in Document 1 and as detailed in Document 2.

CARRIED

FINANCE AND ECONOMIC DEVELOPMENT COMMITTEE REPORT NO 27

C ERNST & YOUNG LLP 2012 AUDIT PLAN

COMMITTEE RECOMMENDATION

That Council receive this report for information.

RECEIVED

D APPOINTMENT OF AN EXTERNAL AUDITOR FOR THE CITY OF OTTAWA

COMMITTEE RECOMMENDATION

That Council approve the appointment of Ernst and Young LLP as the external auditors of the City of Ottawa commencing January 02, 2013 and ending September 30, 2018 (includes five (5) annual audits) for a firm cost (for the five (5) year period) of \$1,619,300 plus HST and that the necessary By-Law be enacted.

CARRIED

E APPOINTMENT TO THE DOWNTOWN RIDEAU BUSINESS IMPROVEMENT AREA BOARD OF MANAGEMENT

COMMITTEE RECOMMENDATION

That Council approve the appointment of Alexandra Badzak to the Downtown Rideau Business Improvement Area Board of Management for the term expiring November 30, 2014.

CARRIED

F 2013 INTERIM PROPERTY TAXES AND DUE DATES

COMMITTEE RECOMMENDATIONS

That Council approve:

- 1. That the 2013 interim property tax billing be set at 50% of the 2012 Adjusted/Annualized Taxes as permitted by legislation;**
- 2. That the following tax due dates be approved for 2013:**
 - i. Interim: March 21, 2013**
 - ii. Final: June 20, 2013; and**
- 3. That the penalty and interest percentage charge on overdue and unpaid tax arrears remain at the rate of 1.25% per month (15% per year) unchanged from 2012.**

-
4. **Subject to the approval of the above recommendations, that Council enact a by-law in the form attached as Document 1 to establish the 2013 interim taxes, tax due dates, penalty and interest charges.**

CARRIED

G	ST. JOSEPH BOULEVARD COMMUNITY IMPROVEMENT PLAN GRANT APPLICATION – PLACE D'ORLÉANS HOLDINGS INC. - 3025 ST. JOSEPH BOULEVARD
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COMMITTEE RECOMMENDATIONS

That Council:

- 1. Approve the St. Joseph Boulevard Community Improvement Plan Grant Application submitted by Place d'Orléans Holdings Inc., owner of the property at 3025 St. Joseph Boulevard, for the Development Incentive Grant not to exceed \$459,416.30 payable to Place d'Orléans Holdings Inc. over a maximum of 10 years subject to the Owner entering into an Agreement, as provided for in the approved St. Joseph Boulevard Community Improvement Plan; and**
- 2. Authorize staff to negotiate a Development Assistance Agreement with Place d'Orléans Holdings Inc. establishing the terms and conditions governing the payment of the Development Incentive Grant for the redevelopment of 3025 St. Joseph Boulevard satisfactory to the Deputy City Manager, Planning and Infrastructure Services, the City Solicitor and the City Treasurer.**

DECLARATION OF INTEREST

Councillor Marianne Wilkinson, declared a potential, deemed pecuniary interest on Bulk Consent Agenda Item G (Finance and Economic Development Committee Report 27), St. Joseph Boulevard Community Improvement Plan Grant Application – Place d'Orléans Holdings Inc. – 3025 St. Joseph Boulevard, as her son is employed by the associated Farm Boy.

Councillor M. Wilkinson did not take part in the discussion or vote on this Item.

Item G on the Bulk Consent Agenda was then CARRIED, with Councillors A. Hubley, M. Fleury and D. Chernushenko dissenting.

PLANNING COMMITTEE REPORT 41

H	APPLICATION TO ALTER THE FORMER GRANT SCHOOL, 2720 RICHMOND ROAD, A PROPERTY DESIGNATED UNDER PART IV OF THE ONTARIO HERITAGE ACT
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COMMITTEE RECOMMENDATIONS

That Council:

- 1. Approve the application to alter the former Grant School, 2720 Richmond Road, to be known as the Centre Multiservices Francophone de l'Ouest d'Ottawa, according to plans by Sebastien Racine, A-DN Architecture Design Inc., received on October 17, 2012;**
- 2. Delegate authority for minor design changes to the General Manager, Planning and Growth Management Department; and**
- 3. Issue the heritage permit with a two-year expiry from the date of issuance.**

(Note: The statutory 90-day timeline for consideration of this application under the Ontario Heritage Act will expire on January 15, 2013)

(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

I	TEMPORARY ZONING BY-LAW AMENDMENT - 140 LAURIER AVENUE WEST
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COMMITTEE RECOMMENDATIONS AS AMENDED

That Council:

- 1. Approve an amendment to the Zoning By-law 2008-250 to change the zoning of 140 Laurier Avenue West from Mixed Use Downtown, Schedule 51 (MD S51) Heritage Overlay to Mixed-use Downtown Exception, Schedule 51 (MD[xxxx])**

S51) Heritage Overlay, to permit a supervised overnight accommodation for a period not to exceed one year, as detailed in Document 2 and as shown in Document 1;

- 2. Direct staff to undertake a detailed zoning study on occasional overnight accommodation and report back to Planning Committee no later than October, 2013, with the aim of establishing permanent provisions to regulate this use, and;**
- 3. Approve the addition of the words 'excluding those for supervisors' in Item 2 iii) of Document 2, Details of Recommended Zoning, immediately following the word 'guests' to clarify that the maximum of 6 beds or cots excludes those that may be used by the supervisors.**

And that no further notice be provided pursuant to Section 34(17) of the Planning Act.

CARRIED

PLANNING COMMITTEE REPORT 42

J	ZONING - 774 BRONSON AVENUE AND 551 CAMBRIDGE STREET SOUTH
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COMMITTEE RECOMMENDATION AS AMENDED

That Council approve an amendment to Zoning By-law 2008-250 to change the zoning of 774 Bronson Avenue and 551 Cambridge Street South from Arterial Mainstreet AM1 H(27.5) to a new Arterial Mainstreet AM1[XXXX]SYYY-h exception zone with a holding provision as detailed in Documents 2 and 3 and as shown in Document 1, as amended by the following:

THAT Document 3, Details of Recommended Zoning, be amended to add the following text;

- g. The maximum floor space index permitted for a development having 80 percent or more of its parking underground is 4.5.**

And that no further notice will be given under subsection 34(17) of the Planning Act.

CARRIED

K	ZONING – 5786 FERNBANK ROAD AND PART OF 5861 FERNBANK ROAD
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COMMITTEE RECOMMENDATION

That Council approve an amendment to Zoning By-law 2008-250 to change the zoning of 5786 Fernbank Road and part of 5861 Fernbank Road from Development Reserve Zone (DR) to Residential First Density Subzone Z (R1Z), Residential Third Density Subzone Z (R3Z), Residential Fourth Density Subzone Z (R4Z), Minor Institutional Zone/Residential First Density Subzone Z (I1B/R1Z), Minor Institutional Zone/Residential Fourth Density Subzone Z (I1B/R4Z) and Parks and Open Space Zone (O1) as shown in Document 1 and detailed in Document 2.

CARRIED

DISPOSITION OF ITEMS APPROVED BY COMMITTEES UNDER DELEGATED AUTHORITY

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

RECEIVED

MOTION TO ADOPT REPORTS

MOTION NO. 47/4

Moved by Councillor T. Tierney
Seconded by Councillor B. Monette

That the report from the Deputy City Manager, Planning and Infrastructure, entitled “Design, Build, Finance and Maintenance of Ottawa’s Light Rail Transit (OLRT) Project”; the report from the City Clerk and Solicitor, entitled “Status Update - Council Inquiries and Motions for the Period Ending 14 December 2012”; Police Services Board Citizen Appointment Selection Committee Report 2; Audit Sub-Committee Report 2; Agriculture and Rural Affairs Committee Report 26; Finance and Economic Development Committee Report 27; Planning Committee Reports 41 and 42; and, Transportation Committee Report 23, be received and adopted as amended.

CARRIED

MOTIONS REQUIRING SUSPENSION OF THE RULES OF PROCEDURE

MOTION NO. 47/5

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

That the Rules of Procedure be suspended, due to the fact that the fees below are budgeted to come into effect on January 1, 2013, to consider the following motion:

WHEREAS City Council approved the 2013 Operating and Capital Budget at its meeting of November 28, 2012; and

WHEREAS a rounding error has been identified in five of the Planning and Growth Management Department's 2013 approved Encroachment fee rates; and

WHEREAS the resulting rounding up or down of these rates, if unchanged, will cause a large percentage adjustment to the 2012 rates, and have a large impact on clients, which was not the Department's intent; and

WHEREAS these Encroachment Fee rates are applied based on the actual area occupied by an encroachment and have historically been precise;

THEREFORE BE IT RESOLVED that City Council approve the revised 2013 Encroachment rates as outlined in the following table:

Fee Type	Approved 2011 rate	Approved 2012 rate	Approved 2013 rate	Recommended revised 2013 rate
Surface Encroachment/Construction				
-Rental on boulevard per sqm/day	\$0.55	\$0.57	\$1.00	\$0.58
-Rental on sidewalk per sqm/day:	\$1.29	\$1.34	\$1.00	\$1.37
Outdoor Patio				
-Daily Rental – per sqm/day	\$1.30	\$1.34	\$1.00	\$1.37
Tourist Information Kiosk				
-Rental on unimproved boulevard	\$0.55	\$0.57	\$1.00	\$0.58
-Rental on Roadway or Sidewalk per sqm/day	\$1.30	\$1.34	\$1.00	\$1.37

CARRIED

MOTION NO. 47/6

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

That the Rules of Procedure be waived, due to the fact that this is the last Council meeting prior to the January 23, 2013 City Council Meeting, to consider the following motion:

WHEREAS, on October 24, 2012, City Council established the dates for consideration of the 2-Year Multi-Year Rate budget to be the January, 2013 meetings of the Environment Committee and City Council; and

WHEREAS, on September 12, 2012, City Council directed the City Manager to initiate and independent, arms-length, review of the roots causes of the Highway 174 sinkhole and determine what, if anything, the City could have done differently to prevent the sinkhole and the subsequent failure of the eastbound lanes of Highway 174 and report back to the Finance and Economic Development Committee within 90 days; and

WHEREAS the review and its findings, which were released on December 7, 2012, relate primarily to rate-supported infrastructure; which falls under the mandate of Environment Committee and not the Finance and Economic Development Committee; and

WHEREAS, on November 28, 2012 Council City re-directed the consultant's report on the independent, arms-length, review of the roots causes of the Highway 174 sinkhole and subsequent failure of the eastbound lanes of Highway 174 to the Environment Committee for consideration at its January 2013 meeting; and

WHEREAS staff, in consultation with the Mayor and the Committee Chair, believe Committee should have the opportunity to address this report outside of the context of a budget meeting; and

WHEREAS staff has confirmed that there are no significant operational impacts of deferring consideration of the Rate Budget by one month;

THEREFORE BE IT RESOLVED that the Rate-Supported Operating and Capital Budget for the 2 years 2013 and 2014 be tabled at the Environment Committee and Council in February.

CARRIED

MOTION NO. 47/7

Moved by Councillor D. Holmes
Seconded by Councillor P. Hume

WHEREAS the adjusted fees with regard to the City's *Encroachment By-law* are about to come into effect on January 1st, 2013; and

WHEREAS both the City of Ottawa and TKS Holdings Inc. share a desire to ensure that the new development proposed for the building located at 352 Somerset Street West, be initiated as soon as possible;

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

WHEREAS in late 2007 TKS Holdings Inc. ("TKS") undertook renovation work without a building permit at the building located 352 Somerset Street West and also known as the Somerset House; and

WHEREAS the unauthorized renovation resulted in the foundation being undermined in certain areas and the Chief Building Official subsequently issued an order under the *Building Code Act* that there was the danger of the building collapsing; and

WHEREAS a partial demolition was undertaken to the point that the building was restored to a safe state; and

WHEREAS the City was successful in its mandatory application to the Court under the *Building Code Act* to recover most of the costs it had incurred as a result of this matter, being \$316,201, along with \$226, 310 in legal costs; and

WHEREAS TKS had appealed that ruling as well as initiated a separate action against the City for approximately \$5M; and

WHEREAS the Parties have recently resolved all of the litigation associated with Somerset House whereby TKS paid to the City \$650,000 in full and final settlement of all of these matters; and

WHEREAS the Parties have expressed a joint desire to have the proposed development at Somerset House proceed as quickly and efficiently as possible;

THEREFORE BE IT RESOLVED THAT City Council suspend the implementation of any fees arising from the *Encroachment By-Law* as it relates to 352 Somerset Street West, for 2013, as a sign of goodwill and to further motivate TKS Holdings Inc. to act as quickly as possible in developing this site.

CARRIED

MOTION NO. 47/8

Moved by Councillor S. Blais
Seconded by Councillor E. El-Chantiry

THAT the Rules of Procedure be suspended, due to the fact that applications for a limited number of spots in the FIT program will be accepted until January 18, 2013, Council support for applications is a factor in favour of individual projects, and the next Council meeting is scheduled for January 23, 2013, to consider the following motion:

WHEREAS on December 14, 2012, the Ontario Power Authority (OPA) opened the application window for green energy projects between 10kw and 500kw under the provincial (FIT) program, and that same day, OPA announced the window will close on January 18, 2013, five days before the next Council meeting; and

WHEREAS the City of Ottawa has received a number of requests for support for individual projects across the rural area and City Council support for individual applications can help projects qualify for the program; and

WHEREAS the promotion of green technology aligns with Environmental and Economic Development goals in the 2010 – 2014 Term of Council Priorities; and

WHEREAS the OPA requires individual motions of support for each project and the order in which applications are received by the OPA is a consideration in the approval process;

THEREFORE BE IT RESOLVED that Council approve the individual motions of support for the Ground Mounted Solar FIT program project applications and the anaerobic digester project application listed as Appendices A through S.

CARRIED

Appendix A – 4565 Dunning Rd (Ward 19)

WHEREAS 3894886 Canada Inc. (the “Applicant”) proposes to construct and operate a ground mount solar installation (the “Project”) on 4565 Dunning Rd. (the “Lands”) in the City of Ottawa under the province’s FIT program; and

WHEREAS the Applicant has requested that Council of the City of Ottawa indicate by resolution Council's support for the construction and operation of the Project on the Property; and

WHEREAS, pursuant to the rules governing the FIT Program (the "FIT Rules"), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT contract prior to other persons applying for FIT Contracts;

THEREFORE BE IT RESOLVED THAT the Council of the City of Ottawa supports the construction and operation of the Project on the Lands

BE IT FURTHER RESOLVED THAT this resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

Appendix B – 4655 Dunning Rd (Ward 19)

WHEREAS 3894886 Canada Inc (the "Applicant") proposes to construct and operate a **ground mount solar installation** (the "Project") on 4655 Dunning Rd. (the "Lands") in the City of Ottawa under the province's FIT program; and

WHEREAS the Applicant has requested that Council of the City of Ottawa indicate by resolution Council's support for the construction and operation of the Project on the Property; and

WHEREAS, pursuant to the rules governing the FIT Program (the "FIT Rules"), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT contract prior to other persons applying for FIT Contracts;

THEREFORE BE IT RESOLVED THAT the Council of the City of Ottawa supports the construction and operation of the Project on the Lands

BE IT FURTHER RESOLVED THAT this resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

Appendix C – 4692 Sarsfield Rd. (Ward 19)

WHEREAS 7693702 Canada Inc. (the "Applicant") proposes to construct and operate a **ground mount solar installation** (the "Project") on 4692 Sarsfield Rd. (the "Lands") in the City of Ottawa under the province's FIT program; and

WHEREAS the Applicant has requested that Council of the City of Ottawa indicate by resolution Council's support for the construction and operation of the Project on the Property; and

WHEREAS, pursuant to the rules governing the FIT Program (the "FIT Rules"), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT contract prior to other persons applying for FIT Contracts;

THEREFORE BE IT RESOLVED THAT the Council of the City of Ottawa supports the construction and operation of the Project on the Lands

BE IT FURTHER RESOLVED THAT this resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

Appendix D – 3234 Torwood Dr. – PIN # 045440004 (Ward 5)

WHEREAS Bruce D. Baskin (the "Applicant") proposes to construct and operate a **ground mount solar installation** (the "Project") on 3234 Torwood Dr. – PIN # 04544-0004 (the "Lands") in the City of Ottawa under the province's FIT program; and

WHEREAS the Applicant has requested that Council of the City of Ottawa indicate by resolution Council's support for the construction and operation of the Project on the Property; and

WHEREAS, pursuant to the rules governing the FIT Program (the "FIT Rules"), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT contract prior to other persons applying for FIT Contracts;

THEREFORE BE IT RESOLVED THAT the Council of the City of Ottawa supports the construction and operation of the Project on the Lands

BE IT FURTHER RESOLVED THAT this resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

Appendix E – 6314 Flewellyn Rd. (Ward 21)

WHEREAS Thomas Cavanagh Construction Limited (the "Applicant") proposes to construct and operate a **ground mount solar installation** (the "Project") on 6314 Flewellyn Rd. (the "Lands") in the City of Ottawa under the province's FIT program; and

WHEREAS the Applicant has requested that Council of the City of Ottawa indicate by resolution Council's support for the construction and operation of the Project on the Property; and

WHEREAS, pursuant to the rules governing the FIT Program (the "FIT Rules"), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT contract prior to other persons applying for FIT Contracts;

THEREFORE BE IT RESOLVED THAT the Council of the City of Ottawa supports the construction and operation of the Project on the Lands

BE IT FURTHER RESOLVED THAT this resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

Appendix F – 2063 Munster Rd. (Ward 21)

WHEREAS Thomas Cavanagh Construction Limited (the "Applicant") proposes to construct and operate a **ground mount solar installation** (the "Project") on 2063 Munster Rd. (the "Lands") in the City of Ottawa under the province's FIT program; and

WHEREAS the Applicant has requested that Council of the City of Ottawa indicate by resolution Council's support for the construction and operation of the Project on the Property; and

WHEREAS, pursuant to the rules governing the FIT Program (the "FIT Rules"), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT contract prior to other persons applying for FIT Contracts;

THEREFORE BE IT RESOLVED THAT the Council of the City of Ottawa supports the construction and operation of the Project on the Lands

BE IT FURTHER RESOLVED THAT this resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

Appendix G – 7628 Flewellyn Rd. (Ward 21)

WHEREAS Thomas Cavanagh Construction Limited (the "Applicant") proposes to construct and operate a **ground mount solar installation** (the "Project") on 7628 Flewellyn Rd. (the "Lands") in the City of Ottawa under the province's FIT program; and

WHEREAS the Applicant has requested that Council of the City of Ottawa indicate by resolution Council's support for the construction and operation of the Project on the Property; and

WHEREAS, pursuant to the rules governing the FIT Program (the "FIT Rules"), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT contract prior to other persons applying for FIT Contracts;

THEREFORE BE IT RESOLVED THAT the Council of the City of Ottawa supports the construction and operation of the Project on the Lands

BE IT FURTHER RESOLVED THAT this resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

Appendix H – 7676 Flewellyn Rd. (Ward 21)

WHEREAS Thomas Cavanagh Construction Limited (the "Applicant") proposes to construct and operate a **ground mount solar installation** (the "Project") on 7676 Flewellyn Rd. (the "Lands") in the City of Ottawa under the province's FIT program; and

WHEREAS the Applicant has requested that Council of the City of Ottawa indicate by resolution Council's support for the construction and operation of the Project on the Property; and

WHEREAS, pursuant to the rules governing the FIT Program (the "FIT Rules"), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT contract prior to other persons applying for FIT Contracts;

THEREFORE BE IT RESOLVED THAT the Council of the City of Ottawa supports the construction and operation of the Project on the Lands

BE IT FURTHER RESOLVED THAT this resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

Appendix I – 1156 Jinkinson Rd – PIN # 044450318. (Ward 21)

WHEREAS Thomas Cavanagh Construction Limited (the "Applicant") proposes to construct and operate a **ground mount solar installation** (the "Project") on 1156 Jinkinson Rd – PIN # 044450318 (the "Lands") in the City of Ottawa under the province's FIT program; and

WHEREAS the Applicant has requested that Council of the City of Ottawa indicate by resolution Council's support for the construction and operation of the Project on the Property; and

WHEREAS, pursuant to the rules governing the FIT Program (the "FIT Rules"), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT contract prior to other persons applying for FIT Contracts;

THEREFORE BE IT RESOLVED THAT the Council of the City of Ottawa supports the construction and operation of the Project on the Lands

BE IT FURTHER RESOLVED THAT this resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

Appendix J – 1156 Jinkinson Rd – PIN # 044450315. (Ward 21)

WHEREAS Thomas Cavanagh Construction Limited (the "Applicant") proposes to construct and operate a **ground mount solar installation** (the "Project") on 1156 Jinkinson Rd – PIN # 044450315 (the "Lands") in the City of Ottawa under the province's FIT program; and

WHEREAS the Applicant has requested that Council of the City of Ottawa indicate by resolution Council's support for the construction and operation of the Project on the Property; and

WHEREAS, pursuant to the rules governing the FIT Program (the "FIT Rules"), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT contract prior to other persons applying for FIT Contracts;

THEREFORE BE IT RESOLVED THAT the Council of the City of Ottawa supports the construction and operation of the Project on the Lands

BE IT FURTHER RESOLVED THAT this resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

Appendix K – 1156 Jinkinson Rd – PIN # 044450312. (Ward 21)

WHEREAS Thomas Cavanagh Construction Limited (the "Applicant") proposes to construct and operate a **ground mount solar installation** (the "Project") on 1156

Jinkinson Rd – PIN # 044450312 (the “Lands”) in the City of Ottawa under the province’s FIT program; and

WHEREAS the Applicant has requested that Council of the City of Ottawa indicate by resolution Council’s support for the construction and operation of the Project on the Property; and

WHEREAS, pursuant to the rules governing the FIT Program (the “FIT Rules”), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT contract prior to other persons applying for FIT Contracts;

THEREFORE BE IT RESOLVED THAT the Council of the City of Ottawa supports the construction and operation of the Project on the Lands

BE IT FURTHER RESOLVED THAT this resolution’s sole purpose is to enable the Applicant to receive Priority Points under the FIT program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

Appendix L – 1156 Jinkinson Rd – PIN # 044450309. (Ward 21)

WHEREAS Thomas Cavanagh Construction Limited (the “Applicant”) proposes to construct and operate a **ground mount solar installation** (the “Project”) on 1156 Jinkinson Rd – PIN # 044450309 (the “Lands”) in the City of Ottawa under the province’s FIT program; and

WHEREAS the Applicant has requested that Council of the City of Ottawa indicate by resolution Council’s support for the construction and operation of the Project on the Property; and

WHEREAS, pursuant to the rules governing the FIT Program (the “FIT Rules”), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT contract prior to other persons applying for FIT Contracts;

THEREFORE BE IT RESOLVED THAT the Council of the City of Ottawa supports the construction and operation of the Project on the Lands

BE IT FURTHER RESOLVED THAT this resolution’s sole purpose is to enable the Applicant to receive Priority Points under the FIT program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

Appendix M – 152 Whitetail Dr. (Ward 5)

WHEREAS Thomas Cavanagh Construction Limited (the “Applicant”) proposes to construct and operate a **ground mount solar installation** (the “Project”) on 152 Whitetail Dr. (the “Lands”) in the City of Ottawa under the province’s FIT program; and

WHEREAS the Applicant has requested that Council of the City of Ottawa indicate by resolution Council’s support for the construction and operation of the Project on the Property; and

WHEREAS, pursuant to the rules governing the FIT Program (the “FIT Rules”), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT contract prior to other persons applying for FIT Contracts;

THEREFORE BE IT RESOLVED THAT the Council of the City of Ottawa supports the construction and operation of the Project on the Lands

BE IT FURTHER RESOLVED THAT this resolution’s sole purpose is to enable the Applicant to receive Priority Points under the FIT program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

Appendix N – North West Corner of Fernbank and Jinkinson - PIN 044460607 (Ward 21)

WHEREAS Thomas Cavanagh Construction Limited (the “Applicant”) proposes to construct and operate a **ground mount solar installation** (the “Project”) on the Corner of Fernbank Rd and Jinkinson Rd. – PIN 04460607 (the “Lands”) in the City of Ottawa under the province’s FIT program; and

WHEREAS the Applicant has requested that Council of the City of Ottawa indicate by resolution Council’s support for the construction and operation of the Project on the Property; and

WHEREAS, pursuant to the rules governing the FIT Program (the “FIT Rules”), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT contract prior to other persons applying for FIT Contracts;

THEREFORE BE IT RESOLVED THAT the Council of the City of Ottawa supports the construction and operation of the Project on the Lands

BE IT FURTHER RESOLVED THAT this resolution’s sole purpose is to enable the Applicant to receive Priority Points under the FIT program and may not be used for the

purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

Appendix O – 784 Taylor Creek Dr. (Ward 1)

WHEREAS FGWBM Inc. (the “Applicant”) proposes to construct and operate a **ground mount solar installation** (the “Project”) on 784 Taylor Creek Dr. (the “Lands”) in the City of Ottawa under the province’s FIT program; and

WHEREAS the Applicant has requested that Council of the City of Ottawa indicate by resolution Council’s support for the construction and operation of the Project on the Property; and

WHEREAS, pursuant to the rules governing the FIT Program (the “FIT Rules”), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT contract prior to other persons applying for FIT Contracts;

THEREFORE BE IT RESOLVED THAT the Council of the City of Ottawa supports the construction and operation of the Project on the Lands

BE IT FURTHER RESOLVED THAT this resolution’s sole purpose is to enable the Applicant to receive Priority Points under the FIT program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

Appendix P – 6079 McVagh Rd (Ward 19)

WHEREAS 2291890 Ontario Inc. (the “Applicant”) proposes to construct and operate a **ground mount solar installation** (the “Project”) on 6079 McVagh Rd. (the “Lands”) in the City of Ottawa under the province’s FIT program; and

WHEREAS the Applicant has requested that Council of the City of Ottawa indicate by resolution Council’s support for the construction and operation of the Project on the Property; and

WHEREAS, pursuant to the rules governing the FIT Program (the “FIT Rules”), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT contract prior to other persons applying for FIT Contracts;

THEREFORE BE IT RESOLVED THAT the Council of the City of Ottawa supports the construction and operation of the Project on the Lands

BE IT FURTHER RESOLVED THAT this resolution’s sole purpose is to enable the Applicant to receive Priority Points under the FIT program and may not be used for the

purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

Appendix Q – 6180 McVagh Rd. (Ward 19)

WHEREAS 2291890 Ontario Inc. (the “Applicant”) proposes to construct and operate a **ground mount solar installation** (the “Project”) on 6180 McVagh Rd.(the “Lands”) in the City of Ottawa under the province’s FIT program; and

WHEREAS the Applicant has requested that Council of the City of Ottawa indicate by resolution Council’s support for the construction and operation of the Project on the Property; and

WHEREAS, pursuant to the rules governing the FIT Program (the “FIT Rules”), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT contract prior to other persons applying for FIT Contracts;

THEREFORE BE IT RESOLVED THAT the Council of the City of Ottawa supports the construction and operation of the Project on the Lands

BE IT FURTHER RESOLVED THAT this resolution’s sole purpose is to enable the Applicant to receive Priority Points under the FIT program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

Appendix R – 6105 McVagh Rd (Ward 19)

WHEREAS 2291890 Ontario Inc. (the “Applicant”) proposes to construct and operate a **ground mount solar installation** (the “Project”) on 6105 McVagh Rd. (the “Lands”) in the City of Ottawa under the province’s FIT program; and

WHEREAS the Applicant has requested that Council of the City of Ottawa indicate by resolution Council’s support for the construction and operation of the Project on the Property; and

WHEREAS, pursuant to the rules governing the FIT Program (the “FIT Rules”), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT contract prior to other persons applying for FIT Contracts;

THEREFORE BE IT RESOLVED THAT the Council of the City of Ottawa supports the construction and operation of the Project on the Lands

BE IT FURTHER RESOLVED THAT this resolution’s sole purpose is to enable the Applicant to receive Priority Points under the FIT program and may not be used for the

purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

Appendix S – 2389 Pepin Court (Ward 2)

WHEREAS FULL CIRCLE ENERGY SOLUTIONS (the “Applicant”) proposes to construct and operate an **anaerobic digester installation** (the “Project”) on 2389 Pepin Court (the “Lands”) in the City of Ottawa under the province’s FIT program; and

And Whereas on December 14, 2012, the Ontario Power Authority (OPA) opened the application window for green energy projects between 10kw and 500kw under the provincial (FIT) program, and the window will close on January 18, 2013,

WHEREAS the Applicant has requested that Council of the City of Ottawa indicate by resolution Council’s support for the construction and operation of the Project on the Property; and

WHEREAS, pursuant to the rules governing the FIT Program (the “FIT Rules”), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT contract prior to other persons applying for FIT Contracts;

THEREFORE BE IT RESOLVED THAT the Council of the City of Ottawa supports the construction and operation of the Project on the Lands

BE IT FURTHER RESOLVED THAT this resolution’s sole purpose is to enable the Applicant to receive Priority Points under the FIT program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

MOTION NO. 47/9

Moved by Councillor M. McRae
Seconded by Mayor J. Watson

That the Rules of Procedure be waived, due to timelines, to consider the following:

WHEREAS today, December 19, 2012, at 7:12 a.m. EST, Canadian astronaut Commander Chris Hadfield, Russian cosmonaut Flight Engineer Roman Romanenko and American astronaut Flight Engineer Tom Marshburn began their voyage to the International Space Station on the Soyuz TMA-07M spacecraft; and

WHEREAS the International Space Station joins international space agencies in an important global partnership to ensure the continued progress of space exploration;

WHEREAS during this six-month mission, the multi-national crew for Expedition 34/35 will carry out critical tasks, including the capture of commercial cargo capsules using Canadarm 2, spacewalks to begin the repair of aging infrastructure on the International Space Station and valuable scientific experiments; and

WHEREAS, beginning in March 2013, Commander Chris Hadfield will make history becoming the first Canadian Commander of the International Space Station, overseeing the operations of Expedition 35, adding to Commander Hadfield's already significant contributions to Canadian space achievements as the first Canadian to operate the Canadarm in orbit and the nation's first astronaut to walk in space;

THEREFORE BE IT RESOLVED THAT Ottawa City Council, on behalf of all residents in Canada's Capital, formally congratulate Commander Chris Hadfield on this important achievement in Canadian space history and wish the Expedition 34/35 crew a safe and successful mission; and

BE IT FURTHER RESOLVED THAT a copy of this motion be sent to Commander Chris Hadfield, the Canadian Space Agency, the National Aeronautics and Space Administration and the Russian Federal Space Agency.

CARRIED

MOTION TO INTRODUCE BY-LAWS

MOTION NO. 47/10

Moved by Councillor T. Tierney
Seconded by Councillor B. Monette

That the following by-laws be enacted and passed:

THIRD READING

2012-428 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

- 2012-429 A by-law of the City of Ottawa to appoint external auditors.
- 2012-430 A by-law of the City of Ottawa to amend By-law No. 2006-75 respecting fees and charges for inspections and file searches by Ottawa Fire Services.
- 2012-431 A by-law of the City of Ottawa to amend By-law No. 2005-439 regulating permanent signs in respect of Lansdowne Park.
- 2012-432 A bylaw of the City of Ottawa to amend By-law No. 2004-239 regulating temporary signs in respect of Lansdowne Park.
- 2012-433 A by-law of the City of Ottawa to amend By-law No. 2012-402 to address fees relating to the prohibition, inspection and remediation of buildings used for marijuana grow operations.
- 2012-434 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.
- 2012-435 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 3536 Upper Dwyer Hill Road.
- 2012-436 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 5786 Fernbank Road and part of 5861 Fernbank Road.
- 2012-437 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 2382 Donnelly Road and 2396 Fairmile Road.
- 2012-438 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 1440 Bank Street.
- 2012-439 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 774 Bronson Avenue and 551 Cambridge Street South.
- 2012-440 A by-law of the City of Ottawa to impose special annual drainage rates upon lands in respect of which money is borrowed under the *Tile Drainage Act*.

- 2012-441 A by-law of the City of Ottawa to close a portion of Mory Street, Registered Plan 674, City of Ottawa”.
- 2012-442 A by-law of the City of Ottawa to repeal By-law 2012-304 and to establish certain lands as common and public highway and assume it for public use (Rutherglen Terrace).
- 2012-443 A by-law of the City of Ottawa to close a portion of Tenth Street on Registered Plan No. 326, City of Ottawa.
- 2012-444 A by-law of the City of Ottawa to establish fees and charges in the Building Code Services Branch for agency letters.
- 2012-445 A by-law of the City of Ottawa to amend By-law No. 2003-69 respecting fees for compliance reports in the Building Code Services Branch.
- 2012-446 A by-law of the City of Ottawa respecting the fees for the naming of highways and the numbering of buildings and lots
- 2012-447 A by-law of the City of Ottawa to amend By-law No. 2002-521 respecting the processing fee for private roadways.
- 2012-448 A by-law of the City of Ottawa to amend By-law No. 2005-439 respecting fees for permanent signs on private property.
- 2012-449 A by-law of the City of Ottawa to amend By-law No. 2005-303 respecting fees for view and release of building permits.
- 2012-450 A by-law of the City of Ottawa to amend By-law No. 2003 - 497 respecting permit fees for over-dimensional vehicles.
- 2012-451 A by-law of the City of Ottawa to amend By-law No. 2003 - 447 respecting fees for private approaches.
- 2012-452 A by-law of the City of Ottawa to amend By-law No. 2003-520 respecting the fees for certain signs and advertising devices on City roads.
- 2012-453 A by-law of the City of Ottawa to amend By-law No. 2003 - 446 respecting fees for encroachments.
- 2012-454 A by-law of the City of Ottawa to amend By-law No. 2003-445 with respect to road cut fees.
- 2012-455 A by-law of the City of Ottawa to impose fees for planning applications and to repeal By-law No. 2011-451.

- 2012-456 A by-law of the City of Ottawa to establish fees and charges for services, activities and information provided by the Revenue Branch of the Finance Department of the City Manager's Office.
- 2012-457 A by-law of the City of Ottawa to amend By-law No. 2005-145 respecting the fees for a civil marriage ceremony.
- 2012-458 A by-law of the City of Ottawa to establish fees and charges for the sale of City merchandise provided through Service Ottawa.
- 2012-459 A by-law of the City of Ottawa to establish fees and charges for services, activities and information provided by Service Ottawa.
- 2012-460 A by-law of the City of Ottawa to amend By-law No. 2012-370 respecting fees and charges for solid waste services.
- 2012-461 A by-law of the City of Ottawa to amend By-law No. 2003-500 respecting certain water service charges.
- 2012-462 A by-law of the City of Ottawa to establish certain lands as common and public highway and assume them for public use (Booth Street, Albert Street, Commissioner Street and Brickhill Street).
- 2012-463 A by-law of the City of Ottawa to repeal By-law Number 2012-230 and to amend By-law No. 2002-4 respecting the conversion of low density residential buildings to contain three or more dwelling units within Sandy Hill.
- 2012-464 A by-law of the City of Ottawa to amend By-law Number 2008-250 of the City of Ottawa to change the zoning of lands known municipally as 1125 Clapp Lane and 1127 and 1128 Mill Street.
- 2012-465 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 140 Laurier Avenue West.
- 2012-466 A by-law of the City of Ottawa (the "City") to designate lands described on Schedule "A" to this by-law (the "Lands") and the public facility to be constructed thereon ("Shefford Road Facility") as a municipal capital facility for cultural, recreational or tourist purposes.
- 2012-467 A by-law of the City of Ottawa to amend By-law No. 2012-5 to appoint certain Municipal Law Enforcement Officers to enforce the provisions of the Sewer Use By-law.

- 2012-468 A by-law of the City of Ottawa to amend By-law No. 2002-189 respecting license fees.
- 2012-469 A by-law of the City of Ottawa to amend By-law No. 2004-239 respecting permit fees for temporary signs.
- 2012-470 A by-law of the City of Ottawa to amend By-law No. 2012-258 respecting taxi licensing fees.
- 2012-471 A by-law of the City of Ottawa to amend By-law No. 2007-466 respecting the fees for spay/neuter services at the City of Ottawa Spay/Neuter Clinic.
- 2012-472 A by-law of the City of Ottawa to amend By-law No. 2003-513 respecting sewer connection charges.

CARRIED

CONFIRMATION BY-LAW

MOTION NO. 47/11

Moved by Councillor T. Tierney
Seconded by Councillor B. Monette

THAT By-law 2012-473 to confirm the proceedings of Council be enacted and passed.

CARRIED

ADJOURNMENT

Council adjourned the meeting at 12:10 p.m.

CITY CLERK

MAYOR