

**FINANCE AND ECONOMIC
DEVELOPMENT COMMITTEE
REPORT 19
9 NOVEMBER 2016**

672

**COMITÉ DES FINANCES ET DU
DÉVELOPPEMENT ÉCONOMIQUE
RAPPORT 19
LE 9 NOVEMBRE 2016**

**EXTRACT OF DRAFT
MINUTES 22
FINANCE AND ECONOMIC
DEVELOPMENT COMMITTEE
1 NOVEMBER 2016**

**EXTRAIT DE L'ÉBAUCHE DU
PROCÈS-VERBAL 22
COMITÉ DES FINANCES ET DU
DÉVELOPPEMENT ÉCONOMIQUE
LE 1 NOVEMBRE 2016**

OFFICE OF THE CITY CLERK AND SOLICITOR

LEGISLATIVE SERVICES

1. 2014-2018 MID-TERM GOVERNANCE REVIEW

ACS2016-CCS-GEN-0024

CITY WIDE

REPORT RECOMMENDATIONS

**That the Finance and Economic Development Committee recommend
Council approve the following:**

PART I – COUNCIL, STANDING COMMITTEES AND RELATED MATTERS

1. **The revised Committee/Board/Other memberships as outlined in
Document 1;**

- 2. That the Terms of Reference for the Finance and Economic Development Committee be amended such that:
 - a. The requirements for the signing of temporary borrowing by-laws and confirmation by-laws are included, as described in this report; and**
 - b. Boards of Trade be specifically included as an economic development stakeholder that the Committee shall “receive advice from, and liaise with”;****
- 3. That a full FTE be provided to support the role of the Planning Committee Chair, to be funded from the Council Administrative Services budget, as described in this report;**
- 4. That staff be directed to consider the use of the Heritage Overlay in the Zoning By-law, including its application to Part IV and V designations under the Ontario Heritage Act, no later than the next Official Plan Review, as described in this report;**
- 5. That the Terms of Reference for the Built Heritage Sub-Committee be amended such that:
 - a. The process for review of Planning Applications by the Built Heritage Sub-Committee be formalized; and**
 - b. The Mayor be formally identified as an ex officio member of the Sub-Committee;****
- 6. That the Annual Workplans of Advisory Committees be standardized as described in this report;**

- 7. That the following measures be implemented to address procedural matters and requirements resulting from Bill 73, the Smart Growth for Our Communities Act, 2015:**
 - a. The revised process to meet the requirements for Council to explain the effect of public input on planning decisions, as described in this report;**
 - b. Establish a Planning Advisory Committee that reports to Planning Committee and Agriculture and Rural Affairs Committee and is composed of three Members of Council, the General Manager of the Planning, Infrastructure and Economic Development Department, and two citizen members, including the recruitment and selection process, as described in this report; and**
 - c. The Terms of Reference for the Planning Advisory Committee as outlined in this report and in Document 2.**

PART II – ACCOUNTABILITY AND TRANSPARENCY

- 1. That the 2016 Annual Report of the Integrity Commissioner, attached as Document 3, be received; and**
- 2. That the City Clerk and Solicitor be delegated the powers and duties as “head of a public sector body that is a municipality” for the purposes of the Ombudsman Act, as described in this report.**

PART III – LOCAL BOARDS

- 1. Receive the status report on the compliance of the City’s Agencies, Boards and Commissions (“ABCs”) with respect to their Municipal Act, 2001 policy requirements and direct staff to provide a further update on ABC compliance as part of the 2018-2022 Governance Review; and**

2. That the Annual Reports of the City's Agencies, Boards and Commissions be in the format as described in this report.

PART IV – AMENDMENTS TO VARIOUS BY-LAWS, POLICIES AND RELATED MATTERS

1. The amendments to the Procedure By-law as described in this report and in Document 4;
2. The amendments to the Delegation of Authority By-law as described in this report and in Document 5;
3. The amendments to the Purchasing By-law as described in this report;
4. The amendments to the Commemorative Naming Policy as described in this report; and
5. That the Deferral of Development Charges Policy be amended as described in this report and as set out in the revisions to the Delegation of Authority By-law in Document 5.

PART V – OTHER MATTERS

1. That the City Clerk and Solicitor be delegated the authority to implement changes to all related processes, procedures, policies, terms of reference and to bring forward by-laws as required to implement Council's decisions further to the approval of this report and to reflect the current organizational alignment.

Councillor Chernushenko introduced the following motion :

WHEREAS changes to global and local climates are occurring at a rate and extent never experienced during the period in which the human species has existed; and

WHEREAS international bodies, national, provincial and municipal governments including the City of Ottawa are making important commitments to reduce emissions of climate-changing greenhouse gases, thereby protecting the climate from human behaviour and economic activity; and

WHEREAS international bodies, national, provincial and municipal governments including the City of Ottawa are now seeing, and are anticipating considerably more impacts upon built infrastructure and ecological and human health as a result of climate change, and are devoting additional resources towards protecting citizens from these impacts, thereby protecting humans from the negative effects of a changing climate; and

WHEREAS, the Federal Government and the Government of Ontario have recently adopted the departmental name of Ministry of the Environment "and Climate Change" to reflect the high priority of climate-related issues: and

WHEREAS some municipalities have moved away from using the neutral term "Climate Change" to instead adopt the term "Climate Protection" for their local departments and committees to highlight the dual mandate of protecting the climate from human behaviour and protecting humans from the negative effects of a changing climate: and

WHEREAS the Federation of Canadian Municipalities has operated a flagship municipal climate change program called the Partners for Climate Protection since 1994, with a current membership of over 300 Canadian municipalities, in which the City of Ottawa has been a partner since 1997; and

WHEREAS on February 24, 2016, City Council approved the report titled, "Climate Change" (ACS2016-CMR-ENV-0001), which included a recommendation to have the re-naming of the Environment Committee as the Environment and Climate Protection Committee included as part of the Mid-term Governance Review process; and

WHEREAS adopting the term Climate Protection would serve not only to underline the high and growing importance of tackling climate-related issues for the City of Ottawa, but also serve to better describe the dual nature of the challenge before the city, as described in this motion;

THEREFORE BE IT RESOLVED that the Finance and Economic Development Committee recommend to City Council that the Environment Committee be renamed the Environment and Climate Protection Committee.

Councillor Deans proceeded to introduce the following motion on behalf of Councillor Brockington:

WHEREAS partnership opportunities that result in voluntary donations to the City of Ottawa for community benefits should occur in a manner that not only respects applicable legislative and policy provisions but enhances transparency and accountability while maintaining the integrity of municipal decision-making processes; and

WHEREAS the City of Ottawa does not have a specific policy to establish guidelines and criteria regarding proposals for partnership opportunities that involve donations for community benefits, and to complement existing tools such as the Delegation of Authority By-law as well as the Public Engagement Strategy and the Accountability and Transparency Policy; and

WHEREAS issues relating to staff delegated authority and a partnership opportunity involving a donation for community benefit arose in January 2016 with respect to a proposal received by the City, as described in the report from the Integrity Commissioner and Lobbyist Registrar titled, "Report to Council on an Inquiry by the Lobbyist Registrar: Playground Partnership Project at Mooney's Bay Park," which Council received on July 13th, 2016; and

WHEREAS the Integrity Commissioner and Lobbyist Registrar's report noted the existence in the City of Toronto of a Donations to the City of Toronto For Community Benefits Policy, the purpose of which is to:

- "i. establish guidelines that ensure donations occur at arm's length from any City decision-making process;*
- ii. provide criteria and process for the acceptance of donations; and*
- iii confer upon Division Heads the delegated authority to accept and spend donations, within the parameters contained herein"; and*

WHEREAS the Mid-term Governance Report includes a review of regulatory tools within the City of Ottawa's governance structure, including the Delegation of Authority By-law and City policies, to assess whether changes are required in order to address any matters that may have arisen since the beginning of this Term of Council;

THEREFORE BE IT RESOLVED that Council direct staff to review how a policy with respect to donations to the City of Ottawa for community benefits would complement the City's existing regulatory tools and policies, including the Delegation of Authority By-law, the Public Engagement Strategy and the Accountability and Transparency Policy, and report back to the Finance and Economic Development Committee and Council no later than Q2 2017 with recommendations and a draft policy for consideration.

Committee heard the following delegations:

*Donna Dubreuil, President of the Ottawa-Carleton Wildlife Centre emphasized that 'Wildlife and Biodiversity' be included within the Environment Committee's mandate.

*Debbie Lawes, Board of Director of the Ottawa Valley Wild Bird Care Centre noted her surprise that birds and other wildlife were not part of the Environment Committee's terms of reference.

*[* Individuals marked with an asterisk above either provided comments in writing or by e-mail; all submissions are held on file with the City Clerk.]*

Committee discussions and questions to staff touched upon the Environment Committee mandate, the impacts of changing the Environment Committee's name and the Planning Advisory Committee.

After discussion, the Committee CARRIED the report recommendations as amended by the following motions and direction to staff:

Motion No. 22/1

Moved by Councillor D. Chernushenko

WHEREAS changes to global and local climates are occurring at a rate and extent never experienced during the period in which the human species has existed; and

WHEREAS international bodies, national, provincial and municipal governments including the City of Ottawa are making important commitments to reduce emissions of climate-changing greenhouse gases, thereby protecting the climate from human behaviour and economic

activity; and

WHEREAS international bodies, national, provincial and municipal governments including the City of Ottawa are now seeing, and are anticipating considerably more impacts upon built infrastructure and ecological and human health as a result of climate change, and are devoting additional resources towards protecting citizens from these impacts, thereby protecting humans from the negative effects of a changing climate; and

WHEREAS, the Federal Government and the Government of Ontario have recently adopted the departmental name of Ministry of the Environment "and Climate Change" to reflect the high priority of climate-related issues: and

WHEREAS some municipalities have moved away from using the neutral term "Climate Change" to instead adopt the term "Climate Protection" for their local departments and committees to highlight the dual mandate of protecting the climate from human behaviour and protecting humans from the negative effects of a changing climate: and

WHEREAS the Federation of Canadian Municipalities has operated a flagship municipal climate change program called the Partners for Climate Protection since 1994, with a current membership of over 300 Canadian municipalities, in which the City of Ottawa has been a partner since 1997; and

WHEREAS on February 24, 2016, City Council approved the report titled, "Climate Change" (ACS2016-CMR-ENV-0001), which included a recommendation to have the re-naming of the Environment Committee as the Environment and Climate Protection Committee included as part of the Mid-term Governance Review process; and

WHEREAS adopting the term Climate Protection would serve not only to underline the high and growing importance of tackling climate-related issues for the City of Ottawa, but also serve to better describe the dual

nature of the challenge before the city, as described in this motion;

THEREFORE BE IT RESOLVED that the Finance and Economic Development Committee recommend to City Council that the Environment Committee be renamed the Environment and Climate Protection Committee.

CARRIED on a division of 9 YEAS and 2 NAYS as follows:

YEAS (9): Councillors S. Blais, D. Chernushenko, D. Deans, K. Egli, J. Harder, B. Monette, M. Taylor, E. El-Chantiry, J. Watson

NAYS (2): Councillors A. Hubley, S. Moffatt

Motion No. 22/2

Moved by Councillor D. Deans

WHEREAS partnership opportunities that result in voluntary donations to the City of Ottawa for community benefits should occur in a manner that not only respects applicable legislative and policy provisions but enhances transparency and accountability while maintaining the integrity of municipal decision-making processes; and

WHEREAS the City of Ottawa does not have a specific policy to establish guidelines and criteria regarding proposals for partnership opportunities that involve donations for community benefits, and to complement existing tools such as the Delegation of Authority By-law as well as the Public Engagement Strategy and the Accountability and Transparency Policy; and

WHEREAS issues relating to staff delegated authority and a partnership opportunity involving a donation for community benefit arose in January 2016 with respect to a proposal received by the City, as described in the report from the Integrity Commissioner and Lobbyist Registrar titled, "Report to Council on an Inquiry by the Lobbyist Registrar: Playground

Partnership Project at Mooney’s Bay Park,” which Council received on July 13th, 2016; and

WHEREAS the Integrity Commissioner and Lobbyist Registrar’s report noted the existence in the City of Toronto of a Donations to the City of Toronto For Community Benefits Policy, the purpose of which is to:

- “i. establish guidelines that ensure donations occur at arm’s length from any City decision-making process;**
- ii. provide criteria and process for the acceptance of donations; and**
- iii confer upon Division Heads the delegated authority to accept and spend donations, within the parameters contained herein”;** and

WHEREAS the Mid-term Governance Report includes a review of regulatory tools within the City of Ottawa’s governance structure, including the Delegation of Authority By-law and City policies, to assess whether changes are required in order to address any matters that may have arisen since the beginning of this Term of Council;

THEREFORE BE IT RESOLVED that Council direct staff to review how a policy with respect to donations to the City of Ottawa for community benefits would complement the City’s existing regulatory tools and policies, including the Delegation of Authority By-law, the Public Engagement Strategy and the Accountability and Transparency Policy, and report back to the Finance and Economic Development Committee and Council no later than Q2 2017 with recommendations and a draft policy for consideration.

CARRIED

DIRECTION TO STAFF:

That staff in the Clerk’s Department provide assistance in drafting a motion for the City Council meeting of November 9, 2016, regarding the Environment Committee’s Terms of Reference as it relates to wildlife and biodiversity, and addressing any gaps in Standing Committee mandates that may exist with respect to these matters.