

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

Agenda 9
Ordre du jour 9

Wednesday, May 10, 2000 - 9:15 a.m.
Le mercredi 10 mai 2000 - 9 h 15

Victoria Hall, First Level
Bytown Pavilion, City Hall

Salle Victoria, niveau 1
Pavillon Bytown, hôtel de ville

Confirmation of Minutes Ratification des procès-verbaux

Minutes 8 (April 26, 2000)

License Committee (In-Camera Minutes 1 - April 20, 2000)

License Committee (In-Camera Minutes 1 - April 20, 2000)

Procès-verbal 8 (Le 26 avril 2000)

Comité des permis (Huis Clos 1 - Le 20 avril 2000)

Procès-verbal 3 huis clos (Le 26 avril 2000)

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Councillor/Conseiller Stéphane Émard-Chabot, Chairperson/Président

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

Councillor/Conseillère Elisabeth Arnold

Councillor/Conseillère Diane Deans

Councillor/Conseiller Allan Higdon

Councillor/Conseiller Shawn Little

LZF

Backgrounder

April 26, 2000

ACS2000-PW-ENV-0003

1. Integrated Pest Management Program

Programme de lutte antiparasitaire intégrée

Issue

- in response to public concern, in May 1999, Council approved an interim pest management protocol, and directed staff to prepare an Integrated Pest Management program for implementation in 2000
- staff prepared a terms of reference and selected a local firm AGFOR, to produce the IPM program
- the report concluded that IPM was the desirable way to manage pests and that the use of synthetic pesticides without evaluation of alternative methods was not acceptable

What's New

- development of the IPM program is divided into two phases. Phase 1 (attached) is a framework outlining the principles, guidelines, methodology, and components for the IPM program. Phase 2 will include the development of the individual components of IPM to form a comprehensive program.
- the IPM framework presented is deemed to be the most effective, environmentally-sustainable process for an urban environment
- the report observes that the Transition Board should be made aware of the need to identify funds in future City of Ottawa budgets to support long-term Integrated Pest Management

Impact

- the City will establish a clear, comprehensive policy governing pest management for its properties, including buildings, land and infrastructure, using alternative pest management techniques and further reducing its use of synthetic pesticides
- the city should promote the benefits of IPM to the public for adoption on their own properties, to reduce the amount of pesticide applied to private property in the city

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Chief Communications Officer - Lucian Blair - 244-5300 ext. 1-4444

Pager: 780-3310



April 26, 2000

ACS2000-PW-ENV-0003
(File: NEP3060/0200)

Department of Urban Planning and Public
Works

Ward/Quartier
City Wide

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

1. Integrated Pest Management Program

Programme de lutte antiparasitaire intégrée

Information

Background

In May of 1999, City Council adopted the *Interim Protocol Governing the Use of Pesticides on City of Ottawa Property*, and further directed staff to prepare an Integrated Pest Management (IPM) program for the City of Ottawa, for implementation in 2000. The development of the IPM program has been divided into two phases. Phase 1 provides a framework outlining the principles, guidelines, methodology, and components for the IPM program and is attached as Document 1 - *Integrated Pest Management Strategy for the City of Ottawa - Phase 1 - Framework for Implementation*. Phase 2 will include the development of the individual components of IPM to form a comprehensive program.

Introduction

IPM practiced in an urban environment benefits all members of the community. IPM programs are being adopted by municipalities around the world as the best way to manage pests in an urban environment, in a manner safe to the community and more sustainable by the natural environment of the municipality. IPM clearly follows urban sustainability principles, balancing environmental, social and economic factors in its application.

There is an increasing desire by communities to reduce and eliminate wherever possible the use of synthetic pesticides. Over the years, staff at the City of Ottawa have virtually eliminated the use of synthetic pesticides. In 1999 City Council adopted an interim protocol for pest management which restricted the use of synthetic pesticides to situations where the pest(s) posed a risk to human health. IPM emphasizes the use of alternative methods to manage pests, and promotes the reduction of synthetic pesticides.

The City's IPM program applies to city-owned property and does not govern pest management on private property. However, since most of the pesticide used in Ottawa is applied on private properties, public education about the advantages of applying IPM to all property within the City is an integral component of the City's IPM strategy.

Phase 1

Phase 1 is reflected in Document 1 (attached): *The City of Ottawa Integrated Pest Management (IPM) Strategy: Phase 1 - Framework for Implementation*. It forms the foundation of the City's IPM program. The objectives of Phase 1 were to:

- review the City's past and current pest management practices;
- review pest management practices of cities of comparable size; and,
- outline IPM program options with resource requirements.

The Phase 1 - Framework incorporates:

- the principles, methodology, and components of the IPM program;
- the public consultation process; and
- outlines for pest monitoring, staff training, and public education.

Section 10 of the Framework contains twenty-eight guidelines for IPM implementation, including monitoring, data base development, staff training and public education, partnerships and linkages, and the need for continual research and testing of new alternative pest management approaches and methodologies. The guidelines were developed through discussion at the April 12, 2000 technical advisory group meeting.

Phase 2

The Interim Protocol was adopted by City Council to bridge the time between May 1999 and the date of full implementation of the City's IPM program. Accordingly the City does not currently have a clear, comprehensive policy governing pest management for its properties, including buildings, playing fields, parks, urban forest, open spaces and infrastructure.

Phase 2 of the IPM program will use the Framework developed in Phase 1 to provide a comprehensive IPM program. Specifically, Phase 2 will:

- identify the pest management status of all city-owned property
- prioritize pest management issues

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- develop pest management criteria and implementation strategies
- develop and implement a monitoring, analysis and reporting program
- prepare and conduct staff training
- prepare and conduct public education

Pest management is a decision-making process that involves locating and monitoring pests, establishing thresholds for action and selecting appropriate pest management methods. To do this, the habits and life cycles of local pests must be understood and appropriate measures to solve pest problems must be implemented. At present there are no clear, local standards and scientific criteria for staff to use in determining the acceptable level of pest presence in a given situation. Phase 2 of the IPM program will establish those standards and criteria. Clear standards for the community's level of pest tolerance, combined with scientific criteria for pest management, will determine the appropriate treatment methodology. Phase 2 also will incorporate the "How to's" related to the guidelines in Phase 1.

With the IPM Framework in place, it is important for staff to inventory all city-owned property, and audit all city pest management practices, to establish base-line pest management data and identify gaps in the management practices between existing practices and those to be implemented in the IPM. program. Such a survey will identify both what we already do, what is/has been effective and can be continued under IPM, and what areas need to be addressed in order to integrate them with IPM. The information will also enable the prioritization of pest impact action areas to be addressed for IPM. This is a large undertaking, and is only one part of an IPM program. It is expected that identifying the gaps will be a priority for the implementation phase of IPM in 2000. This does not mean other aspects of IPM will be ignored. Rather, it gives a priority to the 'gap' identification issue.

The Department is in the process of hiring an IPM Co-ordinator, as directed by Council earlier this year. For 2000, the Co-ordinator will be tasked with developing Phase 2 of the IPM program. Specifically the Co-ordinator will be implementing Sections 4, 7, and 8 of the report dealing with identifying the gaps between existing practices and IPM practices, developing the city-wide monitoring system, preparing a baseline data bank, and training staff. The Co-ordinator will also be working with staff to address the immediate problem of the white grub infestation and serving as a corporate advisor on IPM issues.

Consultation

A full discussion of the consultation details is contained in the Supporting Documentation. In summary here, AGFOR held 2 Technical Review Committee meetings, consulted a total of 98 municipalities in Canada and the United States, and held 5 public meetings, including a recent Open House at City Hall on April 18, 2000.

While both the Public meetings and Open House were poorly attended by the public, those who took the time to attend were generally of the opinion that IPM was the desirable methodology to manage pests in Ottawa. (Please refer to Document 1, Appendix B) Those who attended emphasized the need to explore and use alternative pest management techniques first, but understood the use of synthetic pesticides as a part of an IPM program. The prevailing feeling was that synthetic pesticides were not desirable, but in certain situations may be the only plausible alternative for pest control.

Not everyone was in agreement, however, and several people who were against the use of synthetic pesticides spoke against IPM. While they promoted the need for alternative pest management approaches, they were opposed to IPM on the grounds that IPM permitted the use of synthetic pesticides as a last alternative.

Certainly, everyone during the public consultations expressed the opinion that use of synthetic pesticides without extensive evaluation of the efficacy of alternative methods, was not acceptable. A selection of quotes from the written material received by the City, is found in *Part II - Supporting documentation*, of this report. The quotes have been categorized as: Clear support for IPM; Conditional support for IPM; and Opposed to IPM. The quotes were selected for their clarity in identifying their support, concern or opposition to IPM. In addition, a chronology of the public consultation process is described in Part II of this report.

Conclusion

Based on a review of IPM in other municipalities, public consultation and technical review provided during Phase 1, it has been confirmed that the IPM approach will provide a clear, comprehensive policy governing pest management for City of Ottawa properties, including buildings, land and infrastructure, using alternative pest management techniques and further reducing its use of synthetic pesticides.

The estimated start-up cost for a comprehensive IPM program is \$325,000. However, studies conducted by AGFOR show that most of the initial, up-front expense of developing and implementing a municipal IPM program in a city the size of Ottawa can be incrementally reduced as the program becomes more entrenched. It is important to note that the cost of implementing IPM should be balanced against the cost of not implementing IPM. The cost of closed sports fields, cancelled city sports programs and community leagues, loss of our urban forest and green space, the inability to provide international level facilities to attract future events, and the declining standard of living from the resultant pest problems is difficult to quantify, but a potential reality in Ottawa. Since IPM is a long-term program commitment, it is important that the Transition Board be made aware of the need to identify funds in future City of Ottawa budgets to support the IPM program.

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Staff are proceeding with hiring the IPM co-ordinator. Council is advised that the restricted advertising and hiring conditions due to municipal restructuring are creating a difficult set of circumstances for attracting qualified candidates. Assuming a suitable candidate can be found, the proposed time line for Phase 2 is as follows:

Hiring of IPM Co-ordinator	May 2000
Review of pest situation in Ottawa (<i>see also monitoring system below</i>)	May - August 2000
* What and where are the problems	
* Where are they likely to re(occur) in the future	
* Prioritization for action	
Review pest management practices in Ottawa	May - July 2000
* What are turf, tree, and building managers doing	
* What is working, what is not	
* What tools do they need to do the job	
Develop monitoring, analysis and reporting system	May - September 2000
Develop IPM Policy Statement	August 2000
IPM program development	May - December 2000
* Training	
* Education	
* Data base management	
* Code of Good Practices	



April 28, 2000 (2:22p)

Edward Robinson
Commissioner of Urban Planning and Public
Works

OG:sf

Contact: Onno Gaanderse - 244-5300 ext. 1-3364
Kimberely Leach - 244-5300 ext. 1-3890

Financial Comment

N/A.



April 28, 2000 (2:15p)

for Mona Monkman
City Treasurer

CP:cds

List of Supporting Documentation

- Document 1 Integrated Pest Management Strategy for the City of Ottawa: Phase 1 -
 Framework for Implementation. (Distributed separately and on file with City
 Clerk)
- Document 2 Public Consultation

Part II - Supporting Documentation

Public Consultation

Document 2

The following is a chronology of the public consultation process undertaken for this project.

1. AGFOR surveyed 98 municipalities and 2 botanical societies in North America regarding their pest management programs. (Document 1: Section 2.4.1.; and Appendices C, D)
2. AGFOR conducted four public consultation meetings to inform the public of the city's intent to develop and implement an IPM program, what IPM is, and to elicit public responses and priorities with regard to the implementation of IPM on corporate property.

The meetings were held at:

- November 9th Heron Road Multi-Service Centre
- November 10th McNabb Community Centre
- November 16th St. Laurent Complex (conducted in French)
- November 18th Lakeside Gardens

The public consultations were advertised in the printed media, with a notice that written submissions were also encouraged. Notification of the meetings were also sent to all individuals, groups and associations listed on the City's Master Contact list. The city received eight (8) written submissions from the public. A copy of the submissions is on file with the City Clerk's Office.

3. AGFOR arranged a meeting on December 1, 1999, at Ottawa City Hall, of pest management experts from around the region. Attendees included staff from Ottawa and the surrounding municipalities, the Regional Department of Health, the National Capital Commission, the Pest Management Regulatory Agency, the pest control industry, post secondary education institutions, professional associations (pest managers), and elected representatives (municipal government). Comments from the meeting are in Document 1, Appendix B. Copies of the comments are on file in the City Clerk's Office.
4. The IPM report was made available to the public for review and comment at Ottawa public libraries and City Hall during a second public consultation phase from April 10 - 18, 2000. Comments received have been incorporated into the reports and are also on file in the City Clerk's office.
5. A second technical advisory meeting was held on April 12, 2000 at Ottawa City Hall to

review the Draft IPM Framework document and discuss its recommendations. Changes to the recommendations have been incorporated into the IPM Framework document.

6. An open house was held at Ottawa City Hall on April 18, 2000. Comments received have been incorporated into the reports, and are on file in the City Clerk's Office.
7. Copies of the draft IPM framework were circulated to all those who had signed the attendance records at the November 1999 public meetings, for review and comment. This was a commitment the City had made to those participants.
8. Copies of the draft IPM framework document were sent to selected individuals, groups and associations, as well as to those who contacted the City for a copy.
9. This report and the draft IPM Framework document were circulated to departments and Environmental Advisory Committee for review and comment. Comments have been incorporated into the report and final version of the Framework document.

Summary of Public Comments regarding IPM at the City of Ottawa from the April 12, 2000 Open House.

NB. The complete files of comments received from the public at the November 1999 public workshops, the two technical meetings, the April 2000 Open House, and general communications received from the community, regarding the IPM project, are on file in the City Clerk's office.

Public opinions received about IPM fell into three categories: Clear support for the IPM; Conditional support for the IPM; and Opposed to IPM. Below are representative quotes in all three categories. They were selected from written responses/comments, for their clarity in identifying their support, concern, or opposition. The quotes are presented in random order. In several occurrences, quotes in more than one category may have come from the same individual.

CLEAR SUPPORT FOR IPM
I am pleased to see Phase 1, Framework for Implementation going to Committee and Council.
Of the two options offered for Council to consider, implementing the proposed IPM is the better option.
I ... would urge Council and City staff to implement it (IPM) immediately as a minimum action.
I applaud the City for its interest in IPM and examining options other than synthetic pesticides.

I consider the draft Strategy to be thorough and well thought out.
I liked that they seemed to have technical/scientific expertise and consulted widely with the local scientific community and practitioners.
The recommendations ... that partnerships and linkages be established is strongly supported.
Please, let nothing and nobody take you take you off the direction you start to go.
The report seems very thorough.
Overall I am pleased with what I've read as the report appears very holistic, comprehensive and well thought out.
Thank you for the IPM program. A good start.

CONDITIONAL SUPPORT FOR IPM
Decision making on IPM should be based upon science, not on public opinion of what the general public will tolerate.
The use of pesticides should be as a last resort.
... report should include a section about an intention to foster collaboration with other major owners of public lands in Ottawa to encourage them to adopt similar IPM practices.
As a basic policy statement, it would be desirable to simply prohibit the use of pesticides for cosmetic purposes.
There should be more positive support for improved non-pesticide turf management practices, which have been proven to be successful.
There must be an assessment of the public health risks inherent in the pesticide being chosen for use.
... it could be strengthened to ensure that there is and continues to be a lessened reliance on chemical controls.
... should specify that the City develop a communications strategy to educate and inform the public and city staff on pesticide management issues, the hazards of pesticide use, and the advantages of reducing pesticide use in an urban and semi-urban environment.
Overall, this looks like a good program proposal as long as there is the political will and money to back it up.
Good IPM could be good public education.
Prefer minimal use of pesticides.
There's nothing wrong with most of the recommendations, or the new guidelines associated with IPM, but synthetic chemicals should still be used only in cases of human health risk. The rest of the IPM recommendations should go ahead.
It is very important that the major emphasis is on non-chemical methods.
Sometimes you have to take this kind of chances with safety if the results of <u>not</u> taking it are disastrous.
... let me say that I am in favour of IPM programs in general. A knowledge-based system of pest control with emphasis on negating long-term environmental effects is necessary.
OPPOSED TO IPM
This report, although making strong statements against the use of synthetic pesticides, repeatedly leaves the door open for the use of ... dangerous chemicals.
... there is no persuasive reason to accept the report's conclusion that ... IPM is necessarily the most effective approach to take for Ottawa's pest problem.

This IPM policy is heavily pro-pesticide. I am extremely disappointed in it. Do not adopt this policy.

Your real concern ought to be for the duty to protect the public from poison through the release of pesticides in the soil, water and air.

... there is a substantial proportion of the population ... who suffer from environmental sensitivities ... In permitting the use of these chemicals on city property you are denying access to me and others ... contrary to the Ontario Human Rights Code and the Canadian Charter of Rights and Freedoms. This is a violation of human rights.

For the record, I object strenuously to any policy that relies on pesticide use for cosmetic reasons.

April 26, 2000

ACS2000-CM-BUS-0009
(File: ACS1300)

Department of Community Services

Ward/Quartier
City Wide

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

Information

2. Leisure Services Branch Youth Initiatives - Summer 2000

Initiatives jeunesse de la Direction des services récréatifs - Été 2000

Information

With the onset of warmer weather, the youth generally return to the streets and the incidence of vandalism and violence begins to increase. The provision of new recreational opportunities in areas that have been a concern in the past is an attempt to reduce the number of youth related incidents. Bringing these initiatives into the community allows the youth to access resources that may not have been previously available to them. Recreation programmes offer youth the opportunity to channel their energy into healthy outlets. The number of youth at risk in our community is rising and it is important to invest in the future by providing youth with an opportunity to become involved in recreational activities as well as the positive role models that our recreation leaders provide.

In addition to our regular slate of youth programming at our parks and community centres across the City, this submission provides information regarding the new and exciting youth programming initiatives the Department of Community Services will be implementing in the upcoming months.

March - August 2000:

“The CAN” is a mobile youth centre operated by New Beginnings for Youth for “youth at risk” aged 13 - 18 in the communities of Sandy Hill, Overbrook, Lowertown, Foster Farm, Michelle Heights, Hintonburg, Dempsey and Albion-Heatherington. Based out of a youth friendly 48 foot mobile trailer, a recreation/social services type programme is operated by qualified staff/University/College placement students. The programme has weekly themes and recreation programmes tailored to a community’s needs through consultation and involvement of Community Centre staff. The Branch has purchased this service to compliment or address needs for youth programming in the identified communities.

Sept 1999 to December 2000: The Inner City Youth Programme matches “at risk” children and youth with trained student mentors. The Branch is part of a partnership initiative with the Ottawa-Carleton School Board, Algonquin College, the University of Ottawa and the Canadian Association for the Advancement of People to pilot this initiative at McArthur High School and Queen Elizabeth Public School. The Branch has offered student training and recreational programming space in Community Centres to enhance this initiative.

Spring 2000: Culture Shock: A Hip-Hop Dance Programme for youth 13 - 18 in the Bellevue area that will operate out of the Carlington Gymnasium. Through the Carlington Community Resource Centre and Regional Heart Beat’s Multicultural Coalition, funding was approved to operate this high energy, high quality programme. With a waiting list of 60 youth, it will be a highlight for the community.

April - December 2000: With the help of a grant from the Ministry of Citizenship, Culture and Recreation, “Youth on the Move” is a mobile park programming initiative to promote involvement of recreation, sport and physical activity of at risk youth. The project is an outreach initiative targeting hard to reach Youth in the City of Ottawa parks. More precisely, the initiative will take place in the Municipalities of Cumberland/Gloucester, Ottawa, Nepean and Kanata. Three separate teams, each consisting of a Police Officer, a Youth Worker, and an Outreach Worker will do outreach work in the five Municipalities. Expected results of the project are to reduce barriers to participation, strengthen and develop the recreation sector, support new and innovative approaches and generate measurable results on youth relating to crime, participation rates and referrals to recreation programmes, social and employment services. This programme will be targeted for the west end covering Ottawa problem parks from Bellevue to Michelle Heights.

Summer 2000: The Leadership in Training Programme will operate out of the Heron Road Multi-Service Centre and Routhier Community Centre. This bilingual programme gives practical experience for youth 13 - 17 years of age experience in becoming a recreation Leader. Students can earn credit towards their High School Diploma and become attractive job candidates for recreation programme providers.

The Branch also continually provides volunteer opportunities and placements for youth in our recreation programmes. Wherever possible, volunteers, many of them youth, are screened interviewed, trained and placed in recreation programmes identifying a need for a volunteer(s). Many of these opportunities are in recreation programmes for persons with a disability.



April 26, 2000 (2:51p)

Janette Foo
Commissioner of Community Services

BD:cg

Contact: Brett Dark - 244-5300 ext. 1-3538

Financial Comment

All costs associated with the provision of the programming described in this report are included in the Department of Community Services 2000 Operating Budget.



April 27, 2000 (11:46a)

for Mona Monkman
City Treasurer

ML:cds

List of Supporting Documentation

Document 1 The Can Proposed Site Locations

Part II - Supporting Documentation

Document 1

The Can Proposed Site Locations

Site	Location	Dates	Electrical	Other
Phase 1: Lowertown Pool / Sandy Hill C.C. / Overbrook C.C.				
Sandy Hill C.C.	C.C. parking lot	March 6,7,8, 23,24,25	by generator	may find electrical source
Lowertown Pool	in park by the fieldhouse and rink	March 9,10,11, 12,13,14,15	park location beside fieldhouse	site check done
Overbrook C.C.	parking lot, patio on the east side of C.C.	March 16,17, 18,19,20,21,22	beside centre on the right side of building	
Phase 2: Michelle Heights C.C. / Foster Farm C.C.				
Foster Farm C.C.	parking lot behind the Centre	March 27 th to April 4 th	in parking lot behind Centre	need to determine exact location
Michelle Heights C.C.	park side of building: asphalt	April 5 th to April 15 th	beside Centre on right side	
Phase 3: Dempsey C.C.				
Dempsey C.C.	parking lot, back end	May 3 rd to June 12 th	in the parking lot	need to determine exact location
Phase 4: Hintonburg C.C.				
Hintonburg C.C.	terrace space at back door of C.C. or the park, far right corner.	June 12 th to June 30 th	in parking lot or in the park, Location T.B.D.	need to find the best electrical source

Site	Location	Dates	Electrical	Other
Phase 5: Albion-Heatherington C.C. / Heron Road C.C.				
Albion-Heatherington C.C.	beside Centre, park area to the left of building	Jul 3 rd - 8 th	beside Centre, on left side of building	electrical will be sufficient beside the Centre
Ledbury Fieldhouse	beside portable	July 10 th - 29 th	beside fieldhouse	electrical OK
Sandlwood Park	best location in the park area	July 31 st - August 4 th	T.B.D.	electrical OK

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April 28, 2000

ACS2000-CM-LSB-0002
(File: ACS1999-CM-LSB-0004
FILE:XLU2900/0600)

Department of Community Services

Ward/Quartier
City Wide

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

Information

3. Reciprocal Use Agreement with Ottawa-Carleton District School Board-Update

Entente sur l'utilisation réciproque avec l'Ottawa-Carleton District School Board - Mise à jour

Information

In response to Council's approval May 5, 1999 of the Reciprocal Use Agreement between the Ottawa-Carleton District School Board and City of Ottawa, and their direction to bring back a status report in six months, the following information report is brought forward for consideration.

The new agreement has now been in effect for a full season and the transition to the new terms of agreement has been smooth. Staff are satisfied that the agreement is meeting both corporate and community needs.

City staff continue to book space required by ourselves and our direct programming partners. We maintain the same level of use in the school board facilities that we had prior to the agreement. In 1999 from September to December, 1999, the Department of Community Services used 2,100 hours in schools to operate our programmes compared to 2,400 hours for the same period in 1998.

To date, the impact of the agreement to the Department of Community Services programmes and its partners has been minimal. In addition, some community groups, like the Ottawa Special Olympics, have benefited from the \$7.00 an hour rate as it was lower than they had previously paid. Other groups which traditionally have received the facilities free of charge were able to find the dollars through other funding sources.

However, the impact of the change in fee structure has had significant impact on some of the community groups, notably the Girl Guides and Scout organizations that traditionally

booked space through the School Board. These two groups booked 3,000 hours less this year. The groups who remained in schools had to increase fees to offset the new costs incurred in procuring space in the Ottawa Carleton District School Board and used alternative sites, like churches and community centres, whenever possible. We are now currently housing some of the Girl Guide and Scout groups in our facilities under a key agreement which gives them access to the facility free of charge.

The Department of Community Services continues to pay the fees for any bookings of Ottawa Carleton District School Board facilities by our partners. All other and any new community groups continue to book directly through the Ottawa Carleton Board District School Board. The Department will recommend that in the year 2001, we pay only the charges incurred by our partners for the operation of children and youth programmes. Our partners that book space for their adult programmes would pay for the space used for such programmes and charge back the participants for the increase. We believe that there would be little, if any, hardship experienced by the charge back. Some groups are anticipating and preparing their budgets in anticipation of this direction. This would result in a cost savings to the Department of approximately \$3,500 per season.

The Ottawa Carleton District School Board has indicated that there are currently more hours being booked in their facilities by the community than ever before. A review of their statistics shows that there are actually more groups who are being charged less money for the space they rent under the new policy. The area that has seen the most increase since the introduction of the new policy is the number of youth programmes or bookings for youth.

In summary, the Reciprocal Use Agreement with the Ottawa-Carleton School Board has had a minimal impact on the Department of Community Services operations and those of our partners. The agreement also appears to be meeting the needs of the community at large as well.



April 28, 2000 (1:33p)

Janette K. Foo
Commissioner of Community Services

DG:dg

Contact: Dianne Gate 244-5300 ext 3622

Financial Comment

There are no financial implications as a result of Community Services and Operations Committee's approval of this report.



April 28, 2000 (2:07p)

for Mona Monkman
City Treasurer

ML:cds

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April 19, 2000

ACS2000-PW-ENG-0002
(File: EW040-NUA1100/0110)

Department of Urban Planning and Public
Works

Ward/Quartier
City Wide

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

4. Municipal Access Agreement - AT&T Canada **Entente d'accès municipale - AT&T Canada**

Recommendations

1. That the City of Ottawa enter into a Municipal Access Agreement with AT&T Canada in accordance with the terms and conditions contained in Document 1 which is on file with the City Clerk.
2. That the Commissioner of Urban Planning and Public Works and the City Solicitor be authorized to make minor administrative revisions to the agreement if necessary.



April 26, 2000 (7:45a)

Edward Robinson
Commissioner of Urban Planning and Public
Works



April 26, 2000 (1:08p)

Approved by
John S. Burke
Chief Administrative Officer

LM:lm

Contact: Lise Meloche - 244-5300 ext. 1-3816
Anne Peck - 244-5300 ext. 1-3407

Financial Comment

The additional revenue in the estimated amount of \$22,500. annually, will be credited to the account for general revenues.



April 25, 2000 (2:10p)

for Mona Monkman
City Treasurer

CP:cds

Executive Report

Reasons Behind Recommendations

In the fall of 1997, MetroNet Communications Limited requested permission from the City of Ottawa to access municipal rights-of-way for the purpose of installing fibre optic cables and related equipment in order to expand their business of delivering telecommunications solutions into the Ottawa market. In response to this request and as directed by City Council on October 15, 1997, MetroNet was advised to express in writing their support for the five principles established by the Federation of Canadian Municipalities (FCM) as the basis for entering into negotiations for a Municipal Access Agreement. In a letter dated December 18, 1997, MetroNet Communications agreed without exception to the following five FCM principles:

1. That municipal governments must have the ability to control the number and types of aboveground telecommunications pedestals, kiosks, etc., and the location of underground infrastructure.
2. That the use of municipal rights-of-way by telecommunications companies must not impose financial costs on municipal governments and taxpayers.
3. That municipal governments must not be responsible for the costs of relocating telecommunications infrastructure if relocation is required for planning or other reasons deemed necessary by the municipal government.
4. That municipal governments must not be liable for any economic loss, legal costs or physical restoration costs resulting from the disruption of telecommunications services arising out of the actions of a municipal government unless grossly negligent.

5. That municipal governments must receive revenues over and above their direct costs in providing access to rights-of-way as proper compensation for the use of municipal property for profit.

Following MetroNet's acceptance in writing of the FCM principles, interim access to municipal rights-of-way was granted conditional upon on-going and good faith negotiations towards a Municipal Access Agreement. This has allowed MetroNet to proceed with their plans to provide local telephone services to businesses and government agencies, including high-speed data transfer, Internet access, and voice services, over their own fibre optic network.

During the course of the past two years, the City of Ottawa has worked jointly with the Region of Ottawa-Carleton to negotiate the terms and conditions which are included in the proposed Municipal Access Agreement (MAA) and which are now included in a Model MAA to be used as the foundation for all negotiations with telecommunications service providers. Additionally, the City of Ottawa's participation in the FCM Telecommunications Sub-Committee facilitated an ongoing exchange of ideas with other municipalities across the country and ensured consistency in the approach taken by the City of Ottawa in negotiating and drafting this agreement, which has been accepted and endorsed by MetroNet Communications. It should be noted that in March of 1999, AT&T Canada and MetroNet Communications announced a merger of the two companies. Accordingly the company name which is used for the purpose of this MAA is AT&T Canada Telecom Services Company.

The final product of these negotiations is the Municipal Access Agreement which is on file with the City Clerk's office and which is listed as Document 1. The highlights of this agreement are as follows:

Term

Upon execution this Agreement will be active for a two year term with one single automatic one year renewal.

Use of Service Corridor

The Agreement grants a non-exclusive license to the Company to enter upon and use the service corridor for the purpose of installing, operating, maintaining and removing the equipment of the Company. The service corridor is defined as highways, streets, road allowances, lanes, bridges and viaducts vested in the City.

Approval of Location and Installation

The Company is required to obtain written approval from the City of Ottawa with regards to the proposed location of all installations. The work undertaken is subject to terms and conditions as may be established by the Commissioner. Detailed engineering plans may be requested at the sole discretion of the City.

Excess Capacity

At the City's request, the Company may be required to install additional ducts to be made available for future telecom carriers in order minimize road cuts and trenching, thereby reducing further damage to city streets.

Manner of Work

Standard wording setting out a requirement to construct, operate and maintain Company equipment in accordance with good engineering practice and a requirement to reinstate the road surface in accordance with the City's Road Cut By-law.

Lateral Connections, Dark Fibre Licence, and Lit Fibre Services

Upon notification by the Company that it plans to install lateral connections to specific buildings (that is a connection from the main cable network to a particular building) the City has the option of requesting the Company to install fibre on its behalf with lateral connection installations subject to the City paying the incremental costs incurred by the Company.

In consideration for allowing the Company into the right-of-way, at no cost, the City may request the Company to install dark fibre optic cable in conjunction with routine Company installations (not including lateral connections) and grant an exclusive licence to the City for this fibre on the condition that it be used for municipal purposes only.

Additionally, the Company offers the City the opportunity to acquire any one or more of the lit fibre services offered by the Company subject to terms and conditions, including financial terms, being as good as the best industry price generally available in the city of Ottawa.

Environmental Responsibility

The City is not responsible for any damage to property or injury to a person caused by any hazardous substance that may be in the service corridor. The Company further agrees to assume all environmental liabilities relating to its use of the service corridors including clean-up of hazardous substances.

Relocation of Equipment

Relocation of the Company's equipment is to be at the Company's expense if required for municipal purposes.

Liability and Indemnification

Standard liability and indemnification wording has been used in the Agreement. In summary, the City is not responsible for any damage to the Company's equipment or liable to the Company for any losses, claims, charges, damages and expenses resulting from actions of the City unless grossly negligent.

Insurance

The standard insurance clause wording has been used in this Agreement and establishes the minimum liability insurance requirements for personal injury, death, bodily injury, and property damage at \$2 Million Dollars.

Third Party Attachments

The Agreement allows other telecoms to attach to the Company's equipment subject to the third party having a Municipal Access Agreement with the City.

Access Fees

This Agreement entitles the City to an annual access fee of \$22,500, payable on the date of execution of this Agreement and every twelve months thereafter.

Legislative Changes

The Agreement includes a re-opener clause which allows both parties to revisit the terms and conditions of the Agreement in the event of legislative changes enacted by the provincial, federal or other regulatory authority.

Arbitration

The Agreement provides the ability to refer a dispute or a disagreement to arbitration and sets out the procedure for appointing an arbitrator.

Assignment

The Agreement allows the agreement to be transferred by the City and the Company to a transferee with the other's prior consent in writing.

Conclusion

Given that there is currently an application before the CRTC concerning a right-of-way access dispute between Leducor Communications and the City of Vancouver, the fifth FCM principle pertaining to compensation for use and occupancy of municipal rights-of-way by other parties was not pursued as part of these negotiations. Should a change in legislation occur either at the provincial or federal level respecting this matter, the re-opener clause of the MAA will be invoked and the fee for access will be re-visited. As for the first four principles established by the FCM, it is our opinion that this MAA with AT&T Canada Telecom Services Company respects these principles and complies with City Council's directive that these agreements be negotiated in accordance with these principles.

As stated above, this agreement was developed jointly with the Region of Ottawa-Carleton and in consultation with several other Canadian municipalities. It is our belief that this Agreement is consistent with other agreements currently in place in Canada and with the Model Municipal Access Agreement developed by FCM. In anticipation of potentially several similar service providers coming into the Ottawa market, it is our intent that this MAA will serve as a model agreement for negotiations with future telecommunications companies seeking permission from the City of Ottawa to access municipal rights-of-way.

Consultation

The Office of the City Solicitor participated in the negotiations of this agreement and provided legal expertise in developing specific terms and conditions.

Disposition

Office of the City Solicitor to finalize the execution of the Municipal Access Agreement. Department of Urban Planning and Public Works to administer and implement terms and conditions as may be required.

List of Supporting Documentation

Document 1 Municipal Access Agreement with AT&T Canada Telecom Services Company (on file with the City Clerk)