



## City Manager Designation - Light Rail Regulations

1. **Background**
  - 1.1 ***Rail Transit Regulation:*** The City has the legal authority and responsibility for rail transit regulation of light rail systems in the City, which includes at this time Confederation Line. For clarity:
    - (a) O - Train Line 1, Confederation Line - is a light rail system that is subject to the City's LRT regulatory regime described in this City Manager Designation;
    - (b) O - Train Line 2, Trillium Line - is operating on heavy rail infrastructure and is not considered a light rail system for LRT regulatory purposes and is therefore not subject to the City's regulatory regime;
    - (c) Line 1, Confederation Line, includes all extensions or expansions, including Stage 2 and if proceeded with Stage 3;
    - (d) existing or future light rail systems or lines with different designated names or numbers will also be subject to this LRT regulatory regime.
  - 1.2 ***City Manager Authority:*** City Council has delegated to the City Manager the authority and responsibility to oversee the administration of this LRT regulatory regime.
  - 1.3 ***Self - Regulatory Model:*** As a responsible municipal government and public transit authority the City substantially regulates itself as owner and operator of Confederation Line (and potentially other LRT Railways) and with meaningful independent oversight through:
    - (a) City Manager oversight of OC Transpo and other City departments responsible for different aspects of rail transportation in the City;
    - (b) active independent regulatory compliance monitoring by the RMCO;
    - (c) scheduled independent safety and security audits by qualified rail sector auditors;
    - (d) City Council, Transit Commission and other Standing Committee oversight of rail transit matters; and
    - (e) periodic reporting to and monitoring by Federal rail transit regulators.
  - 1.4 ***Designation of LRT Regulations:*** As provided for in the City's LRT By-law, the City Manager may from time to time issue a written designation ("***CM Designation***") for the purpose of identifying, confirming or clarifying:

- (a) the status of City adopted LRT Regulations;
- (b) who the regulations apply to; and
- (c) guidance regarding the administration of the City's LRT regulatory regime.

1.5 **Defined Terms:** This CM Designation (including attached appendices) uses a number of capitalized defined terms that have been taken from relevant City by-laws and other City documents applicable to LRT Railways. These defined terms are set out in the attached *Appendix A – Definitions – LRT Regulatory Regime*.

## 2. LRT Regulations

2.1 **Regulation Defined:** For the purposes of this CM Designation and the administration of the City's LRT regulatory regime a "**LRT Regulation**" is generally defined to mean:

*A City imposed program, plan, practice, procedure, standard, rule, or restriction in relation to LRT Railways that is required to be legally complied with by certain persons or a category or group of persons.*

2.2 **Master List of Regulations:** The City Manager confirms and clarifies through this CM Designation that the list of *LRT Regulations* currently applicable to Confederation Line is as set out in the attached *Appendix B – Master List*.

2.3 **Form of Regulation:** As provided for in the LRT By-law, the City may adopt and apply LRT Regulations by various means and methods including through City adopted by-laws, policies, programs, plans, rules, contracts and similar means or practices.

2.4 **Application of LRT Regulations:** The attached *Appendix B – Master List* also confirms and clarifies the persons, category or group of persons, or City departments to whom each LRT Regulation applies.

2.5 **Reference Documents:** For many LRT Regulations there are related supplemental or collateral documents (the "**Supplementary Documents**") that further describe the subject matter related to these LRT Regulations.

2.6 **Guidance Only:** For clarity, these Supplementary Documents, including their detailed content: (a) are not themselves LRT Regulations; (b) are intended as guidance and background information only; and (c) may be modified from time to time based on the insight and experience gained from the ongoing administration of the LRT regulatory regime, the operation of the LRT Railway and other related developments.

2.7 **Allocated Responsibilities:** For general information and guidance purposes only, the attached *Appendix C – Roles and Responsibilities* sets out a brief description of the roles and responsibilities of key City personnel or departments, the RMCO and the Federal rail transit regulatory agencies who are involved in or

interface in some manner with certain aspects of the City's LRT regulatory regime.

- 2.8 **Timing:** This CM Designation Document simply confirms, clarifies and explains certain matters regarding the LRT regulatory regime, including in relation to LRT Regulations (and related obligations) that were previously established by the City through City Departments and personnel having responsibility and authority over LRT Railway related matters at all stages of the development, construction, and operation of Confederation Line.

Accordingly, there is no single or specific effective date that applies to the implementation of all or a portion of the LRT regulatory regime or to the adoption of the LRT Regulations.

The LRT regulatory regime, including the LRT Regulations, and the related allocated responsibilities described in this CM Designation shall automatically continue in effect and apply in like manner to a successor or re-named City Department, division or group, their respective directors and other identified personnel and regardless of if or when a further or updated City Designation may be prepared and signed.

- 2.9 **Changes, Additions and Deletions:** The LRT Regulations may be changed (additions, deletions or amendments) from time to time by various means which will periodically result in updates to the *Appendix B – Master List* through collaboration and coordination between the responsible City Department and Legal Services and at some point followed by a confirming City Designation.

Dated at Ottawa, this day 12<sup>th</sup> of February, 2021

Signed by:



  
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 Steve Kanellakos, City Manager

## APPENDIX A – DEFINITIONS - LRT REGULATORY REGIME

**"Canadian Transportation Agency" or the "CTA"**, means the Federal agency responsible for administering the Federal - *Canada Transportation Act* (and regulations thereunder);

**"Chief Safety Officer" or "CSO"** means the Chief Safety Officer responsible for transportation safety policies, programs and practices in respect of City transportation services, including Confederation Line;

**"City Designation"** means a written designation that identifies, confirms or clarifies the existence or status of LRT Regulations, the person or category or group of persons, or City departments who the regulations apply to and guidance regarding the administration of the City's LRT regulatory regime and made by a City official or representative who has been delegated or granted this authority by the City Manager or by City Council;

**"City Manager"** means the senior executive manager of the City and senior regulatory official for the LRT regulatory regime, reporting directly to the Mayor and City Council;

**"City"** means the municipality and/or municipal corporation known as the City of Ottawa as established under the *City of Ottawa Act*;

**"CM Designation"** means a City Designation made by the City Manager;

**"CM Office"** means the office of the City Manager and designated City employees, consultants or contractors who directly support the performance of the duties and responsibilities of the City Manager in relation to:

- (a) providing independent oversight in the monitoring of compliance with LRT Regulations; and
- (b) the overall administration of the LRT regulatory regime.

**"CMO Programs"** has the meaning provided for in paragraph 4 of the Master List of LRT Regulations (Appendix B);

**"Confederation Line"** means OTrain Line 1, the municipal light rail system currently operating between the Tunney's Pasture and Blair Rapid Transit Stations, including any extension or expansion, as approved by Council (including Stage 2);

**"Contractor"** means any contractor, service provider, supplier, consultant or advisor directly engaged by the City in relation to the design, construction, operation and maintenance of the Confederation Line or other LRT Railways;

**"CREO"** means the Commercial Real Estate Office of the City responsible for property acquisition, dispositions and related matters on behalf of the City;

**"CREO Director"** means the City employee assigned senior management leadership responsibilities for CREO;

**"Delegation Agreement"** means the 2011 signed agreement between the City and the Federal Government as represented by the Minister of Transportation regarding the delegation of rail transit regulatory authority and responsibility to the City in respect of LRT Railways;

**"GM Transportation Services"** means the General Manager of Transportation Services of the City;

**"Good Industry Practice"** means, with reference to the municipal light rail transit sector and general municipal property management practices:

- (a) exercising that degree of skill and care, diligence, prudence and foresight which would reasonably and ordinarily be expected from a qualified, skilled and experienced person or group engaged in a similar type of activity under the same or similar circumstances; and
- (b) reasonably taking into account the particular features or characteristics of the LRT Railway assets, operating system and environment and the LRT regulatory regime described in relevant CM Designations.

**"Legal Services"** means the City Solicitor's office and department and any City lawyer authorized or instructed by the City Solicitor to provide advice and legal assistance to City personnel and departments in relation to any aspect of the LRT regulatory regime.

**"LRT By-law"** means the Light Rail Regulatory Monitor and Compliance Officer and LRT Regulations, By-law No. 2015 – 301.

**"LRT Railway"** means any municipal light rail transit system:

- (a) designed, constructed, operated, or maintained by, or on behalf of, the City, including any expansions or modifications made thereto;
- (b) located generally within the City and between any point in the City and any point outside the City including any point outside Ontario;
- (c) for greater certainty, *LRT Railway* includes the Confederation Line (aka *Line 1*) but does not include the Trillium Line (aka *Line 2*); and
- (d) for greater certainty, *LRT Railway* includes any existing or future light rail system of the City's designated by a different name or number.

**"LRT Regulation"** means a City imposed program, plan, procedure, practice, standard, rule, or restriction in relation to LRT Railways that is required to be legally complied with by certain persons or a category or group of persons;

**"OCT Director"** means the City employee assigned senior management leadership responsibilities for Transit Operations for OC Transpo, including in relation to security related policies, programs and practices for LRT Railways;

**"OCT Programs"** has the meaning provided for in paragraph 1 in the Master List of Regulations (Appendix B);

**"OC Transpo"** means the City's Transportation Services branch or department, commonly referred to and operating under the name of *OC Transpo*, which includes employee groups or positions that are responsible for the City's public transit services system, including the LRT Railways;

**"Planning Services"** means the group of City employees responsible for overseeing property development, land use planning, and related property matters on behalf of the City;

**"Planning Services Director"** means the City employee assigned with senior management leadership responsibilities for Planning Services;

**"Program"** as further described in Appendix B, means a City required program, plan, procedure or practice, including those that may be confirmed by way of an internal City Department document or by a Project Agreement or other contract with a Contractor or other third party, that is to be adopted and managed by a specified City Department, City personnel or others in relation to a LRT Railway.

**"Project Agreement"** means any agreement or other contract entered into directly between the City and a Contractor regarding the performance of services, or the supply of equipment or goods, in relation to the design, construction, operation or maintenance of Confederation Line or another LRT Railway;

**"Property/Planning Programs"** has the meaning provided for in paragraph 3 of the Master List of Regulations (Appendix B);

**"Railway Lands"** means real property rights or interests owned, held or managed by the City supporting, facilitating or otherwise relating to the Confederation Line or other LRT Railways, including railway corridor lands, station lands and maintenance facility and storage lands.

**"Rail Construction Program Service" or "RCP"** means the Rail Construction Program Service branch or department of the City, which includes employee groups or positions that are responsible for the planning, procurement, implementation, completion and commissioning of new LRT Railway projects and infrastructure, including extensions or expansions;

**"RCP Director"** means the City employee assigned senior management leadership responsibilities for the Rail Construction Program Service;

**"RCP Programs"** has the meaning provided for in paragraph 2 in the Master List of LRT Regulations (Appendix B);

**"Regulatory Monitor and Compliance Officer"** means the individual appointed as Light Rail Regulatory Monitor and Compliance officer by the City in relation to Confederation Line;

**"RMCO"** means the light rail Regulatory Monitor and Compliance Officer as described above;

**"Subcontractors"** means any contractor, service provider, supplier, consultant or advisor engaged by a Contractor;

**"Supplementary Documents"** means those reference documents adopted, approved, accepted or acknowledged by the City which relate to LRT Regulations, including Project Agreements and other applicable contracts, and which may provide guidance to City personnel, Contractors and other affected or impacted persons, in understanding, complying with and administering some or all of the LRT Regulations and in some cases related contractual obligations;

**"Transport Canada" or "TC"** means the Federal agency responsible for administering the Federal - *Railway Safety Act* (and regulations thereunder);

**"Transportation Safety Board" or "TSB"** means the Federal agency responsible for administering the Federal - *Transportation Accident Investigation and Safety Board Act* (and regulations thereunder).

## APPENDIX B – MASTER LIST OF LRT REGULATIONS

UPDATED AS OF: February 11, 2021

**Introduction:** The City's delegated self –regulatory regime is based fundamentally on:

- (a) City imposed obligations on various City Departments to adopt and manage specified programs, plans, procedures and practices in relation to LRT Railways, currently Line 1 - Confederation Line (collectively "**Programs**"); and
- (b) the City's reliance on various oversight mechanisms, procedures and practices that the City has adopted to manage or direct those persons who are responsible for complying with the requirements of these Programs.

### 1. OC Transpo Programs

#### 1.1 **LRT Regulation:** OC Transpo shall generally follow and apply Good Industry Practice in:

- (a) approving, adopting, confirming, or otherwise implementing, and overseeing the administration of, the Programs described in paragraph 1.3 below (the "**OCT Programs**");
- (b) providing the necessary oversight and direction to OC Transpo employees, Contractors and other persons over whom it has lawful authority to ensure timely compliance with the requirements of the OCT Programs; and
- (c) monitoring, maintaining records, providing access to records and responding to enquiries from the RMCO and reporting to the City Manager, in relation to the compliance with the OCT Programs by those who are responsible for compliance;

For the purposes of subparagraph (b) above, to the extent relevant, OC Transpo should generally require applicable Contractors (and their applicable Subcontractors) to:

- (i) adopt and maintain in place plans, programs, procedures and practices that are substantially consistent with the OCT Programs to the extent applicable to the Contractor's scope of required work in relation to the LRT Railway; and
- (ii) maintain and provide access to records to, and to respond to enquiries from, the RMCO, OCT Director and/or the City Manager in relation to compliance with the foregoing plans, programs, procedures and practices.



**1.2 Reference Information:** The OCT Programs, and the Supplementary Documents that provide additional background reference and guidance information relevant to the OCT Programs, are available from the OCT Director (or designate) on a demonstrated, as needed basis.

**1.3 OCT Programs:** include the:

- (a) Safety Management System Plan (SMS)
- (b) Security Management System Plan (SeMS)
- (c) Threat and Vulnerability Assessment System (T&VA)
- (d) Standard Operating Procedures (SOP)
- (e) LRT Operating Rules and Procedures
- (f) Maintenance and Rehabilitation Plan
- (g) Light Rail Vehicles – Maintenance Plan
- (h) Rates and Terms of Service
- (i) Accident and Safety Incidents – Reporting Requirements
- (j) Mobility Requirements (aligned with TC requirements); and
- (k) Other Programs - that the City Manager may direct OC Transpo to adopt from time to time.

*Note: for clarity, the Federal Government has retained primary regulatory authority and responsibility over mobility matters in relation to LRT Railways. Accordingly, as per (j) above OCT has adopted a program and practice that requires compliance with these federal requirements.*

## **2. Rail Construction Program Services – Programs**

**2.1 LRT Regulation:** RCP shall generally follow and apply Good Industry Practice in:

- (a) approving, adopting, confirming, or otherwise implementing, and overseeing the administration of, the Programs described in paragraph 2.3 below (the “RCP Programs”);
- (b) providing the necessary oversight and direction to RCP employees, Contractors and other persons over whom RCP has lawful authority to ensure timely compliance with the requirements of the RCP Programs; and
- (c) monitoring, maintaining records, providing access to records and responding to enquiries from the RMCO, RCP Director and/or the City Manager, in

relation to the compliance with the RCP Programs by those who are responsible for compliance.

For the purposes of subparagraph (b) above, to the extent relevant, RCP should generally require applicable Contractors (and their applicable Subcontractors) to:

- (i) adopt and maintain in place plans, programs, procedures and practices that are substantially consistent with the RCP Programs to the extent applicable to the Contractor's scope of required work in relation to the LRT Railway; and
- (ii) maintain and provide access to records to, and to respond to enquiries from, the RMCO, RCP Director or the City Manager in relation to compliance with the foregoing plans, programs, procedures and practices.

**2.2 Reference Information:** The RCP Programs, and the Supplementary Documents that provide additional reference and guidance information applicable to the RCP Programs, are available from the RCP Director (or designate) on a demonstrated as needed basis.

**2.3 RCP Programs:** include:

- (a) Design and Construction Requirements – as per the Project Agreements and related contracts
- (b) Commissioning and Completion Requirements – as per the Project Agreements and related contracts
- (c) Light Rail Vehicles – Procurement and Commissioning Requirements - as per the Project Agreements and related contracts; and
- (d) Other Programs - that the City Manager may direct RCP to adopt from time to time.

*Note: at some point following completion of construction and commissioning activities the ongoing oversight and administration of outstanding RCP Program matters may transition to OC Transpo and thereby become OCT Programs, to the extent still relevant.*

### 3. Property/Planning Programs

**3.1 LRT Regulation:** CREO and/or Planning Services shall, respectively and as applicable, follow and apply Good Industry Practice in:

- (a) approving, adopting, confirming, or otherwise implementing, and overseeing the administration of, the Programs described in paragraph 3.3 below (the "**Property/Planning Programs**");

- (b) providing the necessary oversight and direction to: CREO and/or Planning Services employees, counterparties under contracts, and other persons over whom CREO and/or Planning Services have lawful authority to ensure timely compliance with the requirements of the applicable Property/Planning Programs; and
- (c) monitoring, maintaining records, providing access to records, and responding to enquiries from the RMCO, CREO Director, Planning Services Director, and/or the City Manager, in relation to the compliance with the Property/Planning Programs by those who are responsible for compliance.

For the purposes of subparagraph (b) above, to the extent relevant, CREO and/or Planning Services should generally require applicable counterparties under relevant contracts with the City to:

- (i) adopt and maintain in place plans, programs, procedures and practices that are substantially consistent with the Property/Planning Programs to the extent these counterparties interface with, have access to and/or use of the Railway Lands or there is other involvement or impact in relation to the Railway Lands or the LRT Railways; and
- (ii) maintain and provide access to records to, and to respond to enquiries from, the RMCO, CREO Director, Planning Services Director or the City Manager in relation to compliance with the foregoing plans, programs, procedures and practices.

**3.2 Reference Information:** The Property Programs, and the Supplementary Documents that provide additional reference and guidance information applicable to the Property/Planning Programs, are available from the CREO Director or the Planning Services Director (or their designates), as applicable, on a demonstrated as needed basis.

**3.3 Property/Planning Programs:** CREO and/or Planning Services, in collaboration and/or coordination with OC Transpo and RCP and other City personnel, must establish, adopt and/or apply Programs in relation to the:

- (a) Management and Use of Railway Lands: third party use rights and restrictions in relation to the Railway Lands; including crossing agreements; licenses of occupation and similar contractual arrangements with counterparties under contracts with the City
- (b) Protection of the Railway Corridor: restrictions, limitations and other conditions to mitigate the potential risk of adverse impacts to the Railway Lands or Confederation Line (or other LRT Railways) from property related uses, developments or other activities, including land – use bylaws; master development plans, zone of influence requirements; planning and building permit conditions, and other non-disturbance related requirements imposed on third parties;

- (c) Acquisition of Property Interests: City acquisition of land interests and rights, including by way of expropriation, to support LRT Railways, including agreements with adjoining landowners; and
- (d) Other Programs: the City Manager may direct either CREO or Planning Services to adopt from time to time in relation to LRT Railways.

#### 4. City Manager Office – Programs

##### 4.1 **LRT Regulation**: the CM Office shall follow and apply Good Industry Practice in:

- (a) approving, adopting, confirming, or otherwise implementing, and overseeing the administration of, the Programs described in paragraph 4.3 (the “**CMO Programs**”);
- (b) providing the necessary oversight and direction to CM Office employees, consultants and contractors and other persons over whom the CM Office has lawful authority to ensure timely compliance with the requirements of the CMO Programs; and
- (c) monitoring, maintaining records, providing access to records, responding to enquiries from the RMCO, Transit Commission and City Council, in relation to the compliance with the CMO Programs by those who are responsible for compliance.

##### 4.2 **Reference Information**: The CMO Programs, and the Supplementary Documents that provide additional reference and guidance information applicable to the CMO Programs, are available from the City Manager (or designate) on a demonstrated as needed basis.

##### 4.3 **CM Office Programs**: include Programs relating to:

- (a) Accident and Safety Incidents – Investigation and Reporting Procedures - aligned and integrated with the OCT Program described in paragraph 1.3(i) of this Appendix B;
- (b) Compliance Monitoring Programs – for the RMCO and/or the City Departments; aligned and integrated with the RMCO and City Department compliance monitoring programs or procedures approved or accepted by the City Manager;
- (c) Enforcement Powers/Procedures – including access rights to City Department records, information relating to compliance with LRT Regulations from RMCO and/or City Departments, and City powers to enforce compliance and pursue remedial actions in relation to LRT Regulations; and

- (d) Other Programs – the City Manager may decide to adopt, or which City Council may direct be adopted, in relation to the CM Office responsibilities in the administration of the LRT regulatory regime.

## APPENDIX C - ROLES AND RESPONSIBILITIES

1. **Regulatory Roles and Responsibilities:** This Appendix C confirms and clarifies the roles and responsibilities of various persons, positions, departments, groups and officials having some involvement in the administration of the City's LRT regulatory regime as it currently applies to Line 1, Confederation Line.

It is expected that for any new LRT Railway these roles and responsibilities will apply in like manner.

As per paragraph 2.8 of the CM Designation cover document the roles and responsibilities described in this Appendix C will automatically apply in like manner to any successor or re-named City Department, director or other identified City personnel regardless of if or when an updated or further City Designation is prepared or signed.

2. **City Manager:** Has primary responsibility for overseeing rail transit regulation of Confederation Line. The City Manager reports to the Mayor and to City Council and:
  - (a) may delegate and assign to other City personnel, consultants or contractors who report to the City Manager some of the tasks, activities and responsibilities that support the City Manager in the administration of the LRT regulatory regime;
  - (b) oversees required periodic reporting to Transport Canada under the 2011 Delegation Agreement;
  - (c) oversees any required reporting of reportable transportation occurrences (ie serious accident or safety incidences) to the TSB;
  - (d) receives reports from, and provides directions to:
    - RMCO, regarding LRT Regulation compliance monitoring; and
    - OC Transpo, RCP, CREO, Planning Services Group, Legal Services and other City personnel, regarding compliance with and recommended changes to the LRT Regulations; and
  - (e) enforces compliance by applicable City Departments or groups, and their personnel, with the LRT Regulations utilizing the enforcement powers, rights and authorities generally available to the City Manager under applicable law, including general by-laws of the City.
3. **GM - Transportation Services:** Reports to the City Manager. Oversees compliance with LRT Regulations by OC Transpo and RCP staff, contractors and suppliers, as applicable. Periodically makes recommendations and requests to City Manager for changes to the LRT Regulations.

The GM periodically interfaces and confers with other City Departments and the RMCO regarding the LRT regulatory regime.

4. **Director - Transit Operations:** Reports to the GM – Transportation Services. Has direct day to day oversight of OC Transpo staff, contractor and supplier compliance with LRT Regulations, as applicable (e.g. operations, maintenance and security activities and matters).

Responsible for ensuring the RMCO is provided with requested information to support the compliance monitoring work activities of the RMCO. Oversees the preparation of required reports from OC Transpo to Transport Canada and TSB, and to City Manager, City Council and Transit Commission, as applicable.

5. **Director - Rail Construction Programs:** Reports to GM – Transportation Services. Has direct day to day oversight of RCP staff, contractor and supplier compliance with LRT Regulations, as applicable (e.g. design and construction activities and matters). Supports the reporting activities described in paragraph #4, as applicable.

6. **Chief Safety Officer:** Reports to the GM – Transportation Services. Has direct day to day responsibility for transportation safety policies, programs and practices in relation to Confederation Line.

Has active involvement and interfaces with the RMCO, and as needed and applicable, with TSB personnel in relation to transportation occurrences. Supports the reporting activities described above in # 4, as applicable.

7. **Director – CREO:** Reports to the City Manager. Responsible for overseeing real estate and property matters for the City, including in relation to the Confederation Line corridor lands and other lands supporting the construction and operation of any extensions or expansions.

Has direct day to day oversight of CREO staff, contractors and other relevant third parties regarding compliance with property management related LRT Regulations, including protection of the railway corridor. Supports the reporting activities described in # 4, as applicable.

8. **OC Transpo:** The City department, division or group responsible for operations and maintenance matters in relation to Confederation Line, including compliance with applicable LRT Regulations by all impacted or responsible staff, contractors and suppliers.

OC Transpo will periodically confer, collaborate and coordinate with other City Departments and personnel in relation to Confederation Line and LRT regulatory regime matters.

9. **Rail Construction Program Services (RCP):** The City department, division or group responsible for new rail transit project planning, implementation, design,

construction and commissioning matters in relation to Confederation Line (including extensions and expansions), including compliance with applicable LRT Regulations by all impacted staff, contractors and other relevant third parties.

RCP will periodically confer, collaborate and coordinate with other City Departments and personnel in relation to Confederation Line and LRT regulatory regime matters.

10. **CREO:** The City department, division or group responsible for real estate and property matters, including in relation to the establishment, management and protection of the Railway Lands including the Confederation Line corridor and other lands supporting the construction and operation of extensions or expansions.

CREO will periodically confer, collaborate and coordinate with other City Departments and personnel in relation to Confederation Line and LRT regulatory regime matters.

11. **Planning Services:** The City department, division or group responsible for property development and land use planning matters, including in relation to the Railway Lands, the Confederation Line corridor and other lands supporting extensions or expansions.

Planning Services will periodically confer, collaborate and coordinate with other City Departments and personnel in relation to Confederation Line and LRT Regulatory regime matters.

12. **Legal Services:**

(a) provides legal and regulatory advice and support to the City Manager (and designates) and all affected City departments, groups and personnel regarding the adoption, interpretation, application and enforcement of LRT Regulations; and

(b) on a scheduled and periodic basis each year makes enquiries of the foregoing City departments and personnel to assess and coordinate possible changes, additions or deletions to the LRT Regulations, including to this CM Designation or other City Designations.

13. **RMCO:** Reports directly to the City Manager and periodically to Transit Commission and City Council.

The RMCO is independent of OC Transpo, RCP, CREO, Planning Services and other City operating departments or groups responsible for various aspects of Confederation Line.

- (a) **Monitoring Responsibility:** The RMCO is responsible and accountable to the City Manager for monitoring compliance with designated LRT Regulations by those to whom the designated regulations apply.



In carrying out the monitoring activities, on an as needed and applicable basis, the RMCO may gather information from and generally confer with the management and staff of OC Transpo, RCP, CREO, Planning Services, CM Office, Legal Services and other City departments or groups, and key Contractors (and their Subcontractors).

This information gathering includes the collection, review and discussion of relevant Supplementary Documents, including relevant documents from applicable Contractors.

This monitoring shall be carried out according to the program, schedule and practices from time to time adopted by the RMCO and periodically confirmed with the City Manager or designate.

- (b) Observational Role: In the course of carrying out the foregoing designated monitoring activities the RMCO may incidentally observe, identify or have disclosed to him/her certain practices, activities, shortcomings or omissions of certain Contractors (or their Subcontractors) or other persons regarding their work responsibilities to the City, or in respect of other interfacing or interactions, in relation to Confederation Line that may not directly pertain to a LRT Regulation compliance assessment but which may still be of interest to or otherwise instructive to one or more of the City Departments or the City Manager.

The RMCO has not been specifically engaged or mandated to investigate, observe, record or report on these collateral observational matters and is not responsible or accountable to any City Department or official in respect of these matters.

The RMCO may however periodically and informally report and discuss these matters with the City Manager or other City personal as the City Manager may suggest or encourage, including discussions regarding identified remedial actions or measures that may apply to a City Department or Contractor (and Subcontractor).

- (c) Supplemental Activities: From time to time, in special circumstances and subject to the adherence to appropriate disclosure and other conflict management protocols and measures that may be required, and with the prior approval of the City Manager, the RMCO may be retained by a City Department to provide advisory or technical support services in relation to a specific situation, matter or development relating to Confederation Line.

The City Manager may approve these ad hoc special assignments when satisfied they will not compromise or impair the RMCO's ability to perform the independent compliance monitoring activities described in subparagraph (a) above.

14. **Transport Canada (TC):** Responsible for managing the 2011 Delegation Agreement with the City on behalf of the Federal Government in relation to LRT Railways in Ottawa.

Except for the receipt and review of annual reports from the City pursuant to the Delegation Agreement, TC does not actively regulate Confederation Line or other LRT Railways.

15. **Canada Transportation Agency (CTA):** Responsible for the regulatory oversight of mobility matters under Part V of the Canada Transportation Act in relation to LRT Railways (ie a regulatory responsibility and authority not delegated to the City). The CTA otherwise does not actively regulate Confederation Line or other LRT Railways.

16. **Transportation Safety Board (TSB):** Is an independent federal agency that reports directly to Parliament through the Privy Council Office (ie not to the Minister of Transportation, TC or the CTA) regarding transportation accidents and other reportable safety incidences or occurrences.

The City and the TSB entered into an agreement in August 2019 to coordinate their respective regulatory oversight and investigatory authority, activities and responsibilities in relation to accidents and other reportable incidents or occurrences that may arise in relation to Confederation Line or other LRT Railways.