



Regional Municipality of Waterloo

Planning and Works Committee

Minutes

Tuesday, September 9, 2014

12:34 p.m.

Regional Council Chamber

150 Frederick Street, Kitchener, ON

Present were: Chair J. Wideman, L. Armstrong, J. Brewer, T. Cowan, R. Deutschmann, T. Galloway, J. Haalboom, B. Halloran, R. Kelterborn, G. Lorentz, C. Millar, J. Mitchell, K. Seiling, *S. Strickland and C. Zehr.

Members absent: D. Craig

Motion To Reconvene Into Open Session

Moved by T. Galloway

Seconded by J. Brewer

That Council reconvene into Open Session.

Carried

Declarations of Pecuniary Interest Under The Municipal Conflict of Interest Act

R. Deutschmann declared a pecuniary interest with respect to 2 items on the Closed Agenda due to an indirect pecuniary interest since he and his spouse are shareholders of corporations that have an interest in a property at 10 Duke Street West, Kitchener.

Delegations

a) P-14-082, Project Approval for the Waterloo Spur Line Trail

- i) Lane Burman, Co-Chair, Mount Hope Breithaupt Park Neighbourhood Association appeared before Committee supporting the project. He noted that for decades the informal path has been used by the neighbourhood to access Uptown Waterloo and Downtown Kitchener and the need for this project. He highlighted the public consultation he attended in the past regarding this project stating the Region listened to citizen's suggestions. He asked the Region hold one more public consultation regarding this project and asked that staff consider installing LED lighting from Weber Street to the Spur Line Trail. He also pointed out that citizens were disappointed to see the pergola removed from the final design and asked to reconsider that decision. He thanked staff and Committee for their work on this project and moving this project forward.
- ii) Isaac Morlan, Citizen of Waterloo appeared before the Committee pleased to see this project going forward noting it will be making an informal path into a formal path. He stated he was happy with the timeline, noting it will be constructed by September 2015. He encouraged staff to keep the trail on one side of the tracks and asked staff to consider installing crossing refuges at Allen Street and Union Street.

*S. Strickland entered the meeting at 12:45 p.m.

Rob Horne, Commissioner Planning, Housing and Community Service provided introductory comments. He stated that staff are going to approach the City of Kitchener and the City of Waterloo to jointly hold a public consultation to outline responsibilities.

Committee members asked about the pergola being removed and inquired about the additional lighting. Steve van De Keere, Acting Director, Design and Construction explained that park benches and pergolas are the City's responsibility and City staff decided to go ahead without the pergola but he did note that a pergola could be installed at anytime. S. van De Keere noted that staff can look at expanding the LED lighting from Weber Street to the Spur Line Trail.

Committee members stated that this project is an excellent example of active transportation and connecting two communities together. Committee members encouraged staff to look at the continuation of the LED lighting and the pergola.

Moved by G. Lorentz

Seconded by J. Mitchell

That the Regional Municipality of Waterloo take the following actions regarding the Waterloo Spur Line Trail as described in Report P-14-082, dated September 9, 2014:

1700329

- a) Approve a capital project for the construction of the Waterloo Spur Line Trail and associated storm water infrastructure in the Region of Waterloo 10-year capital program in year 2015 in the amount of \$4.75 million gross, subject to negotiation of a funding agreement with Metrolinx for 1/3 funding, currently expected to be \$1.2 million, a funding commitment from the City of Waterloo for up to \$1.55 million for storm water infrastructure, with the balance of funding to be provided from the Region's Development Charges Reserve fund;
- b) Direct Regional staff to work with the Cities of Kitchener and Waterloo to formalize the financial and maintenance contributions that can be made to this initiative; and
- c) Authorize the Region's Commissioner of Transportation and Environmental Services to negotiate a funding agreement with Metrolinx in conjunction with the Cities of Waterloo and Kitchener for the construction of the Waterloo Spur Line Trail, in a form and content satisfactory to the Regional Solicitor.

Carried

Request to Remove Items from Consent Agenda

No items were removed from the Consent Agenda.

Motion to Approve Items or Receive for Information

Moved by G. Lorentz

Seconded by J. Brewer

That the following items be approved:

- That the Region of Waterloo accept P-14-091, Monthly Report of Development Activity for July 2014, dated September 9, 2014

And that the following items be received for information:

- Class Environmental Assessment for the Expansion of the New Hamburg Wastewater Treatment Plant – Information Package in Advance of Public Consultation Centre No. 2 (Information)

Carried

Reports – Transportation and Environmental Services

Design and Construction

- a) CR-RS-14-070, Authorization to Expropriate Lands (2nd Report) for Manitou Drive Improvements (Fairway Road to Bleams Road) In The City of Kitchener

Moved by G. Lorentz

Seconded by J. Mitchell

That Council of the Regional Municipality of Waterloo approve the expropriation of lands for the purpose of construction of road improvements to Manitou Drive (Regional Road 69), in the City of Kitchener, in the Region of Waterloo as detailed in Report CR-RS-14-070 dated September 9, 2014 described as follows:

Fee Simple Partial Taking:

1. Part of Lot 9, Registered Compiled Plan 1490, being Parts 1-4 on Plan 58R-17784, Part of PIN 22595-0088(LT) (35 and 45 Manitou Drive, Kitchener);
2. Part of Lot 2, Registered Compiled Plan 1525, being Part 1 on Plan 58R-17788, Part of PIN 22593-0103(LT) (695 Fairway Road, Kitchener);
3. Part of Lot 17, Registered Compiled Plan 1489, being Part 1 on Plan 58R-17782, Part of PIN 22617-0039(LT) (107 Manitou Drive, Kitchener);
4. Part of Lot 42, Registered Compiled Plan 1525, being Parts 4, 6, and 8 on Plan 58R-17782, Part of PIN 22594-0016(LT) (110 Manitou Drive, Kitchener);
5. Part of Lot 41, Registered Compiled Plan 1525, being Part 2 on Plan 58R-17783, Part of PIN 22594-0015(LT) (50 Manitou Drive, Kitchener);
6. Part of Lots 39 and 40, Registered Compiled Plan 1525, being Part 6 on Plan 58R-17784, Part of PIN 22594-0014(LT) (38 Manitou Drive, Kitchener);

Temporary Grading Easement:

The right and easement, being a temporary easement in gross, for the free and unobstructed right, interest and easement, terminating on the 31st day of December, 2018, for itself, its successors and assigns and anyone authorized by it, on, over, under and through the following properties for the purposes of construction, grading, and landscaping as required in connection with improvements to Manitou Drive and for such purposes, the free, unimpeded and unobstructed access to the lands at all times by employees, agents, contractors, workers and anyone authorized by it, and vehicles,

supplies and equipment at all times and for all purposes and things necessary for or incidental to the exercise and enjoyment of the right and easement:

1. Part of Lot 17, Registered Compiled Plan 1489, being Part 2 on Plan 58R-17782, Part of PIN 22617-0039(LT) (107 Manitou Drive, Kitchener);
2. Part of Lot 42, Registered Compiled Plan 1525, being Parts 3, 5, and 7 on Plan 58R-17782, Part of PIN 22594-0016(LT) (110 Manitou Drive, Kitchener);
3. Part of Lot 41, Registered Compiled Plan 1525, being Parts 1 and 3 on Plan 58R-17783, Part of PIN 22594-0015(LT) (50 Manitou Drive, Kitchener);
4. Part of Lots 39 and 40, Registered Compiled Plan 1525, being Part 5 on Plan 58R-17784, Part of PIN 22594-0014(LT) (38 Manitou Drive, Kitchener);
5. Part of Lot 12, Registered Compiled Plan 1490, being Part 2 on Plan 58R-17787, Part of PIN 22595-0047(LT) (25-29 Manitou Drive, Kitchener);
6. Part of Lots 12 and 13, Registered Compiled Plan 1490, being Part 1 on Plan 58R-17787, Part of PIN 22595-0048(LT) (21 Manitou Drive, Kitchener);
7. Part of Lot 17, Registered Compiled Plan 1525, being Part 2 on Plan 58R-17786, Part of PIN 22594-0006(LT) (28 Manitou Drive, Kitchener); and
8. Part of Lot 34, Registered Compiled Plan 1525, being Part 4 on Plan 58R-17785, Part of PIN 22594-0013(LT) (36 Manitou Drive, Kitchener).

Permanent Hydro Easement:

The right and easement, being an easement in gross, for the free, uninterrupted and unobstructed right and easement in perpetuity for itself, its successors and assigns and anyone authorized by it, at any time to enter upon the following properties for purposes of constructing, laying down, installing, inspecting, repairing, altering, enlarging, replacing, correcting, operating, and maintaining hydro installations and infrastructure, both under ground and overhead, including cables, pipes, conduits of all kinds, all necessary poles, supporting wires and braces and other equipment and appurtenances thereto, herein referred to as the utility plant, which may be determined necessary from time to time through, over, upon, along and across the lands, and for all such purposes together with the free, unimpeded and unobstructed access for itself, its successors and

assigns, servants, agents, contractors, workers and anyone authorized by it, and vehicles, supplies and equipment at all times and for all purposes and things necessary for or incidental to the exercise and enjoyment of the right and easement:

1. Part of Lot 11, Registered Compiled Plan 1490, being Part 1 on Plan 58R-17786, Part of PIN 22595-0046 (LT) (31-33 Manitou Drive, Kitchener).

And that staff be instructed to register a Plan of Expropriation for the property, or such lesser portions of any of the said properties as may be determined through the design process, within three months of the granting of the approval to expropriate the property, as required by the "Expropriations Act";

And that the registered owners be served with a Notice of Expropriation and a Notice of Possession for the property after the registration of the Plan of Expropriation;

And that if no agreement as to compensation is made with an owner, the statutory Offer of Compensation and payment be served upon the registered owners of the property in the amount of the market value of the interests in the land as estimated by the Region's appraiser in accordance with the Expropriations Act;

And further that the Regional Solicitor be authorized to discontinue expropriation proceedings or any part thereof, in respect of the above described lands, or any part thereof, upon the registration on title of the required documentation to complete the transaction, or if otherwise deemed expedient by the Commissioner or Transportation and Environmental Services and the Regional Solicitor.

Carried

- b) CR-RS-14-071, Authorization to Expropriate Lands (1st Report) for the Reconstruction of Fountain Street (Regional Road 17) from Shantz Hill Road to King Street West and King Street (Regional Road 8) from Fountain Street to Eagle Street, in the City of Cambridge

Moved by J. Brewer

Seconded by C. Millar

That The Regional Municipality of Waterloo direct and authorize the Regional Solicitor to take the following actions with respect to the expropriation of lands for the reconstruction of Fountain Street (Regional Road 17) from Shantz Hill Road to King Street West and King Street (Regional Road 8) from Fountain Street to Eagle Street, in the City of Cambridge, in the Region of Waterloo as detailed in report CR-RS-13-087 dated October 22, 2013:

- a) Complete application(s) to the Council of the Regional Municipality of Waterloo, as may be required from time to time, for approval to expropriate land, which is required for the reconstruction of Fountain Street (Regional Road 17) and King Street (Regional Road 8) and described as follows:

Fee Simple Partial Taking:

1. Part of Lots 24 and 25, Municipal Compiled Plan 731, being Part 4 on Plan 58R-18325, Part of PIN 22651-0513(LT) (278 Fountain Street South, Cambridge)
2. Part of Lots 1, 2 and 3, North of Main Street, Registered Plan 522, Part of Lots 8 and 9, Municipal Compiled Plan 730, being Parts 1, 2, 3, 11 and 13 on Plan 58R-18330 , Part of PIN 03768-0081(LT) (255 King Street West, Cambridge)

Temporary Easement:

1. Part of Lot 24, Municipal Compiled Plan 731, being Part 6 on Plan 58R-18325, Part of PIN 22651-0513(LT) (278 Fountain Street South, Cambridge)
2. Part of Lots 1, 2 and 3, North of Main Street, Registered Plan 522, Part of Lots 8 and 9, Municipal Compiled Plan 730, being Part 4, 10 and 12 on Plan 58R-18330, Part of PIN 03768-0081 (LT) (255 King Street West, Cambridge)

Permanent Easement:

1. Part of Lot 24, Municipal Compiled Plan 731, being Part 5 on Plan 58R-18325, Part of PIN 22651-0513(LT) (278 Fountain Street South, Cambridge)
 2. Part of Lot 8, Municipal Compiled Plan 730, being Part 5 on 58R-18330, Part of PIN 03768-0081(LT) (255 King Street West, Cambridge)
- b) Serve notices of the above application(s) required by the Expropriations Act;
- c) Forward to the Chief Inquiry Officer any requests for a hearing that may be received;
- d) Attend, with appropriate Regional staff, at any hearing that may be scheduled;
- e) Discontinue expropriation proceedings or any part thereof, in respect of the above described lands, or any part thereof, upon the registration on title of the required documentation to complete a transaction whereby the required interests in the lands are conveyed; and
- f) Do all things necessary and proper to be done, and report thereon to Regional Council in due course.

Carried

- c) CR-RS-14-081, Surplus Declaration of Regional Lands Forming Part of 25 Cedar Street, Kitchener and Part of 176 Hespeler Road, Cambridge

Moved by K. Seiling

Seconded by G. Lorentz

That The Regional Municipality of Waterloo:

- i. Authorize Regional staff to commence the surplus declaration of lands process with respect to lands described as Part of Lot 17 (B. Moogk), South of King Street, Plan 364 designated as Part 1 Plan 58R-18253 being Part of PIN 22502-0083, in the City of Kitchener forming part of lands municipally known as 25 Cedar Street, Kitchener and more particularly depicted in Appendix “A” hereto (the “Cedar Surplus Lands”) in accordance with the Region’s Property Disposition By-Law 95-034 (the “Property Disposition By-Law) and to report back to Council for final consideration of the matter upon completion thereof;
- ii. Declare lands described as Part of Subdivision of Lot 3, Concession 12, East of the Grand River, being Part 1, 67R-1687 except Parts 4, 5 and 6 on 58R-9757, subject to WS725400, being Part of PIN 03793-0228, in the City of Cambridge forming part of lands municipally known as 176 Hespeler Road, Cambridge, and more particularly depicted in Appendix “B” hereto (the “Hespeler Surplus Lands”) as surplus to the needs of the Region subject to the satisfactory completion of all steps required under the Region’s Property Disposition By-Law, to the satisfaction of the Regional Solicitor;
- iii. Approve, enter into an Agreement for, and execute all documentation related to an Easement in favour of Cambridge and North Dumfries Hydro Inc. (“Cambridge Hydro”) with respect to the Hespeler Surplus Lands for nominal consideration and on such terms as reasonably required by Cambridge Hydro to accommodate certain civil works planned for Hespeler Road in relation to the implementation of Rapid Transit in the City of Cambridge, with all documentation to the satisfaction of the Regional Solicitor.

Carried

- d) E-14-105, Consultant Selection – Preliminary Design, Detailed Design and Construction Administration and Inspection Services for Dundas Street Improvements, Hespeler Road to Elgin Street, City of Cambridge

Moved by J. Brewer

Seconded by C. Millar
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That the Regional Municipality of Waterloo enter into a Consultant Services Agreement with WalterFedy of Kitchener, Ontario to provide consulting engineering services for preliminary design, detailed design, construction contract administration and construction inspection for the Dundas Street Improvements from Hespeler Road to Elgin Street in the City of Cambridge at an upset limit of \$386,920.95 plus applicable taxes for the preliminary design and detailed design phases with construction contract administration and construction inspection to be paid on a time basis.

Carried

- e) E-14-106, Consultant Selection - Detailed Design and Services During Construction for the Heidelberg Wastewater Treatment Plant Upgrades, Township of Woolwich

Moved by T. Cowan

Seconded by B. Halloran

That the Regional Municipality of Waterloo enter into a Consulting Services Agreement with R.E. Poisson Engineering Inc., to provide engineering services during the detailed design and services during construction for the Heidelberg Wastewater Treatment Plant Upgrades, Township of Woolwich at an upset fee limit of \$417,120.00, plus all applicable taxes.

Carried

Transportation

- f) E-14-094, Maintenance of Regional Roads within the Cities of Cambridge, Kitchener and Waterloo

Phil Bauer, Acting Director, Transportation introduced the report and outlined the new agreement.

P. Bauer responded to Committee's question regarding pothole maintenance stating they are behind because it was a bad winter.

Moved by G. Lorentz

Seconded by B. Halloran

That the Regional Municipality of Waterloo authorize the Commissioner of Transportation and Environmental Services to execute Maintenance Agreements with the Cities of Cambridge, Kitchener and Waterloo for the maintenance services described in this report for the Regional Roads within their respective municipal limits, for the period of January 1, 2015 to December 31, 2019, with an option to renew for one

additional five (5) year term, in a form satisfactory to the Regional Solicitor as outlined in Report E-14-094, dated September 9, 2014.

And that the remaining summer maintenance activities on Regional roads in the three cities starting in 2015 be procured using regular Regional practices as outlined in Report E-14-094, dated September 9, 2014.

Carried

Water Services

- g) E-14-108, Sole Source Purchase of Hidden Valley Low Lift Pumping Station - Pump Acquisition

Moved by K. Seiling

Seconded by L. Armstrong

That the Regional Municipality of Waterloo purchase a submersible pump from Xylem Water Solutions for the Hidden Valley Low Lift Pumping Station, City of Kitchener, for the amount of \$156,887.85 excluding all applicable taxes.

Carried

- h) E-14-110, Wastewater Operations and Maintenance Contract Proposed Terms and Conditions

Received for information.

Information/Correspondence

- a) Council Enquiries and Requests for Information Tracking List

Received for information.

Other Business

- a) J. Haalboom asked if staff could report back to Committee summarizing the types of housing that generates good ridership along bus routes. R. Horne noted a report is coming forward with respect to rapid transit showing what is being built in the central transit corridor and that information can be accessed on the region's website at www.regionofwaterloo.ca/bigshift. R. Horne did state that planning staff haven't looked at the traditional routes but could take that back to planners to take a look at.

Next Meeting – September 30, 2014

Adjourn

Moved by G. Lorentz

Seconded by L. Armstrong

That the meeting adjourn at 1:10 p.m.

Carried

Committee Chair, J. Wideman

Committee Clerk, E. Flewwelling