



REGIONAL MUNICIPALITY OF WATERLOO CONSOLIDATED COUNCIL AGENDA

Wednesday, November 16, 2011
Closed Session 6:45 p.m.
WATERLOO COUNTY ROOM
Regular Meeting 7:00 p.m.
REGIONAL COUNCIL CHAMBER
150 Frederick Street, Kitchener, ON

*Denotes Item(s) Not Part of Original Agenda

1. **MOMENT OF SILENCE**

2. **ROLL CALL**

3. **MOTION TO GO INTO CLOSED SESSION**

THAT a closed meeting of the Council be held on Wednesday, November 16, 2011 at 6:45 p.m. in the Waterloo County Room, in accordance with Section 239 of the *Municipal Act*, 2001, for the purposes of considering the following subject matters:

- a) proposed or pending acquisition of land in the City of Cambridge
- b) labour relations related to contract negotiations
- * c) labour relations related to a personnel matter

4. **MOTION TO RECONVENE IN OPEN SESSION**

5. **DECLARATION OF PECUNIARY INTEREST UNDER THE MUNICIPAL CONFLICT OF INTEREST ACT**

6. **PRESENTATIONS**

7. **PETITIONS**

8. **DELEGATIONS**

- a) Re: E-11-106, Recommended Uptown Waterloo Light Rail Transit Route Alignment and Stations (*Item #3 on Planning & Works Summary*):
 - i) Pauline Shang Au, Waterloo
 - ii) John Shortreed, Waterloo

9. **MINUTES OF PREVIOUS MEETINGS**

- a) Budget – October 26, 2011
- * b) Closed Council – October 26, 2011
- c) Council – October 26, 2011
- d) Community Services – November 8, 2011
- e) Closed Committee – November 8, 2011
- f) Administration & Finance – November 8, 2011
- g) Planning & Works – November 8, 2011

10. **COMMUNICATIONS**11. **MOTION TO GO INTO COMMITTEE OF THE WHOLE TO CONSIDER REPORTS**12. **REPORTS****Finance Reports**

- a) [F-11-077](#), P2011-49 Driver Management & Safety System – Grand River Transit 1
- b) [F-11-078](#), T2010-030 Interim Dewatering, Haulage and Disposal of Biosolids Kitchener Wastewater Treatment Plant, City of Kitchener – Contract Extension 3
- c) [F-11-076](#), 2011 Regional Debenture Issue 7

Committee Reports

- a) Community Services - attached & marked [SS-111108](#) 11
- b) Administration & Finance - attached & marked [FS-111108](#) 13
- c) Planning & Works - attached & marked [PS-111108](#) 15
- * Closed Planning & Works – attached & marked [CPS-111108](#) 18A

Chief Administrative Officer**Regional Chair****Regional Clerk**13. **OTHER MATTERS UNDER COMMITTEE OF THE WHOLE**

- a) [CR-RS-11-081](#), Real Property Acquisition By-law 19
- b) [Memo](#): Ontario Works Caseload: October 2011 25

14. **MOTION FOR COMMITTEE OF THE WHOLE TO RISE AND COUNCIL RESUME**15. **MOTION TO ADOPT PROCEEDINGS OF COMMITTEE OF THE WHOLE**16. **MOTIONS**17. **NOTICE OF MOTION**18. **UNFINISHED BUSINESS**19. **OTHER BUSINESS**20. **QUESTIONS**

21. ENACTMENT OF BY-LAWS – FIRST, SECOND & THIRD READINGS

- a) A By-law to authorize the borrowing upon ten year instalment debentures in the principal amount of \$385,000 for a capital work of The Corporation of the Township of Woolwich
- b) A By-law to authorize the borrowing upon ten year instalment debentures in the principal amount of \$9,300,000 for capital works of The Corporation of the City of Cambridge
- c) A By-law to authorize the borrowing upon instalment debentures in the aggregate principal amount of \$20,248,000 (ten year instalment debentures in the principal amount of \$5,545,000 and fifteen year instalment debentures in the principal amount of \$14,703,000), \$1,837,000 of which fifteen year debentures may be raised by the issue of refinancing debentures on or before the final maturity date over a further period not to exceed five years for capital works of The Corporation of the City of Kitchener
- d) A by-law to authorize the borrowing upon instalment debentures in the principal amount of \$39,567,000 (ten year instalment debentures in the principal amount of \$36,267,000 and fifteen year instalment debentures in the principal amount of \$3,300,000) \$1,044,000 of which fifteen year debentures may be raised by the issue of refinancing debentures on or before the final maturity date over a further period not to exceed five years for capital works of The Regional Municipality of Waterloo
- e) A By-law to provide for the borrowing of the aggregate of the principal amounts authorized by By-laws numbered 11-048, 11-049, 11-050 and 11-051 and for the issuing of one series of instalment debentures therefore in the aggregate principal amount of \$69,500,000
- f) A By-law of the Regional Municipality of Waterloo to authorize the borrowing upon amortizing debentures in the principal amount of \$3,869,000 for a purpose of the Corporation of the City of Kitchener
- g) A By-law to Amend By-law 11-015, as amended, a By-law to Establish Fees and Charges for the Regional Municipality of Waterloo (Region of Waterloo International Airport)
- h) A By-law to provide for the delegation of authority to approve the acquisition of designated classes of, or interests in, real property within the Regional Municipality of Waterloo
- i) A By-law to amend By-law 06-072, as amended, being the Region's Traffic and Parking By-law (Reserved Bicycle Lanes, Waterloo Street (Regional Road 1), Township of Wilmot)
- j) A By-law to amend By-law 58-87, as amended, being the Region's Controlled Access By-law (Northfield Drive (Regional Road 50), City of Waterloo, Townline Road (Regional Road 33), City of Cambridge, Township of Puslinch, County of Wellington)
- k) A By-law to Confirm the Actions of Council – November 16, 2011

22. ADJOURN



REGION OF WATERLOO
FINANCE DEPARTMENT
Procurement & Supply Services Division

TO: Regional Chair Ken Seiling and Members of Regional Council

DATE: November 16, 2011 **FILE CODE: F18-40**

SUBJECT: P2011-49 DRIVER MANAGEMENT & SAFETY SYSTEM – GRAND RIVER TRANSIT

RECOMMENDATION:

THAT the Regional Municipality of Waterloo accept the proposal of Digital Electric Inc. for P2011-49 Driver Management and Safety System – Grand River Transit at a cost not to exceed \$199,332.00 including all applicable taxes;

AND THAT the Commissioner of Transportation and Environmental Services be authorized to enter into such agreements with Digital Electric Inc. as may be required to facilitate the implementation of the recommendations in Report F-11-077, dated November 16, 2011, with such agreements to be to the satisfaction of the Regional Solicitor.

SUMMARY:

Under the Strategic Highway Infrastructure Program (SHIP) and Transport Canada's Intelligent Transportation Systems (ITS) Deployment and Integration Plan, the Region of Waterloo's Driver Management and Safety System project was selected to receive federal funding of up to \$150,000 to further this initiative.

The Driver Management and Safety System consist of the design and pilot deployment of this system to improve driver management, tracking, and public safety on the GRT fleet. The pilot project will result in the installation of this technology on up to 44 buses.

REPORT:

Proposals were called for the Driver Management and Safety System and were opened in the presence of C. Bogusat, P. Zinck and D. Schmidt.

The following proposals were received:

| | | |
|---|-----------------|--------------|
| Digital Electric Inc. | Burlington, ON | \$199,332.00 |
| INIT Innovations in Transportation Inc. | Mississauga, ON | \$338,247.40 |

Proposals were submitted for the supply and installation of the Driver Management and Safety System in up to 44 conventional GRT buses. Advertisements for this proposal were placed in The Record, on Merx, the Region's website and the OPBA website. Two bidders registered for the bid documents.

Proposals were evaluated using pre-determined criteria consisting of compliance with equipment specification, vendor expertise, qualifications, references and track record of product used in the

market. Implementation schedule, training, service, parts availability, service and technical instructions/support, service and maintenance agreement, and warranty were also considered. The proposal submitted by Digital Electric Inc. obtained the highest overall score and the lowest capital cost.

CORPORATE STRATEGIC PLAN:

Award of this contract is in accordance with the Region's public tendering practices and meets Focus Area 5 (Service Excellence) of the Corporate Strategic Plan and specifically Strategic Objective 5.3 which is to ensure Regional programs and services are efficient, effective and demonstrate accountability to the public.

FINANCIAL IMPLICATIONS:

| | |
|---|---------------------|
| P2011-49 (includes all applicable taxes) | \$199,332.00 |
| Less: Municipal Rebate of 86.46% HST (11.24%) | <u>(19,827.01)</u> |
| Total | <u>\$179,504.99</u> |

The approved 2011 GRT Capital Budget includes \$577,000 for Transit Security Measures (Project 66072) to be funded from the GRT Capital Reserve Fund (\$427,000) and federal subsidy (\$150,000).

The final date of acceptance for this proposal is January 2, 2012.

OTHER DEPARTMENT CONSULTATIONS/CONCURRENCE: Nil

ATTACHMENTS: Nil

PREPARED BY: C. Whitlock, Director, Procurement & Supply Services

APPROVED BY: A. Hinchberger, Acting Chief Financial Officer



REGION OF WATERLOO

**FINANCE DEPARTMENT
Procurement & Supply Services Division**

TO: Regional Chair Ken Seiling and Members of Regional Council

DATE: November 16, 2011 **FILE CODE:** F18-30

SUBJECT: T2010-030 INTERIM DEWATERING, HAULAGE AND DISPOSAL OF BIOSOLIDS KITCHENER WASTEWATER TREATMENT PLANT, CITY OF KITCHENER – CONTRACT EXTENSION

RECOMMENDATION:

THAT the Regional Municipality of Waterloo extend the contract of Terratec Environmental Ltd., for Interim Dewatering, Haulage and Disposal of Biosolids Kitchener Wastewater Treatment Plant, City of Kitchener for up to 7 months at a rate of \$17.18/m³ plus applicable taxes.

SUMMARY: Nil

REPORT:

Contract Description

Contract 2010-030 for Interim Dewatering, Haulage and Disposal of Biosolids from the Kitchener Wastewater Treatment Plant (WWTP) was awarded to Terratec Environmental Ltd. (Terratec) in November 2010 following a competitive tender process. Terratec's rate of \$17.18 was the lowest rate tendered. The scope for the current contract (estimated contract value of \$2,523,742) includes the following:

- Dewatering of up to 700 cubic metres per day of anaerobically digested sludge through mechanical means using a mobile belt press and polymers, or other industry acceptable technology;
- Haulage of the dewatered sludge-cake; and
- Landfill disposal.

Due to unexpected circumstances, it is necessary to approve a contract extension to ensure uninterrupted operations, during equipment repairs and until the new facility is commissioned.

Background

The Kitchener WWTP is located at 368 Mill Park Drive in the City of Kitchener. Upgrades are currently being implemented at the Kitchener WWTP as part of a multi-year construction program that will include the upgrade of Plant 2, the construction of Plant 3, and the eventual decommissioning of Plant 1.

The Region initiated the construction of Contract 2010-001 for the Phase 2 upgrades (including construction of a new UV disinfection facility and Effluent Pump Station, aeration upgrades for Plant 2 and new Blower building) beginning in January 2011 and continuing until the Spring of 2013. In order to construct the new Blower Building for the Phase 2 Upgrades, it was necessary to utilize a portion of the land area where the existing biosolids storage lagoons are currently located. One lagoon has been

emptied and taken off-line, and the biosolids generated at the wastewater plant, which would normally be sent to the lagoon for temporary storage, are instead being dewatered by the temporary dewatering facility and hauled off-site by Terratec under Contract 2010-030. By taking the lagoons out of service, the potential for odours has been reduced. Temporary dewatering at the Kitchener WWTP has not generated any additional odours to-date.

This temporary dewatering facility is required at the Kitchener WWTP until the new biosolids management facility on Manitou Drive is commissioned. At the time of award of Contract 2010-030 for Interim Dewatering, Haulage and Disposal of Biosolids in November 2010, commissioning of the Manitou Drive Biosolids Dewatering Facility (BDF) was planned to commence in August 2011. Since that time, additional unforeseen work has been completed at the Manitou Drive Biosolids Dewatering Facility to upgrade existing structures, equipment and access roads that were showing deterioration beyond what was expected when Contract 2009-015 for the Manitou Drive Biosolids Dewatering Facility was tendered. Subsequently, during initial commissioning of Contract 2009-015 for the Manitou Drive Biosolids Dewatering Facility, newly-installed equipment failed and resulted in damage to other newly-installed equipment. Repairs to the damaged equipment are being undertaken by the Contractor for Contract 2009-015 and their insurer; however, commissioning of the facility will now be delayed until January 2012.

Contract Extension

The Interim Dewatering, Haulage and Disposal of Biosolids from the Kitchener WWTP must continue uninterrupted in order to maintain WWTP operations and allow the construction of the Phase 2 upgrades to continue without delay. Therefore, staff recommends that the existing Contract 2010-030 for Interim Dewatering, Haulage and Disposal of Biosolids from the Kitchener WWTP, previously awarded to Terratec, be extended to February 2012 when the Manitou Drive Biosolids Dewatering Facility is operational. This contract extension is being recommended in accordance with the Region's Purchasing By-law clause 21(1)(g) in that the extension of the existing contract proves more cost effective and beneficial for the Region; and 21(1)(h) in that the acquisition involves the ongoing maintenance and service requirements for Regional property.

It is noted that once the Manitou Drive Biosolids Dewatering Facility is operational, there will be regular operational costs for the dewatering of biosolids at the Manitou Drive Biosolids Dewatering Facility, and there will be regular costs associated with the transportation and disposal of the dewatered biosolids by a contractor. A contract (T2011-118) for the longer-term hauling and disposal of dewatered biosolids at Manitou Drive BDF has already been awarded (F-11-053). The additional cost of the portion of the T2010-030 contract extension attributable to the equipment failure (estimated to be \$750,000 for those costs beyond the "normal" on-going biosolids operating costs) is expected to be reimbursed through the Contractor's insurer under Contract 2009-015.

Approvals

All external approvals required for Interim Dewatering, Haulage and Disposal of Biosolids are in place.

Schedule

Subject to Council approval, the Interim Dewatering Haulage and Disposal of Biosolids will continue until the new Manitou Biosolids Dewatering Facility is operational, currently expected by February 2012.

CORPORATE STRATEGIC PLAN:

Award of this contract meets the Corporate Strategic Plan Objective to “protect the quality and quantity of our drinking water sources” under Strategic Focus Area 1 to “protect and enhance the environment.”

FINANCIAL IMPLICATIONS:

| | |
|---|-----------------------------|
| T2010-030 Extension (Estimated 147,000 m3 @ \$17.18/m3) | \$2,525,460.00 |
| HST @ 13% | <u>328,309.80</u> |
| | Sub-total \$2,853,769.80 |
| Less Municipal Rebate of 86.46% of HST (11.24%) | <u>(283,861.70)</u> |
| | Total <u>\$2,569,908.10</u> |

The Region’s approved 2011 Ten Year Wastewater Capital Forecast provides a total budget of \$17,705,000 in 2011 and 2012 for the Kitchener Biosolids Upgrade (project #08303), funded by Regional Development Charges (RDC) and the Wastewater Reserve Fund. Sufficient funds remain available in the project budget to fund the additional cost for Interim Dewatering, Haulage and Disposal of Biosolids (\$2,569,908.10) due to cost savings identified during construction and unexpended provisional work that was originally included in the project and subsequently determined to not be required. It is estimated that this \$2,569,908.10 cost will be offset by approximately \$750,000, which is the estimated value of the reimbursement expected from the Contractor’s insurer under Contract 2009-015.

OTHER DEPARTMENT CONSULTATIONS/CONCURRENCE: Nil

ATTACHMENTS: Nil

PREPARED BY: C. Whitlock, Director, Procurement & Supply Services

APPROVED BY: A. Hinchberger, Acting Chief Financial Officer



REGION OF WATERLOO
FINANCE DEPARTMENT
Treasury Services Division

Report: F-11-076

TO: Regional Chair Ken Seiling and Members of Regional Council

DATE: November 16, 2011 **FILE CODE:** F08-20

SUBJECT: 2011 REGIONAL DEBENTURE ISSUE

RECOMMENDATION:

For Information

REPORT:

On November 7, 2011, the Regional Municipality of Waterloo launched a 15 year serial debenture issue in the amount of \$69,500,000 under the authority of By-law 95-020. The issue was the second largest single issue and had the lowest rates in the history of the Region. Funds were borrowed on behalf of the Region and the Cities of Kitchener and Cambridge and the Township of Woolwich as follows:

| Participant | 10 Years | 15 Years | Total |
|----------------------|---------------------|---------------------|---------------------|
| Region of Waterloo | \$36,267,000 | \$3,300,000 | \$39,567,000 |
| City of Kitchener | 5,545,000 | 14,703,000 | 20,248,000 |
| City of Cambridge | 9,300,000 | -- | 9,300,000 |
| Township of Woolwich | 385,000 | -- | 385,000 |
| Total | \$51,497,000 | \$18,003,000 | \$69,500,000 |

The Region of Waterloo projects financed through the 10 year portion of the issue include Transit vehicles, various Waste Management projects, the Christopher Children's Centre, the acquisition of the three ROWCHI housing properties, various Regional Accommodation and Facilities projects and several Waterloo Regional Police Service projects including the North Division and Voice Radio. The Region's Solar Voltaic System project is financed through the 15 year portion of the issue.

The issue was marketed by the Region's fiscal agents with RBC Capital Markets as the lead manager. The 15 year serial issue was structured to accommodate City of Kitchener's need for a 15 year debenture as well as the City of Kitchener's and the Region of Waterloo's need for 20 year debentures. The Region required \$3.3 million of 20 year debentures for the Solar Voltaic System. The 20 year term previously approved for the Solar Voltaic project better matches debt payments with anticipated revenues. Demand for longer term debentures is limited and as a result, the cost to issue for 20 years would have been higher at 4.15% for a 20 year sinking fund debenture.

In order to accommodate the 20 year debenture needs, take advantage of lower short term rates and avoid higher rates in the longer end of the market, the issue was structured as a 15 year serial debenture with a refundable balloon maturity. Under this structure, the portion of the 20 year debt that would have matured in years 16-20, becomes due in the 15th year (\$1.044 million for the Region and \$1.837 million for the City of Kitchener). The Region and the City will then have the option of paying these amounts or refinancing the amounts for a term not to exceed 5 years or some combination thereof. While it is impossible to predict the cost of future refinancing, the potential impact of a

negative market at the time of refinancing is largely offset by the flexibility the borrower has in paying down some or all of the maturing debentures depending on the availability of funds or refinancing all or part of the refundable maturity for a term not to exceed the remaining 5 years. Additionally, interest rate exposure is limited due to the relatively small amounts to be refinanced. Refundable balloon maturities are commonly used by municipalities in Ontario and this is the same structure used for the 2010 Regional debenture issue.

Pricing

The Region took advantage of a quiet day in the market relative to pending municipal and provincial issues and a stable day relative to North American and global economic news. The pricing of the issue resulted in yields and costs competitive with those of other Aaa rated municipalities and the issue sold relatively quickly in a market where investors are more interested in liquidity than yield.

This issue is the eleventh issue launched under the Region's Aaa rating and the rates offered on the debentures reflect the Region's excellent credit rating. **The 2011 costs are the lowest rates achieved in the history of long term borrowing by the Region through capital markets.** The "all-in" costs are 2.85% for the 10 year portion and 3.36% for the 15 year portion resulting in an overall "all-in" weighted average cost of 3.07% for the entire issue. The previous lowest rates were in 2010. A comparison of "all-in" costs for recent issues is shown below.

Comparison of "All-in" Average Costs

| | 2011 | 2010 | 2009 | 2008 | 2007 | 2006 |
|-----------------------|-------|-------|-------|-------|-------|-------|
| 3 Year Portion | -- | 2.14% | -- | -- | -- | -- |
| 5 Year Portion | -- | -- | -- | -- | 4.72% | 4.37% |
| 10 Year Portion | 2.85% | 3.39% | 3.74% | 4.78% | 4.93% | 4.50% |
| 15 Year Portion | 3.36% | 3.94% | 4.39% | 5.24% | 5.03% | 4.64% |
| Total Issue (Wgt Avg) | 3.07% | 3.50% | 3.93% | 4.90% | 4.85% | 4.55% |

Other Financing Options

In planning the 2011 debenture issue, the Region considered the provincially supported Infrastructure Ontario (IO) program. While the posted IO rates were marginally lower than capital market rates, final rates for debentures issued through IO are not set until projects reach substantial completion and the debentures are actually issued. Given that most of the projects are not yet at substantial completion, there would be considerable interest rate risk in issuing through Infrastructure Ontario, and significantly more administration.

FCM Debenture Issue for the City of Kitchener

In November of 2010, the Region entered into an agreement with the City of Kitchener and the Federation of Canadian Municipalities (FCM), Green Municipal Fund (GMF) regarding a low cost loan and a grant for the City of Kitchener's Consolidated Maintenance Facility. The loan must be secured by the issuance of a debenture and under the Municipal Act the Region of Waterloo is required to issue debentures on behalf of the area municipalities. The terms and conditions of the agreement between the Region, the City and FCM relative to the issuance of debentures is in accordance with the Municipal Act and is consistent with the terms and conditions and requirements of a capital market issue. The City has requested disbursement of the loan from FCM and the Region is now required to issue the debenture to FCM. The interest rate for the FCM debenture is 1.75%, the minimum rate under the FCM GMF program.

Required By-laws

Council is required to authorize a number of debenture by-laws related to the issuing of the debentures. The required by-laws including repayment schedules for both the regular capital market debenture issue and the FCM GMF debenture for the City of Kitchener are listed in this Council agenda for first, second and third reading.

CORPORATE STRATEGIC PLAN:

One of the objectives of the Corporate Strategic Plan is to ensure Regional programs and services are efficient and effective and demonstrate accountability to the public. The Region's capital financing program, excellent credit rating and prudent use of debenture financing assists in meeting this objective.

FINANCIAL IMPLICATIONS:

Debt service costs for the Region's share of the 2011 debenture issue are included in the 2012 property tax and user rate base operating budgets.

OTHER DEPARTMENT CONSULTATIONS/CONCURRENCE:

The Regional Clerk and the Regional Chair will be required to execute the necessary documents.

ATTACHMENTS: Nil

PREPARED BY: *A. Hinchberger*, Acting Chief Financial Officer

APPROVED BY: *R. Home*, Acting Chief Administrative Officer

**THE REGIONAL MUNICIPALITY OF WATERLOO
COMMUNITY SERVICES COMMITTEE**

Summary of Recommendations to Council

The Community Services Committee recommends as follows:

1. THAT the Regional Municipality of Waterloo take the following actions with regard to the Housing Service Act - Implementation Plan, as described in Report P-11-090/SS-11-048, dated November 8, 2011:
 - a) Approve policy amendments to the Region of Waterloo's Housing Programs Administrative Guide, as described in Section 1 of Attachment 1 of Report No. P-11-090/SS-11-048, dated November 8, 2011, with such amendments to take effect January 1, 2012;
 - b) Agree that the existing policies of the Region of Waterloo's Housing Programs Administrative Guide remain, as described in Section 2 of Attachment 1 in P-11-090/SS-11-048, dated November 8, 2011, and that these policies to continue to be in effect notwithstanding the Housing Services Act coming into effect on January 1, 2012;
 - c) Agree to terminate existing Housing Provider Service Agreements with housing providers and access sites (Housing Provider Service Agreement) in accordance with their terms and replace these agreements with new agreements that can be executed prior to December 31, 2012 in accordance with the requirements of the Housing Services Act;
 - d) Request the Ministry of Municipal Affairs and Housing (MMAH) to amend the proposed regulation to require open local competition practices for all programs provided through the Social Housing Services Corporation (SHSC), including the previous request by Waterloo Regional Council regarding its' insurance program, and described in Report No. RC-11-005;
 - e) Request the Ministry of Municipal Affairs and Housing (MMAH) to provide further information regarding the Phase 1 Consolidation of homelessness programs and funding, and opportunities for further consultation regarding the proposed funding formula; and
 - f) Forward a copy of this report to all prescribed housing providers in the Region of Waterloo, the Social Housing Services Corporation (SHSC), the Ministry of Municipal Affairs and Housing, the Association of Municipalities of Ontario and the Ontario Municipal Social Services Association for information.
2. THAT the Regional Municipality of Waterloo approve the 2011-2012 Ontario Works Service Plan;

AND THAT the Plan be forwarded to the Ministry of Community and Social Services for approval as outlined in Report SS-11-046, dated November 8, 2011.

3. THAT the Regional Municipality of Waterloo request \$2M in ongoing funding from the Provincial Ministry of Education, Early Learning Division to address the funding pressures for child care fee subsidy;

AND THAT the Regional Municipality of Waterloo forward copies of this request to the Minister of Education and to local Members of Provincial Parliament, as outlined in report SS-11-047, dated November 8, 2011.

4. THAT the Regional Municipality of Waterloo approve entering into an agreement with the Greater Kitchener Waterloo Chamber of Commerce under the Local Immigration Partnership as outlined in Report SS-11-049, dated November 8, 2011, in a form satisfactory to the Commissioner of Social Services and the Regional Solicitor;

AND THAT the Regional Municipality of Waterloo increase the 2011 Operating Budget for Social Planning, Policy and Program Administration by \$20,000 and \$0 net regional levy;

AND FURTHER THAT the Regional Municipality of Waterloo increase the staffing complement within the Social Planning, Policy and Program Administration Division by .8 FTE (shared across two positions).

November 8, 2011

**THE REGIONAL MUNICIPALITY OF WATERLOO
ADMINISTRATION AND FINANCE COMMITTEE**

Summary of Recommendations to Council

The Administration and Finance Committee recommends as follows:

1. THAT the Regional Municipality of Waterloo approve the establishment of Information Technology and Community Events expenditure allowances for Members of Council as outlined in Report CC-011-002 effective January 1, 2012;

AND THAT a Regional Council Information Technology Reserve be established to be funded by an annual contribution of \$2,500 per Regional Councillor;

AND FURTHER THAT surplus operating funds in the Members of Council budget for 2011 be transferred to the Regional Council Information Technology Reserve.
2. THAT the Regional Municipality of Waterloo:
 - a) Declare surplus the lands known municipally as 168 Benton Street, Kitchener and described as Part Lot 5, Plan 397, as Part 4, Reference Plan 58R-16135, City of Kitchener, Regional Municipality of Waterloo, and provide the standard public notification as required by the Region's property disposition by-law; and
 - b) Approve a sale process by public tender, with reserve bid at appraised value, and pursuant to the Region's property disposition by-law. [CR-RS-11-073/CR-FM-11-025]
3. THAT the Regional Municipality of Waterloo provide a grant in the amount of \$4281.00 for Regional development charges to the Hespeler (ONT 272) Branch of the Royal Canadian Legion, with the grant to be funded from the 2011 operating budget contingency. [F-11-074]

November 8, 2011

**THE REGIONAL MUNICIPALITY OF WATERLOO
PLANNING AND WORKS COMMITTEE**

Summary of Recommendations to Council

The Planning and Works Committee recommends as follows:

1. THAT the Regional Municipality of Waterloo amend Traffic and Parking By-law 06-072, as amended, to add to Schedule 24, Reserved Bicycle Lanes Anytime on both sides of Waterloo Street (Regional Road 1) between Steinman Street and Queen Mary Street in the Township of Wilmot, as outlined in Report E-11-083 dated November 8, 2011.

2. THAT the Regional Municipality of Waterloo:
 - a) enter into a Consulting Services Agreement with R.J.Burnside & Associates Ltd. (Burnside) Ontario, to provide consulting geoscience services for the Region of Waterloo Groundwater Monitoring Program for the period January 1, 2012 to December 31, 2013 at an upset limit of \$ 775,007 plus applicable taxes; as presented in Report E-11-038 dated November 8, 2011 ; and
 - b) authorize staff to renew this contract for the period from January 1, 2014 through June 30, 2016 at an upset limit of \$ 940,576 plus applicable taxes, subject to acceptable performance of the consultant in meeting project outcomes and deliverables.

3. THAT the Regional Municipality of Waterloo approve the modification of the Uptown Waterloo light rail transit (LRT) route alignment and stations, as described in Report E-11-106, dated November 8, 2011, to:
 - a) Run the alignment northbound along the existing Waterloo Spur line through Waterloo Town Square from King Street to Caroline Street;
 - b) Include an additional Uptown Waterloo LRT station area at the intersection of King Street and Allen Street, with a northbound station on King Street and a southbound station on Allen Street; and
 - c) Move the location of the northbound LRT station at Willis Way to the Waterloo Spur line at Waterloo Town Square.

4. THAT the Region of Waterloo distributes subsidized rain barrels to residents at a cost of \$40 each during the final distribution in April of 2012, according to Report E-11-103.1 dated November 8, 2011.

Conflict
K. Seiling

5. THAT the Regional Municipality of Waterloo, in its role as the delegate of the Minister of Municipal Affairs and Housing, refer the currently unapproved portion of Map 5 of the City of Kitchener Official Plan (the lands located north of Ottawa Street that are subject to Deferral 3a) to the Ontario Municipal Board under the provisions of Section 17(11) of the Planning Act R.S.O. 1990 and request this referral be consolidated with the Official Plan Amendment, Plan of Subdivision application and Zoning By-law amendment appeals by Aactiva Holdings Inc. and 2140065 Ontario Inc. currently the subject of Ontario Municipal Board Case No. PL110574, as explained in Report No. P-11-086, dated November 8, 2011.

6. THAT the Regional Municipality of Waterloo amend Controlled Access By-law #58-87 to include a right-in, right-out only access on the south side of Regional Road #50 (Northfield Drive) approximately 113 metres east of Parkside Drive in the City of Waterloo subject to site plan approval by the City of Waterloo and the Ministry of Transportation.

AND THAT the Regional Municipality of Waterloo amend Controlled Access By-law #58-87 to include the existing access on the south side of Regional Road #50 (Northfield Drive) approximately 70 metres east of Parkside Drive, in the City of Waterloo, as explained in Report P-11-068, dated November 8, 2011.

7. THAT the Regional Municipality of Waterloo approve an amendment to Controlled Access By-Law #58-87 to close a full movement access 592 metres south of Concession 1, in the Township of Puslinch, County of Wellington; and to close a full movement access 670 metres north of Concession 1, in the Township of Puslinch, County of Wellington, both accesses being under the jurisdiction of the Region of Waterloo;

AND THAT the Regional Municipality of Waterloo Controlled Access By-law #58-87 be amended to include the following accesses, as explained in Report P-11-087, dated November 8, 2011:

- a) A temporary full movement construction access on the west side of Regional Road # 33 (Townline Road) approximately 114 metres south of Kenwood Drive, in the City of Cambridge.
- b) A permanent full movement farm access on the east side of Regional Road # 33 (Townline Road) approximately 185 metres south of Canamera Parkway, in the Township of Puslinch, County of Wellington.
- c) A permanent full movement residential access on the east side of Regional Road # 33 (Townline Road) approximately 675 metres north of Concession 1, in the Township of Puslinch, County of Wellington.
- d) A permanent full movement residential access on the east side of Regional Road # 33 (Townline Road) approximately 665 metres north of Concession 1, in the Township of Puslinch, County of Wellington.
- e) A permanent full movement residential access on the east side of Regional Road # 33 (Townline Road) approximately 635 metres south of Concession 1, in the Township of Puslinch, County of Wellington.

8. THAT The Regional Municipality of Waterloo (the Region) enter into an agreement (the TravelWise Program Services Agreement) with interested organizations and Area Municipalities in Waterloo Region to provide a pilot program of Transportation Demand Management (TDM) services including, but not limited to, online ridematching services, the Grand River Transit online Corporate Pass, and Emergency Ride Home services, as outlined in Report P-11-089, dated November 8, 2011, in a form satisfactory to the Regional Solicitor;

THAT Fees and Charges By-law No. 11-015 be amended effective January 1, 2012 to include a fee for TravelWise program services, as described in Report P-11-089, dated November 8, 2011;

AND THAT Fees and Charges By-law 11-015 be amended effective January 1, 2012 to include the TravelWise Corporate Transit Pass fees that to be charged in accordance with the TravelWise Program Services Agreement as follows, be based on the cost of an adult monthly pass:

- Twelve (12) month passes to be discounted by 15 percent;
- Nine (9) month passes to be discounted by 11.25 percent;
- Six (6) month passes to be discounted by 7.5 percent; and
- Three (3) month passes to be discounted by 5 percent.

November 8, 2011

**THE REGIONAL MUNICIPALITY OF WATERLOO
PLANNING AND WORKS COMMITTEE**

Summary of Closed Recommendations to Council

The Planning and Works Committee recommends as follows:

1. THAT The Regional Municipality of Waterloo approve a full and final settlement in relation to the expropriation of lands from 1071745 Ontario Limited whereby the Region pays 1071745 Ontario Limited the sum of \$776,002.95 for all claims for compensation, interest and costs (exclusive of tax), plus interest at the rate of \$86.96 per day from September 23, 2011 to the date of payment, and that the Regional Solicitor have the authority to execute any necessary settlement documents in relation to the resolution.
2. THAT the Regional Municipality of Waterloo approve, enter into a Settlement Agreement for, and execute all documentation related to, the expropriation of lands described as Part Lot 1, Block A, Concession 2, being Parts 13 and 14, on Reference Plan 58R-16920, in the Township of Wilmot, Regional Municipality of Waterloo from Barbara Faye McDonald and Kenneth Walter McDonald for the sum of \$31,000.00, to the satisfaction of the Regional Solicitor.
3. THAT the Regional Municipality of Waterloo approve, enter into an Agreement for, and execute all documentation related to, the conveyance of the lands described as Lots 11 to 16, Plan 169 and Part of Lots 73 and 74, Plan 98, being Parts 1, 2 and 3, Reference Plan 58R-7712, Township of Woolwich, PIN 22211-0874(LT) to The Corporation of the Township of Woolwich, for the sum of \$1.00, pursuant to the Region's property disposition by-law and to the satisfaction of the Regional Solicitor, with conveyance of such lands to include a covenant that the lands shall be used only for the Township's passive recreation open space use.
4. THAT the Regional Municipality of Waterloo approve, enter into an Agreement for, and execute all documentation related to, the acquisition of land for road improvements to Weber Street West described as described as Part Lot 320, Plan 376, being 161 Weber Street West, City of Kitchener, Regional Municipality of Waterloo from Mary Penelope MacKay for the sum of \$290,000.00, plus associated acquisition costs, on terms and conditions satisfactory to the Regional Solicitor.

November 8, 2011



REGION OF WATERLOO
CORPORATE RESOURCES
Legal Services

TO: Chair Ken Seiling and Members of Regional Council
DATE: November 16, 2011 **FILE CODE:** L07-20
SUBJECT: REAL PROPERTY ACQUISITION BY-LAW

RECOMMENDATION:

That Council pass the revised Real Property Acquisition By-law as appended to Report CR-RS-11-081.

REPORT:

At its meeting on October 26th, 2011, Regional Council passed the following resolution:

THAT the proposed Real Property Acquisition By-law substantially in the form attached as Appendix "A" to Report CR-RS-11-065 be placed on an upcoming agenda of Regional Council for its consideration following public notice of the said proposed By-law being provided in accordance with the Region's Notice Policy 07-02, as amended;

AND THAT staff be directed to provide quarterly reports to Regional Council of the transactions approved pursuant to the By-law.

Notice of the proposed By-law has been provided in accordance with the Region's Notice Policy as required. No comments have been received.

The attached Real Property Acquisition By-law includes the following revisions:

Section 5.2 has been revised to provide for periodic summary reports for information to Council on all real property acquisitions completed under the By-law. This allows for Council to determine, by resolution from time to time, the frequency of summary reports it wishes to receive;

Section 3.4.2 has been added to provide that in the event of the Regional Solicitor's temporary absence, the designation by the Regional Solicitor of another solicitor employed by the Region as Acting Regional Solicitor, who may exercise the Regional Solicitor's approval and signing authority under the By-law; and

Section 5.1 has been added which provides that a Commissioner or the Regional Solicitor may refer a specific proposed acquisition to Regional Council, through the appropriate standing committee, for direction, approval or information as deemed appropriate.

CORPORATE STRATEGIC PLAN:

It is a strategic objective of the Region to improve satisfaction with Regional programs and services and to ensure Regional programs and services are efficient and effective and demonstrate accountability to the public.

FINANCIAL IMPLICATIONS:

It will be required for all property acquisitions that would be authorized by the delegated authority pursuant to the proposed by-law that there be sufficient allocated funds within departmental capital budgets approved by Regional Council.

OTHER DEPARTMENT CONSULTATIONS/CONCURRENCE:

NIL

ATTACHMENTS

Appendix "A"-Proposed Real Property Acquisition By-law.

PREPARED BY: *Fiona M. McCrea*, Solicitor, Property

APPROVED BY: *Gary Sosnoski*, Commissioner of Corporate Resources

Appendix "A"

BY-LAW NUMBER "\Insert By-law Number\""

OF

THE REGIONAL MUNICIPALITY OF WATERLOO

A By-law to provide for the delegation of authority to approve the acquisition of designated classes of, or interests in, real property within the Regional Municipality of Waterloo

WHEREAS The Regional Municipality of Waterloo enters into various standard agreements for the acquisition of rights and interests in real property related to the Region's municipal needs and purposes in support of its approved programs, projects and policies;

AND WHEREAS section 8 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, (hereinafter the "*Municipal Act, 2001*") provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other *Act*,

AND WHEREAS pursuant to Section 102.1 of the *Municipal Act, 2001* Council may, by by-law, delegate to an employee of the Region any powers, duties or functions that are administrative in nature;

AND WHEREAS the Council of The Regional Municipality of Waterloo deems it expedient to authorize the approval and execution of certain real estate agreements by certain officers and employees of the Region subject to certain terms and requirements;

NOW THEREFORE the Council of the Regional Municipality of Waterloo enacts as follows:

SHORT TITLE

1.0 This by-law shall be known and may be cited as the "Regional Real Property Acquisition By-law."

DEFINITIONS

2.0 In this by-law:

- (a) "**acquisition**" shall mean the conveyance of an interest(s) in real property to the Region by way of agreement for purchase, transfer, land exchange, donation or pursuant to Section 30 of the *Expropriations Act*, R.S.O. 1990, c. E.26, but shall not include the

- transfer, conveyance, dedication or granting of interests in real property required as a condition of or incidental to an approval pursuant to the *Planning Act*, R.S.O. 1990, c. P.5;
- (b) **“interest in real property”** shall mean fee simple, easement, right-of-way or other limited estate but shall not include leases, licenses or encroachments;
- (c) **“total value of the transaction”** shall mean the value of all consideration being paid or given by the Region to the vendor/transferor of the interest in real property including the market value of the interest in real property and any entitlements as defined under the *Expropriations Act*, R.S.O. 1990, c. E.26, but shall not include applicable taxes, due diligence costs, real estate, legal, surveying and other conveyancing costs; and
- (d) **“transactional costs”** shall mean applicable taxes, due diligence costs, real estate, legal, surveying and other conveyancing costs.

DELEGATION OF AUTHORITY FOR THE ACQUISITION OF INTERESTS IN REAL PROPERTY

- 3.1 The approval for the acquisition of an interest in real property where the total value of the transaction is \$100,000.00 or less, shall be delegated to the Commissioner of the department responsible for the project or programme in respect of which the real property interest is proposed to be acquired, subject to the following conditions:
- 3.1.1 Sufficient funds have been allocated and are available in departmental capital budgets approved by Regional Council for the total value of the transaction and the transactional costs;
- 3.1.2 A current market value appraisal or valuation for the interest in real property has been obtained and approved by the Region’s Manager of Real Estate Services;
- 3.1.3 The acquisition agreement and all ancillary documentation be in a form that is satisfactory to the Regional Solicitor;
- 3.1.4 All applicable Regional policies have been complied with; and
- 3.1.5 The Regional Solicitor approves the acquisition.
- 3.2 All agreements and ancillary documentation necessary to conclude the acquisition of the interest in real property approved pursuant to this By-law shall be executed by the Commissioner responsible for the project or programme in respect of which the real property interest is being acquired and the Regional Solicitor.

- 3.3 The Regional Solicitor, in consultation as appropriate with the Commissioner responsible for the project or programme in respect of which the real property interest is being acquired, is authorized to pay transactional costs pertaining to acquisitions of real property pursuant to this By-law.
- 3.4.1 In the event the Commissioner is temporarily absent for any reason, the Commissioner may designate in writing a Regional Director in such Commissioner's Department to hold the Commissioner's position in an acting capacity and such Director is authorized to exercise the approval and signing authority delegated to such Commissioner under this by-law during the time period that such person is so designated and for the authority described in such designation.
- 3.4.2 In the event the Regional Solicitor is temporarily absent for any reason, the Regional Solicitor may designate in writing any other solicitor employed by the Region as the Acting Regional Solicitor and the Acting Regional Solicitor shall have all of the authority to exercise the approval and signing authority delegated to the Regional Solicitor under this By-law during the time period that such solicitor is so designated and for the authority described in such designation.

APPRAISALS

- 4.1 All acquisitions of an interest in real property shall be supported by a current market value appraisal or valuation as follows:
- 4.1.1 Where the estimated market value, as determined by the Region's Manager of Real Estate Services, is less than \$50,000 the current market value appraisal may be by way of a summary appraisal of value or other short-form written report, in accordance with current industry/professional standards/practices or as prescribed and approved by the Region's Manager of Real Estate Services prepared by either an independent property appraisal professional or qualified Regional staff.
- 4.1.2 Where the estimated market value, as determined by the Region's Manager of Real Estate Services, is greater than \$50,000 a written current market value appraisal shall be prepared by an independent property appraisal professional in accordance with current industry/professional standards/practices or as prescribed and approved by the Region's Manager of Real Estate Services;
- 4.2 Subject to Sections 4.1.1 and 4.1.2, the current market value appraisal or valuation may be obtained by the Region or the owner of the property.

OTHER

- 5.1 Despite anything in this By-law, the Commissioner or Regional Solicitor may refer any specific proposed acquisition to Regional Council through the appropriate Standing Committee for direction, approval, resolution or information at any time and any decision, direction or action of Regional Council in respect of such matter shall supersede and replace the authority delegated under this by-law in respect of such specific matter.
- 5.2 The Manager of Real Estate Services shall provide a periodic summary report for information purposes to Council concerning all real property acquisitions completed under this By-law.
- 5.3 This By-law shall replace the Regional Property Acquisition Policy approved by Confirmatory By-law 98-92 and the portion of said Confirmatory By-law to the extent that it approved said Policy is hereby repealed as of the date that this By-law comes into force and effect, and the balance of said Confirmatory By-law remains in force and effect.
- 5.4 Section 3.4(a)(i) of By-law Number 06-034 shall be amended by deleting the phrase, "...the Regional Property Acquisition Policy approved by confirmatory By-law 98-92, the Regional Property disposition Policy approved by Confirmatory By-law 95-030 or the Property Disposition Procedure By-law 95-034."

By-law read a first, second and third time and finally passed in the Council Chamber in the Regional Municipality of Waterloo this "\Insert date\" th day of "\Insert Month\" , A.D., 2011.

REGIONAL CLERK

REGIONAL CHAIR



SOCIAL SERVICES
Employment and Income Support

Region of Waterloo Date: November 16, 2011

MEMORANDUM

To: Chair Ken Seiling and Members of Regional Council
From: David Dirks, Director, Employment and Income Support
Copies: Michael Schuster, Commissioner, Social Services
File No.: S09-80
Subject: **ONTARIO WORKS CASELOAD: OCTOBER 2011**

This memorandum is provided as information for members of Council. Employment & Income Support, Social Services with Finance monitors the Ontario Works (OW) caseload and expenditures on a monthly basis. Below is a chart summarizing the caseload at the end of October 2011 with comparisons to the months of September 2011, October 2010, and September 2008.

Very briefly,

- The OW caseload at October 2011 was: 8,517
- The **decrease** from September 2011 was: 248 (-2.8%)
- The increase from October 2010 was: 132 (1.6%)
- The increase from September 2008 was: 2,225 (35%)

- Waterloo Region unemployment rate for October 2011 was: 6.8%
- Waterloo Region unemployment rate for October 2010 was: 7.5%

Ontario Works Caseload and Unemployment Rate

October 2011
Ontario Works Caseload

| October 2011 | September 2011 | October 2010 | % Change September to October | % Change Year to Year |
|--------------|----------------|--------------|-------------------------------|-----------------------|
| 8,517 | 8,765 | 8,385 | (2.8%) | 1.6% |

Unemployment Rates – Seasonally Adjusted*

| | October 2011 | September 2011 | October 2010 | % Change September to October | % Change Year to Year |
|-----------------|-------------------------|---------------------------|-------------------------|--|----------------------------------|
| Province | 8.1 | 7.6 | 8.6 | 6.6% | (5.8%) |
| Waterloo Region | 6.8 | 6.7 | 7.5 | 1.5% | (11%) |

*As revised by Statistics Canada.

This represents a significant drop in the caseload, bringing the actual caseload below that of December 2010 (8,528). It does mirror the experience of September to October 2010 when the caseload declined 2.3% before the gradual rise in the following months. Staff continue to monitor the situation and will report to Council.

The provision of social assistance supports Focus Area 4 of the 2011-2014 Corporate Strategic Plan: Healthy and Inclusive Communities; Strategic Objective 4.1 (to) work collaboratively to reduce poverty.

If you have any questions or comments or for further information, please contact David Dirks, Director, Employment and Income Support at 519-883-2179 or ddirks@regionofwaterloo.ca.