Regional Municipality of Waterloo

Consolidated Special Council Agenda

Tuesday, September 9, 2014

Immediately following Planning and Works Committee
(Approximately 1:30 p.m.)

Regional Council Chamber
150 Frederick Street, Kitchener, ON

*Denotes Item(s) Not Part of Original Agenda

The purpose of the meeting is to deal with specific items that may be affected by a lame duck period of Regional Council after September 12, 2014.

1. **Declaration of Pecuniary Interest Under the “Municipal Conflict of Interest Act”**

2. **Motion to Go Into Committee Of The Whole**

3. **Delegated Authority**

   a) **F-14-113**, Delegation of Authority to the Chief Administrative Officer After Nomination Day 1

   b) **CR-RS-14-084**, Temporary Delegated Authority to Approve Land Acquisitions and Expropriation Settlements after Nomination Day 4

   c) **CR-RS-14-077**, Delegation of Hiring of Commissioner of Human Resources and Citizen Service 4A
4. **Finance Reports**
   a) **F-14-112**, T2014-142 Windows and Door Replacement at 416 Kingscourt Drive, Waterloo and 144 Forrest Avenue, New Hamburg

**Committee Reports**

* a) **Community Services** - attached & marked SS-140909
* b) **Closed Administration & Finance** – attached & marked CFS-140909
* c) **Planning & Works** - to be distributed at meeting
* **Closed Planning & Works** – attached & marked CPS-140909

5. **Motion for Committee Of The Whole To Rise And Council Resume**

6. **Motion to Adopt Proceedings Of Committee Of The Whole**

7. **Other Business**
   a) Motion to change date of Inaugural Council meeting from December 10, 2014 to December 3, 2014

8. **Enactment of By-Laws – First, Second & Third Readings**
   a) A By-law to Expropriate Certain Lands for the reconstruction of Manitou Drive (Regional Road 69) between Fairway Road and Bleams Road in the City of Kitchener
   b) A By-law to Confirm the Actions of Council – September 9, 2014

9. **Adjourn**
Region of Waterloo
Finance Department
Procurement & Supply Services Division

To: Regional Chair Ken Seiling and Members of Regional Council

Date: September 9, 2014 File Code: F18-30

Subject: Delegation of Authority to the Chief Administrative Officer After Nomination Day

Recommendation:

THAT The Regional Municipality of Waterloo delegate to the Chief Administrative Officer during the period between Nomination Day and the first meeting of the new Council, the following authority:

- in the event that a tender, quote, request for proposal or consultant proposal for a project is over budget, to approve the reallocation of funds from under expended projects to a maximum of 10% of the subject project’s budget; and
- to award such tenders, quotes, request for proposals and consultant proposals provided that established purchasing policies have been observed.

Summary:

The Municipal Act contains provisions that restrict certain acts of Regional Council after Nomination Day if the New Council will include less than three-quarters of the members of the outgoing Council.

The purpose of this report is to delegate to the Chief Administrative Officer authority to approve expenditures in order to allow for the continuation of Regional business to the end of this term of Council.

Report:

1) Restricted Acts After Nomination Day

Section 275 of the Municipal Act, 2001 provides that certain actions of Council are restricted after Nomination Day (September 12, 2014) or Election Day (October 27,
2014) if the new Council will include less than three quarters of the members of the outgoing Council. This is commonly referred to as a “Lame Duck” Council, and in order for these provisions to apply to the Region of Waterloo a determination would need to be made that less than 12 members of Council are returning for the 2014-2018 term.

The restrictions on a “Lame Duck” Council are:

- Council may not appoint or remove from office any officer of the municipality;
- Council may not hire or dismiss any employee of the municipality;
- Council may not dispose of any real or personal property of the municipality which had a value exceeding $50,000 when it was acquired by the municipality, unless included in a budget adopted by Council prior to nomination day; and
- Council may not make any expenditure or incur any other liability exceeding $50,000 unless the liability was included in a budget adoption by Council before nomination day.

2) Existing Delegations of Authority

Section 275 of the Municipal Act, 2001, states that the restricted provisions do not affect any delegation of authority that occurs prior to nomination day for the election of the new council.

In this regard, the following delegation of powers exist:

- The Chief Purchasing Officer has the authority to accept tenders, proposals and consultant proposals under $100,000 pursuant to the Purchasing By-law;
- The Chief Administrative Officer has the authority to accept tenders and proposals under $500,000 and consultant proposals under $300,000 pursuant to the Purchasing By-law;
- The Chief Administrative Officer has the authority to approve “all tenders and quotation awards when Council is unavailable, where funds are provided in the budget and established purchasing policies have been observed” pursuant to his appointment by-law and;
- the Chief Administrative Officer, pursuant to the Purchasing By-law, may authorize disbursement of additional funds provided that the additional funds:

  (a) shall not exceed the greater of $50,000 or ten percent (10%) of the original contract price;
  (b) are available within the program budget; and
  (c) are required to complete works that are necessary as part of the original contract.
3) Recommendation

The above restrictions could prevent the award of contracts, tenders, quotes and proposals if the bids exceed the project’s budget. Therefore, it is recommended that the Chief Administrative Officer be delegated the following authority during the period between Nomination Day and the first meeting of the new Council:

- in the event that a tender, quote, request for proposal or consultant proposal for a project is over budget, to approve the reallocation of funds from under expended projects to a maximum of 10% of the subject project’s budget; and
- to award such tenders, quotes, request for proposals and consultant proposals provided that established purchasing policies have been observed.

In recognition of the 2014 municipal election, the current Council calendar contains a six (6) week window of time (October 3 to November 19, 2014) in which no Council meetings will occur. There are approximately 30 tenders that will be issued between September through December 2014.

The Chief Administrative Officer would determine in conjunction with the Chief Financial Officer that sufficient funds are available for any expenditure, confirm that the Purchasing By-law has otherwise been complied with, and verify the terms of any agreement entered into are to the satisfaction of the Regional Solicitor. In addition, the Chief Administrative Officer would report at the earliest opportunity in the new term of Council on all actions taken under this delegated authority.

Corporate Strategic Plan:

This report supports and meets the objective of Focus 5 Service Excellence to ensure Regional programs and services are efficient and effective and demonstrate accountability to the public.

Financial Implications:

This report will allow the normal operations of the Region to continue as they have been approved in the 2014 budget and therefore has no financial impacts.

Other Department Consultations/Concurrence:

Legal Services has provided input to this report.

Attachments: Nil

Prepared By: Lisa Buitenhuis, Acting Director, Procurement & Supply Services

Approved By: Craig Dyer, Chief Financial Officer
To: Chair Jim Wideman and Members of the Planning and Works Committee

Date: September 9, 2014

File Code: L08-20

Subject: Temporary Delegated Authority to Approve Land Acquisitions and Expropriation Settlements after Nomination Day

Recommendation:

That effective during the period September 12th, 2014 until the date of inauguration of the newly elected Council, the approval for the acquisition of an interest in real property where the total value of the transaction is $300,000.00 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 approval of the Chief Administrative Officer and the requirements of the Regional Real Property Acquisition, pursuant to Report CR-RS-14-084, dated September 9, 2014.

Summary:

Nil.

Report:

Section 275 of the Municipal Act restricts the acts of a municipal council after the first day during the election for a new council where it can be determined that the new Regional Council will include less than three-quarters of the members of the outgoing council. Given that 5 members of Regional Council have confirmed they will not be running for re-election these restrictions will apply to Regional Council after September 12, 2014 until the new Regional Council is sworn in on or about December 10, 2014 (the “Lame Duck Period”). During the Lame Duck Period Regional Council cannot take any action that will result in making expenditures or incurring any other liability which exceeds $50,000 unless such expenditure or liability was included in the most recent budget adopted by Regional Council before nomination day in the election.
This restriction will mean that any real property acquisitions including settlements of acquisitions through expropriation that exceed $100,000 (unless they have been specifically budgeted for and previously approved by Regional Council) cannot be approved until after the newly elected Council is sworn in. The Regional Real Property Acquisitions By-law (By-law No. 11-055) delegates the authority to approve real property acquisitions of a value less than $100,000 to the Commissioner of the department for which the acquisition required subject to certain conditions including the approval of the Regional Solicitor and there being sufficient funds in the approved capital budget for the project. This delegated authority remains effective during the Lame Duck Period.

There are currently 5 road capital improvement projects underway for which there are over 100 acquisitions of land interests required, including Franklin Boulevard, Manitou Drive, Ottawa Street Roundabouts and King/Fountain Street improvements that are valued each under $300,000. The approved 2014 capital budget for these projects is allocated generally to various project costs including engineering design, utility relocations and construction costs. There is no specific budget allocation for land acquisitions alone and therefore the restriction on incurring liabilities exceeding the statutory limit would apply to land acquisitions for these projects that exceed the existing delegated authority.

Region staff is recommending that the authority to approve land acquisitions greater than the current limit of $100,000 up to $300,000 during the Lame Duck Period be delegated to the Commissioner responsible for the project or programme for which the interest in land is proposed to be acquired subject to the approval of the Chief Administrative Officer as an additional level of oversight. This would be a temporary delegation to allow for the continued negotiation of property acquisitions and expropriation settlements for a substantial number of property owners whose interests are currently being acquired by the Region.

Exercise of this delegated authority would continue to be subject to the same conditions of the Regional Real Property Acquisition By-law. Attached as Appendix “A” is a copy of the Regional Real Property Acquisition By-law and the conditions of approval are set out in Section 3.1 and 4.1.

This proposed delegation will facilitate obtaining possession of required lands in order to meet construction schedules and concluding settlements and acquisitions so that affected property owners are paid compensation on a timely basis in order to move on with their business affairs. For reference, attached as Appendix “B” is a copy of the Chart of Delegated Authority for Real Property Acquisitions in other Ontario municipalities that was appended to Report CR-RS-11-065 on the Updated Real Property Acquisition By-law.
Corporate Strategic Plan:

The proposed delegation supports the Region’s strategic focus on the delivery of excellent and responsive services that inspire public trust.

Financial Implications:

It will be required for all property acquisitions that would be authorized by the delegated authority in accordance with the Real Property Acquisition By-law that there be sufficient allocated funds within departmental capital budgets approved by Regional Council.

Other Department Consultations/Concurrence:

Nil

Attachments:

Appendix “A” – Regional Real Property Acquisition By-law 11-055

Appendix “B” - Chart of Delegated Authority for Real Property Acquisitions in other Ontario municipalities

Prepared By: Fiona McCrea, Solicitor, Property

Approved By: Richard Brookes, Acting Regional Solicitor, Director Legal Services
Appendix “A”

BY-LAW NUMBER BY-LAW 11-055

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 16th day of November, A.D., 2011.

[Signatures]

REGIONAL CLERK

REGIONAL CHAIR
## ACQUISITIONS

<table>
<thead>
<tr>
<th>MUNICIPALITY</th>
<th>DELEGATED AUTHORITY and MONETARY LIMITS</th>
<th>PRE-REQUISITES</th>
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</thead>
</table>
| MISSISSAUGA      | 1) Manager of Realty Services – consideration is $50,000 or less  
2) Director of Facilities and Property manager – consideration is $100,000 or less  
3) Commissioner – consideration is $250,000 or less  
4) City Manager – consideration is $500,000 or less | - proposed purchase is within existing budget approved by council  
- all applicable Council policies have been met  
- semi-annual report to council  
(Note: The Acquisition & Disposal Real Property Policy provides consideration that may include market value for property and entitlements as defined in Expropriations Act. Policy requires independent current market appraisal where value exceeds $100,000) |
| BRAMPTON         | Commissioner of Operating Department with Commissioner of Finance  
1)$150,000 + Due Diligence Costs | 1) Pre-approved capital land acquisition budget  
2) Without pre-approved capital and acquisition budget |
<table>
<thead>
<tr>
<th>MUNICIPALITY</th>
<th>DELEGATED AUTHORITY and MONETARY LIMITS</th>
<th>PRE-REQUISITES</th>
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<tbody>
<tr>
<td></td>
<td>2) $50,000 + Due Diligence Costs</td>
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<tr>
<td>HAMILTON</td>
<td>1) City Manager - $250,000</td>
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<td></td>
<td>2) General Manager - $150,000</td>
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<tr>
<td>CAMBRIDGE</td>
<td>Director of Realty and Corporate Property Services – up to $25,000 to complete all aspects of real property transactions</td>
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<tr>
<td>OTTAWA</td>
<td>1) Program Managers of the Real Estate Partnerships &amp; Development Office – up to $25,000 (total value of transaction)</td>
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<td>2) Manager, Realty Services and Manager, Realty Initiatives &amp; Development – up to $50,000 (total value of transaction)</td>
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<td></td>
<td>3) Director of Real Estate Partnerships &amp; Development Office – up to $250,000 (total value of transaction)</td>
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<td></td>
<td>4) City Manager – up to $500,000 (total value of transaction)</td>
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<tr>
<td></td>
<td>Property Acquisitions related to Ottawa Light Rail Transit Purposes</td>
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- Project is approved by Council and acquisition funds are within estimates approved by Council
- OMB approval is not required
- All applicable policies have been met

(Note – Real Property Acquisitions Policy requires: All transactions to be supported by current market value appraisal by independent professional or qualified staff; two appraisal reports are required for transactions exceeding $750,000;
## ACQUISITIONS

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<thead>
<tr>
<th>MUNICIPALITY</th>
<th>DELEGATED AUTHORITY and MONETARY LIMITS</th>
<th>PRE-REQUISITES</th>
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<tbody>
<tr>
<td></td>
<td>1) Program Manager, rail Property Rail Implementation Office – up to $100,000 (total value of transaction)</td>
<td>and acquisitions are to be at market value and entitlements under <em>Expropriations Act</em>, if applicable.</td>
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<td>2) Director, Rail Implementation Office – up to $500,000 (total value of transaction)</td>
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<td>3) Director, Real Estate Partnerships and Development Office – up to $1,000,000 (total value of transaction)</td>
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<td>4) City Manager – up to $2,000,000 (total value of transaction)</td>
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<tr>
<td>HALTON</td>
<td>Commissioner of Corporate Services - Acquisition Price up to $150,000</td>
<td>- if acquisition amount is greater than $10,000 written, external, independent appraisal report required</td>
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<td></td>
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<td>- sufficient funds within departmental budgets approved by Council</td>
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<td>- at or below fair market value purchase or sale price</td>
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<td>- form of agreement satisfactory to Director Legal Services and Corporate Counsel</td>
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<tr>
<td>GUELPH</td>
<td>Director for capital project &amp; Manager Realty Services – approved up to $50,000</td>
<td>- required for capital project with approved funding</td>
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<td>- All documents executed by any 2 of</td>
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<tr>
<td>MUNICIPALITY</td>
<td>DELEGATED AUTHORITY and MONETARY LIMITS</td>
<td>PRE-REQUISITES</td>
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<td></td>
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<td>Mayor, Clerk, CAO, City Solicitor</td>
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</tbody>
</table>
| BARRIE       | City Clerk – value of acquisition does not exceed $25,000 | - Funds within department capital or operating budget  
              |                                        | - price equal to or less than fair market value approved by real estate manager  
              |                                        | - City Solicitor approves form of agreement  
              |                                        | - annual report to Council |
| DURHAM       | Commissioner of Works – price not to exceed $50,000 | - Council has approved the works for which property acquired  
              |                                        | - Council has approved funds to acquire such property |
Region of Waterloo
Corporate Resources
Legal Services

To: Chair Seiling and Members of Council
Date: September 9, 2014
File Code: C06, xH11

Subject: Delegation of Hiring of Commissioner of Human Resources and Citizen Service

Recommendation
That the Chief Administrative Officer be delegated authority of Council to hire a Commissioner of Human Resources and Citizen Service in accordance with applicable Regional hiring policies, with such authority to be delegated commencing September 13, 2014 and continuing until such date that the new Council holds its first meeting, in the event that Council is precluded from such hiring decision pursuant to Section 275 of the Municipal Act.

Summary: Nil

Report:
Under Section 275 of the Municipal Act, a municipal council may not carry out certain acts during the period between the close of nomination day (September 12, 2014) and the commencement of the new Council's term (December 1, 2014) if the outgoing Council has less than 75% of its current members seeking re-election.

As of the date of writing this Report, there are 5 of the 16 Councillors of the current Council who have publicly stated that they will not seek re-election and, if this proves to be the case at the close of nomination day, then the current Council will be unable to carry out certain acts prohibited by section 275 of the Municipal Act after September 12, 2014 until the end of its term. This status of an outgoing Council is commonly referred to as “lame duck.”

One of the acts that a “lame duck” Council is prohibited from undertaking is the “hiring or dismissal of any Regional employee”, where such hiring or dismissal is not already
delegated to senior staff by way of By-Law (e.g. the CAO or Commissioner of Human Resources). In the Region of Waterloo, the CAO (by By-Law) has the authority to hire and dismiss employees below the rank of Department Head (Commissioner), and has the authority to recommend to Council the hiring or dismissal of Department heads. Council therefore has the authority to appoint Department heads upon the recommendation of the CAO.

In order to address the need for a municipality whose Council is “lame duck” to continue to carry out the business and activities that are required to ensure effective delivery of services to its community, the Municipal Act contains provision to provide for delegation of authority of a Council prior to it becoming “lame duck”. Specifically, section 275(6) of the Municipal Act states that “nothing in [section 275] prevents any person or body exercising any authority of a municipality that is delegated to the person or body prior to nomination day for the election of the new Council.”

The Commissioner of Human Resources position has been vacant since late May, 2014. The new organizational structure, approved by Council at its meeting of June 25, 2014, takes effect on November 3, 2014. The newly created position of Commissioner of Human Resources and Citizen Services is a key leadership role in the new organizational structure.

As Council is aware, Regional staff is currently undertaking a recruitment process to hire a new Commissioner of Human Resources and Citizen Services. As with previous Commissioner recruitment processes, it is anticipated that the Regional Chair and Chair of the appropriate standing committee (in this case Chair of Administration and Finance Committee) will be involved in the final round of candidate interviews, and will provide input to the CAO regarding the selection of a new Commissioner. It is anticipated that this recruitment process will reach stage of hiring decision and offer of employment in late September or early October, 2014.

In order to ensure the effective implementation of this new organizational structure, as well as to ensure effective delivery of human resources and citizen service, it is recommended that the hiring decision regarding the Commissioner of Human Resources and Citizen Services not await the commencement of the new Council’s term. Accordingly, it is recommended that the Chief Administrative Officer be delegated authority to select and hire an individual to fill this position.

It is noted that while the CAO will make the hiring decision with respect to filling the position of the Commissioner of Human Resources and Citizen Services based on the job description corresponding to that position, staff will provide a recommended by-law to the newly elected Council upon the commencement of its term which will set out the responsibilities and in particular delegated authority of this position for Council’s consideration.

**Corporate Strategic Plan:**

The recommendation of this report provides for the timely hire of a key leadership position and accordingly supports the focus area of service excellence: Deliver excellent and responsive services that inspire public trust.
Financial Implications:
The recommended delegation detailed in this report has no financial implications.

Other Department Consultations/Concurrence: Nil.

Attachments: Nil.

Prepared By: Mike Murray, Chief Administrative Officer
Debra Arnold, Regional Solicitor, Director of Legal Services

Approved By: Mike Murray, Chief Administrative Officer
Region of Waterloo

Finance Department

Procurement & Supply Services

To: Regional Chair Ken Seiling and Members of Regional Council

Date: September 9, 2014      File Code: F18-30

Subject: T2014-142 Windows and Door Replacement at 416 Kingscourt Drive, Waterloo and 144 Forrest Avenue, New Hamburg

Recommendation:

That the Regional Municipality of Waterloo accept the tender of Regal Windows & Doors Systems Inc. for T2014-142 Windows and Door Replacement at 416 Kingscourt Drive, Waterloo and 144 Forrest Avenue, New Hamburg in the amount of $230,802.50, including all applicable taxes.

Summary: Nil

Report:

Tenders were called for T2014-142 Windows and Door Replacement at 416 Kingscourt Drive, Waterloo and 144 Forrest Avenue, New Hamburg and were advertised in the Record, on the Ontario Public Buyers Association website and on the Region’s website. Tenders were opened in the presence of L. Ballantyne, J. Henhoeffer and A. Dooling.

The following tenders were received:

Regal Windows & Doors Systems Inc. Vaughan, Ontario $230,802.50

P.M. Contracting Kitchener, Ontario $294,557.10

SST Group of Construction Companies Ltd. Toronto, Ontario $323,236.50

J. McBride & Sons Ltd. Pickering, Ontario $352,221.00
The work under this contract is to replace all sliding patio/balcony doors at 144 Forrest Avenue, New Hamburg and 416 Kingscourt, Waterloo (84 units in total) and all windows at 416 Kingscourt, Waterloo (53 units plus 5 stairwells). This work will bring the building back up to Ontario Building Code standards and provide more energy efficient windows and doors. The work is expected to be completed by November 2014.

**Corporate Strategic Plan:**

Award of this contract meets the Corporate Strategic Plan objective to develop, optimize and maintain infrastructure to meet current and projected needs under Strategic Focus Area 2 Growth Management and Prosperity.

**Financial Implications:**

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
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<tbody>
<tr>
<td>T2014-142</td>
<td>$230,803</td>
</tr>
<tr>
<td>Consulting</td>
<td>11,255</td>
</tr>
<tr>
<td><strong>Sub-total</strong></td>
<td><strong>$242,058</strong></td>
</tr>
<tr>
<td>Less: Municipal Rebate of 11.24% HST</td>
<td>(24,077)</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$217,981</strong></td>
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</table>

The approved 2014 Waterloo Region Housing (WRH) capital budget provides $5,145,000 for capital renewal work funded through various sources which includes federal grants, revenue (taxation) and the Housing Reserve Fund. To-date a total of $3,437,616 has been committed and spent leaving a balance of $1,707,384. The scope of work was increased to include tempered windows for 416 Kingscourt in order to be in compliance with the Ontario Building Code (OBC) and energy efficient. This resulted in a higher than anticipated cost for this project. The overall tendered price is considered reasonable in order to meet the OBC standards. The approved 2014 capital budget for WRH includes $165,000 for this work. The excess of $52,981 net of HST rebate can be accommodated in the overall WRH capital budget due to savings on other tenders awarded to date for WRH capital works.

The final date of acceptance for this tender is September 24, 2014.

**Other Department Consultations/Concurrence:** Nil

**Attachments:** Nil

**Prepared By:** Lisa Buitenhuis, Acting Director, Procurement & Supply Services

**Approved By:** Craig Dyer, Chief Financial 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 enter into an agreement with the Waterloo Region District School Board (WRDSB) for the construction of a new Elmira Children’s Centre and Child and Family Centre co-located with and constructed concurrently with the new Riverside Public School in Elmira, as detailed in Report CR-FM-14-016/SS-14-043 on terms and conditions satisfactory to the Chief Financial Officer and the Regional Solicitor;

   And that the Regional Municipality of Waterloo enter into an agreement with the Waterloo Region District School Board (WRDSB) for the long term occupation, use, operation and maintenance of the facility, as detailed in Report CR-FM-14-016/SS-14-043, on terms and conditions satisfactory to the Chief Financial Officer and the Regional Solicitor;

   And further that the Commissioner of Social Services and Regional Solicitor be authorized to execute the agreements on behalf of the Regional Municipality of Waterloo as outlined in report CR-FM-14-016/SS-14-043, dated September 9, 2014.

2. That the Regional Municipality of Waterloo increase the 2014 Children’s Services budget by $95,097 gross and $0 net based on a grant received from L.S. Hallman Foundation, for the Children’s Planning Table, the remainder of which will be carried into the 2015 budget to be fully expended by August 31, 2015.

   And that the Regional Municipality of Waterloo approve the addition of two FTE staff positions on a temporary basis in Children’s Services for the purposes outlined in SS-14-044, dated September 9, 2014.
3. That the Regional Municipality of Waterloo approve the following actions with regard to the Region of Waterloo’s Affordable Housing Strategy, as described in Report P-14-092, dated September 9, 2014:

   a) Endorse the Affordable Housing Strategy – Project Updates and Expression of Interest 2014-03: Recommended Priority Projects, specifically the recommended Priority Project, namely Waterloo Regional Homes for Mental Health Inc., shown in the attached Appendix A;

   b) Authorize the Commissioner of Planning, Housing and Community Services to execute and deliver all documentation required by the Province of Ontario and the Region of Waterloo for the purpose of funding the recommended Priority Project proponent as shown in Appendix A;

   c) Authorize the Regional Chair and Regional Clerk to execute such agreements and documentation in a form satisfactory to the Regional Solicitor, as may be required to process the advance of funding to the recommended Priority Project proponent;

   d) Authorize the Director of Housing to reallocate funding between the appropriate program components as needed to ensure full utilization of the notional allocation; and

   e) Authorize the Director of Housing to finalize the funding request and conditions with the recommended Priority Project proponent as shown in Appendix A.

4. That The Regional Municipality of Waterloo approve the following with regard to the Investment in Affordable Housing (IAH) for Ontario Program Extension, as described in Report P-14-093, dated September 9, 2014:

   a) Agree to participate in the Investment in Affordable Housing for Ontario Program Extension;

   b) Authorize the Regional Chair and Regional Clerk to execute an Administration Agreement with the Province of Ontario and other such agreements and documentation in a form satisfactory to the Regional Solicitor, as may be required to participate in Investment in Affordable Housing for Ontario Program Extension; and

   c) Authorize the Commissioner of Planning, Housing and Community Services to execute and deliver all documentation required by the Province of Ontario and the Region of Waterloo for the purpose accessing funding from the Investment in Affordable Housing for Ontario Program Extension.

September 9, 2014

1700336
The Regional Municipality of Waterloo

Community Services Committee

Summary of Closed Recommendations to Council

The Community Services Committee recommends as follows:

1. That the Regional Municipality of Waterloo take the following action regarding a proposed loan agreement for Sand Hills Co-operative Homes as outlined in Report No. CR-RS-14-074/P-14-089/F-14-110, dated September 9, 2014:

   a) Enter into and execute a loan agreement for an interest free loan to assist with urgent capital needs in an amount not to exceed $500,000 and such other documentation as may be required to secure the loan, with Sand Hills Co-operative Homes Inc., a community housing provider, with the form of the loan agreement and other documentation to be satisfactory to the Region’s Commissioner of Planning, Housing and Community Services and the Regional Solicitor;

   b) Transfer the uncommitted one-time Provincial housing program funds received for Waterloo Region Housing title changes, Housing Allowance / Rent Supplement Administration Fees and Affordable Housing Program Administration Agreements Revenue, as outlined in this report, to the “Revolving Housing Capital Loan Fund” to bring the balance in the Revolving Loan Fund to a level sufficient to fund a loan up to $500,000;

   c) Provide the interest-free loan through the Region’s Revolving Housing Capital Loan Fund, in accordance with Regional Council’s established funding guidelines;

   d) Require the loan to be secured by a mortgage registered on title to the Co-operative’s property located at 250 Chandler Dr. in Kitchener, with consent obtained from the mortgagee for Sand Hills Co-operative Homes Inc. for the mortgage registration in a form satisfactory to the Regional Solicitor.

September 9, 2014
The Regional Municipality of Waterloo

Administration and Finance Committee

Summary of Closed Recommendations to Council

The Administration and Finance Committee recommends as follows:

1. That the Regional Municipality of Waterloo direct the Chief Financial Officer to enter into a settlement with Trass Properties Limited, in such form as approved by the Regional Solicitor, in regard to its Development Charges Appeal wherein the Region refunds the partial amount of $45,000;

2. That the Regional Municipality of Waterloo approve the Minutes of Settlement between the Carpenter’s District Council of Ontario, the Canadian Union of Public Employees Local 1656 and the Regional Municipality of Waterloo regarding carpentry jurisdictional issues;

   And that, The Regional Municipality of Waterloo approve the Minutes of Settlement between the Carpenter’s District Council of Ontario and the Regional Municipality of Waterloo regarding the Regional Carpenter’s terms of employment.

3. That the Regional Municipality of Waterloo refer the matter of expense claims submitted to the Township of Woolwich and the Region of Waterloo by Councillor Cowan to the Waterloo Regional Police Service for further investigation; and

   That the Region’s Chief Financial Officer work with the Area Municipality Treasurers to finalize and implement a process for comparing Regional and area municipal expense claims submitted by heads of local council; and

   That the above resolutions be forwarded to the Council of the Township of Woolwich.

September 9, 2014

1700358
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 take the following actions regarding the Waterloo Spur Line Trail as described in Report P-14-082, dated September 9, 2014:

   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.

2. 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 Complied 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-1700552
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.

3. 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. [CR-RS-14-071]

4. 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.

5. That the Regional Municipality of Waterloo renew the contract with the Ontario Clean Water Agency ("OCWA") for the continued management of the wastewater treatment facilities with the Region of Waterloo for a second five (5) year period ending December 31, 2020 as detailed in Report E-14-110 dated September 9, 2014;

And That the Regional Chair and Regional Clerk be authorized to execute a renewal agreement with OCWA satisfactory to the Commissioner, Transportation and Environmental Services and the Regional Solicitor to implement the above recommendations for the 2016 contract base of $7,341,134 (excluding taxes).

September 9, 2014
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 renew the contract with the Ontario Clean Water Agency ("OCWA") for the continued management of the wastewater treatment facilities with the Region of Waterloo for a second five (5) year period ending December 31, 2020 as detailed in Report E-14-110 dated September 9, 2014;

   And That the Regional Chair and Regional Clerk be authorized to execute a renewal agreement with OCWA satisfactory to the Commissioner, Transportation and Environmental Services and the Regional Solicitor to implement the above recommendations for the 2016 contract base of $7,341,134 (excluding taxes).

2. That The Regional Municipality of Waterloo approve the settlement with Mr. Jeffrey John Grimm for the total amount of $106,057.25 in relation to the Hespeler Road Grade Separation Project and the expropriation of Mr. Grimm’s interest in 105 Hespeler Road, Cambridge.

3. That The Regional Municipality of Waterloo enter into a licence agreement with Dana Canada Corporation, in a form that satisfactory to the Regional Solicitor, that allows Dana Canada Corporation to leave certain ground water monitoring and remediation infrastructure within lands expropriated from Dana Canada Corporation at 401 Franklin Boulevard, Cambridge.

4. That The Regional Municipality of Waterloo approve the settlement with Dianna Lynn LePage, for the total amount of $248,160, inclusive of costs and HST, in relation to the expropriation of 296 Guelph Street, Kitchener.

5. That the Regional Municipality of Waterloo approve, enter into an Agreement for, and execute all documentation related to the acquisition of land and temporary easement for road improvements to Manitou Drive West, being a fee simple
interest in lands described as Part Lot 41, Registrar’s Compiled Plan 1525, being Part 2, on Reference Plan 58R-17783 and a temporary grading easement over Part Lot 41, Registrar’s Compiled Plan 1525, being Parts 1 and 3, on Reference Plan 58R-17783, part of PIN 22594-0015 (LT), City of Kitchener, Regional Municipality of Waterloo from the Estate of Arthur William Kaufman for the sum of Five Hundred Forty Six Thousand Five Hundred Dollars ($546,500.00), plus associated acquisition costs, subject to documentation satisfactory to the Regional Solicitor.

6. That The Regional Municipality of Waterloo, pursuant to section 40 of the Purchasing By-law, open and consider bids from the subcontractors of Mettko Construction Inc. under Contract 2011-007, Waterloo WWTP Upgrade – Contract 4, Secondary Treatment and Digestion.

7. That The Regional Municipality of Waterloo approve, enter into a Settlement Agreement for, and execute all documentation related to the expropriation/acquisition of land for the Rapid Transit Project – Stage 1 described as Part of Lot 16 or 15 (Hueglin) Part of Lot 17 (B. Moogk) South of King Street Registered Plan No. 364 designated as Part 3 on Plan WR768754 being PIN 22502-0252 (LT), City of Kitchener forming part of lands municipally known as 21 Cedar Street, Kitchener from Bac Quang Luu on the following basis:

   (a) payment of the sum of $45,600.00 as compensation for the market value of the subject lands;

   (b) the transfer of existing Regional 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, City of Kitchener (the “Surplus Lands”) to Mr. Luu as compensation for injurious affection and other damages suffered provided that the property disposition process required under the Region’s Property Disposition By-law as recommended in Report CR-RS-14-081 dated September 9, 2014 is completed and conditional upon subsequent Council approval for the declaration of the Surplus Lands as surplus to the needs of the Region; and

   (c) associated reasonable costs with all documentation to the satisfaction of the Regional Solicitor

8. That The Regional Municipality of Waterloo:
(a) Approve, enter into an Agreement for, and execute all documentation related to the acquisition of land for the Rapid Transit Project – Stage 1 described as follows:

(i) Part Lot 140, Plan 385, being Part 1 Plan 58R17316 Part of PIN 22417-0008;
(ii) Part Lot 140, Plan 385, being Part 1 Plan 58R17961 Part of PIN 22417-0008;
(iii) Part Lots 168, 169 and 170, Part of Mill Square, Plan 385, being Part 1 Plan 58R17921 Part of PIN 22411-0040;
(iv) Part Lot 78 and 150 and Part Alley, Plan 385, being Part 2 Plan 58R17917 Part of PIN 22417-0031;
(v) Part Lot 12, GCT, being Part 1 Plan 58R18062 Part of PIN 22272-0002;
(vi) Part of Public Square, Plan 385, being Part 1 Plan 58R18190, Part of PIN 22416-0123,

(collectively, the “City Lands”)

from The Corporation of the City of Waterloo (the “City”) for payment of $692,002.00 as compensation for the market value of the City Lands plus the sum of $700,000.00 as compensation for injurious affection, disturbance damages, other damages and inconvenience suffered by the City together with associated costs, as well as, an undertaking to rectify physical impacts that are suffered by the City on its retained lands due to LRT construction including, without limitation, restoration of effects on the Heritage Green Parkette, with all documentation to the satisfaction of the Regional solicitor; and

(b) Approve, enter into an Agreement for, and execute a Road Assumption Agreement with the City in accordance with terms approved by Regional Council pursuant to Report E-14-018 dated April 1, 2014, with all documentation to the satisfaction of the Commissioner of Transportation and Environmental Services, Commissioner of Planning, Housing and Community Services, and the Regional Solicitor.

September 9, 2014