Regional Municipality of Waterloo

Consolidated Council Agenda

Wednesday, May 11, 2016

Closed Session 6:45 p.m.  Closed Session Cancelled

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 Regional Council be held on Wednesday, May 11, 2016 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) potential litigation and related advice that is subject to solicitor-client privilege pertaining to a legal agreement

   Closed Session Cancelled

4. Motion to Reconvene Into Open Session

5. Declaration of Pecuniary Interest Under The Municipal Conflict of Interest Act

6. Presentations

2127580
7. **Petitions**

8. **Delegations**

9. **Minutes of Previous Meetings**
   a) Closed Council – April 20, 2016
   b) Licensing & Hearings – April 20, 2016
   c) Council – April 20, 2016
   d) Closed Audit – April 26, 2016
   e) Planning & Works – May 3, 2016
   f) Administration & Finance – May 3, 2016
   g) Closed Committee – May 3, 2016
   h) Community Services – May 3, 2016

10. **Communications**
    a) Council Information Package – Friday, May 6, 2016 *(Distributed Electronically)*

11. **Motion To Go Into Committee Of The Whole To Consider Reports**

12. **Reports**

    **Finance Reports**
    a) **COR-TRY-16-50**, T2016-114 Regional Road No. 69 (Manitou Drive) Improvements, Homer Watson Boulevard to Bleams Road, City of Kitchener

    **Recommendation:**

    That the Regional Municipality of Waterloo accept the tender of Bel-Air Excavating and Grading Ltd. for T2016-114 Regional Road No. 69 (Manitou Drive) Improvements, Homer Watson Boulevard to Bleams Road, City of Kitchener in the amount of $4,296,216.38 plus all applicable taxes as set out in report COR-TRY-16-50 dated May 11, 2016.

    And that the Regional Municipality of Waterloo approve an increase in project costs of $136,290.80 gross and $0.00 net to facilitate the work
undertaken on behalf of the City of Kitchener.

b) **COR-TRY-16-51**, T2016-164 One (1) Aerial Truck

**Recommendation:**

That the Regional Municipality of Waterloo accept the tender of Alan Fyfe Equipment Ltd., for T2016-164 One (1) Aerial Truck in the amount of $162,387.00 plus all applicable taxes as set out in report COR-TRY-16-51 dated May 11, 2016.

c) **COR-TRY-16-52**, P2016-03 Supply of Cloth Media Filter System Conestogo Wastewater Treatment Plant

**Recommendation:**

That the Regional Municipality of Waterloo accept the proposal of Veolia Water Technologies Canada Inc. for P2016-03 Supply of Cloth Media Filter System, Conestogo Wastewater Treatment Plant (WWTP) in the amount of $163,266.00 plus all applicable taxes as set out in report COR-TRY-16-52 dated May 11, 2016.

d) **COR-TRY-16-53**, P2016-16 Transit Shelters

**Recommendation:**

That the Regional Municipality of Waterloo accept the proposal of Enseicom Inc. for P2016-16 Transit Shelters in the estimated amount of $642,548.00 plus all applicable taxes as set out in report COR-TRY-16-53 dated May 11, 2016;

And that the Regional Municipality of Waterloo advance $247,500 from the 2017 project budget of $2,118,000 for iXpress Station Development (66029) to 2016 to complete the work related to this contract.

**Planning, Development & Legislative Services Reports**

e) **PDL-LEG-16-25**, Stage 1 Rapid Transit Project – Surplus Land Declaration and Land Swap With The Corporation of the City Of Waterloo

**Recommendation:**

That The Regional Municipality of Waterloo:

(a) declare lands described as Part of Lot 3, Subdivision of Lot 14,
German Company Tract, being Part 1, 58R18783, Part of PIN 22377-0005, in the City of Waterloo forming part of lands adjacent to the Waterloo Spur in the vicinity of Waterloo Park currently utilized as part of the City of Waterloo’s Central Promenade (Trans-Canada Trail) as more particularly depicted in Appendix “A” hereto (the “Region Surplus Lands”) surplus to the needs of the Region as detailed in Report PDL-LEG-16-25 dated May 11, 2016 and provide public notification in accordance with the Region’s Property Disposition By-Law 95-034 (the “Property Disposition By-Law”); and

(b) Approve, enter into an agreement for, and execute all documentation related to a land swap with The Corporation of the City of Waterloo (the “City”) wherein the Region Surplus Lands will be exchanged for nominal consideration with certain fee simple and easement interests required from the City for Stage 1 of Rapid Transit as more particularly described below and in accordance with the Region’s Property Disposition By-Law, as well as, on such terms and conditions as satisfactory to the Regional Solicitor:

**Easement Interests To Be Acquired:**

(i) Parts 2, 4 and 5 Plan 58R-18783 being Part of PIN 22377-0004, in the City of Waterloo; and

(ii) Part 1 Plan 58R-18868 being part of PIN 22272-0024, in the City of Waterloo.

**Fee Simple Interests To Be Acquired:**

(i) Part 3 on 58R-18783 being Part of PIN 22377-0004, in the City of Waterloo;

(ii) Part 1 on 58R-10095 being part of PIN 22377-0182, in the City of Waterloo; and

(iii) Parts 2, 3 and 4 58R-17322 being part of PIN 22377-0003, in the City of Waterloo.

**Committee Reports**

a) Planning & Works - attached & marked PS-160503

b) Administration & Finance - attached & marked FS-160503
c) Community Services - attached & marked SS-160503

Chief Administrative Officer

Regional Chair

* a) RC-16-01, Fort McMurray Disaster Relief (Available at meeting)

Regional Clerk

13. Other Matters Under Committee Of The Whole

* a) Update on Licensing and Hearings Committee Meeting

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 Expropriate Lands For The Purpose Of Reconstruction Of Ottawa Street (Regional Road 4) From Dreger Avenue To Midland Road In The City Of Kitchener In The Region Of Waterloo

   b) A By-law to Establish Certain Procedures for Purposes of Enforcement of Part IV of the Clean Water Act, 2006

   c) A By-law to Amend By-law 16-001, being a By-law to Establish Fees and Charges for the Regional Municipality of Waterloo (Clean Water Act, 2006)

   d) A By-law to Confirm the Actions of Council – May 11, 2016

22. Adjourn
Region of Waterloo
Corporate Services
Treasury Services (Procurement)

To: Regional Chair Ken Seiling and Members of Regional Council

Date: May 11, 2016  File Code: F18-30

Subject: T2016-114 Regional Road No. 69 (Manitou Drive) Improvements, Homer Watson Boulevard to Bleams Road, City of Kitchener

Recommendation:

That the Regional Municipality of Waterloo accept the tender of Bel-Air Excavating and Grading Ltd. for T2016-114 Regional Road No. 69 (Manitou Drive) Improvements, Homer Watson Boulevard to Bleams Road, City of Kitchener in the amount of $4,296,216.38 plus all applicable taxes as set out in report COR-TRY-16-50 dated May 11, 2016.

And that the Regional Municipality of Waterloo approve an increase in project costs of $136,290.80 gross and $0.00 net to facilitate the work undertaken on behalf of the City of Kitchener.

Summary:

Nil

Report:

Tenders were called for T2016-114 Regional Road No. 69 (Manitou Drive) Improvements, Homer Watson Boulevard to Bleams Road, City of Kitchener and were advertised in the Record, in the Daily Commercial News, on the Ontario Public Buyers Association website and on the Region’s website. The tenders were opened in the presence of K. Brisbois, J. Borovicka and T. Lumgair.
The following tenders were received:

Bel-Air Excavating and Grading Ltd.  Cambridge, ON  $4,296,216.38
Capital Paving Inc.  Guelph, ON  $4,318,008.00
Coco Paving Inc.  Petersburg, ON  $4,485,589.50
E & E Seegmiller Ltd.  Kitchener, ON  $4,512,000.00
Network Sewer & Watermain Ltd.  Cambridge, ON  $4,814,579.26
Regional Sewer & Watermain Ltd.  Cambridge, ON  $5,174,948.18

The work under this contract includes the complete reconstruction of Manitou Drive from Bleams Road to north of Homer Watson Boulevard including replacement of sections of the existing storm sewer system, construction of segregated cycling lanes, new concrete curbs, sidewalks, minor watermain works, intersection improvements at the Wabanaki Drive intersection as well as replacement of sections of the sanitary sewer infrastructure on behalf of the City of Kitchener.

Construction is scheduled to commence on May 24, 2016 with completion expected in November 2016, with surface asphalt to be completed in spring of 2017.

**Corporate Strategic Plan:**

Award of this contract meets the 2015-2018 Corporate Strategic Plan objective to optimize road capacity to safely manage traffic and congestion under Strategic Focus Area 2, Sustainable Transportation.

**Financial Implications:**

Contract T2016-114 costs are shared as follows:

Region of Waterloo Transportation Division  $4,180,000
City of Kitchener  116,200

Total  $4,296,200

Note: All figures are rounded to the nearest $100.
Region of Waterloo - Transportation Division Costs

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>T2016-114</td>
<td>$4,180,000</td>
</tr>
<tr>
<td>Hydro Relocations and New Street Lighting</td>
<td>307,900</td>
</tr>
<tr>
<td>Regional Engineering</td>
<td>300,000</td>
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<tr>
<td>Above-Ground Traffic Signals</td>
<td>100,000</td>
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<tr>
<td>Geotechnical Consulting</td>
<td>40,000</td>
</tr>
<tr>
<td>Traffic Detours, Signing and Line Painting</td>
<td>35,000</td>
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<tr>
<td>Bell Canada Relocations/Adjustments</td>
<td>20,000</td>
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<tr>
<td><strong>Sub-total</strong></td>
<td><strong>$4,982,900</strong></td>
</tr>
<tr>
<td>Plus: Applicable Net HST of 1.76%</td>
<td>81,800</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$5,064,700</strong></td>
</tr>
</tbody>
</table>

Note: All figures are rounded to the nearest $100.

The Region’s approved 2016 Ten Year Transportation Capital Program includes a budget of $5,605,000 ($5,275,000 in 2016 and $330,000 in 2017) allocated for Manitou Drive Reconstruction (Project #5579) between Homer Watson Boulevard and Bleams Road to be funded from the Roads Rehabilitation Capital Reserve Fund (85.7%; $4,805,000) and Development Charges Reserve Fund (14.3%; $800,000). Based on the low tender result, the actual cost of Regional work is $5,064,700 which is $540,300 (or approximately 9.6%) under the project budget. The lower cost is attributable to the reduction of the project limits at the south end to accommodate the future Manitou Drive/Homer Watson Boulevard intersection improvements. Also, during detailed design, it was determined that several of the existing storm sewer pipe sections did not require replacement as expected which resulted in further cost savings.
City of Kitchener Costs

T2016-114 $116,200
Regional Engineering 15,000
Geotechnical Consulting 3,000
Sub-total $134,200

Plus: Applicable Net HST of 1.76% 2,100
Total $136,300

Note: All figures are rounded to the nearest $100.

The City of Kitchener has indicated that they have sufficient funds budgeted for this work and has asked that the work proceed on their behalf.

The final date of acceptance for this tender is June 19, 2016.

Other Department Consultations/Concurrence:

Transportation and Environmental Services staff was consulted in the preparation of this report.

Attachments: Nil

Prepared By: Lisa Evans, Manager, Procurement/Chief Purchasing Officer

Approved By: Craig Dyer, Commissioner, Corporate Services/Chief Financial Officer
Region of Waterloo
Corporate Services
Treasury Services (Procurement)

To: Regional Chair Ken Seiling and Members of Regional Council
Date: May 11, 2016       File Code: F18-30
Subject: T2016-164 One (1) Aerial Truck

Recommendation:

That the Regional Municipality of Waterloo accept the tender of Alan Fyfe Equipment Ltd., for T2016-164 One (1) Aerial Truck in the amount of $162,387.00 plus all applicable taxes as set out in report COR-TRY-16-51 dated May 11, 2016.

Summary:
Nil

Report:

Tenders were called for T2016-164 One (1) Aerial Truck and were advertised in the Record, on the Ontario Public Buyers Association website and on the Region’s website. The tenders were opened in the presence of S. Agnello, E. Ritzmann and J. McCarty.

The following tenders were received:

Alan Fyfe Equipment Ltd.                Concord, ON                $162,387.00
Altech Industries Ltd.                  Milton, Ontario             $168,320.00

Six (6) plan takers downloaded the document with two (2) submitting bids by the tender closing date and time. The aerial truck is a specialized piece of equipment and there is a limited vendor base available.
The annual vehicle procurement review for 2016 was initiated in April 2015. As part of the review process, Fleet Services in consultation with Transportation Services staff completed a detailed evaluation and condition assessment of the aerial truck. This process identified the need to replace one (1) existing aerial truck, to effectively support Transportation Services business requirements.

The aerial truck replacement was approved as part of the “Pre-budget Approval for 2016 Vehicle Procurement” per Report COR-FFM-15-10 dated September 15, 2015. The current aerial truck will be sent to auction once the new truck has been received and is put into service.

**Corporate Strategic Plan:**

Award of this contract meets the 2015-2018 Corporate Strategic Plan objective to ensure Regional programs and services are efficient, effective and provide value for money under Strategic Focus Area 5, Responsive and Engaging Government Services.

**Financial Implications:**

Region of Waterloo Fleet Division Costs

<table>
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<tr>
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<tr>
<td>T2016-161</td>
<td>$162,400</td>
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<tr>
<td>Plus: Applicable Net HST of 1.76%</td>
<td>$2,900</td>
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<td><strong>Total</strong></td>
<td><strong>$165,300</strong></td>
</tr>
</tbody>
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Note: All figures are rounded to the nearest $100.

The Region’s approved 2016 Transportation Operations Capital Program includes a budget of $2,237,000 for Vehicle Replacements (Project 06054) to be funded from the Roads Vehicle Reserve. The replacement program included a budget amount of $240,000 for one Aerial truck. The Aerial truck was right sized to reflect the functional needs of the transportation program, resulting in a lower acquisition cost. A portion of the remaining budget of $74,700 will be required for equipment up-fitting.

The final date of acceptance for this tender is August 18, 2016.

**Other Department Consultations/Concurrence:**

Fleet Services and Transportation Services staff was consulted in the preparation of this report.

**Attachments:** Nil

**Prepared By:** Lisa Evans, Manager, Procurement/Chief Purchasing Officer

**Approved By:** Craig Dyer, Commissioner, Corporate Services/Chief Financial Officer
Region of Waterloo
Corporate Services
Treasury Services (Procurement)

To: Regional Chair Ken Seiling and Members of Regional Council

Date: May 11, 2016
File Code: F18-40

Subject: P2016-03 Supply of Cloth Media Filter System Conestogo Wastewater Treatment Plant

Recommendation:

That the Regional Municipality of Waterloo accept the proposal of Veolia Water Technologies Canada Inc. for P2016-03 Supply of Cloth Media Filter System, Conestogo Wastewater Treatment Plant (WWTP) in the amount of $163,266.00 plus all applicable taxes as set out in report COR-TRY-16-52 dated May 11, 2016.

Summary: Nil

Report:

Proposals were called for P2016-03 Supply of Cloth Media Filter System Conestogo Wastewater Treatment Plant and were advertised in the Record, on the Ontario Public Buyers Association website and on the Region’s website. Five (5) proposals were received.

The proposals were first evaluated based on the following pass/fail criteria: maximum footprint size, timing of submission, bid deposit, financial stability, minimum of three (3) operating installations utilizing the same or similar technology within the past five (5) years and adherence to Region SCADA Standards. The evaluation continued on quality and technical criteria including schedule, completeness and proposal organization, vendor experience, agreement with commercial terms and conditions, proposed equipment, project team, availability of spare parts/response time from service centre, references, financial capability and price. Following the evaluation, two (2) proponents were shortlisted and their price envelopes were opened. The proposal
submitted by Veolia Water Technologies Canada Inc. obtained the highest overall score. The proposals were opened in the presence of L. Evans, N. Morris and C. Gatchene.

The following proposals were short listed.

Veolia Water Technologies Canada Inc. Mississauga, ON
H2Flow Equipment Inc. Concord, ON

The Conestogo Wastewater Treatment Plant (WWTP) was commissioned in 2005 to service a small residential development in the Township of Woolwich and is located within the property limits of the Conestoga Country Club. The Conestogo WWTP is equipped with two gravity-fed sand filters for tertiary treatment. This type of filter normally has a lower cost but presents operating challenges. Operations staff continually experience challenges associated with the filter system that result in out-of-service filters, poor filter performance and continuous maintenance activities.

In 2014, the Region retained CH2M Hill to perform an assessment of the existing down-flow sand filters at the Conestogo WWTP. It was identified that the poor performance of the existing filters can be attributed to the limitations that are inherent to the existing down-flow filters. Through the evaluation of alternatives for filter replacements, the final report recommended replacing the existing filters with cloth media filters. This alternative was evaluated to be the most cost effective, easier to implement and operate and capable of providing reliable filtration with a relatively small footprint. With limited space available in the existing filter room being a primary project constraint, a maximum footprint size of proposed filter units (length & width) was specified within the Pass/Fail Evaluation Criteria of the Region’s bid document.

Following the technical and financial evaluation, Veolia Water Technologies Canada Inc. achieved the highest overall score. The total proposal price is considered fair and reasonable, and staff is confident that the Region is receiving best value for this equipment. The selected filter system will be incorporated by means of a Novation Agreement into the future general construction contract for the filter upgrades at the Conestogo WWTP. Delivery of the Cloth Media Filter System is planned for late 2016 or early 2017.

Corporate Strategic Plan:

Award of this contract meets the 2015-2018 Corporate Strategic Plan objective to protect the quality and quantity of our water sources under Strategic Focus Area 3, Environment and Sustainable Growth.
Financial Implications:

P2016-03 $163,300

Plus: Applicable Net HST of 1.76% 2,900

Total $166,200

Note: All figures are rounded to the nearest $100.

The Region’s approved 2016 Wastewater Capital Program includes a budget of $1,549,000 in 2016 and $1,300,000 in 2017 for the Rural Infrastructure Upgrades (Project #08309) funded from the Wastewater Reserve Fund (58.8%; $1,675,200) and Regional Development Charges (41.2%; $1,173,800). Of this amount, $580,000 is allocated for the Conestogo WWTP filter upgrades in which the supply of the cloth media filter system is included.

The final date of acceptance for this proposal is June 5, 2016.

Other Department Consultations/Concurrence:

Water Services staff was consulted in the preparation of this report.

Attachments: Nil

Prepared By: Lisa Evans, Manager, Procurement/Chief Purchasing Officer

Approved By: Craig Dyer, Commissioner, Corporate Services/Chief Financial Officer
Region of Waterloo
Corporate Services
Treasury Services (Procurement)

To: Regional Chair Ken Seiling and Members of Regional Council
Date: May 11, 2016   File Code: F18-40
Subject: P2016-16 Transit Shelters

Recommendation:

That the Regional Municipality of Waterloo accept the proposal of Enseicom Inc. for P2016-16 Transit Shelters in the estimated amount of $642,548.00 plus all applicable taxes as set out in report COR-TRY-16-53 dated May 11, 2016;

And that the Regional Municipality of Waterloo advance $247,500 from the 2017 project budget of $2,118,000 for iXpress Station Development (66029) to 2016 to complete the work related to this contract.

Summary:
Nil

Report:

Proposals were called for P2016-16 Transit Shelters and were advertised in the Record, on the Ontario Public Buyers Association website and on the Region’s website. The proposals were opened in the presence of J. Markovic, E. Pisani, and L. Smith.

The following proposals were received:

Daytech Ltd.       Toronto, ON
Enseicom Inc.      Montreal, QC
The proposals were evaluated using pre-determined technical criteria, which included: approach and methodology (compliance to specifications and clarity of proposal); company profile and affiliates (including proposed sub-contractors); team structure, qualifications, experience, references, past performance; plan of work and schedule; and price. Following the qualitative evaluation, both proponents were shortlisted and their price envelopes opened. The proposal submitted by Enseicom Inc. obtained the highest overall score and the lowest total cost.

The work under this contract is for the plan, design, supply, and installation of GRT bus shelters, primarily for the recently launched 204 iXpress route but also for various other locations including the 203 iXpress route (Franklin – Maple Grove). The order consists of approximately forty-three (43) iXpress shelters of varying dimensions, which shall include variable message sign (VMS) enclosures; nine (9) conventional transit shelters without VMS enclosures; one (1) iXpress custom-sized shelter, six (6) stand-alone VMS poles, and ten (10) stand-alone back-rest benches.

A limited number of bids were received as there are only a small number of vendors in the transit shelter industry that can build the required volume of shelters to specifications. The approximate completion date would be end of September or early October, approximately 20 weeks from the receipt of the Purchase Order.

**Financial Implications:**

<table>
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<th>Description</th>
<th>Amount</th>
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<td>P2016-16</td>
<td>$642,500</td>
</tr>
<tr>
<td>Provision for Electrical Connection Work</td>
<td>150,000</td>
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<tr>
<td>Contingency Provision for Change Orders</td>
<td>10,000</td>
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<td><strong>Sub-total</strong></td>
<td><strong>$802,500</strong></td>
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<td>Plus: Applicable Net HST of 1.76%</td>
<td>14,100</td>
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<td><strong>Total</strong></td>
<td><strong>$816,600</strong></td>
</tr>
</tbody>
</table>

Note: All figures are rounded to the nearest $100.

The Region’s approved 2016 GRT Capital Budget includes $579,000 (Projects 66029 and 66040) for the bus shelters included in this contract, set out as follows:

1) Project # 66040 includes $100,000 for bus shelters to be funded from the Transit Capital Reserve Fund (100%). Of the contract total above, $90,100 relates to this project. Savings of approximately $9,900 will remain in the Transit Capital Reserve Fund for future use.
2) Project # 66029 includes $952,000 in 2016 and $2,118,000 in 2017 for iXpress Station Development to be funded from debentures (81.8%; $2,511,000) and development charges (18.2%; $559,000). To date, approximately $473,000 of the 2016 budget has been spent/committed for the supply of Passenger Information Displays (March 22, 2016; Report TES-TRS-16-07) for iXpress Routes 203 (Franklin – Maple Grove) and 204 (Highland – Victoria). The remaining budget amount of $479,000 is available for the supply and installation of the bus shelters and related equipment included in this contract. Of the contract total above, $726,500 relates to this contract. Additional funds in the amount of $247,500 are required to complete this work. It is proposed that $247,500 be advanced from the 2017 project budget to accommodate this funding requirement. The need for additional funding in 2016 is the result of the installation of bus stop infrastructure for iXpress Route 203 (Franklin – Maple Grove) originally planned for 2017.

Debt servicing costs to be reflected in future GRT operating budgets are estimated to be $113,000 annually over a period of ten years based on an estimated cost of borrowing of 2.75%.

The final date of acceptance for this proposal is August 12, 2016.

Corporate Strategic Plan:

Award of this contract meets the 2015-2018 Corporate Strategic Plan objective to create a public transportation network that is integrated, accessible, affordable and sustainable under Strategic Focus Area 4, Sustainable Transportation.

Other Department Consultations/Concurrence:

Grand River Transit staff was consulted in the preparation of this report.

Attachments: Nil

Prepared By: Lisa Evans, Manager, Procurement/Chief Purchasing Officer

Approved By: Craig Dyer, Commissioner, Corporate Services/Chief Financial Officer
Recommendation:
That The Regional Municipality of Waterloo:

(a) declare lands described as Part of Lot 3, Subdivision of Lot 14, German Company Tract, being Part 1, 58R18783, Part of PIN 22377-0005, in the City of Waterloo forming part of lands adjacent to the Waterloo Spur in the vicinity of Waterloo Park currently utilized as part of the City of Waterloo’s Central Promenade (Trans-Canada) Trail as more particularly depicted in Appendix “A” hereto (the “Region Surplus Lands”) surplus to the needs of the Region as detailed in Report PDL-LEG-16-25 dated May 11, 2016 and provide public notification in accordance with the Region’s Property Disposition By-Law 95-034 (the “Property Disposition By-Law”); and

(b) Approve, enter into an agreement for, and execute all documentation related to a land swap with The Corporation of the City of Waterloo (the “City”) wherein the Region Surplus Lands will be exchanged for nominal consideration with certain fee simple and easement interests required from the City for Stage 1 of Rapid Transit as more particularly described below and in accordance with the Region’s Property Disposition By-Law, as well as, on such terms and conditions as satisfactory to the Regional Solicitor:

Easement Interests To Be Acquired:

(i) Parts 2, 4 and 5 Plan 58R-18783 being Part of PIN 22377-0004, in the City of Waterloo; and
(ii) Part 1 Plan 58R-18868 being part of PIN 22272-0024, in the City of Waterloo.

**Fee Simple Interests To Be Acquired:**

(i) Part 3 on 58R-18783 being Part of PIN 22377-0004, in the City of Waterloo;

(ii) Part 1 on 58R-10095 being part of PIN 22377-0182, in the City of Waterloo; and

(iii) Parts 2, 3 and 4 58R-17322 being part of PIN 22377-0003, in the City of Waterloo.

**Summary:**

Nil

**Report:**

Further to Report CR-RS-14-079 dated September 9, 2014 (the “Report”), the Region and The Corporation of the City of Waterloo (the “City”) entered into an agreement for the Region’s acquisition of various City owned parcels of land required for the implementation of Stage 1 of the Rapid Transit Project. Regional Council approved the purchase by the Region of 6 City-owned properties as further detailed in the Report. The Region completed the purchase of the said 6 parcels of land on December 1, 2014.

The Report also contemplated certain additional properties for Stage 1 Rapid Transit (the “Additional Lands”) that were yet to be fully defined to be required from the City at a future time. Regional and City staff negotiated a transfer of the Additional Lands to the Region for nominal consideration as part of a land swap with the City.

The Additional Lands (as shown in Appendices “B” to “F” attached to this Report) have now been surveyed and are fully defined as:

**Parcel 1:** Comprises land area of approximately 4872 square meters legally described as Parts 2, 4 and 5, Plan 58R-18783, Waterloo and depicted in Appendix “B” hereto. Part 2 is required as an easement for access to the Traction Power Substation; Part 4 is required as an easement for access and underground LRT infrastructure; and Part 5 is required as an easement for underground/overhead hydro to the Waterloo Park Traction Power Substation.

**Parcel 2:** Comprises land area of approximately 668 square meters legally described as Part 3, Plan 58R-18783 and depicted in Appendix “C” hereto. This parcel of land is required on a fee simple basis for construction, operation, maintenance and replacement of the Waterloo Park Traction Power Substation.
Parcel 3: Comprises land area of approximately 2462 square meters legally described as Part 1, 58R-10095 and depicted in Appendix “D” hereto. This parcel of land is required on a fee simple basis for construction of Light Rail Transit including, without limitation, fencing, ditching, grading and storm water related infrastructure.

Parcel 4: Comprises land area of approximately 177 square meters legally described as Parts 2, 3 and 4, 58R-17322 and depicted in Appendix “E” hereto. This parcel of land is required on a fee simple basis for construction of Light Rail Transit including, without limitation, fencing, ditching, grading and storm water related infrastructure.

Parcel 5: Comprises land area of approximately 52 square meters legally described as Part 1, 58R-18868 and depicted in Appendix "F" hereto. This parcel of land is required as an easement for drainage, storm water maintenance, storm water related infrastructure, grading, fencing and riprap.

Pursuant to the proposed transaction, the Additional Lands would be transferred to the Region for nominal consideration and in exchange for the Region Surplus Lands as shown in Appendix “A” to this Report that are owned by the Region adjacent to Waterloo Park and form part of the City’s Central Promenade (Trans-Canada) Trail. The Region Surplus Lands have a total surface area of 1819.9 square meters. Although the Region is the owner of the Region Surplus Lands, they do not currently serve any Regional purpose. A formal circulation of the proposed transfer of the Region Surplus Lands to all Regional Departments has occurred and there is no ongoing need to retain the Region Surplus Lands for any Regional or WRPS program.

The purpose of this Report is to declare the Region Surplus Lands as surplus to the needs of the Region subject to compliance with the Property Disposition By-Law and to approve the land swap transaction described above. Regional staff understands that the City of Waterloo’s Council is considering approval of this transaction at its meeting of May 9, 2016.

Corporate Strategic Plan

The report supports Focus Area 3.1 of Council’s Strategic Focus: Implement a light rail transit system in the central transit corridor, fully integrated with an expanded conventional transit system.

Financial Implications

In June 2011, Council approved the implementation of the ION Rapid Transit project, incorporating both Light Rail Transit and adapted Bus Rapid Transit, at an estimated capital cost of $818 million. The capital cost was confirmed in May 2014 when the Design-Build-Finance-Operate-Maintain (DBFOM) contract was awarded by Council. Capital financing is provided by the federal government ($265 million), the Province of
Ontario ($300 million) and the Region ($253 million of which $131 million is being financed by GrandLinq and repayable by the Region over the 30 year operations and maintenance term). The RT project and Grand River Transit service improvements are funded through annual property tax increases in the three cities until 2019.

Land acquisition is being carried out by the Region outside of the DBFOM contract. The budget for the land acquisition and associated costs is $42.2 million. As of March 31, 2016 $27.3 million has been spent with the remainder committed to estimated outstanding costs of future acquisitions.

**Other Department Consultations/Concurrence:**

Rapid Transit staff and Finance staff have been consulted in the preparation of this Report.

**Attachments:**

Appendix “A” – Region Surplus Lands
Appendix “B” - Parcel 1
Appendix “C” - Parcel 2
Appendix “D” - Parcel 3
Appendix “E” - Parcel 4
Appendix “F” - Parcel 5

**Prepared By:** Liviu Cananau, Solicitor, Property (Rapid Transit)

**Approved By:** Debra Arnold, Regional Solicitor, Director of Legal Services.
Appendix “A”

Region Surplus Lands
Appendix “B”

Parcel 1: Parts 2, 4 and 5 Plan 58R-18783, Waterloo - Easement
APPENDIX “C”

Parcel 2: Part 3 Plan 58R-18783 - fee simple
APPENDIX “D”

Parcel 3: Part 1 58R-10095 - fee simple
APPENDIX “E”

Parcel 4: Parts 2, 3 and 4 58R-17322 - fee simple
APPENDIX “F”

Parcel 5: Part 1 58R-18868 - easement
The Regional Municipality of Waterloo

Planning and Works Committee

Summary of Recommendations to Council

The Planning and Works Committee recommends as follows:

1. That Council of the Regional Municipality of Waterloo approve the expropriation of lands for the purpose of reconstruction of Ottawa Street (Regional Road 4) from Dreger Avenue to Midland Road in the City of Kitchener in the Region of Waterloo as detailed in Report PDL-LEG-16-034 dated May 3, 2016, described as follows:

   **Fee Simple Partial Taking:**

   i. Part of Lot 1, Registered Plan 1152 being Parts 1 and 2 on 58R-18642 (520 Franklin Street North, Kitchener);
   ii. Part of Lot 22, Registered Plan 1152 being Parts 3, 4, 5, 6, 7 and 8 on 58R-18642 (38 Evelyn Crescent, Kitchener);
   iii. Part of Lot 23, Registered Plan 1152 being Parts 9, 10 and 11 on 58R-18642 (42 Evelyn Crescent, Kitchener);
   iv. Part of Lot 24, Registered Plan 1152 being Parts 12, 13 and 14 on 58R-18642 (46 Evelyn Crescent, Kitchener);
   v. Part of Lot 37, Registered Plan 1152 being Parts 15 and 16 on 58R-18642 (6 Dreger Avenue, Kitchener);
   vi. Part of Block G, Registered Plan 1170 and Part of Lot 2 Registered Plan 976 being Part 2 on 58R-18641 (29 Midland Drive, Kitchener);

And that staff be instructed to register a Plan of Expropriation for the property 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 the Regional Solicitor is authorized to take any and all actions required to enforce such Notices including but not limited to any application pursuant to Section 40 of the *Expropriations Act*;
And that all above-referenced fee simple partial takings situated adjacent to an existing Regional public highway be acquired for road widening purposes and therefore be deemed to form part of the adjacent public highway in accordance with subsection 31(6) of the Municipal Act, 2001, S. O. 2001, c.25;

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 determined by the Commissioner of Transportation and Environmental Services that such lands, or any part or interest thereof, are not required for the subject Project.


3. That the Regional Municipality of Waterloo enter into the End User Maintenance Agreement (EUMA) for the on-going support of software services provided by INIT Innovations in Transportation, Inc. at a total cost of $608,137.88 for a three year term, plus applicable taxes, on terms and conditions satisfactory to the Commissioner, Transportation and Environmental Services and the Regional Solicitor;

   And that the Commissioner, Transportation and Environmental Services be authorized to execute the agreement as described in Report TES-TRS-16-06, dated May 3, 2016.

4. That the Regional Municipality of Waterloo enter into an Agreement for Professional Consulting Services with GM BluePlan Engineering Ltd. to provide engineering services for a Class Environmental Assessment and conceptual design for the Creation of Cambridge Zone 1 West Pressure, at an upset fee limit of $217,072 plus applicable taxes.

5. That The Regional Municipality of Waterloo approve the Source Water Protection Incentive Program project categories, funding rates and maximum grants as outlined in report TES-WAS-16-14 dated May 3, 2016;
And That The Regional Municipality of Waterloo delegate to the Commissioner, Transportation and Environmental Services the authority to approve the detailed program guidelines and innovative projects submitted as part of the Source Protection Incentive Program as outlined in report TES-WAS-16-14 dated May 3, 2016;

And That The Regional Municipality of Waterloo extend the Preliminary Incentives for Septic Systems first year grant rate to Baden residents as outlined in report TES-WAS-16-14 dated May 3, 2016.

6. That the proposed Clean Water Act Risk Management By-law, substantially in the form attached as Attachment A to Report TES-WAS-16-15 dated May 3, 2016 be placed on an upcoming agenda of Regional Council for its consideration;

And That The Regional Municipality of Waterloo approve the Clean Water Act Risk Management Fee Schedule as described in Report TES-WAS-16-15 dated May 3, 2016; and amend the Regional Fees and Charges By-law 16-001 to include these new fees.

May 3, 2016
The Regional Municipality of Waterloo

Administration and Finance Committee

Summary of Recommendations to Council

The Administration and Finance Committee recommends as follows:

1. That Councillor Joe Nowak be appointed to the Regional Development Charges Steering Committee.

2. That the minutes of the Audit Committee meeting held April 26, 2016 be approved.


5. That the Regional Municipality of Waterloo take the following actions on Grants to Community Organizations and Economic Development and Promotion Grants as outlined in Report CC-16-01, dated May 3, 2016:

   a. Approve 2016 Grants to Community Organizations and 2016 Economic Development and Promotion Grants to the organizations receiving ongoing grants in 2015, at the same level as 2015, as shown in Appendix 1;

   b. Transfer all of the current ongoing grants awarded under the Grants to Community Organizations Program and the Economic Development and Promotion (EDP) Grants Program, and their associated budgets, effective January 1, 2017, to the designated program areas for staff to administer as set out in Appendix 2;

   c. Provide at least the same level of funding in 2017 as was provided in 2015 and 2016, through the receiving program areas to the organizations receiving
ongoing funding under the Grants to Community Organization program and the EDP Grants Program as shown in Appendix 1;

d. Conduct reviews during 2017, through the receiving program areas, of all of the funded organizations with such reviews to determine:

i. The extent to which each of the organization’s programs and services directly support the Region’s 2015-2018 Strategic Objectives,

ii. Whether or not the organization(s) should continue to receive Regional funding support in future years (beyond 2017),

iii. If the form of funding provided to the organization(s) should be changed to a purchase of service agreement or other funding form;

e. Direct the receiving program areas to report back to Administration and Finance Committee by September 1, 2017 on the results of these reviews including recommendations for any changes to the level or form of funding for these organizations;

f. Rescind the Region’s current Policy on Grants to Community Organizations and Policy on Financial Assistance For Events Having an Economic Benefit to The Region;

And that the Ad Hoc Working Group on Grants to Community Organizations report back to Administration and Finance Committee in Fall, 2016 on a framework for a new Community Innovation Grants program and any other outstanding matters relating to grants as described in this report.

May 3, 2016
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 approve the following actions with regard to the Social Housing Electricity Efficiency Program (SHEEP), as outlined in report CSD-HOU-16-03, dated May 3, 2016:
   a) Authorize the Director, Housing Services, to execute and deliver all documentation required by the Province of Ontario and the Region of Waterloo for the purpose of implementing SHEEP;
   b) Authorize the Commissioner, Community Services, to execute such agreements and documentation in a form satisfactory to the Regional Solicitor, as may be required to advance funding for this program; and,
   c) That the 2016 Operating Budget for Housing Services be increased by $634,470 gross and $0 net Regional levy as outlined in report CSD-HOU-16-03 dated May 3, 2016.

2. That the Regional Municipality of Waterloo undertake the following actions with respect to the Social Development Program as outlined in report CSD-EIS-16-09 dated May 3, 2016:
   a) Conduct a Request for Proposal (RFP) process to determine a lead agency to administer community outreach programs throughout the Region of Waterloo;
   b) Enter into an agreement with the Food Bank of Waterloo Region effective January 1, 2017 to act as a lead agency to provide a range of food hamper and food security services throughout Waterloo Region;
   c) Enter into contracts effective January 1, 2017 with Carizon Family and Community Services, Family Counselling Centre of Cambridge and North Dumfries, Interfaith Community Counselling Centre, Kitchener-Waterloo Counselling Services Inc., Shalom Counselling Services Inc. and
Woolwich Counselling Centre for the ongoing provision of counselling services; and

d) That, effective January 1, 2017, the allocation of funds to agencies within the Social Development Program be delegated to the Commissioner of Community Services.

May 3, 2016