



REGIONAL COUNCIL MINUTES

Wednesday, January 16, 2013

The following are the minutes of the Regular Council meeting held at 7:00 p.m. in the Regional Council Chamber, 150 Frederick Street, Kitchener, Ontario, with the following members present: Chair K. Seiling, L. Armstrong, T. Cowan, D. Craig, R. Deutschmann, T. Galloway, J. Haalboom, B. Halloran, R. Kelterborn, G. Lorentz, C. Millar, S. Strickland, J. Wideman, and C. Zehr.

Members Absent: J. Brewer and J. Mitchell

CLOSED SESSION

MOVED by J. Wideman
SECONDED by T. Cowan

THAT a closed meeting of Council be held on Wednesday, January 16, 2013 at 6:45 p.m. in the Waterloo County Room in accordance with Section 239 of the Municipal Act, 2001, for the purposes of considering the following subject matters:

- a) proposed or pending litigation and receiving of legal advice that is subject to solicitor-client privilege related to proposed or pending acquisition of land in the City of Kitchener

CARRIED

MOVED by T. Galloway
SECONDED by C. Millar

THAT Council reconvene in Open Session.

CARRIED

Chair K. Seiling thanked T. Galloway for his hard work and leading Council through the budget. He also thanked Mike Murray, Chief Administrative Officer, the senior staff team and everyone who has a part in the budget. He noted it was a particularly challenging budget year.

DECLARATIONS OF PECUNIARY INTEREST UNDER *THE MUNICIPAL CONFLICT OF INTEREST ACT*

R. Deutschmann declared an indirect interest with respect Report CR-RS-13-007, Authorization to Expropriate (1st report) Lands Supplementary to Phase 1 of Stage 1 for the Rapid Transit Project Representing a Further Partial Taking from the Property Municipally known as 765 King Street West, Kitchener and a Partial Taking from the Property Municipally known as 825 King Street West, Kitchener, due to a pecuniary interest since he and his spouse are shareholders of corporations that have an interest in a property at 10 Duke Street West, Kitchener.

D. Craig declared a pecuniary interest with respect to Report CR-RS-13-007, Authorization to Expropriate (1st report) Lands Supplementary to Phase 1 of Stage 1 for the Rapid Transit Project Representing a Further Partial Taking from the Property Municipally known as 765 King Street West, Kitchener and a Partial Taking from the Property Municipally known as 825 King

Street West, Kitchener, due to his son owning property within the area of a proposed station on the rapid transit system.

K. Seiling declared a pecuniary interest with respect to Report CR-RS-13-007, Authorization to Expropriate (1st report) Lands Supplementary to Phase 1 of Stage 1 for the Rapid Transit Project Representing a Further Partial Taking from the Property Municipally known as 765 King Street West, Kitchener and a Partial Taking from the Property Municipally known as 825 King Street West, Kitchener, due to two of his adult children who own residential properties within the proposed corridor.

DELEGATIONS

a) Uwe Kretschmann, City of Cambridge appeared before Council members regarding the 2013 Budget. He highlighted a few issues, not about tax increases or cut backs but the pervasive proliferations of services and policies.

MINUTES OF PREVIOUS MEETINGS

MOVED by J. Wideman

SECONDED by L. Armstrong

THAT the following Minutes be approved:

- a) All Council – December 12, 2012
- b) Closed Council – December 19, 2012
- c) Council – December 19, 2012
- d) Planning and Works – January 8, 2013
- e) Closed Committee – January 8, 2013
- f) Administration and Finance – January 8, 2013
- g) Community Services – January 8, 2013
- h) Budget Public Input – January 9, 2013

CARRIED

MOVED by L. Armstrong

SECONDED by T. Cowan

THAT Council go into Committee of the Whole to consider reports.

CARRIED

COMMITTEE REPORTS

Planning and Works

The Summary of Recommendations of the Planning and Works Committee was presented by Geoff Lorentz, Vice-Chair of the Committee.

MOVED by G. Lorentz

SECONDED by R. Kelterborn

THAT the Summary of Recommendations of the Planning and Works Committee, dated January 8, 2013, Items 1 to 5, and 3 reports from closed session, Items 6, 7, and 8 be adopted as follows:

1. THAT the Region of Waterloo accept P-13-001, Monthly Report of Development Activity for November 2012, dated January 8, 2013.
2. THAT the Regional Municipality of Waterloo take the following actions with respect to proposed improvements on Bishop Street from Conestoga Boulevard to Concession Road in the City of Cambridge:
 - a) approve the proposed improvements to Bishop Street as outlined in Report E-13-001; and
 - b) amend Traffic and Parking By-law 06-072, as amended, after completion of the proposed improvements to provide Reserved Lanes for bicycles on both sides of Bishop Street from Conestoga Boulevard to Concession Road.
3. THAT the Regional Municipality of Waterloo enter into a Consulting Services Agreement with Associated Engineering Ltd. to provide consulting engineering services for the Class Environmental Assessment (EA), Detailed Design, Contract Administration and Construction Inspection Services associated with the Homer Watson Boulevard Widening and Corridor Study from Conestoga College Boulevard to Manitou Drive at an upset fee limit of \$655,408 plus applicable taxes for the Class EA and design phases, with construction administration services to be paid on a time basis, as outlined in report E-13-007, dated January 8, 2013.
4. THAT the Regional Municipality of Waterloo approve extension of the Rural Water Quality Program for one year and allocate an additional \$300,000 for incentives to farmers, as outlined in Report E-13-004 dated January 8, 2013.
5. THAT the Regional Municipality of Waterloo (Region) approve the following actions with regard to the proposed Source Protection Plan (SPP), as presented in Report E-13-003, dated January 8, 2013:
 - Continue to support the policies in the proposed SPP for the Grand River that apply within Waterloo Region;
 - Recommend Policy RW-NB/CW-40, which stipulates that enhanced road design features be included in Environmental Assessments, be amended to apply to the establishment of new roads where the application of salt could be a significant threat;
 - Recommend Policy RW-CW-45(a) be amended to include prohibition of partially below-grade fuel storage tanks in Wellhead Protection Area A (WHPA A); and
 - Forward this report to the Source Protection Authority (SPA) and request that it include the above resolutions as part of the submission of the proposed SPP to the Minister of Environment.
6. THAT the Regional Municipality of Waterloo approve, enter into a Settlement Agreement for, and execute all documentation related to, the expropriation of lands for the Weber Street West road improvements, such lands described as Part Lot 80, Registered Plan 376, being Part 1, Plan WR720010, PIN 22319-0148(LT), in the City of Kitchener, Regional Municipality of Waterloo from 1270887 Ontario Inc. for the sum of \$402,000.00 as compensation for the value of the taking of land, rental loss and costs to find

replacement premises, plus associated acquisition costs, with all documentation to the satisfaction of the Regional Solicitor.

7. THAT the Regional Municipality of Waterloo approve, enter into an Agreement for, and execute all documentation related to, the acquisition of land for road improvements to Weber Street West described as Part Lots 28 and 29, Plan 131 as in Instrument Number 793476, PIN 22326-0182 (LT), being 281 Weber Street West, City of Kitchener, Regional Municipality of Waterloo from Eugene Belanger for the sum of \$275,000.00, plus associated acquisition costs, subject to documentation satisfactory to the Regional Solicitor.
8. THAT The Regional Municipality of Waterloo approve the settlement with Khanhkam Chouangsirivong and Souksavanh Chouangsirivong for the total amount of \$113,876, inclusive of costs, in relation to the expropriation of the Chouangsirivongs' leasehold interest at 81 Weber Street West, Kitchener.

CARRIED

Administration and Finance

The Summary of Recommendation of the Administration and Finance Committee was presented by Tom Galloway, Chair of the Committee.

MOVED by T. Galloway
SECONDED by T. Cowan

THAT the Summary of Recommendations of the Administration and Finance Committee dated January 8, 2013, Items 1 and 2, be adopted as follows:

1. THAT the Regional Municipality of Waterloo approve the use of the remnant properties at 100, 104 and 108 Weber Street West, acquired for the Weber Street reconstruction, for an Emergency Medical Services Waiting Station, as outlined in report CR-FM-13-003/PH-13-002, dated January 8, 2013.
2. THAT the Regional Municipality of Waterloo submit an application for Municipal Infrastructure Investment Initiative funding for the West Montrose Bridge restoration, as described in Report F-13-002.

CARRIED

Community Services

The Summary of Recommendations of the Community Services Committee was presented by Sean Strickland, Chair of the Committee.

MOVED by S. Strickland
SECONDED by T. Cowan

THAT the Summary of Recommendations of the Community Services Committee dated January 8, 2013, Item 1, be adopted as follows:

1. THAT the Regional Municipality of Waterloo approve entering into agreements with agencies as determined by the Commissioner of Social Services from time to time, upon

terms and conditions acceptable to Legal Services, subject to receipt of funding from the Province of Ontario or a Ministry or agency thereof for the Community Homelessness Prevention Initiative Program;

AND THAT the 2013 budget implications of one time transitional funding for the Community Homelessness Prevention Initiative of \$1,517,140 gross to be funded by the Ministry of Community and Social Services be referred to Budget Committee for consideration, as outlined in report SS-13-001, dated January 8, 2013.

CARRIED

Budget

The Summary of Recommendations of the Budget Committee was presented by Tom Galloway, Chair of the Committee.

T. Galloway thanked his fellow Councillors for their very strenuous deliberations on the 2013 budget since October and also thanked M. Murray, senior staff and all the staff for their great work they have done to bring in a reasonable base budget.

J. Haalboom requested that item 1 be taken separately.

MOVED by T. Galloway
SECONDED by L. Armstrong

THAT the Summary of Recommendations of the Budget Committee dated January 16, 2013, Item 1, be adopted as follows:

1. THAT the Regional Municipality of Waterloo approve the Waterloo Region Police Services 2013 Property Tax Operating Budget with a net levy of \$135,147,530 (1.73%) and the Waterloo Regional Police Services 2013 Property Tax Capital Budget and 2014-2022 Capital Forecast as tabled at the January 9, 2013 Police Services Board Meeting.

CARRIED
(J. Haalboom opposed)

MOVED by T. Galloway
SECONDED by L. Armstrong

THAT the Summary of Recommendations of the Budget Committee dated January 16, 2013, Item 2, 3 and 4 be adopted as follows:

2. THAT the Regional Municipality of Waterloo approve the Waterloo Region Library 2013 Property Tax Operating Budget with a net levy of \$2,296,695 and the Waterloo Region Library 2013 Property Tax Capital Budget and 2014-2022 Capital Forecast as amended.
3. THAT the Regional Municipality of Waterloo approve a Grand River Transit fare increase of 7% effective July 1, 2013 as currently reflected in the 2013 base budget with specific fare increases to individual elements to be brought forward to Council for approval in Spring 2013.
4. THAT the Regional Municipality of Waterloo repeal By-law Number 12-001 (as amended), being a By-law to Establish Fees and Charges for the Regional Municipality of Waterloo and

that a new Fees and Charges By-law be passed including those fees and charges listed on the January 16, 2013 Budget Committee Agenda.

5. THAT the Regional Municipality of Waterloo receive the Information Paper titled "Municipal Budget Regulations" included in the January 16, 2013 Budget Committee Agenda for information, as required by *Ontario Regulation 284/09*.
6. THAT the Regional Municipality of Waterloo approve the 2013 Property Tax Operating Budget with a net levy of \$ 282,975,629 (1.01%), excluding Police Services, and the 2013 Property Tax Capital Budget and 2014-2022 Capital Forecast, excluding Police Services, reflecting budget issues presented to Budget Committee as amended.

CARRIED

OTHER MATTERS UNDER COMMITTEE OF THE WHOLE

- a) CR-RS-13-007, Authorization to Expropriate (1st report) Lands Supplementary to Phase 1 of Stage 1 for the Rapid Transit Project Representing a Further Partial Taking from the Property Municipally known as 765 King Street West, Kitchener and a Partial Taking from the Property Municipally known as 825 King Street West, Kitchener

MOVED by J. Wideman
SECONDED by T. Cowan

THAT The Regional Municipality of Waterloo direct and authorize the Regional Solicitor to take the following actions with respect to the expropriation of further lands required for the construction of Stage 1 of the Rapid Transit Project on King Street West at the City of Kitchener, in the Regional Municipality of Waterloo in accordance with the Recommended Rapid Transit Implementation Option Report E-11-072 dated June 15, 2011:

Conflicts:
D. Craig
R. Deutschmann
K. Seiling

1. Complete application(s) to the Council of The Regional Municipality of Waterloo, as may be required from time to time, for approval to expropriate lands, which are required for the Rapid Transit Project Stage 1 and described as follows:

Fee Simple Partial Taking

- a) Part of Lot C, Registered Plan 9, being Part 5, Reference Plan 58R17699, Part of PIN 22424-0330, City of Kitchener, Regional Municipality of Waterloo (765 King Street West, Kitchener); and
 - b) Part of Lot 7, Subdivision of Lot 15, German Company Tract, being Part 1, Reference Plan 58R17699, Part of PIN 22424-0155, City of Kitchener, Regional Municipality of Waterloo (825 King Street West, Kitchener).
2. Serve notices of the above application(s) as required by the Expropriations Act;
 3. Forward to the Chief Inquiry Officer any requests for a hearing that may be received;
 4. Attend, with appropriate Regional staff, at any hearing that may be scheduled;
 5. 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 interest in the lands is conveyed; and

6. Do all things necessary and proper to be done, and report thereon to Regional Council in due course.

CARRIED

- b) Memo: Ontario Works Caseload: December 2012

Received for information.

MOVED by B. Halloran
SECONDED by T. Cowan

THAT Committee of the Whole rise and Council resume.

CARRIED

MOVED by T. Cowan
SECONDED by C. Millar

THAT Council adopt the proceeding of the Committee of the Whole.

CARRIED

MOTIONS

NOTICE OF MOTION

- a) Jane Mitchell proposed FCM Resolution on Impacts of Crime Legislation on Municipalities (Recommendation to be considered February 6, 2013)

Proposed FCM resolution on impacts of crime legislation on municipalities

WHEREAS: Municipal governments are the front-line providers of services and programs of community safety such as policing and emergency services as well as support services for offenders, sentenced to prison, when they return to their home communities ; and

WHEREAS: New federal legislation, including the Safe Streets and Communities Act, is expected to substantially increase costs to public safety, enforcement and corrections at all orders of government; and

WHEREAS: In municipalities the legislation is expected to increase the demands on policing resources as well as demands for social, housing, employment and health services for offenders released from prisons and returning to their communities; and

WHEREAS: Court delays due to mandatory minimum sentencing and other aspects of the new crime legislation will impact not only victims but also the number of accused on remand in Provincial prisons awaiting trial, where there is little to no access to rehabilitation programs and supports; and

WHEREAS: Provinces may be faced with needing to cut other funds including funds for municipalities as a result of bearing the increased costs of incarceration in their facilities; and

WHEREAS: Evidence-based, comprehensive and integrated crime prevention, and safe alternatives to judicial and custodial options, such as restorative justice and alternative sentencing options (drug treatment and mental health courts, community service orders, fine

option programs etc.) have proven not only to be effective in reducing crime but also effective in reducing the costs to police and other municipally delivered public safety services; and

WHEREAS: Municipal governments recognize that they have a vital role in engaging in discussions on correctional issues that affect community safety both broadly and directly within their jurisdiction; therefore, be it resolved

THAT: The Regional Municipality of Waterloo submit for consideration to the Federation of Canadian Municipalities that they pass a resolution calling on the federal government to provide a rigorous cost-benefit analysis of the impact of increased and extended incarceration and other consequences of the recent crime legislation on community safety, with particular attention to impacts on municipalities as a result of costs in policing and of reintegration of offenders released from prisons into their home communities; and

THAT: The proposed FCM resolution urge the federal government to work with all orders of government to continue to strengthen and invest in strategic, successful and proven methods in crime prevention, victim assistance, effective alternatives to judicial and custodial options and support for the effective integration of offenders released from prisons back into our communities; and

THAT: The Regional Municipality of Waterloo call on the Federation of Canadian Municipalities to pass a resolution urging the federal government to respond to all the issues as stated in the above operative clauses.

- b) D. Craig requested that steps be taken to ensure a meeting be held with the area MPP's. He called for the following motion to be brought forward to the next Council Meeting.

THAT Council of the Regional Municipality of Waterloo request a February 2013 meeting of the four (4) area Members of Provincial Parliament (MPP's) to discuss Provincial and Regional issues of mutual concern.

OTHER BUSINESS

C. Zehr highlighted that a report is coming forward to the next Planning and Works Committee meeting on January 29, 2013 regarding the tax increment grant program.

ENACTMENT OF BY-LAWS – (FIRST, SECOND & THIRD READINGS)

MOVED by J. Wideman

SECONDED by B. Halloran

- a) THAT a By-law to Establish Fees and Charges for the Regional Municipality of Waterloo and Repeal By-law 12-001, As Amended be read a first, second and third time, finally passed and numbered 13-001 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.
- b) THAT a By-law to Confirm the Actions of Council of January 16, 2013 be read a first, second and third time, finally passed and numbered 13-002 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.

CARRIED

ADJOURN

MOVED by C. Millar

SECONDED by B. Halloran

THAT the meeting adjourn at 7:15 p.m.

CARRIED

REGIONAL CHAIR, *K. Seiling*

REGIONAL CLERK, *K. Fletcher*