



Regional Special Council Minutes

September 9, 2014

The following are the minutes of the Special Council meeting held at 1:30 p.m. in the Regional Council Chamber, 150 Frederick Street, Kitchener, Ontario, with the following members present: Chair K. Seiling, L. Armstrong, J. Brewer, R. Deutschmann, T. Galloway, J. Haalboom, B. Halloran, R. Kelterborn, G. Lorentz, C. Millar, J. Mitchell, S. Strickland, J. Wideman, and C. Zehr.

Members Absent: T. Cowan, D. Craig

Chair Seiling advised the purpose of this meeting was to deal with items in advance of a potential lame duck period after nomination day for the 2014 Municipal election. He stated that a special closed session of Council is also required, immediately following this meeting and there will be nothing to be reported out publicly from it.

Declaration of Pecuniary Interest Under the “Municipal Conflict of Interest Act”

R. Deutschmann disclosed a pecuniary interest with respect to items #7 and 8 from the Planning and Works Committee closed Summary of Recommendations due to an indirect pecuniary interest since he and his spouse are shareholders of corporations that have an interest in a property at 10 Duke Street West, Kitchener.

Motion to Go Into Committee Of The Whole

Moved by G. Lorentz

Seconded by L. Armstrong

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

Carried

Delegated Authority

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

Moved by C. Zehr

Seconded by T. Galloway

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.

Carried

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

Moved by C. Zehr

Seconded by T. Galloway

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 By-law, pursuant to Report CR-RS-14-084, dated September 9, 2014.

Carried

- c) CR-RS-14-077, Delegation of Hiring of Commissioner of Human Resources and Citizen Service

Moved by C. Zehr

Seconded by T. Galloway

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.

1700467

Carried

Finance Reports

- a) F-14-112, T2014-142 Windows and Door Replacement at 416 Kingscourt Drive, Waterloo and 144 Forrest Avenue, New Hamburg

Moved by J. Wideman

Seconded by J. Brewer

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.

Carried

Committee Reports

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 J. Mitchell

That the Summary of Recommendations of the Community Services Committee dated September 9, 2014, Items 1 to 4, and 1 report from closed session, Item 5, be adopted 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;
 - 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; and
5. 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.

Carried

Administration and Finance

The Summary of closed Recommendations of the Administration and Finance Committee was presented by Tom Galloway, Chair of the Committee. S. Strickland requested that item #2 be taken separately as he has recused himself from all discussion with respect to the Carpenter's Union certification.

Moved by T. Galloway

Seconded by J. Brewer

That the Summary of Closed Recommendations of the Administration and Finance Committee dated September 9, 2014, Items 1 and 3 from closed session, be adopted 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;

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.

Carried

Moved by T. Galloway

Seconded by J. Brewer

That the Summary of Closed Recommendations of the Administration and Finance Committee dated September 9, 2014, Item 2 from closed session, be adopted as follows:

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.

Carried

Planning and Works

The Summary of Recommendations of the Planning and Works Committee was presented by Jim Wideman, Chair of the Committee. Items #12 and 13 were taken separately due to the pecuniary interest.

Moved by J. Wideman

Seconded by T. Galloway

That the Summary of Recommendations of the Planning and Works Committee, dated September 9, 2014, Items 1 to 5, and 6 reports from closed session, Items 6 to 10, be adopted 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 Compiled Plan 1490, being Parts 1-4 on Plan 58R-17784, Part of PIN 22595-0088(LT) (35 and 45 Manitou Drive, Kitchener);
2. Part of Lot 2, Registered Compiled Plan 1525, being Part 1 on Plan 58R-17788, Part of PIN 22593-0103(LT) (695 Fairway Road, Kitchener);
3. Part of Lot 17, Registered Compiled Plan 1489, being Part 1 on Plan 58R-17782, Part of PIN 22617-0039(LT) (107 Manitou Drive, Kitchener);
4. Part of Lot 42, Registered Compiled Plan 1525, being Parts 4, 6, and 8 on Plan 58R-17782, Part of PIN 22594-0016(LT) (110 Manitou Drive, Kitchener);
5. Part of Lot 41, Registered Compiled Plan 1525, being Part 2 on Plan 58R-17783, Part of PIN 22594-0015(LT) (50 Manitou Drive, Kitchener);
6. Part of Lots 39 and 40, Registered Compiled Plan 1525, being Part 6 on Plan 58R-17784, Part of PIN 22594-0014(LT) (38 Manitou Drive, Kitchener);

Temporary Grading Easement:

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

1. Part of Lot 17, Registered Compiled Plan 1489, being Part 2 on Plan 58R-17782, Part of PIN 22617-0039(LT) (107 Manitou Drive, Kitchener);
2. Part of Lot 42, Registered Compiled Plan 1525, being Parts 3, 5, and 7 on Plan 58R-17782, Part of PIN 22594-0016(LT) (110 Manitou Drive, Kitchener);

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

Permanent Hydro Easement:

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

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

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

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

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

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

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).

6. 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.
7. 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.
8. 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.
9. 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.
10. 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.

Carried

1700467

Moved by J. Wideman

Seconded by T. Galloway

That the Summary of Recommendations of the Planning and Works Committee, dated September 9, 2014, 3 reports from closed session, Items 11 and 12, be adopted as follows:

11. 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:

Conflict:
R. Deutschmann

- (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

12. 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;

Conflict:
R. Deutschmann

- (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.

Carried

Motion for Committee Of The Whole To Rise And Council Resume

Moved by G. Lorentz

Seconded by L. Armstrong

That Committee of the Whole rise and Council resume.

Carried

Motion to Adopt Proceedings Of Committee Of The Whole

Moved by R. Kelterborn

Seconded by B. Halloran

1700467

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

Carried

Other Business

- a) Motion to change date of Inaugural Council meeting from December 10, 2014 to December 3, 2014

Chair Seiling advised this matter is being deferred to another meeting.

Enactment of By-Laws – (First, Second & Third Readings)

Moved by J. Brewer

Seconded by B. Halloran

- a) That 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, be read a first, second and third time, finally passed and numbered 14-053 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 September 9, 2014 be read a first, second and third time, finally passed and numbered 14-054 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.

Carried

Moved by L. Armstrong

Seconded by G. Lorentz

That Council waive notice for holding a special closed Council session immediately following the open session 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) receiving of legal advice subject to solicitor-client privilege and proposed or pending litigation related to a contract
- b) receiving of legal advice subject to solicitor-client privilege and proposed or pending disposition of property in the City of Kitchener
- c) receiving of legal advice subject to solicitor-client privilege and proposed or pending litigation related to an agreement
- d) receiving of legal advice subject to solicitor-client privilege and proposed or pending litigation related to an agreement

1700467

- e) receiving of legal advice subject to solicitor-client privilege and proposed or pending litigation related to a matter before an administrative tribunal

Carried

Moved by B. Halloran

Seconded by R. Kelterborn

That Council reconvene in Open Session.

Carried

Adjourn

Moved by J. Brewer

Seconded by L. Armstrong

That the meeting adjourn at 1:46 p.m.

Carried

Regional Chair, K. Seiling

Regional Clerk, K. Fletcher