



## **Regional Council Minutes**

**Wednesday, April 1, 2015**

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The following are the minutes of the Regular Council meeting held at 7:10 p.m. in the Regional Council Chamber, 150 Frederick Street, Kitchener, Ontario, with the following members present: Chair K. Seiling, L. Armstrong, D. Craig, S. Foxton, T. Galloway, D. Jaworsky, H. Jowett, K. Kiefer, G. Lorentz, J. Mitchell, J. Nowak, S. Shantz, B. Vrbanovic and W. Wettlaufer.

Members Absent: K. Redman and S. Strickland

### **Closed Session**

Moved by G. Lorentz

Seconded by L. Armstrong

That a closed meeting of Council be held on Wednesday, April 1, 2015 at 5:30 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 proposed or pending acquisition of land in the City of Kitchener
- b) Proposed or pending disposition of property in the Township of Woolwich and receiving of legal advice subject to solicitor-client privilege related to a lease
- c) potential litigation with respect to a matter before an administrative tribunal
- d) litigation and advice that is subject to solicitor-client privilege related to a matter before an administrative tribunal
- e) personal matters about identifiable individuals and education of councillors regarding a Public Health matter
- f) proposed or pending disposition of property in the City of Kitchener
- g) legal advice subject to solicitor client privilege relating to a capital project

Carried

Moved by W. Wettlaufer

Seconded by S. Shantz

1836436

That Council reconvene in Open Session.

Carried

### **Declarations of Pecuniary Interest Under The “Municipal Conflict Of Interest Act”**

T. Galloway declared a pecuniary interest with respect to item #8 on the Planning and Works Committee Summary of Recommendations, regarding Renewal of U-Pass Agreements with Post Secondary Students due to his employment at the University of Waterloo.

### **Delegations**

a) Moira Sharon Magee appeared before Council highlighting that her ambulance records are fabricated and that she wants them changed. She expressed her concern with how she is being treated in the Region since she has been an advocate in the Region for over 20 years. She noted that she is running out of options, she is losing her house and that ODSP won't pay for her to go to her medical appointments.

K. Seiling stated that Moira Sharon Magee has been offered help and assistances through various programs and those choices are with her. Chair K. Seiling stated that M. Magee wants Council to have her records changed and Council does not have the authority to do that.

D. Craig stated that this has been the third occasion that M. Magee has attended Regional Council and he highlighted that Council has to take some steps to protect people who show such an emotional display, stating it is unfortunate and Council is not the place to hear it. He requested that the Regional Clerk come up with a policy that will support people in terms of not being able to present to Council that puts them in a position that is embarrassing for them. He stated that Council should not be supporting her occurrence at Council until she is well.

### **Minutes of Previous Meetings**

Moved by W. Wettlaufer

Seconded by J. Mitchell

That the following Minutes be approved:

- a) Budget – March 4, 2015
- b) Closed Council – March 4, 2015
- c) Council – March 4, 2015
- d) Planning & Works – March 23, 2015

- e) Closed Committee – March 23, 2015
- f) Administration & Finance – March 23, 2015
- g) Community Services – March 23, 2015

Carried

### **Communications**

- a) Township of North Dumfries: Resolution C-69-15 – Regional Economic Development Implementation Update was received for information.
- b) Township of Wellesley: Resolution No. 53 – Regional Economic Development Implementation Update was received for information.

Moved by J. Nowak

Seconded by S. Foxton

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

Carried

### **Finance Reports**

- a) COR-TRY-15-28, T2015-109 Regional Road No.6 (Highland Road) Reconstruction, Patricia Avenue to Westmount Road, City of Kitchener

Moved by G. Lorentz

Seconded by D. Jaworsky

That the Regional Municipality of Waterloo accept the tender of Steed & Evans Ltd. for Regional Road No. 6 (Highland Road) Reconstruction, Patricia Avenue to Westmount Road, City of Kitchener in the amount of \$3,736,910.00 including all applicable taxes.

And that the Regional Municipality of Waterloo approve an increase in project costs of \$863,206.02 gross and \$0.00 net to facilitate the work undertaken on behalf of the City of Kitchener. [COR-TRY-15-28]

Carried

- b) COR-TRY-15-29, T2015-144 Construction and Testing of Municipal Supply Wells, 2015 City of Kitchener and Township of Wilmot

Moved by G. Lorentz

Seconded by D. Jaworsky

That the Regional Municipality of Waterloo accept the tender of Gerrits Drilling & Engineering Limited for the Construction and Testing of Municipal Supply Wells, 2015 City of Kitchener and Township of Wilmot at a total price of \$593,950.60 including all applicable taxes. [COR-TRY-15-29]

Carried

- c) COR-TRY-15-30, T2015-112 Regional Road No. 15 (King Street North) Improvements & Multi-use Trail Construction, Weber Street North to Conestogo Road, City of Waterloo

Moved by G. Lorentz

Seconded by D. Jaworsky

That the Regional Municipality of Waterloo accept the tender of Steed and Evans Ltd. for Regional Road No. 15 (King Street North) Improvements & Multi-Use Trail Construction, Weber Street North to Conestogo Road, City of Waterloo in the amount of \$4,087,210.00 including all applicable taxes;

And that the Regional Municipality of Waterloo approve advancing \$370,000 from the 2016 Roads Capital Forecast (Project 5633) and increase the 2015 funding allocation for this project in the amount of \$18,483, to be funded from the Roads Rehabilitation Reserve Fund, to cover the cost of surface asphalt paving which was originally to be completed in 2016;

And that the Regional Municipality of Waterloo approve an increase in project costs of \$783,225.06 gross and \$0.00 net to facilitate the work undertaken on behalf of the City of Waterloo;

And that the Regional Municipality of Waterloo approve an increase in project costs of \$491,025.01 gross and \$0.00 net to facilitate the work undertaken on behalf of the Ontario Ministry of Transportation. [COR-TRY-15-30]

Carried

- d) COR-TRY-15-31, Sole Source Procurement for Five (5) ½ Ton Commercial Cargo Vans

Moved by G. Lorentz

Seconded by D. Jaworsky

That the Regional Municipality of Waterloo approve the sole source procurement from Parkway Ford for the supply of five (5) ½ Ton Commercial Cargo Vans with Standard

Conversion in the amount of \$198,654.00 including all applicable taxes. [COR-TRY-15-31]

Carried

- e) COR-TRY-15-32, T2014-175 Snowploughing and Winter Grounds Maintenance, Cambridge and Surrounding Regional Area Properties – Property Area A Purchase Order Increase

Moved by G. Lorentz

Seconded by D. Jaworsky

That the Regional Municipality of Waterloo increase the purchase order for T2014-175 Snowploughing and Winter Grounds Maintenance, Cambridge and Surrounding Regional Area Properties for Property Area A with Forestell Inc. in the amount of \$102,717.00 for a revised estimated total of \$171,195.00 including all applicable taxes for the contract term November 15, 2014 to April 15, 2015. [COR-TRY-15-32]

Carried

- f) COR-TRY-15-33, P2014-53 Transit Operating System Replacement for Grand River Transit

Moved by G. Lorentz

Seconded by D. Jaworsky

That the Regional Municipality of Waterloo accept the proposal of GIRO Inc. for Proposal P2014-53 Transit Operating System Replacement for Grand River Transit in the amount of \$1,638,571.00 including all applicable taxes. [COR-TRY-15-33]

Carried

## **Committee Reports**

### **Planning and Works**

The Summary of Recommendations of the Planning and Works Committee was presented by T. Galloway, Chair of the Committee. Item #8 was taken separately due to the pecuniary interest.

Moved by T. Galloway

Seconded by K. Kiefer

That the Summary of Recommendations of the Planning and Works Committee, dated March 24, 2015, Items 1 to 7, and Items 9 to 13 from Closed Session, be adopted as follows:

1. That the Regional Municipality of Waterloo take the following actions with respect to the Class Environmental Assessment Study for proposed improvements to Fountain Street from Kossuth Road / Fairway Road to Cherry Blossom Road in the City of Cambridge:
  - a) Approve the Recommended Design Alternative for Fountain Street as outlined in Report TES-DCS-15-04;
  - b) Direct staff to file the Notice of Completion for this Class Environmental Assessment Study by means of advertisements in local newspapers and mailings to adjacent property owners, tenants and agencies, and place the Environmental Study Report on the public record for a period of 30 days; and
  - c) Amend the Traffic and Parking By-law 06-072, as amended, upon completion of construction of the Recommended Design Alternative to:
    - i) Add to Schedule 16 - Lane Designation, northbound left turn, northbound through / left-turn, northbound through, northbound right turn on Fountain Street (Regional Road 17) at Maple Grove Road (Regional Road 38);
    - ii) Add to Schedule 16 - Lane Designation, southbound left-turn, southbound through / left turn, southbound through / right turn on Fountain Street (Regional Road 17) at Maple Grove Road (Regional Road 38);
    - iii) Add to Schedule 16 - Lane Designation, eastbound left turn, eastbound through / left-turn, eastbound through, eastbound right turn on Fountain Street (Regional Road 17) at Maple Grove Road (Regional Road 38); and
    - iv) Add to Schedule 16 - Lane Designation, westbound left-turn, westbound through / left turn, westbound through / right turn on Fountain Street (Regional Road 17) at Maple Grove Road (Regional Road 38).
2. That the Regional Municipality of Waterloo take the following actions with respect to an offer by the Regional Tourism Organization 4 Inc. to assist with the further development of the Kissing Bridge Trailway, as detailed in Report PDL-CPL-15-019, dated March 24, 2015:
  - a) Allocate up to \$40,000 from the Community Environmental Fund in order to attract matching funding from the provincial Regional Tourism Organization 4 Inc. to conduct engineering feasibility studies on replacing the former bridges over the Grand and Conestoga Rivers, and to provide for

- appropriate wayfinding signage and other necessary improvements to the Kissing Bridge Trailway; and
- b) Direct staff to take the necessary steps to take advantage of this opportunity to receive provincial matching funding.
3. That the Regional Municipality of Waterloo take the following actions with respect to the proposed improvements on Ottawa Street (Regional Road 4) from Pattandon Avenue to Imperial Drive in the City of Kitchener:
    - a) approve the Recommended Design Alternative for Ottawa Street (Regional Road 4) as outlined in Report TES-DCS-15-03; and
    - b) amend Traffic and Parking By-law 06-072, as amended, upon completion of construction to accommodate the proposed improvements as follows:
      - i. Remove from Schedule 1, No Parking Anytime, Except Sunday, on both sides of Ottawa Street (Regional Road 4) from Hoffman Street to Pattandon Avenue;
      - ii. Remove from Schedule 1, No Parking Anytime, on both sides of Ottawa Street (Regional Road 4) from Pattandon Avenue to the Easterly Limit of Ottawa Street (near Keewatin Avenue);
      - iii. Remove from Schedule 1, No Parking Anytime, on both sides of Ottawa Street (Regional Road 4) from Fischer-Hallman Road (Regional Road 58) to Hoffman Street;
      - iv. Add to Schedule 1, No Parking Anytime, on both sides of Ottawa Street (Regional Road 4) from Fischer-Hallman (Regional Road 58) to Keewatin Avenue; and
      - v. Add to Schedule 24, Reserved Cycling Lanes Anytime, on both sides of Ottawa Street (Regional Road 4) from Imperial Drive to Pattandon Avenue.
  4. That the Region of Waterloo accept PDL-CPL-15-15 Monthly Report of Development Activity for February 2015, dated March 24, 2015.
  5. That the Regional Municipality of Waterloo approve the Pilot Water Efficient Restaurant Certification Program as detailed in Report TES-WAS-15-09.1 dated March 24, 2015.
  6. That The Regional Municipality of Waterloo approve the Water Efficiency Advisory Committee Terms of Reference as detailed in Report TES-WAS-15-10.1 dated March 24, 2015.

7. That the Regional Municipality of Waterloo approve an additional expenditure of \$358,744.69 plus HST on Contract T2013-015 Reconstruction of Regional Road No.86 (Church Street), Herbert Street to Barnswallow Drive to cover extra costs as a result of an increase in the required scope of work determined after construction had commenced. [TES-DCS-15-05]
9. That the Regional Municipality of Waterloo:
  - a) Confirm the existing policy of limiting multi-residential garbage collection services to dwellings consisting of six units or fewer, unless collection vehicles can drive through the complex freely;
  - b) Direct staff to report back to Planning and Works Committee in the summer of 2015 with a plan to address existing waste collection inconsistencies at multi-residential complexes that currently receive curbside collection in advance of the next waste collection contract; and
  - c) Direct staff to review multi-residential policies and services as part of the Waste Management Master Plan (WMMP) second level priority recommendations (years 2019 – 2023) and to report back to Planning and Works Committee no later than 2021 with an update on possible collection service options. [TES-WMS-15-04]
10. That the Regional Municipality of Waterloo support the revised policies that apply to Waterloo Region in the proposed Grand River Source Protection Plan as presented in Report TES-WAS-15-12 dated March 24, 2015.
11. That The Regional Municipality of Waterloo approve, enter into an Agreement for, and execute all documentation pursuant to Sections 24 and 30 of the Expropriations Act in connection with the acquisition and partial settlement of compensation in connection with various interests in land required for the Rapid Transit Project – Stage 1 at the property municipally known as 50 Borden Avenue, Kitchener and including an acquisition of a fee simple interest with respect to Part of Park Lot 25 Plan 404 designated as Part 1 Plan 58R18475, Part PIN 22506-0265 from Woodhouse Investments Inc. for consideration valuing \$72,785.33 plus associated costs with all documentation to the satisfaction of the Regional Solicitor
12. That The Regional Municipality of Waterloo authorize the Commissioner of Planning, Development and Legislative Services to enter into:
  - (a) a consent and amendment of lease that allows the assignment of the land lease currently held by Millard Properties Limited to Penmore Holdings Inc. (the New Tenant), subject to certain amendments requested by the New Tenant;



- (b) a step-in agreement with the mortgage holders for the New Tenant that allows them certain rights in the event that the New Tenant defaults on its land lease; and
  - (c) such other documents that may be necessary to give effect to the assignment, with the form and content of the documents to be to the satisfaction of the Regional Solicitor and the Commissioner, Planning, Development and Legislative Services.
13. That the Regional Municipality of Waterloo approve, enter into an Agreement for, and execute all documentation related to the sale of the property known municipally as;

152 Benton Street, City of Kitchener and described as Part Lots 10 and 11, Plan 397, being Parts 6 and 7 Reference Plan 58R-16135, City of Kitchener, Regional Municipality of Waterloo, Part of PIN 22499-0551 (LT) from The Regional Municipality of Waterloo to Shi Hui and/or to a transferee as directed by Shi Hui, for the sum of \$350,000, subject to documentation satisfactory to the Regional Solicitor;

And That the net proceeds from the disposition of the subject properties be transferred to the Capital Levy Reserve Fund, as outlined in report CR-FM-13-023/CR-RS-13-090, dated December 3, 2013.

Carried

Moved by D. Jaworsky

Seconded by K. Kiefer

That the Summary of Recommendations of the Planning and Works Committee, dated March 24, 2015, Item 8, be adopted as follows:

8. That the Regional Municipality of Waterloo enter into agreements with the University of Waterloo Federation of Students, the University of Waterloo Graduate Students Association, the Wilfrid Laurier University Students Union, the Wilfrid Laurier University Graduate Students Association and the English Language Institute at Renison College at the University of Waterloo to implement universal transit pass programs (U-Pass), in a form satisfactory to the Regional solicitor, as described in Report No. TES-TRS-15-07, dated March 24, 2015.

And that the Regional Municipality of Waterloo amend the Region's Fees and Charges By-law 15-019 with respect to the U-Pass agreements with full-time students at the University of Waterloo and Wilfrid Laurier University, as described in Report TES-TRS-15-07, dated March 24, 2015 to increase U-Pass fees to \$81.15 per school term for eligible students, effective September 1, 2015.

Conflict:  
T. Galloway

Carried

#### Administration and Finance

The Summary of Recommendation of the Administration and Finance Committee was presented by K. Seiling, on behalf of the Chair of the Committee.

Moved by L. Armstrong

Seconded by B. Vrbanovic

That the Summary of Recommendations of the Administration and Finance Committee dated March 24, 2015, Items 1 to 5, be adopted as follows:

1. That the Regional Municipality of Waterloo accept the proposal of the Social Planning Council of Cambridge and North Dumfries for the Management of the Community Information Database at a 3 year cost of \$258,025.69 including all applicable taxes with the option to extend for an additional 2 years. [HRC-CIT-15-02/COR-TRY-15-27]
2. That the Regional Municipality of Waterloo request the Province of Ontario to amend Bill 73 – Smart Growth for Our Communities Act, 2015 to allow for the immediate use of a forward looking service level standard for Rapid Transit projects and to pass the amended Bill at the earliest possible opportunity. [COR-FSD-15-07]
3. That the Regional Municipality of Waterloo establish the following tax ratios for the 2015 property tax year:

Residential	1.0000
New Multi-residential	1.0000
Multi-residential	1.9500
Commercial	1.9500
Industrial	1.9500
Pipeline	1.1613
Farmland	0.2500
Managed Forest	0.2500

And that the two necessary by-laws to implement the approved 2015 tax ratios and 2015 regional tax rates be prepared for Regional Council approval on April 1, 2015;

And further that the Area Municipalities be notified accordingly. [COR-TRY-15-26]

4. That the Regional Municipality of Waterloo request the Province of Ontario to pass Bill 31, the **Transportation Statute Law Amendment Act (Making Ontario's Roads Safer), 2015**, to require defaulted Provincial Offences Act fines to be paid prior to the renewal of vehicle license plates;

And That the Regional Municipality of Waterloo request the Province of Ontario to immediately begin to make the necessary improvements to its database systems and information sharing processes to effectively support the implementation of Bill 31. [PDL-CAS-15-04]

5. That the Regional Municipality of Waterloo form an ad-hoc committee to develop a policy(ies) with respect to operating and/or capital grants for community groups and/or not for profit organizations.

Carried

### Community Services

The Summary of Recommendations of the Community Services Committee was presented by S. Foxton, Vice Chair of the Committee.

Moved by S. Foxton

Seconded by G. Lorentz

That the Summary of Recommendations of the Community Services Committee dated March 24, 2015, Items 1 to 4, be adopted as follows:

1. That the Regional Municipality of Waterloo approve the Community Advisory Board recommendations and entering into agreements with the following agencies for up to a total of \$375,534, subject to receipt of Federal Government Homelessness Partnering Strategy (HPS) funding:
  - Cambridge Shelter Corporation to a maximum of \$115,161 for the period April 1, 2015 to March 31, 2016;
  - Kitchener-Waterloo Young Women's Christian Association to a maximum of \$115,161 for the period April 1, 2015 to March 31, 2016;
  - K-W Urban Native Wigwam Project to a maximum of \$25,212 for the period April 1, 2015 to March 31, 2016;
  - K-W Working Centre for the Unemployed to a maximum of \$120,000 for the period April 1, 2015 to March 31, 2016;

And That the Regional Municipality of Waterloo approve entering into agreements with agencies or consultants in a form acceptable to the Regional Solicitor, as determined by the Commissioner of Community Services and

recommended by the Community Advisory Board to ensure the HPS allocation is fully utilized from April 1, 2015 to March 31, 2019 as outlined in report CSD-HOU-15-07, dated March 24, 2015.

2. That the Regional Municipality approve the construction of expanded shared community partner space as part of the redevelopment of the Elmira Children's Centre as outlined in report CSD-CHS-15-06/ COR-FFM-15-03, dated March 24, 2015.
3. That the Regional Municipality of Waterloo authorize the Commissioner of the Community Services Department to approve the Quality Improvement Plan annually as outlined in report CSD-SEN-15-04, dated March 24, 2015.
4. That the Regional Municipality of Waterloo endorse the Region of Waterloo Museums Strategic Directions 2024 with strategic actions for 2015 – 2019, attached to Report No. PDL-CUL-15-06, dated February 24, 2015.

And that staff provide progress updates to Regional Council in conjunction with the annual Museums Highlights report.

Carried

### **Other Matters Under Committee Of The Whole**

Moved by W. Wettlaufer

Seconded by S. Shantz

That Committee of the Whole rise and Council resume.

Carried

Moved by K. Kiefer

Seconded by G. Lorentz

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

Carried

### **Other Business**

- a) B. Vrbanovic highlighted the graffiti on the new Weber Street overpass and asked for staff to look into having it removed.
- b) Craig Dyer, Chief Financial Officer introduced Cathy Deschamps, the new Director of Financial Services and Development Financing.

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

Moved by K. Kiefer

Seconded by L. Armstrong

- a) That a By-law to Establish Tax Ratios For Regional Purposes and Area Municipal Purposes for the Year 2015 be read a first, second and third time, finally passed and numbered 15-022 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.
- b) That a By-law to Establish and Levy Rates of Taxation For Regional Purposes for the Year 2015 be read a first, second and third time, finally passed and numbered 15-023 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.
- c) That a By-law to Confirm the Actions of Council of April 1, 2015 be read a first, second and third time, finally passed and numbered 15-024 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.

Carried

**Adjourn**

Moved by S. Foxton

Seconded by H. Jowett

That the meeting adjourn at 7:20 p.m.

Carried

**Regional Chair, K. Seiling**

**Deputy Regional Clerk, L. Wetzel**