Regional Council Minutes

Wednesday, April 20, 2016

The following are the minutes of the Regular Council meeting held at 7:20 p.m. in the Regional Council Chamber, 150 Frederick Street, Kitchener, Ontario, with the following members present: Chair K. Seiling, L. Armstrong, E. Clarke, D. Craig, S. Foxton, T. Galloway, D. Jaworsky, H. Jowett, J. Mitchell, J. Nowak, K. Redman, S. Shantz, S. Strickland, B. Vrbanovic.

Members Absent: K. Kiefer, G. Lorentz

Closed Session

Moved by H. Jowett

Seconded by K. Redman

That a closed meeting of Council be held on Wednesday, April 20, 2016 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) labour relations and receiving of advice subject to solicitor-client privilege related to an agreement
   b) proposed or pending litigation and receiving of legal advice subject to solicitor-client privilege related to an agreement

   Carried

Moved by E. Clarke

Seconded by L. Armstrong

That Council reconvene in Open Session.

   Carried

2115501
Declarations of Pecuniary Interest under the “Municipal Conflict Of Interest Act”

K. Seiling declared a conflict on Item #1 on the Planning & Works Summary due to Hawk Ridge Homes being the former estate of his deceased mother in-law.

Presentations

a) FCM Sustainable Community Awards: Brownfields and Community Climate Action Plan

Rob Horne, Commissioner, Planning, Development & Legislative Services, presented the awards, noting the focus is partnership. He stated the awards were received earlier this year at a ceremony in Ottawa. He briefly highlighted each award, noting the community climate action plan and the brownfield project for the Breithaupt block.

b) Employee Awards for Values Excellence Recipients

Mike Murray, Chief Administrative Officer provided an overview of the Employee Awards for Values Excellence Awards program and noted a number of this year’s recipients were present at the meeting. A copy of the presentation is appended to the original minutes. He provided background information on each of the recipients and Chair Seiling presented those present with a certificate and thanked them for their contributions.

Minutes of Previous Meetings

J. Mitchell requested an amendment to page 6 of the April 5, 2016 Licensing & Hearings Committee Public Input Meeting minutes, under Robert Stephens, to remove “He advocated for the removal of the ratios.”

Moved by D. Jaworsky

Seconded by S. Foxton

That the following Minutes be approved:

a) Licensing and Hearings Public Input – March 29, 2016

b) Closed Council – March 30, 2016

c) Council – March 30, 2016

d) Licensing and Hearings Public Input – April 5, 2016

e) Closed Committee – April 12, 2016

f) Planning & Works – April 12, 2016
g) Administration & Finance – April 12, 2016

h) Community Services – April 12, 2016

i) All Council – April 15, 2016
   Carried, as amended

Communications

Ted McMeekin, Minister of Municipal Affairs and Housing, regarding Municipal Elections Modernization Act, 2016 was requested to be brought forward from the Information package by E. Clarke. Chair Seiling suggested a report come back on this matter to an upcoming Committee agenda. J. Mitchell requested the size of Council also be considered at that time. Chair Seiling stated this is just dealing with amendments to the Municipal Elections Act.

Moved by K. Redman
Seconded by L. Armstrong

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

Carried

Finance Reports

a) COR-TRY-16-38, T2016-105 Fischer-Hallman Road Improvements, Ottawa Street to Bleams Road, City of Kitchener

Moved by S. Strickland
Seconded by D. Jaworsky

That the Regional Municipality of Waterloo accept the tender of Capital Paving Inc. for Fischer-Hallman Road Improvements, Ottawa Street to Bleams Road, City of Kitchener in the amount of $4,161,063.94 plus all applicable taxes as set out in Report COR-TRY-16-38 dated April 20, 2016.

Carried

b) COR-TRY-16-39, T2016-157 Hutchison Road and William Hastings Line Reconstruction, Village of Crosshill, Township of Wellesley, Ontario

Moved by S. Strickland
Seconded by D. Jaworsky
2115501
That the Regional Municipality of Waterloo accept the tender of E & E Seegmiller Limited for T2016-157 Hutchison Road and William Hastings Line Reconstruction, Village of Crosshill, Township of Wellesley, Ontario in the amount of $1,979,233.00 plus all applicable taxes as set out in Report COR-TRY-16-39 dated April 20, 2016.

Carried

c) COR-TRY-16-40, T2016-118 Cambridge Centre Terminal

Moved by S. Strickland

Seconded by D. Jaworsky

That the Regional Municipality of Waterloo accept the tender of M.J. Dixon Construction Ltd. for T2016-118 Cambridge Centre Terminal, at an adjusted amount of $3,468,800.00 plus all applicable taxes as set out in report COR-TRY-16-40 dated April 20, 2016.

Carried

d) COR-TRY-16-41, T2016-123 Rehabilitation of the Nafziger Road Bridge, Nafziger Road, Between Gerber Road and Lisbon Road, Township of Wilmot

Moved by S. Strickland

Seconded by D. Jaworsky

That the Regional Municipality of Waterloo accept the tender of Carlington Construction Inc. for the Rehabilitation of the Nafziger Road Bridge, Nafziger Road, Between Gerber Road and Lisbon Road, Township of Wilmot in the amount of $891,487.00 plus all applicable taxes as set out in Report COR-TRY-16-41 dated April 20, 2016.

Carried

e) COR-TRY-16-42, T2016-119 Ira Needles Boulevard (Regional Road No. 70) Widening and Roundabouts, 200m South of Thorndale Drive to Chablis Drive, City of Waterloo

Moved by S. Strickland

Seconded by D. Jaworsky

That the Regional Municipality of Waterloo accept the tender of Steed and Evans Limited for T2016-119 Ira Needles Boulevard (Regional Road No. 70) Widening and Roundabouts, 200m South of Thorndale Drive to Chablis Drive, City of Waterloo in the amount of $3,822,745.00 plus all applicable taxes as set out in Report COR-TRY-16-42 dated April 20, 2016;
And that the Regional Municipality of Waterloo approve an increase in project costs of $1,067,694.81 gross and $0.00 net to facilitate the construction of the Thorndale Drive Extension, including roundabout, storm sewer and watermain, undertaken on behalf of the City of Waterloo.

Carried

f) COR-TRY-16-43, T2016-139 Victoria Street Improvements, Fisher-Hallman Road to Eastforest Trail and Asphalt Resurfacing, City of Kitchener, Ontario

Moved by S. Strickland

Seconded by D. Jaworsky

That the Regional Municipality of Waterloo accept the tender of Capital Paving Inc. for T2016-139 Victoria Street Improvements, Fisher-Hallman Road to Eastforest Trail and Asphalt Resurfacing, City of Kitchener, Ontario in the amount of $1,177,077.00 plus all applicable taxes as set out in Report COR-TRY-16-43 dated April 20, 2016;

And that the Regional Municipality of Waterloo approve an increase in the project cost of $6,569.45 gross and $0 net to facilitate work undertaken on behalf of the City of Kitchener.

Carried

g) COR-TRY-16-44, T2016-148 Materials Recycling Centre (MRC) HVAC / Building Automation System (BAS) Upgrades

Moved by S. Strickland

Seconded by D. Jaworsky

That the Regional Municipality of Waterloo accept the tender of Velocity Mechanical Inc., for T2016-148 MRC HVAC / BAS Upgrades in the amount of $169,900.00 plus all applicable taxes as set out in report COR-TRY-16-44 dated April 20, 2016.

Carried

h) COR-TRY-16-45, P2016-04 Sunnyside Home Kitchen & Café Cleaning Products

Moved by S. Strickland

Seconded by D. Jaworsky

That the Regional Municipality of Waterloo accept the proposal of Diversey Canada Inc., a subsidiary of Sealed Air Corporation, for P2016-04 Sunnyside Home Kitchen & Café Cleaning Products for a contract period of three (3) years commencing May 1, 2016 and ending April 30, 2019 with the option to renew for two (2) additional one (1) years.
year periods at an estimated cost of $167,352.15 plus applicable taxes as set out in report COR-TRY-16-45 dated April 20, 2016.

Carried

i) COR-TRY-16-46, Waterloo Waste Water Treatment Plant Upgrade Contract 4 – Completion Contract, Extension of Consulting Agreement and Funding Agreement

Moved by S. Strickland

Seconded by D. Jaworsky

That the Regional Municipality of Waterloo enter into an agreement with H2Ontario Inc. to complete Waterloo Waste Water Treatment Plant Upgrade Contract 4 for the amount of $6,766,920.85 plus all applicable taxes as set out in Report COR-TRY-16-46;

And that the Regional Municipality of Waterloo extend the Consulting Agreement with AECOM Canada Ltd. to provide contract administration services for the completion of Waterloo Waste Water Treatment Plant Upgrade Contract 4 on a time basis up to an upset amount of $984,000 plus all applicable taxes;

And that on a without prejudice basis the Commissioner, Transportation and Environmental Services, execute an agreement on behalf of the Region with Travelers Guarantee Company of Canada, as the surety, in a form acceptable to the Regional Solicitor and the Commissioner, for the surety’s contribution with respect to the cost of completion of the Waterloo Waste Water Treatment Plant Upgrade Contract 4 pursuant to the performance bond;

And that the Regional Municipality of Waterloo approve an increase in the project budget of $3,247,600 inclusive of all applicable taxes and $0 net to facilitate the cost of the work being funded by the surety.

Carried

j) Memo: Continuity of Tax Stabilization Reserve Fund

Received for information.

Committee Reports

Planning and Works

The Summary of Recommendations of the Planning and Works Committee was presented by Tom Galloway, Chair of the Committee. Item # 1 was taken separately due to the pecuniary interest.
Moved by T. Galloway

Seconded by H. Jowett

That the Summary of Recommendations of the Planning and Works Committee, dated April 12, 2016, Item 1, be adopted as follows:


Carried

Moved by T. Galloway

Seconded by H. Jowett

That the Summary of Recommendations of the Planning and Works Committee, dated April 12, 2016, Items 2 to 6, and one report from closed session, Item 7, be adopted as follows:

2. That the Region of Waterloo promote the 2016 Census and encourage all residents of the Region of Waterloo to complete their census forms, as described in Report No. PDL-CPL-16-24, dated April 12, 2016.

3. That the Regional Municipality of Waterloo:
   a) declare an easement interest in the lands described as Part Lots 31 and 32, German Company Tract, part of PIN 22727-4547 (LT) as shown as Part 1, on Reference Plan 58R-18775, in the City of Kitchener surplus to the needs of the Region, as detailed in Report No. PDL-LEG-16-32 dated April 12, 2016, and provide the standard public notification as required by the Region’s property disposition by-law; and
   b) approve, enter into an Agreement for, and execute all documentation related to, the conveyance of a permanent easement to The Corporation of the City of Kitchener for the sum of $1.00, for the maintenance of a natural gas main, or other municipal services, on, over and under the lands, as part of the City’s transmission system, described as Part Lots 31 and 32, German Company Tract, part of PIN 22727-4547 (LT) as shown as Part 1, on Reference Plan 58R-18775, in the City of Kitchener as detailed in Report No. PDL-LEG-16-32 dated April 12, 2016 pursuant to the Region’s property disposition by-law and the satisfaction of the Regional Solicitor.

4. That the Regional Municipality of Waterloo approve the Wilmot pilot transit service to be implemented effective Monday, April 25, 2016, as described in Report No. TES-TRS-16-10, dated April 12, 2016;
And that the Regional Municipality of Waterloo enter into an agreement with 947465 Ontario Ltd. operating as Voyageur Transportation Services to operate this service at an upset limit of $123,300 plus applicable taxes.

5. That the Regional Municipality of Waterloo, upon completion of construction, amend Traffic Parking By-Law 06-072, as amended, to:

i) Add to Schedule 16 – Lane Designation, Northbound Left-turn, Left-turn lane on Fischer-Hallman Road (Regional Road 58) at Ottawa Street (Regional Road 4);

ii) Add to Schedule 16 – Lane Designation, Southbound Left-turn, Left-turn lane on Fischer-Hallman Road (Regional Road 58) at Ottawa Street (Regional Road 4);

iii) Add to Schedule 20 – Centre Lane Two-Way Left-Turn, on Fischer-Hallman Road (Regional Road 58) from 110 metres south of Ottawa Street (Regional Road 4) to 190 metres south of Ottawa Street (Regional Road 4);

iv) Add to Schedule 24 – Reserved Cycling Lanes Anytime on the west side of Fischer-Hallman Road (Regional Road 58) from 21 metres south of Ottawa Street (Regional Road 4) to 68 metres south of Ottawa Street (Regional Road 4);

v) Add to Schedule 24 – Reserved Cycling Lanes Anytime on east side of Fischer-Hallman Road (Regional Road 58) from 13 metres north of Bleams Road (Regional Road 56) to 210 metres north of Bleams Road (Regional Road 56); and in the City of Kitchener, as outlined in report TES-TRP-16-09, dated April 12, 2016.

6. That the Regional Municipality of Waterloo:

i. approve the Curbside Waste Collection Policy Changes Implementation Plan, which includes an enhanced public outreach and education program, implementation of a bag/container tag program and the necessary resources to support the transition to the new waste collection service levels and contract that come into effect in March 2017;

ii. amend the 2016 Waste Management Division Operating Budget to include expenditures of $799,000 to prepare for the implementation of the new collection contract, to be funded from the Tax Stabilization Reserve Fund with no tax levy impact; and
iii. amend the 2016 Waste Management Division Capital Program, with no 2016 tax levy impact,

as set out in Report TES-WMS-16-03 dated April 12, 2016.

7. That the Regional Municipality of Waterloo approve the following membership and associated length of term for the Active Transportation Advisory Committee:

Mr. Mike Shipley, for a term ending December 31, 2018.

Carried

Administration and Finance

The Summary of Recommendation of the Administration and Finance Committee was presented by Sean Strickland, Chair of the Committee.

Moved by S. Strickland

Seconded by D. Jaworsky

That the Summary of Recommendations of the Administration and Finance Committee dated April 12, 2016, Item 1, be adopted as follows:

1. That the Regional Municipality of Waterloo appoint Agree Incorporated as the Ombudsman for the Region of Waterloo for the period June 1, 2016 – May 31, 2018, with an option to renew for two (2) additional two (2) year terms (total of 6 years);

And That the Region Municipality of Waterloo enter into a retainer agreement with Agree Incorporated to provide Ombudsman Services on a fee for service basis for the period June 1, 2016 to May 31, 2018, as described in report PDL-CAS-16-07 dated April 12, 2016.

Carried

Community Services

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

Moved by S. Foxton

Seconded by L. Armstrong

2115501
That the Summary of Recommendations of the Community Services Committee dated April 12, 2016, Items 1 to 5, and one report from closed session, Item 6, be adopted as follows:

1. That the Regional Municipality of Waterloo enter into a funding contract effective April 1, 2016 with Sunshine Montessori School Limited, operated as Sunshine Montessori, located at 10 Boniface, Kitchener, Ontario, as outlined in report CSD-CHS-16-10, dated April 12, 2016.

2. That the Regional Municipality of Waterloo formally endorse the 2016 Federation of Canadian Municipalities (FCM) resolution requesting the Federal Government to examine publishers’ current practices in making eBooks available to public libraries, as described in Report PDL-LIB-16-04, dated April 12, 2016.

3. That the Regional Municipality of Waterloo approve an expenditure of up to $385,000 to be funded from the Public Art Reserve Fund for up to seven artwork projects to be incorporated into the ION Light Rail Transit corridor, as described in Report PDL-CUL-16-05, dated April 12, 2016; And that the ION Light Rail Transit Public Art jury be directed to review the budget required to fund recommended artwork projects as part of their work and report back to Council if the approved budget requires amendment; And that Councillors Tom Galloway and Jane Mitchell be appointed to the ION Light Rail Transit Public Art Project jury.

4. That the Regional Municipality of Waterloo, as the Board of Health, communicate its support to the Government of Ontario for its continued efforts to protect Ontarians by strengthening the Smoke Free Ontario Act and the Electronic Cigarettes Act (2015) as described in the document “Proposed changes to regulations made under the Smoke-Free Ontario Act and Electronic Cigarettes Act, 2015”;

And that the Regional Municipality of Waterloo forward a copy of report PHE-HLV-16-03, dated April 12, 2016 to the Minister of Health and Long-Term Care.

5. That the Regional Municipality of Waterloo request the federal Minister of Health and provincial Minister of Health and Long-Term Care develop consistent real-time monitoring and surveillance of opioid use and overdoses in Canada and Ontario as outlined in the Municipal Drug Strategy Co-ordinator’s Network of Ontario’s Prescription for Life report;

And that the Regional Municipality of Waterloo request the Minister of Health and Long-Term Care develop an overdose prevention and intervention plan for Ontario;

2115501
And that the Regional Municipality of Waterloo, for information, forward a copy of report PHE-IDS-16-03, dated April 12, 2016, to the federal Minister of Health, provincial Minister of Health and Long-Term Care, the Chief Medical Officer of Health for Ontario, Public Health Ontario, local area Members of Parliament (MPs), local area Members of Provincial Parliament (MPPs), and the Waterloo Wellington Local Health Integration Network.

6. That the Regional Municipality of Waterloo endorse the nomination of Barb Wilkie for the Senior of the Year award presented annually by the Ministry of Citizenship, Immigration and International Trade.

Carried

Licensing and Hearings

The Summary of Recommendations of the Licensing and Hearings Committee was presented by Jane Mitchell, Chair of the Committee.

Moved by J. Mitchell

Seconded by E. Clarke

That the Summary of Recommendations of the Licensing and Hearings Committee dated April 20, 2016, Item 1, be adopted as follows:

1. That the Regional Municipality of Waterloo direct staff to prepare a by-law for taxis and taxi-type services based on the recommended policy framework, as described in Report No. PDL–CAS-16-08, dated April 20, 2016, and including the following key elements:

   • That the Region continue to regulate taxi and taxi-type services in Waterloo Region;
   • That the current taxi, limousine and special transportation by-laws be opened and amended accordingly to allow non-traditional taxis to be licensed and regulated;
   • That the new by-law be based on a hybrid model that combines both the traditional and broker models;
   • That limits on licenses for traditional taxis will be reconsidered and perhaps phased out with ratios to be examined and that limits not be imposed on new entrants established under the hybrid model;
   • That fares be set for taxis that provide a “hail” service/taxi stand service, but do not impose a fee for pre-booked services;
   • That staff review and modify as necessary the current rate/ratio for existing accessible vehicles and continue to explore opportunities for imposing additional fees and surcharges on those operations that do not meet or will
not meet Regionally imposed accessible vehicle rate/ratios, provided that there be no diminishment of service for passengers requiring accessible service.;
• That the Region request the Province of Ontario to adopt legislative changes that would allow municipalities to impose fees and surcharges on Private Transportation Companies;

And that staff apply the guiding principles of public safety, accessibility and consumer protection, including a level playing field, modernizing and simplifying regulation and innovation (as described in this report) in preparing the detailed regulations for a new by-law.

Carried

Other Matters Under Committee Of The Whole

Moved by K. Redman
Seconded by S. Shantz

That Committee of the Whole rise and Council resume.

Carried

Moved by S. Foxton
Seconded by L. Armstrong

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

Carried

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

Moved by K. Redman
Seconded by H. Jowett

a) That a By-law to Confirm the Actions of Council of April 20, 2016 be read a first, second and third time, finally passed and numbered 16-018 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.

Carried

2115501
Adjourn

Moved by S. Foxton

Seconded by L. Armstrong

That the meeting adjourn at 7:45 p.m.

Carried

Regional Chair, K. Seiling

Regional Clerk, K. Fletcher
Employee Awards for Values Excellence Award Winners
Innovation
ROWPSV Patient Advocacy Committee

Brennan Kincaid
James Topham
Michelle Novar
Theresa Evans
Integrity
Heather Beitz
Collaboration
Waste Management GIS
Team

Deanna Dakin  Sean Berry
Kathleen  Stanley
Sidaway  Mwalwanda
Matt Pearson  Susan Langley
Innovation

Eric Saunderson
Service
Brandon Roberts
Collaboration
Community Alzheimer Program, YODA Team

Cherie Karn  Kelly Sproule
Corrie Bradley  Laura Sider
Erin Shoup  Stella Freiberg
Janice Klassen  Susan Cressman
Janice Paul
Respect
Julie Hill
Collaboration

ePDP Implementation Team

Adam Currins  Komal Shah
Ash Hassanien  Pam Meyers
Danielle Seiler  Timothy Van Vliet
Jeff McKenna  Vickie Quigg
Service

Amy Rivers
**Collaboration**  
**Housing Crisis Transition Team**

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Employee Awards for Values Excellence

Recognize
Appreciate
Value
Employees