



## **Regional Council Minutes**

**Wednesday, May 11, 2016**

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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, E. Clarke, D. Craig, T. Galloway, D. Jaworsky, H. Jowett, K. Kiefer, G. Lorentz, J. Mitchell, J. Nowak, S. Shantz, S. Strickland, B. Vrbanovic.

Members Absent: S. Foxtan and K. Redman

### **Declarations of Pecuniary Interest under the “Municipal Conflict of Interest Act”**

E. Clarke declared an indirect pecuniary interest with respect to Item #2 a) on the Community Services Summary of Recommendations due to her employment with the YWCA.

K. Seiling declared a pecuniary interest with respect to Item #2 c) on the Community Services Summary of Recommendations due to his wife’s volunteer work with the Woolwich Counselling Centre.

### **Minutes of Previous Meetings**

Moved by J. Nowak

Seconded by S. Shantz

That the following Minutes be approved:

- a) Closed Council – April 20, 2016
- b) Licensing & Hearings – April 20, 2016
- c) Council – April 20, 2016
- d) Closed Audit – April 26, 2016

- e) Planning & Works – May 3, 2016
- f) Administration & Finance – May 3, 2016
- g) Closed Committee – May 3, 2016
- h) Community Services – May 3, 2016

Carried

Moved by K. Kiefer

Seconded by L. Armstrong

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

Carried

### **Finance Reports**

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

Moved by S. Strickland

Seconded by B. Vrbanovic

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

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

Carried

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

Moved by S. Strickland

Seconded by B. Vrbanovic

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

Carried

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

Moved by S. Strickland

Seconded by B. Vrbanovic

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

Carried

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

A question was raised as to why no specific prices are provided. Craig Dyer, Chief Financial Officer advised prices are shown on tenders not proposals.

Moved by S. Strickland

Seconded by B. Vrbanovic

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

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

Carried

### **Planning, Development & Legislative Services Reports**

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

Moved by S. Strickland

Seconded by B. Vrbanovic

That The Regional Municipality of Waterloo:

- (a) declare lands described as Part of Lot 3, Subdivision of Lot 14, German Company Tract, being Part 1, 58R18783, Part of PIN 22377-0005, in the City of Waterloo forming part of lands adjacent to the Waterloo Spur in the vicinity of Waterloo Park currently utilized as part of the City of Waterloo's Central Promenade (Trans-Canada) Trail as more particularly depicted in Appendix "A" hereto (the "Region Surplus Lands") surplus to the needs of the Region as detailed in Report PDL-LEG-16-25 dated May 11, 2016 and provide public notification in accordance with the Region's Property Disposition By-Law 95-034 (the "Property Disposition By-Law"); and
- (b) Approve, enter into an agreement for, and execute all documentation related to a land swap with The Corporation of the City of Waterloo (the "City") wherein the Region Surplus Lands will be exchanged for nominal consideration with certain fee simple and easement interests required from the City for Stage 1 of Rapid Transit as more particularly described below and in accordance with the Region's Property Disposition By-Law, as well as, on such terms and conditions as satisfactory to the Regional Solicitor:

**Easement Interests To Be Acquired :**

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

**Fee Simple Interests To Be Acquired:**

- (i) Part 3 on 58R-18783 being Part of PIN 22377-0004, in the City of Waterloo;
- (ii) Part 1 on 58R-10095 being part of PIN 22377-0182, in the City of Waterloo; and
- (iii) Parts 2, 3 and 4 58R-17322 being part of PIN 22377-0003, in the City of Waterloo.

Carried

## Committee Reports

### Planning and Works

The Summary of Recommendations of the Planning and Works Committee was presented by Karl Kiefer, Vice Chair of the Committee.

Moved by K. Kiefer

Seconded by H. Jowett

That the Summary of Recommendations of the Planning and Works Committee, dated May 3, 2016, Items 1 to 6, be adopted as follows:

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

#### **Fee Simple Partial Taking:**

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

And that staff be instructed to register a Plan of Expropriation for the property within three months of the granting of the approval to expropriate the property, as required by the *Expropriations Act*;

And that the registered owners be served with a Notice of Expropriation and a Notice of Possession for the property after the registration of the Plan of Expropriation and the Regional Solicitor is authorized to take any and all actions

required to enforce such Notices including but not limited to any application pursuant to Section 40 of the *Expropriations Act*;

And that all above-referenced fee simple partial takings situated adjacent to an existing Regional public highway be acquired for road widening purposes and therefore be deemed to form part of the adjacent public highway in accordance with subsection 31(6) of the Municipal Act, 2001, S. O. 2001, c.25;

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

And Further That the Regional Solicitor be authorized to discontinue expropriation proceedings or any part thereof, in respect of the above described lands, or any part thereof, upon the registration on title of the required documentation to complete the transaction or if determined by the Commissioner of Transportation and Environmental Services that such lands, or any part or interest thereof, are not required for the subject Project.

2. That the Regional Municipality of Waterloo accept the 2016 Water and Wastewater Monitoring Report summarized in Report TES-WAS-16-13/PDL-CPL-16-28, dated May 3, 2016, as the account of water supply and wastewater treatment capacity as of December 31, 2015.
3. That the Regional Municipality of Waterloo enter into the End User Maintenance Agreement (EUMA) for the on-going support of software services provided by INIT Innovations in Transportation, Inc. at a total cost of \$608,137.88 for a three year term, plus applicable taxes, on terms and conditions satisfactory to the Commissioner, Transportation and Environmental Services and the Regional Solicitor;

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

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

5. That The Regional Municipality of Waterloo approve the Source Water Protection Incentive Program project categories, funding rates and maximum grants as outlined in report TES-WAS-16-14 dated May 3, 2016;

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

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

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

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

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 G. Lorentz

That the Summary of Recommendations of the Administration and Finance Committee dated May 3, 2016, Items 1 to 5, be adopted as follows:

1. That Councillor Joe Nowak be appointed to the Regional Development Charges Steering Committee.
2. That the minutes of the Audit Committee meeting held April 26, 2016 be approved.

3. That the Regional Municipality of Waterloo approve the Consolidated Financial Statements, the Sinking Fund Financial Statements, and the Trust Fund Financial Statements, all for the fiscal year ending December 31, 2015 as set out in Report COR-FSD-16-11.1, dated May 3, 2016.
4. That the Regional Municipality of Waterloo approve the timeline and evaluation team membership for the Request for Proposal for External Audit Services (2016-2020 fiscal years) as set out in Report COR-FSD-16-12.1, dated May 3, 2016.
5. That the Regional Municipality of Waterloo take the following actions on Grants to Community Organizations and Economic Development and Promotion Grants as outlined in Report CC-16-01, dated May 3, 2016:
  - a. Approve 2016 Grants to Community Organizations and 2016 Economic Development and Promotion Grants to the organizations receiving ongoing grants in 2015, at the same level as 2015, as shown in Appendix 1;
  - b. Transfer all of the current ongoing grants awarded under the Grants to Community Organizations Program and the Economic Development and Promotion (EDP) Grants Program, and their associated budgets, effective January 1, 2017, to the designated program areas for staff to administer as set out in Appendix 2;
  - c. Provide at least the same level of funding in 2017 as was provided in 2015 and 2016, through the receiving program areas to the organizations receiving ongoing funding under the Grants to Community Organization program and the EDP Grants Program as shown in Appendix 1;
  - d. Conduct reviews during 2017, through the receiving program areas, of all of the funded organizations with such reviews to determine:
    - i. The extent to which each of the organization's programs and services directly support the Region's 2015-2018 Strategic Objectives,
    - ii. Whether or not the organization(s) should continue to receive Regional funding support in future years (beyond 2017),
    - iii. If the form of funding provided to the organization(s) should be changed to a purchase of service agreement or other funding form;
  - e. Direct the receiving program areas to report back to Administration and Finance Committee by September 1, 2017 on the results of these reviews including recommendations for any changes to the level or form of funding for these organizations;



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

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

Carried

### Community Services

The Summary of Recommendations of the Community Services Committee was presented by Geoff Lorentz, Chair of the Committee. Items 2 a) and c) were taken separately due to the pecuniary interests.

Moved by G. Lorentz

Seconded by K. Kiefer

That the Summary of Recommendations of the Community Services Committee dated May 3, 2016, Item 1, be adopted as follows:

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

Carried

Moved by G. Lorentz

Seconded by K. Kiefer

That the Summary of Recommendations of the Community Services Committee dated May 3, 2016, Item 2 a), be adopted as follows:

2. That the Regional Municipality of Waterloo undertake the following actions with respect to the Social Development Program as outlined in report CSD-EIS-16-09 dated May 3, 2016:

Conflict:  
E. Clarke

- a) Conduct a Request for Proposal (RFP) process to determine a lead agency to administer community outreach programs throughout the Region of Waterloo;

Carried

Moved by G. Lorentz

Seconded by K. Kiefer

That the Summary of Recommendations of the Community Services Committee dated May 3, 2016, Item 2 c), be adopted as follows:

2. That the Regional Municipality of Waterloo undertake the following actions with respect to the Social Development Program as outlined in report CSD-EIS-16-09 dated May 3, 2016:

Conflict:  
K. Seiling

- c) Enter into contracts effective January 1, 2017 with Carizon Family and Community Services, Family Counselling Centre of Cambridge and North Dumfries, Interfaith Community Counselling Centre, Kitchener-Waterloo Counselling Services Inc., Shalom Counselling Services Inc. and Woolwich Counselling Centre for the ongoing provision of counselling services;

Carried

Moved by G. Lorentz

Seconded by K. Kiefer

That the Summary of Recommendations of the Community Services Committee dated May 3, 2016, Items 2 b) & d), be adopted as follows:

2. That the Regional Municipality of Waterloo undertake the following actions with respect to the Social Development Program as outlined in report CSD-EIS-16-09 dated May 3, 2016:

- b) Enter into an agreement with the Food Bank of Waterloo Region effective January 1, 2017 to act as a lead agency to provide a range of food hamper and food security services throughout Waterloo Region;

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

Carried

### **Regional Chair**

- a) RC-16-01, Fort McMurray Disaster Relief

Chair Seiling advised research will be done as to what each agency is doing and donate accordingly. There was a question about matching funds and it was noted they are only for private donations, not municipal funds.

A question was raised where the money will come from and C. Dyer advised it will be charged to the Corporate financial budget and it will form part of the year end position.

Moved by B. Vrbanovic

Seconded by L. Armstrong

That Regional Council approve a donation of \$25,000.00 towards disaster relief work related to the Fort McMurray fires and evacuation.

Carried

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

- a) Update on Licensing and Hearings Committee Meeting

Kris Fletcher, Director, Council and Administrative Services/Regional Clerk advised a poll was taken about the start time of the June 8<sup>th</sup> meeting and it was agreed to start the meeting at 1:00 p.m. If there is an indication that there will not be a large number of delegations, the meeting start time will be adjusted accordingly.

Moved by D. Jaworsky

Seconded by L. Armstrong

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

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

Moved by S. Shantz

Seconded by J. Mitchell

- a) That a By-law to Expropriate Lands For The Purpose Of Reconstruction Of Ottawa Street (Regional Road 4) From Dreger Avenue To Midland Road In The City Of Kitchener In The Region Of Waterloo be read a first, second and third time, finally passed and numbered 16-019 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.
- b) That a By-law to Establish Certain Procedures for Purposes of Enforcement of Part IV of the Clean Water Act, 2006 be read a first, second and third time, finally passed and numbered 16-020 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.
- c) That a By-law to Amend By-law 16-001, being a By-law to Establish Fees and Charges for the Regional Municipality of Waterloo (Clean Water Act, 2006) be read a first, second and third time, finally passed and numbered 16-021 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.
- d) That a By-law to Confirm the Actions of Council of May 11, 2016 be read a first, second and third time, finally passed and numbered 16-022 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.

Carried

### **Adjourn**

Moved by K. Kiefer

Seconded by G. Lorentz

That the meeting adjourn at 7:21 p.m.

Carried

**Regional Chair**, K. Seiling

**Regional Clerk**, K. Fletcher