Regional Council Minutes

Wednesday, June 1, 2016

The following are the minutes of the Regular Council meeting held at 7:00 p.m. in the Regional Council Chamber, 150 Frederick Street, Kitchener, Ontario, with the following members present: Chair K. Seiling, L. Armstrong, E. Clarke, S. Foxton, T. Galloway, D. Jaworsky, H. Jowett, K. Kiefer, G. Lorentz, J. Mitchell, J. Nowak, K. Redman, S. Shantz, S. Strickland and B. Vrbanovic.

Members Absent: D. Craig

Closed Session

Moved by L. Armstrong

Seconded by K. Redman

That a closed meeting of Council be held on Wednesday, June 1, 2016 at 6:45 p.m. in the Waterloo County Room in accordance with Section 239 of the Municipal Act, 2001, for the purposes of considering the following subject matters:

a) potential litigation and related advice that is subject to solicitor-client privilege pertaining to proposed or pending acquisition of property in the City of Kitchener

Carried

Moved by E. Clarke

Seconded by B. Vrbanovic

That Council reconvene in Open Session.

Carried

Declarations of Pecuniary Interest Under the “Municipal Conflict Of Interest Act”

S. Foxton disclosed a pecuniary interest with respect to Finance Report COR-TRY-16-57, T2016-130 Waterloo Regional Housing Furnace Replacements as her son-in-law is employed by Hy-Mark Mechanical Ltd.

2144488
Presentations

a) ION Update - June 2016

T. Galloway introduced a video of the ION construction to date. Staff were congratulated on the preparation of the video. The video will be uploaded to the Region’s website.

Delegations

a) Re: Items# 5-7 on the Planning & Works Summary (Traffic & Parking By-law)

i) Alain Francq, President, Waterloo Cycling Club appeared before Council with respect to the Traffic & Parking By-law. They have 450 members across the Region and safety is their primary concern. He stated allowing the two abreast provision creates the safest environment for cyclists and motorists. He stated it is imperative that the provision be unanimous across the Region and align with the Highway Traffic Act. A copy of his presentation is appended to the original minutes.

Councillors had questions regarding education and how that can be better facilitated between cyclists, pedestrian and motorists. A. Francq stated they are advocates and are willing to assist in creating a network to promote education. There was discussion about partnerships in schools and educating the youth.

A question was raised as to how to reach the non-cycling club members. A. Francq showed a powerpoint presentation from the Waterloo Regional Police Services that can be used to educate a larger group of people. A copy is appended to the original minutes. A suggestion was made to prepare an education video on this issue.

A. Francq was asked if there has been any outreach to the rural community, including Mennonites and farmers. He advised the Cycling Club did an outreach last year and connected with the residents in the area while cleaning up the roadside.

ii) Peter Dedes, Kitchener Cycling and Trails Advisory Committee appeared before Council in support of allowing the riding abreast provisions for cyclists. He stated the Township roads should be recognized for the heritage they have for the cycling industry in the Region. It is time to modernize and communicate so that motorists and cyclists can co-exist on the roads.

iii) Mike Boos appeared before Council regarding the Traffic & Parking By-law and highlighted the By-law review. He noted the education and promotion of safe cycling that has been done in the Region, including Bikefest and Cycling into the Future. He highlighted the need for additional resources to do more education. He urged Council to remove the provisions in the by-law and allow two abreast riding for cyclists.

2144488
Items 5-7 from the Planning & Works Summary of Recommendations were brought forward for consideration. The items were taken separately. A recorded vote was requested by G. Lorentz.

Councillors discussed the recommendation. An inquiry was made if the Highway Traffic Act supersedes any local by-laws. Debra Arnold, Regional Solicitor, advised that municipal by-laws can be passed where the Province has given the authority. The by-law and Highway Traffic Act can co-exist.

An accident on Hessen-Strasse in Wellesley Township was highlighted and the charges that were laid. A question was raised if having the prohibition in place gives Police an extra tool in finding fault. D. Arnold advised if the offence is in the By-law, the Police can lay a charge. With respect to insurance liability there are different standards for the insurance industry.

There was discussion about certain roads with potential problem areas and if remedial action is required. Thomas Schmidt, Commissioner Transportation and Environmental Services stated it is difficult to determine all potential problems and cyclists and motorists need to be aware of the challenges and use discretion. A proper education program needs to be in place.

There as an inquiry regarding “do not pass” signs and T. Schmidt clarified if the request was about markings on the centre line of the road as he was not aware of any signs in the Region. He stated that lines are placed in the centre of road based on sight lines.

S. Shantz stated Woolwich Township has concerns with the hills and bends in roads, and are concerned with removing the riding abreast prohibition in the By-law and that additional education is required. There is a need for consistency with the Highway Traffic Act and the elimination of the unique cycling rules.

It was noted that staff were given direction to prepare an educational program at last week’s Committee meeting. Staff were requested to report back on options for this program.

Moved by T. Galloway

Seconded by B. Vrbanovic

5. That the Regional Municipality of Waterloo enact the recommended Traffic and Parking By-law to regulate traffic and parking on Regional roads, as amended and as outlined in Appendix A of Report TES-TRP-16-01, dated May 24, 2016 subject to the following amendments;

And that the By-law comes into effect on January 1, 2017.
Moved by T. Galloway
Seconded by B. Vrbanovic

b) That the Traffic and Parking by-law be amended by removing Part IV 2 c) - Riding Abreast.

Carried


Nays: J. Nowak, S. Shantz, S. Strickland

Moved by T. Galloway
Seconded by B. Vrbanovic

a) That the Traffic and Parking by-law be amended by removing the wording from Part V 9. “except that the driver of a passenger vehicle may temporarily stop in a taxicab stand for the purpose of and while actually engaged in loading or unloading passengers and/or merchandise provided that such stopping does not interfere with any taxicab entering or existing such taxicab stand”.

Carried Unanimously


Original motion carried, as amended


Nays: J. Nowak

Minutes of Previous Meetings

Moved by K. Redman
Seconded by S. Strickland
2144488
That the following Minutes be approved:

a) Council – May 11, 2016
b) Closed Committee – May 24, 2016
c) Planning & Works – May 24, 2016
d) Administration & Finance – May 24, 2016
e) Community Services – May 24, 2016

Carried

Moved by K. Kiefer
Seconded by H. Jowett

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

Carried

Finance Reports

a) **COR-TRY-16-55**, T2016-109 Miscellaneous Roadworks at Various Locations, Region 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 T2016-109 Miscellaneous Roadworks at Various Locations, Region of Waterloo in the amount of $1,657,000.00 plus all applicable taxes as set out in report COR-TRY-16-55 dated June 1, 2016.

And that the Regional Municipality of Waterloo approve an increase in project cost of $38,244.94 gross and $0.00 net to facilitate the work undertaken on behalf of the County of Oxford.

Carried

b) **COR-TRY-16-56**, T2016-155 Ottawa Street Widening, Regional Road 4, Lackner Boulevard to Highway 7, Kitchener, Ontario
Moved by S. Strickland

Seconded by D. Jaworsky

That the Regional Municipality of Waterloo accept the tender of E & E Seegmiller Ltd. for T2016-155 Ottawa Street Widening, Regional Road 4, Lackner Boulevard to Highway 7, Kitchener, Ontario in the amount of $7,679,859.80 including all applicable taxes as set out in report COR-TRY-16-56 dated June 1, 2016.

And that the Regional Municipality of Waterloo approve an increase in project cost of $554,328.00 gross and $0 net to facilitate work undertaken on behalf of the City of Kitchener.

Carried

c) COR-TRY-16-57, T2016-130 Waterloo Regional Housing Furnace Replacements

Moved by S. Strickland

Seconded by D. Jaworsky

That the Regional Municipality of Waterloo accept the tender of Hy-Mark Mechanical Ltd. for T2016-130 Waterloo Regional Housing Furnace Replacements in the amount of $953,788.00 plus all applicable taxes as set out in report COR-TRY-16-57 dated June 1, 2016.

Carried

d) COR-TRY-16-58, T2016-163 Waterloo Region Housing, Paulander Drive Watermain and Electrical Upgrades, 40 – 60 Paulander Drive, Kitchener, Ontario

Moved by S. Strickland

Seconded by D. Jaworsky

That the Regional Municipality of Waterloo accept the tender of Norfield Construction Inc. for T2016-163 Waterloo Region Housing, Paulander Drive Watermain and Electrical Upgrades, 40 – 60 Paulander Drive, Kitchener, Ontario in the amount of $668,000.00 plus all applicable taxes as set out in report COR-TRY-16-58 dated June 1, 2016.

And that the Regional Municipality of Waterloo approve an increase in the project cost of $362,800.00 plus applicable taxes to complete the work.

Carried
Committee Reports

Planning and Works

The Summary of Recommendations of the Planning and Works Committee was presented by Tom Galloway, Chair of the Committee. Items 5-7 were dealt with under delegations. An item was brought forward from the closed session held prior to Council.

Moved by T. Galloway
Seconded by K. Kiefer

That the Summary of Recommendations of the Planning and Works Committee, dated May 24, 2016, Items 1 to 4 and 8 to 10, and one item from closed session, Item #11, be adopted as follows:


2. That the Regional Municipality of Waterloo amend Traffic and Parking By-law 06-072, as amended, upon completion of the construction, to:
   a) Remove from Schedule 2, Limited Parking for 2 hours, on the south side of King Street (Regional Road 8) from Dover Street to Argyle Street between the hours of 8:00 a.m. to 6:00 p.m. Monday to Saturday;
   b) Add to Schedule 2, Limited Parking for 2 hours, on the south side of King Street (Regional Road 8) from Dover Street to Waterloo Street between the hours of 8:00 a.m. to 6:00 p.m. Monday to Saturday;
   c) Add to Schedule 2, Limited Parking for 2 hours, on the south side of King Street (Regional Road 8) from 41 metres east of Waterloo Street to Argyle Street between the hours of 8:00 a.m. to 6:00 p.m. Monday to Saturday;
   d) Remove from Schedule 2, Limited Parking for 2 hours, on the north side of King Street (Regional Road 8) from Argyle Street to 21 metres west of Lowther Street between the hours of 8:00 a.m. to 6:00 p.m. Monday to Saturday;
   e) Add to Schedule 2, Limited Parking for 2 hours, on the north side of King Street (Regional Road 8) from 42 metres east of Argyle Street to 14 metres west of Church Street between the hours of 8:00 a.m. to 6:00 p.m. Monday to Saturday;
   f) Add to Schedule 2, Limited Parking for 2 hours, on the north side of King Street

2144488
(Regional Road 8) from Church Street to 21 metres west of Lowther Street between the hours of 8:00 a.m. to 6:00 p.m. Monday to Saturday;

g) Remove from Schedule 2, Limited Parking for 2 hours, on the west side of Water Street (Regional Road 24) from Dickson Street to 24 m north of Main Street between the hours of 9:00 a.m. to 6:00 p.m. Monday to Saturday; 2 Hours No Re-parking;

h) Add to Schedule 2, Limited Parking for 2 hours on the west side of Water Street (Regional Road 24) from 17 metres south of Dickson Street to 36 metres north of Main Street between the hours of 9:00 a.m. to 6:00 p.m. Monday to Saturday;

i) Remove from Schedule 2, Limited Parking for 2 hours, on the east side of Water Street (Regional Road 24) from Main Street to 21 metres north of Warnock Street between the hours of 9:00 a.m. to 6:00 p.m. Monday to Saturday;

j) Add to Schedule 2, Limited Parking for 2 hours, on the east side of Water Street (Regional Road 24) from 25 metres south of Main to 21 metres north of Warnock Street between the hours of 9:00 a.m. to 6:00 p.m. Monday to Saturday;

k) Remove from Schedule 2, Limited Parking for 2 hours, on the west side of Ainslie Street (Regional Road 24) from 43 metres South of Thorne Street to 9 m South of Thorne Street between the hours of 9:00 a.m. to 6:00 p.m. Monday to Saturday;

l) Add to Schedule 2, Limited Parking for 2 hours, on the west side of Ainslie Street (Regional Road 24) 9 metres south of Thorne Street to 35 metres South of Thorne Street between the hours of 9:00 a.m. to 6:00 p.m. Monday to Saturday;

m) Add to Schedule 7, Disabled Person Parking on the south side of King Street (Regional Road 8) from 29 metres east of Waterloo Street to 41 metres east of Waterloo Street;

n) Add to Schedule 7, Disabled Person Parking on the north side of King Street (Regional Road 8) from 30 metres east of Argyle Street to 42 metres east of Argyle Street;

o) Add to Schedule 7, Disabled Person Parking on the north side of King Street (Regional Road 8) from Church Street from 14 metres west of Church Street to 25 metres west of Church Street;
p) Add to Schedule 7, Disabled Person Parking on the west side of Water Street (Regional Road 24) from Dickson Street to 15 metres south of Dickson Street;

q) Add to Schedule 7, Disabled Person Parking on the west side of Water Street (Regional Road 24) from 24 metres north of Main Street to 34 metres north of Main Street;

r) Add to Schedule 7, Disabled Person Parking on the east side of Water Street (Regional Road 24) from Main Street to 25 metres south of Main Street;

s) Add to Schedule 7, Disabled Person Parking on the west side of Ainslie Street (Regional Road 24) from 35 metres south of Thorne Street to 47.5 metres south of Thorne Street; and

in the City of Cambridge, as outlined in Report TES-TRP-16-12, May 24, 2016.

3. That Council of the Regional Municipality of Waterloo approve the expropriation of lands for the purpose of construction of the Franklin Boulevard (Regional Road 36) Extension from Myers Road (Regional Road 43) to South Boundary Road and proposed construction of Phase 1 of the South Boundary Road from Water Street South (Hwy 24) to the Franklin Boulevard Extension (Regional Road 36), part in the Township of North Dumfries and part in the City of Cambridge in the Region of Waterloo as detailed in Report PDL-LEG-16-028 dated May 24, 2016, described as follows:

**Full Taking:**

i. Part of Lot 7, Concession 9, being Parts 9, 10 and 11 on 58R-18766 (All of PIN 03844-0542 (LT)) (1026 Cheese Factory Road, Township of North Dumfries);

**Fee Simple Partial Taking:**

ii. Part of Subdivision Lot 2, Concession 9, East of the Grand River being Part 1 on 58R-18765 (Part of PIN 03844-1944 (LT)) (E/S Water Street South-vacant land, Township of North Dumfries);

iii. Part of Subdivision Lot 2, Concession 9 East of the Grand River being Part 2 on 58R-18765 (Part of PIN 03844-0544(LT))(1083 Brantford Highway, Township of North Dumfries);

iv. Part of Lot 7, Concession 9, being Part 7 on 58R-18766 (Part of PIN 03844-1059(LT) (E/S Cheese Factory Road-vacant land, Township of North Dumfries);

v. Part of Lot 7, Concession 9, being Part 4 on 58R-18766 (Part of PIN 03844-2051(LT) (E/S Cheese Factory Road-vacant land, Township of North Dumfries);

vi. Part of Lot 6, Concession 9, being Parts 5, 8, 11, 13, 14 and 15 on
vii. Part of Lot 6, Concession 9, being Parts 20, 21 and 22 on 58R-18784 (Part of PIN 22680-0009(LT) (1002 Morrison Road, Township of North Dumfries);

viii. Part of Lot 6, Concession 9, being Part 28 on 58R-18784 (Part of PIN 22680-0004(LT) (405 Myers Road, City of Cambridge);

ix. Part of Lot 6, Concession 9, being Parts 25 and 30 on 58R-18784 (Part of PIN 22680-0005(LT) (455 Myers Road, City of Cambridge);

x. Part of Lot 139, Registered Plan 1368 being Parts 4 and 6 on 58R-18785 (Part of PIN 22673-0131(LT) (174 Bakersfield Drive, City of Cambridge);

xi. Part of Lot 26, Registered Plan 1433 being Part 1 on 58R-18785 (Part of PIN 22676-0040(LT) (104 Stonyburn Crescent, City of Cambridge);

Permanent Storm Water Easement:

The right and easement, being an easement in gross, for itself, its successors and assigns and anyone authorized by it, in perpetuity to, at any time enter upon the following properties for purposes of constructing, installing, inspecting, repairing, altering, enlarging, correcting, operating, maintaining, replacing, and reconstructing and using a system of at grade and below ground watercourses, sewers, drains, ditches, catch basins, culverts, gabion stones and other drainage works for the passage of drainage water, together with all pipes, wires, conduits, poles, markers, at grade accesses, manholes, catch basins, service boxes and other works and appurtenances thereto, which may be determined necessary from time to time through, under, 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.

xii. Part of Lot 6, Concession 9, being Part 23 on 58R-18784 (Part of PIN 22680-0408(LT) (1002 Morrison Road, Township of North Dumfries);

xiii. Part of Lot 6, Concession 9, being Part 19 on 58R-18784 (Part of PIN 22680-0007(LT) (1049 Cheese Factory Road, Township of North Dumfries);

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, 2020, for itself, its successors and assigns, and anyone authorized by it, on over, under and through the following properties for the purposes of excavation, construction, installation, replacement, alteration, grading, and landscaping as required in connection with the construction of Franklin Boulevard Extension from Myers Road (Regional Road 43) to South Boundary Road and proposed construction of Phase 1 of South Boundary Road from Water Street South (Hwy 24) to the Franklin Boulevard Extension (Regional Road 36), and all related improvements works ancillary thereto 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:

xiv. Part of Lot 7, Concession 9 being Parts 2, 5, 6 and 8 on 58R-18766 (Part of PIN 03844-1059(LT) (E/S Cheese Factory Road – vacant land, Township of North Dumfries);

xv. Part of Lot 7, Concession 9 being Part 3 on 58R-18766 (Part of PIN 03844-2051(LT) (E/S Cheese Factory Road – vacant land, Township of North Dumfries);

xvi. Part of Lot 6, Concession 9, being Parts 4, 6, 7, 9, 10, 12, 16 and 17 on 58R-18784 (Part of PIN 22680-0007(LT) (1049 Cheese Factory Road, Township of North Dumfries);

xvii. Part of Lot 6, Concession 9, being Parts 26, 27 and 29 on 58R-18784 (Part of PIN 22680-0005(LT) (455 Myers Road, City of Cambridge);

xviii. Part of Lot 139, Registered Plan 1368 being Parts 3, 5 and 7 on 58R-18785 (Part of PIN 22673-0131 (LT) (174 Bakersfield Drive, City of Cambridge); and

xix. Part of Lot 26, Registered Plan 1433 being Part 2 on 58R-18785 (Part of PIN 22676-0040 (LT) (104 Stonyburn Crescent, City of Cambridge);

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.

4. That the Regional Municipality of Waterloo enter into an Agreement for Professional Consulting Services with R.E. Poisson Engineering Inc., to provide engineering services during the detailed design and services during construction for the Preston Wastewater Treatment Plant (WWTP) Headworks, Blowers and Electrical Upgrades, City of Cambridge, at an upset fee limit of $420,714.53 plus applicable taxes.

8. a) That the Regional Municipality of Waterloo close and declare surplus a portion of Highland Road, in the City of Kitchener described as Daylighting Triangle, Plan 864, being Part 1, on Reference Plan 58R-18905, PIN 22457-0823 (LT), as detailed in Report No. PDL-LEG-16-30 dated May 24, 2016, pursuant to the Region’s property disposition by-law, to the satisfaction of the Regional Solicitor; and

b) Approve, enter into an Agreement for, and execute all documentation related to, the conveyance of Part 1, on Reference Plan 58R-18905 to the abutting property owner, 2297868 Ontario Inc., in exchange for the lands described as Part of West Acres Crescent (closed by Bylaw No. 2012-083, Instrument WR765996) (being part of road widening, Reg. Plan 864 and Part of Lot 38, German Company Tract, being Parts 3 and 4, on Reference Plan 58R-18905, PIN 22457-0825 (LT), as detailed in Report No. PDL-LEG-16-30 dated May 24, 2016, pursuant to the Region’s property disposition by-law and the satisfaction of the Regional Solicitor.

9. That the Regional Municipality of Waterloo accept the proposal of GM BluePlan Engineering Ltd. for P2016-01 Asset Management System Implementation at an upset fee of $2,510,274 plus all applicable taxes as set out in report TES-16-02/ COR-16-01, dated May 24, 2016.
10. That the Regional Municipality of Waterloo authorize the Commissioner of Planning, Development and Legislative Services to enter into an agreement, and any subsequent renewals, with Nextflightcourier Worldwide Ltd. and Propair Inc., carrying on business as NextJet and Propair, and if required, other third parties as may be contracted by NextJet or Propair, with the form and content of such agreement to be to the satisfaction of the Regional Solicitor to enable NextJet and Propair to carry on a specialized private air charter service from the air terminal building of the Region of Waterloo International Airport, as described in Report No. PDL-AIR-16-05, dated May 24, 2016, with initial service to Peterborough, Ottawa (Gatineau) and Montreal (Dorval).

11. That the Regional Municipality of Waterloo approve, enter into a Settlement Agreement for, and execute all documentation related to, the expropriation of lands for the Manitou Drive road improvements, being a fee simple interest in lands described as Part Lot 17, Registrar’s Compiled Plan 1489, being Part 1, Plan WR844442 and a temporary grading easement over Part Lot 17, Registrar’s Compiled Plan 1489, being Part 2, on WR844442, part of PIN 22354-0005 (LT), in the City of Kitchener, Regional Municipality of Waterloo and the fee simple purchase of Part Lot 17, Registrar’s Compiled Plan 1489, being Parts 1 and 2, on Reference Plan on Reference Plan 58R-18913 and a temporary grading easement over Part Lot 17, Registrar’s Compiled Plan 1489, being Parts 3 to 7 inclusive, on Reference Plan 58R-18913 from 514052 Ontario Limited and 1176847 Ontario Limited, c.o.b. in partnership under the firm name and style of Orfus Realty for the sum of $210,584.00 as compensation for the value of the expropriated lands and temporary easement, the fee simple lands and temporary easement being purchased, disturbance, plus associated acquisition costs and reasonable legal costs, with all documentation to the satisfaction of the Regional Solicitor.

Carried

Administration and Finance

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

Moved by S. Strickland

Seconded by K. Redman

That the Summary of Recommendations of the Administration and Finance Committee dated May 24, 2016, Items 1 and 2, be adopted as follows:

1. That the Regional Municipality of Waterloo approve the following options for the 2016 Property Tax Capping Program, as described in report COR-TRY-16-054 2144488
dated May 24, 2016:

a. Establish the annual limit on tax increases for properties in the commercial, industrial and multi-residential classes at the greater of: ten percent (10%) of the previous year’s annualized capped taxes, or 10% of the previous year’s current value assessment (CVA) taxes;

b. Establish thresholds for properties in the commercial, industrial and multi-residential classes such that if the taxes on the property calculated under the capping program are within $500 of the current value assessment (CVA) taxes, the CVA taxes will apply;

c. Exclude properties in the commercial, industrial and multi-residential classes that were at their current value assessment taxes in 2015 from the 2016 capping and claw back program;

d. Exclude properties in the commercial, industrial and multi-residential classes that were subject to a claw back in 2015 from becoming a capped property in 2016;

e. Fund the limits on tax increases for 2016 for the commercial, industrial and multi-residential classes by limiting 2016 tax decreases for properties in the same class.

And that the required by-laws to establish the options for the 2016 Property Tax Capping Program and to establish the 2016 claw back percentages for the commercial, industrial and multi-residential classes be included on Regional Council agendas in June 2016;

And further that the Area Municipalities be notified accordingly.

2. That The Regional Municipality of Waterloo enter into a renewal agreement for each of (a) the “Safer Communities – 1,000 Officers Partnership Programme”; and (b) the Community Partnerships Programme with Her Majesty the Queen in Right of Ontario by the Minister of Community Safety and Correctional Services for a further one year term effective April 1, 2016 and ending March 31, 2017 in respect of each agreement as described in Report PDL-LEG-16-42 dated May 24, 2016.

Carried

Other Matters Under Committee Of The Whole

Moved by S. Shantz
Seconded by J. Mitchell

2144488
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

**Other Business**

T. Galloway noted a memo that was circulated regarding the artwork in the Regional buildings. The artwork is produced by students in their final year of the Fine Arts program at the University of Waterloo.

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

The Traffic and Parking By-law was taken separately.

Moved by S. Foxton

Seconded by G. Lorentz

a) That a By-law to Regulate Traffic and Parking on Highways Under the Jurisdiction of the Regional Municipality of Waterloo and to Repeal By-law 06-072 be read a first, second and third time, finally passed and numbered 16-023 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.

Carried

(J. Nowak opposed)

Moved by S. Foxton

Seconded by G. Lorentz

b) That a By-law to Determine the Amount of Taxes for Commercial, Industrial and Multi-Residential Property for 2016 be read a first, second and third time, finally passed and numbered 16-024 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.

c) That a By-law to Expropriate Lands For The Purpose Of Construction Of The Franklin Boulevard (Regional Road 36) Extension From Myers Road (Regional Road 43) To South Boundary Road And Proposed Construction Of Phase 1 Of The South
Boundary Road From Water Street South (Hwy 24) To The Franklin Boulevard Extension (Regional Road 36), Part In The Township Of North Dumfries And Part In The City Of Cambridge In The Region Of Waterloo be read a first, second and third time, finally passed and numbered 16-025 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.

d) That a By-law to Amend By-law 06-072, as Amended, Being the Region's Traffic and Parking By-law (Accessible Parking Spaces, City of Cambridge) be read a first, second and third time, finally passed and numbered 16-026 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.

e) That a By-law to Confirm the Actions of Council of June 1, 2016 be read a first, second and third time, finally passed and numbered 16-027 signed by the Regional Chair and Regional Clerk and sealed with the Regional Seal.

Carried

Adjourn

Moved by K. Kiefer

Seconded by S. Foxton

That the meeting adjourn at 8:30 p.m.

Carried

Regional Chair, K. Seiling

Regional Clerk, K. Fletcher
Thank you Mr. Chairman and members of Regional Council for providing this opportunity to represent views from the cycling community.

My name is Alain Francq. I’m President of the Waterloo Cycling Club (WCC), one of largest cycling club in Ontario.

We Are Citizens of the Region Of Waterloo

Our 450 members are drawn from every City and Township in the Region.

We are a perfect reflection of citizenry of the Waterloo Region. Our members are Police Officers, City Councillors, Locksmiths, Students, High Tech Executives, Farmers, Doctors, Musicians and Children of all ages who ride on the roads of Waterloo Region

Safety Is Our Greatest Priority

Our goal is to make the Region of Waterloo the safest destination of choice for cycling in Ontario. Safety is our primary concern.

And that is the reason I am here today.

FACT: Removing the Two Abreast bylaw to align local cycling policy with the Highway Traffic Act creates the safest environment for cyclists and motorists.

And here is why...
The Highway Traffic Act (HTA) Is Clear

This is the Highway Traffic Act (holding copy). This is the code used by the Waterloo Regional Police Services and Ontario Provincial Police to enforce law on the roads.

It is our also our Club handbook. And the handbook of all 100 Cycling Clubs across Ontario and all other road users, including motorists.

The HTA is very clear how to ride a bicycle and drive a vehicle within the law and how to share the road with other users.

The two abreast bylaw is not instructive on how to keep the roads safe.

- The HTA describes how slow moving vehicles travel on the right side - HTA 147
  - The bylaw does not.
- The HTA describes how vehicles must overtake bicycles - HTA 148 (4)
  - The bylaw does not.
- The HTA describes what bicycles must do when being overtaken - HTA 148 (6)
  - The bylaw does not.
- The HTA describes vehicles must leave 1M when passing – HTA 148 (6.1)
  - The bylaw does not.
- The HTA describes if a vehicle is unable to pass a slower road user, the faster vehicle must slow or stop. And the slower road user shall then assist the faster vehicle to pass – HTA 148 (8)
  - This last point is called “Sharing The Road”. This what we teach at WCC.
  - The bylaw does not.

The bylaw does not help motorists. The bylaw does not help cyclists.

The bylaw creates confusion for all road users. It runs counter to the HTA and is not enforced by the Police.
Remove the Bylaw for Three Reasons. Safety. Safety. Safety

The reason we support removing the two abreast bylaw and aligning law enforcement with the HTA is crystal clear. **It is for safety.**

The bylaw (and accompanying the CYCLISTS MUST RIDE SINGLE FILE SIGNS) is an outmoded piece of policy. Residents are frustrated. Not by the cyclists, but by misinterpretation of the bylaw in their community. They see the SINGLE FILE signs, they see HTA abiding group of cyclists and they are confused. And all too often this encourages them to target vulnerable road users. You have the opportunity to create clarity and change.

**We are an evidence based organization.**

**FACT:** Riding single file as a group of cyclists, can be the single most dangerous riding formation for motorists to pass.

- Long Single files force motorists to pass over longer distances and at higher speeds.
- Long Single files cannot communicate or move as a unit to help drivers pass.
- Long Single files cannot easily maintain a straight line & can swerve into traffic during a pass.

**Leading by Example In Our Community**

It is proven, that allowing cyclists to ride two abreast, when appropriate, is the safest group formation in cycling.

We know this. Because we’ve worked closely with the Region and the Police on this issue. The Waterloo Regional Police Services have reviewed our RIDE GUIDE and even incorporated part of it into their presentation on cycling in the Region.

I want to show you a few slides from that presentation. *(SLIDE SHOW)*

Some people will say they see cyclists blowing through stop signs all the time or riding 5 abreast. Cyclists will say they are run off the road and see cars run lights.

But these are all anecdotal stories of people behaving badly. **This is not a basis for a policy decision.**
Unanimity Across the Region is Key

The key to implementation is that this must be unanimous across the region and all local municipalities. I don’t have to tell you that it will be an unmitigated disaster with confusion and dangerous consequences if citizens have to figure out on their own (in real time) how to navigate the inconsistencies as they ride and drive around the Region.

STATEMENT FOR THE RECORD: Vote unanimously to remove the Two Abreast bylaw and align local cycling policy with the HTA.

The Waterloo Cycling Club is your Partner

The WCC is your most active supporter.

We are here to help you lead by example. To ensure this decision is implemented successfully for both cyclists and motorists.

We are here to tell you, that this will be a success. By taking this leadership role of removing the HTA-conflicting, often misinterpreted, never enforced bylaw...The Council will create clarity, as other modern municipalities have done, based on safety and alignment with the HTA.

An Offer Of Support

The WCC will continue to train the Regions cyclists and offer to meet with each municipality and host regional workshops on how to ride with respect and to share the road.

The Cycling Community thanks you.

Alain Francq
President, Waterloo Cycling Club
www.waterloocyclingclub.ca

RIDE/RACE/LEAD
Shared Responsibilities

- Highway Traffic Act, bicycles are considered vehicles.
- Cyclists have the same rights and responsibilities as motorists.
- Education is important for all road and path users including motorists, pedestrians and cyclists.
- “Share the Road” is a lesson that makes roadways safer and more efficient for both motorists and cyclists.
What the Law Says

Key sections of the HTA concerning cyclists:

- HTA 144/136 – Traffic Signals and Stop Signs
- HTA 142 – Signalling a Turn
- HTA 175(12) – Stopped School Buses
- HTA 176(3) – Must obey crossing guard
- HTA 218(1) – Cyclist to identify self
The Law Continued

- HTA 147 – Slow Moving Traffic travel on Right Side
- HTA 148(4) – Vehicles meeting Bicycles
- HTA 148(5) – Vehicles overtaking others
- HTA 148(6) – Bicycles Overtaken

The above four sections, deal with the issue of cyclists travelling in packs and two or more abreast.
“Pace Line Riding”

- Bike clubs/cycling groups are known to ride in teams and sometimes form what is referred to as a “pace line”
- Oval form – riding two abreast
- This tempo ride would not be an infraction of the By-Law due to the riders continuously rotating around the oval formation, overtaking each other.
Group Riding

Every rider must still obey the rules of the road and when being overtaken by a vehicle travelling at a greater speed, shall turn out to the right and allow the vehicle to pass. Sec. 148(6) HTA.
1-foot down rule

We will Stop. At Every Stop Sign.

It is easier when this is non-negotiable and becomes a habit of WCC club members.

To demonstrate our commitment and instill the habit when we ride as a group we will put 1 foot down at stop signs.
Ride Single-File where it makes sense
...on Busy and Narrow Roads
But you are still allowed to pass (HTA)
This is what single file passing looks like on the road
8-12 riders per group

- Easier to match skills and fitness
  (group is tighter & within it’s limits)
- Occupies smaller space (same as a car/buggy)
  (making it easier for cars to pass)
- Allows group to quickly shift formation
  (from rotating single file to non-rotating single file)
“Tight and to the Right”

You are allowed to ride 1 M from the side of the road.
You are allowed to “take the lane” where appropriate.
Motorists must pass cyclists leaving 1M.
Even when Sharing The Road and following the law, you will encounter road rage because of the Bylaw.

The police and municipalities are very supportive of cycling.

They are our allies on the road.
Planning, Development and Legislative Services

Cultural Services

Date: May 24, 2016

Memorandum

To: Chair Geoff Lorentz and Members of the Community Services Committee
From: Kate Hagerman, Cultural Heritage Specialist
Subject: Public Art in Regional Buildings – 2016 Installations
File No: R07-02

Please find the attached information on the artworks selected from the University of Waterloo Fine Arts Program graduating class, for display in Regional Buildings for the coming year.

Artworks are selected annually by a jury which includes a member of Council, a senior staff member, and a representative of the Public Art Advisory Committee. Each student artist is awarded an honorarium in the form of an artwork rental fee.

If you are interested in helping to select artworks in future years, or have any questions about the artwork rental program, contact Kate Hagerman at (519) 575-4094 or khagerman@regionofwaterloo.ca.

Thank you.
Public Art in Regional Buildings

The Region of Waterloo established a Public Art Program in 2002. The program is primarily focused on acquiring commissioned art pieces for selected Regional spaces. For more information on the full program visit www.regionofwaterloo.ca/publicart.

As part of the Region’s public art program, the Region has partnered with the University of Waterloo Fine Arts Program which coordinates the selection and rental of art pieces from their graduating class for display at the Regional buildings located at 150 Frederick St. Kitchener and 150 Main St. Cambridge.

The pieces selected for 2016 include:

**Sofia Roy – Harmonize** (2016)
Council Chambers
Sofia’s art focuses on materializing the ephemeral beauty of music through the interplay of sculptural form and light. It is inspired by the tradition of hand-making organ grinder and piano rolls.

**Madzia McCutcheon – Don’t think so much** (2016)
Council Chambers
Madzia’s work revolves around the creation of tactile and textured objects that balance between painting and sculpture. Using the material as a guide, Madzia works with dried layers of paint as “fabric”, and assembles it through sewing.
Brittany Law – Construct to Deconstruct, No. 7 (2016)
Outside Clerks
Brittany’s work examines the urban landscape of southern Ontario using acrylic paint. Through layering and her choice of colour palette, the work explores the poetics of highway architecture. Although originating with real places, the final painting reflects reality in a non-space.

Samantha Mellick - Vergence (2016)
Outside rooms 217 & 218
Samantha’s work explores themes of memory, sentimentality, beauty and colour. She transforms photographic images through collage using gouache, acrylic paint and resin. This piece explores the essence of time and space, and the process of how our minds work to create memories.

Teghan Dodds – Blue (2016)
Foyer - 150 Main, Cambridge
Teghan’s work explores the relationship between natural and constructed environments, and how they impact one’s sense of mental and physical well-being. This work is a collage that represents the juxtaposition of emotions and the need to experience sadness to truly appreciate joy.

The Region of Waterloo is pleased to partner with the University of Waterloo, and hopes that the exposure to artwork in prominent public buildings will lead to a heightened appreciation and support for the arts and local artists.

For more information on the Region’s Public Art Program contact:

Kate Hagerman, Cultural Heritage Specialist
khagerman@regionofwaterloo.ca
519-575-4094