MEDIA RELEASE: Friday, November 29, 2013 4:30 p.m.

REGIONAL MUNICIPALITY OF WATERLOO
PLANNING AND WORKS COMMITTEE
AGENDA

Tuesday, December 3, 2013
1:00 P.M. (Time is approximate)
Regional Council Chambers
150 Frederick Street, Kitchener

1. MOTION TO RECONVENE INTO OPEN SESSION

2. DECLARATIONS OF PECUNIARY INTEREST UNDER THE MUNICIPAL CONFLICT OF INTEREST ACT

3. DELEGATIONS

<table>
<thead>
<tr>
<th>CONSENT AGENDA ITEMS</th>
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</thead>
<tbody>
<tr>
<td>Items on the Consent Agenda can be approved in one motion of Committee to save time. Prior to the motion being voted on, any member of Committee may request that one or more of the items be removed from the Consent Agenda and voted on separately.</td>
</tr>
</tbody>
</table>

4. REQUEST TO REMOVE ITEMS FROM CONSENT AGENDA

5. MOTION TO APPROVE ITEMS OR RECEIVE FOR INFORMATION

a) Fountain Street North Improvements (north of King Street to Cherry Blossom Road), City of Cambridge Information Package in Advance of Public Consultation Centre (Information)

b) E-13-139, Ira Needles Boulevard (Regional Road 70) and Yellow Birch Drive Post One-Year Review, City of Kitchener (Information)

c) E-13-146, Proposed Changes to Standard Instrument Departure Runway 26 – Waterloo Regional International Airport (Information)


e) Water Supply Master Plan Update - Information Package in Advance of Public Consultation Centre (Information)

f) E-13-133.1, Draft Water Efficiency Master Plan 2015-2025 (Approval)

g) P-13-120/F-13-114, Brownfields Financial Incentive Program – Tax Increment Grant Application – 19 Guelph Ave., City of Cambridge (Approval)

h) P-13-118, Amendment to Regional Municipality of Waterloo Controlled Access By-law #58-87 for an Access to Regional Road #70 (Ira Needles Boulevard), City of Kitchener (Approval)
REGULAR AGENDA RESUMES

6. REPORTS - TRANSPORTATION AND ENVIRONMENTAL SERVICES

RAPID TRANSIT

a) E-13-140, Mill Street at Ottawa Street Intersection Modifications

WATER SERVICES

b) E-13-124, Biosolids from Waterloo Wastewater Treatment Plant Contract Extension
d) E-13-141, Water Distribution By-law for the Townships of North Dumfries and Wellesley
e) E-13-143, Rural Water Quality Program Two-Year Extension to End of 2015
f) E-13-144, Sewer Use By-law Amendment 2013

REPORTS - PLANNING, HOUSING AND COMMUNITY SERVICES

COMMUNITY PLANNING/COMMISSIONER’S OFFICE

g) P-13-122, Region of Waterloo Response to Provincial Review of Land Use Planning and Appeal System
h) P-13-123, Central Transit Corridor Community Building Strategy: 2013/2014 Edition (staff presentation)

TRANSPORTATION PLANNING

i) P-13-119, Highway 401 and Cambridge (Franklin Boulevard and Hespeler Road) Active Transportation Crossings

7. INFORMATION/CORRESPONDENCE

a) Council Enquiries and Requests for Information Tracking List

8. OTHER BUSINESS


10. ADJOURN
## NEXT MEETINGS

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<tr>
<th>Date</th>
<th>Time</th>
<th>Description</th>
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<tbody>
<tr>
<td><strong>Planning and Works Committee</strong></td>
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<tr>
<td>January 7, 2014</td>
<td>9:00 A.M.</td>
<td>Planning and Works Committee</td>
<td>Council Chamber 2&lt;sup&gt;nd&lt;/sup&gt; Floor, Regional Administration Building 150 Frederick Street Kitchener, Ontario</td>
</tr>
<tr>
<td>January 28, 2014</td>
<td>9:00 A.M.</td>
<td>Planning and Works Committee</td>
<td>Council Chamber 2&lt;sup&gt;nd&lt;/sup&gt; Floor, Regional Administration Building 150 Frederick Street Kitchener, Ontario</td>
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<tr>
<td><strong>Planning, Housing and Community Services</strong></td>
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<tr>
<td>Thu., December 12, 2013</td>
<td>6:30 P.M. – 9:00 P.M.</td>
<td>East Side Lands Public Information Centre #4</td>
<td>École secondaire Père-René-de-Galinée 450 Maple Grove Road Cambridge, Ontario</td>
</tr>
<tr>
<td><strong>Transportation and Environmental Services</strong></td>
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<tr>
<td>Tue., December 3, 2013</td>
<td>7:00 P.M.</td>
<td>River Road Extension, King Street to Manitou Drive, Kitchener, Class Environmental Assessment - Public Input Meeting for Preferred Design Concept</td>
<td>Council Chamber 2&lt;sup&gt;nd&lt;/sup&gt; Floor, Regional Administration Building 150 Frederick Street Kitchener, Ontario</td>
</tr>
<tr>
<td>Wed., December 4, 2013</td>
<td>5:00 P.M. – 8:00 P.M.</td>
<td>Fountain Street North Improvements (North of King Street to Cherry Blossom Road), City of Cambridge Public Information Centre</td>
<td>King Street Baptist Church – Main Hall 361 King Street East Cambridge, Ontario</td>
</tr>
<tr>
<td>Wed., December 4, 2013</td>
<td>4:00 P.M. – 8:00 P.M.</td>
<td>Mill Street at Ottawa Street Intersection Modifications – Public Information Centre</td>
<td>Concordia Club 429 Ottawa Street South Kitchener, Ontario</td>
</tr>
<tr>
<td>Tue., December 10, 2013</td>
<td>5:30 P.M. – 7:30 P.M.</td>
<td>Water Supply Master Plan Update - Public Consultation Centre</td>
<td>Kitchener-Waterloo Bilingual School 600 Erb Street Waterloo, Ontario</td>
</tr>
<tr>
<td>Wed., December 11, 2013</td>
<td>5:00 P.M. – 7:00 P.M.</td>
<td>Water Supply Master Plan Update - Public Consultation Centre</td>
<td>Main Lobby 1&lt;sup&gt;st&lt;/sup&gt; Floor, Regional Administration Building 150 Frederick Street Kitchener, Ontario</td>
</tr>
<tr>
<td>Thur., December 12, 2013</td>
<td>5:30 P.M. – 7:30 P.M.</td>
<td>Water Supply Master Plan Update - Public Consultation Centre</td>
<td>St. Benedict Catholic Secondary School 50 Saginaw Parkway Cambridge, Ontario</td>
</tr>
<tr>
<td>Tue., January 14, 2014</td>
<td>5:00 P.M. – 7:00 P.M.</td>
<td>Water Distribution By-law for the Townships of North Dumfries and Wellesley &amp; Sewer Use By-law Amendment – Public Information Centre</td>
<td>Wellesley Community Centre Wellesley Room 1000 Mapleleaf Street, Wellesley, Ontario</td>
</tr>
<tr>
<td>Date</td>
<td>Time</td>
<td>Description</td>
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<tr>
<td>Thur., January 16, 2014</td>
<td>5:00 P.M. - 7:00 P.M.</td>
<td>Water Distribution By-law for the Townships of North Dumfries and Wellesley &amp; Sewer Use By-law Amendment</td>
<td>North Dumfries Community Complex Dumfries Room 2968 Greenfield Road, Ayr, Ontario</td>
</tr>
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</table>
REGIONAL MUNICIPALITY OF WATERLOO

Fountain Street North Improvements
(north of King Street to Cherry Blossom Road)
City of Cambridge

INFORMATION PACKAGE

Public Consultation Centre
Wednesday December 4, 2013
5:00 P.M. to 8:00 P.M.

At

King Street Baptist Church – Main Hall
361 King Street East
Cambridge, Ontario

There is a Comment Sheet at the back of this package. If you wish, please fill it out and deposit it in the designated box provided at this Public Consultation Centre. All names, addresses and comments will be included in material made available to the general public.
1.0  Why is the Region of Waterloo Undertaking This Project?

The Region of Waterloo is currently considering improvements on Fountain Street North (Regional Road 17) from north of King Street to Cherry Blossom Road in the City of Cambridge. Please refer to page 2 for a Key Plan of the project area.

Due to the age and condition of the pavement on Fountain Street North, it is necessary to completely reconstruct the existing road structure. The timing of this reconstruction presents an opportunity to address other deficiencies along this road. These deficiencies include a lack of cycling lanes and a lack of continuous sidewalks within the project limits.

The Fountain Street North project is classified as a Schedule A+ undertaking in accordance with the Municipal Class Environmental Assessment planning process and is pre-approved to proceed to construction provided that appropriate public consultation is conducted.

2.0  Who is Directing This Project?

The Project is being directed by a Project Team consisting of staff from the Regional Municipality of Waterloo and the City of Cambridge, and Councillor Donna Reid of the City of Cambridge.

3.0  What is the Purpose of this Public Consultation Centre?

The public is invited to this Public Consultation Centre (PCC) to:

- review the improvements being considered for this Project;
- ask questions of staff of the Region of Waterloo and City of Cambridge; and
- provide comments and input regarding the planning and design of the improvements being considered.

We ask that you complete the Comment Sheet attached to the back of this Information Package and put it in the box at the Consultation Centre, or send it to the address indicated on the Comment Sheet. Your comments will be considered along with other information received over the course of the project to assist the Region of Waterloo in completing the planning and design for this project.
4.0 What Improvements are Being Considered?

The Project Team is considering the following improvements to address the pavement condition and the deficiencies in the cycling and pedestrian facilities within this project:

- Complete road reconstruction with new concrete curb and asphalt roadway surface, widened to meet the current standards;
- On-road cycling lanes;
- Retention of the existing sidewalk on the east side including new sidewalk between Marmel Court and Cherry Blossom Road;
- Construction of a new sidewalk on the west side between King Street and Cherry Blossom Road;
- Upgrades to Grand River Transit bus stops; and
- Storm sewer replacement or repair where necessary.

5.0 How Do the Improvements Being Considered Relate to the Objectives of the Regional Transportation Master Plan, The Cycling Master Plan and the Regional Transportation Corridor Design Guidelines?

The Regional Transportation Master Plan (RTMP), recently updated in 2010, is a high-level strategic plan that assesses the existing and future traffic using the entire Regional Road network with a view to determining the short- and long-term needs for road improvements.

Fountain Street North provides an important transportation link through the City of Cambridge while providing access to numerous businesses, public institutions, and residential and commercial properties. Based on traffic projections to the year 2031, the RTMP did not identify the need to add additional lanes on Fountain Street North.

The RTMP through its vision of sustainability, encouraging increased transit use and promoting transit choice, supports enhancements to this project that will improve the cycling and pedestrian networks and improve transit service in the area.

The Context Sensitive Regional Transportation Corridor Design Guidelines (CDG) is a planning policy document that guides the design of Regional Roads. The CDG identifies necessary elements within the road allowance such as vehicular lanes, cycling lanes, sidewalks and boulevards. According to the CDG, Fountain Street North is classified as a Residential Connector from King Street to north of Marmel Court/south of Highway 401 and a Neighbourhood Connector – Avenue from Highway 401 to Cherry Blossom Road. As such, Fountain Street North is identified for enhanced pedestrian facilities including sidewalks on both sides of the road with a preferred width of 1.8 metre – 2.1 metre (1.5 metre minimum).

The Regional Cycling Master Plan and the draft Regional Active Transportation Master Plan identifies Fountain Street North as a critical link in the area cycling and pedestrian network because it includes one of only a few bridge crossings of Highway 401. Enhanced cycling
facility on Fountain Street North as part of this project would link up with planned cycling infrastructure on Fountain Street south of King Street as well as a planned multi-use trail on King Street east of Fountain Street and on Fountain Street north of Cherry Blossom Road.

The implementation of the enhancements identified in the RTMP, Cycling Master Plan and the Regional Transportation Corridor Design Guidelines will enable all road users (e.g. vehicles, pedestrians, cyclists) the opportunity to connect with this community and beyond including access to the pedestrian areas within and surrounding Riverside Park, the City’s largest park.

6.0  How Do The Improvements being Considered Relate to Development of the East Side Lands?

In 2010 the Region of Waterloo began a Master Environmental Servicing Plan and a Community Plan for the development of the East Side Lands, approximately 300 hectares of land designated for employment uses, in cooperation with the Cities of Cambridge and Kitchener, The Township of Woolwich, and the Grand River Conservation Authority. The East Side Lands encompass an area generally bound by Highway 7 in the north, Maple Grove Road in the south, the Grand River in the west, Shantz Station Road and Speedsville Road in the east.

The draft Master Environmental Servicing Plan (MESP) identifies the need for services (e.g., sewer, water, transportation, utilities) to support development of the East Side Lands. Although the draft MESP identifies needs for new watermain and sanitary sewer services along Fountain Street North, these servicing needs are limited to section of Fountain Street North between Maple Grove Road and Fairway Road/Kossuth Road. Therefore, no underground infrastructure required to service the East Side Lands is to be constructed on Fountain Street North between King Street and Cherry Blossom Road.

Based on traffic projections to the year 2031 the Regional Transportation Master Plan (RTMP) (including recommendations in the draft East Side Lands Community Plan) identifies a need to add additional lanes on Fountain Street North between Maple Grove Road and Highway 7; however, both the RTMP and the East Side Lands Plan maintain Fountain Street North between King Street and Cherry Blossom Road as a two-lane road.

7.0  Why are Sidewalk Improvements Being Considered for this Project?

There is an existing sidewalk on the east side of Fountain Street between King Street and Marmel Court. Construction of a new sidewalk is being considered on the east side of Fountain Street between Marmel Court and Cherry Blossom Road as well as on the west side of Fountain Street between King Street and Cherry Blossom Road. The proposed road improvements will include the retention of the existing sidewalk on the east side between King Street and Marmel Court.

The installation of new sidewalk would require the re-grading of boulevards and some driveways and would require the removal of several mature trees. The Project Team “weighed” these impacts against the need for improved pedestrian facilities in the corridor.
and believes sidewalk improvements are justified because they are critical to Fountain Street North including the surrounding community in many ways:

- Sidewalks would provide pedestrian access not only for the fronting properties on Fountain Street North between King Street and Marmel Court but also for all residential properties in the adjacent residential subdivision (e.g., Jacob Street, Kitchener Road, Marmel Court) and beyond;
- Fountain Street North is a GRT bus route; therefore, sidewalks would provide pedestrian access to exiting bus stops on Fountain Street;
- Sidewalks would provide a direct pedestrian link with the various community institutions (e.g., schools, churches, cemeteries);
- Sidewalks would provide pedestrian access to the various recreation areas surrounding the community including the City of Cambridge Riverside Park and Linear Park Trail; and
- Pedestrian facilities were recently approved by Regional Council on King Street from Fountain Street to Eagle Street and on Fountain Street from King Street to Shantz Hill Road. In addition, pedestrian facilities on Fountain Street North from Cherry Blossom Road to Maple Grove Road are planned for construction in 2018. Therefore, constructing sidewalks in this project would provide a pedestrian link between the community north and south of Highway 401; a link which currently does not exist.

8.0 Who is Responsible for Winter Maintenance of the Sidewalk?

Currently, the City of Cambridge Community Services Department clears snow from the sidewalk on Fountain Street North between King Street and Marmel Court. Following construction of the new sidewalks as part of this project, the City will continue to clear snow from all sidewalks within project limits.

9.0 Are any Changes Proposed to the Fountain Street Bridge over Highway 401?

The Government of Ontario Ministry of Transportation is planning to replace the Fountain Street bridge over Highway 401 to accommodate the planned widening of Highway 401. In order for the new replacement bridge to accommodate the future Highway 401 expansion to 10-lanes, the replacement bridge will be higher than the existing bridge to provide greater clearance from the Highway 401 below. As part of the bridge replacement, the Region of Waterloo has requested that the Ministry include a wider bridge on Fountain Street North to accommodate on-road cycling lanes and sidewalks.

The Ministry of Transportation’s Fountain Street bridge reconstruction is currently planned for 2014/2015, in advance of the Region’s Fountain Street North Improvements Project which is currently scheduled for construction in 2016.
10.0 Are any Changes Proposed to the Railway Crossing?

The Canadian Pacific Railway level crossing at Fountain Street North just south of Cherry Blossom Road is not planned for improvement as part of this project; however, it is expected that minor adjustments to the signage and safety devices will be required to facilitate the proposed improvements (i.e., sidewalks, on-road cycling lanes).

11.0 Will A New Watermain or Sanitary Sewer be included with the improvements?

The existing watermain and sanitary sewer on Fountain Street North, operated by the City of Cambridge, are not planned for replacement as part of this project. Replacement of existing hydrants and repairs to existing water valves and maintenance holes, where identified by the City of Cambridge, will be incorporated into this project.

If property owners wish to replace their water service or sanitary sewer drain from the street to the property line with a larger and/or new service they are encouraged to have this work included in this project. Undertaking these improvements in conjunction with the proposed road construction typically results in cost savings to the property owner as compared to undertaking the work independently at another time in the future. Subject to a mutual agreement between the City of Cambridge and the property owner, existing services may be upgraded from the mains under the road to the property line at the property owner's expense.

Additionally, property owners may wish to consider replacing their services between the property line and their building at the same time as this construction. If property owners wish to pursue this additional work, please indicate so on the comment sheet and staff will contact you later to discuss how you can make arrangements to have this work completed. The property owner will be responsible for all the costs to replace services on private property.

12.0 Does the Region of Waterloo need to Acquire Private Property for this Project?

The intent of the design process is to minimize the need to acquire property; however, the improvements being considered do require the Region to acquire small strips of property. As the project proceeds, Regional Real Estate staff will contact affected property owner to discuss the necessary property acquisitions. It is the Region’s standard practice to negotiate agreements of purchase and sale with the affected property owner based on an independent appraisal of the land’s fair market value. If agreements cannot be reached in time to meet the project schedule, the Region may acquire the needed lands through Expropriation. For further information, please see the Property Process Information Sheet in Appendix B.

The proposed improvements have been refined by the Project Team to minimize property impacts. Preliminary potential property impacts are shown on the plans on display at this Public Consultation Centre.
13.0 How are Impacts to Heritage Resources Being Considered?

A number of designated and listed heritage resources as well as many pre-1900’s homes/buildings along Fountain Street were identified within the project limits at the onset of this project. The Project Team has retained a consultant to undertake a Cultural Heritage Assessment to identify and determine the cultural heritage value or interest of all potential Built Heritage and/or Cultural Heritage Landscapes within the project. Recommendations and or preservation strategies resulting from the assessment will be considered by the Project Team during the detailed design such that identified impacts can be reduced or avoided.

During detailed design and approaching construction, the Region will be working with a consultant to conduct a precondition assessment/survey of all homes/buildings, including those identified as heritage resources, to document existing conditions of the structures prior to construction taking place in 2016. These surveys are very important in identifying and documenting the existing conditions prior to construction to help resolve any claims in the unlikely event that there is accidental damage of any kind as a result of the construction.

14.0 How are Impacts to the Cemeteries Being Considered?

Three cemeteries are adjacent to the Fountain Street North right-of-way within the project limits. The Project Team has retained a consultant to undertake an Archeological Assessment of the Project area to develop an inventory of any relevant historical, cemetery and/or archaeological data. This assessment will be used to assist in predicting zones of archaeological potential. Recommendations resulting from the assessment will be considered by the Project Team during the detailed design so that any identified impacts to the archaeological zones can be mitigated (i.e., avoidance or protection). In addition, the assessment will identify where further study might be required to determine the most appropriate strategies for conserving archaeological sites prior to road construction.

15.0 How Will Private Property, Trees, Driveways and Lawns be Affected?

It is expected that some existing mature trees will have to be removed during construction to accommodate the improvements. The plans presented at this Consultation Centre show trees that will likely require removal or trimming. It is the Region’s practice to plant two replacement trees for each tree removed as a result of any road project. The Project Team proposes replacing any removed tree with large diameter replacement salt tolerant trees (i.e. 75 mm to 80 mm calliper). Any grassed areas disturbed during construction will be repaired to equal or better condition with topsoil and sod. In addition to replacing any trees removed on a 2-for-1 basis, new boulevard landscaping, including additional salt-tolerant trees, will be included as part of the project where feasible. Any new landscaping is typically installed as part of a separately tendered landscaping contract in the year following the road construction. Driveways will be re-graded as necessary in order to blend smoothly with the newly constructed roadway.
The Project Team has retained a tree expert (arborist) to assess the existing condition of the various trees and other vegetation within the road corridor. The arborist’s work includes the development of any required tree preservation or protection strategies. The Project Team will consider these strategies where feasible, as part of the design and construction of this project.

16.0 When Will Construction Occur?

Construction on Fountain Street North is currently scheduled to commence in 2016. Construction of the project is currently planned for the same time as the King Street and Fountain Street intersection improvements in 2016. The two construction projects will be coordinated to minimize delays to area traffic.

Construction of the Fountain Street improvements will be completed in phases to minimize disruption to those properties within the construction limits of the project. Construction phasing refers to completing sections of the project one section at a time. By phasing the construction, impacts to the abutting properties are localized to a defined area for a defined period of time. Construction of Fountain Street North is proposed to be phased such that the section south of Highway 401 will be completed separately from the section north of Highway 401. Details regarding staging and timing for construction of each road section will be developed as the detailed design progresses and will be communicated to the directly affected property owners in advance of construction.

17.0 How Will Traffic and Access to Properties be Accommodated During Construction? Will there be detours?

Due to the nature and extent of the construction work, only the southbound direction of traffic can be maintained on Fountain Street North for most of the duration of the construction. Northbound traffic will be detoured either to the west via King Street East/Shantz Hill Road to Maple Grove Road, or detoured to the east via Eagle Street and Hespeler Road to Maple Grove Road and ensures adequate emergency access to all affected properties.

In addition to lane closures, there will be times when the construction work will require temporary closures of one or more of the side streets. During all closures or lane restrictions, signage will be placed well in advance of the closure advising of the detour and duration of the closure. A detailed construction phasing and traffic management plan will be developed during detailed design that accounts for all scheduled 2016 construction in this area of Cambridge.

The City of Cambridge Fire Department, Waterloo Regional Police and Ambulance Services will all be advised of the traffic restrictions during the construction period. Grand River Transit service will be maintained during construction through the implementation of temporary bus stop locations as required.

Pedestrian access will be maintained (as a minimum) on one side of the road for the duration of the construction. Where the sidewalk is close to deep excavations, the sidewalk will be separated from the work area by temporary fencing. Signage will be erected in order to assist pedestrians through the project area.
As is customary with Regional Roads under construction, motorists will be advised of the construction timing and traffic restrictions through advance signage and the Region’s website.

Access to residential/commercial driveways will be maintained to the greatest extent possible during construction. The Contractor will be required to temporarily block access to and from driveways and side streets for short-term periods when completing certain construction operations. Where a disruption to your driveway is expected, the Contractor will be required to hand-deliver a notice at least 48 hours in advance advising you of the time and duration of the driveway disruption. If necessary, alternate parking arrangements will be made, such as provision for temporary parking on adjacent side streets.

For commercial properties, access for customers will be maintained at all times. If only one driveway access exists to your property, the Contractor will endeavour to complete the work across the driveway in two phases where feasible in order to maintain access.

During construction property and business owners are encouraged to contact the Region's on-site supervisor with any concerns in relation to access, signage, or other issues during the Project, so it can be determined if reasonable changes or modifications can be made.

18.0 How will Garbage / Recyclables be Collected During Construction?

For residential properties on Fountain Street North, garbage, green bins, yard waste and blue boxes will continue to be picked up curbside as usual. When work is occurring in front of your property and waste collection vehicles do not have access to your driveway on garbage collection day, the Contractor will deliver your garbage and recyclables to an adjacent side street for collection and return the empty containers afterwards. We will ask that all residents mark their containers with their address for easy identification.

For properties with private garbage collection, driveway access will be maintained during each phase of construction to provide access for private garbage collection.

19.0 What about Dust During Construction?

The Region of Waterloo will monitor the amount of dust generated by construction activities on an ongoing basis. When necessary, the Region will ensure that the Contractor uses proper dust suppression measures (i.e., the application of water and/or calcium chloride) in accordance with the Region’s standard practice.

20.0 What Are the Expected Working Hours During Construction?

In general, construction working hours are from 7:00 a.m. to 7:00 p.m. Monday through Friday, although the Contractor may also work on Saturdays from time to time. There may also be occasions where the Contractor is required to complete a critical work item outside
of these normal working hours. Work outside normal working hours must be approved by the Region and the City of Cambridge.

21.0 Will the Posted Speed Limit Be Increased?

Following construction, the Region will retain the current 50 km/h posted speed limit on Fountain Street north between King Street West and Cherry Blossom Road.

22.0 Will there be any Change in Traffic Noise Following Construction?

The Project Team expects a marginal increase in traffic and therefore only minimal change in traffic noise levels as a result of the proposed improvements. Improvements to the asphalt pavement compared to the existing irregular and cracked surface will tend to decrease the perception of vehicular noise levels after reconstruction.

23.0 Will there be any Heavy Truck Vehicle Restrictions Following Construction?

Region of Waterloo Council has adopted the Truck Route Policy whereby all Regional roads are truck routes unless there are valid reasons for imposing prohibitions or time restrictions for heavy trucks on a particular section of road.

The policy specifically states that a heavy truck prohibition should be considered when the section of road was not designed or constructed for heavy truck traffic or long vehicles. It further states that time restrictions for truck traffic should be considered when the section of road is primarily front-lotted urban residential with numerous driveways, and a suitable alternate route (less than 50% longer, but not more than 4 kilometres longer) is available.

Regional Transportation staff has reviewed the section of Fountain Street between King Street and Maple Grove Road and in accordance with the Truck Route policy, Regional Transportation staff has assessed that Fountain Street North within the project limits needs to remain a truck route as it does not meet the conditions outlined in the policy for heavy truck prohibition.

24.0 What is the Estimated Cost of this Project and How Will it be Funded?

The Region of Waterloo is funding the road improvements on this project. The estimated project cost for the proposed Fountain Street North Improvements including roadway reconstruction, new curbs, sidewalk, storm sewer works replacement/repair, driveway ramps and boulevard restoration, and landscaping is approximately $2,300,000.
25.0 What are the Next Steps for this Project?

Prior to finalizing the design for Regional Council's approval, the Project Team is asking for the public's input on the improvements being considered. This Public Consultation Centre is your opportunity to ask questions, provide suggestions, and make comments. The Project Team will use the comments obtained from the public during this Public Consultation Centre to refine the proposed design concept in conjunction with other technical data.

26.0 When Will a Decision be Made for this Project?

The Project Team will review the public comments received from the Public Consultation Centre and use them as input for identifying a Recommended Design Concept for the Fountain Street North Improvements Project. It is planned to present the Recommended Design Concept to Region of Waterloo Planning and Works Committee and Council in Spring 2014 for approval. In advance of this meeting, letters will be sent to all adjacent property owners and tenants (as well as to all members of the public specifically registering at this Public Consultation Centre) so that anyone wishing to speak to Committee or Council about this project can do so before final approval.

27.0 How Will I Receive Further Notification Regarding This Project?

Adjacent property owners and members of the public registering at this Public Consultation Centre will receive all forthcoming public correspondence, and will be notified of any future meetings.

28.0 How Can I Provide My Comments?

In order to assist the Project Team in addressing any comments or concerns you might have regarding this project, we ask that you fill out the attached Comment Sheet and leave it in the comment box provided at the registration table. Alternatively you can mail, fax or e-mail your comments to the Project Team member listed below, no later than December 19, 2013.

We thank you for your involvement and should you have any questions or concerns please contact:

Mr. Jason J. Lane, P.Eng.
Senior Project Manager
Region of Waterloo
150 Frederick Street, 6th Floor
Kitchener, ON N2G 4J3
Telephone: (519) 575-4757 x3752
Fax: (519) 575-4430
Email: jlane@regionofwaterloo.ca
29.0 How Can I View Project Information Following the PCC?

All of the PCC display materials and other relevant project information, notifications of upcoming meetings and contact information are available for viewing at the Region of Waterloo municipal office as identified above. Alternatively, you may visit the Region’s website at www.regionofwaterloo.ca.
Appendix A
Typical Cross Section

**TYPICAL CROSS SECTION**

West Side

127 Fountain Street North

- 0.30m CONCRETE EDGEBER
- 1.5m CONCRETE SIDEWALK
- RETAINING WALL
- 0.50m WIDE CURB AND GUTTER
- EXISTING EDGE OF ROAD

East Side

223, 237, 255, 261 Fountain Street North

- 0.30m CONCRETE EDGEBER
- 1.5m CONCRETE SIDEWALK
- RETAINING WALL
- EXISTING EDGE OF ROAD
- 0.50m WIDE CURB AND GUTTER

**TYPICAL SECTION @ STA. 0+250**
(BETWEEN JACOB STREET AND KITCHENER ROAD)
Appendix A
Typical Cross Section

TYPICAL CROSS SECTION

TYPICAL SECTION @ STA. 1+200
(BETWEEN PARKLAWN CEMETERY AND C.P.R. TRACKS)
Appendix B-1

Property Acquisition Process Information Sheet

The following information is provided as a general overview of the property acquisition process and is not legal advice. Further, the steps, timing and processes can vary depending on the individual circumstances of each case.

Once the Recommended Design Concept has been approved, the property acquisition process and the efforts of Regional Real Estate staff will focus on acquiring the required lands to implement the approved design. Regional staff cannot make fundamental amendments or changes to the approved design concept.

Property Impact Plans
After the project has been approved and as it approaches final design, the project planners will generate drawings and sketches indicating what lands and interests need to be acquired from each affected property to undertake the project. These drawings are referred to as Property Impact Plans (PIP).

Initial Owner Contact by Regional Real Estate Staff
Once the PIPs are available, Regional Real Estate staff will contact the affected property owners by telephone and mail to introduce themselves and set-up initial meetings to discuss the project and proposed acquisitions.

Initial Meetings
The initial meeting is attended by the project engineer and the assigned real estate staff person to brief the owner on the project, what part of their lands are to be acquired or will be affected, what work will be undertaken, when, with what equipment, etc. and to answer any questions. The primary purpose of the meeting is to listen to the owner and identify issues, concerns, effects of the proposed acquisition on remaining lands and businesses that can be feasibly mitigated and/or compensated, and how the remaining property may be restored. These discussions may require additional meetings. The goal of staff is to work with the owner to reach mutually agreeable solutions.

Goal – Fair and Equitable Settlement for All Parties
The goal is always to reach a fair and equitable agreement for both the property owner and the Region. Such an agreement will provide compensation for the fair market value of the lands and address the project impacts (such as repairing or replacing landscaping, fencing, paving) so that the property owner will receive the value of the lands acquired and the restoration of their remaining property to the condition it was prior to the Project.

The initial meetings will form the basis of an initial offer of settlement or agreement of purchase and sale for the required lands or interests.
Appendix B-2

Steps Toward Offer of Settlement or Agreement of Purchase and Sale

The general steps towards such an offer are as follows;

1) the Region will obtain an independent appraisal of the fair market value of the lands and interests to be acquired, and an appraisal of any effect on the value of the rest of the property resulting from the acquisition of the required lands and interests;
2) compensation will be estimated and/or works to minimize other effects will be defined and agreed to by the property owner and the Region;
3) reasonable costs of the owner will be included in any compensation settlement;
4) an offer with a purchase price and any other compensation or works in lieu of compensation will be submitted to the property owner for consideration; and
5) an Agreement will be finalized with any additional discussion, valuations, etc. as may be required.

Depending on the amount of compensation, most agreements will require the approval of Council. The approval is undertaken in Closed Session which is not open to the public to ensure a level of confidentiality.

Expropriation

Due to the time constraints of these projects, it is the practice of the Region to commence the expropriation process in parallel with the negotiation process to insure that lands and interests are acquired in time for commencement of the Project. Typically, over 90% of all required lands and interests are acquired through the negotiation process. Even after lands and interests have been acquired through expropriation an agreement on compensation can be reached through negotiation, this is usually referred to as a ‘settlement agreement’.

Put simply, an expropriation is the transfer of lands or an easement to a governmental authority for reasonable compensation, including payment of fair market value for the transferred lands, without the consent of the property owner being required. In the case of expropriations by municipalities such as the Region of Waterloo, the process set out in the Ontario Expropriations Act must be followed to ensure that the rights of the property owners provided under that Act are protected.
COMMENT SHEET

REGIONAL MUNICIPALITY OF WATERLOO

FOUNTAIN STREET NORTH IMPROVEMENTS

PUBLIC CONSULTATION CENTRE

Please complete and hand in this sheet so that your comments can be considered for this project. If you cannot complete your comments today, please take this home and mail, fax or e-mail your comments by December 19, 2013 to:

Mr. Jason J. Lane, P.Eng.
Senior Project Manager
Region of Waterloo
150 Frederick Street, 6th Floor
Kitchener, ON N2G 4J3
Telephone: (519) 575-4757 x3752
Fax: (519) 575-4430
Email: jlane@regionofwaterloo.ca

Are you interested in upgrading your water service as part of this project? YES    NO
Are you interested in upgrading your sanitary sewer service as part of this project? YES    NO

Comments or concerns regarding this project:


Name:
Address:
Postal Code:
Phone:
Email:

Thank you for your interest and time.

COLLECTION NOTICE
All comments and information received from individuals, stakeholder groups and agencies regarding these projects and meetings are being collected to assist the Region of Waterloo in making a decision. Under the Municipal Act, personal information (such as name, address, telephone number, and property location) that may be included in a submission becomes part of the public record. Questions regarding the collection should be forwarded to the staff member noted above.
REGION OF WATERLOO
TRANSPORTATION AND ENVIRONMENTAL SERVICES
Transportation

TO: Chair Jim Wideman and Members of the Planning and Works Committee

DATE: December 3, 2013

FILE CODE: T01-20/70

SUBJECT: IRA NEEDLES BOULEVARD (REGIONAL ROAD 70) AND YELLOW BIRCH DRIVE POST ONE-YEAR REVIEW, CITY OF KITCHENER

RECOMMENDATION:

For information.

SUMMARY:

NIL

REPORT:

As directed by Regional Council, the effectiveness of a westbound left-turn prohibition sign at the intersection of Ira Needles Boulevard (Regional Road 70) and Yellow Birch Drive in the City of Kitchener has been reviewed after a 1-year trial period.

Prior to the turn prohibition sign being installed at the intersection of Ira Needles Boulevard and Yellow Birch Drive an analysis illustrated that collisions related to left-turns from Yellow Birch Drive were occurring on weekdays and generally between the hours of 3:00pm to 7:00pm. Figure 1 illustrates this collision analysis.

Figure 1 – Collisions at Ira Needles Boulevard and Yellow Birch Drive

![Collision Involving WBLT Motorists by Date and Hour (2007 - 2011)](image-url)
Following the September 19, 2012 Regional Council approval, a sign was installed on October 8, 2012 prohibiting westbound left-turns at the intersection Monday to Friday between the hours of 3:00pm and 7:00pm. Figure 2 illustrates the location of the intersection and approved prohibited turning movement by-law.

Figure 2 – Intersection Location and Approved Turning Prohibition

Since installation of the left-turn prohibition sign on October 8, 2012 there has been no collision involving a westbound left-turning motorist from Yellow Birch Drive where 2 were expected. It is believed that the sign yielded a positive impact on collisions at this intersection.

One resident of the area has expressed concerns regarding lack of compliance with the sign and requested that the existing sign be increased in size to improve visibility and compliance. The size of the sign meets Provincial regulatory requirements and it is believed that neighbouring residents are very familiar with the presence of the sign, that the majority of drivers adhere to the by-law and that some drivers knowingly ignore the by-law. It is believed that a larger sign will not alter the behavior of those that willingly ignore the by-law, rather it is believed that the existing sign has already altered the behavior of motorists who turn illegally despite their actions. It is believed that motorists who opt to turn despite a sign prohibiting them from turning exercise more caution because they clearly understand their accountability should a collision occur.

As a result of the positive operational impact that has been demonstrated at this intersection, no further action is being recommended at this time.
CORPORATE STRATEGIC PLAN:

This report addresses the Region’s goal to implement proven roadway safety strategies and education to enhance the safety of our roadways (Strategic Objective 3.3.2)

FINANCIAL IMPLICATIONS:

NIL

OTHER DEPARTMENT CONSULTATIONS/CONCURRENCE:

NIL

ATTACHMENTS:

NIL

PREPARED BY: Bob Henderson, Manager, Transportation Engineering

APPROVED BY: Thomas Schmidt, Commissioner, Transportation and Environmental Services
TO: Chair Jim Wideman and Members of the Planning and Works Committee

DATE: December 3, 2013

FILE CODE: T18-01

SUBJECT: PROPOSED CHANGES TO STANDARD INSTRUMENT DEPARTURE RUNWAY 26 – WATERLOO REGIONAL INTERNATIONAL AIRPORT

RECOMMENDATION:
For information

SUMMARY: NIL

REPORT:
The Region’s Aeronautical Noise Management Committee (ANMC) has been discussing potential changes to the Standard Instrument Departure for runway 26 for several years and at its meeting on November 14, 2013 considered report ANMC 13-001 (see attached report Appendix A). Several delegations were heard on this issue at the meeting and after discussion by the ANMC it passed the following motion:

“That the Aeronautical Noise Management Committee take no further action to change the Standard Instrument Departure (SID) for runway 26 at this time.”

Regional airport staff and the ANMC will continue to look at various options to reduce the impact of airport generated noise to the adjacent communities.

CORPORATE STRATEGIC PLAN: NIL

FINANCIAL IMPLICATIONS: NIL

OTHER DEPARTMENT CONSULTATIONS/CONCURRENCE: NIL

ATTACHMENTS:
Appendix A – Report ANMC 13-001

PREPARED BY: John F. Hammer, Director, Transportation

APPROVED BY: Thomas Schmidt, Commissioner, Transportation and Environmental Services
APPENDIX A

REGION OF WATERLOO
TRANSPORTATION
Region of Waterloo International Airport

TO: Members of the Aeronautical Noise Management Committee

DATE: November 14, 2013 FILE CODE: T01-01

SUBJECT: PROPOSED CHANGE TO STANDARD INSTRUMENT DEPARTURE RUNWAY 26

RECOMMENDATION:

THAT the Aeronautical Noise Management Committee take no further action to change the Standard Instrument Departure (SID) for runway 26 at this time.

SUMMARY:

Nil

REPORT:

The Aeronautical Noise Management Committee (ANMC) has been discussing potential changes to the Standard Instrument Departure for runway 26 for several years and at its meeting held on January 10, 2013 the following was approved:

THAT the Aeronautical Noise Management Committee (ANMC) move forward with making an application to Transport Canada to add an additional Standard Instrument Departure (SID) at the Region of Waterloo International Airport.

At the meeting of the ANMC held June 13, 2013, Airport staff submitted a proposed SID Change Plan to the committee which included the mail out of letters to residents in affected areas, a comment period, public consultation meeting, the provision of a summary of comments to the committee, a decision by the committee, and depending on the committee decision a possible report to Regional Council and subsequent submission to Transport Canada of the proposed SID if approved by the ANMC and if necessary Regional Council. The ANMC at their meeting in June 2013 directed staff to proceed with the proposed SID change.

A mailing of letters to 9,645 addresses (listing provided by GIS department and based on existing property records) was conducted during the week of September 9th. The same information that was contained in the mailing, in addition to a video explaining the proposed change, was added to the airport’s website (at link http://www.waterlooairport.ca/en/abouttheairport/SID-Changes.asp) at that same time. Advertisements were also placed in the Kitchener Post and Cambridge Times directing members of the public to the airport's website containing the proposed SID information as well as announcing the public information centre.

A Public Information Centre open house was held on Tuesday, September 24th from 6pm to 8pm. The purpose of this meeting was to provide information about the proposed SID change and provide opportunity for members of the public to ask questions. A formal presentation and forum was not planned. 160 persons registered their attendance at this meeting. Airport staff members continue to receive and compile feedback as a result of the mailing and the meeting.
Summary of feedback

Comment Cards received: 112
Email or Website comments received: 41
Total number of responses: 153

Number of positive: 11
Number of negative: 118
Number of undetermined/neutral: 24

General concerns from the feedback:

- Newer houses (such as those built in Hidden Valley) knew what they were getting into and thus have no right to complain – airport was there first, then the new housing.
- The proposed flight path change appears to benefit a more affluent neighbourhood.
- The new construction of residences on Limerick road and Deer Ridge will result in a similar number of residences impacted as the original flight path.
- Many of the properties that would be adversely affected by the change appear to be in Cambridge and for the most part built prior to the airport.
- Environmental impact study should be conducted before any relocation of the flight path.
- Lengthening of runways recommended – would benefit all.
- “Kitch Fix” poor choice of terms – seems to favor one community over another.
- Meeting planning was inadequate - no formal presentation, question/answer session, consultant who conducted study not present.
- Feeling that a Kitchener/Waterloo problem is simply being relocated to Cambridge.
- Poor planning for future strategic direction and growth.
- Concern for RARE conservation area and how planes flying overhead will affect the protected reserve and nearby wildlife including Bald Eagles.
- Impact on Blair heritage district, including Langdon Hall.
- Residences within the new flight path will experience a decrease in property value, while taxes may stay the same.
- Residents in Deer Ridge and Hidden Valley that responded have indicated they are in favor of the proposed change.

Recommendation

It is the recommendation of Airport staff that no further action to change the Runway 26 SID be taken at this time for the following reasons:

- the majority of the feedback from residents in Cambridge/Blair is in opposition to this change.
- the factoring in of future proposed residential developments on Limerick Road and within Deer Ridge will provide a much reduced benefit to the proposed change to the Standard Instrument Departure (SID).
- it is very likely that given the overwhelming negative response by the local community Transport Canada would not approve of the proposed change as Transport Canada normally requires more of a “consensus” from all parties before approving any noise abatement changes.

PREPARED BY: Currie Russell, Supervisor, Regulatory Affairs

APPROVED BY: John Hammer, Director Transportation
TO: Chair Jim Wideman and Members of the Planning and Works Committee

DATE: December 3, 2013

FILE CODE: E-02-20(A)/4007; C06-60(A)

SUBJECT: WATER SUPPLY MASTER PLAN UPDATE PROGRESS REPORT

RECOMMENDATION: For information.

SUMMARY: The Region periodically updates its long-term water planning strategy and capital program to reflect changes in water demand, regulations, growth patterns, and other transient factors. An update to the existing Water Supply Master Plan (WSMP) was initiated to address a declining trend in water demands experienced in recent years, to address new constraints on groundwater usage arising from the provincial Clean Water Act and the outcome of recent studies triggered by this new legislation.

Generally, new water supply projects and upgrades previously planned are still needed, but with an adjustment in timing. Most critically, the WSMP update has found that a new water supply from outside of the Region (the proposed Great Lake displacement pipeline), can be delayed beyond 2051 (instead of by 2035), and the Region can be adequately supplied by local sources of water in the interim, through implementation of improvement, expansion and reconfiguration projects on existing sources and distribution infrastructure.

The Region should continue water conservation efforts to minimize water consumption and delay the need for costly displacement pipeline as long as possible.

The proposed changes to the long-term water supply strategy will result in reductions for the Region of approximately $65 million in the 2014 Ten Year Capital Program.

The updated Master Plan addresses the needs for water supply arising from future development, and supports extending the life of the existing systems and operating them in the most efficient manner, reducing the operational costs and the potential impacts on the environment.

Region’s staff will present the updated WSMP to the public for comments in three separate Public Consultation Centres in December 2013. These comments will be addressed in the WSMP, and a report detailing the Region’s long-term water supply strategy and recommending it for the mandatory 30 day public review will be submitted for Council approval by early 2014.

REPORT:

Background

The Region’s Integrated Urban Supply (IUS) is a large and complex drinking water supply network that supplies potable water to the cities of Kitchener, Cambridge and Waterloo, and parts of the Townships of Woolwich (St. Jacob’s, Elmira and Breslau), Wilmot (Mannheim, Shingletown and St.
Agatha), and North Dumfries (Lloyd Brown). The long-term water supply strategy for these communities is documented in the Region’s Water Supply Master Plan (WSMP).

The WSMP was last updated in 2007 (Report E-07-065 dated June 12, 2007). This study was completed to address the impacts of planning, regulatory and technical changes since the Region’s long-term water supply strategy was approved by Council in May 2000. Based on the population and employment growth at the time, the 2007 WSMP showed that the planned infrastructure and implementation schedule of the 2000 WSMP was still appropriate. The primary components of the 2007 WSMP included:

- Construction of Phase 2 of the ASR facility with additional capacity of 23 million litres per day (ML/d) by 2011. (Note: Phase 1 ASR was completed in 2005);
- Construction of up to 23 ML/d of additional groundwater sources by 2018;
- Construction of a Great Lake displacement pipeline by 2035;
- Continued support of the Water Efficiency Master Plan and other water efficiency measures;
- Continued maintenance and improvements to existing water supply facilities;
- Continued monitoring of legislative, regulatory and policy decisions that could impact our source supply;
- Continued updates of the MP every five years.

The Region initiated an update of the 2007 WSMP in May 2011 (Report E-11-055 dated May 3, 2011). The main reasons for this update were:

- Significant decline in Regional water demand; and
- Regulatory changes required under the 2006 Clean Water Act and related new provincial approaches to permits for water-taking from wells.

Over the past five years, the decline in water demands in the Region has been greater than anticipated by the previous WSMPs, which substantially changes the assumptions upon which previous master planning decisions have been made. Regulatory changes have created new constraints on how the Region can supply the long term average and peak water demand.

The WSMP update focuses on the sources of water and their treatment. As the changes in demand also impact water distribution in the IUS and not just where it is produced, the Region also initiated the Water Supply and Distribution Operations Master Plan (WSDOMP) in parallel with the WSMP Update. This study identified changes needed in the distribution components of the IUS infrastructure.

**Water Demand Forecast**

Municipalities throughout North America, including the Region of Waterloo, have experienced a trend of declining water demands in the last 15 years. Some of the main causes for the declining water consumption in the Region include:

- Lower per-household and per-person water usage. This reduction is likely the result of a combination of factors:
  - Implementation of the Region’s Water Efficiency Master Plan (currently being updated);
  - Promotion and supply of more water efficient appliances and fixtures;
  - The Region’s Outdoor Water Use By-law;
  - A general shift towards a more water conservation conscious public throughout North America.
Large water users making efforts to improve the efficiency of their operations by recycling or reusing water;

A gradual shift in the Region’s industrial base away from industries that are intensive water users.

The graph in Appendix A shows the new substantially reduced forecast of water demands in comparison to the previous 2007 forecast.

Declining water demands have shifted the Region’s 20 to 30-year needs away from a Great Lake pipeline in favour of investments to improve and extend the life of the existing supply systems, and were a key driver for updating the WSMP at this time. Generally, new water supply projects and upgrades previously planned are still needed, but not as soon as previously planned.

**Regulatory Changes**

The 2006 Clean Water Act requires that municipalities work with conservation authorities to undertake watershed-scale water budgets and calculate whether water use is high compared to the sustainable availability in each watershed. Based on the work completed by the Grand River Conservation Authority (GRCA), the sub-watersheds where most of the IUS system wells are located were identified as having moderate or high water use. Therefore, the Region was required by the province to undertake a comprehensive study to evaluate whether individual water supply wells can meet current and future water demands without depleting the aquifers. This study, called “Tier 3 Water Budget and Water Quantity Risk Assessment” (Tier 3 Study), is being undertaken by the Region through funding provided by the Ministry of Natural Resources. Preliminary results from this study are available and were used in WSMP. These results of the Tier 3 Study will be incorporated in a final report that is anticipated to be completed by mid-2014.

The Ministry of the Environment (MOE) requirements for renewing existing Permits to Take Water (PTTW) or issuing new ones involves a much higher effort level than in the past. These efforts include more thorough and complex studies to demonstrate the sustainability of groundwater resources. New water-taking permits have included restrictions to average day and peak day water-taking that were not part of previous supply system permits. These new restrictions have changed how the Region can supply water to the community. The potential impact of the Tier 3 Study on the permitting process is not yet clear, however, it could add more complexity to an already complex process.

A summary of the new elements of our water supply strategy that arise from the new restrictions and changes in the permitting approach follows:

- Maintaining the location of existing well fields is important for minimizing the environmental impact of Regional water-taking;
- Existing wells may need to be replaced or upgraded to reduce impact in areas where the Tier 3 study identifies risk of impacts, which may result in further restrictions to the capacity of well fields;
- Additional long-term monitoring of the Region’s well fields is required to expand the understanding of the impacts of water taking on the sustainability of the aquifers.

Potential impacts of the Tier 3 Study constraints have been analyzed in the WSMP, which indicates that water sources in the Region will be sufficient to meet water demands beyond 2051.
Water Supply and Distribution Operations Master Plan (WSDOMP)

The Region initiated the WSDOMP in August 2010 (Report F-10-075 dated August 19, 2010). Most recommendations of the WSDOMP focused in improving water distribution efficiency in each municipality and pressure zone. This improvement is achieved by consolidating the treatment/storage of existing and new well supplies. The WSDOMP also recommends the optimization of inter-municipal and inter-pressure-zone water transferring. One of the main recommendations of the WSDOMP is the optimization of the Cambridge and Waterloo systems, making them more self-sufficient in terms of local water supply, and relying less on inter-municipal and inter-zone water transfers. After implementation the optimized IUS water distribution system will be sufficient to meet average and peak demands beyond 2051.

A summary of key new infrastructure and upgrades to existing systems recommended in the WSDOMP was approved by Council (Report E-13-044 dated April 30, 2013).

Water Supply Master Plan Update (WSMP)

Due to declining water demands, and to address recent regulatory changes, the Region recognized a need to revise its long-term water supply strategy. The goal of the Master Plan is to address water supply needs to meet water demands arising from future growth. However, the strategy in the Master Plan for meeting growing demands and higher peaks in the summer has shifted from the previous concept of a Great Lake pipeline to sustaining and reinvesting in the existing sources.

Major Recommendations of the Master Plan Updates

A summary of the key recommendations from the WSMP update and the WSDOMP are:

- Delay the construction of a Great Lake displacement pipeline beyond 2051;
- Extend the life of the existing sources and operate/maintain them more efficiently. The combined capacity of the IUS well fields, the Grand River intake and the work recommended to address the Tier 3 Study constraints will be sufficient to meet water demands beyond 2051;
- Implement water supply operating strategies to meet the Clean Water Act requirements as identified in the WSMP;
- Construct infrastructure identified in the WSDOMP to optimize the IUS water distribution system;
- Continue with the Water Efficiency Program to reduce average and peak water demands;
- Continue with the Groundwater Monitoring Program;
- Continue to update the MP approximately every five years, considering the latest information and new regulatory changes.

Adoption of the recommended changes to the water strategy is estimated to reduce the cost of the 10-year capital program from $540 million to $475 million, resulting in capital savings of about $65 million over the next ten years.

The attached table in Appendix B compares the strategy and timeline changes from the 2013 WSMP Update to the 2007 WSMP Update.

Next Steps

Region staff will present details of the proposed updates to the long-term water supply strategy to the public in three separate Public Consultation Centres (PCC) to be held in the cities of Waterloo, Kitchener and Cambridge on December 10, 11, and 12, respectively. Copies of the information boards for these PCCs are also included on the agenda for the current Planning & Works
Committee Meeting. Copies of this report will be sent to local municipalities for comment. Stakeholder meetings with local municipal staff have been conducted to obtain comments on the Master Plan update.

The final report detailing the Region’s long-term water supply strategy and recommendation to post the final report for the 30 day public review period required by the Municipal Class Environmental Assessment process will be submitted for Council approval by early 2014.

CORPORATE STRATEGIC PLAN:

The strategy recommended in the WSMP update will support the Region’s Strategic Plan Focus Area 1: “Protect and Enhance the Environment”, Strategic Objective 1.2: “Reduce greenhouse gas emissions and work to improve air quality”, and Strategic Plan Focus Area 2: “Growth Management and Prosperity”, Strategic Objective 2.2: “Develop, optimize and maintain infrastructure to meet current and projected needs.”

FINANCIAL IMPLICATIONS:

Recommendations from the WSMP align with the concepts approved by Regional Council in Report E-13-044 dated April 30, 2013, (Water and Distribution Master Plan Recommended Strategy). The total reduction from the 2013 Ten Year Water Capital Program to the 2014 Program is approximately $65 million or 12%. Most of the projects deferred or removed from the 2013 Capital Program were growth related projects and had most of their funding covered by development charges. New projects recommended in the WSMP and WSDOMP have lower development charge recovery rate and will be funded at a higher percentage by the user rate. Impacts of the updated long-term water supply strategy on user rates and development charges are being evaluated during the ongoing 2014 budget process and the ongoing study for supporting the Development Charge By-law to be updated in 2014, respectively.

OTHER DEPARTMENT CONSULTATIONS/CONCURRENCE:

NIL

ATTACHMENTS

Appendix A - Comparison of Previous and Updated Water Demand Forecasts
Appendix B - Changes between 2007 WSMP and the 2013 WSMP Update

PREPARED BY: Dave Arsenault, Senior Project Engineer, Water Services
Jorge Cavalcante, Manager, Engineering & Planning, Water Services

APPROVED BY: Thomas Schmidt, Commissioner, Transportation and Environmental Services
Appendix A – Comparison of Previous and Updated Water Demand Forecasts

![Graph showing comparison between previous and updated water demand forecasts](image-url)
## Appendix B – Comparison of Key Recommendations from the 2007 WSMP and the 2013 WSMP Update

<table>
<thead>
<tr>
<th>2007 WSMP</th>
<th>2013 WSMP Update</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction of Phase 2 of the ASR facility to meet seasonal peak demands by 2011</td>
<td>Construction of Phase 2 of the ASR facility by 2023</td>
</tr>
<tr>
<td>Construction of up to 23ML/d of additional groundwater sources by 2018</td>
<td>Construct new Waterloo North Supply System by 2022, construct new Maple Grove Supply System by 2025, and upgrade existing aging supply sources and facilities until 2040 (total of 31 ML/d additional supply by 2040)</td>
</tr>
<tr>
<td>Construction of a Great Lake displacement pipeline supply by 2035</td>
<td>Defer Great Lake Supply beyond 2050</td>
</tr>
<tr>
<td>Continued support of the Water Efficiency Master Plan and other water efficiency measures</td>
<td>Continue with the Water Efficiency Programs</td>
</tr>
<tr>
<td>Continued maintenance and improvements to existing water supply facilities</td>
<td>Address constraints in the supply and distribution systems (e.g. strategically develop supplies closer to the communities where more water is needed; plan for continued intensification)</td>
</tr>
<tr>
<td>Update the MP every five years</td>
<td>Update the MP every five years</td>
</tr>
</tbody>
</table>
Water Supply Master Plan Update

Public Consultation Centre

Dec 10, 2013 – 5:30 PM to 7:30 PM
Kitchener-Waterloo Bilingual School
600 Erb Street, Waterloo

Dec 11, 2013 – 5:00 PM to 7:00 PM
1st Floor, Regional Headquarters
150 Frederick Street, Kitchener

Dec 12, 2013 – 5:30 PM to 7:30 PM
St. Benedict Catholic Secondary School
50 Saginaw Parkway, Cambridge
**Background and Proposed Strategy**

Major Elements of 2013 Strategy

- Defer Great Lakes Pipeline to Beyond 2050 (was 2035)
- Optimize and Improve Regional Supply & Distribution Systems
- Continue to Implement New Groundwater Resources and Facilities (ASR), and Water Efficiency Measures

**Why are we here?**

- Regional Council approved a Water Supply Master Plan in 2000
- Master Plan Updated in 2007
- Changes since 2007 impact the Region's water needs, requiring this further update

This is your opportunity to provide comment and input to the Region’s Updated Water Supply Strategy
Summary of 2007 Strategy

- Implement Aquifer Storage and Recovery (ASR) in two phases (45 ML/d)
- Develop new groundwater resources (14 – 23 ML/d)
- Construct Great Lake Supply by 2035
- Continue with Water Efficiency Efforts
What has Changed Since 2007?

- Peak Day/Maximum Week no longer water supply constraint

- Water demands declined over the past 5 years based on conservation measures, economic changes and intensification

- Due to more restrictive pumping limits from the Ministry of the Environment (Clean Water Act), we need to focus on the long-term sustainable water available in the Region

- We need to focus on moving water around the Region to meet local demands
Current Water Demand Forecast

• Overall demand forecast has been reduced

• The Water Efficiency Program’s past successes and reduced manufacturing have deferred the need for a Great Lake Supply to beyond 2050

• How much further reduction is achievable through individual household efficiency before a practical limit is reached? Not yet known.
There is a need to develop groundwater in strategic locations for improved efficiency, sustainability and reliability of water supply that complies with new regulatory requirements.
As urban development intensification continues, getting water supply to areas of high demand is a new challenge.

We need to remove bottlenecks in the supply and distribution systems to optimize use of new and existing supplies.
How the Region will Meet Demands to 2050

- Continue to Develop New Groundwater Resources as Planned
- Optimize Distribution System to Meet New Demand Locations
- Continue with Water Efficiency Efforts
- Continue to implement Aquifer Storage and Recovery as planned
What is the Proposed Strategy?

1. Address constraints in supply and distribution systems
   - Demands not necessarily where supplies are located
   - Plan for continued intensification

2. Groundwater Supplies as needed
   - Up to 12 ML/d from select new groundwater projects (Maple Grove, Waterloo North)
   - 19 ML/d from upgrades to aging supply sources and facilities (Cambridge wells)

3. Continue with Water Efficiency Programs and continue updating WSMP regularly (about every 5 years)

4. Implement Aquifer Storage and Recovery (ASR) to meet peak demands as needed
   - 23 ML/d ASR Phase 2

5. Defer Great Lake Supply Beyond 2050
## What Will it Cost?

<table>
<thead>
<tr>
<th>Upgrade to Existing Supplies and New Supply Infrastructure</th>
<th>10 Year Capital</th>
</tr>
</thead>
<tbody>
<tr>
<td>Previous Forecast Capital Needs</td>
<td>$540 million</td>
</tr>
<tr>
<td>Revised Water Supply Capital Spending</td>
<td>$475 million</td>
</tr>
<tr>
<td>Reduction in Capital Program</td>
<td>$65 million</td>
</tr>
</tbody>
</table>
What happens next?

- Public, concerned organization and concerned government offices will be notified of completion of Update
- Issue report for 30 day public review period
- Individual projects may require more detailed Environmental Assessments and approvals after completion of the Update

David Arsenault, M.Sc., P.Eng.
Project Manager
Region of Waterloo
519-575-4757 ext 3682
Darsenault@regionofwaterloo.ca

Project Manager
Stantec Consulting Ltd.
519-585-7121
leigh.mcdermott@stantec.com
TO: Chair Jim Wideman and Members of the Planning and Works Committee

DATE: December 3, 2013  FILE CODE: E07-80

SUBJECT: DRAFT WATER EFFICIENCY MASTER PLAN 2015 - 2025

RECOMMENDATION:


SUMMARY: NIL

REPORT:

The Regional Municipality of Waterloo has promoted and implemented water efficiency programs since 1974. The Region's first “Water Efficiency Master Plan” (WEMP) was approved in 1998, followed by the current master plan update, which was approved in 2006. The current WEMP, covering the period 2007 – 2015, has set a cumulative water savings target of 8,146 m$^3$ per day or 1.8 million gallons per day (MGD) by the year 2015.

The Water Efficiency Section, Water Services Division, delivers a variety of programs under the following WEMP categories:

- Public Education and Marketing
- Outdoor Water Use Reduction
- Efficient Toilet Replacements
- Commercial, Industrial and Institutional (CII) Efficiencies
- Municipal Leak Reduction
- Research and Development.

The current Water Efficiency Master Plan (WEMP) will reach maturity by 2015, and staff was directed by Council to present an update for approval by 2014. The WEMP update was to include study of existing program effectiveness and opportunities for improvement. Once the WEMP Update is approved, more detailed plans, reports, and budgets will be submitted for approval and implementation beginning by 2015.

By all measures, water consumption in Waterloo Region has declined. Total system demands have decreased by an average 2.4 per cent per year since 2007, while the population has increased by 1.4 per cent. While some of the reduced water consumption can be attributed to industry changes, building code revisions, and economic influences, much of the downward trend in water consumption can be attributed to the Water Efficiency program. As table 1 indicates, the Water Efficiency program has saved a cumulative 9,000 m$^3$ per day of drinking water, which exceeds the 2012 target by 2,500 m$^3$ per day. In fact, the 2015 target of 8,146 m$^3$ per day has already been exceeded by more than 1,000 m$^3$. 
Another important trend that supports the reduction in water demands is evident in residential use. A detailed tri-cities billing analysis revealed that daily per capita residential demand in single family homes declined from 238 litres in 2007 to 203 litres in 2011 (Table 2). The daily per capita demands monitored and detailed in the Water Services Water and Wastewater Monitoring Reports show a steady decline in wholesale water use.

<table>
<thead>
<tr>
<th>Year</th>
<th>Target</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007</td>
<td>238</td>
<td>238</td>
</tr>
<tr>
<td>2008</td>
<td>222</td>
<td>222</td>
</tr>
<tr>
<td>2009</td>
<td>215</td>
<td>215</td>
</tr>
<tr>
<td>2010</td>
<td>209</td>
<td>209</td>
</tr>
<tr>
<td>2011</td>
<td>203</td>
<td>203</td>
</tr>
</tbody>
</table>

The benefits accrued from delivering the current water efficiency program, as detailed in update report E-12-031.1, include the following:

- Reduced non-fixed water operating costs
- 2 tonnes per day of CO₂ reduction
- Significant deferral in capital infrastructure
- Reduced system losses due to infrastructure leak reduction
- Reduced demand on groundwater sources
- Reduced risk of low water during drought conditions.
Water Efficiency Master Plan Update, 2015 - 2025

The Region is required to have a water efficiency plan and associated programs under Ontario’s Permit to Take Water regulations, and it is also encouraged to do the same under the 2010 Water Opportunities and Water Conservation Act. A water conservation plan may also be required as part of the Region’s Water Sustainability Plan under the Ontario Clean Water Act.

The current Water Efficiency Master Plan (WEMP) will reach maturity by 2015, and staff was directed by Council to present an update for approval by 2014. The project is mandated under the Strategic Plan, and detailed in Report E-12-105.1.

Water Services contracted the consultant team of LURA, Econics and Metroline in January 2013 to review the current status of the Water Efficiency Master Plan (WEMP) 2006 – 2015, and to update the WEMP for the planning period 2015 – 2025. The bulk of the work is now completed, and the draft Master Plan is ready for public review and comment (Attachment A).

The main goals for the WEMP update were as follows:

1. To develop a sustainable water efficiency program from 2015 to 2025 that supports the Water Services Master Plan.
2. To measure program achievements.
3. To update water efficiency goals and targets.
4. To meet legislative requirements
5. To deliver revised programs at the same cost as previous years.

The consultant team has completed extensive research and documentation that informs the WEMP 2015 – 2025. The master plan process and supporting technical memos (TM) is detailed in Figure 1 below. The draft WEMP, and supporting technical documents, will be posted to the Region of Waterloo’s web site and made available to the public by December of 2013.

Figure 1 – Water Efficiency Master Plan Process*

* “TM” = Technical Memo; “CII” = Commercial, Industrial, Institutional
Proposed Water Efficiency Program 2015 – 2025

The attached WEMP Update suggests that the Region’s core water efficiency programs will continue to be effective during the next implementation period. To improve core program effectiveness, several new or enhanced activities are proposed. Table 3 below summarizes the continuing and enhanced activities recommended for the period 2015 to 2025.

Table 3: Recommended Water Efficiency Program

<table>
<thead>
<tr>
<th>Continuing Activities</th>
<th>New or Enhanced Activities</th>
</tr>
</thead>
</table>
| **Residential Sector** | • Residential Water Savings Assistance Program  
| General Education and Awareness | • Toilet Flapper Program  
| | • Rainwater Harvesting Program |
| **Commercial, Industrial and Institutional (CII) Sectors** | • CII E-newsletter  
| Water Efficient Technology (W.E.T.) Program | • Restaurant Certification Program  
| | • Cooling System Program |
| **Partner Profession** | • New Home Building Incentives  
| Trade Training | • Plumber Sustainability Training |
| **Community-Wide** | • Enhanced Interactive Website and Communications |
| Water Conservation By-Law; Pressure and Leakage Management | |
| **Research and Development** | • Residential Hot Water Recirculation System Research  
| Water Softener Research | • Commercial Sub-Metering Education and Advocacy  
| | • Landscape Topsoil Depth Advocacy |

The estimated benefits of the proposed WEMP 2015 – 2025 are listed below:

- Cumulative water savings of 3,600 m³ per day by 2025 (daily needs of 7,000 households)
- Cumulative total water savings of 8720 ML over the 10 year period
- Residential water consumption decrease from 203 to 168 Litres per capita per day by 2025
- Cumulative water and wastewater operating cost savings of $2 million
- Deferral of a Great Lakes displacement pipeline from 2035 to beyond 2051
- Estimated 7500 tonnes of CO₂e avoided from release into atmosphere.

The continued water use reductions and deferred water supply infrastructure is also projected as part of the 2013 Water Supply Master Plan Update (Report E-13-123).

The recommended programs were screened from a long list of industry best practices. The estimated implementation cost for the proposed WEMP is $800,000 per year in capital, which matches current budget allocations. Staff resources to deliver the current Water Efficiency Program include four permanent positions. One temporary full time staff person has been
delivering the current CII Water Efficient Technology (W.E.T.) Program since 2007. When the final WEMP Update is approved, it will be recommended that the full time position be made permanent.

Proposed WEMP Public Consultation Plan

The primary target audience for communicating the draft WEMP is property owners and business leaders within Waterloo Region. However, community groups and all individuals residing in Waterloo Region will be encouraged to provide their input.

With Committee and Council approval, Water Services will initiate a comprehensive WEMP update public consultation program. Public consultation will include the following elements:

- 4 public information “places and spaces conversations”
- Poster boards (Attachment B)
- Web-based survey with supporting documentation
- Comment cards
- Region News promotion
- Advertising (print, radio & social media).

<table>
<thead>
<tr>
<th>Event/Location Name</th>
<th>Date/Time</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>“Surface Tension” Exhibit at The Museum (launch of public consultation)</td>
<td>Christmas vacation week, 2013/2014</td>
<td>10 King St W, Kitchener</td>
</tr>
<tr>
<td>Conestoga Mall, Waterloo</td>
<td>TBD (Jan/Feb 2014)</td>
<td>550 King St N, Waterloo</td>
</tr>
<tr>
<td>Fairview Park Mall, Kitchener</td>
<td>TBD (Jan/Feb 2014)</td>
<td>2960 Kingsway Dr, Kitchener</td>
</tr>
<tr>
<td>Cambridge Centre Mall, Cambridge</td>
<td>TBD (Jan/Feb 2014)</td>
<td>355 Hespeler Rd, Cambridge</td>
</tr>
</tbody>
</table>

In addition to the public contact points listed in Table 4 above, staff will use targeted emails to solicit feedback from business contacts, will speak at public events, and will distribute promotional material in libraries and other public spaces.

Following the public consultation phase (December–February 2014), the consultant will prepare a report that summarizes public feedback received. Public feedback will then inform completion of the final WEMP document by May 2014.

Recommendation by Water Efficiency Advisory Committee, November 19, 2013

The Water Efficiency Advisory Committee (WEAC) reviewed the contents of the draft WEMP Update report (Attachment A) and staff report E-13-133 at a meeting held November 19, 2013. Program elements, estimated water savings, costs and scope of the plan were clarified by staff. WEAC members suggested wording changes to the recommendation to clarify that the WEMP Update is in draft form only and the public is encouraged to provide its input. Once input has been received, the final master plan will be written and presented to Council for final approval in 2014.

WEAC moved that Planning and Works Committee and Regional Council approve the Draft Water Efficiency Master Plan, 2015 – 2025, as attached, and proceed with soliciting public input, as detailed in E-13-133.1.
CORPORATE STRATEGIC PLAN:

Implementation of Water Efficiency programs relates to the Strategic Objective 1.4, to “Protect the quality and the quantity of our drinking water sources.” Action 1.4.3 states the Region of Waterloo should “Update and continue to implement the Water Efficiency Master Plan.

FINANCIAL IMPLICATIONS:

Total costs for the WEMP Update are not expected to exceed the proposed 2014 Capital Budget allocation of $300,000. Water Efficiency programs are funded by development charges. The Water Services 10 Year Capital Forecast allocates funding requirements for Water Efficiency at the same level as 2013.

The proposed 2014 Water Rate Model incorporates existing water efficiency projections. It is not expected that recommendations from the Water Efficiency Master Plan 2015 – 2025 will significantly alter the projected rates. During the 2014 public consultation period, a detailed rate impact analysis will be completed and presented to Council as part of the final plan approval.

OTHER DEPARTMENT CONSULTATIONS/CONCURRENCE: NIL

ATTACHMENTS:

Attachment B – Water Efficiency Master Plan Public Information “Places & Spaces” Posters

PREPARED BY: Steve Gombos, Manager, Water Efficiency, Water Services

APPROVED BY: Thomas Schmidt, Commissioner, Transportation and Environmental Services
REGION OF WATERLOO

WATER EFFICIENCY MASTER PLAN (2015-2025)
DRAFT V7
Nov 21 2013

Region of Waterloo
This report was prepared by Lura Consulting and Econics on behalf of the Region of Waterloo. If you have any questions or comments regarding the information included in this report, please contact:

Steve Gombos,
Manager, Water Efficiency, Region of Waterloo
519-575-4503
Sgombos@regionofwaterloo.ca
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Water Efficiency Master Plan (2015-2025): An Overview

VISION: The Region of Waterloo Water Efficiency Program contributes to sustaining a clean and reliable drinking water supply for the future; a supply that draws primarily from our groundwater and river water sources.

GOALS

- To engage municipalities, residents, businesses, and institutions in actions and behaviours that promote water efficiency and conservation;
- To positively impact our communities, environment and economy through the benefits that result from water efficiency and conservation;
- To defer large capital infrastructure projects decades into the future, and focus on a sustainable water supply with groundwater and river sources;
- To effectively monitor and report on the measurable benefits of the water efficiency program; and
- To be recognized as innovative leaders in water efficiency.

OBJECTIVES

- To further reduce indoor and outdoor water demand in the residential sector.
- To reduce total system demand for water (i.e. metered residential and commercial, institutional and industrial sectors).
- To keep summer peak demands ratios at or below existing levels.
- To maintain Water Efficiency Program budget and staff at current levels.

RECOMMENDED WATER EFFICIENCY PROGRAM: 2015-2025

<table>
<thead>
<tr>
<th>Sector</th>
<th>Continuing Activities</th>
<th>New or Enhanced Activities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Sector</td>
<td>General Education and Awareness</td>
<td>Residential Water Savings Assistance Program</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Toilet Flapper Program</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rainwater Harvesting Program</td>
</tr>
<tr>
<td>Commercial, Industrial and Institutional (CII) Sectors</td>
<td>Water Efficient Technology (W.E.T.) Program</td>
<td>CII E-newsletter</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Restaurant Certification Program</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Cooling System Program</td>
</tr>
<tr>
<td>Partner Profession</td>
<td>Trade Training</td>
<td>New Home Building Incentives</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Plumber Sustainability Training</td>
</tr>
<tr>
<td>Community-Wide</td>
<td>Water Conservation By-Law Pressure and Leakage Management</td>
<td>Enhanced Interactive Website and Communications</td>
</tr>
<tr>
<td>Research and Development</td>
<td>Water Softener Research</td>
<td>Residential Hot Water Recirculation System Research</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Commercial Sub-Metering Education and Advocacy</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Landscape Topsoil Depth Advocacy</td>
</tr>
</tbody>
</table>
RECOMMENDED ALLOCATION OF EFFORT AND BUDGET

The recommended programs were screened from a long list of industry best practices. The estimated implementation cost for the proposed WEMP is $800,000 per year in capital, which matches current budget allocations. The benefits of the proposed WEMP 2015 – 2025 are listed below.

It is recommended that the available capital budget be allocated roughly in proportion to sectoral demand (see below).

Assuming a fixed capital budget of $800,000, this would result in the following budget allocations:

<table>
<thead>
<tr>
<th>SECTOR</th>
<th>ALLOCATION</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>47%</td>
<td>$375,500</td>
</tr>
<tr>
<td>CII</td>
<td>26%</td>
<td>$204,340</td>
</tr>
<tr>
<td>Community Wide</td>
<td>19%</td>
<td>$155,000</td>
</tr>
<tr>
<td>Partner Professions</td>
<td>8%</td>
<td>$65,160</td>
</tr>
<tr>
<td>TOTAL</td>
<td>100%</td>
<td>$800,000</td>
</tr>
</tbody>
</table>
EXPECTED BENEFITS

- Annual water savings of 1370 million litres (ML) by 2025
- Cumulative total water savings of 9023 ML
- Residential water consumption decrease from 202 to 168 litres per capita per day by 2025
- Cumulative water and wastewater operating cost savings of $2.5 million by 2025
- Deferral of a Great Lakes displacement pipeline from 2035 to beyond 2051
- Estimated 7700 tonnes of CO\textsubscript{2}e avoided from release into atmosphere

The continued water use reductions and deferred water supply infrastructure is also projected as part of the 2013 Water Supply Master Plan Update (Report E-13-123).
An Updated Water Efficiency Master Plan for the Region

The Region of Waterloo has been actively engaged in water efficiency programs since 1974. The Region is a recognized leader in water efficiency and conservation and has taken proactive measures to foster behaviour change in water use. Utilities across North America view many of the water efficiency activities in the Region as best practices in the field.

A key component of the Region’s overall strategic approach to water conservation planning is the Water Efficiency Master Plan (WEMP). The first WEMP was approved by Council in 1998, with the goal of reducing water consumption by 1.5 million gallons per day (MGD) by 2009. With the approval of the Region’s Long Term Water Strategy in 2000 (LTWS), designed to supply water to the Region until 2041, the 1998 WEMP was enhanced in 2001 to include a subsidized rain barrel distribution program, the Ayr Water Efficiency Program, a new Water Conservation By-Law, and increased public education.

The WEMP was updated again in 2006 for the period between 2007 and 2015 (WEMP 2007-2015). This most recent WEMP has already achieved significant water savings – 42% ahead of the target for 2011, and has exceeded the 2015 WEMP target of 8146 m$^3$/day. These water savings have resulted in reduced costs, lower greenhouse gas emissions, and most importantly, have contributed to the deferral of large water infrastructure projects.

While the Region’s current water efficiency program has achieved success, there is a pressing need to continue to improve water efficiency across all sectors. The Region’s population is growing faster than projected, requiring plans to ensure water demands can be met. While large capital projects such as the Great Lakes Pipeline are an option, they represent a significant cost to taxpayers. The Water Supply and Distribution Master Plan proposes that large capital work projects for water supply can be deferred decades into the future – at cost savings of more than $100 million dollars – if water demand declines to below 160 litres per person per day by 2031, driven in part by water conservation measures$^1$. Currently, the Tri-City average single family residential daily per capita demand sits at 202 litres per person per day, indicating we have a ways to go to reach that target.

An updated water efficiency program will provide financial and ecological benefits to the Region. Modelling indicates that annual system production will be lower as a result of savings across community sectors, and single family residential consumption will fall to 168 litres per capita per day by 2025. In addition, the program will save an estimated total of 7,705 tonnes of CO$_2$e, and help to reduce environmental impacts from water extraction and wastewater outflows. The community will also benefit through improved customer service and regulatory compliance, as well as reduced water risks during drought.

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The new program will ensure the Region of Waterloo continues to be an innovative leader in water efficiency. The current water efficiency program is broad and comprehensive, and has already achieved deep market penetration in several areas because of its maturity – notably with toilet rebates and rainwater barrel sales. There is a need now to put forward creative and innovative programming to reach beyond the “low hanging fruit”.

How this Report is Organized

This Water Efficiency Master Plan for the period of 2015 to 2025 consists of four sections:

- **Section 1: Background** – provides the background and context for the Plan, including how the Plan was developed, where we are today, and key findings from the research;
- **Section 2: Water Efficiency Master Plan 2015-2025** – outlines the Plan itself, including:
  - a Vision for water efficiency in the Region of Waterloo;
  - Specific Goals and Targets for the time period; and
  - Recommended water efficiency program activities across all sectors to reach the Vision. These include both current activities that should be continued and proposed new activities.
- **Section 3: Program Benefits** – outlines the estimated water savings and financial, ecological and social benefits from the water efficiency program activities; and
- **Section 4: Implementation** – provides an approach for how the Plan will be implemented, including budget implications.
Section 1: Background

WEMP Update Process

The WEMP Update process began in January 2013 and involves five key phases (Figure 1). The key objectives of the process are to:

- **Understand**: Further understand program achievements and developments in water efficiency to date;
- **Improve**: Update the current water efficiency goals and targets in light of past and new program achievements, perspectives of stakeholders, and advances in technology;
- **Advance**: Develop a water efficiency program for the period 2015 to 2025 that is sustainable, well-received by stakeholders and residents, embraces new approaches and innovations where appropriate, and supports other initiatives in the Region; and
- **Be Accountable**: Ensure all requirements in relevant legislation are met, such as the Water Resources Act (1990) and the Water Opportunities and Water Conservation Act (2010).

We are currently in Phase 4, consulting with the public and stakeholders on the Draft WEMP 2015 to 2025. Activities conducted at each previous phase were documented in separate reports, a list of which can be found in the Appendix and copies are available on the Region’s website. A brief description of each of the key phases, and the resulting reports, can be found below.

Figure 1: Water Efficiency Master Plan Update Process
Phase 1: Data Collection and Review

Phase 1 involved collecting baseline and background information to support the development of the updated WEMP. This included the following activities:

- **Baseline information collection** – including quantitative historical water demand trends, implementation of water conservation programs to date, and the impact of these programs on the community’s sustainability objectives (Technical Memo #1: Background Report);
- **Improving our understanding of water use and perspectives in the Commercial, Industrial and Institutional (CII) Sectors** – through: 1) a quantitative analysis of available water use data using Municipal Property Assessment Corporation (MPAC) codes; 2) 15 exploratory telephone interviews with representatives from commercial, industrial and institutional sectors on successes, challenges and opportunities in implementing water efficiency measures in each sector; and 3) a literature review of best practices in water efficiency in the CII sector from select jurisdictions in North America and Australia (Technical Memo #2: CII Sector Status); and
- **Gaining an in-depth understanding of residential water conservation activities and perspectives** – through a 10 minute telephone survey, randomly administered to 1000 Region of Waterloo residents (Technical Memo #3: 2013 Residential Telephone Survey).

Phase 2: Develop and Refine Program Options

With the background information in hand, Phase 2 involved researching and selecting Water Efficiency Program measures for the 2015 to 2025 WEMP and refining these options based on feedback and additional information. The WaterWorth™ Measures Assessment Tool (MAT Tool) was used to narrow down the potential water efficiency measures most suitable and relevant to the Region of Waterloo moving forward. Specific steps conducted during this phase included:

- **Selecting potential new water efficiency measures** – this started with a coarse screening of program options from a list of 137 fully researched water efficiency measures documented in the MAT Tool. Screening criteria customized to suit the context of the Region were developed and applied to this list to qualitatively evaluate and assess current and potential new program measures. A staff workshop was held to refine and rank these measures. The result was 14 potential new water efficiency measures for the Region (see Technical Memo #4: Best Practices Report, including Appendix 1: Potential Measures Description).
- **Obtaining feedback on the 14 potential new water efficiency measures** – the 14 measures were presented to stakeholders at a ½ day workshop in June 2013. The feedback from stakeholders was used to make further refinements to the potential new measures. As a result of this meeting, the level of effort for some measures was reduced. Feedback on select new measures was also obtained from residents during 3 focus groups held in July 2013 (see June 19th Stakeholder Meeting Outcomes Report; WEMP Focus Group Report).
- **Quantitative modelling of potential new measures** – the Alliance for Water Efficiency’s (AWE) Water Conservation Tracking Tool was used to model water savings, budget implications, and other indicators of the proposed new measures. Three budget allocation scenarios were also modelled for water savings potentials: Scenario 1, where budget is allocated in proportion to sectoral demand; Scenario 2, where greater emphasis in budget allocation was placed on CII
Sector programs; and Scenario 3, where greater emphasis in budget allocation was placed on residential programs (see Technical Memo #5: Quantitative Modelling).

- **Reviewing current water efficiency communication and engagement activities** – current communication and engagement activities related to water conservation were reviewed, and a desktop review of best practices in using social media for water conservation was conducted. From these analyses, recommendations for enhancing existing communication efforts were provided (see Technical Memo #4 Appendix 2: Review of Communication and Engagement Activities).

Waterloo Region staff and members of the Region’s Water Efficiency Advisory Committee were involved throughout the new measures selection and refinement process.

**Phase 3: Draft WEMP Update Report**

The information compiled in Phase 1 and Phase 2 – including technical analysis, consumer feedback, and other relevant information – was integrated into a recommended Water Efficiency Program. This proposed program has been documented in this, the Draft Water Efficiency Master Plan 2015 to 2025, as a basis for stakeholder and community consultation.

**Phase 4: Consult with Public and Stakeholders**

Feedback on the Draft WEMP 2015 to 2025 will be obtained through a variety of mechanisms to ensure extended reach to public and stakeholders across the Region of Waterloo. Activities will occur between December 2013 and February 2014, and include:

- **Public Information Centre Places and Spaces Conversations** – at key high traffic areas across the Region, Project Team representatives will engage passersby in conversations about the updated WEMP and direct them to further information on-site (e.g. poster boards, handouts) and on the web (e.g. WEMP Draft, survey questions).
- **Comment Cards** – where residents and stakeholders can provide their feedback about the updated WEMP through focused questions. Comment cards can be deposited on-site at the Public Information Centre Places and Spaces Conversations; and
- **Web-based Survey** – the WEMP Draft and all supporting documents will be available on the Region’s website, along with a short electronic survey for residents and stakeholders to provide feedback on the Plan.

**Phase 5: Final WEMP 2015 to 2025**

Public and stakeholder feedback will be analyzed and used to refine the final Water Efficiency Master Plan 2015 to 2025. The final WEMP will be presented to the Water Efficiency Advisory Committee and Regional Council for approval in 2014.
Where We are Today – A Snapshot

The Region of Waterloo has had a long and successful history with encouraging water efficiency and conservation. The first programs were delivered in the 1970s – including a lawn watering restriction in Kitchener and Waterloo well before similar initiatives were in place in other municipalities.

Since that time, the Region has added water efficiency education and incentive programs for indoor and outdoor water use, material for children and schools, programs for businesses, the Water Conservation By-Law and other activities to produce the broad and comprehensive program seen today (see Table 1).

These programs have resulted in significant water savings across the Region. From 2007 to 2011, the base residential and CII programs achieved an estimated combined water savings of 8,504 m$^3$ per day. This was 42% ahead of the target for that year (5,988 m$^3$ per day), and also exceeded the 2015 target (8,146 m$^3$ per day). Savings attributed to the outdoor water use program are conservatively estimated at an additional 795 m$^3$ per day on average. Benefits associated with these water savings include:

- Low program costs compared to the cost of new supply side measures;
- Reduced operating costs associated with less energy and chemical use and other variable cost savings;
- Reduced seasonal peaking factors; and
- Reduced greenhouse gas emissions from lower demands for electricity and/or gas to pump, treat, and heat water, with an estimated cumulative annual GHG savings from 2007 to 2011 of 496.7 tonnes CO$_2$e.

Water demand by sector in the Region is displayed in Figure 2. Figure 3 provides an illustration of how water is allocated to various end-uses inside the average home in the Region.
Table 1: Current Water Efficiency Program Elements in the Region of Waterloo by Sector

<table>
<thead>
<tr>
<th>Residential Sector</th>
<th>Commercial, Industrial, Institutional Sector</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Broad education program including:</td>
<td>The primary water efficiency program for</td>
</tr>
<tr>
<td>o School and teacher resources</td>
<td>businesses, institutions and multi-unit</td>
</tr>
<tr>
<td>o Display booths and attendance at community events</td>
<td>residences is the Water Efficient Technology (W.E.T.) Program, which offers:</td>
</tr>
<tr>
<td>o Public presentations and seminars</td>
<td>• On-site services for free to conduct simple water use reviews, install data-logging equipment, and retrofit small fixtures (e.g. showerheads, aerators)</td>
</tr>
<tr>
<td>o Print material on specific topics (e.g. water efficiency in your garden, pools, etc.)</td>
<td>• Rebates (e.g. toilets, commercial-grade front load clothes washers)</td>
</tr>
<tr>
<td>o Dedicated website and print material to promote efficiency in water softeners</td>
<td>• A spray valve replacement program</td>
</tr>
<tr>
<td>o Articles in EnviroNews</td>
<td>• Cost sharing for in-depth water audits</td>
</tr>
<tr>
<td>o Promotion of programs in media</td>
<td>• Funding opportunities for a broad range of proven water efficiency technologies (e.g. rainwater harvesting)</td>
</tr>
<tr>
<td>o Region of Waterloo’s Water Efficiency Website</td>
<td>• Water efficiency training resources</td>
</tr>
<tr>
<td>• Toilet Rebate Program</td>
<td>• Water Efficiency Excellence Awards</td>
</tr>
<tr>
<td>• giveaways such as shower timers, by-law reminders, aerators etc.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Professionals Sector</th>
<th>Community-Wide</th>
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<tr>
<td>• Trade training projects including meeting with gardeners and landscapers, plumbing retailers and others</td>
<td>• Water Conservation By-Law</td>
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<td></td>
<td>• Pressure and leakage management in partnership with local municipalities</td>
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<td></td>
<td>• Research and development</td>
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</table>

**Figure 2: Water Demand in the Region of Waterloo by Sector (2011)**

**Figure 3: Average Allocation of Indoor Water Use (Residential) (2012)**

**Source:** Econics and Lura Consulting (2013), Technical Memo #1

**Source:** Aquacraft and NRC (2013). Residential End Uses of Water Study Update: Region of Waterloo Site Report
Key Findings from the Research

Background research to inform the development of the updated WEMP occurred between January and July of 2013. Key highlights from this research are described below. For further details, please refer to the individual reports listed in the Appendix.

1. **Water demand in the Region is on the decline regardless of climate, indicating that the Region’s Water Efficiency Program is contributing positively to water savings.** The research shows that by virtually every measure, and over the past decade in particular, water demand in the Region has been steadily declining. This in part can be explained by the small decline in large manufacturing companies, but the falling demand is seen across the community in aggregate total water demand, total water demand per capita, summer peak demand periods, residential capita demand and indoor residential demand. This decline has been consistent despite variations in climate during the period. Also, timing of reductions in overall demand (and declines in the magnitude of summer peak periods) correlate closely with the introduction of new conservation measures (e.g., changes to the Water Conservation By-law) (see *Technical Memo #1*).

2. **Water efficiency gains have been made in the Commercial, Industrial and Institutional (CII) sectors, motivated largely by cost savings. There are opportunities for further improvements by working with the unique water needs of different companies and institutions.** There is a wide diversity of water uses and consumption rates across 99 identified sub-sectors of the broader CII sector. For example, the sub-sectors of Standard Industrial, Neighborhood Shopping, and Heavy Manufacturing show preliminary potential for targeted water efficiency program elements and communications because these sectors are high water consumers, have a large number of water accounts, have high average demands per account and/or have a strong upward trend in water use over the past 5 years. Key barriers to improving water efficiency in the CII sector include cost and lack of knowledge about practices or technologies appropriate for different sub-sectors. Information about water efficiency in the CII sector is shared primarily through word-of-mouth and CII representatives were supportive of direct one-to-one contact from the Region to explore water efficiency suited to unique needs. Improved communication mechanisms – to share best practices, benchmarks, and promote existing programs – was identified as a key opportunity for improved water efficiency in the CII sector (see *Technical Memo #2*).

3. **Region of Waterloo residents are supportive of water efficiency and conservation.** In the 2013 Residential Telephone Survey, 98% of respondents considered water conservation to be “important” or “very important”, a perception that is increasing compared to past surveys. Focus group participants similarly expressed the importance of water conservation for a variety of reasons, including the fact that local water may become a non-renewable resource, the Region’s supply is groundwater-based, and because of the higher cost of water. Support of the Water Conservation By-Law was also high, with 87% of telephone respondents aware of the By-law and 67% reporting they “strongly agree” it is needed (see *Technical Memo #3* and *Focus Group Report*).
4. There are opportunities to further improve water efficiency in the residential sector, bridging the gap between the existing 202 litres per capita per day (Lcd) use and the targeted 160 Lcd. Opportunities identified in the research include addressing leakage within the home, particularly the small minority of households with large water losses; working directly with the minority of households that consume disproportionately larger volumes of water than their neighbours in the community; finding new ways to promote efficient water softener purchases (given that 70% of respondents in the survey noted they have a water softener); and providing incentive programs for new housing development to incorporate water efficiency into new projects (see Technical Memo #1, Technical Memo #4).

5. There are opportunities to extend education about and engagement in water efficiency through on-line resources and tools. Best practice reviews in both the CII and residential sectors show that web-based resources and tools are being used more and more to inform and engage residents, businesses and institutions in water conservation. Resources range from on-line calculators to benchmarking data to “how-to” videos and blogs. This is supported by evidence in the 2013 Residential Telephone Survey which shows that more Region of Waterloo residents are visiting the Region’s water efficiency website (37%, up from 12% in 2009).
Section 2: Water Efficiency Master Plan 2015 to 2025

Vision Statement

The Region of Waterloo Water Efficiency Program contributes to sustaining a clean and reliable drinking water supply for the future; a supply that draws primarily from our groundwater and river water sources.

WEMP Goals

- To engage municipalities, residents, businesses, and institutions in actions and behaviours that promote water efficiency and conservation;
- To positively impact our communities, environment and economy through the benefits that result from water efficiency and conservation;
- To defer large capital infrastructure projects such as the Great Lakes Pipeline decades into the future, and focus on a sustainable water supply with groundwater and river sources;
- To effectively monitor and report on the measurable benefits of the water efficiency program, including key indicators of participation, water and energy savings, and other environmental benefits; and
- To be recognized as innovative leaders in water efficiency.

Objectives and Targets

<table>
<thead>
<tr>
<th>OBJECTIVES</th>
<th>2011 STATUS</th>
<th>2025 TARGET</th>
<th>(Desired end state the Plan is aiming for)</th>
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<tbody>
<tr>
<td>- To further reduce indoor and outdoor water demand in the residential sector. ²</td>
<td>202 Litres per capita per day (Lcd) (Tri-City average, single family residential).</td>
<td>160 Litres per capita per day (Lcd), in line with the documented assumptions in the Water Supply Master Plan Forecast</td>
<td></td>
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<tr>
<td>- To further reduce total system per capita demand. ³</td>
<td>285 Litres per capita per day (Lcd).</td>
<td>235 Litres per capita per day (Lcd).</td>
<td></td>
</tr>
<tr>
<td>- To keep summer peak demands at or below existing levels.</td>
<td>Peaking factor (ratio of maximum day demand to average day demand) averaged</td>
<td>Peaking factor remains same or less than 1.28.</td>
<td></td>
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</tbody>
</table>

² This is daily single family residential consumption in Litres divided into the population living in single family homes for 2011, which includes indoor and outdoor use.

³ This is the daily total system production in Litres divided by total population.
1.28 from 2006 to 2010.

- To maintain Water Efficiency Program budget and staff at current levels.

<table>
<thead>
<tr>
<th>$800,000 per year capital budget for programming.</th>
<th>$800,000* per year capital budget for programming.</th>
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<tr>
<td>* 2012 dollars</td>
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**Proposed Water Efficiency Program 2015 to 2025**

This section provides brief descriptions of the recommended continuing and new measures for the 2015 to 2025 WEMP, separated under 5 categories: 1) Residential Programming; 2) Commercial, Institutional and Industrial (CII) Programming; 3) Partner Profession Programming; 4) Community-Wide Programming; and 5) Research and Development (Figure 4 – note, research and development are included in their respective sectors).

The proposed Water Efficiency Program has been designed to be broad and distribute risk evenly across sectors and activities. Specific implementation details will be determined as part of a more detailed implementation plan upon approval of the WEMP 2015 to 2025. Further information about these continuing and proposed new measures can be found in *Technical Memo #4*, including Appendices 1 and 2.

**Figure 4: Summary of Proposed Water Efficiency Program for WEMP 2015-2025**
RESIDENTIAL PROGRAMMING

The Region has a long-standing and strong water efficiency program in the residential sector. It is recommended that WEP programming in the residential sector continue assisting residents with reducing both indoor and outdoor water use through the general education activities (including those designed for schools and children) and incentives such as giveaways. To reach the target for residential water demand, extra effort should be placed towards helping residents who use a disproportionately large amount of water reduce their water use.

Recommended Continuing Activities

General Education and Awareness
The Region has implemented extensive communication and outreach activities associated with the Water Efficiency Program since 1974 – including use of print material, mass media to raise public awareness around specific program elements, talks and workshops, and promotional giveaway items (water fixtures, shower timers, etc.). The Region has also taken proactive measures to foster behaviour change to reduce water use through public presentations and seminars and other activities. These activities have proven successful and have been well received, and should continue.

Areas where general education and awareness could be further enhanced include:

- Coordinating the look of communication material to convey that various program elements are working together towards the broader Water Efficiency Program goals;
- Increasing personal contact at public booths/displays to engage the public in conversation and seeking commitments to change;
- Targeting communication to specific audiences; and
- Enhancing and promoting the Region’s water efficiency website (see Technical Memo #4, Appendix 2).

Region of Waterloo’s Toilet Replacement Program

The Region of Waterloo’s Toilet Replacement Program has had a long and successful history. Since it began in 1994, 73,778 rebates have been issued, and by 2011 the estimated cumulative water savings from this program was 6500 m³/day. At the same time, there have been changes in both building code and consumer preferences towards higher efficiency toilets – increasing the number of these toilets in the Region and decreasing the attractiveness of a rebate. Given the major changes in the toilet marketplace and regulatory environment, there is an opportunity to shift Water Efficiency Program resources away from cash rebates and into new and more innovative education and incentive programs to promote toilet replacement. The role of toilet replacement as a strategy for water efficiency will be redefined in the Implementation Plan for the updated WEMP, with the goal of ensuring high efficiency toilets are going to the homes that need them the most to save water. A natural fit would be including toilet replacement incentives and education under the Residential Water Savings Assistance Program.
**Recommended New Program Activities**

**Residential Water Savings Assistance Program**
This program involves providing a suite of tools to help residents reduce their water use. It is available to all residents, and those who are known to have especially high household water use will be actively contacted and encouraged to participate in the program. This program will help address the challenge shown frequently in market research that many residents are unaware that their consumption is markedly higher than the norm. The program design will be equitable, acknowledging that residents have varying reasons for high water use which may not be amenable to large changes – for example high occupancy households. The program involves building relationships with a segment of residents and offering a range of tools until each participant has found a water conservation approach that works with their particular life context, ideally in a way that saves them money or complements their lifestyles.

The suite of tools can be considered under three components:

1. **Education and Awareness** – tools could include personalized communication through inserts in water bills or special letters and/or customized savings plans through questionnaires, online tools, self-assessment forms, and other means. This may involve use of a Customer Relationship Management (CRM) information system. The objective at this stage is to create mindfulness about personal water use and facilitate ongoing communication between the Region and participating households.

2. **Detecting Inefficiencies** – done through free home audits, to assist residents in understanding which appliances and activities use the most water in their home, and how they can be more water efficient. Leak repair and low-cost fixture replacements (e.g. toilet flapper replacement, see below) would be a key part of this component.

3. **Incentives through Targeted Product Rebates** – building on the success of the Toilet Replacement Program, this component would include offering various types of rebates on a short-term basis (e.g., “this month only”, “while supplies last”). Rebates could be offered for fixtures such as high efficiency toilets, toilet flappers, rainwater harvesting rebates, etc. and would require an assessment to ensure eligibility.

All participants would start with the first component of education, and other elements could be delivered sequentially over a number of years. Participation in all components is voluntary. A flowchart of how participants could move through the program is shown in Figure 5.
Figure 5: Flow Chart of the Residential Water Savings Assistance Program

**Toilet Flapper Program**
Toilet flappers can be a large source of leaks in a residential setting. This program uses a combination of measures to encourage people to replace toilet flappers. Details will be determined upon the development of an implementation plan, but could include: online tutorials and buying guides; print material distributed through hardware stores or plumbing wholesalers; rebates against the purchase prices of new flappers (e.g., $5/unit); flapper giveaways; and direct installation by Region-hired contractors (e.g., as part of a home audit program in the Water Savings Assistance Program above).

Assuming an average loss of 20 litres per leaking toilet per day, it is possible to achieve potential savings of 7m$^3$ (= 7000 L) per year by replacing a toilet flapper.

**Residential Rainwater Harvesting Program**
Given that significant market penetration has already been achieved in the Region for smaller rain barrels, this program uses a combination of education and incentives for using larger systems (e.g., >1000 litres) that capture rainwater for reuse. An example includes large tanks to irrigate outdoor areas. The program would be aimed at single family residences and designed to complement the stormwater fee credit programs already being implemented in Kitchener and Waterloo. The details will be determined upon the development of an implementation plan.

Receptiveness to larger rain water harvesting systems in the 2013 Residential Telephone Survey was primarily in the 30 to 64 age group; younger residents (18 to 29) and older residents (65+) were less interested in such systems and less likely to see a need for them. Barriers to installing large rain water harvesting systems given by respondents included cost, lack of ownership over decision-making, lack of perceived need, and lack of knowledge about the systems.
COMMERCIAL, INSTITUTIONAL AND INDUSTRIAL PROGRAMMING

The Region’s current CII program is strong and diverse by national standards. It is recommended that the Water Efficient Technology (W.E.T.) program continue, with new measures to enhance the existing program and achieve higher results for inputs.

**Recommended Continuing Activities**

**W.E.T. Program**
The Water Efficient Technology (W.E.T.) Program has been a successful flagship program for the CII sector. It includes subsidies on a case-by-case basis for technology enhancement at 40 cents per litre of water saved per day up to a maximum of 50% of capital costs for proven water saving measures (up to $100,000). The program is primarily advertised through word of mouth and various promotions. A recommended enhancement of the program is to enhance communication and promotion of the program – e.g. through e-mail networks, the website, new measures promoted below – to increase awareness about what is currently offered.

**Recommended New Program Activities**

**CII E-newsletter**
This measure focuses on building a community of practice in the CII sector and awareness for efficiency measures. An e-newsletter allows for rapid, periodic communication. It can be used as a promotional tool to market existing and new programs and to provide updates on best practices, new technology, and case studies. To make it stand out, the e-newsletter could include success stories, weblinks, small “bytes” of information or relevant water conservation facts, and images or photos. For the most effective outcome, separate publications could be developed for specific user-groups to provide specific information related to each field and end-use (e.g., irrigators, restaurants, manufacturers).

**Restaurant Certification Program**
This program focuses on reducing consumption of water in restaurants and providing them with certification or recognition for water conservation efforts. Rebates can be used as incentives to encourage replacement of inefficient toilets, urinals, pre-rinse spray valves, ice machines, and walk-in cooling systems with more efficient models. An outreach coordinator would visit establishments to promote the program and provide information and guidance to those interested. Additional recognition might include program decals for the establishment’s front door, menu stickers, a logo that can be included in advertisements, or a promotional listing on the Region’s website.
Cooling System Program
Once-through cooling systems, also known as single-pass cooling systems, remove heat by transferring it to a supply of cold municipal drinking water that is discharged directly to the sewer. Examples of such equipment include commercial and industrial air conditioners (“cooling towers”), refrigerators, coolers, and ice machines. This program would involve a systematic and efficient approach to encouraging more efficient options which are readily available (e.g., closed loop piping or air cooled equipment). Activities could include: targeted rebates, preparing and distributing best management practices, methodically targeting facilities that are known to have cooling towers and providing audits at low cost or no cost. It could also include working with local municipalities and other stakeholders to prohibit installation of new once-through cooling systems through bylaws.

PARTNER PROFESSION PROGRAMMING

The Region currently delivers some programs under this category on an ad hoc basis – for example outreach to retailers about rebates. It is recommended that the Region be more targeted and systematic with programming delivered to trades and professions that have significant influence over the purchase decisions and behaviours of both residential and business customers (e.g., plumbing and appliance retailers, plumbers and property developers).

Recommended Continuing Activities

Trades Training
This measure includes continuing activities such as meeting with gardeners and landscapers, face-to-face meetings and workshops with plumbing retailers about fixture rebates, and efforts to catalyze national plumber sustainability training with the Canadian National Water Efficiency Network.

**Recommended New Program Activities

New Home Building Incentives
A development incentive program provides grants or other incentives to those who construct high performance buildings. Low-impact development features are not always implemented due to poor awareness or fear of trying something new, and such programs can be used to foster water efficiency. Incentives under this program could include both direct and indirect market-driven incentives. The Region will work with local municipalities to investigate
incentives that would support the building of new, water efficient homes. Specific details will be determined in the implementation plan.

**Plumber Sustainability Training**

Plumbers currently receive only a few hours of training in the area of sustainability at the apprentice level and have almost no opportunities for extension training after basic certification. The Region is currently piloting the GreenPlumbers® program with 40 plumbers from the Region of Waterloo and the City of Guelph which, along with market research, will help inform the implementation of a similar plumber sustainability training program across the Region. GreenPlumbers® is a training and accreditation program for professional plumbers focused on developing water efficiency awareness, upgrading skills, and bolstering their role in addressing sustainability challenges.

**COMMUNITY-WIDE PROGRAMMING**

Measures in this fourth category affect the wider Region of Waterloo community. There is strong evidence from the 2013 Residential Telephone Survey that the community is on board with the Water Conservation By-Law, and water demand analysis indicates that the by-law is working and reducing peak demand. It is recommended that current activities continue, with enhancement of web-based tools and resources to further inform and engage water consumers.

**Recommended Continuing Activities**

**Water Conservation By-Law and Education**

This includes the By-Law (#07-069 and amendments) with one day per week lawn watering, up to six by-law officers as well as three summer students hired each year, and associated education and promotion activities.

**Pressure and Leakage Management**

The Region is looking across the integrated urban system to ensure there is appropriate pressure in the appropriate zone, and if not, how modifications can be made to reach that pressure. This program is ongoing, and includes partnering with and providing funding to cities and townships to improve their water distribution system leak programs. Additionally, as part of the research informing the update of this WEMP, water audits based on the International Water Association’s best practice framework were conducted in Wellesley and North Dumfries. These analyses used water system data to calculate a range of operational and financial indicators, such as the infrastructure leakage index. These indicators are useful for assessing system efficiency and highlighting where the Region should place effort to improve system management. It is recommended that this type of analysis is conducted in other municipalities within the Region of Waterloo, with each municipality setting up their own targets for reducing water leakage.
**Recommended Program Enhancements**

Enhanced Interactive Website and Communications

This measure involves enhancing the existing Region of Waterloo water efficiency website and associated communications in order to increase engagement of the broader Region of Waterloo community. This could include elements such as a Water Conservation Blog to distribute information, videos, interesting articles, and links to events or other organizations to followers; adding short “how-to” videos or videos of water conservation success stories featuring residents, community leaders, and businesses; or using an interactive on-line calculator and tools to help residents become more informed about and track their household water use.

**RESEARCH AND DEVELOPMENT (ONGOING)**

Water Softener Research – Sector: Residential

Research commissioned by the Region in 2013 found that over 87% of single and semi-detached homes have water softeners that consume water\(^4\). These appliances remove hard minerals that are typically found in groundwater. For homeowners, the benefits include reduced scale build up in fixtures and appliances, more efficient water heaters and more pleasing water for washing. Most water softeners use ion-exchange technology, which uses resin beads and a brine solution to remove hard elements. While these types of systems are quite effective at softening, they consume substantial volumes of water when they recharge day after day. Cumulatively across many households, they also add significant discharges of salt to the wastewater system (and subsequently to the receiving environment).

The Region has collaborated with the City of Guelph to help people make informed decisions when choosing a more efficient system. This includes educational materials such as pamphlets and a dedicated website (www.watersoftenerfacts.ca). These tools provide guidance on how to measure water hardness, estimate household consumption, and calculate required system size.\(^5\)

In order to continue to improve the efficiency of water softeners in homes, this program involves maintaining or increasing efforts in the following areas: continued education and provision of information to retailers and homeowners on water softener best practices; support for research and development into new technology alternatives; and, advocacy for improved product performance standards.

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**Water Softeners: A Water Consumer**

For every 1000 litres of soft water produced using ion-exchange, an average of 73 litres of regeneration water is expelled down the drains. It is estimated that there are over 111,500\(^6\) systems currently in use in single detached and semi-detached homes throughout the Region, each producing 12m\(^3\) of regeneration water on average per year. This equates to over 1.3 megalitres entering the sewer systems annually. In fact, this figure is conservative because it does not include contributions from additional water softeners found in low-rises and condominiums.

While educational efforts will certainly result in greater efficiency, most of the models available on the local market still use ion-exchange technology, and will therefore continue to consume water. Emerging systems, such as electromagnetic treatment and template assisted crystallisation, may prove to be effective alternative technologies that consume no water or salt at all. Although these technologies have limited domestic-scale testing and are not yet widely available, they offer great potential for reducing demand in the future. Hypothetically, if ion-exchange units in single-detached and semi-detached homes in the Region were phased out or replaced with “waterless” systems over a fifteen-year period starting in 2015, annual consumption of up to 1.7 megalitres could be avoided by 2030\(^7\). Savings would be even greater if systems in low rises, condominiums and other multi-family developments were also retrofitted or removed.

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**Hot Water Recirculation System Research – Sector: Residential**

Homes with hot water recirculation systems have a pump that constantly circulates a small amount of hot water through the pipes from the heater to the farthest fixture and back to the heater. This way, water in the pipes is always hot, creating convenience for residents and no water is wasted while waiting for it to heat up. Newer systems include features such as programmable timers so that the pump only operates during selected hours, minimizing energy lost when hot water is in low demand (e.g., at night; mid-day). This measure involves conducting research into the effectiveness of these systems, similar to the work the Region has sponsored on water softener systems. Depending on the outcomes of the research, the Region may decide to offer rebates or other measures to promote installation of such systems.

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\(^{7}\) This estimate takes additional savings from not installing into housing stock growth into account and is based on savings in the year at the end of the period. Average annual savings over a 15-year phase out period equals approximately 1.1 m\(^3\)/year.
Commercial Sub-Metering Education and Advocacy – Sector: CII

When individual organizations are billed based on actual consumption, they are more likely to reduce demand to lower their costs. Monitoring businesses and multi-family residential units individually also yields data that are useful for billing by consumption, highlighting high-volume users, designing education and awareness campaigns, and providing incentives to reduce consumption. Installation of sub meters in individual CII establishments, such as stores and restaurants in strip malls, is already being implemented in new developments, where the infrastructure can be more easily incorporated into building design. Ideally, all existing and new establishments with multiple independent businesses would be sub-metered, with a meter for each business. However, retrofitting existing infrastructure to install sub-meters is a costly endeavour that may not be practical in all situations. This measure involves working with local municipalities to identify opportunities where sub-metering of buildings such as strip malls can practically be retrofitted. It can also include encouraging large industrial complexes to sub-meter according to different segments of their plant, allowing identification of which areas in the plant are using the most water – an activity that can be cost-shared under the W.E.T. Program.

Landscape Topsoil Depth Advocacy – Sector: Community-Wide

If topsoil is too shallow, poor root development hinders a plant’s ability to access water and the soil’s storage capacity is reduced, resulting in the need for more frequent irrigation. Research shows that deeper topsoil (e.g., 12 inches) can lead to a lower watering frequency and reduced storm-water runoff. Regulating topsoil thickness would ensure that all new developments implement best practices in soil management. By-laws regulating topsoil thickness would benefit the Region most during the annual peak demand period, where it would help to reduce consumption from irrigation. Most local municipalities within the Region will already have some regulatory provisions around topsoil, and they would be responsible for implementation and enforcement of this measure. As such, this research program’s first task would be to inventory current implementation across the Region and the receptiveness of cities, townships, developers and residents to a topsoil thickness code.
Recommended Allocation of Effort

The recommended level of programming effort is to apply the available capital budget to measures roughly in proportion to sectoral demand (see Figure 2, this document, and Technical Memo #5, Scenario 1). This is the most equitable approach, and spreading resources more evenly across sectors minimizes risk from failure in any one program area. Figure 6 shows the recommended percent budget allocations for Water Efficiency Program elements. Allocation is generally proportionate to the total potential savings – e.g., programs with large savings potential received significantly more funding while activities or programs with relatively smaller potential savings received less.

*Figure 6: Budget Allocations for Recommended Scenario (Scenario 1)*

Two other scenarios modelled applied disproportionately larger amounts of the budget to the CII sector (Scenario 2) and to the residential sector, respectively (Scenario 3). More information about these alternative scenarios can be found in Technical Memo #5.
Section 3: Program Benefits

Water Savings

The following water savings analysis is based on the level of programming effort (Scenario 1) described in the previous section. Modelling estimates indicate that by the end of the water efficiency program in 2025, the annual savings will reach 1,370 megalitres\(^8\) (ML) per year (Figure 7), which equates to 3,754 m\(^3\) saved per day.

![Figure 7: Estimated Annual Program Savings](image)

Savings from the conservation program and building code will lead to lower total system production in the future. In Figure 8, the three lines represent production estimates for: the unadjusted baseline (dotted); baseline minus savings from the Ontario Building Code and natural replacement of fixtures and appliances with more efficient models (dashed); and, additional savings from the conservation program (solid). By 2025, the program will have achieved an estimated cumulative total savings of 9,023 ML.

![Figure 8: Estimated Total System Production](image)

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\(^8\) One megalitre is equal to one million litres.
According to modelling estimates, per capita consumption in single family residences will consistently decrease each year to 168 Lcd by 2025 (Figure 9).

![Figure 9: Estimated Residential Litres per Capita per Day](image)

**Financial Benefits**

The program will achieve a number of financial benefits for both the Region and retail water service providers, and in turn for the community. Most notably, it will allow for the deferral of future capital investment in new bulk supplies. It is estimated that, in simple least cost planning terms, the 2015 to 2025 program cost will equate to $1.81 per litre per day. This compares favourably to the 2006 estimated cost of $2.00 per litre per day for the Ayr Drinking Water Supply Expansion (Region of Waterloo, 2012). The same cost comparison for conservation efforts made between 2007 and 2011 contributed to the deferral of approximately $100 million in water capital expansion projects. Savings from the future program will continue to defer this need for capital expansion, making demand-side management an attractive investment.

Specifically, program water savings will reduce operating costs through lower demands for energy used in pumping and chemicals used for treatment. Financial modelling shows that by 2025, the Region will achieve a cumulative savings of approximately $1 million (2015 dollars) for avoided supply and $1.5 million (2015 dollars) for avoided wastewater. This equates to a total cumulative operational savings of $2.5 million (2015 dollars) for the entire program.

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9 This reflects the initial program cost and may vary slightly over time due to factors such as freeridership and decay in education related savings.

Ecological Benefits

Greenhouse Gas Mitigation

Water use in the Region results in greenhouse gas emissions from activities in three areas:

- Supply – pumping and treating water that is supplied to customers;
- Wastewater – pumping and treating wastewater that is used by customers; and,
- Heating – e.g., hot water used in the home.

The volume of water saved in each of these three areas was determined using results from the water savings model. Total greenhouse gas (or CO$_2$e$^{11}$) savings by activity were then calculated using latest research on emissions factors and energy intensities for Ontario by the Polis Project on Ecological Governance (Maas, 2009).$^{12}$

By 2025, it is estimated that the Region’s program will be saving 1,176 tonnes of CO$_2$e per year (Figure 10). The sum of the annual savings over the 11 year period equates to 7,700 tonnes of CO$_2$e, which is a significant contribution for the Region towards reaching its 2019 emissions targets.

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$^{11}$ Equivalent carbon dioxide, or CO$_2$e, quantifies the combined radiative forcing of all greenhouse gasses emitted for a given activity using carbon dioxide as the reference.

Other Ecological Benefits

Other ecological benefits associated with the program include:

- Avoided environmental impacts from construction of new bulk supply infrastructure;
- Reduced aquifer withdrawals, resulting in greater water availability downstream for fish and aquatic ecosystems;
- Reduced chemical use in water treatment; and,
- Reduced point source wastewater disposal to the environment.

Social and Community Benefits

Enhanced Customer Service

The program is a vehicle to improved relationships between water service providers and customers. It also provides opportunities for residents to gain an improved understanding of where their water comes from. Between 2003 and 2012, program staff had direct contact with over 25,773 residents through various forums and will maintain this level of community engagement in the new program.

These direct communication channels, as well as indirect contact points through print media, mass media and the internet, operate with the following objectives:

- Promote the intrinsic value of water as a resource to be conserved and protected;
- Educate audiences about water conserving behaviours;
- Educate audiences about Region-specific plans, programs and incentives; and,
- Trigger actions that result in measurable water savings (Region of Waterloo, 2012)\textsuperscript{13}.

Enhanced Regulatory Compliance

Delivery of the program also ensures that the Region and local municipalities maintain their social licences by complying with relevant regulatory requirements (see box below). Having a robust water efficiency program in place enhances compliance with requirements under all these Acts.

Ontario Regulations Relevant to Water Supply and Conservation

The *Ontario Water Resources Act (1990)* Water Taking and Transfer Regulation — requires permit applicants to submit a list of best management measures and practices in water conservation that they have or will be undertaking.\(^{14}\)

The *Water Opportunities and Water Conservation Act (2010)* — requires municipalities to prepare water sustainability plans that include an asset management plan, a financial plan, a water conservation plan, strategies for maintaining and improving the service, a risk assessment and other prescribed information.\(^{15}\)

The *Places to Grow Act (2005)* and resulting *Growth Plan for the Greater Golden Horseshoe* — has a policy (Policy 3.2.5 (4a)) that states construction or expansion of municipal or private communal water and wastewater systems should only be considered when strategies for conservation and other demand management initiatives are being implemented.

Other Social and Community Benefits

Other social benefits associated with the program include:

- Stimulation of innovation — for example, through the Region’s support for nationally relevant R&D projects including the water softener testing facility, the Residential End Use Study, and the plumber sustainability training;

- Improved resiliency to drought;

- Greater retention of water in reservoirs in summer for firefighting and other emergency needs; and

- Promotion of a broader environmental stewardship ethic in the community.

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Section 4: Implementation

Budget Implications

For modelling purposes, it was assumed the Region’s WEP had a fixed budget of $1,300,000 (in 2013 dollars) for the 2015 to 2025 period. Of this, $500,000 is allocated to operational expenditures, such as staffing, and the remaining $800,000 would be available for capital investments in specific conservation initiatives, measures, and programs in the community. These figures were based on historical budget availabilities and allocations provided by the Region. Budget for the four program categories is displayed in Table 2 (budget for the research and development program is included within its relevant sector).

Table 2: Budget Implications for Proposed Water Efficiency Program (Scenario 1)

<table>
<thead>
<tr>
<th>SECTOR</th>
<th>ALLOCATION</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>47%</td>
<td>$375,500</td>
</tr>
<tr>
<td>CII</td>
<td>26%</td>
<td>$204,340</td>
</tr>
<tr>
<td>Community Wide</td>
<td>19%</td>
<td>$155,000</td>
</tr>
<tr>
<td>Partner Professions</td>
<td>8%</td>
<td>$65,160</td>
</tr>
<tr>
<td>TOTAL</td>
<td>100%</td>
<td>$800,000</td>
</tr>
</tbody>
</table>

Roles and Responsibilities

The Water Efficiency Advisory Committee (WEAC) will continue its advisory role at key stages of the Water Efficiency Master Plan implementation, from 2015 to 2025. Staffing at the Region’s Water Efficiency Department will remain consistent with key roles that include:

- Manager, Water Efficiency
- Technologist, Water Efficiency (Commercial, Industrial, Institutional Programs)
- Communications Coordinator, Water Efficiency (all programs)
- Coordinator, Water Efficiency (residential programs)
- Program Assistant Water Efficiency (support all programs)
- Student, Water Efficiency (3 seasonal by-law)

The Region of Waterloo is committed to continuing its position as a leader and innovator in water efficiency. Partnerships and cooperation will be essential to achieve the goals outlined in the WEMP (2015 to 2025), with both partner professions and across the two levels of the Region’s municipal system. The formation of a CII Advisory Board with CII representatives could help advance programming in the Commercial, Institutional and Industrial sectors.
Schedule and Tasks

Detailed implementation plans for each proposed new measure will be required after approval of the Water Efficiency Master Plan. These will clearly identify the specific target audiences, desired messages and behaviours, general approach, implementation tasks and responsibilities, timing, and measures to assess progress. Feedback from participants at the Stakeholder Workshop (June 2013) and focus groups (July 2013) will be important in developing these more detailed plans. Other approaches, such as Community-based Social Marketing, could be useful in the implementation of many new measures proposed in the Residential sector (see Technical Memo #4, Appendix 2).

The Water Efficiency Master Plan will be reviewed annually, with performance measured against the desired targets documented in the Plan.
Appendices

Technical Memo #1 (TM#1): Background Report (May 2013)
Technical Memo #3 (TM#3): Residential Survey Report (June 2013)
Technical Memo #4 (TM#4): Best Practices Review (June 2013)
Measures Descriptions: Potential New Water Efficiency Measures (TM#4, Appendix 1)
Review of Communication and Engagement Activities (TM#4, Appendix 2)
June 19th Stakeholder Workshop Outcomes Report (July 2013)
Focus Group Report (August 2013)
Technical Memo #5 (TM#5): Program Quantitative Modelling (September 2013)
SUSTAINING OUR WATER SUPPLY: Water Efficiency Master Plan (2015-2025)

WHAT IS THE Water Efficiency Master Plan (WEMP)?

A Plan that describes specific programs to help residents, businesses, industries, institutions, and municipalities to be more efficient with how they use water.

Programs range from education to innovative technologies to rebates and other incentives.

OVERVIEW OF RECOMMENDED PROGRAMS:

- **Residential**
  - Continuing Measures:
    - General Education/Awareness
    - Research (e.g. water softener, hot water recycling systems)
  - Proposed New Measures:
    - Residential Water Savings Assistance Program
    - Toilet Repair Program
    - Rainwater Harvesting Program

- **Businesses, Industries & Institutions**
  - Continuing Measures:
    - Water Efficient Technology Program (W.E.T.)
    - Research (e.g. commercial sub-metering)
  - Proposed New Measures:
    - CIU E-Newsletter
    - Restaurant Certification Program
    - CIU Cooling System Program

- **Trades**
  - Continuing Measures:
    - Trades Training
  - Proposed New Measures:
    - New Home Building Incentives
    - Plumber Sustainability Training

- **Community-Wide**
  - Continuing Measures:
    - Water Conservation By-law
    - Mass Media Advertising
    - Local Municipalities Pressure and Leakage Management
  - Proposed New Measures:
    - Enhanced Interactive Website & Communications
    - Landscape Topsoil Thickness Advisory

WHAT DO WE HOPE TO ACHIEVE?

The last WEMP was very successful - water use reductions were even better than the expected 8146 m³/day. This updated WEMP 2015-2025 will push even further for water efficiency, while ensuring our programs are up-to-date, innovative, and meet the needs of everyone in the Region of Waterloo. The recommended activities in the WEMP have been designed to:

- Delay the need for the Great Lakes Pipeline
- By 2025, save 3754 m³ of water per day. This is equivalent to the daily water needs of over 7000 households in the Region of Waterloo.
- Reduce the average water use in single family home to 168 litres per person per day
- Save a total of $2.5 million in avoided water supply and wastewater treatment operating costs
- Reduce greenhouse gas emissions by 7700 tonnes

WHAT HAPPENS NEXT?

Your comments and suggestions will help improve the WEMP 2015 to 2025. We will present a final version of the Plan to the Region of Waterloo Council by mid-2014.
Water Efficiency Master Plan (2015-2025)

VISION

The Region of Waterloo Water Efficiency Program contributes to sustaining a clean and reliable drinking water supply for the future; a supply that draws primarily from our groundwater and river water sources.

GOALS

- To engage municipalities, residents, businesses, and institutions in actions and behaviours that promote water efficiency and conservation;
- To positively impact our communities, environment and economy through the benefits that result from water efficiency and conservation;
- To defer large capital infrastructure projects decades into the future, and focus on a sustainable water supply with groundwater and river sources;
- To effectively monitor and report on the measurable benefits of the water efficiency program; and
- To be recognized as innovative leaders in water efficiency.

OBJECTIVES

- To further reduce indoor and outdoor water demand in the residential sector.
- To reduce total system demand for water (i.e. metered residential and commercial, institutional and industrial sectors).
- To keep summer peak demand ratios at or below existing levels.
- To maintain Water Efficiency Program budget and staff at current levels.

TARGETS

<table>
<thead>
<tr>
<th>WHERE ARE WE NOW?</th>
<th>WHERE DO WE WANT TO BE IN 2025?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indoor and Outdoor Water Use</td>
<td>202 litres per person per day</td>
</tr>
<tr>
<td>Total System Per Capita Demand</td>
<td>285 litres per person per day</td>
</tr>
<tr>
<td>Summer Peak Demands</td>
<td>Peaking factor (ratio of maximum day demand to average day demand) averaged 1.28 from 2006 to 2010</td>
</tr>
</tbody>
</table>
Water Efficiency Master Plan (2015-2025)

RESIDENTIAL PROGRAMMING
PROGRAMS TO HELP IMPROVE WATER EFFICIENCY

CURRENT PROGRAMS TO CONTINUE

Education and Awareness Raising
Continuing the Region’s successful activities in water conservation and efficiency - such as brochures, articles, ads, talks and workshops, educational material for schools, and more.

Research and Development
This program would continue studying how biofilmology can be used to make homes even more water efficient - for example, improving the efficiency of water softeners.

RECOMMENDED NEW PROGRAMS

Water Savings Assistance Program
This program is a “toolbox” to help residents reduce water use. It includes web-based tools to show you where and when water is being used in a home, tools to help find out where a home may have water leaks, and incentives for buying more water efficient appliances. The program is designed to especially help households that use more water than the average household in the Region of Waterloo and may include audits.

Toilet Flapper Program
This program involves activities to encourage people to replace their toilet flappers, one of the most common sources of leaks and wasted water in toilets. Some of the things it may include are online tutorials, print material, rebates, or giveaways.

Rainwater Harvesting Program
This program uses education and incentives to encourage homeowners to use rainwater harvesting systems larger than a rain barrel (e.g. more than 1000 litres), where it makes sense to do so.

HOW DOES AN AVERAGE HOUSE USE WATER?

Average local indoor household water use
Source: AquaCraft and NRC (2013). Residential End Uses of Water Study Update
Water Efficiency Master Plan (2015-2025)

BUSINESSES, INDUSTRY & INSTITUTIONS

CURRENT PROGRAMS TO CONTINUE

Water Efficient Technology (W.E.T.) Program
The W.E.T. program has been a successful flagship program for businesses, industry and institutions. It offers a variety of activities including on-site water use reviews, rebates, fixture replacement programs, cost-sharing for a broad range of water efficiency measures, and the Water Efficiency Excellence Awards.

Research and Development
This program would continue to explore how water efficiency can be improved in this sector. One example is exploring how to encourage each store in complexes such as strip malls to have its own water meter – this makes it easier for those businesses to understand their own water use.

RECOMMENDED NEW PROGRAMS

E-Newsletter
An electronic newsletter with success stories, webinars, small “bytes” of information or relevant water conservation facts and photos. This will help spread the word about ways to improve water efficiency among businesses, industries and institutions.

Restaurant Certification Program
This program focuses on helping restaurant owners use less water and recognizing their efforts through certification, awards or other means.

Cooling System Program
Once-through cooling systems use cold drinking water to absorb heat – water that is then put directly into the sewer. This program involves encouraging more water efficient alternatives to this system.

TRADES

CURRENT PROGRAMS TO CONTINUE

Trades Training
This program involves covering with activities such as meetings and workshops with gardeners, landscapers, and plumbing retailers to talk about working together for water efficiency and conservation.

RECOMMENDED NEW PROGRAMS

New Home Building Incentives
The Region will work with local municipalities to investigate incentives that would support the building of new, water efficient homes.

Plumber Sustainability Training
Plumbers currently have only a few hours of training in the area of water efficiency awareness and skills at the apprenticeship level. This program will draw from the lessons of a current pilot with Ontario Plumber’s to carry out a similar program that increases plumber knowledge in water efficiency across the Region of Waterloo.
Water Efficiency Master Plan (2015-2025)

COMMUNITY - WIDE
PROGRAMS TO HELP IMPROVE WATER EFFICIENCY

CURRENT PROGRAMS TO CONTINUE

Water Conservation By-Law
Continuing the Region’s great success with its Water Conservation By-Law and promotional material. This by-law ensures greater efficiency in outdoor water use by restricting lawn watering to one-day each week.

Pressure and Leakage Management
This program encourages suppliers for the Region of Waterloo to partner with and provide training to cities and townships to improve their programs to find and fix leaks in their water distribution system.

RECOMMENDED NEW PROGRAMS

Research and Development
This program studies how topsoil depth can be increased across municipalities. If topsoil is too shallow, a plant’s roots develop poorly and it cannot properly access water. Research shows that deeper topsoil helps reduce the need for watering lawns and gardens.

Enhanced Interactive Website and Communications
This program involves adding new features to the Region of Waterloo’s Water Conservation website so that more people can find the tools they need to be more water efficient. This could include interactive water use calculators, videos, tips, success stories, and more.

HOW IS WATER USED BY DIFFERENT GROUPS IN THE REGION OF WATERLOO?

TELL US WHAT YOU THINK
Fill out a Comment Card or visit the following link to read the Water Efficiency Master Plan and answer a few short survey questions:

www.regionofwaterloo.ca/water
TO: Chair Jim Wideman and Members of the Planning and Works Committee

DATE: December 3, 2013

FILE CODE: F-25-20

SUBJECT: BROWNFIELDS FINANCIAL INCENTIVE PROGRAM - TAX INCREMENT GRANT APPLICATION – 19 GUELPH AVE., CITY OF CAMBRIDGE

RECOMMENDATION:

THAT the Regional Municipality of Waterloo take the following actions regarding the property municipally known as 19 Guelph Avenue in the City of Cambridge:

a) Approve a joint Tax Increment Grant for an amount not to exceed $2,496,764 to be financed from the incremental tax revenue for the property following remediation, redevelopment and reassessment;

b) Provide the Tax Increment Grant subject to the completion of remediation and redevelopment on the property and upon final confirmation of any additional brownfield related financial assistance provided under the Region’s Brownfield Financial Incentive Program or through the City of Cambridge;

c) Amend the 2014 Capital Budget and Forecast to include the Region’s share of the proposed joint Tax Increment Grant; and

d) Authorize the Region’s Commissioner of Planning, Housing and Community Services and Chief Financial Officer to execute any associated agreements with the registered owner of 19 Guelph Avenue and the City of Cambridge, as described in Report P-13-120/F-13-144, dated December 3, 2013, with the form and content of such agreement(s) to be satisfactory to both the Regional and City of Cambridge Solicitors.

SUMMARY:

In 2009, the City of Cambridge received a joint Tax Increment Grant (TIG) application from 2151073 Ontario Ltd. (the applicant) in regard to the remediation and redevelopment of the property municipally known as 19 Guelph Avenue in Cambridge. The property is the site of the former American Standard manufacturing building in Hespeler Village and abuts the Speed River.

Approval of the joint TIG would facilitate the conversion and reuse of the existing vacant, contaminated buildings to 124 condominium units (referred to as Riverbank Lofts). If approved, this TIG would represent the third successful joint TIG application in the City of Cambridge with approved grants to date contributing to the anticipated development of at least 337 residential units in the City and a realized building permit value to date of approximately $25.5 million.

The applicant has submitted estimated environmental remediation costs for the site of $3,819,340. This amount, plus a 10% allowance for indirect costs afforded under the joint TIG
program ($381,934), less assistance already received under the Phase Two ESA Grant ($40,000) results in a maximum eligible joint TIG of $4,161,274. This site may also be eligible for a City of Cambridge Contaminated Sites Grant, estimated at $186,000, which would be deducted from the maximum eligible joint TIG if approved by the City of Cambridge. The TIG would be cost-shared between the Region and the City of Cambridge with grant proportions determined by each municipality's share of the municipal taxes levied on the property in the year the application was submitted (2009) with 60.0% (maximum of $2,496,764) being provided by the Region and the remaining 40.0% (maximum of $1,664,510) provided by the City of Cambridge. The annual payments, which are estimated to last the maximum period of 10 years allotted under the TIG program, would not start until after the property is fully remediated, redeveloped and ultimately reassessed by the Municipal Property Assessment Corporation (MPAC).

City of Cambridge staff has prepared a report recommending the joint TIG application, which was approved by Cambridge City Council on November 13, 2013.

The Region’s portion of the joint TIG (maximum of $2,496,764) would be funded from the incremental tax revenue following remediation and redevelopment.

As a condition of approval under the joint TIG program, an Interim Tri-Partite Remediation and Redevelopment agreement between the applicant, the Region and the City of Cambridge would be required.

REPORT:

Application Details: 19 Guelph Ave, Cambridge

In 2009, the City of Cambridge received a joint TIG application from 2151073 Ontario Ltd. (the applicant) in regard to the remediation and redevelopment of the property municipally known as 19 Guelph Avenue, Cambridge.

Nineteen Guelph Avenue is a 1.32 ha (3.27 ac) property located on the banks of the Speed River and east of the intersection of Guelph Avenue and Queen Street in Hespeler’s Core Area (please see Attachment 1 for site map). This area is currently exempt from City and Regional Development Charges. The site currently consists of multiple buildings which have housed various uses over time including as a textile mill. It was most recently used as a manufacturing facility by American Standard. The proposed redevelopment (referred to as Riverbank Lofts) consists of the conversion and reuse of the existing buildings to accommodate 124 condominium units.

The property was the subject of official plan and zoning by-law amendments in 2010. Site plan application with The City of Cambridge is currently pending and no building permits for the proposed development have been issued.

Estimated Environmental Remediation Costs

The Region’s joint Tax Increment Grant program for brownfield redevelopment requires an applicant to provide an estimate of the costs of remediation at the time an application is submitted. This estimate forms the basis of a pre-approval for TIG payments to offset these costs subject to the program requirements. Applicants are asked to provide this estimate in the form of a Remedial Work Plan prepared by a Qualified Person under Ontario Regulation 153/04 (as amended).
As part of the application process, the applicant submitted a Remedial Work Plan on November 6, 2013. This work plan confirmed cost estimates for future eligible environmental remediation (including future demolition works required to implement environmental risk mitigation measures, environmental monitoring programs and the removal of lead paint and asbestos) which City of Cambridge and Regional staff reviewed and found to be acceptable.

Estimated environmental remediation costs for the site total $3,819,340. This amount, plus a 10% allowance for indirect costs afforded under the joint TIG program ($381,934), less assistance already received under the Phase Two ESA Grant ($40,000) results in a maximum eligible TIG of $4,161,274. This site may also be eligible for a City of Cambridge Contaminated Sites Grant, estimated at $186,000, which would be deducted from the maximum eligible TIG if approved by the City of Cambridge.

As a condition of final approval of eligible costs, invoices must be submitted by the applicant and must be approved for eligibility by City of Cambridge and Regional staff.

**Joint TIG Calculations and Payment Schedule**

The interim joint TIG payments and schedule are determined based on the following key pieces of information:

- Estimate of the anticipated assessed value and classification of the property upon completion of remediation and redevelopment;

- Estimated increase in municipal (Regional and City) taxes (known as the tax increment) based on the anticipated assessed value and classification upon completion of the remediation and redevelopment; and

- Estimate of the total eligible remediation costs (including a 10% allowance for indirect remediation costs but less the total of any additional government financial assistance received for the project).

This information is collectively used to determine the potential maximum joint TIG the site could receive (based on estimated eligible remediation costs) as well as the potential eligible joint TIG amount the site can achieve (based on the estimated tax increment) The resulting grant is equal to the increment between the pre-remediation and redevelopment municipal property taxes and the post-remediation and redevelopment municipal property taxes. The grant is paid to the applicant on an annual basis for a maximum period of 10 years or until total eligible remediation costs have been recovered, which ever comes first. In other words, the City and Region's total liability for making grant payments are capped by the lesser of the equivalent of ten (10) years of tax increment, which is determined following MPAC's reassessment of the property, or the total actual net eligible remediation costs incurred by the applicant.

The TIG would be cost-shared between the Region and the City of Cambridge with proportions determined by each municipality's share of the municipal taxes levied on the property in the year the application was submitted (2009) with 60.0% (maximum of $2,496,764) being provided by the Region and the remaining 40.0% (maximum of $1,664,510) provided by the City of Cambridge. The annual payments, which are estimated to last the maximum period of 10 years allotted under the TIG program, would not start until after the property is fully remediated, redeveloped and reassessed by the Municipal Property Assessment Corporation (MPAC). Based on current post remediation and redevelopment assessed value and classification estimates, the projected remediation costs are not anticipated to be recovered in the maximum 10 year period allotted under the joint TIG program (please see Table 2 for more detail).
Table 1 summarizes the estimated potential maximum joint TIG and the estimated potential eligible TIG amount for this application, including a break down of the Regional and City of Cambridge portions.

Table 2 identifies the preliminary estimated payment period. The final joint TIG grant payment schedule will not be confirmed until the actual remediation costs are reviewed and the MPAC assessment is received following the redevelopment of the property.

For more detailed information on the tax increment calculations and methodology please see Attachment 3.

### Table 1: Estimated Tax Increment Grants for 19 Guelph Ave, Cambridge

<table>
<thead>
<tr>
<th></th>
<th>Maximum Potential TIG</th>
<th>Est. Eligible TIG Amount</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Annual**</td>
<td>Total</td>
<td>Annual</td>
<td>Total</td>
<td></td>
</tr>
<tr>
<td>City</td>
<td>40.0%</td>
<td>TBD</td>
<td>$1,664,510</td>
<td>$107,751</td>
<td>$1,077,510</td>
</tr>
<tr>
<td>Region</td>
<td>60.0%</td>
<td>TBD</td>
<td>$2,496,764</td>
<td>$161,505</td>
<td>$1,615,050</td>
</tr>
<tr>
<td>Total TIG</td>
<td></td>
<td>TBD</td>
<td>$4,161,274</td>
<td>$269,256</td>
<td>$2,692,560</td>
</tr>
</tbody>
</table>

* Rounded to the nearest dollar
** Subject to post remediation and redevelopment assessment value

### Table 2: Estimated TIG Payment Schedule for 19 Guelph Ave, Cambridge

<table>
<thead>
<tr>
<th>Year</th>
<th>City</th>
<th>Region</th>
<th>Total TIG</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$107,751</td>
<td>$161,505</td>
<td>$269,256</td>
</tr>
<tr>
<td>2</td>
<td>$107,751</td>
<td>$161,505</td>
<td>$269,256</td>
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<tr>
<td>3</td>
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<tr>
<td>10</td>
<td>$107,751</td>
<td>$161,505</td>
<td>$269,256</td>
</tr>
<tr>
<td>Total TIG*</td>
<td>$1,077,510</td>
<td>$1,615,050</td>
<td>$2,692,560</td>
</tr>
</tbody>
</table>

* Rounded to the nearest dollar

### Joint TIG Application Review

As part of staff’s review, the site and proposed redevelopment were evaluated based on the following standard eligibility criteria developed by the Region and Area Municipalities for the joint TIG program:

1. The site must be located within the designated Area Municipal Community Improvement Plan (CIP) Project Area where the CIP allows for implementation of the Regional BFIP;
2. The applicant must be the registered owner of the site or an assignee of the owner;
3. The applicant cannot be responsible for causing the on-site contamination that requires remediation;
4. The remediation and redevelopment undertaken must result in a minimum increase of $100,000 in the assessed value of the property.
5. The Environmental Site Assessments must be completed by a “Qualified Person” (as per Ontario Regulation 153/04);
6. Redevelopment plans must meet all approved policy and should comply, where feasible and appropriate, with applicable design guidelines;
7. The site must not be in a position of tax arrears or have any outstanding municipal financial obligations; and
8. Application for a TIG must be made prior to issuance of building permit(s) for the redevelopment.

City of Cambridge and Regional staff have reviewed the application for 19 Guelph Avenue under the above eligibility criteria, and are satisfied that the site and proposed redevelopment have met the requirements of the joint TIG program.

Interim Tri-Partite Remediation and Redevelopment Agreement

As a condition of approval under the joint TIG program, an Interim Tri-Partite Remediation and Redevelopment Agreement (the “Interim Agreement”) between the land owner(s), the Region of Waterloo and the City of Cambridge will be required. Upon confirmation of the estimated eligible costs under the joint TIG program, the Interim Agreement would be developed and would establish a number of conditions including, but not limited to, the following:

- Owner must pay all property taxes levied upon the property during remediation and redevelopment (failure to pay and keep in good standing all municipal property taxes will deem the owner in default);
- Owner must submit a Record of Site Condition prepared by a “Qualified Person”, as that term is defined by regulation under the Environmental Protection Act, to the Ontario Ministry of the Environment that permits the use of the site as proposed by the Owner; and
- Owner must demonstrate that the remediation and redevelopment of the site has resulted in a minimum $100,000 increase in the assessed value of the property.

Once the remediation, redevelopment and reassessment of the property have been completed and actual costs, through invoice review, and realized reassessment values have been verified, the Interim Agreement will be superseded by the Final Agreement. This Final Agreement will include the final TIG payments and payment schedule based on the actual costs and the realized reassessment value and classification of the development.

It is important to note that the final TIG payment amounts and schedule may change as it is based on the actual net eligible remediation costs and realized assessment at the time the development is completed. However, the maximum amount of eligible remediation costs cannot exceed $4,161,274 of which $2,496,764 is the Region’s maximum commitment based on Municipal/Regional tax allocation percentages at the time the application was submitted (2009).

Area Municipal Consultation/Coordination

City of Cambridge and Regional staff have jointly reviewed the application and are satisfied that the application meets the eligibility and application requirements. City of Cambridge staff prepared a report recommending the joint TIG application which was subsequently approved at Cambridge City Council on November 13, 2013 (please see Attachment 2).

Please note that differences in the eligible maximum remediation costs, payment schedules and associated City and Regional TIG contributions contained in the City of Cambridge report in Attachment 2 and those proposed in this report are due to the confirmation of information which was pending at the time of the City of Cambridge’s staff report. The details contained in the City and Region’s reports are based on estimates only. City and Region staff will reconcile any
differences as part of the development of the interim and finalized tri partite TIG agreement upon confirmation of actual costs and the realized reassessment value of the development. Based on current post remediation and redevelopment reassessment estimates provided by the applicant, total estimated remediation costs are not anticipated to be recovered in the maximum 10 year period allotted under the joint TIG program. As a result, the applicant is unlikely to recover all of their total eligible remediation costs under the joint TIG program.

CORPORATE STRATEGIC PLAN:

A tax increment grant which may be approved for the Guelph Avenue properties is consistent with the 2011-2014 Corporate Strategic Plan which directs that the Region:

- Implement a sustainable Brownfield Program to promote the redevelopment of previously contaminated sites (Action 2.1.1);
- Work with area municipalities to develop and implement a comprehensive strategy to promote intensification and reurbanization within existing urban areas (Action 2.1.2).

FINANCIAL IMPLICATIONS:

The Region’s share of the maximum potential TIG is $2,496,764 based on the estimated net eligible remediation costs, while the Region's share of the potential eligible TIG is $1,615,050 based on the tax increment arising from the estimated post remediation and redevelopment assessed value for the property. The Region’s actual share of the TIG will be confirmed once the actual remediation costs and are reviewed and the property is reassessed by MPAC.

Under the funding model for joint tax increment grants adopted by Regional Council earlier this year, the annual TIG payments will be funded from the increased tax revenue on the property occurring in the same year. In other words, the tax revenue resulting from the increased assessment following the redevelopment of a brownfield property is used to fund the annual tax increment grant payment. Grant payments would not be expected to commence before 2016 as the first grant payment is contingent on the completion of the redevelopment and a reassessment of the property by Municipal Property Assessment Corporation.

Once the TIG is fully paid at the end of the ten year period or earlier, the increased assessment resulting from the redevelopment will benefit the overall tax levy.

In addition to the Joint TIG, staff note that, as with other sites in Hespeler's Core Area, this site will also be exempt from City and Regional Development Charges.

A listing of approved TIGS and the applicable funding sources can be found on page 216 of the 2014 Preliminary Budget book.

OTHER DEPARTMENT CONSULTATIONS/CONCURRENCE:

Staff from Transportation and Environmental Services (Water Services), Finance and Legal Services were involved in the review of the joint TIG application and the preparation of this report and are in support of the staff recommendation.
ATTACHMENTS:

Attachment 1 – Site Map (2013 Aerial Image)
Attachment 2 – City of Cambridge Staff Report
Attachment 3 - Detailed TIG Calculation Methodology

PREPARED BY:  
Phillip Caldwell, Principal Planner/Brownfields Coordinator  
Angela Hinchberger, Director, Financial Services, Treasury & Tax Policy

APPROVED BY:  
Rob Horne, Commissioner, Planning, Housing and Community Services  
Craig Dyer, Chief Financial Officer
Attachment 1 – Site Map (2013 Aerial Image)
Attachment 2 – City of Cambridge Staff Report

TO: COUNCIL
Date of Meeting: November 13, 2013
Prepared By: Deanne Fries, Senior Reurbanization Planner
Department: Planning and Development Department
Date to Management Committee: November 13, 2013
Report No.: 13-075-PLN
File No.: D.15.04.04.15.02
Ward No.: 2

TAX INCREMENT
GRANT PROGRAM
APPLICATION, 19
GUELPH AVENUE,
RIVERBANK LOFTS

Recommendations:

THAT Council approve the Tax Increment Grant for the property known as 19 Guelph Avenue in the City of Cambridge in an amount not to exceed $4,331,079; 

AND THAT the Tax Increment Grant be reduced by any other financial assistance approved for site remediation;

AND FURTHER THAT Council authorize the Mayor and Clerk to execute a multi-party Tax Increment Grant Agreement with the registered owners of 19 Guelph Avenue, namely Riverbank Lofts, and the Regional Municipality of Waterloo.

Background:

Tax Increment Program

In 2008 the City of Cambridge, in collaboration with the Region of Waterloo established a Tax Increment Grant (TIG) Program to assist property owners with the remediation and redevelopment of contaminated properties within the City core area boundaries. In 2010 Council approved the expansion of the Community Improvement Plan for the TIG to include the entire City of Cambridge boundary.

The TIG is a grant equal to the full amount or portion of the amount that municipal and regional property taxes increase after a property is reassessed following the remediation and redevelopment of a property. The tax increment is calculated using the change in the current assessment value following the completion of clean-up and redevelopment of the property.
The difference in taxes, or the increment, is used to provide a grant to the applicant for eligible costs associated with environmental remediation. Payments through the TIG program are provided in annual installments until all eligible remediation costs (minus other brownfield-related assistance granted) are recouped or up to a 10 year limit. The financial assistance received by the developer is paid for by the increased tax assessment generated by the new development.

**Proposed Development**

The subject property at 19 Guelph Avenue is 1.27ha (3.14 ac) in size and includes frontage on Guelph Avenue, Queen Street East and Chapel Street. The subject site has formerly been used for industrial purposes including a grist mill, saw mill, gas house, distillery, cotton mill, and most recently the American Standard manufacturing of plumbing fixtures. Portions of the industrial buildings on the property were demolished in 2011 and 2012 in preparation of the proposed residential development.

The property is proposed to be redeveloped with 113 residential condominium units and 7 studio units. The proposed Site Plan is included in Appendix ‘A’.
Existing Policy/By-law:

The developer, Riverbank Lofts, has undergone rezoning of the property from Industrial (M3) to Commercial/Multi-Residential (C1RM2). In addition, Riverbank Lofts has undergone an Official Plan Amendment to remove a portion of the site in the Regulatory Storm Floodplain and Two-Zone Flood Plan Policy Area Flood fringe.

Financial Impact:

The TIG is a grant equal to up to the full amount that municipal and regional property taxes increase after a property is reassessed following the remediation and redevelopment of a property. The difference in taxes is used to provide a grant to the applicant for eligible costs associated with environmental remediation. Therefore, the financial assistance received by the developer is paid for by the increased tax assessment generated by the new development and does not come from the City’s capital budget. Based on the eligible remediation costs and the estimated future remediation costs, the total amount of the TIG shall not exceed $4,331,079 minus any other financial assistance.

Public Input: N/A

Internal/External Consultation:

The City of Cambridge staff have been involved with the Region of Waterloo in the evaluation of the eligible remediation costs. In addition, in order to further verify the costs, the City retained an independent consultant to evaluate the invoices and estimates received.

Comments/Analysis:

Tax Increment Grant Application

The 2009 Municipal Property assessment of the property is $375,975 with current taxes of $3,324.07 for the City and $4,982.31 for the Region. The projected post-remediation value is $24,180,000 which would generate approximately $104,433.42 in City taxes and $151,811.71 in Regional taxes. The TIG payment proportions are determined by the Region and City’s share of the taxes levied on the property.

The eligible remediation cost incurred to date is $348,700. Additional future remediation costs to be incurred total $3,588,645 as specified in Appendix ‘B’. An additional 10% allowance for consultant fees will be added to each of these costs. Council’s approval of the TIG application is required prior to completion of the remediation, redevelopment, and reassessment of the development project.
Council, November 19, 2013
Report 13-010-PLN, Tax Increment Grant Program Application, 19 Ouelph Avenue, Riverbank Lofts

Therefore the grant amount can be adjusted downward to reflect any financial assistance received through other programs and potential lower future remediation costs. The breakdown of all the remediation costs is included below.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Demolition &amp; Maintenance</td>
<td>$58,220.25</td>
</tr>
<tr>
<td>Site Assessment Work</td>
<td>$87,676.63</td>
</tr>
<tr>
<td>Phase II ESA, Risk Assessment and RSC</td>
<td>$159,601.12</td>
</tr>
<tr>
<td>Equipment Removal</td>
<td>$37,000.00</td>
</tr>
<tr>
<td>Asbestos Disposal</td>
<td>$6,201.60</td>
</tr>
<tr>
<td>Post Remediation Removal of Lead Paint</td>
<td>$1,890,590.00</td>
</tr>
<tr>
<td>Post Remediation Monitoring Program</td>
<td>$400,000.00</td>
</tr>
<tr>
<td>Post Remediation Demolition</td>
<td>$1,298,055.00</td>
</tr>
</tbody>
</table>

Subtotal $3,997,344.60
10% Consultant Allowance $399,734.46
Total $4,391,079.06

Based on the assessment values and remediation costs, the tax increment grant payment schedule is included Appendix ‘C’. In addition to the TIG application, the applicant is eligible to apply for a Regional Environmental Site Assessment grant and the City Contaminated Sites grant program. In the event that the additional financial assistance is provided the total TIG calculations will be reduced.

Appendices

Appendix A – Proposed Site Plan
Appendix B – Budgetary Estimate of Future Remediation Costs
Appendix C – Tax Increment Grant
November 6, 2013
File: 13051

Mr. Shawkly Fahal
2151073 Ontario Ltd.
173 Roger Street
Waterloo, Ontario
N2J 1B1

Dear Mr. Fahal,

RE: TIG Application – Budgetary Estimate of Fees
Riverbank Lofts Development, Cambridge, Ontario

This letter is in regards to the above mentioned development site located at 19 and 20 Guelph Ave in Cambridge, Ontario. Further to your email dated October 31, 2013, we offer the following comments with respect to the items provided as follows:

1. A cost estimate for the removal of the lead paint from the building, based on the findings of a Hazardous Substance Survey, is $1,890,590. Based on the information we have been provided we feel that this cost is accurate and is satisfactory at this time.

2. The estimated cost of implementing an Environmental Monitoring Program which addresses only the capital costs (not including on-going operating/monitoring costs) of such system(s) is $244,550. The updated current program and cost for environmental monitoring is estimated as $400,000 which updates the previous cost estimate from exp (Trow) from 2010.

3. A cost estimate for demolition works which are required to be undertaken solely for the purpose of implementing environmental risk mitigation measures which have been required as part of the site’s Risk Assessment is $1,298,055. We have reviewed this cost and consider it to be satisfactory at this time.

We trust this report is satisfactory for your purposes at this time. Should you have any questions, please do not hesitate to contact our office.

Yours truly,

LANDTEK LIMITED

Frescia Waxman, M.A.Sc., P.Eng., QPESA

Ralph Di Cienzo, P.Eng., QPESA

- FOUNDATION INVESTIGATIONS - ENVIRONMENTAL SITE ASSESSMENTS AND CLOSING - GROUNDWATER STUDIES - SLOPE STABILITY STUDIES
- ASPHALT TECHNOLOGY - ASPHALT MIX DESIGN - PERFORMANCE TESTING & ANALYSIS - CONSTRUCTION MATERIAL TESTING & INSPECTION
- ANALYSIS OF SOIL CORROSION POTENTIAL - PMEASUREMENT & TESTING SPECIFICATIONS - CONCRETE QUALITY ASSURANCE TESTING
- SOIL TESTS - INFRASTRUCTURE NEEDS STUDIES - FAILURE ANALYSIS AND EXPERT WITNESS SERVICES - AGGREGATE EVALUATION
### Tax Increment Grant (TIG)

#### APPENDIX C

#### Tax Increment Calculation - 2009 Assessment and Tax Rates & 2013 Assessment and Tax Rates

<table>
<thead>
<tr>
<th>19 &amp; 21 Guelph Avenue</th>
<th>Prior to Rezoning</th>
<th>After Project Completion</th>
<th>Increment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Value Assessment</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential/New Residential (RT, NT)</td>
<td>24,180,000</td>
<td>24,180,000</td>
<td>0</td>
</tr>
<tr>
<td>Multi-Residential (MT)</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Commercial (G1, G2, G3, X1, Y1, Z1)</td>
<td>212,500</td>
<td>212,500</td>
<td>0</td>
</tr>
<tr>
<td>Commercial Vacant Land (CXM)</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Industrial (I1, I2, J1, J2)</td>
<td>163,475</td>
<td>163,475</td>
<td>0</td>
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#### Tax Rates

<table>
<thead>
<tr>
<th>Area/Municipal</th>
<th>Residential/New Residential (RT, NT)</th>
<th>Multi-Residential (MT)</th>
<th>Commercial (G1, G2, G3, X1, Y1, Z1)</th>
<th>Commercial Vacant Land (CXM)</th>
<th>Industrial (I1, I2, J1, J2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Region</td>
<td>0.0045390</td>
<td>0.0043990</td>
<td>0.0058142</td>
<td>0.0085454</td>
<td>0.0095213</td>
</tr>
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</table>

#### Annual Taxes

<table>
<thead>
<tr>
<th>Area/Municipality</th>
<th>Region</th>
<th>Total Municipal Taxes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Share</td>
<td>40.6%</td>
<td>69.4%</td>
</tr>
</tbody>
</table>

#### Costs Eligible For TIG

<table>
<thead>
<tr>
<th>Eligible Remediation Costs (including 19% Allowance)</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Expenditure to Date and Verified</td>
<td>$348,700</td>
</tr>
<tr>
<td>Work to be Completed and Verified</td>
<td>$3,586,045</td>
</tr>
<tr>
<td>Total Eligible Remediation Costs</td>
<td>$3,934,745</td>
</tr>
</tbody>
</table>

#### Less Other Brownfield Financial Assistance

<table>
<thead>
<tr>
<th>Units</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regional SRA Grant</td>
<td>$50,000</td>
</tr>
<tr>
<td>Regional UC Brownfield Exemption</td>
<td>$5,236</td>
</tr>
<tr>
<td>Area Municipal Brownfield Exemption</td>
<td>$11,794</td>
</tr>
<tr>
<td>Cambridge Contaminated Sites Grant</td>
<td>$1,500</td>
</tr>
<tr>
<td>Other</td>
<td>$0</td>
</tr>
<tr>
<td>Total Other Brownfield Financial Assistance</td>
<td>$68,536</td>
</tr>
</tbody>
</table>

#### Net Remediation Costs Eligible for TIG

<p>| |</p>
<table>
<thead>
<tr>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>$4,966,209</td>
</tr>
</tbody>
</table>

#### Amount of Tax Increment Grants

<table>
<thead>
<tr>
<th>Tax Increment Grant</th>
<th>Area Municipality</th>
<th>Region</th>
<th>Total TIG</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum Potential TIG</td>
<td>Annual</td>
<td>Total</td>
<td>Annual</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Year</th>
<th>Area Municipality</th>
<th>Region</th>
<th>Total TIG</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$101,109</td>
<td>$146,629</td>
<td>$247,938</td>
</tr>
<tr>
<td>2</td>
<td>$101,109</td>
<td>$146,629</td>
<td>$247,938</td>
</tr>
<tr>
<td>3</td>
<td>$101,109</td>
<td>$146,629</td>
<td>$247,938</td>
</tr>
<tr>
<td>4</td>
<td>$101,109</td>
<td>$146,629</td>
<td>$247,938</td>
</tr>
<tr>
<td>5</td>
<td>$101,109</td>
<td>$146,629</td>
<td>$247,938</td>
</tr>
<tr>
<td>6</td>
<td>$101,109</td>
<td>$146,629</td>
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</tr>
<tr>
<td>7</td>
<td>$101,109</td>
<td>$146,629</td>
<td>$247,938</td>
</tr>
<tr>
<td>8</td>
<td>$101,109</td>
<td>$146,629</td>
<td>$247,938</td>
</tr>
<tr>
<td>9</td>
<td>$101,109</td>
<td>$146,629</td>
<td>$247,938</td>
</tr>
<tr>
<td>10</td>
<td>$101,109</td>
<td>$146,629</td>
<td>$247,938</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Year</th>
<th>Total TIG</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$1,011,094</td>
</tr>
<tr>
<td>2</td>
<td>$1,456,294</td>
</tr>
<tr>
<td>3</td>
<td>$2,479,388</td>
</tr>
</tbody>
</table>

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1498205 Page 15 of 17
Attachment 3 – Detailed Joint TIG Calculation Methodology

The anticipated joint Tax Increment Grant payments and schedule are determined for each application based on the following steps:

The first step includes the preparation of the anticipated assessment increment. These are based on the pre-remediation MPAC assessment values and the estimated post-remediation and redevelopment assessment values for each phase of development as provided by the applicant.

<table>
<thead>
<tr>
<th>Assessment Value “Pre”</th>
<th>Assessment Value “Post”*</th>
<th>Assessment Increment*</th>
</tr>
</thead>
<tbody>
<tr>
<td>$212,500 (2009)</td>
<td>$24,180,000 (est.)</td>
<td>$23,967,500 (est.)</td>
</tr>
</tbody>
</table>

*These values are based on estimates and will be confirmed by MPAC upon project completion.

 Estimates are then prepared to identify the anticipated increase in municipal taxes (Region and City) that would be generated by the remediation and redevelopment for each phase, referred to as the ‘tax increment’.

<table>
<thead>
<tr>
<th>Area Municipality</th>
<th>Municipal Taxes “Pre”*</th>
<th>Municipal Taxes “Post”*</th>
<th>Total Tax Increment*</th>
</tr>
</thead>
<tbody>
<tr>
<td>City</td>
<td>$1,879</td>
<td>$109,630</td>
<td>$107,751</td>
</tr>
<tr>
<td>Region</td>
<td>$2,816</td>
<td>$164,322</td>
<td>$161,506</td>
</tr>
<tr>
<td>Total</td>
<td>$4,695</td>
<td>$273,951</td>
<td>$269,256</td>
</tr>
</tbody>
</table>

*Tax amounts do not include the education portion of annual taxes levied and are rounded to the nearest dollar.

The final step is to determine the estimated total eligible remediation costs for the joint TIG program which includes a 10% allowance for indirect remediation costs to be applied on top of eligible remediation cost estimates. This total is reduced by an amount equal to any other government financial assistance received for the project. At this time additional financial assistance from other sources is not anticipated.

<table>
<thead>
<tr>
<th>Estimated Rem. Costs</th>
<th>Indirect Rem. Allowance (10%)</th>
<th>Less Other Assistance</th>
<th>Total Eligible Rem. Costs*</th>
</tr>
</thead>
<tbody>
<tr>
<td>$3,819,340</td>
<td>$381,934</td>
<td>$40,000</td>
<td>$4,161,274</td>
</tr>
</tbody>
</table>

* Rounded to the nearest dollar.

These steps culminate in the maximum eligible joint TIG for this application which is then cost shared between the Region and City based on the proportion of each municipality’s share of the municipal taxes levied on the property. The following table summarizes the maximum joint TIG and estimates of the Regional and City financial commitments for this application.

<table>
<thead>
<tr>
<th>Maximum TIG*</th>
<th>Maximum Regional Portion (60.0%)*</th>
<th>Maximum City Portion (40.0%)*</th>
</tr>
</thead>
<tbody>
<tr>
<td>$4,161,274</td>
<td>$2,496,764</td>
<td>$1,664,510</td>
</tr>
</tbody>
</table>

* Rounded to the nearest dollar.

The City and Region’s total liability for making grant payments are capped by the lesser of the equivalent of ten (10) years of tax increment, which is determined following MPAC’s reassessment of the property, or the total actual net eligible remediation costs incurred by the applicant.
Payments related to the development do not commence until at least one (1) year following the re-assessment of the development by the Municipal Property Assessment Corporation (MPAC).

The TIG is not an exemption from the property taxes levied, but a grant payable to the owner according to the payment schedule in accordance with an agreement between the parties. Therefore the applicant is required to pay all applicable property taxes for the property at all times during and after remediation and redevelopment or until such time as ownership is transferred to the intended end-user (if applicable).

The joint TIG Program applies only to the municipal portion of the tax bill and does not include the education portion that is remitted to the Province.

The final amounts of the TIG payments will be determined by the actual MPAC assessment value and classification and the final net eligible remediation costs, thus the final schedule of payments is subject to change.
REGION OF WATERLOO
PLANNING, HOUSING AND COMMUNITY SERVICES
Transportation Planning

TO: Chair Jim Wideman and Members of the Planning and Works Committee
DATE: December 3, 2013
FILE CODE: T15-40/70 IRA, C13-20/CA

SUBJECT: AMENDMENT TO REGIONAL MUNICIPALITY OF WATERLOO CONTROLLED ACCESS BY-LAW #58-87 FOR AN ACCESS TO REGIONAL ROAD #70 (IRA NEEDLES BOULEVARD), CITY OF KITCHENER

RECOMMENDATION:

THAT the Regional Municipality of Waterloo approve an amendment to Controlled Access By-law #58-87 for a right-in/right-out maintenance access on the east side of Regional Road #70 (Ira Needles Boulevard), approximately 350 metres south of Regional Road #06 (Highland Road West) in the City of Kitchener, as described in Report No. P-13-118, dated December 3, 2013.

SUMMARY:

Hydro One is the owner of the hydro corridor that crosses Regional Road #70 (Ira Needles Boulevard) immediately south of Regional Road #6 (Highland Road West). Currently, Hydro One staff must access the infrastructure in the hydro corridor from Highview Drive through a residential neighbourhood, across a parkland area and nearby community trail (Appendix 1). Hydro One is requesting a right-in/right-out maintenance access on the east side of Ira Needles Boulevard approximately 350 metres south of Highland Road West (Appendix 2). This proposed maintenance access would allow Hydro One vehicles safe access to the hydro corridor outside of a residential area and would allow them to avoid using the existing community trail for vehicle access. The proposed maintenance access would be gated and locked (on private property) by Hydro One staff.

Region of Waterloo Transportation and Environmental Services staff can include the construction of the proposed maintenance access in the widening/re-construction of Ira Needles Boulevard Project in the year 2014. Funding for the installation of the maintenance access would be covered by Hydro One.

Region of Waterloo staff have reviewed the proposed location of the maintenance access to Ira Needles Boulevard and recommend approval of the proposed by-law amendment, as the proposed access would meet Region of Waterloo standards.

City of Kitchener staff and Hydro One are in support of the location and construction of the proposed access to Ira Needles Boulevard.

As Ira Needles Boulevard is designated at a Controlled Access Prohibited Road under the Region’s Controlled Access By-law #58-87 from Regional Road #70 (Trussler Road) to Regional Road #57 (University Avenue West), an amendment to this By-law is required prior to issuance of an Access Permit by staff.
REPORT:

By-law #58-87, “A By-law to Designate and Regulate Controlled – Access Roads” was enacted to control the construction or alteration to the geometric design of any private means of access to a Regional Road. All Regional Roads are included in either Schedule “A” or Schedule “B” of the By-law. Regional Roads included in Schedule “A” (Controlled Access-Prohibited) include arterial roads and freeways where access to these roads must be restricted due to high speed and volume. The main function of a Controlled Access – Prohibited is to move through traffic. All requests for changes to existing accesses or for new accesses on these roads require an amendment to the By-law. All remaining Regional Roads are included in Schedule “B” (Controlled Access – Regulated). The function of a Controlled Access – Regulated Road is to move through traffic and provide access to adjacent lands. Typically, these roads are front-lotted with access available only to the Regional Road or are comparatively lower volume rural roads.

Hydro One is the owner of the hydro corridor that crosses Regional Road #70 (Ira Needles Boulevard) immediately south of Regional Road #6 (Highland Road West). This hydro corridor transfers power from the Hydro One station on Glasgow Street east/west across the City of Kitchener. Currently, Hydro One staff must access the infrastructure in the hydro corridor from Highview Drive (Appendix 1). This existing access location is not favorable as Hydro One vehicles have to move through an existing residential area and cross a parkland area with an adjacent community trail. Hydro One is requesting a right-in/right-out maintenance access on the east side of Ira Needles Boulevard approximately 350 metres south of Highland Road West (Appendix 2). This proposed maintenance access would allow Hydro One vehicles safe entrance to the hydro corridor outside of a residential area and would allow them to avoid using the existing community trail for regular and emergency maintenance.

Construction of the proposed maintenance access within the Ira Needles Boulevard right-of-way can be included in the widening/re-construction of Ira Needles Boulevard Project in the year 2014. Consultation between Hydro One staff and Region of Waterloo Transportation and Environmental Services staff has occurred to ensure that the proposed maintenance access can be constructed to Hydro One and Region of Waterloo standards. Funds from Hydro One have been obtained to offset the additional costs of the construction of the proposed maintenance access in the Regional Road Project. The proposed maintenance access would be gated and locked on private property by Hydro One staff.

City of Kitchener staff, and Hydro One are in support of the location and construction of the proposed access to Ira Needles Boulevard.

As Ira Needles Boulevard is designated at a Controlled Access Prohibited Road under the Region’s Controlled Access By-law #58-87 from Regional Road #70 (Trussler Road) to Regional Road #57 (University Avenue West), an amendment to this By-law is required prior to issuance of an Access Permit by staff.

Area Municipal Consultation/Coordination

City of Kitchener Transportation Services staff supports the location of the proposed maintenance access to Ira Needles Boulevard. A copy of this report has been sent to the City of Kitchener as well.
CORPORATE STRATEGIC PLAN:

Managing access to the Regional Road system is represented in Focus Area 2: Growth Management and Prosperity: Manage Growth to Foster Thriving and Proactive Urban & Rural Communities.

FINANCIAL IMPLICATIONS:

Hydro One will be responsible for all costs associated with the proposed maintenance access. Funds from Hydro One have been secured through an approved purchase order. The funds can be used by Region of Waterloo Transportation and Environmental Services staff so that the proposed maintenance access can be constructed under the widening/re-construction of the Ira Needles Boulevard Project in 2014.

OTHER DEPARTMENT CONSULTATIONS/CONCURRENCE:

Corporate Resources would be required to amend the Controlled Access By-law #58-87. Transportation and Environmental Services staff would co-ordinate construction of the proposed maintenance access under the widening/re-construction of Ira Needles Boulevard Project in 2014.

ATTACHMENTS:

Attachment 1 – Key Map showing the location of the property
Attachment 2 – Location of the proposed maintenance access to Ira Needles Boulevard and proposed amendment to Controlled Access By-law #58-87

PREPARED BY: Jason Wigglesworth, Technician

APPROVED BY: Rob Horne, Commissioner, Planning, Housing and Community Services
PROPOSED MAINTENANCE ACCESS AND AMENDMENT TO CONTROLLED ACCESS BY-LAW #58-87
To: Chair Jim Wideman and Members of the Planning and Works Committee
From: Brenna MacKinnon, Manager, Greenfield Development
Subject: East Side Lands (Stage 1) Master Environmental Servicing Plan Update

In September of 2013, Regional Council deferred consideration of the East Side Lands (Stage 1) Master Environmental Servicing Plan (MESP), pending a report from Regional staff by the end of the year on progress made with the City of Cambridge and other stakeholders on implementation issues, including financial considerations.

Regional staff has been meeting regularly with City of Cambridge staff since the end of September. Several implementation issues have been agreed upon and some progress has been made on other issues. On December 5, 2013, the Freeport Creek and Tributary to the Grand Subwatershed Study, the East Side Lands Master Drainage Plan, the Community Plan, the Financial Impact Analysis Report and the MESP document will be released for public review. An additional Public Information Centre is being held on December 12, 2013 at École secondaire Père-René-de-Galinée, starting at 6:30 p.m., to collect any additional comments on the documents and provide the public a further opportunity for input.

Given the progress made since September, Regional staff plans to conclude implementation discussions early in 2014, and to report back to Regional Council at that time.
TO: Chair Jim Wideman and Members of the Planning and Works Committee

DATE: December 3, 2013          FILE CODE: A02-30/PW

SUBJECT: MILL STREET AT OTTAWA STREET INTERSECTION MODIFICATIONS

RECOMMENDATION:

For information.

REPORT:

ION, the Region of Waterloo’s rapid transit service, is moving forward, with construction starting in 2014 and operation beginning in 2017. As part of the early ION functional design, opportunities to improve traffic operations through the realignment of the Mill Street and Ottawa Street intersection were identified. As a result, a consultant was retained by the Region to conduct an operational analysis of possible functional design modifications that would accommodate the introduction of Light Rail Transit (LRT), which will cross through the intersection.

Currently, the Mill Street and Ottawa Street intersection is signalized. The north leg of Mill Street has a short diverting link, which allows southbound right-turns and eastbound left-turns to bypass the signal. Attachment A shows the existing configuration of the intersection (with LRT).

The consultant alternatives were evaluated on the basis of a number of factors that affect the operations, safety, social environment and the natural environment. The primary evaluation criteria were LRT operations, GRT integration, and traffic operations. Additional evaluation criteria included:

- Safety
- Efficiency (Level of Service) at Ottawa Street and Mill Street
- Impacts on Ottawa Street at Courtland Avenue
- Impact on Pedestrians and Cyclists
- Impact on Conventional Transit
- Delay to LRT
- Impact to Emergency Vehicle Access
- Capital Costs
- Maintenance Costs
- Property Requirements
- Displacement of Existing Land-Use
- Heritage Impacts
- Streetscape Opportunities
- Flexibility of Traffic Movements with the Area

Based on these criteria, two alternatives have been identified as acceptable alternatives.
Alternative 1 would close the Mill Street section that currently utilizes the existing traffic control signal. All traffic using the north leg of Mill Street will then use the part of the road that runs parallel to the west side of the rail lines. Left turns (northbound and westbound) would not be permitted at the intersection of Ottawa Street and the south leg of Mill Street. Mill Street would be stop controlled, allowing only right turns for the northbound movements. A signal will control the intersection of Ottawa Street with the north leg of Mill Street. It is expected that the traffic that would have utilized the prohibited movements will divert to Courtland Avenue. Attachment B shows the functional design plan for Alternative 1.

Alternative 2, the Regional preliminary preferred alternative, is the same as Alternative 1, with the exception that southbound left turns from Mill Street will be prohibited. It is expected that the traffic that would have utilized the prohibited movements will primarily divert to Courtland Avenue or as a secondary option Pattanddon Avenue. Attachment C shows the functional design plan for Alternative 2.

A Public Information Centre (PIC) to present these alternatives to the community has been scheduled as follows:

Date: December 4, 2013 (Drop-in from 4 to 8 p.m.)
Location: Concordia Club
Address: 429 Ottawa St S, Kitchener, N2M 3P6

Letters were sent out to residents and businesses in the adjacent neighbourhoods in the City of Kitchener on November 22, 2013 inviting them to participate in the PIC. Newspaper advertisements were also inserted in the Kitchener Post and the Record on November 29, 2013. Road signs advertising the PIC were posted between November 25 and December 5, 2013.

Feedback, opinions and input received at the PIC will be used by staff when they make their final recommendation to Council.

CORPORATE STRATEGIC PLAN:

The report supports Focus Area 3.1 of Council’s Strategic Focus: Develop an implementation plan for light rail transit including corridor and station area planning.

FINANCIAL IMPLICATIONS:

In June 2011, Council approved the implementation of the RT project, including LRT and aBRT, with estimated capital costs of $818 million, in 2014 dollars, with capital funding to be provided by the Province (up to $300 million), the federal government (one third of eligible project costs to a maximum of $265 million) and the Region ($253 million). The RT project and improvements to conventional transit are financed through an annual tax rate increase of 1.5% for a period of 7 years.

The costs associated with the Mill Street at Ottawa Street Intersection Modifications are contained within the DBFOM contract and will be included in that component of the overall project. Costing of this component will not be fully calculated until the RFP closes and the preferred proponent is selected.

OTHER DEPARTMENT CONSULTATIONS/CONCURRENCE:

Transportation Planning, Planning Housing and Community Services
ATTACHMENTS

Attachment A – Existing Mill Street at Ottawa Street Intersection Configuration
Attachment B – Intersection Design Modifications Alternative 1
Attachment C – Intersection Design Modifications Alternative 2
Attachment D – Invite Letter
Attachment E – PIC Presentation Boards
Attachment F – Public Comment Form

PREPARED BY: Danielle Tobey, Planner, Rapid Transit

APPROVED BY: Thomas Schmidt, Commissioner, Transportation and Environmental Services
Attachment A – Existing Mill Street at Ottawa Street Intersection Configuration (with LRT)

- Stop Control
- Future LRT Line
- Traffic Control Signal
Dear Resident/Owner:

Re: Public Information Centre – Mill Street at Ottawa Street Intersection Modifications

ION, the Region of Waterloo’s Rapid Transit service, is moving forward, with construction starting in 2014 and operation beginning in 2017. As part of the early ION functional design, opportunities to improve traffic operations through the realignment of the Mill Street and Ottawa Street intersection were identified.

The Region of Waterloo will be presenting two alternatives that have been selected based on LRT operations, GRT integration, traffic operations, and other factors that affect the operations, safety, social environment and natural environment of the intersection and surrounding area.

A Public Information Centre (PIC) to present these alternatives has been scheduled as follows:

Date: December 4, 2013 (Drop-in from 4 to 8 p.m.)
Location: Concordia Club
Address: 429 Ottawa St S, Kitchener, N2M 3P6

If you are unable to attend, but wish to obtain information about the project, please contact the undersigned at 519-575-4757 ext. 3812.

Yours truly,

Danielle Tobey
Planner, Rapid Transit Division
Attachment E – PIC Presentation Boards

Welcome
ION Public Information Centre
Mill and Ottawa Street Intersection Modifications

INTRODUCTION

- This Public Information Centre will communicate modifications being made at the Mill and Ottawa Street intersection.
- A consultant, retained by the Region of Waterloo, conducted an operational analysis of possible functional design modifications that could accommodate the introduction of light rail transit (LRT), which will cross through the intersection.
- Two alternatives are being presented as acceptable solutions for modifying the Mill and Ottawa Street intersection.
EXISTING INTERSECTION CONFIGURATION

DESIGN CONSIDERATIONS

The alternatives prepared for the Mill and Ottawa Street intersection design were evaluated on the basis of a number of factors that affect the operations, safety, social and natural environments of the area.

Primary Evaluation Criteria:

- ION operations: Is LRT operation feasible in the proposed configuration?
- Grand River Transit (GRT) integration: Does the proposed configuration provide acceptable access between GRT stops and the ION platform?
- Traffic operations: Does the proposed configuration work acceptably for vehicles, taking into account the design and operation of the intersection?

Additional Evaluation Criteria:

- Safety
- Efficiency (level of service) at Mill and Ottawa Street
- Impacts on Ottawa Street at Courtland Avenue
- Impact on Pedestrians and Cyclists
- Impact on Conventional Transit
- Delay to LRT
- Impact to Emergency Vehicle Access
- Capital Costs
- Maintenance Costs
- Property Requirements
- Displacement of Existing Land-Use
- Heritage Impacts
- Streetscape Opportunities
- Flexibility of Traffic Movements in the Area

Based on the above criteria, two alternatives have been identified as acceptable solutions for consideration.
**ALTERNATIVE 1**

- Close Mill Street at the current traffic control signal. Two-way traffic will then use the north leg of Mill Street which runs parallel to the rail lines.
- There will be a traffic control signal at the intersection of Ottawa Street and the north leg of Mill Street.
- There will be a dedicated southbound left turn lane from the north leg of Mill Street to Ottawa Street.
- The south leg of Mill Street will be right-in and right-out as well as have a stop sign.
ALTERNATIVE 2

- Similar to Alternative 1, except that the southbound left turns from Mill Street will not be allowed.
MODIFICATIONS - STRENGTHS/CHALLENGES

Strengths of the proposed alternatives

- Establishes the most direct and central connection opportunities between ION and GRT
- Simplest intersection design
- Fewest conflict points with ION operations, vehicular and pedestrian traffic
- Least amount of delay for ION at the intersection
- Highest level of service with the least amount of delay for vehicles at the intersection
- Crosswalks are located at signals with clear and direct sidewalk access
- Lowest cost
- No property requirements or impact to existing land uses
- No heritage impacts

Challenges of the proposed alternatives

- Slight delays for GRT at Courtland Avenue and Ottawa Street intersection
- Some traffic diverted to Courtland Avenue, causing minimal delay at the Ottawa Street and Courtland Avenue intersection
- Some out of the way travel due to prohibited movements

CURRENT TRAFFIC CONDITIONS (2012)

Level of service is a term used to qualitatively describe the operating conditions of an intersection based on metrics such as delay. The level of service is designated with a letter, A to F, with A representing the best operating conditions and F the worst.

- Green: Level of service A – C
- Yellow: Level of service D
- Orange: Level of service E
- Red: Level of service F
ALTERNATIVE 1 - TRAFFIC CONDITIONS (2031)

With Alternative 1, all movements are improved or maintained as a level of service of A-C (green) except for the southbound left turn from the north leg of Mill Street to Ottawa Street which will operate at a level of service D (yellow). A level of service D represents an acceptable amount of delay.

ALTERNATIVE 2 - TRAFFIC CONDITIONS (2031)

With Alternative 2, all movements are improved or are maintained as a level of service of A-C (green).
NEXT STEPS

- January 2014: Modifications to be presented to Council for approval
- 2014: ION construction begins
- 2017: ION service begins

Thank You

Contact Us:
Rapid Transit Division
Region of Waterloo
50 Queen Street North, Suite 830
Kitchener, Ontario, Canada
N2H 6P4

Phone: 519-575-4757 ext. 3242
E-mail: rtinfo@regionofwaterloo.ca
Facebook: www.facebook.com/ROWRapidTransit
Twitter: @ROWRapidTransit
Website: www.regionofwaterloo.ca/rapidtransit
Attachment F – Public Comment Form

Rapid Transit

Mill Street at Ottawa Street
Intersection Modifications
Public Information Centre – Comment Form

1. Was the purpose of the Public Information Centre clearly identified?

__________________________________________________________________________

__________________________________________________________________________

2. Did the display boards outline the process and proposed changes in a concise, meaningful and understandable way?

__________________________________________________________________________

__________________________________________________________________________

3. Which intersection design alternative do you prefer, 1 or 2? Why?

__________________________________________________________________________

__________________________________________________________________________

4. Do you have any other comments?

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

Name: ___________________________ Phone #: ___________________________

Address: ________________________ Email: ____________________________

The comments and submissions you provide will be used to assist the Region in making a decision on the intersection modifications. Under the Municipal Act, personal information such as name, address, telephone number and property location that may be included in a submission becomes part of the public record. Questions regarding the collection of this information should be referred to the Rapid Transit Division at 519-575-1400.
TO: Chair Jim Wideman and Members of the Planning and Works Committee

DATE: December 3, 2013

FILE CODE: E14-30(A)/C06-60(A)

SUBJECT: BIOSOLIDS FROM WATERLOO WASTEWATER TREATMENT PLANT CONTRACT EXTENSION

RECOMMENDATION:

THAT the Regional Municipality of Waterloo approve exercising an option to the current agreement with Tervita Corporation (formerly American Process Group (Canada) Inc.) for the dewatering, haulage and disposal of biosolids from the Waterloo Wastewater Treatment Plant for an additional four (4) month period or until commissioning of the new dewatering system, at the current 2013 unit rate of $31.34 per cubic metre (including all applicable taxes), as set out in Report E-13-124, dated December 3, 2013.

SUMMARY: Nil

REPORT:

The Region has an agreement with American Process Group (Canada) Inc., now known as Tervita Corporation, for Dewatering, Haulage and Disposal of Biosolids from the Waterloo Wastewater Treatment Plant (WWTP). This work was required to maintain plant performance and handle biosolids during construction at the Waterloo Wastewater Treatment Plant. The scope of the work under Tervita’s contract included the following:

- Dewatering sludge (generated at Waterloo WWTP) through mechanical dewatering;
- Haulage and disposal of the sludge-cake at an approved Ontario landfill.

The terms and conditions of the agreement with Tervita Corporation currently remain valid.

The original agreement with Tervita’s, as outlined in Report F-09-058, was approved by Council in June 2009. The agreement was renewed as outlined in Report E-12-083, until January 31, 2014.

An extension to the Tervita’s agreement, for an additional four (4) month or until commissioning of the dewatering system is now being recommended as a result of additional time required for unforeseen construction work associated with the upgrades to the anaerobic digesters and the construction of a new dewatering facility. This construction work is part of the complex four year $118 million construction upgrades at Waterloo Wastewater Treatment Plant. As the extension to Tervita’s agreement is a result of unforeseen construction work, there is no offset from the construction contractors.
The original contract with Tervita included terms for extensions to contract time as, the timing of commissioning the new biosolids facility was unknown. It is now anticipated that the upgrades of the anaerobic digester complex and the construction of the new dewatering facility will be completed in early 2014. Should the new facility be commissioned prior to the end of the recommended four (4) month time extension to Tervita’s contract, a condition of the renewal agreement will allow the Region to terminate the Tervita contract at that time without penalty to the Region and at reduced cost to the Region. Under the Purchasing By-law, the Chief Purchasing Officer may acquire any goods or service through negotiation where the extension of an existing or previous contract would prove more cost effective or beneficial for the Region.

In order to ensure the Waterloo WWTP meets all the effluent requirements of the Ministry of Environment it is necessary to approve an extension of Tervita’s current contract by four (4) months at an additional estimated cost of $1,268,408. This extended contract will be implemented as per the terms and conditions outlined in the original contract document. The end date of this contract will coincide with the commissioning of the digester complex and the permanent biosolids facility currently under construction at the Waterloo Wastewater Treatment Plant. The unit cost for this service is competitive based on current market conditions.

CORPORATE STRATEGIC PLAN:

Interim dewatering of biosolids at the Waterloo WWTP contributes to Strategic Focus Area 1: Protect the quality and quantity of our water sources.

FINANCIAL IMPLICATIONS:

Additional Costs

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014 additional costs</td>
<td>$1,246,470</td>
</tr>
<tr>
<td>HST (13%)</td>
<td>$162,041</td>
</tr>
<tr>
<td>Less Municipal Rebate of HST (11.24%)</td>
<td>($140,103)</td>
</tr>
<tr>
<td>Total additional contract costs</td>
<td>$1,268,408</td>
</tr>
</tbody>
</table>

A recent review of the $118 million budget for this project now forecasts that upon project completion there will be a projected expenditure under run of $1,500,000 of which $1,268,408 is available to fund these additional biosolids handling costs.

OTHER DEPARTMENT CONSULTATIONS/CONCURRENCE:

The Procurement and Financial Services Divisions of Finance were consulted in the preparation of this report.

ATTACHMENTS: Nil

PREPARED BY: Tammy Bellamy, Project Engineer, Engineering and Wastewater Programs
             Jeff Medd, Project Manager, Design and Construction

APPROVED BY: Thomas Schmidt, Commissioner, Transportation and Environmental Services
TO: Chair Jim Wideman and Members of the Planning and Works Committee  
DATE: December 3, 2013  
FILE CODE: C06-60/P&W/WS.11; E07-40  
SUBJECT: 2014 TOILET REPLACEMENT PROGRAM

RECOMMENDATION:

THAT the Region of Waterloo discontinue the $20 rebate for high efficiency toilets as of June 30, 2014 as outlined in Report E-13-130.1 dated December 3, 2013.

SUMMARY:

The majority of inefficient 13 litres-per-flush (LPF) toilets have been replaced under the Toilet Replacement Program (TRP) since rebates were first introduced in 1994. The estimated 17 per cent of households still using inefficient toilets are considered to be the “hard sell” and new approaches must be taken to target this market.

In order to phase out the current TRP rebate program and transition to new programs under the Water Efficiency Master Plan, 2015-2025, it is recommended that the $20 rebate be discontinued as of June 30, 2014. This means that receipts for qualifying toilet replacements must be dated on or before June 30, 2014, to be eligible for the rebate. Water Efficiency staff will process qualifying TRP applications until December 31, 2014.

Water Efficiency Advisory Committee Review November 19, 2013

Water Services staff presented details to Water Efficiency Advisory Committee, as contained in E-13-130.1, at a meeting held November 19, 2013. Following review and discussion, WEAC passed a motion to support the recommendation to discontinue the $20 TRP rebate, as detailed in this report.

REPORT:

Waterloo Region has successfully provided 75,000 rebates to residential and business property owners that replaced 13 litres per flush (LPF) toilets with low flush toilets since 1994. These efficient toilets are saving an estimated 12,000 m$^3$ per day of drinking water, which is enough water to supply the needs of approximately 20,000 local households.

The Toilet Replacement Program (TRP) is sanctioned under the Region’s Water Efficiency Master Plan, last updated and approved by Council in 2006. The plan sets out water savings targets for a variety of programs running from 2007 to 2015. The 2007-2012 cumulative TRP water savings achieved was 5,280 m$^3$per day, which exceeds the target by 2,172 m$^3$ per day (or 69%).

The Region currently provides rebates for high efficiency toilet (HET) installations that replace inefficient 13 LPF toilets (or higher). Approved HETs are defined as “WaterSense” certified toilets using an average of 4.8 LPF or less, and include both dual flush and single flush models. Rebates for 6 LPF toilet installations were discontinued in 2011 as the better 4.8 LPF technology
became available locally. HET rebates were reduced from $60 to $20 per replacement as of January 2012 (E-10-063.1). Table 1 below details the TRP rebate amounts offered since 2007.

Table 1 – TRP Rebate Offers, 2007-2013, (per replacement of 13L toilet)

<table>
<thead>
<tr>
<th></th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>6 Litre/flush</td>
<td>$40</td>
<td>$40</td>
<td>$40</td>
<td>$40</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>4.8 Litre/flush</td>
<td>$60</td>
<td>$60</td>
<td>$60</td>
<td>$60</td>
<td>$60</td>
<td>$20</td>
<td>$20</td>
</tr>
</tbody>
</table>

TRP program participation reached historic maximums from 2009 to 2011 (see table 2). With the reduction in rebate amount from $60 to $20 per replacement in 2012, there was a significant drop in program participation.

Table 2 – Annual Toilet Rebates

![Graph showing annual toilet rebates](image)

**(2013 projected)**

The majority of households in Waterloo Region now use more efficient toilets. In essence, the TRP has reached maturity. The estimated 17 to 19 per cent of households continuing to use inefficient toilets are considered to be a much harder sell for replacement (see table 3).

Table 3 – Estimated Inefficient 13 Litre/Flush Toilets in Waterloo Region (Jan. 2013)*

<table>
<thead>
<tr>
<th></th>
<th>% Households</th>
<th>Estimated Households</th>
<th>Total 13L Toilets*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff Estimate</td>
<td>19.6</td>
<td>38,231</td>
<td>57,346</td>
</tr>
<tr>
<td>Residential End Use Study**</td>
<td>17</td>
<td>38,150</td>
<td>49,725</td>
</tr>
</tbody>
</table>

* Assumes 195,000 single/semi detached, townhouse, condo, apartment residences, with average 1.5 toilets per residence  
** American Water Works Association Research Foundation, Residential End Uses of Water Site Report, Aquacraft, June 2013

Ontario Building Code Changes

It is understood that local market forces will continue to move in the direction of efficiency. Since 1996 the Ontario Building Code has required toilet installations in new construction and renovations in homes to have a maximum volume of 6 LPF. Beginning in January 2014, the code will require all toilets installed to flush a maximum of 4.8 LPF.
Recommend Discontinue Rebates and Defer to Master Plan Update

Water Services Division is now completing an update to its Water Efficiency Master Plan (WEMP) that will propose a new program mix to run from 2015 to 2025. Part of the plan will address household water usage through appliances including toilets. A draft master plan document will be available for public input from December 2013 to March 2014. It is anticipated that the final WEMP will be approved in June 2014 and new programs will begin in 2015. Once the WEMP has been approved, staff will refine water efficiency program plans and table recommendations for Committee approval.

In order to transition to new water efficiency program offerings in 2015, it is recommended that the current $20 TRP rebate be discontinued as of June 30, 2014. This means that receipts for qualifying toilet replacements must be dated on or before June 30, 2014, to be eligible for the rebate. Water Efficiency staff will process qualifying TRP applications until December 31, 2014, as long as toilet purchase receipts are dated no later than June 30, 2014.

Promotion and Advertising

With Council approval, staff will initiate strategic communications measures to inform toilet retailers, suppliers and property owners in Waterloo Region about the program change beginning early in 2014. Communication methods will include interpersonal contact, literature mailings and paid advertising.

CORPORATE STRATEGIC PLAN:

Implementation of the Toilet Replacement Program relates to the Strategic Objective 1.4, to “Protect the quality and the quantity of our drinking water sources.” Action 1.4.3 states the Region of Waterloo should “Update and continue to implement the Water Efficiency Master Plan.

FINANCIAL IMPLICATIONS:

The proposed 2014 capital budget for TRP is $150,000. These funds will cover anticipated rebate, advertising and promotion costs for the program.

Water Efficiency capital projects are financed through Regional Development Charges.

OTHER DEPARTMENT CONSULTATIONS/CONCURRENCE: NIL

ATTACHMENTS: NIL

PREPARED BY: Steve Gombos, Manager, Water Efficiency, Water Services

APPROVED BY: Thomas Schmidt, Commissioner, Transportation and Environmental Services
TO: Chair Jim Wideman and Members of the Planning and Works Committee

DATE: December 3, 2013

FILE CODE: C06-60/P&W/WS.13

SUBJECT: WATER DISTRIBUTION BY-LAW FOR THE TOWNSHIPS OF NORTH DUMFRIES AND WELLESLEY

RECOMMENDATION:

THAT The Regional Municipality of Waterloo approve in principle the draft Water Distribution By-law for the Townships of North Dumfries and Wellesley, attached as Appendix A, and proceed to public consultation, pursuant to Report E-13-141, dated December 3, 2013, as described.

SUMMARY:

Staff has developed a draft water distribution by-law for the Townships of North Dumfries and Wellesley. The by-law allows harmonization of previous Township by-laws and addresses changes in legislation including regulation of backflow prevention devices. The draft by-law has five general themes which are set out as follows:

1. Prohibiting any harm or damage to the water distribution system;
2. Regulating any connection or disconnection to the water distribution system;
3. Regulating the installation and maintenance of backflow prevention devices;
4. Regulating the use and placement of water meters, the implementation of water rates and the shut off of water for non-payment of water fees; and
5. Creating offences for the contravention of provisions of the by-law.

Staff recommends that the Region approve this draft by-law in principle, that staff engage in a public consultation process and then report back to this Committee with a summary and recommended final by-law.

REPORT:

1. Introduction

Pursuant to By-law 05-004, the Region assumed ownership and operation over the water distribution systems for the Townships of North Dumfries and Wellesley in 2005. The other water distribution systems in Waterloo Region continue to be owned and operated by the applicable local municipalities.

This role of a water distributor includes the regulation of who is permitted to connect to the water distribution system, invoicing and the collection of water fees and charges and general maintenance of the water distribution system.
Since the transfer, the Region has operated these water distribution systems pursuant to the applicable Township water distribution by-laws. This practice has caused inconsistencies at times for the Region because the Township by-laws are not broad enough to capture all above themes nor consistent with each other or current Regional practices. Further, the Ministry of the Environment has requested that the Region make certain improvements to the water distribution systems through the regulation of backflow prevention devices. Backflow prevention devices prevent non-municipal water from auxiliary water sources on a property, such as a private well, to enter the water distribution system.

As a result staff have developed a uniform water distribution by-law which is attached as Appendix A to this Report.

2. Recommended Water Distribution By-law

The recommended water distribution by-law has five general themes which are set out as follows:

2.1  *Prohibiting any harm or damage to the water distribution system*

These provisions are to prevent persons from damaging any water main, connection, valve or other part of the water distribution system. It also prevents persons from opening any water valve or placing any obstruction over a water valve or water meter without proper authority.

2.2  *Regulating any connection or disconnection to the water distribution system*

These provisions are to establish an application and approval process for persons who wish to connect to the water distribution system on either a permanent or temporary basis. The provisions set out certain technical requirements in regard to how and where the connection is made and it includes provisions to ensure the Region is properly reimbursed if it carries out services to facilitate the connection. For example, the Region is normally required to open up road allowances to install laterals from water mains to the applicable property line.

2.3  *Regulating the installation and maintenance of backflow prevention devices*

These provisions require that industrial/commercial property owners in the Townships of North Dumfries and Wellesley that are connected to the water distribution system install and maintain a backflow prevention device. Residential properties with three or more stories in height, exclusive of the basement, and residential properties which have a private well, cistern or sprinkler system that could cause non-municipal water to enter the water distribution system are also required to install and maintain a backflow prevention device.

Staff estimates that this new provision could impact approximately 120 properties in the Township of North Dumfries and 80 in Wellesley. Each affected property owner, at their own cost, will need to acquire a backflow prevention device and have the device installed and tested by a qualified person. It is estimated that the cost to acquire a backflow prevention device for each affected owner will be approximately $350 with an estimated installation and testing cost of approximately $175.

2.4  *Regulating the use and placement of water meters, the implementation of water rates and the shut off of water for non-payment of water fees*
The provisions in relation to water meters require that property owners rent a water meter from the Region for a one-time rental fee. The water meter remains the property of the Region. The provisions also require that the water meter be placed in a location that is accessible for reading.

The draft by-law establishes the Region’s ability to set water rates with an obligation upon the property owner to pay such. Removed from the draft by-law is the clause that allows a tenant(s) to be responsible for payment to the Region the amount owing in each invoice for the consumption of water to the property, or the tenant’s respective portion of the property, as well as any other fees and charges in relation thereto. The responsibility will be on the owner. The actual water rates are fixed each year by Council through a separate by-law.

The Municipal Act, 2001 contains a provision that allows utilities to shut off supply if fees or charges payable by the owners or occupants of the land are overdue. This power has been inserted into the draft by-law. The power to shut-off water has also been implemented where a person has connected to the water distribution system without authorization, a water meter or backflow prevention device has not been properly installed or there is a significant water break or other emergency.

2.5 Creating offences for the contravention of provisions of the by-law

These provisions allow the Region to charge a person if they violate certain provisions of the by-law. For example, the Region could charge a person if the person has connected to the water distribution system without authorization. The draft by-law also contains provisions that allow the Region to carry out remedial work and to charge the cost of such back against the person.

3. Implementation

The by-law would be administered by the Commissioner of Transportation and Environmental Services through the Water Services Division.

The by-law would come into effect upon passage with the exception of the backflow preventer provision that will come into effect six months later. The six months will provide a transition period for installation and compliance with the backflow preventer provision.

The proposed fees and charges, in the event that the proposed by-law is passed, would be as follows. These proposed fees and charges, which would be set out in the applicable fees and charges by-law, would recover the administrative and other costs of the Region:

- Application fee for a permanent water connection: $1250
- Application fee for a temporary water connection: $750
- Backflow test report fee: $175 for permit fee and initial inspection
  $50 annual inspection report

As part of the implementation of the proposed by-law, staff would also establish administrative and other forms. These administrative forms would include applications for water connections and rental agreements from water meters.

The proposed by-law contains several provisions in the event that a person violates the by-law or
fails to pay an applicable fee or charge. The investigation and laying of any charge pursuant to the proposed by-law would be conducted by staff of the Water Services Division in conjunction with municipal law enforcement officers of the Licensing and Enforcement Services. The enforcement of non-payment of fees and charges could be pursued through: (1) requesting that the treasurer of the local municipality add the unpaid fee and charge to the property taxes of the serviced property; (2) shutting off the water to the serviced property; and/or (3) commencing an action against the responsible party through the court system.

Staff proposes a standard notification process in the event that fees and charges are unpaid. Staff recommends that the process have a degree of flexibility so that the Region can respond as needed to the different situations that may arise in regard to unpaid fees and charges. For example, the Region may wish to respond differently in relation to a person who has a chronic history of unpaid accounts.

4. Next Steps

Pending Council approval of Report E-13-141 and in accordance with the Region’s Notice Policy (Class 3), staff will hold public consultation centres in Wellesley and North Dumfries on Tuesday, January 14, and Thursday, January 16, 2014, respectively. Notices will be placed on the Region’s website as well as the townships’ websites. A notice will be posted in the Ayr News, the Woolwich Observer and the Elmira Independent. A copy of this report will be provided to municipal clerks in North Dumfries and Wellesley. Letters will be sent to property owners impacted by the new backflow prevention device provision.

At the conclusion of the public consultation process, staff would report back to this Committee with a summary of public input together with a recommended by-law for passage.

CORPORATE STRATEGIC PLAN:

This by-law contributes to the Corporate Strategic Plan Objective under Strategic Focus Area 5 – Service Excellence.

FINANCIAL IMPLICATIONS:

No additional staff is proposed for the implementation of the proposed by-law.

Regional costs to administer the proposed by-law should be recovered through the proposed fees and charges that would be enacted at the same time as the by-law.

The proposed by-law would give the Water Services Division greater ability to administer the water distribution system in the Townships of North Dumfries and Wellesley and would provide cost benefits to the Region through improved collection of unpaid fees and charges.

OTHER DEPARTMENT CONSULTATIONS/CONCURRENCE:

The Legal Services Division assisted in the preparation of this Report and the draft Water Distribution By-law. Finance participated in the preparation of the draft Water Distribution By-law.
ATTACHMENTS

Attachment A - Draft Water Distribution By-law
Attachment B – Water Distribution Public Consultation Centre Boards

PREPARED BY:  Olga Vrentzos, Manager, Water Operations and Maintenance, Water Services

APPROVED BY:  Thomas Schmidt, Commissioner, Transportation & Environmental Services
BY-LAW NO.

OF

THE REGIONAL MUNICIPALITY OF WATERLOO

A By-Law to regulate the supply and distribution of water within the Townships of North Dumfries and Wellesley

WHEREAS The Regional Municipality of Waterloo has jurisdiction over the distribution of water within the Townships of North Dumfries and Wellesley pursuant to section 189 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, and By-law 05-004 of The Regional Municipality of Waterloo;

AND WHEREAS The Regional Municipality of Waterloo may pass by-laws respecting its jurisdiction over the distribution of water within the Townships of North Dumfries and Wellesley pursuant to section 11 of the Municipal Act, 2001, S.O. 2001, c.25, as amended;

AND WHEREAS The Regional Municipality of Waterloo wishes to regulate the time, manner, extent and nature of the supply and distribution of water, the building or person to which and to whom the water shall be furnished and every other matter or thing related to or connected therewith that may be necessary or proper to regulate, in order to secure to the inhabitants of the Townships of North Dumfries and Wellesley a continued and abundant supply of pure and wholesome water;

NOW THEREFORE, the Council of The Regional Municipality of Waterloo enacts as follows:

Part I - Definitions

1. In this By-law,

   (1) “Auxiliary Water Supply” means any water well, cistern or other source, other than a Regional Water Distribution System, that provides a supply of water;

   (2) “Backflow Prevention Device” means a device that prevents the backflow of water and includes, but is not limited to, a reduced pressure principle assembly and a double check valve;


   (4) “Commissioner” means the Commissioner of Transportation and Environmental Services of the Region, or any successor position, and his or her designate;

   (5) “Council” means the Council for the Region;


   (7) “Detector Check Valve” means a single check valve assembly as prescribed in the CSA Standard for fire prevention systems only;
(8) “Fire Hydrant” means a fire hydrant that is connected to the Regional Water Distribution System;

(9) “Fire Service” means a fire sprinkler or similar system that is activated and used in the event of a fire;

(10) “multi-residential” means a building or property that has three or more self-contained residential units;


(12) “Municipal Service” means that part of the Water Service from the water main up to and including the Municipal Valve;

(13) “Municipal Valve” means a valve that controls the flow of water within the Regional Water Distribution System or from the Regional Water Distribution System to a Private Service or a Fire Hydrant and includes any box that the valve is located within;

(14) “owner” means the person or persons who are the registered owner or owners on title to the property;

(15) “Planning Act” means the Planning Act, R.S.O. 1990, P. 13, as amended, or any successor legislation thereto;

(16) “Private Service” means that part of the Water Service from the Municipal Valve to the building or buildings receiving water;

(17) “Region” means The Regional Municipality of Waterloo;

(18) “Regional Standards” means Region of Waterloo and Area Municipal Design Guidelines and Supplemental Specifications for Municipal Services (DGSSMS) or any successor thereto;

(19) “Regional Water Distribution System” means the water distribution system, which includes, but is not limited, to all water mains, Municipal Services and Municipal Valves, that are owned by or are under the jurisdiction of the Region within the Townships of North Dumfries and Wellesley;

(20) “Remote Reader” means a remote device used to record the quantity of water from a Water Meter;

(21) “Tester” means a person who is a certified backflow prevention device tester and who has successfully completed a cross connection course in backflow prevention device testing at an accredited school or college as defined in the CSA Standard;

(22) “Test Report” means the report as attached as Schedule “A” to this By-law;

(23) “Treasurer” means the Treasurer of the Region, or any successor position, and his or her designate;

(24) “Water Meter” means an apparatus or device for measuring the quantity of water;
(25) “Water Rate” means the unit price for the consumption of water on an ongoing basis from the Regional Water Distribution System as determined from time to time by the Council for the Region; and

(26) "Water Service" means the permanent pipe, equipment and devices that carry water from a water main that is part of the Regional Water Distribution System to a building or buildings upon a private property or a property not owned by the Region.

Part II - Prohibitions

2. Except as permitted in this By-law, no person shall, and no owner or person who occupies or has possession of a property shall cause or permit a person to:

   (1) make a permanent or temporary water connection to the Regional Water Distribution System;

   (2) make a disconnection to the Regional Water Distribution System;

   (3) alter, damage or interfere with the Regional Water Distribution System or any part of the Regional Water Distribution System;

   (4) open or close any Municipal Valve, or place any building, structure, rocks, stones, concrete, asphalt, blocks, bricks, soil, vegetation, ground cover or other similar objects over any Municipal Valve, or otherwise obstruct access to any Municipal Valve;

   (5) remove a Backflow Prevention Device that is required to be installed and maintained pursuant to this By-law unless such removal is to:

      (a) facilitate the repair of the Backflow Prevention Device and the Backflow Prevention Device is replaced immediately after such repair is carried out; or

      (b) replace the Backflow Prevention Device with another Backflow Prevention Device that meets or exceeds the provisions of this By-law;

   (6) remove, alter or damage any permanent or temporary Water Meter, or any seal thereon, that has been installed upon a pipe that is connected directly or indirectly to the Regional Water Distribution System;

   (7) install any pipe or other device that causes water from the Regional Water Distribution System to by-pass any installed Water Meter;

   (8) obstruct access to any permanent or temporary Water Meter that has been installed upon a pipe that is connected directly or indirectly to the Regional Water Distribution System or to any Remote Reader that has been installed for such a Water Meter;

   (9) open or close any Fire Hydrant, or place any building, structure, material, rubbish or other objects on any Fire Hydrant, or place any building, structure, material or vegetation, except grass, within one metre of any Fire Hydrant, or otherwise obstruct access to any Fire Hydrant, unless the person is a member of a municipal fire department; and

   (10) use any water pressure of the Regional Water Distribution System to power any turbines or similar devices.
Part III – Permanent Water Connection

3. (1) An owner of a property may apply to the Region for a permanent water connection to the Regional Water Distribution System and the Commissioner may grant such an application if the Commissioner is satisfied that there is sufficient water capacity in the Regional Water Distribution System to supply the property and the intended use with water.

(2) Any application made pursuant to subsection (1) of this section shall include:

(a) the class of occupancy of the property;
(b) the intended use of the water;
(c) the estimated quantity of water required for the property, supported by water requirement calculations if the water connection is for, in whole or in part, a commercial, industrial, institutional or multi-residential purpose;
(d) a plan of the building showing the interior piping if the water connection is for, in whole or in part, a commercial, industrial, institutional or multi-residential purpose;
(e) the desired location and size of the Water Service and Water Meter required;
(f) whether waste water from the property will be disposed of through a municipal or private system;
(g) any other information that the Commissioner requires to determine if there is sufficient water capacity in the Regional Water Distribution System to supply the property and the intended use with water; and
(h) any fee as prescribed by Council.

(3) The Commissioner may impose terms and conditions upon any permanent water connection, including but not limited to the exact location of any Water Meter and Remote Reader, which the Commissioner deems necessary in order to ensure the proper operation of the Regional Water Distribution System and the owner of the property that received the permanent water connection, and any subsequent owners of the property thereafter, shall comply with all such terms and conditions.

4. (1) Where the Commissioner is satisfied that there is sufficient water capacity in the Regional Water Distribution System to supply the property and the intended use with water, the Commissioner shall determine the estimated cost for the Region to install the Municipal Service, if applicable, and the Commissioner shall require that the applicant provide security for this estimate, plus 25 per cent of the estimate for any contingency, in a form satisfactory to the Commissioner, before the water connection is commenced.

(2) The estimate in subsection (1) of this section may include the cost of labour, site supervision, machinery and parts of the Region, and any contractor to be retained by the Region, to complete the installation of the Municipal Service.

(3) When the installation of the Municipal Service is complete, the Commissioner shall establish the exact cost thereof, and the Commissioner shall either refund any excess monies from the security to the applicant or require that the applicant pay any outstanding balance, as the case may be.

(4) The Commissioner shall determine the location of the Municipal Service based on the criteria of using the shortest and most convenient location for the Region.
(5) Notwithstanding subsections (1), (2) and (3) of this section, the Commissioner may allow the owner of the property to install the Municipal Service by using the owner’s own contractor provided that the owner meets all of the terms and conditions imposed by the Commissioner.

(6) This section shall apply notwithstanding any other fees and charges by-law of the Region that relates to Municipal Services that are to be constructed after the date this By-law comes into effect pursuant to subsection 50(1) of this By-law.

5. (1) The applicant shall install the Private Service at its own cost.

(2) No Private Service shall be less than 19 millimetres in diameter.

(3) The applicant shall ensure that the Private Service is:
   (a) installed by a licensed plumber;
   (b) two metres or more below ground level; and
   (c) properly connected to the Municipal Service in accordance with Regional Standards.

(4) In the case of a Private Service that is 100 millimetres or larger in diameter, the applicant shall install flushing ports and the plumber that installed the Private Service shall carry out a swabbing and testing procedure to determine the levels of chlorine residuals and bacteriological counts and the results of such tests shall be provided to the Commissioner in writing. The installation of flushing ports, the swabbing and testing of Private Services and all test results shall be carried out and assessed in accordance with Regional Standards.

6. The Commissioner may turn on the Municipal Valve for the applicant’s property after:

   (1) all of the conditions pursuant to this Part and Parts V and VI of this By-law have been fully satisfied; and
   (2) the applicant has paid all applicable fees or satisfied all applicable conditions that have been imposed by any fees and charges by-law of the Region specifically in relation to the property.

7. This Part shall apply with necessary modification if any owner of a property that is connected to the Regional Water Distribution System wishes to alter the location or size of its Water Service or to disconnect its Water Service on a permanent basis.

8. Where a property is subject to a plan of subdivision and the Region is to assume any water works pursuant to the Planning Act, then any water connection to the Regional Water Distribution System shall be carried out in accordance with Regional Standards and this Part shall not apply.

Part IV – Temporary Water Connection

9. (1) Any person may apply to the Region for a temporary water connection to the Regional Water Distribution System to carry out a temporary construction, commercial, industrial or recreational activity and the Commissioner may grant such an application if the Commissioner is satisfied that the intended activity satisfies this subsection and there is sufficient water capacity in the Regional Water Distribution System to supply the temporary use with water.

   (2) Any application made pursuant to subsection (1) of this section shall include:

      (a) the location of the temporary water connection;
      (b) the reason for the temporary water connection;
(c) the time period for temporary water connection;
(d) the estimated quantity of water required for the temporary use; and
(e) any fee as prescribed by Council.

(3) Notwithstanding subsection (1) of this section, the Commissioner shall not grant an application for the purpose of filling a private swimming pool.

(4) The Commissioner may impose terms and conditions upon any temporary water connection which the Commissioner deems necessary in order to ensure the proper operation of the Regional Water Distribution System and the applicant who received the temporary water connection shall comply with all such terms and conditions.

(5) Without limiting subsection (4) of this section, the Commissioner may impose conditions related to:

(a) the location of the temporary water connection;
(b) the duration of the temporary water connection;
(c) the amount of water to be consumed as part of the temporary water connection; and
(d) the weather conditions under which the temporary water use may be made.

10. (1) Where the Commissioner is satisfied that there is sufficient water capacity in the Regional Water Distribution System to supply the temporary water use, the Commissioner shall determine the estimated cost for the Region to install and disconnect any temporary Water Meter and back flow prevention device and the estimated cost to supply the water based upon the applicable Water Rate and the Commissioner shall require that the applicant provide security for this estimate, plus 25 per cent of the estimate for any contingency, in a form satisfactory to the Commissioner, before the temporary water connection is commenced.

(2) After the temporary water connection is completed, the Commissioner shall establish the exact cost thereof, and the Commissioner shall either refund any excess monies from the security to the applicant or require the applicant to pay any outstanding balance, as the case may be.

11. The Commissioner may turn on the temporary connection after all of the conditions pursuant to this Part and Part V of this By-law have been fully satisfied.

Part V – Backflow Prevention Devices

12. (1) Every owner of a property, and every person who occupies or has possession of a property, that is connected to a Regional Water Distribution System shall ensure that a Backflow Prevention Device is installed and maintained at the source of the connection to the Regional Water Distribution System in accordance with the requirements of this By-law.

(2) Subsection (1) of this section shall not apply to a property that is solely comprised of a residential home, or homes, that is, or are, less than three (3) stories in height, exclusive of any basement.

13. Every owner of a property, and every person who occupies or has possession of a property, that has an Auxiliary Water Supply or a Fire Service that is connected directly or indirectly to a Regional Water Distribution System shall ensure that a Backflow Prevention Device is installed and maintained at the source of the connection to the Regional Water Distribution System in accordance with the requirements of this By-law.
14. Every Backflow Prevention Device that is required pursuant to this By-law shall be testable to determine if the Backflow Prevention Device is functioning properly.

15. (1) Subject to subsection (2) of this section, every Backflow Prevention Device that is required pursuant to this By-law shall be appropriate for the connection to the Regional Water Distribution System and shall be determined using the Selection Guide in the CSA Standard.

(2) Notwithstanding subsection (1) of this section, the Commissioner may require that a particular Backflow Prevention Device be used in respect of any connection to a Regional Water Distribution System if the Commissioner determines that the particular Backflow Prevention Device is appropriate based on the Commissioner’s assessment and interpretation of the Selection Guide in the CSA Standard.

16. Every Backflow Prevention Device that is required pursuant to this By-law shall be installed:

(1) in a building or structure so as to prevent the Backflow Prevention Device from freezing;

(2) in accordance with acceptable engineering practices and the requirements of the Building Code, the manufacturer’s installation guide and the CSA Standards;

(3) in such a manner so that the Backflow Prevention Device prevents backflow into the Regional Water Distribution System;

(4) within a maximum of 3.0 metres downstream of the Water Meter, except where circumstances require the Backflow Prevention Device to be installed upstream of the Water Meter and such location is to the written satisfaction of the Commissioner; and

(5) so that all piping between the Water Meter and the Backflow Prevention Device is clearly labeled “No Connection Permitted.”

17. Every Backflow Prevention Device that is required pursuant to this By-law shall be in proper working order at all times.

18. Every Backflow Prevention Device that is required pursuant to this By-law shall be tested by a Tester in accordance with the CSA Standard and the test procedures as set by the American Water Works Association:

(1) when it is first installed and annually thereafter;

(2) after it is cleaned, repaired, overhauled or relocated; or

(3) if requested in writing by the Commissioner because the Commissioner believes that an incident, change or other circumstance may have impacted the proper functioning of the Backflow Prevention Device.

19. Every person who is required to install and maintain a Backflow Prevention Device pursuant to this By-law and to have a test conducted pursuant to section 18 of this By-law shall deliver a completed Test Report, as well as any fee prescribed by Council, to the Commissioner within 14 calendar days of the test.
20. Every person who is required to install and maintain a Backflow Prevention Device pursuant to this By-law shall ensure that any defects or deficiencies as listed in a Test Report are immediately repaired or rectified.

21. Every person who is required to install and maintain a Backflow Prevention Device pursuant to this By-law shall take all steps necessary to prevent damage to the Backflow Prevention Device.

22. Every person who is in the process of repairing or replacing a Backflow Prevention Device shall ensure that the connection to the Regional Water Distribution System is turned off.

Part VI – Water Meters

23. (1) Every owner of a property, and every person who occupies or has possession of a property, that is connected to the Regional Water Distribution System shall ensure that a Water Meter is connected, installed and maintained at the source of the water connection to the Regional Water Distribution System.

(2) Notwithstanding subsection (1) of this section, a Water Meter is not required to be installed on a Fire Service that is connected directly or indirectly to the Regional Water Distribution System if the Fire Service is only used to supply water for a fire and, if the Fire Service is connected indirectly to the Regional Water Distribution System, a Detector Check Valve is installed at the source of the Fire Service.

(3) Every person that is required to have a Water Meter pursuant to this section shall ensure that:

(a) the placement of the Water Meter in a location and structure that is accessible and that prevents damage to the Water Meter through freezing or other means;
(b) the Water Meter installed in the building nearest to the water main that supplied water to the property if the property has more than one building that is supplied with water or the Water Meter installed in a chamber that is within 10 metres of a municipal street if no building that is supplied with water is within 30 metres from a municipal street; and
(c) the Water Meter has a Remote Reader that is connected, installed and maintained in an accessible location that is outside any building or chamber.

(4) Every person that is required to have a Water Meter and Remote Reader pursuant to this section shall rent the Water Meter and Remote Reader from the Region based upon a fee as prescribed by Council.

24. Every person that has been granted a temporary water connection to the Regional Water Distribution System pursuant to this By-law shall ensure that a Water Meter is connected, installed and maintained in good working order at the source of the water connection in a location that is accessible and that prevents damage to the Water Meter through freezing or other means.

25. Every person that rents a Water Meter and Remote Reader from the Region pursuant to this By-law shall allow the Region during regular business hours to repair or replace such Water Meter and Remote Reader when the Region deems such to be necessary.
Part VII – Private Service Maintenance

26. Every owner of a property, and every person who occupies or has possession of a property, that is connected to the Regional Water Distribution System shall ensure that the Private Service is maintained in a good state of repair at all times.

27. Every owner of a property, and every person who occupies or has possession of a property, that is connected to the Regional Water Distribution System shall immediately notify the Commissioner of any water leak or suspected water leak in the Private Service.

Part VIII – Water Charges

28. (1) Every owner of a property that is connected to the Regional Water Distribution System shall pay the Region the amount owing in each invoice for the consumption of water to the property as well as any other fees and charges in relation thereto.

(2) Every applicant that has received a temporary water connection to the Regional Water Distribution System shall pay the Region the amount owing in each invoice for the consumption of water as well as any other fees and charges in relation thereto.

29. (1) Where water from the Regional Water Distribution System is supplied and the quantity of water has not been properly determined, in whole or in part, by a Water Meter then the quantity of water consumed during such period shall be estimated by the Commissioner and the Region shall render an invoice to the owner or applicant accordingly.

(3) Any estimate by the Commissioner pursuant to subsection (1) of this section shall be based on either the average consumption for the property or temporary water connection during prior applicable time periods when a Water Meter was fully operational or the average water consumption for a similar property, occupants and use during the applicable periods.

30. Every owner of a property that is connected to the Regional Water Distribution System shall notify the Treasurer 72 hours before the owner transfers ownership of the property so that the Region can take a final reading of the Water Meter for the owner.

Part IX – Property Taxes

31. The Commissioner shall have all necessary authority to request that the treasurer of the Corporation of North Dumfries or Wellesley, as applicable, add any outstanding fees and charges owing pursuant to this By-law to the tax roll to the property that was connected to the Regional Water Distribution System to which the water was supplied and collect them in the same manner as municipal taxes.
Part X - Shut Off of Water

32. (1) The Commissioner may cause the reduction or shut off of the supply of water from the Regional Water Distribution System on 14 calendar days notice if:

(a) the water connection was not made in accordance with the terms of this By-law;
(b) a Water Meter, Remote Reader or Backflow Prevention Device is not connected, installed and maintained in accordance with the terms of this By-law;
(c) there is a water leak in the Private Service that is less than the estimated volume of 1.5 litres per second as determined by the Commissioner; or
(d) an invoice for the supply of water pursuant to this By-law has not been paid in full after the due date shown on the invoice.

(2) The Commissioner may cause the shut off of the supply of water from the Regional Water Distribution System without prior notice if:

(a) there is a water leak in the Private Service that exceeds the estimated volume of 1.5 litres per second as determined by the Commissioner;
(b) there is a breach of any term or condition for a temporary water connection; or
(c) there is a risk to the health or safety of any person as determined by the Commissioner.

(3) Any notice required pursuant to this section shall be served by personal service or by prepaid mail or by posting the notice on the property in a conspicuous location.

Part XI - Work Order

33. (1) If the Commissioner is satisfied that a contravention of this By-law has occurred, the Commissioner may make an order requiring the person who contravened the By-law or who caused or permitted the contravention or the owner or occupier of the property on which the contravention occurred to do work to correct the contravention.

(2) An order under subsection (1) of this section shall set out,

(a) reasonable particulars of the contravention adequate to identify the contravention and the location of the property on which the contravention occurred; and
(b) the work to be done and the date by which the work must be done.

(3) An order under subsection (1) of this section may require work to be done even though the facts which constitute the contravention of the By-law were present before the By-law making them a contravention came into force.

34. (1) The Commissioner may, in default of it being done by the person directed or required to do it pursuant to an order under section 33 of this By-law, have the matter or thing done at the person’s expense.

(2) For the purposes of subsection (1) this section, the Commissioner may enter upon land at any reasonable time.

(3) The Commissioner may recover the costs of doing a matter or thing under subsection (1) of this section from the person directed or required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes.
(4) The costs include interest as prescribed by Council calculated for the period commencing on the day the Commissioner incurs the costs and ending on the day the costs, including the interest, are paid in full.

Part XII - Penalty

35. Every person who contravenes a provision of this By-law, and every director or officer of a corporation who knowingly concurs in the contravention, is guilty of an offence and upon conviction is liable,

(1) on a first conviction, to a minimum fine of $100 and a maximum fine of $1,000; and
(2) on any subsequent conviction, to a minimum fine of $250 and a maximum fine of $10,000.

36. Notwithstanding section 35 of this By-law, every person who contravenes section 2 of this By-law or an order made pursuant to section 33 of this By-law, and every director or officer of a corporation who knowingly concurs in the contravention, is guilty of a continuing offence and upon conviction is liable to a minimum fine of $100 and a maximum fine of $1,000 for each day or part of a day that the offence continues.

37. If this By-law is contravened and a conviction is entered, in addition to any other remedy and to any penalty imposed, the court in which the conviction was entered and any court of competent jurisdiction thereafter may make an order,

(1) prohibiting the continuation or repetition of the offence by the person convicted; and
(2) requiring the person convicted to correct the contravention in the manner and within the period that the court considers appropriate.

Part XIII - Administration

38. The Regional Water Distribution System shall be operated in accordance with this By-law, the Regional Standards and all other applicable by-laws and legislation.

39. The Commissioner shall take such measures as are necessary and proper to ensure an adequate and continuous supply of water from the Regional Water Distribution System and to safeguard the quality thereof.

40. The Commissioner shall, in the case of an emergency, which may imperil the supply or quality of water, take such remedial action as may be necessary or proper, reporting thereon to Council as soon as it is practical. Remedial action may include limiting or stopping of the supply of water in any area or restricting the use of water for any specific purpose.

41. The Commissioner is authorized to do all things necessary or proper to administer this By-law.

42. The Commissioner, an employee of the Region or an agent of the Region may, in the course of performing their duties pursuant to this By-law, exercise any right of entry upon lands as provided in the Municipal Act, 2001, or any other applicable legislation, or by-law of the Region.

43. The Commissioner shall have all necessary authority to prescribe any forms and rental terms for Water Meters and Remote Readers that are required for the purposes of this By-law.
44. The Commissioner may delegate any administrative function pursuant to this By-law to an employee or agent of the Region.

**Part XIV - General**

45. This By-law may be enforced by the Commissioner, a municipal law enforcement officer as appointed by the Region or a police officer.

46. All remedies pursuant to this By-law are cumulative.

47. If any section or sections of this By-law or parts of it are found by any Court to be illegal or beyond the power of Council to enact, such section or sections or parts of it shall be deemed to be severable and all other sections or parts of this By-law shall be deemed to be separate and independent and shall continue in full force.

48. This By-law may be cited as the “Water Distribution By-law”.

49. The provisions of this By-law shall apply as necessary if there is any conflict with the by-laws of The Corporation of the Township of North Dumfries or The Corporation of the Township of Wellesley, as assumed by the Region, concerning the distribution of water in the respective municipalities.

50. (1) This By-law, with the exception of Part V, comes into force on the date of its final passage.

   (2) Part V of this By-law comes into force and effect on XXXX 1, 2014.

By-law read a first, second and third time and finally passed at the Council Chamber in The Regional Municipality of Waterloo this day , 2014.
By-law to Regulate the Supply and Distribution of Water within the Townships of North Dumfries and Wellesley

By-law
Townships of North Dumfries & Wellesley

Why is a by-law needed?

- To harmonize any existing by-laws in the Townships of North Dumfries and Wellesley
- To update the provisions in the By-law to comply with current legislation
- To introduce and implement a backflow prevention criteria
- To continue to protect water quality in the distribution.
By-law
Townships of North Dumfries & Wellesley

General Overview of Draft By-law:

➢ *Prohibiting any harm or damage to the water distribution system;*
➢ *Regulating any connection or disconnection to the water distribution system;*
➢ *Regulating the installation and maintenance of backflow prevention devices;*
➢ *Regulating the use and placement of water meters, the implementation of water rates and the shut off of water for non-payment of water fees; and*
➢ *Creating offences for the contravention of provisions of the by-law.*

By-law
Townships of North Dumfries & Wellesley

Part II Prohibitions

➢ *Prohibit any harm or damage to the water distribution system*

☐ These provisions are to prevent persons from damaging any water main, connection, valve or other part of the water distribution system.

☐ It also prevents persons from opening any water valve or placing any obstruction over a water valve or water meter without proper authority.
By-law
Townships of North Dumfries & Wellesley

Regulating any connection or disconnection to the water distribution system

- These provisions are to establish an application and approval process for persons who wish to connect to the water distribution system on either a permanent or temporary basis.
- The provisions set out certain technical requirements in regard to how and where the connection is made and it includes provisions to ensure the Region is properly reimbursed if it carries out services to facilitate the connection.
- For example, the Region is normally required to open up road allowances to install laterals from water mains to the applicable property line.

By-law
Townships of North Dumfries & Wellesley

Part V Backflow Prevention Devices

Regulating the installation and maintenance of backflow prevention devices

- These provisions require that every property owner connected to the water distribution system in the Townships of North Dumfries and Wellesley install and maintain a backflow prevention device.
- The exception is if the property is residential with three or less stories in height, exclusive of the basement, provided that the residential property does not have a private well, cistern or sprinkler system that could cause non-municipal water to enter the water distribution system.
- Staff estimates that this new provision could impact approximately 120 and 80 properties in the Townships of North Dumfries and Wellesley, respectively. Each affected property owner will need to acquire a backflow prevention device, that has an approximate cost of $350 for a 2" device, and to have the device installed and tested by a qualified person.
By-law
Townships of North Dumfries & Wellesley

Regulating the use and placement of water meters, the implementation of water rates and the shut off of water for non-payment of water fees

- The provisions in relation to the water meter require that the property owners rent any water meter that is 25 millimeters or less in size from the Region for a fee as prescribed by Council. The provisions also require that the water meters be placed in a location that is accessible for reading.

- The draft by-law establishes the Region’s ability to set water rates with an obligation upon the property owner to pay such. Removed from the draft by-law is the clause that allows a tenant(s) to be responsible for payment to the Region the amount owing in each invoice for the consumption of water to the property, or the tenant’s respective portion of the property, as well as any other fees and charges in relation thereto. The responsibility will be on the owner. The actual water rates are fixed each year by Council through a separate fees and charges by-law.

By-law
Townships of North Dumfries & Wellesley

Regulating the use and placement of water meters, the implementation of water rates and the shut off of water for non-payment of water fees (continued)

- The Municipal Act, 2001 contains a provision that allows utilities to shut off supply if fees or charges payable by the owners or occupants of the land are overdue. This power has been inserted into the draft by-law. The power to shut-off water has also been implemented where a person has connected to the water distribution system without authorization, a water meter or backflow prevention device has not been properly installed or there is a significant water break or other emergency.
By-law
Townships of North Dumfries & Wellesley

Creating offences for the contravention of provisions of the by-law

☐ These provisions allow the Region to charge a person if they violate certain provisions of the by-law.

☐ For example, the Region could charge a person if the person has connected to the water distribution system without authorization.

☐ The draft by-law also contains provisions that allow the Region to carry out remedial work and to charge the cost of such back against the person.

By-law
Townships of North Dumfries & Wellesley

If you have any questions, comments or if you wish to obtain more information please contact:

Olga Vrentzos, B.Sc.
Manager, Operations and Maintenance
Region of Waterloo
7th Floor, 150 Frederick Street
Kitchener ON N2G 4J3
Telephone: 519-575-4757 x 3144
Fax: 519-575-4452
E-Mail: ovrentzos@regionofwaterloo.ca

Kevin Dolishny, P.Eng.
Senior Project Engineer
Region of Waterloo
7th Floor, 150 Frederick Street
Kitchener ON N2G 4J3
Telephone: 519-575-4757 x 3862
Fax: 519-575-4452
E-Mail: kdolishny@regionofwaterloo.ca
TO: Chair Jim Wideman and Members of the Planning and Works Committee
DATE: December 3, 2013
FILE CODE: E06-70/PWC/WS.07
SUBJECT: RURAL WATER QUALITY PROGRAM TWO-YEAR EXTENSION TO END OF 2015

RECOMMENDATION:

THAT the Regional Municipality of Waterloo approve extension of the Rural Water Quality Program for a further two years with revised grant rates as outlined in Report E-13-143.

SUMMARY: NIL

REPORT:

In recent years, the number of applications has been declining for the Rural Water Quality Program (RWQP), even though it has been very successful based on feedback from farmers, the number of projects completed, external recognition, and development of similar programs in other jurisdictions in Ontario. This decline can be attributed to increasing costs for farmers to implement projects and changes to external funding programs, which historically have been used by farmers to supplement the RWQP funding. In addition, the grant rates have not changed for several of the RWQP project categories since the program was created 15 years ago and do not reflect current costs for implementation.

This report provides a status update on the RWQP; outlines proposed changes to the program; and identifies how the RWQP will be integrated with the Grand River Source Protection Plan (SPP) and how it impacts upgrade requirements of some of the Region’s wastewater treatment plants (WWTP).

Background and Program Status
The RWQP provides financial incentives to rural landowners who implement measures that improve surface water and groundwater quality. Since 1998, when the Region developed the RWQP, Regional Council has provided approximately $4 million in funding for grants and program delivery.

The RWQP is administered by Water Services staff and a steering committee of stakeholder groups with support from the Grand River Conservation Authority (GRCA). The GRCA also delivers the program and distributes the financial incentives. Funding is provided to eligible farmers to share the cost of implementation, including performance incentives for approved projects. The Region’s funding has been supplemented by contributions exceeding $1 million from external sources including the GRCA, Trees Ontario, Healthy Futures Program and the Ontario Drinking Water Stewardship Program. In addition, landowners have provided over $7.2 million toward the projects. Over 1,000 water quality improvement projects have been funded within the Region.
Proposed Changes and Extension

To continue to protect the quality of our drinking water sources and rivers, Region staff recommends revising the grant rates to reflect current project implementation costs and to integrate with the Clean Water Act program. In addition, Region staff recommends extending the program for an additional two years and has allocated $250,000 for year one and $200,000 for year two in the proposed 2014 Wastewater Capital Budget and 10-Year Forecast for incentives to farmers. These amounts are less than previous annual funding of $300,000 per year which reflects the recent trend in applications, will not adversely impact program implementation and implements staff's previously recommended changes to this program for integration with the Clean Water Act (E12-075). (See the next section for more details).

The Waterloo Region RWQP 2013 grant rates were compared with the 1998 rates and Wellington RWQP 2013 rates to determine the proposed rates for the two-year extension (see Appendix 1). The following changes have been made:

- Increase the cost-share rate for one eligible project - erosion control structures; and
- Increase the maximum grant for nine eligible projects, including manure storage and wellhead abandonment; and
- Add five new eligible projects, including living snow fences, the guidelines for which will be reviewed and linked with priorities of the Region’s Transportation Division.

Integration with the Grand River Source Protection Plan

The Grand River Source Protection Plan (SPP), developed under the Clean Water Act, contains proposed policies that will require financial incentives be provided to rural landowners where there is a confirmed “significant threat” on their property. The proposed SPP was submitted to the Ontario Ministry of Environment (MOE) for approval in early 2013. Staff anticipates that approval may not occur until 2015, based on recent discussions with the MOE, indicating that limited spending of the incentives will occur prior to 2015 and some of these funds could be reallocated back to the RWQP. The structure of the SPP incentive programs will be based on the RWQP and staff will bring forward a report with recommendations for the SPP incentive program structure, implementation and integration with the RWQP.

Wastewater Treatment Plant Upgrades Context

During the planning and design phases of the New Hamburg WWTP expansion completed in 2001, the Ministry of The Environment (MOE) considered that the RWQP would provide some benefits for controlling the phosphorus load in the Nith River, which is generally a result of agricultural activities in this river’s watershed. The MOE took in consideration the benefits of the program and provided some credit for it.

The Region completed in 2012 a Wastewater Treatment Master Plan for the Communities of Baden and New Hamburg, which recommended an expansion of 50% of the existing New Hamburg WWTP. The Region initiated in early 2013 a Class Environmental Assessment for this expansion. As part of this assignment, the Region is in discussions with the MOE for once more getting credit for the RWQP.

As discussions with the MOE are still in their early stages, limiting the extension of the RWQP for two years enable staff to revisit the scope of the program based on the outcome of the discussions.

CORPORATE STRATEGIC PLAN:

The Rural Water Quality Program represents one step in achieving the Region’s Strategic Plan Focus Area 1: Environmental Sustainability and Strategic Objective 5: To protect the quality of our water sources.
FINANCIAL IMPLICATIONS:

The proposed 2014 Wastewater 10 Year Capital Program includes $250,000 for 2014 and $200,000 for 2015 to cover the costs of incentives for the RWQP program. This program is funded through the Wastewater Reserve Fund and Regional Development Charges. GRCA funds the implementation costs for the program from its own budget.

OTHER DEPARTMENT CONSULTATIONS/CONCURRENCE:

The Public Health Department helps to distribute brochures and ensure awareness for the program.

ATTACHMENTS:

Appendix 1: Recommended RWQP Grant Rates

PREPARED BY: Leanne Lobe, Supervisor, Source Water Protection Programs

APPROVED BY: Thomas Schmidt, Commissioner, Transportation and Environmental Services
APPENDIX 1

Proposed Waterloo Region Grant Rates Effective 2014

**Recommended RWQP Grants**

<table>
<thead>
<tr>
<th>Project</th>
<th>Waterloo RWQP</th>
<th>Proposed Rates Effective 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1998</td>
<td>2013</td>
</tr>
<tr>
<td>Manure Storage</td>
<td>50% to $15,000</td>
<td>no change</td>
</tr>
<tr>
<td>Clean Water Diversion</td>
<td>50% to $2,000</td>
<td>50% to $5,000</td>
</tr>
<tr>
<td>Livestock Access Restriction</td>
<td>75-100% to $10,000</td>
<td>no change</td>
</tr>
<tr>
<td>Fuel Storage/Handling</td>
<td>-</td>
<td>50% to $2,000</td>
</tr>
<tr>
<td>Fertilizer and/or Chemical Handling</td>
<td>50% to $750</td>
<td>50% to $1,000</td>
</tr>
<tr>
<td>Erosion Control Structures</td>
<td>50% to $10,000</td>
<td>no change</td>
</tr>
<tr>
<td>Machinery Crossing Improvements</td>
<td>-</td>
<td>50% to $3,000</td>
</tr>
<tr>
<td>Tree Planting</td>
<td>75% to $6,000*</td>
<td>no change</td>
</tr>
<tr>
<td>Nutrient Management Plans</td>
<td>50% to $1,500 + incentive</td>
<td>50% to $1,000</td>
</tr>
<tr>
<td>Wellhead Protection</td>
<td>50% to $500</td>
<td>75% to $1,000</td>
</tr>
<tr>
<td>Wellhead Abandonment</td>
<td>75% to $500</td>
<td>100% to $1,000</td>
</tr>
<tr>
<td>Dead Stock Composting</td>
<td>-</td>
<td>50% to $3,000</td>
</tr>
<tr>
<td>Milkhouse Waste</td>
<td>50% to $5,000</td>
<td>no change</td>
</tr>
<tr>
<td>Manure Storage Decommissioning</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Tile Drain Control Structures</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Cover Crops</td>
<td>$20/acre/yr up to 50 acres</td>
<td>-</td>
</tr>
<tr>
<td>Living Snow Fences</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Natural Area Restoration and Creation</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

* Plus performance incentive = $250/acre/year for 3 years to a maximum of 10 acres
** Plus performance incentive = $350/acre/year for 3 years to a maximum of 10 acres
*** Plus performance incentive = $500/acre/year for 3 years to a maximum of 10 acres
TO: Chair Jim Wideman and Members of the Planning and Works Committee

DATE: December 3, 2013

FILE CODE: C06-60/P&W/WS.12

SUBJECT: SEWER USE BY-LAW AMENDMENT 2013

RECOMMENDATION:

THAT The Regional Municipality of Waterloo approve in principle the amendments to the Sewer Use By-law, being By-law Number 1-90 of The Regional Municipality of Waterloo, which are attached as Appendix A, and proceed to public consultation, pursuant to Report E-13-144 dated December 3, 2013.

SUMMARY:

Staff have developed a draft amending by-law to the Sewer Use By-law as a result of the Region’s jurisdiction over the sewage collection systems in the Townships of North Dumfries and Wellesley. Staff recommend that the Region approve this draft amending by-law in principle, that staff engage in a public consultation process and then report back to this Committee with a summary and recommended final by-law.

REPORT:

1. Introduction

On January 11, 1990, the Region enacted By-law Number 1-90 of The Regional Municipality of Waterloo, A By-law to Prohibit, Regulate and Control the Discharge of Waters and Wastes into Bodies of Water within the Regional Area or into the Regional Sanitary Trunk Sewers, Trunk Sewer System, or Sewage Treatment Works and all Tributary Sewer Systems and to Regulate and Control Extensions, Alterations or Enlargement to the Sewer System of any Area Municipality (the “Sewer Use By-law”). The Sewer Use By-law is mainly used to prohibit, regulate and control the discharge of water and wastes that have deleterious effects on the health and safety of the inhabitants and/or the proper operation of the Regional sewer and sewage treatment works. However, the Sewer Use By-law also has provisions regulating any connection to sewers under the jurisdiction of the Region.

In 2005, the Region assumed ownership and operation over the sewage collection systems for the Townships of North Dumfries and Wellesley. The other sewage collection systems in Waterloo Region continue to be owned and operated by the applicable local municipalities.
This role of sewage collection includes the regulation of who is permitted to connect to the sewage collection system, invoicing and the collection of sewage fees and charges and general maintenance of the sewage collection system.

Since the transfer, the Region has operated these sewage collection systems pursuant to the applicable Township sewage collection by-laws and the Sewer Use By-law. This practice has caused inconsistencies at times for the Region because the Township by-laws are not broad enough to capture all above themes nor consistent with each other or current Regional practices. Further, the Sewer Use By-law is outdated and it does not contain all the provisions necessary to regulate the transferred systems.

As a result, staff have developed an amendment to the Sewer Use By-law which is attached as Appendix A to this Report.

2. Recommended Amendments to the Sewer Use by-law (1-90)

The recommended amendments to the Sewer Use By-law include the following:

2.1 Section 5 - Regulating any connection to the Regional sewer system

Section 5 of the current by-law regulates the approval, connection and inspection of the new connection(s) to the Regional sewer system. It, however, does not encompass all the procedures that have been in place currently to allow a connection by any Regional inhabitant. The proposed amendments highlight a transparent system to be followed by inhabitants who wish to connect and staff who approve the connection to the system. The proposed amendments also describe the modes of payment for water discharged to the sewer as well as the duties of the inhabitants towards maintaining the private side of their connection.

2.2 Section 13 – Additional Powers to Enforce By-law

Section 13 of the current by-law describes the requirements to maintain the connection in good condition as well as rights of the Region to monitor the quantity and quality of the discharge. Under the proposed amendments to section 13, the Commissioner has been given the additional authority to include any outstanding fees and charges to the property taxes and/or to shut off water supply. It also allows for a procedure for the Commissioner to issue work orders in order to rectify any contravention of the by-law.

3. Implementation

The Sewer Use By-law and the proposed amendments would be administered by the Commissioner of Transportation and Environmental Services through the Water Services Division.

The proposed fees and charges, in the event that the proposed amending by-law is passed, would be as follows. These proposed fees and charges, which would be set out in the applicable fees and charges by-law, would recover the administrative and other costs of the Region:

Application fee for a connection: $150
As part of the implementation of the proposed amending by-law, staff would also establish administrative and other forms. These administrative forms would include applications for sewage connections.

The enforcement of non-payment of fees and charges could be pursued through: (1) requesting that the treasurer of the local municipality add the unpaid fee and charge to the property taxes of the serviced property; (2) shutting off the water to the serviced property; and/or (3) commencing an action against the responsible party through the court system. Staff proposes a standard notification process in the event that fees and charges are unpaid. Staff recommends that the process have a degree of flexibility so that the Region can respond as needed to the different situations that may arise in regard to unpaid fees and charges. For example, the Region may wish to respond differently in relation to a person who has a chronic history of unpaid accounts.

4. Next Steps

Pending Council approval of Report E-13-144 and in accordance with Region’s Notice Policy (Class 3), staff will hold public consultation centres in North Dumfries and Wellesley, on January 14, 2014 at the Wellesley Community Centre at 1000 Mapleleaf Street in Wellesley, ON in the Wellesley Room and on January 15, 2014 at the North Dumfries Community Centre at 295 Greenfield Road in Ayr. The tentative times are 5:30 pm to 7:30 pm for each night. Notices will be placed on the Region’s website as well as the townships’ websites. A notice will be posted in the Ayr News, the Woolwich Observer and the Elmira Independent. Copies of this report will be sent to the respective clerk’s offices in the local municipalities of North Dumfries and Wellesley.

At the conclusion of the public consultation process, staff would report back to Regional Council with a summary of public input together with a recommended amending by-law for passage.

It is pertinent to mention that a full review of the current by-law is currently being undertaken by the Environmental Enforcement and Laboratory Services (EELS) group of Water Services.

CORPORATE STRATEGIC PLAN:

This by-law contributes to the Corporate Strategic Plan Objective under Strategic Focus Area 5 – Service Excellence.

FINANCIAL IMPLICATIONS:

No additional staff is proposed for the implementation of the proposed amending by-law.

Regional costs to administer the proposed amending by-law should be recovered through the proposed fees and charges that would be enacted at the same time as the by-law.

The proposed amending by-law would give the Water Services Division greater ability to administer the sewage collection system in the Townships of North Dumfries and Wellesley. This improved efficiency would provide cost benefits to the Region through reduced staff time and improved collection of unpaid fees and charges.
OTHER DEPARTMENT CONSULTATIONS/CONCURRENCE:

The Legal Services Division assisted in the preparation of this Report and the draft amendments to the Sewer Use by-law.

ATTACHMENTS

Attachment A - Draft Amendment to the Sewer Use By-law
Attachment B – Sewer Use By-law Amendment 2013 Consultation Centre Boards

PREPARED BY: Khalid Mehmood, Manager Engineering & Wastewater Programs

APPROVED BY: Thomas Schmidt, Commissioner, Transportation & Environmental Services
BY-LAW NUMBER XXX

OF

THE REGIONAL MUNICIPALITY OF WATERLOO

A By-law to Amend By-law Number 1-90 being a By-law to Prohibit, Regulate and Control the Discharge of Waters and Wastes into Bodies of Water within the Regional Area or into the Regional Sanitary Trunk Sewers, Trunk Sewer System, or Sewage Treatment Works and all Tributary Sewer Systems and to Regulate and Control Extensions, Alterations or Enlargement to the Sewer System of any Area Municipality

The Council of The Regional Municipality of Waterloo enacts as follows:

1. Section 1 of By-law 1-90 is hereby amended by adding the following subsections:
   (t.1) “multi-residential” means a building or property that has three or more self-contained residential units;
   (u.1) “municipal service” means that part of the wastewater service from the Regional sewer up to the property line;
   (ff.1) “private service” means that part of the wastewater service from the property line to the building or buildings discharging the sewage, storm water or other wastewater;
   (gg.1) “Regional sewer” includes any combined sewer, sanitary sewer, sewage works, storm sewer, wastewater treatment plant, pumping station, and any incidental valves, access chambers and other works, that is owned or under the jurisdiction of the municipality;
   (gg.2) “Regional standards” means Region of Waterloo and Area Municipal Design Guidelines and Supplemental Specifications for Municipal Services, or any successor guidelines thereto;
   (kk.1) “sewer rate” means the unit price for the discharge of effluent into the Regional sewer as determined from time to time by the Council for the municipality;
   (vv) “wastewater service” means the permanent pipe, equipment and devices that carry sewage, storm water or other wastewater from a building or buildings upon a private property or a property not owned by the municipality to the Regional sewer;

2. Section 5 of By-law 1-90 is hereby deleted and replaced with the following:
   5(1) Except as permitted in this By-law, no person shall, and no owner or person who occupies or has possession of a property shall cause or permit a person to make, alter or remove a permanent or temporary connection to a Regional sewer without the written approval of the Commissioner.
5(2) An owner of a property may apply to the municipality for a permanent or temporary connection to a Regional sewer and the Commissioner may grant such an application if the Commissioner is satisfied that there is sufficient capacity in the Regional sewer to serve the property.

5(3) Any application made pursuant to subsection (2) of this section shall include:

(a) the class of occupancy of the property;
(b) the estimated quantity and quality of effluent to be discharged from the property, supported by effluent quantity calculations and effluent quality tests as required, if the connection is for, in whole or in part, a commercial, industrial, institutional or multi-residential purpose;
(c) a plan of the building or buildings showing the interior piping up to the property line if the connection is for, in whole or in part, a commercial, industrial, institutional or multi-residential purpose;
(d) any other information that the Commissioner requires to determine if there is sufficient capacity in the Regional sewer to serve the property and ascertain the effects of discharge on the Regional sewer; and
(e) any fee as prescribed by Council.

5(4) The Commissioner may impose terms and conditions upon any connection, which the Commissioner deems necessary in order to ensure the proper operation of the Regional sewer and the owner of the property that received the connection, and any subsequent owners of the property thereafter, shall comply with all such terms and conditions.

5(5) Where the Commissioner is satisfied that there is sufficient capacity in the Regional sewer to serve the property and the intended quality of effluent, the Commissioner shall determine the estimated cost for the municipality to install the municipal service, if applicable, and the Commissioner shall require that the applicant provide security for this estimate, plus 25 per cent of the estimate for any contingency, in a form satisfactory to the Commissioner, before the connection is commenced.

5(6) The estimate in subsection (5) of this section may include the cost of labour, site supervision, machinery and parts of the municipality, and any contractor to be retained by the municipality, to complete the installation of the municipal service.

5(7) When the installation of the municipal service is complete, the Commissioner shall establish the exact cost thereof, and the Commissioner shall either refund any excess monies from the security to the applicant or require that the applicant pay any outstanding balance, as the case may be.

5(8) Notwithstanding subsections (5) and (6) of this section, the Commissioner may allow the owner of the property to install the municipal service by using the owner’s own contractor provided that the owner meets all of the terms and conditions imposed by the Commissioner.

5(9) The Commissioner shall determine the location of the municipal service based on the criteria of using the shortest and most convenient location for the municipality.

5(10) The applicant shall install the private service at its own cost.

5(11) No private service shall be less than 100 millimeters in diameter.
5(12) The applicant shall ensure that the private service is:
   (a) installed by a licensed plumber;
   (b) two metres or more below ground level; and
   (c) properly connected to the municipal service in accordance with Regional Standards.

5(13) The Commissioner may allow the discharge of effluent from the applicant's property into the Regional sewer after:
   (1) all of the conditions pursuant to this section have been fully satisfied; and
   (2) the applicant has paid all applicable fees or satisfied all applicable conditions that have been imposed by any fees and charges by-law of the municipality specifically in relation to the property.

5(14) This Part shall apply with necessary modification if any owner of a property that is connected to the Regional sewer wishes to alter the location or size of its municipal service.

5(15) Where a property is subject to a plan of subdivision and the municipality is to assume any wastewater collection system pursuant to the Planning Act, or any successor legislation thereto, then any connection to the Regional sewer shall be carried out in accordance with Regional Standards and this section shall not apply.

5(16) Without limiting any other fees and charges that may be imposed pursuant to this or any other by-law, the sewer fee for each property that is connected to a Regional sewer shall be based on the sewer rate multiplied by the amount of water consumed for the property during the applicable period.

5(17) For the purposes of subsection (16) of this section, where the water supplied to a property is not from a municipal water distribution system or is not metered then the quantity of water consumed for the property shall be estimated by the Commissioner based on the average consumption of water for properties of equivalent size, characteristics and occupancy during the prior applicable time period.

5(18) Every owner of a property that is connected to a Regional sewer shall pay the municipality the sewer fee as determined pursuant to this section as well as any other fees and charges in relation thereto.

5(19) Every owner of a property, and every person who occupies or has possession of a property, that is connected to a Regional sewer shall ensure that the private service is maintained in a good state of repair at all times.

5(20) Every owner of a property, and every person who occupies or has possession of a property, that is connected to a Regional sewer shall immediately notify the Commissioner of any suspected infiltration or damage to the private service.

5(21) Every owner of a property that is connected to a Regional sewer shall notify the Treasurer 72 hours before the owner transfers ownership of the property so that the Region can issue a final bill for the owner, if applicable.

5(22) For greater certainty, this section shall not apply where an area municipality connects any local combined sewer, sanitary sewer, sewage works or storm sewer to a Regional sewer pursuant to sections 2 or 3 of this By-law.
3. Section 13 of By-law 1-90 is hereby amended by adding the following subsections:

(10) The Commissioner shall have all necessary authority to request that the treasurer of the area municipality add any outstanding fees and charges owing pursuant to this By-law to the tax roll to the property that was connected to the Regional sewer and collect them in the same manner as municipal taxes.

(11) The Commissioner may cause the reduction or shut off of the supply of water from a water distribution system that is owned or under the jurisdiction of the municipality on 14 calendar days notice if any outstanding fees and charges owing pursuant to this By-law have not been paid in full after the due date shown on the invoice. Any notice required pursuant to this subsection shall be served by personal service or by prepaid mail or by posting the notice on the property in a conspicuous location.

(12) If the Commissioner is satisfied that a contravention of this By-law has occurred, the Commissioner may make an order requiring the person who contravened the By-law or who caused or permitted the contravention or the owner or occupier of the property on which the contravention occurred to do work to correct the contravention.

(13) An order under subsection (12) of this section shall set out,

(a) reasonable particulars of the contravention adequate to identify the contravention and the location of the property on which the contravention occurred; and

(b) the work to be done and the date by which the work must be done.

(14) An order under subsection (12) of this section may require work to be done even though the facts which constitute the contravention of the By-law were present before the By-law making them a contravention came into force.

(15) The Commissioner may, in default of it being done by the person directed or required to do it pursuant to an order under subsection (12) of this section, have the matter or thing done at the person’s expense.

(16) For the purposes of subsection (15) this section, the Commissioner may enter upon land at any reasonable time.

(17) The Commissioner may recover the costs of doing a matter or thing under subsection (12) of this section from the person directed or required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes.

(18) The costs include interest as prescribed by Council calculated for the period commencing on the day the Commissioner incurs the costs and ending on the day the costs, including the interest, are paid in full.

(19) The Commissioner is authorized to do all things necessary or proper to administer this By-law.
(20) The Commissioner shall have all necessary authority to prescribe any forms that are required for the purposes of this By-law.

(21) The Commissioner may delegate any administrative function pursuant to this By-law to an employee or agent of the municipality.

(22) All remedies pursuant to this By-law are cumulative.

(23) If any section or sections of this By-law or parts of it are found by any Court to be illegal or beyond the power of Council to enact, such section or sections or parts of it shall be deemed to be severable and all other sections or parts of this By-law shall be deemed to be separate and independent and shall continue in full force.

(24) The provisions of this By-law shall apply as necessary if there is any conflict with the by-laws of The Corporation of the Township of North Dumfries or The Corporation of the Township of Wellesley, as assumed by the Region, concerning the collection of sewage and other effluent in the respective municipalities.

4. This By-law comes into force and effect on the date of final passage hereof.

By-law read a first, second and third time and finally passed in the Council Chamber in the Regional Municipality of Waterloo this 16th day of A.D., 2014.

______________________________________________________________
REGIONAL CLERK

______________________________________________________________
REGIONAL CHAIR
SEWER USE BY-LAW 1–90

AMENDMENT

Sewer Use BY-LAW 1–90 Amendment

Purpose of Sewer Use By-law

To prohibit, regulate and control the discharge of water and wastes into:

➢ Bodies of water within the Regional boundaries;
➢ Regional sewers; and
➢ Sewage Treatment Works

To regulate and control extensions, alterations or enlargements to the area municipality sewers

For the purpose of:
➢ Protection of the health and safety of workers; and/or
➢ Protection of operation of Regional Sewers and Sewage Treatment Works
Sewer Use By-Law 1-90 Amendment

Salient Features of the Sewer Use By-Law

» Sections relating to connection to or enlargement of Regional Sewer system
» Sections relating to prohibition of discharges to sanitary sewers
» Sections relating to prohibition of discharges to storm sewers
» Sections relating to Over strength agreements
» Sections relating to Industrial Compliance Program
» Sections relating to response to Spills and response thereof
Sewer Use By-Law 1-90 Amendment

What is Included in Current Amendment:

➤ The current amendment involves:
  ▪ Addition and/or amendment of definitions
  ▪ Amending Section 5 to regulate connection to the Regional Sewer System
  ▪ Amending Section 13 to allow additional tools to the Commissioner and/or designate to enforce the by-law

What is NOT Included in Current Amendment:

➤ The current by-law is currently being reviewed in its entirety to put best practices in place.
➤ Current by-law amendment does not plan to introduce changes to:
  ▪ Amendment to the allowed discharges
  ▪ Amendment to the Over Strength agreements
  ▪ Amendment to the Compliance Program
Sewer Use By-Law 1-90 Amendment

Section 5 Amendments – Regulating Connections:
- Section 5 regulates approval, connection and inspection of new connections
- Procedures to grant approvals have evolved over time to make it more transparent and systematic
- Current amendments describe:
  - Procedure to be in place for approval, connection and inspection of sewer system additions
  - Procedures to pay for water discharged to the sewer
  - Duties of inhabitants to maintain private side of their connection

Sewer Use By-Law 1-90 Amendment

Section 13 Amendments – Procedure to Enforcing By-Law:
- Section 13 Describes:
  - Mechanisms to maintain connections in good condition
  - Rights of Region to monitor quantity & quality of discharge
- Current amendments describe:
  - Delegating authority to Commissioner and/or his designate to:
    - Include outstanding charges to property taxes
    - Shut-off water to offending properties
    - Issue work orders to rectify contravention of by-law
Sewer Use By-Law 1-90 Amendment

If you have any questions, comments or if you wish to obtain more information please contact:

Khalid Mehmood, M.Sc (Eng), P. Eng
Manager, Engineering and Wastewater Programs
Region of Waterloo
7th Floor, 150 Frederick Street
Kitchener, ON N2G 4J3
Telephone: 519-575-4720
Fax: 519-575-4452
E-Mail: kmehmood@regionofwaterloo.ca
TO: Chair Jim Wideman and Members of the Planning and Works Committee

DATE: December 3, 2013

FILE CODE: A02-20

SUBJECT: REGION OF WATERLOO RESPONSE TO PROVINCIAL REVIEW OF LAND USE PLANNING AND APPEAL SYSTEM

RECOMMENDATION:

THAT Report No. P-13-122, be forwarded to the Province of Ontario as Regional Council’s formal response to the Ministry of Municipal Affairs and Housing’s consultation on Land Use Planning and Appeal Review;

THAT the Province be encouraged to make broad systemic changes, and not simply minor adjustments, to achieve substantially greater accountability in addition to greater efficiency, access and transparency for land use planning in Ontario;

THAT the Province be requested to expand the scope of its review to include other related matters, including the operations, practices, procedures and reporting requirements of the Ontario Municipal Board (OMB), as well as alternatives to the OMB;

THAT the Province further clarify and deem key policies and their implementation in municipal planning documents unappealable, particularly with respect to the Provincial Growth Plan, and more broadly preclude the ability for entire municipal planning documents to be appealed and held in abeyance for extended periods of time;

AND THAT the Province make the coordination and merging of key policy documents, particularly the Growth Plan for the Greater Golden Horseshoe and the Metrolinx Big Move, a priority consideration to achieve greater policy alignment and clarity, as described in Report No. P-13-122, dated December 3, 2013.

SUMMARY:

In October of 2013, the Provincial government announced a review of the “Land Use Planning and Appeal System” (the Review). The stated purpose of the Review is to ensure that Ontario’s land use planning and appeal system is “predictable, transparent, cost-effective and responsive to the changing needs of communities”. Comments on the review are being sought by January 10, 2014.

The Region of Waterloo and communities across Ontario are welcoming this review. Over the past decade, substantial market changes, new public policy, and major shifts in community planning priorities have been the backdrop to the land use planning system in Ontario. Consequently, the system now warrants a thorough review.

Through this review, a great deal is at stake for the Province of Ontario. A system that is overburdened, cumbersome, costly and out of step with community vision, demographic changes and market dynamics also stands to work against achieving excellence in quality of life and in
competing successfully in the global market place. This Review can result in significant and positive changes for Ontario communities, but only if major shifts are made in the land use planning and appeal system in timely and practical ways.

Municipalities within the Greater Golden Horseshoe have developed advanced and sophisticated planning processes which involve multiple disciplines, long range planning horizons and significant public consultation.

While this Review encompasses a number of key elements of the land use planning process (described in this report), reform of the Province’s appeal tribunal, namely the Ontario Municipal Board (OMB) is arguably the most important focus. Today, OMB hearings are complex, time-consuming, financially costly, and decisions can be inconsistent. Furthermore, the OMB does not appear to always have proper regard for municipal decisions on land use planning matters (as it must under Provincial law), including complex and important legal documents such as official plans, which can take almost a decade for a community to complete through democratic and consultative processes. Subsequent appeals of OMB decisions to Divisional Court are extremely expensive and arguably inaccessible to citizens who cannot afford to pursue this further natural justice process. The potential changes to the OMB are described in this report, and include new and explicitly prescriptive legislation and policy changes by the Province to better guide the OMB. The Province should also expand the Review to include matters it has identified as being outside the realm of its mandate, including the operations, practices and procedures of the OMB, and even alternatives to the OMB, for the review to produce truly meaningful outcomes.

The Review must focus on OMB accountability (a critical principle not enunciated in the stated purpose of the Review), especially in the following respects:

- To municipalities when not upholding Council decisions, despite the direct language of Section 2.1 of the Planning Act;
- To citizens, by making the process much less costly and time consuming, and thereby more accessible;
- To investment interests, who require decisions on development proposals in a much more timely and cost-efficient manner;
- To all participants, by issuing consistent Board decisions based on clear planning rationale; and
- To the Province, through more rigorous reporting requirements regarding its performance, legislative and/or policy ambiguity, and adequate Board resources to effectively and efficiently manage its caseload.

There are also other important opportunities for change. One key opportunity deals with reconciling the large number of dated and sometimes overlapping policy documents, including the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, the Greenbelt Plan, the Niagara Escarpment Plan and the Metrolinx Big Move. To further complicate matters, these documents are not reviewed at the same time, creating a “perpetual” review of related policy. It is important that these policies be examined to determine how their review can be better coordinated, and whether some policies should even be merged or at least better aligned (e.g. the Provincial Growth Plan and the Metrolinx Big Move).

A second opportunity is for the Province to make the application of its policy content clearer, particularly to the Ontario Municipal Board. For example, the Growth Plan establishes specific requirements, yet the OMB has interpreted the Growth Plan as providing significant latitude and there is lack of consistency and predictability in the Board’s decisions. Furthermore, this policy clarity should be accompanied by explicit statements regarding which polices are unappealable.
This is especially important to municipalities who amend or create new official plans to conform to Provincial policy, only to see their plans appealed sometimes in their entirety. This leads to a third opportunity, namely the need to preclude the appeal of entire planning documents, which appears to occur only to create a better negotiating position by a specific interest. Consequently, Regional staff is recommending a series of actions for Provincial consideration, as described in this report.

REPORT:

Overview

In October of 2013, the Provincial government announced a review of the “Land Use Planning and Appeal System” (the Review). The stated purpose of the Review is to ensure that Ontario’s land use planning and appeal system is “predictable, transparent, cost-effective and responsive to the changing needs of communities”. Comments on the review are being sought by January 10, 2014.

The Provincial government has issued a consultation document, a copy of which is appended to this report (please see Attachment 1). This report is divided into two parts: first, major reform of the Ontario Municipal Board, and secondly, a number of other key areas where reform is required.

Part A - Ontario Municipal Board Reform: A Critical Issue

The Ontario Municipal Board is one of the most important and powerful tribunals in our Province. In adjudicating a wide range of appeals, the OMB has had a long history of issuing important decisions that have shaped the form of many communities. The consultation document attached to this report describes the types and number of appeals it hears and issues decisions. A summary of OMB cases from 2007 to 2013 in the Region of Waterloo is appended to this report as Attachment 2.

However, the OMB has reached a stage in its evolution where it warrants a thorough review. This sentiment has been repeatedly reflected in the more recent comments and actions of many people and communities across Ontario. The time and money being spent by municipalities on OMB hearings is impacting our collective ability to focus on many other worthy planning initiatives. This portion of the Review must be led by a person with direct experience in OMB proceedings, an open and pragmatic view of the opportunities for change, and an understanding that no system will be perfect and acceptable to all. Actual OMB hearings, including their processes and outcomes, must be used to more precisely inform the Review.

Some of the areas that need to be explored in the Review include the following:

i) Whether the OMB is too expensive and time-consuming, and excludes parties that are unable to dedicate adequate time and financial resources to initiate or participate in an appeal.

Potential Solutions:

Establish strict rules to:
- Provide more funding or resources to citizens (e.g. similar system to legal aid or adopt a model similar to free, independent and professional assistance provided by the Royal Town Planning Institute in the United Kingdom).
• Limit the period of time between an appeal being filed and formally heard by the OMB;
• Limit the length of submissions;
• Promote mediation as a way to resolve dispute, provided it is determined to be of value;
• Impose strict time limits, including timelines on evidence in chief, cross-examination and re-examination;
• Establish a more structured pre-hearing process, tailored to the size and complexity of the appeal;
• Set a limit on the number of prehearings;
• Scope appeals early in the process;
• Limit the amount of time permitted to present arguments before the Board;
• Rely more on sworn affidavits and cross-examination outside of formal hearings;
• Limit the period of time between the completion of a hearing and the issuance of a decision; and
• Do not allow new evidence to be introduced where reasonable efforts were not made to provide such evidence to the approval authority.

Note: Both the States of Minnesota and Oregon possess strict appellate rules, which should be carefully reviewed and considered as potential requirements for the OMB. In addition, models in other jurisdictions like Scotland, the United Kingdom, and even in British Columbia and Prince Edward Island, must be examined.

ii) Whether the OMB should be dealing with the wide range of matters it does today, from new official plans covering thousands of hectares to minor variance applications seeking to reduce the interior side yard between two homes.

Potential Solutions:
• Reduce the types of applications heard (e.g. exclude minor variances);
• Create and financially support separate tribunals for communities which constitute most of the caseload (e.g. Toronto, Ottawa).

iii) Whether the OMB should be given more explicit direction in having regard to decisions by Municipal Councils for Approval Authorities under Section 2.1 of the Planning Act.

Potential Solutions:
• Consideration should be given as to whether the standard for review or appeal is appropriate. Should all hearings be *de novo* or should the Board function more as an appellate tribunal with a limited and higher standard of review;
• Section 2.1 of the Planning Act should be amended to prescribe how the OMB can vary from a municipal council decision, and not simply “have regard” for a municipal council decision, as is the case today;
• Establish strict reporting requirements from the OMB to the Province (e.g. demonstrating that process time requirements are being achieved, consistency and clarity of decisions, and identifying any areas of Provincial policy ambiguity).
iv) Whether the OMB, by virtue of the long wait times to hold hearings and to issue a decision, and the associated costs, is impeding public and private sector investment decisions.

Potential Solutions:

- Canvas the investment industry for feedback;
- Make the adjustments described in i) and ii) above.

v) Whether Provincial legislation should be amended to render approval of conformity exercises implementing Provincial plans (e.g. Growth Plan and Greenbelt Plan) unappealable, particularly when those approvals are issued by the Province. This matter extends to the appeal of entire municipal planning documents as a means of creating a better negotiating position on a specific matter or property.

Potential Solutions:

- Strengthen and add new language to Provincial policy documents to explicitly and unambiguously identify what policy elements, including their implementation in municipal planning documents, are unappealable;
- Eliminate the ability to appeal entire municipal planning documents;
- Further clarify the policies and interpretation in respect to primary planning policies and plans, including the Provincial Policy Statement (2005) and the Growth Plan for the Greater Golden Horseshoe. (For example, the Province should clarify what is to be accomplished within the Horizon Year period and clarify appropriate land budget methodology).

vi) Whether the OMB should be eliminated in its entirety, be significantly scoped in mandate, or replaced by another form of appeal. What would our communities look like without the OMB?

Potential Solutions:

- A cursory investigation of appeal bodies in other jurisdictions points to a number of other models that the Province needs to examine. Prince Edward Island maintains an “Island Regulatory and Appeals Commission”, while British Columbia does not have a provincial body comparable to the OMB. Scotland maintains a “Directorate for Planning and Environmental Appeals”, while the United Kingdom (England and Wales) uses a “Planning Inspectorate” as the appeal body established by the Secretary of the State for Communities and Local Government. The Province needs to dedicate sufficient resources to examine these and other models, particularly in the interests of achieving greater accountability and efficiency.
- Make some municipal decisions final (unappealable);
- Make the adjustments described in ii) above.

vii) Whether OMB members should be required to have more prescribed qualifications to adjudicate planning matters.
Potential Solution: Members of the OMB should be required to possess specific skills and accreditation (e.g. land use planning experience at a high level as a land use planner, a lawyer, an engineer, and architect or as a municipal councillor should be a requirement).

viii) Whether complex hearings should require a panel of two or more members.

Potential Solution: Establish more prescriptive rules in this respect, as one member hearing a major appeal can result in more hearing time and a longer time period to issue a decision.

ix) Whether the Province should be required to attend OMB hearings to give evidence in support of applications they have approved.

Potential Solution: Require this role of Provincial staff.

x) Whether the OMB should be more explicitly bound to consider precedent cases, as in formal courts of law, as a means of ensuring consistency.

Potential Solution: Establish a requirement for greater consistency and even “case law”, as occurs in courts of law today.

xi) Whether the OMB should have clear and strict rules around interactions between OMB members and appellants, expert witnesses, legal counsel and other participants/parties outside of formal hearing processes.

Potential Solution: Establish required rules of conduct for OMB members and establish clear provisions for non-compliance.

Finally, it should be noted that this list of considerations is also being advanced by the Regional Planning Commissioners of Ontario, and has already been communicated to Provincial staff in a written submission.

Part B - Other Key Planning Considerations

The consultation document attached to this report includes a series of questions. Both the questions and the proposed solutions from the Region of Waterloo are appended to this report as Attachment 3. Key issues in this list include the following recommended changes to the planning system in Ontario:

a) Develop clearer Provincial policies and provide related guidance documents and training programs in a more timely manner to minimize interpretation issues and policy conflicts. Areas where this has been a problem in the past include density calculations, source water protection, land use compatibility, and the identification of species at risk;

b) Coordinate and consolidate changes to key legislation and policy documents, including the Provincial Policy Statement, Greenbelt Plan, Clean Water Act, Source Water Protection Plans, Endangered Species Act, and the Growth Plan to minimize situations where municipal official plans are in a “perpetual” state of review. This state weakens the enforceability of municipal official plans, creates uncertainty in the investment community and confuses the public;
c) Explicitly repeal (or otherwise deem no longer having status) outdated guidelines and
directives that are no longer applicable to successor legislation and policy, and explicitly
replace them with appropriate documents;
d) Require the use of pre-consultation meetings for all plans of subdivision and
condominium applications, official plan amendments, zone change applications and site
plan applications as a means to identify issues and expedite the development review
process. Consideration could also be given to requiring pre-consultation for consent
applications, but allowing the requirement to be waived where deemed appropriate;
e) Make municipal council decisions to not approve employment land conversion
applications unappealable to the OMB, and amend the Municipal Act to permit all
regional municipalities to acquire and develop employment lands; and
f) Engage residents in the planning process through greater use of informal public
consultations at the early stages of large planning projects (e.g. official plans, secondary
master plans, and master plans) and encourage the use of response documents similar
to those provided for in the Environmental Assessment Process.

Area Municipal Consultation/Coordination

A copy of this report has been distributed to all of the Region’s Area Municipalities.

CORPORATE STRATEGIC PLAN:

This report supports strategic objectives found in the Corporate Strategic Plan, and particularly
Focus Area 2: Growth Management and Prosperity.

FINANCIAL IMPLICATIONS:

The Region’s Community Planning Division comprises 17.5 FTEs who process a variety of
development applications. This includes responsibilities delegated by the Province to the
Region. Changes to the land use planning and appeal system have a direct bearing on how this
process occurs, and consequently the resources required. Any financial implications would only
be known following the approval of changes by the Province.

In terms of the Ontario Municipal Board (OMB), millions of dollars are spent annually by both
public (municipal), private and citizen interests across Ontario. This includes legal counsel
(typically with a particular subject expertise), and expert witnesses (e.g. respecting traffic,
environmental impacts). Changes to the OMB could have profound effects on municipal costs,
but the actual impact will only be known when changes are approved by the Province that relate
to the OMB’s roles and the appeal process itself. This underscores the importance of the
Provincial review being comprehensive, including a review of the OMB’s operations, practices
and procedures, reporting requirements and alternatives to the OMB.

OTHER DEPARTMENT CONSULTATIONS/CONCURRENCE:

This report has been reviewed by Transportation and Environmental Services and Corporate
Resources (Legal Services), the two Departments that are key in informing and guiding the land
use planning process with Planning, Housing and Community Services.
ATTACHMENTS:

Attachment 1  - Provincial Consultation Document (Fall 2013)
Attachment 2  - OMB Case Summary for the Region of Waterloo, 2007-2013
Attachment 3  - Response to Provincial Issues and Questions to Discuss

PREPARED BY:  Community Planning Staff and Rob Horne

APPROVED BY:  Rob Horne, Commissioner, Planning, Housing and Community Services
Provincial Consultation Document (Fall 2013)

Land Use Planning and Appeal System
Consultation Document • Fall 2013
LAND USE PLANNING AND APPEAL SYSTEM CONSULTATIONS

Ontario is reviewing the land use planning and appeal system to make sure it is predictable, transparent, cost-effective and responsive to the changing needs of communities.

The Ministry of Municipal Affairs and Housing will be consulting in the fall of 2013 across the province with the public, municipalities, Aboriginal groups, community groups, the building and development industry and other key stakeholders on what changes to the system may be needed.

This document is intended to help focus the discussion.

LAND USE PLANNING AND APPEAL SYSTEM OVERVIEW

Ontario has many diverse communities, geographic landscapes, resources, populations, opportunities and challenges. Land use related decisions take into account these diversities and the need to balance a range of priorities.

Ontario’s communities are constantly changing. These changes create challenges, but also opportunities for compact growth, intensification, more efficient use of infrastructure and greater sustainability.

Our land use planning system gives us the tools and processes to manage this change so that we can build the cities and towns we want to live and work in. The planning system helps each community set goals and find ways to reach those goals while keeping important social, economic and environmental concerns in mind. It does this by balancing the interests of individual property owners with the wider interests and objectives of the community.
Well-planned communities attract jobs and support economic development. They make effective and efficient use of their infrastructure, and offer appropriate transportation choices. They address environmental and resource concerns such as rainwater runoff and soil erosion. They offer their citizens a high quality of life, opportunities for a healthy lifestyle and safe, well-serviced places to live, work and play.

The keystone of Ontario’s land use planning system is the **Planning Act**, administered by the province through the Ministry of Municipal Affairs and Housing. The Act sets the framework for planning and development.

Supporting these ground rules are the **Provincial Policy Statement (PPS)** and provincial plans, such as the **Growth Plan for the Greater Golden Horseshoe**, **Growth Plan for Northern Ontario**, **Greenbelt Plan**, **Oak Ridges Moraine Conservation Plan**, **Niagara Escarpment Plan** and the **Lake Simcoe Protection Plan**. Provincial plans provide more detailed policy directions for specific geographic regions.

The PPS is a key part of this system and is made under the authority of Section 3 of the **Planning Act**. It integrates all provincial ministries’ land use interests and it applies to the entire province. The PPS includes land use policies on matters like natural heritage, agriculture, transportation, housing, economic development, mineral aggregates (rock, gravel or sand used in construction) and water resources. These policies may be further detailed in provincial land use plans, which are created under various statutes. These plans provide provincial direction for specific geographic areas of the province. They address matters such as environmental conservation, growth management and economic issues. In order for these provincial policies and plans to be implemented locally, the **Planning Act** requires that all local planning decisions shall be consistent with the PPS, and shall “conform” or “not conflict” with provincial plans in effect.

**Did you know?**

Land use planning tools can be used to support a community’s **sustainable planning** objectives.
Within this structure, communities set out their own goals and rules in their official plans, which control how they will grow and develop. The planning system allows the public to play a key role in the planning process by giving them opportunities to review and comment on various planning matters. This is especially important in helping to shape the community vision, which the official plan seeks to achieve. Official plans are implemented through tools like zoning by-laws, site plans, plans of subdivisions, and development permits.

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Did you know?

More information on the land use planning system can be found in the Ministry of Municipal Affairs and Housing's [Citizens' Guides to Land Use Planning](#).

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Policy-led Planning System

Once an official plan comes into effect, it can be amended at any time. Changes may be needed to incorporate new provincial policies or allow development that the policies in the current plan do not permit. These changes occur through an official plan amendment initiated by the municipality/planning board or a private applicant. The amendment is prepared and processed in the same manner as the plan itself. In some instances the official plan may be up-to-date; however the related zoning by-law may not reflect the updated official plan.

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Did you know?

In 2011, 45 per cent of municipalities had up-to-date official plans.
In those cases, a rezoning would be necessary to permit a development that conforms to the official plan. In addition, in order to obtain a building permit, the development must conform to zoning by-law requirements. As the needs of communities change, it is important that official plans and zoning by-laws are kept up-to-date, not only to reflect the changing needs of communities, but also to reduce the number of site-by-site amendments. By doing this, communities can reduce the likelihood of disputes that may result in Ontario Municipal Board (OMB) appeals.

The planning system also sets out timelines for decision-making on planning matters. If a decision isn't made within these timelines, the matter can be appealed to the Ontario Municipal Board. The timelines are based on application types. For example, an official plan amendment timeframe is 180 days, regardless of whether it is a simple amendment or a complex amendment.

Land use planning often brings together a number of competing interests. Since people have different ideas about what planning and development should accomplish, disputes are not uncommon.

If an application is challenged or disputed, it can generally be appealed to the Ontario Municipal Board. The OMB is responsible for hearing appeals on matters concerning planning disputes and gets its authority to hear planning matters from the Planning Act. It is a quasi-judicial tribunal which makes legally-binding decisions independent of the government. The OMB's authority also includes hearing disputes related to fees and amount of parkland dedication, etc.

Did you know?

Almost all other provinces have boards that hear appeals from land use planning decisions. The types of land use planning matters that come before them may vary.

Did you know?

The OMB bases its decisions on:
- evidence presented
- relevant law
- municipal land use planning policies
- Provincial Policy Statement and provincial plans
- principles of good planning
Ontario Municipal Board Caseload

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*A large number of appeals from decisions/lack of decisions of approval authorities in respect to the updating of major planning documents to implement the Growth Plan for the Greater Golden Horseshoe and PPS, led to a number of OMB files.

*Source: Ontario Municipal Board Annual Reports

Did you know?

*In 2011/12, minor variances and consents made up 58 per cent of the OMB’s planning application caseload.

*Planning Act files received by the OMB decreased by 14% from 2007/08 to 2011/12 fiscal years.

*Source: Ontario Municipal Board Annual Reports

Did you know?

*In 2011/12, the majority of the OMB caseload originated from the following areas:

- Toronto: 30 per cent
- Greater Toronto Area (excluding Toronto): 16 per cent
- Ottawa: 9 per cent
LAND USE PLANNING REFORMS

Since 2003, the province has undertaken a comprehensive review of the land use planning system. It introduced various legislation, policies and plans such as the:

- Revised PPS, which provides direction on building stronger communities, the wise use and management of resources and protecting public health and safety;
- Greenbelt Plan, which established a permanent greenbelt of approximately 2 million acres across the Greater Golden Horseshoe to ensure the long-term protection of agriculture, natural heritage systems, water resources, recreation and tourism;
- Growth Plan for the Greater Golden Horseshoe, which was created to better manage growth in the Greater Golden Horseshoe by creating compact, complete communities, supporting a strong economy, efficiently using land and infrastructure and protecting agricultural land and natural areas; and
- Growth Plan for Northern Ontario, which aims to strengthen the economy of the north by providing a framework for decision-making and investment by both the province and local governments.

Along with these policies and plans, planning legislation and regulations have also undergone a number of major reforms. The goal of these reforms was to address concerns with how the system was working, and to build strong, prosperous communities within a healthy environment.

Some of the most recent legislative efforts to reform the system occurred in 2004 and 2007. Changes were made to:

- Provide clear rules and protection of public interests, such as:
  - requiring stronger adherence to the PPS;
  - introducing the requirement to consult with a municipality before making a planning application;
  - giving communities the authority to set out complete application requirements; and
  - requiring that planning documents be updated.

- Encourage public participation, such as:
  - enhancing public notification and requiring public open houses in some circumstances; and
  - increasing decision timelines.
- Introduce planning and financial tools, such as:
  - limiting ability to appeal settlement area boundary and employment land conversion;
  - allowing municipalities to have architectural controls;
  - enhancing development permit system (DPS) and community improvement plan provisions; and
  - introducing an option for local appeal bodies to adjudicate minor variances and consent disputes.

- Provide clear rules for planning applications at the OMB, such as:
  - allowing repeat applications to be dismissed;
  - restricting OMB decisions to matters considered by municipal council;
  - dismissing substantially different applications than those originally submitted for a local decision; and
  - requiring OMB to have regard for local decisions and information and materials provided to council.

The figure below provides an overview of the uptake of some of the major planning tools on a province-wide basis. These tools include:

- Complete applications – municipalities can set out what additional information beyond those set out in regulation is required when a planning application is submitted.
- Pre-consultation – municipalities can pass a by-law requiring applicants to consult with them before submitting a planning application.
- Enhanced site plan – municipalities can consider the external and sustainable design of buildings.
- DPS – a land use planning tool that combines the zoning, site plan and minor variance processes into one application and approval process.
- Employment land conversion – municipalities have the ability to have the final say on whether designated employment lands can be changed to other uses.
CURRENT CONTEXT

Given the number of changes made to the planning system over recent years and some continuing concerns that have been raised about parts of the system, Ontario is reviewing the land use planning and appeal system to make sure it is predictable, transparent, cost-effective and responsive to the changing needs of communities.

Concerns about the system have focused around four key themes, which will be the focal point for the review:

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<tr>
<th>Theme</th>
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<tr>
<td>Theme A</td>
<td>Achieve more predictability, transparency and accountability in the planning/appeal process and reduce costs</td>
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<td>Theme B</td>
<td>Support greater municipal leadership in resolving issues and making local land use planning decisions</td>
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<td>Theme C</td>
<td>Better engage citizens in the local planning process</td>
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<td>Theme D</td>
<td>Protect long-term public interests, particularly through better alignment of land use planning and infrastructure decisions, and support for job creation and economic growth</td>
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We are interested in hearing your views on how the land use planning and appeal system is working. Any proposed new approaches or changes should consider the following guiding principles:

- the public is able to participate, be engaged and have their input considered;
- the system is led by sound policies that provide clear provincial direction/rules and is also led by up-to-date municipal documents that reflect matters of both local and provincial importance;
- communities are the primary implementers and decision-makers;
- the process should be predictable, cost-effective, simple, efficient and accessible, with timely decisions; and
- the appeal system should be transparent; decision-makers should not rule on appeals of their own decisions.

Please note that while we are interested in hearing your views, recommendations that would result in a complete overhaul of the land use planning and appeal system are not being considered at this time.
More specifically, this consultation will not discuss or consider:
- elimination of the OMB;
- the OMB's operations, practices and procedures;
- removal of the provincial government's approval role;
- the restriction of the provincial government's ability to intervene in matters; and
- matters involving other legislation, unless housekeeping changes are needed.

Comments on issues that are not the focus of the consultation will be shared with the ministries or agencies responsible.

The government will give serious consideration to all of the comments and information received. The comments and suggestions will be used to help inform the government on what changes to the system may be needed.
ISSUES AND QUESTIONS TO DISCUSS

Theme A: Achieve more predictability, transparency and accountability in the planning / appeal process and reduce costs

The Planning Act requires communities to update their official plans on a five-year basis, and zoning by-laws within three years of the official plan update. A common concern is that local planning documents are not updated regularly enough to reflect the changing needs of a community.

1. How can communities keep planning documents, including official plans, zoning by-laws and development permit systems (if in place) more up-to-date?

2. Should the planning system provide incentives to encourage communities to keep their official plans and zoning by-laws up-to-date to be consistent with provincial policies and priorities, and conform/not conflict with provincial plans? If so, how?

Another concern is the number of times that planning documents are amended. It has been suggested that a way of achieving more predictability is to limit the number of times these are changed. It should be noted, however that a reduced ability to change documents could affect the flexibility of the land use planning system, the ability to make local decisions, and the ability to address emerging issues.

3. Is the frequency of changes or amendments to planning documents a problem? If yes, should amendments to planning documents only be allowed within specified timeframes? If so, what is reasonable?

Since issues are becoming more complex, and decisions on planning matters must be well informed, there are often significant costs involved in amending planning documents or seeking approvals. These increasing costs have placed pressures on municipalities, applicants and the general public to find ways to reduce costs.

It has been suggested that costs may be reduced by promoting more collaboration between applicants, municipalities and the public through the sharing and exchange of information such as resource materials and reports.

4. What barriers or obstacles may need to be addressed to promote more collaboration and information sharing between applicants, municipalities and the public?
Appeals are often broad in scope and there may be many matters under appeal at the same time, resulting in long, complex and costly Ontario Municipal Board (OMB) hearings. Although the Planning Act currently requires the person or body making the appeal (the appellant) to specifically identify what is being appealed and why, sometimes the entire planning document (e.g. official plan) is appealed to the OMB by one appellant. This causes extensive appeal process delays and increases costs for the community in managing these types of far-reaching appeals.

5. **Should steps be taken to limit appeals of entire official plans and zoning by-laws? If so, what steps would be reasonable?**

Sometimes a matter is appealed to the OMB because a council did not make a decision within the required timeframe. In these cases, there is no time limit on when additional appeals may be filed on the same matter. As appeals continue to flow into the municipality, it can be very challenging to prepare for OMB hearings. The additional appeals result in delays in the OMB’s hearing processes, increasing costs for everyone involved.

6. **How can these kinds of additional appeals be addressed? Should there be a time limit on appeals resulting from a council not making a decision?**

7. **Should there be additional consequences if no decision is made in the prescribed timeline?**

The Development Permit System (DPS) is a land use planning tool that combines the zoning, site plan and minor variance processes into one application and approval process. The tool shifts the focus upfront, creating a policy-led process, which promotes strategic, integrated long-term planning and provides certainty, transparency and accountability for the community. In order to implement a DPS, a municipality must undertake the following:

- Engage the public through enhanced public consultation opportunities;
- Amend its official plan to identify DPS area(s) and set out its goals, objectives and policies;
- Identify the types of conditions and criteria that may be included in the by-law, including discretionary uses, by which applications will be evaluated;
- Enact a development permit by-law to replace the zoning by-law, which provides flexibility by specifying minimum and maximum development standards and by allowing for a specified range of variation; and
- Identify what matters may be delegated from council to staff.

When the new system was introduced during the last round of planning reforms, it aimed to streamline local planning approvals while promoting development, enhancing environmental protection and supporting key priorities such as community building, brownfield redevelopment, greenspace preservation and environmental protection. To date,
only four municipalities have adopted this tool.

8. **What barriers or obstacles need to be addressed for communities to implement the development permit system?**

**Theme B: Support greater municipal leadership in resolving issues and making local land use planning decisions**

Municipalities have an integral role in the local land use planning process through decision-making, preparing planning documents and ensuring a balance of wider public interests and those of their local community. Achieving collaboration and consensus is often difficult, which may result in land use planning appeals.

9. **How can better cooperation and collaboration be fostered between municipalities, community groups and property owners/developers to resolve land use planning tensions locally?**

Municipalities have the authority to create optional local appeal bodies that can hear appeals on local planning disputes involving minor variances and consents. To date, no municipality has established a local appeal body.

10. **What barriers or obstacles may need to be addressed to facilitate the creation of local appeal bodies?**

11. **Should the powers of a local appeal body be expanded? If so, what should be included and under what conditions?**

Municipalities have the authority to pass by-laws that require applicants to consult with the municipality before they submit their planning application. There are two clear advantages to this: the municipality knows about potential development pressures and can advise the applicant if technical information or public consultation is needed.

12. **Should pre-consultation be required before certain types of applications are submitted? Why or why not? If so, which ones?**

In some Ontario communities, land use planning documents and decisions are made at a regional or upper-tier level, which impact lower-tier municipalities. The Planning Act requires that all lower-tier official plans conform with upper-tier official plans. At the same time, it does not prevent lower-tier municipalities from adopting amendments that do not conform with the upper-tier plan.
This causes tensions and pressures in the planning system. The upper-tier may be prematurely forced to deal with lower-tier planning matters. The premature amendments may get appealed to the Ontario Municipal Board, cluttering the appeal system and adding more costs.

13. **How can better coordination and cooperation between upper and lower-tier governments on planning matters be built into the system?**

**Theme C:** Better engage citizens in the local planning process

Public participation is important to the land use planning system. However, at times the public may feel the process is too difficult to access, or they may believe they lack influence in planning decisions.

14. **What barriers or obstacles may need to be addressed in order for citizens to be effectively engaged and be confident that their input has been considered (e.g. in community design exercises, at public meetings/open houses, through formal submissions)?**

15. **Should communities be required to explain how citizen input was considered during the review of a planning/development proposal?**

**Theme D:** Protect long-term public interests, particularly through better alignment of land use planning and infrastructure decisions and support for job creation and economic growth

Well planned communities with good infrastructure are better able to accommodate new development and investment. Aligning the land use planning process with infrastructure investment, not only reduces costs and supports economic competitiveness, it also improves the economic well-being of the community.

16. **How can the land use planning system support infrastructure decisions and protect employment uses to attract/retain jobs and encourage economic growth?**

In some cases, amendments to local planning documents are made to put in place a policy following significant public consultation, or to put in place something that’s already been provincially approved (such as Source Protection Plans). These amendments can still be appealed.
17. How should appeals of official plans, zoning by-laws, or related amendments, supporting matters that are provincially-approved be addressed? For example, should the ability to appeal these types of official plans, zoning by-laws, or related amendments be removed? Why or why not?
SUBMIT YOUR COMMENTS AND IDEAS

You are invited to share your comments and ideas by January 10, 2014. You can:

- Share your views at a meeting or regional workshop

- Submit your comments through an online version of this guide at www.ontario.ca/landuseplanning
  Environmental Bill of Rights Registry Number: 012-0241
  http://www.ebr.gov.on.ca/

- Email a submission to PlanningConsultation@ontario.ca

- Write to us at:
  Land Use Planning and Appeal System Consultation
  Ministry of Municipal Affairs and Housing
  Provincial Planning Policy Branch
  777 Bay Street, 14th Floor, Toronto, ON M5G 2E5

Preparing an Email or Mail Submission

Please structure your submission as answers to the question listed above or submit responses in each of the theme areas.

Personal Information

Personal information you provide is collected under the authority of the Ministry of Municipal Affairs and Housing Act.

Thank you for your interest in Ontario’s Land Use Planning and Appeal System.
## OMB Case Summary for the Region of Waterloo: 2007 to 2013 (Year to Date)

<table>
<thead>
<tr>
<th>Year</th>
<th>Cambridge</th>
<th>Kitchener</th>
<th>Waterloo</th>
<th>North Dumfries</th>
<th>Wellesley</th>
<th>Woolwich</th>
<th>Wilmot</th>
<th>ROW</th>
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<td>1</td>
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<td><strong>Average # of cases per year</strong></td>
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<td><strong>5.4</strong></td>
<td><strong>3.3</strong></td>
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<td><strong>19</strong></td>
<td><strong>5</strong></td>
<td><strong>11</strong></td>
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</table>

### Average Cases Per Year
- Total Cases Filled since 2010*: 78 100%
- Cases With Regional Interest: 31 40%
- Average Annual Cases/year before 2010: 17.3
- Average Annual Cases/year 2010-2013: 19.5

### Note:
- i) This summary does not identify the types of appeals.
- ii) Many appeals can be held over from year to year.
- iii) The Regional Official Plan (ROP) was approved by Regional Council in 2009, and has yet to be fully dealt with.
- iv) Area Municipal Official Plans under appeal include the City of Cambridge and the City of Waterloo.

*2010 is the first full year since Council adopted its new Regional Official Plan. This year is used as a benchmark year for the purposes of this analysis.*
Theme A – Achieve more predictability, transparency and accountability in the planning/appeal process and reduce costs

1. **How can communities keep planning documents, including official plans, zoning by-laws and development permit systems (if in place) more up-to-date?**

Over the past decade, Ontario’s planning system has become increasingly complex. It is more technical due to new legislation and advancing science. It is also more multifaceted and involves a greater range of planning issues than in the past (e.g., source water protection, intensification and transit-oriented development). As a result, updating an official plan or zoning by-law can become a lengthy and costly process for some municipalities. Some of the ways to help address this problem include:

- Better coordinate and potentially merge key Provincial planning documents, such as the Growth Plan and PPS;

- Develop clearer Provincial policies and provide related guidance documents and training programs in a more timely manner to minimize interpretation issues and policy conflicts. Areas where this has been a problem in the past include density calculations, source water protection, and land use compatibility;

- Within two-tier jurisdictions, encourage member municipalities to update their respective official plans and zoning by-laws concurrently. This could help facilitate information sharing and expedite the review process.

Additionally, the Region of Waterloo and many other municipalities in the Greater Golden Horseshoe have dedicated significant resources to defending policies approved by the Province that conform to provincial policy. Official Plan policies that the Province has deemed to conform to Provincial policies should be prohibited from appeal.

2. **Should the planning system provide incentives to encourage communities to keep up their official plans and zoning by-laws up-to-date to be consistent with provincial policies and priorities, and conform/not conflict with provincial plans? If so, how?**

The Planning Act specifically requires municipalities to review and, if necessary, update their official plans and zoning by-laws every five years. It therefore seems inappropriate for the Province to provide “incentives” to municipalities to undertake work they are otherwise legally obligated to do.

3. **Is the frequency of changes or amendments to planning documents a problem? If yes, should amendments to planning documents only be allowed within specified timeframes? If so, what is reasonable?**

The frequency of amendments to planning documents in Waterloo Region varies widely and often depends on specific Official Plan policies. Policies that are more general often reduce the need for site-specific amendments.
Notwithstanding the above, the frequency of Provincially-related conformity exercises has become a challenge for most municipalities. For example, the current review cycles of the PPS, Greenbelt Plan, Source Protection Plan, and the Growth Plan do not coincide with each other and this creates a situation where municipal official plans are in a “perpetual” state of review. This state weakens the enforceability of municipal official plans, creates uncertainty in the investment community and confuses the public. The Province should better coordinate and consolidate changes to these planning documents.

4. What barriers or obstacles may need to be addressed to promote more collaboration and information sharing between applicants, municipalities and the public?

It is fundamentally more important to encourage more effective public engagement than more public consultation. Some suggested improvements include:

- Scoping of issues before OMB hearings;
- Mandate annual or bi-annual community updates on planning documents;
- Provide latitude for different forms of engagement besides a standard statutory public meeting;
- Consider penalties for “non-collaboration”;

Establish scope or time frames in applying Transition Regulations (i.e. clarify or limit use of Transition Regulations, particularly on development which may take years to build out) to ensure current or up-to-date practices can be utilized where appropriate for developments.

5. Should steps be taken to limit appeals of entire official plans and zoning by-laws? If so, what steps would be reasonable?

We strongly agree with the need to prohibit appeals of entire official plans and zoning by-laws. These types of appeals cause significant delays in the appeal process and, in some cases prevent municipalities from moving forward with their broader planning goals. This problem is particularly acute when an upper-tier municipal official plan is appealed in its entirety, creating uncertainty and delays in the official plan conformity exercises of the associated area municipalities.

Some appeals of entire planning documents appear to be used as a negotiating tactic by appellants. Comprehensive planning documents, such as official plans, are prepared with extensive public input and reflect the needs and vision of the broader community. Although not everyone may agree with a specific policy in an official plan, the official plan must be considered as a whole package that has been accepted by the Council of a community. Therefore, it is inappropriate to have the non-elected Ontario Municipal Board rule on the entirety of an official plan, and to have the Board substitute its own decision for that of a duly elected municipal council. More specifically, the Province should:

- Consider clarifying and expanding the definition of frivolous and vexatious to include the appeals of entire Official Plans;
- Consider changes to the appeal process to ensure that specific policies, maps and schedules are identified in the appeal submission.

6. How can these kinds of additional appeals be addressed? Should there be a time limit on appeals resulting from council not making a decision?

- Consider a higher fee for a 180-day appeal
7. Should there be additional consequences if no decision is made in the prescribed timeline?
   - No additional consequences

8. What barriers or obstacles need to be addressed for communities to implement the development permit system?

In 2001, the Province selected the Region of Waterloo as one of the five pilot municipalities to test the potential of establishing a new Development Permit System (DPS). The intent of the pilot project was to test the DPS as a source water protection tool. Based on the pilot study, the Region determined that the DPS could not be used to restrict the storage and handling of certain hazardous chemicals in wellhead protection areas. Consequently, work on the pilot project ceased at the end of 2004.

Despite these initial shortcomings, we continue to support the concept a DPS and remain open to exploring it again with interested area municipalities. For example, a new pilot program could be established whereby staff would review development applications processed under the current planning process over a specific period and evaluate whether a DPS process could have been more effective or timely. This pilot could be applied in specific areas such as the Central Transit Corridor or in Major Transit Stations Areas.

**Theme B – Support greater municipal leadership in resolving issues and making local land use planning decisions**

9. How can better cooperation and collaboration be fostered between municipalities, community groups and property owners/developers to resolve land use planning tensions locally?

The current planning system provides several opportunities for public consultation, and most area municipalities in the Region of Waterloo frequently exceed the minimum requirements for public consultation set out in the *Planning Act*. Striving for transparent, timely collaboration and consensus in the land use planning process is a fundamental goal of the planning profession. However, on issues where fundamental differences in interests are at stake, such as through development reviews, trying to achieve consensus may be an unrealistic goal. In these situations, the challenge is to resolve disputes as quickly and cost effectively as possible.

10. What barriers or obstacles may need to be addressed to facilitate the creation of local appeal bodies?

Some of the barriers that need to be addressed to facilitate the creation of local appeal bodies include:

- Funding the costs of establishing and operating a local appeal body;
- Determining the fee structure of appeals; and
- Determining how local appeal bodies would function in a two-tier municipal environment.

11. Should the powers of a local appeal body be expanded? If so, what should be included and under what conditions?

Given that no municipality in Ontario has established a local appeal body, it is difficult to provide meaningful feedback on this question.
12. Should pre-consultation be required before certain types of applications are submitted? Why or why not? If so, which ones?

Pre-consultation meetings are an important part of the development review process. They provide an opportunity to identify issues early in the process, and ensure that municipalities have all the information they need to make a decision. In the Region of Waterloo, pre-consultation is a requirement for all plans of subdivision and condominium applications, official plan amendments, zone change applications and site plan applications. Consideration should be given to making pre-consultation mandatory for consents as well, with the ability to waive the requirement.

13. How can better coordination and cooperation between upper and lower-tier governments on planning matters be built into the system?

Maintaining a close working relationship between municipalities is essential. Joint working groups and project teams has been successful in Waterloo Region.

Theme C – Better engage citizens in the local planning process

14. What barriers or obstacles may need to be addressed in order for citizens to be effectively engaged and be confident that their input has been considered (e.g. in community design exercises, at public meetings/open houses, through formal submissions)?

Residents are engaged in the planning the process through Council, formal and informal public meetings, and advisory committees. The OMB’s privilege to vary from and even contradict the well-considered direction of elected municipal councils fosters cynicism of the public process.

- Informal public consultations have been very successful in engaging residents in larger planning projects Waterloo Region
- Consider requiring response documents similar to the Environmental Assessment process.

15. Should communities be required to explain how citizen input was considered during the review of a planning/development proposal?

We agree with the need to explain how citizen input has been considered during the review of a planning/development proposal. In the Region of Waterloo, this approach is considered a best-practice and is already being done.

Theme D – Protect long-term public interests, particularly through better alignment of land use planning and infrastructure decisions, and support for job creation and economic growth

16. How can the land use planning system support infrastructure decisions and protect employment uses to attract/retain jobs and encourage economic growth?

The land use planning system would be better able to support infrastructure decisions and protect employment uses if conversion of employment lands were not appealable to the OMB, if the Province completed its assessment of provincially significant employment areas including prime industrial lands, and if the Municipal Act permitted all regional municipalities to acquire, hold and dispose of employment lands.
17. How should appeals of official plans, zoning by-laws, or related amendments, supporting matters that are provincially-approved be addressed? For example, should the ability to appeal these types of official plans, zoning by-laws, or related amendments be removed? Why or why not?

We support the idea of removing the ability to appeal official plan or zoning by-law amendments deemed to conform to Provincial policy. Some of the areas that should not be subject to appeal include:

- Land budget exercises and municipal council decisions not to expand settlement boundaries;
- Any portions of a municipal official plan conformity exercise that has been approved by the Province, or an upper-tier municipality.

The Province should update its guidelines for issues like the expansion of urban boundaries, and consider establishing a planning equivalent of the Ontario Traffic Council to develop practical guidelines and documents for planning practitioners.

Other Themes/Issues Identified

1. Systematic Changes are required at this point rather than minor changes
2. Expand the Scope of Review (i.e. respecting the OMB)
3. Clarify What can be Appealed
4. Merge Key Policy Documents
5. Coordination Among Ministries
6. Implementation, Timely and Consistent Support, and Accountability
   - Develop and update implementation guidelines for Provincial policy
   - The Province needs to support its policies, perhaps through a policy directive, which would help with the consistency of policy interpretation from its initial release
   - Consider the time it takes to implement provincial policy. Consider making fewer, higher priority changes
   - Consider using the work of professional bodies, such as OPPI, to develop standards and guidelines with the Province

- Province needs to balance its policy objectives/intentions with supporting resources
- Remove ability to appeal matters of Provincial interest
- There is an overlap between provincial plans and interests, with a noticeable lack of coordination between Provincial Ministries (e.g. growth forecasts)
- Collaboration between the Province and municipalities needs to be improved. Consider how policies are implemented at a local level. The “one window” approach is not working. There is a lack of access to Provincial staff and resources.
- Move away from broad-brush appeals
- Inconsistent interpretations to Growth Plan
TO: Chair Wideman and Members of the Planning and Works Committee

DATE: December 3, 2013

FILE CODE: D-10-20

SUBJECT: CENTRAL TRANSIT CORRIDOR COMMUNITY BUILDING STRATEGY: 2013/2014 EDITION

RECOMMENDATION:

THAT the Regional Municipality of Waterloo take the following action with regard to the Central Transit Corridor Community Building Strategy: 2013/2014 Edition, as described in Report No. P-13-122, dated December 3, 2013:

1. Endorse the Central Transit Corridor Community Building Strategy as a foundational document that provides a flexible framework to inform and guide land use and related infrastructure planning within the Central Transit Corridor, as described in Report No. P-13-123 dated December 3, 2013;

2. Direct staff to use the Central Transit Corridor Community Building Strategy to identify opportunities within the Central Transit Corridor for potential investors and other stakeholders, reflecting community priorities;

3. Waive the purchasing by-law for the acquisition of goods and services in excess of $100,000 for the award of a sole source contract to a maximum of $50,000 per year for a three-year period starting in 2014 from contingency funds in the Rapid Transit capital budget ($25,000 per year) and the Regional Smart Growth Initiative capital project (to a maximum of $25,000 per year), to support research by the University of Waterloo to establish and implement baseline metrics pertaining to transit investment in the Central Transit Corridor, subject to the execution of any associated documentation by the Commissioner of Transportation and Environmental Services and the Commissioner of Planning, Housing and Community Services; and

4. Direct staff to routinely review and update the Central Transit Corridor Community Building Strategy in conjunction with all Area Municipalities.

SUMMARY:

The Region of Waterloo’s rapid transit initiative has the dual goals of moving people and shaping the community. The establishment of the Ion rapid transit system (i.e. light rail transit and adapted bus rapid transit) will fulfill the goal of moving people within and between Cambridge, Kitchener and Waterloo. The Central Transit Corridor Community Building Strategy: 2013/2014 Edition (CBS) will help shape the community. The CBS is similar to strategies that can be found in only a handful of North American cities, such as Vancouver, British Columbia; Ottawa, Ontario; Denver, Colorado; St. Paul, Minnesota; and Charlotte, North Carolina.

The CBS is a unique foundational document that provides a comprehensive inventory of assets and opportunities to guide investment, planning, and infrastructure decisions within the Central Transit Corridor.
The CBS:
- Respects high priority community features, such as established neighbourhoods;
- Assists in the coordination of future Regional and Area Municipal public investment;
- Informs development prospects, and includes economic insight provided by Colliers International as an investment tool for business attraction;
- Reflects the broader vision of Waterloo Region as an inclusive, thriving and sustainable community. Waterloo Region is already the 4th largest community in Ontario and is identified in the Provincial Growth Plan as a centre of significant ongoing growth; and
- The CBS supports compact growth, which helps to preserve agricultural lands and environmentally sensitive areas within the rural areas, and is thereby an important Strategy to the Region’s four Townships as well.

The 2013/2014 edition of the CBS that is being presented with this report is the result of further collaboration between the Region, the cities of Cambridge, Kitchener and Waterloo, and numerous community stakeholders. The first draft of the CBS was tabled with Regional and Area Municipal Councils in early 2013. Overall, the 2013/2014 Edition of the CBS retains the same objectives as the Draft CBS but contains a number of refinements. Chapter 7 (Getting There) in particular has been comprehensively revised to provide clearer focus on the six Priority Initiatives and other key Implementation Initiatives that are being recommended as part of the Strategy. This better coordinates priorities, including capital works.

Copies of the updated CBS are available in the Regional Councillor’s library and at Planning, Housing and Community Services. Following Regional Council’s consideration of the CBS, the final document would be made available on the Region’s website at www.regionofwaterloo.ca/bigshift and hard copies would be available for viewing/borrowing at City and Regional (Township) libraries and at Regional Headquarters. A larger program of promotion of the CBS would also occur, as described in this report.

One proposed “Next Step” in implementing the CBS is the proposed University of Waterloo “Light Rail Transit and Core-Area Intensification: Unpacking Causal Relationships” project to gather and analyze data regarding the relationships between light rail transit and new development, and to establish (and measure) baseline metrics around investment in the Central Transit Corridor. Regional involvement would include financial support to a maximum of $50,000 per year over a three year period starting in 2014, and in-kind contributions by staff, as required. Total expenditures over the life of the project would range from a minimum of $75,000 to a maximum of $150,000.

REPORT:

Background

The Region of Waterloo’s rapid transit initiative has the dual goals of moving people and shaping the community. The establishment of the Ion rapid transit system (i.e. light rail transit and adapted bus rapid transit) will move people within and between Cambridge, Kitchener and Waterloo. The Central Transit Corridor Community Building Strategy: 2013/2014 Edition (CBS) will guide shaping the community. The CBS is similar to strategies that can be found in only a handful of North American cities such as Vancouver, British Columbia; Ottawa, Ontario; Denver, Colorado; St. Paul, Minnesota; and Charlotte, North Carolina.

The CBS is a unique foundational document that provides a comprehensive inventory of community priorities and community building opportunities to guide investment, planning, and infrastructure decisions within the Central Transit Corridor.
The CBS:
- Respects high priority community features, including established neighbourhoods;
- Assists in the coordination of future Regional and Area Municipal public investment;
- Informs development prospects, and includes economic insight provided by Colliers International as an investment tool for business attraction;
- Reflects the broader community vision of Waterloo Region as an inclusive, thriving and sustainable community. Waterloo Region is already the 4th largest community in Ontario and is identified in the Provincial Growth Plan as a centre of significant ongoing growth; and
- The CBS supports compact growth, which helps to preserve agricultural lands and environmentally sensitive areas within the rural areas, and is thereby an important Strategy for the Region’s four townships as well.

The CBS offers six Priority Initiatives to be completed in the short term and a broader range of Implementation Initiatives organized under eight opportunity themes. Considerable focus was placed on the implementation of the CBS, including respect for Area Municipal jurisdictional responsibilities, achieving design excellence, informing investment opportunities and visually demonstrating “what could be” in the community. The CBS explicitly acknowledges that many initiatives are yet to be considered for inclusion in municipal budgets, while other initiatives are expected to be realized through other processes, including public-private partnerships, and in conjunction with development applications.

The final CBS should be an important part of the Region’s Big Shift Toolbox (found at www.regionofwaterloo.ca/bigshift). The CBS provides valuable information to investors through station area snapshots, documenting current context and conditions and identifying areas for redevelopment. The CBS further identifies a series of 13 market corridor areas and describes how they may change over time. In this respect, the CBS can provide investors with both practical, realistic market intelligence and a focused view of community priorities and sensitivities, including established neighbourhoods.

**Process and Public Engagement**

The CBS project was led by the Region of Waterloo with the Cities of Cambridge, Kitchener and Waterloo. Regional Council retained Urban Strategies (with sub consultants Nelson Nygaard and Colliers) from February 2012 to December 2013 to complete updating the draft CBS.

The development of the CBS involved a highly collaborative planning process in all three cities from February 2012 to the present, involving hundreds of stakeholders and community members. The draft report was reviewed by the project team, members of the public, and various stakeholders including the Waterloo Region Tourism Marketing Corporation and the Creative Enterprise Initiative. The goal of establishing an ongoing community dialogue built on the Region’s past consultation efforts and included a project launch, stakeholder interviews, three “Exploring the Opportunity Forums”, 15 open houses, a dedicated project website and a project storefront.

The Community Building Strategy Project Team also hosted a speakers’ series, where experts with experience planning rapid transit in other communities around the world presented their perspectives to encourage a broader-based community dialogue. Speakers at these sessions included Steve Cassidy, Director MRC McLean Hazel Ltd; G.B. Arrington, Principal Practice Leader for Parsons Brinckerhoff; Sue Zielinski, Managing Director of SMART at the University of Michigan; and Karina Ricks, Principal with Nelson\Nygaard. All have international experience, and gave the public an opportunity to directly ask questions about their work in other communities.

The 2013/2014 edition of the CBS is the result of further collaboration between the Region, the cities of Cambridge, Kitchener and Waterloo, and numerous community stakeholders since the Draft CBS was tabled with Regional and Area Municipal Councils in January 2013.
Copies of the CBS are available now in the Regional Councillor’s library and at Planning, Housing and Community Services. Following Regional Council’s consideration of the CBS, additional copies of the document would be made available on the Region’s website at www.regionofwaterloo.ca/bigshift and hard copies would be provided for viewing/borrowing at City and Regional libraries, Regional Headquarters, and the Cambridge, Kitchener and Waterloo Planning Departments.

Central Transit Corridor Community Building Strategy: 2013/2014 Edition – Overview

Overall, the 2013/2014 Edition of the CBS retains the same basic structure as the Draft CBS and contains a number of minor mapping, image and text refinements. The exception is Chapter 7 – Getting There, which has been comprehensively revised to provide clearer focus on the six Priority Initiatives and other key Implementation Initiatives that are being recommended as part of the Strategy. A brief summary of the chapters in the CBS, with a focus on Chapter 7, is provided below.

Chapter 1: The Corridor Today
This chapter describes the study area and outlines the role of the study within the context of current planning, investment and development initiatives in the region.

Chapter 2: The Opportunity
This chapter identifies the Vision for the Central Transit Corridor and the eight key Community Building Opportunities that have been identified to capitalize on the region’s growth and the investment that is being made in the transit network.

Chapter 3: What It Will Look Like
This chapter describes and explains a framework for integrating land use and transportation across the Central Transit Corridor. The framework includes guidelines for creating transit supportive places and focuses on built form, public realm, and mobility.

Chapter 4: Place Specific Initiatives
This chapter identifies 69 initiatives that respond to issues and challenges in specific places and offer a range of community building opportunities.

Chapter 5: The Station Area Snapshots
This chapter features 23 station area snapshots that detail current and future station area characteristics, community priorities and sensitivities that can inform decisions about appropriate types of development in each station area. The snapshots also provide investors with practical, realistic, market intelligence.

Chapter 6: Transformation Over Time
This chapter describes some building blocks such as station area planning and parking management that can be used over the medium to long term to shape community change. A series of visual models and renderings illustrate examples of change that may occur over time.

Chapter 7: Getting There
This chapter identifies and describes a list of six Priority Initiatives that are important to initiate in the short-term, and a broader range of Implementation Initiatives that support fulfilling the eight Community Building Opportunities indentified in Chapter 2.

The six Priority Initiatives include:

1. **Commit to a collaborative process** to ensure rapid transit and Community Building Strategy directions leverage the planned transit investment with wider placemaking and mobility opportunities.
2. **Complete station area planning** on priority stations to guide decisions related to built-form, public realm and movement around each station area.

3. **Develop a Central Transit Corridor Investment Strategy** supported by the Big Shift Toolbox and identify new tools to encourage investment.

4. **Develop an education and awareness program** to continue the dialogue around community building and opportunities to capitalize on the investment in rapid transit and support sustainable growth.

5. **Create a “Visit Waterloo Region” guidebook** to celebrate the cultural, heritage, recreation, natural heritage and tourism assets that the region has to offer and their relationship to rapid transit.

6. **Complete the trail head connections** to enhance access to the rapid transit stations.

The Implementation Initiatives include refinements to existing policies, innovative tools and incentives, and the development of strategic partnerships. They are organized according to the eight opportunities associated with the CBS Vision:

1. Fostering Investment
2. Enhancing Mobility
3. Creating High Quality Urban Places
4. Strengthening the Employment Opportunity
5. Enhancing the Learning Experience
6. Encouraging a Healthy, Inclusive Community
7. Greening the Corridor
8. Creating A Great Place to Visit

Leads, partners and implementation time frames are also identified for each initiative.

**Municipal Budget Implications**

Priority Initiatives and Implementation Initiatives are identified in the CBS. These initiatives are intended to further leverage investment in rapid transit and can assist the Region and Area Municipalities in guiding future development. These initiatives will require implementation by the public or private sectors (or in partnership). Financing for many public improvements identified in the CBS will not be found in existing municipal budgets. Priorities would need to be set and considered for inclusion in annual budget planning processes. Other opportunities will also arise, particularly as conditions of development applications and otherwise where public-private partnerships may be appropriate to aid in the implementation of the CBS. Other initiatives could be funded in other ways (such as senior government funding).

Further discussion regarding the proposed “Light Rail Transit and Core-Area Intensification: Unpacking Causal Relationships” project is provided in the Financial Implications section of this report.

**Proposed Next Steps**

The CBS represents a major step in further shaping the community within the Central Transit corridor, particularly around rapid transit stations. The following short and mid-term next steps are proposed:
1. Continued coordination of the Priority Implementation Initiatives by the Community Building Strategy Implementation Working Group (IWG), which consists of Regional and Area Municipal Planning staff and Rapid Transit Division staff. The IWG would also consider additional opportunities to align planned initiatives with Regional and Area Municipal Capital budgets. Engineers from Rapid Transit and the Cities would attend as required.

2. Promotion of the 2013/2014 Community Building Strategy by Regional staff and CTT to financial institutions, investor groups, and the development industry to inform them of the opportunities available in station areas and beyond resulting from the implementation of rapid transit. This effort would include making the CBS available on the Region’s website at www.regionofwaterloo.ca/bigshift and by providing hard copies for viewing/borrowing at City and Regional (Township) libraries and at Regional Headquarters.

3. Review and promotion of development incentives (e.g. Brownfield Financial Incentives Program) by Regional and City staff with a view to potentially revise or recommend additional tools to leverage investment within rapid transit station areas.

4. Continued efforts by Regional staff to build partnerships and create an educational and community awareness program. An initial step in this regard was the formation of the Reurbanization Community Advisory Panel, approved by Regional Council in May 2012, to advise the Commissioner, Planning, Housing and Community Services, whose mandate includes: “Assist the Region in development of reurbanization strategies and programs and offer advice, where necessary, regarding: public consultation programs; community-building and visioning exercises; and coordination of key strategies, studies and policy direction”.

5. Measure progress, as prescribed by the CBS and related initiatives, to collect data for key metrics. A key initiative in this regard is the proposed University of Waterloo “Light Rail Transit and Core-Area Intensification: Unpacking Causal Relationships” project. The proposed project is a refinement of a similar project that was considered by Regional Council in January 2013, and would be led by three faculty members from the School of Planning at the University of Waterloo - Dr. Jeff Casello, Dr. Dawn Parker and Dr. Markus Moos.

The purpose of the project would be to gather and analyze data regarding the relationships between light rail transit and new development, and to establish and measure baseline metrics around investment in the Central Transit Corridor. These metrics would provide a basis for measuring community change over time and progress related to the implementation of economic development initiatives. Staff would report back to Regional Council with periodic updates as well.

6. Review and update the CBS from time to time to ensure it remains current.

Area Municipal Consultation/Coordination

Staff from the Cities of Cambridge, Kitchener and Waterloo has been part of the CBS project team, and their collective continued commitment to this initiative is greatly appreciated. Staff of all three Cities has reviewed the draft CBS report, and support this initiative. This report has also been distributed to the Township Area Municipalities.

One of the key ways in which implementation of the CBS will be coordinated with the cities of Cambridge, Kitchener and Waterloo is through the preparation of rapid transit station area plans. Station area planning is being led by each city with assistance of Regional staff. A brief description of the progress and timing of the station area planning work is provided below.
City of Cambridge
In Cambridge, Major Station Area planning is to be integrated with the development of secondary plans for the various Community Nodes along Hespeler Road which are identified in the 2012 Cambridge Official Plan. The City of Cambridge is proposing resources in the 2014 Capital Budget and Departmental work plan to commence the combined Secondary Plan / Major Transit Station Area Plans through a community nodes / re-urbanization corridors study.

City of Kitchener
In Kitchener, the Planning Around Rapid Transit Stations (PARTS) process addresses how to complete station area plans around 17 light rail stops in Kitchener. Phase 1 of PARTS recommends study area boundaries, the prioritization of the preparation of station area plans, existing conditions, interim direction, the work program for Phase 2, and the work program for the first station area plan. Phase 1 will wrap up with a work report and work program to be presented at a Committee of Council on December 2, 2013. In 2014, staff will begin working on corridor-wide initiatives before commencing work on the first station area plan in the fall of 2014.

City of Waterloo
In the City of Waterloo, Station Area Planning is expected to be completed in 3 separate phases. Phase 1 would address existing conditions, development potential, growth forecasts, a market readiness report, and best practices for TOD, including a review of the currently permitted uses in the City’s Zoning By-laws. City staff expects to take a report to Council in the second quarter of 2014 with a proposed work plan and prioritization of Station Area Plans. Phase 2 would include a work program to bring forward Station Area Plans for the City’s Station Areas. Phase 3 would focus on the use of available and appropriate municipal tools to implement Council-approved Station Area Plans.

CORPORATE STRATEGIC PLAN:

The 2013 Central Transit Corridor Community Building Strategy directly addresses Focus Area 2: Growth Management and Prosperity (Manage growth to foster thriving and productive urban and rural communities) including Strategic Objective 2.1. Encourage compact, livable urban and rural settlement form and Action 2.1.2. Work with area municipalities to develop and implement a comprehensive strategy to promote intensification and reurbanization within existing urban areas.

FINANCIAL IMPLICATIONS:

The costs of developing the CBS were financed by the Region of Waterloo through budgeted funds previously approved by Regional Council (please see Report No. P-12-012).

As described in this report, many of the identified public investment initiatives will need to be considered by the respective Municipal Council(s) as part of their budget process, through development and redevelopment pertaining to specific properties, and through other funding sources (e.g. senior government levels).

Support for the proposed University of Waterloo “Light Rail Transit and Core-Area Intensification: Unpacking Causal Relationships” project would require a commitment ranging from a minimum of $25,000 per year to a maximum of $50,000 per year over three years. It is proposed that $25,000 per year would come from the Rapid Transit capital budget (contingency funds) and additional funds (to a maximum of $25,000 per year) would come from the Regional Smart Growth Initiative capital project. Therefore, total expenditures over the life of the project would range from a minimum of $75,000 to a maximum of $150,000. Because the proposed research is being “sole sourced” to University of Waterloo researchers and has the potential to cost more than $100,000, Council is being asked to waive the purchasing by-law for the acquisition of goods and services in excess of $100,000.
OTHER DEPARTMENT CONSULTATIONS/CONCURRENCE:

Staff members from the Rapid Transit, Transportation and Environmental Services actively participated on the study’s Project Team. Staff members from Finance were also consulted in the preparation of this report.

ATTACHMENTS:

NIL

PREPARED BY:  Becky Schlenvogt, Principal Planner
                Kevin Curtis, Manager, Reurbanization

APPROVED BY:  Rob Horne, Commissioner, Planning, Housing and Community Services
TO: Chair Jim Wideman and Members of the Planning and Works Committee

DATE: December 3, 2013

FILE CODE: T04-30/401

SUBJECT: HIGHWAY 401 AND CAMBRIDGE (FRANKLIN BOULEVARD AND HESPELER ROAD) ACTIVE TRANSPORTATION CROSSINGS

RECOMMENDATION:

THAT the Regional Municipality of Waterloo endorse Alternative 4 as the preferred preliminary design alternative, subject to an acceptable design of the ramp crossing, for active transportation facilities at the Highway 401 and Franklin Boulevard interchange, as described in Report P-13-119, dated December 3, 2013;

THAT the Region request the Ontario Ministry of Transportation to reconstruct the Highway 401 and Franklin Boulevard interchange in 2016, incorporating the active transportation elements of Alternative 4;

THAT the Region begin discussions with the City of Cambridge regarding any municipal financial contributions toward the construction of these facilities;

THAT the Region begin discussions with the Ontario Ministry of Transportation to fund the construction and maintenance of these facilities, in accordance with CycleON, Ontario’s recently released Cycling Strategy;

AND THAT Regional staff report back the results of these discussions to Regional Council.

SUMMARY:

The Regional Transportation Master Plan (RTMP) has a goal of significantly increasing walking and cycling, and improving the safety of these modes. Improving pedestrian access and safety is consistent with the principles of the Pedestrian Charter, endorsed by the Region. The draft Active Transportation Master Plan (ATMP) proposes various special study areas, including the crossings of Highway 401 at Hespeler Road and Franklin Boulevard. The existing crossings impose barriers to pedestrians and cyclists. Residents have long complained about hazards that become exacerbated during winter conditions, and two people have lost their lives at the Franklin Boulevard interchange since 2001. Regional staff has been working with City of Cambridge and Ministry of Transportation (MTO) staff to develop and evaluate alternatives for pedestrian and cyclist facilities across Highway 401 at the Franklin Boulevard interchange (location shown in Attachment 1). A feasibility study, completed by the Region and the City of Cambridge in 2010, recommended that active transportation facilities be integrated into the Franklin Boulevard interchange if reconstruction proceeds by 2015. If not, the feasibility study recommended that a separate structure be considered.

The preliminary design study conducted this year by the Region, as well as the Region’s Active Transportation Advisory Committee and the Cambridge Cycling Focus Group at the City of Cambridge, have all identified Alternative 4 as the preferred preliminary design alternative. Alternative 4 features a 4.0-metre multi-use trail on the east side of the bridge over Highway 401 and on the north and south bridge approaches, a 3.0-metre multi-use trail on the east side of Franklin.
Boulevard between Pinebush Road and Holiday Inn Drive/Jamieson Parkway. The estimated cost of Alternative 4 is $1.4 million.

Since Regional jurisdiction over Franklin Boulevard ends a short distance north of Pinebush Road, Franklin Boulevard is not a Regional road for most of the Study Area. However, improving active transportation on regionally significant links like Franklin Boulevard across Highway 401 will help to achieve the active transportation goals of the RTMP, the Pedestrian Charter and the draft ATMP. Active transportation facilities at the Highway 401 and Franklin Boulevard interchange are currently unfunded. While it may be possible to obtain some funding from Regional development charges, most of the Region’s contribution would likely have to come from Regional property taxes. MTO has indicated that the earliest possible reconstruction date for the interchange is 2016. While current Council direction is to pursue a separate structure since reconstruction will not occur by 2015, Regional staff is recommending that the Region and the City of Cambridge work on a combined solution with MTO because it aligns better with the findings of the original feasibility study and the cost would be lower.

The draft ATMP recommends that a special study be conducted to determine active transportation facilities across Highway 401 in the vicinity of the Hespeler Road interchange. MTO’s position has been that active transportation would be incompatible with the high volumes of traffic at the interchange, and that a separate structure will be required. The pedestrian bridge over Highway 401 near Homer Watson Boulevard, completed in 2008, is an example of such a structure. It cost about $1.8 million, divided equally among the Region, the City of Cambridge and the City of Kitchener.

CycleON, Ontario’s Cycling Strategy that was released in August, states that the Province “will develop a funding partnership with municipalities and the federal government to build provincial and municipal cycling routes.” The Region should initiate discussions with MTO on the basis that the Province should fund a larger contribution towards active transportation facilities at the Franklin Boulevard interchange.

City of Cambridge staff is on the project team and supports the recommendations. City of Cambridge staff is anticipated to bring a report before City Council in early 2014.

REPORT:

The Regional Transportation Master Plan (RTMP) has a goal of significantly increasing walking and cycling, and improving the safety of these modes. Improving pedestrian access and safety is consistent with the principles of the Pedestrian Charter, endorsed by the Region. Walk-Cycle Waterloo Region, the draft Active Transportation Master Plan (ATMP), proposes various special study areas, including the crossings of Highway 401 at Hespeler Road and Franklin Boulevard. The existing interchanges accommodate motorized vehicles but impose barriers to pedestrians and cyclists. Residents have long complained about hazards that become exacerbated during winter conditions, and two people have lost their lives at the Franklin Boulevard interchange since 2001.

The Region completed a feasibility study in 2010 for improving active transportation crossings of Highway 401 between Hespeler Road and Franklin Boulevard, in partnership with the City of Cambridge and the Ontario Ministry of Transportation (MTO). As described in Report P-10-031 (April 6, 2010), the feasibility study recommended that active transportation facilities be integrated into the Franklin Boulevard interchange if reconstruction proceeds by 2015. If not, the feasibility study recommended that a separate structure be considered.

The Ontario Ministry of Transportation (MTO) recently completed a Class Environmental Assessment to examine the widening of Highway 401 between Hespeler Road and the Wellington County/Halton Region boundary. In reviewing the study, Regional Council endorsed the recommendations of Report #P-12-131 (December 11, 2012), including the following:
THAT Regional staff initiate further discussions between the Region, the MTO and the City of Cambridge to consider the acceleration of construction timing and cost sharing of pedestrian and cyclist provisions for the Franklin Boulevard interchange.

Preliminary Design Work

Regional staff retained a consultant to examine the Study Area shown in Attachment 1 and further develop preliminary alternatives for active transportation facilities across Highway 401 at Franklin Boulevard, resulting in four alternatives on the bridge, with cross sections shown in Attachment 2:

1. Sidewalk on both sides of the bridge and on-road bike lanes
2. On the bridge, a 2.5-metre multi-use trail (east side only)
3. On the bridge, a 3.0-metre multi-use trail (east side only)
4. On the bridge, a 3.0-metre multi-use trail (east side only)

On the approaches to the bridge, Alternative 1 features sidewalks and on-road bike lanes on both sides of Franklin Boulevard. To the north and south of the bridge Alternatives 2, 3 and 4 include a 3.0-metre multi-use trail on the east side of Franklin Boulevard.

The alternatives were evaluated based on the following criteria:
- Connectivity and consistency
- Separation
- Operating space on bridge
- Land requirement
- Maintenance
- Construction cost

Based on the evaluation, Alternatives 3 and 4 were tied for the highest combined scores. Alternative 3 features more consistency with the proposed 3.0-metre multi-use trail on the bridge approaches and a lower construction cost, while Alternative 4 would provide more separation and more space for pedestrians and cyclists across the bridge, and facilitate winter maintenance of the facility.

Consultation with Cycling Community

The alternatives were presented to the Region’s Active Transportation Advisory Committee and the Cambridge Cycling Focus Group with the City of Cambridge to obtain their input. Both groups expressed a preference for the multi-use trail alternatives and endorsed Alternative 4, as shown in Attachment 3. The greater separation from vehicular traffic, reduced number of conflict points and greater level of comfort for users were all cited as advantages.

As a result of the preliminary design study and consultations with the cycling community, Regional staff is recommending Alternative 4 as the technically-preferred preliminary design, as shown in Attachment 4.

Correspondence with MTO

MTO has been consulted regarding the preliminary alternatives and has stated that, in principle, they have no objections with the alternatives that were developed. MTO has initiated the process to retain a detailed design consultant for the Hespeler Road and Franklin Boulevard interchanges and hopes to begin work in February 2014. Consequently, 2016 is the earliest that MTO anticipates possible reconstruction of the Franklin Boulevard interchange.

Regarding cost, MTO has previously stated that active transportation facilities beyond what are currently in place will be a municipal responsibility. The pedestrian bridge across Highway 401 near
Homer Watson Boulevard, completed in 2008 at a cost of about $1.8 million, is an example of a project that was funded entirely through municipal contributions. In that case, the Region contributed one third of the total funds, with the City of Cambridge and the City of Kitchener each contributing one third of the construction cost.

In the case of the Franklin Boulevard interchange, since there is currently a sidewalk on the west side, MTO will cover the cost of replacing that sidewalk or equivalent width across the bridge structure. Estimated costs over and above MTO’s expected contribution to the Franklin Boulevard interchange were included in the preliminary design study.

**Hespeler Road Active Transportation Facilities**

Work has concentrated on the Franklin Boulevard interchange crossing location because of the findings of the previous feasibility study. MTO’s position with respect to the Hespeler Road interchange is that active transportation facilities are incompatible with the high volumes of traffic there, and MTO recommended that a separate crossing structure be considered in the vicinity. The draft Active Transportation Master Plan (ATMP) also recommends that a “Special Study” be conducted to determine an appropriate active transportation crossing.

**Provincial Funding for Active Transportation Infrastructure**

CycleON, Ontario’s Cycling Strategy that was released in August identifies many Provincial priorities for improving cycling in Ontario. Under the heading of Improving Cycling Infrastructure, the strategy cites innovative cost sharing arrangements between different levels of government and programs out of Quebec where that Province is providing capital and operating cost subsidies for active transportation facilities. CycleON also notes that the Province will “develop a funding partnership with municipalities and the federal government to build provincial and municipal cycling routes.” The financial information in this report is based on previous discussions with MTO about active transportation funding, but the Region should initiate discussions with MTO on the basis that the Province should fund a larger contribution towards active transportation facilities at the Franklin Boulevard interchange.

**Next Steps**

Based on MTO’s timing of 2016 as the earliest possible date of reconstruction for the Franklin Boulevard interchange, Council’s current direction requires Regional staff to investigate a separate crossing structure in the vicinity. The structure that was recently constructed across Highway 401 near Homer Watson Boulevard had an estimated cost of $1.8 million in 2008 dollars. Since it is assumed that a separate structure at Franklin Boulevard would have a similar cost, and given the findings of the original feasibility study that preferred integrating active transportation into the overall interchange, Regional staff are recommending instead to proceed with the work in cooperation with the MTO reconstruction. The Region should request MTO to reconstruct the Franklin Boulevard interchange in 2016.

The recommended active transportation facilities are unfunded in both the Region’s Transportation Capital Program and the City of Cambridge equivalent. If Regional and City of Cambridge Councils choose to proceed with active transportation facilities at the Franklin Boulevard interchange, staff is recommending that cost-sharing agreements be pursued with MTO and the City of Cambridge. Staff will report the results of the financial funding discussions back to Regional Council.
Area Municipal Consultation/Coordination

Staff from the City of Cambridge has been working with Regional staff throughout this project. The Cambridge Cycling Focus Group has endorsed Alternative 4, and has expressed a desire to continue to be involved with this project. Staff at the City of Cambridge is anticipated to bring a report before City Council early in 2014 in support of the approach described in this report.

CORPORATE STRATEGIC PLAN:

Improving active transportation across Highway 401 in Cambridge is consistent with Strategic Objective 3.2: Develop, promote and integrate active forms of transportation (cycling and walking). In particular, it advances Action 3.2.1: Work with Local Municipalities and other stakeholders to develop an integrated and safe network of regional, local and off-road cycling and walking routes.

FINANCIAL IMPLICATIONS:

Regional jurisdiction for Franklin Boulevard ends at the southern limit of the Highway 401 eastbound off-ramp. Consequently, Franklin Boulevard is not a Regional road for the majority of the Study Area. However, improving active transportation on regionally significant links like Franklin Boulevard across Highway 401 is consistent with the goals of the RTMP, the Pedestrian Charter and the draft ATMP. The recommended active transportation facilities at the Franklin Boulevard interchange are estimated to cost $1.4 million, and are not currently identified in the Regional Transportation Capital Program. While it may be possible to obtain some funding from Regional development charges, most funding will likely have to come from Regional property taxes. Subject to Council approval, the Region will begin to discuss potential cost-sharing arrangements with MTO and the City of Cambridge, and report back to Council.

OTHER DEPARTMENT CONSULTATIONS/CONCURRENCE:

Transportation and Environmental Services has been and will continue to be consulted regarding impacts to the Transportation Capital Program and planned construction of improvements to Franklin Boulevard south of Highway 401.

ATTACHMENTS:

Attachment 1 – Study Area Features
Attachment 2 – Cross Sections
Attachment 3 – Support from Advisory Committees
Attachment 4 – Preliminary Preferred Plan

PREPARED BY: Geoffrey Keyworth, Senior Transportation Planning Engineer

APPROVED BY: Rob Horne, Commissioner, Planning, Housing and Community Services
ATTACHMENT 1 – STUDY AREA FEATURES

- Franklin Boulevard: Planned 3.0 m multi-use trail on east side
- Holiday Inn Drive: Existing on-road bike lanes
- Hwy 401 WB on-ramp
- Jamieson Parkway: Existing on-road bike lanes
- Pinebush Road: Planned on-road bike lanes
- Franklin Boulevard: Planned 3.0 m multi-use trails on both sides
- Study Area
ATTACHMENT 2 – CROSS SECTIONS

ALTERNATIVE 1

ALTERNATIVE 2

ALTERNATIVE 3

ALTERNATIVE 4
ATTACHMENT 3 – SUPPORT FROM ADVISORY COMMITTEES

REGIONAL MUNICIPALITY OF WATERLOO
ACTIVE TRANSPORTATION
ADVISORY COMMITTEE
MINUTES

Tuesday, September 17, 2013
5:05 p.m.
Room 310, Public Health & Social Services Building
99 Regina Street South, Waterloo, Ontario

Present were: Chair D. Banks, A. Crowe, C. Klein, G. Lorentz, J. Mitchell*, K. Parker, J. Plummer, P. Rowe, M. Sommer and B. Tracey

Members absent: B. Forwell, P. Gleeson, B. Hawkins, M. Ivanovick, and R. Martin

Also Present: B. Allen, C. Cooper, G. Keyworth, and J. LaPointe

DECLARATIONS OF PECUNIARY INTEREST UNDER THE MUNICIPAL CONFLICT OF INTEREST ACT

None declared.

INTRODUCTION OF NEW COMMITTEE MEMBERS

James LaPointe, Principal Planner, introduced Chris Klein and Ken Parker and congratulated them on their appointments.

REVIEW OF AGENDA

NEW BUSINESS

B. Tracey requested that a discussion on the Public Meeting on Proposed River Road Extension be added as 6. d) and an Update on the Adopt a Road Clean Up be added as 6. e)

APPROVAL OF MINUTES OF MEETINGS – Tuesday, August 20, 2013

MOVED by B. Tracey
SECONDED by P. Rowe

THAT the minutes of the Active Transportation Advisory Committee of August 20, 2013 be approved.

CARRIED

REPORTS / PRESENTATIONS

a) Integration of Active Transportation Facilities on Franklin Boulevard – G. Keyworth
   • Design alternatives for active transportation facilities over Highway 401 on Franklin Boulevard bridge

J. LaPointe introduced Geoffrey Keyworth, Senior Transportation Planning Engineer, to explain the planning that is being done in relation to the installation of active transportation facilities on

1473859
the Franklin Boulevard bridge over Highway 401. G. Keyworth informed the Committee that Regional staff have been working with staff from the City of Cambridge to review four options for including active transportation on the Franklin Boulevard bridge when it is rebuilt by the provincial government. He noted that this bridge represents the easiest route across Highway 401 and that there is proposed and existing active transportation infrastructure in the area.

He presented the Committee with the four options that have been considered and explained that staff at the City of Cambridge are presenting the options to their advisory committee with the intention that reports will be brought forward to both Councils in the near future. G. Keyworth explained that the first alternative would create bike lanes on both sides of Franklin Boulevard with a side walk on the eastern side. He noted that this option would not cost the municipalities any additional funds because they could be incorporated into the required width of the bridge. Alternatives two, three, and four involve the creation of a 2.5m, 3m, or 4m multi use trail on the east side of Franklin Boulevard from Pinebush Road to Holiday Inn Drive/Jamieson Parkway. G. Keyworth explained that the alternatives were evaluated for connectivity, separation from cars and users, land required, maintenance, additional costs, and consistency with area infrastructure. In response to questions from the Committee, he noted that the trails will be adapted to meet current accessibility guidelines. The Committee encouraged him to meet with the Canadian National Institute for the Blind, when it is appropriate, to ensure that visually impaired individuals are able to locate a multi use trail.

MOVED by P. Rowe
SECONDED by B. Tracey

THAT based on the availability of funds the Active Transportation Advisory Committee endorses either alternative three or four as presented in the memorandum on Highway 401 and Franklin Boulevard Interchange: Active Transportation Facilities dated September 13, 2013.

CARRIED

INFORMATION/CORRESPONDENCE

a) Road Safety Community Partnership Initiative – C. Cooper
   • Joint 2014 road safety improvement plans with area municipalities

J. LaPonte introduced Colleen Cooper, Public Health Nurse, to provide an overview of the ongoing initiative. C. Cooper explained that the Region conducted a safe cycling initiative in 2012 with the three area cities to provide education and incentives to improve bike safety. The work has been reviewed and is proceeding to a second stage.

She noted that the Region is working with various partners including the area cities, a representative from the Ministry of Transportation, media sponsors, and the Canadian Automobile Association. The partners are working on preparing a multi-faceted approach that includes an educational video, media campaigns, artistic bike racks, and an enforcement campaign.

The Committee suggested that staff should be in contact with the City of Guelph regarding their enforcement campaign regarding riding on sidewalks. The Committee was happy with the work the working being done and encouraged the enforcement campaign provided that it was done in
appropriate places such as streets with bike lanes. The Committee also encouraged staff to consult with by-law enforcement staff to determine if officers can issue tickets for cycling on sidewalks.

b) Provincial Cycling Strategy – J. LaPointe
   • Updates to the Ontario Cycling Strategy

J. LaPointe informed the Committee that the Region had incorporated feedback from the Committee on the previous cycling strategy into a report that was forwarded to the provincial government. An updated cycling strategy has been released by the Ministry of Transportation that includes some improvements that were recommended by the Region but it does not include measurements for progress, timelines, or a significant discussion of how the Ministry will fund cycling projects. The new strategy does not request input from municipalities.

c) Community Access Bicycles – J. LaPointe
   • Flyer/Guide on signing up for The Working Centre’s Bike Share

J. LaPointe noted that the agenda contains a guide for signing up for the CAB bike sharing program. Anecdotally he believes the bikes are being used and expects that The Working Centre will provide usage information to the Committee during the winter.

*J. Mitchell left the meeting at 6:20 p.m.

d) Public Meeting on Proposed River Road Extension – B. Tracey

B. Tracey noted that there is a public meeting planned for October 1st from 4:30 – 8:00 p.m. for anyone who has concerns about the proposed extension of River Road.

e) Adopt a Road Clean-up – B. Tracey

B. Tracey informed the Committee that the adopt a road clean-up is still scheduled for October 5, 2013. The meeting place will be the Tim Hortons at University Avenue and Fischer-Hallman Road at 9:00 a.m.

AGENDA ITEMS FOR NEXT MEETING

NEXT MEETING – Tuesday, October 15, 2013

ADJOURN

MOVED by B. Tracey
SECONDED by J. Plummer

THAT the meeting adjourn at 6:24 p.m.

CARRIED

COMMITTEE CHAIR, D. Banks

COMMITTEE CLERK, T. Brubacher

14739859
October 7, 2013

Ms. Shannon Noonan
Manager of Transportation Engineering
Transportation and Public Works Department
The Corporation of the City of Cambridge

Dear Ms. Noonan,

RE: Design options for the Franklin Boulevard bridge over Highway 401

At the Cambridge Cycling Focus Group (CCFG) meeting on September 24, 2013, the CCFG reviewed the four alternatives presented for active transportation facilities on the Franklin Boulevard Bridge over Highway 401.

This letter is intended to advise the City of Cambridge and Region of Waterloo Councils that the CCFG supports Alternative 4 as the preferred alternative. Alternative 4 is supported by the CCFG as it provides a greater separation from vehicular traffic, reduces the number of conflict points with vehicles entering and existing Highway 401 and provides a greater comfort level for users.

The Cambridge Cycling Focus Group would like to continue to be consulted in regards to the planning and design of this initiative.

Yours truly,

Don Pavey, Chair
Cambridge Cycling Focus Group
3.0 m multi-use trail

4.0 m multi-use trail on bridge

3.0 m multi-use trail

3.0 m multi-use trail
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<td>Transportation and Environmental Services</td>
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<td>Council</td>
<td>Operation of Raised Crosswalks Study</td>
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<td>J. Haalboom</td>
<td>Staff continue to lobby the Province for changes to the Highway Traffic Act providing right of way to pedestrians and on an as needed basis provide an update to Council</td>
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