Regional Municipality of Waterloo
Planning and Works Committee
Agenda

Tuesday, August 12, 2014

12:30 p.m. (← Note Time Change)

Regional Council Chamber
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
  a) Chris Pidgeon, GSP Group re: E-14-100, Ottawa Street South (Regional Road 4) at Proposed Development Access/McLennan Park Traffic Signal Request, in the City of Kitchener

Consent Agenda Items

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.

4. Request to Remove Items From Consent Agenda
a) **E-14-089**, Proposed School Bus Loading Zones on Weber Street (Regional Road 8), in the City of Kitchener and the City of Waterloo (Approval)  

b) **E-14-091**, 2013 Traffic Signal Corridor and Signal Timing Review (Information)  

c) **E-14-095**, Accessible Parking Space – Uptown Waterloo (Approval)  

d) **E-14-097**, Proposed Removal of Left-Turn Prohibition, Water Street (Regional Road 24) at Samuelson Street, City of Cambridge (Approval)  

e) **E-14-099**, Ayr Sewage Pumping Station, Forcemain, and Truck Sewer Routing Municipal Class Environmental Assessment Update: Notice of Completion (Approval)  


g) **P-14-080**, Amendment to Regional Municipality of Waterloo Controlled Access By-law #58-87 for Access to Regional Road #70 (Ira Needles Boulevard), City of Waterloo (Approval)  

h) William Street and Strange Street Water Supply Systems Class Environmental Assessment – Public Consultation Centre No. 1  

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**Regular Agenda Resumes**

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6. **Reports – Transportation and Environmental Services**

**Design and Construction**

a) **CR-RS-14-053**, Authorization to Expropriate Lands (1st Report) for Ottawa Street (Regional Road 4) Roundabouts at Alpine Road and at Homer Watson Boulevard (Regional Road 28), City of Kitchener  

b) **E-14-075**, Amendment to Consulting Assignment – Ottawa Street Improvements, Highway 7 to King Street, City of Kitchener  

c) **E-14-092**, Manitou Drive Improvements, Homer Watson Boulevard to Bleams Road, City of Kitchener – Approval of Project  

d) **E-14-101**, Amendment to the Consulting Services Agreement for the Waterloo Wastewater Treatment Plant Upgrades
Rapid Transit

e) CR-RS-14-054, Authorization To Expropriate Lands (1st report) In The City Of Kitchener Designated As Phase VI of Stage 1 of the Rapid Transit Project Relating To Property And Interests Located At Various Locations Along or Near the CN Railway Line Corridor, known as the Huron Park Spur, in the City of Kitchener, in the Regional Municipality of Waterloo

Transit Services

f) E-14-098, 2015 GRT Replacement Bus Purchase

Transportation

g) E-14-096, Transfer of Speedsville Road between Regional Road 38 (Maple Grove Road) and Regional Road 39 (Eagle Street) to the Region of Waterloo and Transfer of Beverly Street and Samuelson Street / Clyde Road between Regional Road 8 (Dundas Street North) and Regional Road 36 (Franklin Boulevard) to the City of Cambridge

Water Services

h) E-14-083, Designation of Source Protection Risk Management Official and Inspectors

i) E-14-093, Evaluation of Alternatives for Hauled Wastewater Receiving and Treatment

j) E-14-102, Sole Source Purchase of Replacement of Odour Control System Media at the Galt Wastewater Treatment Plant

k) E-14-103, Hidden Valley High Lift Pump Emergency Repair

Inter-Departmental Reports

l) P-14-081/F-14-092, Brownfields Financial Incentives Program – Tax Increment Grant Application – 445 King Street West (1 Victoria) – City of Kitchener

7. Information/Correspondence

a) Council Enquiries and Requests for Information Tracking List

8. Other Business

9. Next Meeting – September

10. Adjourn
<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Description</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>September 9, 2014</td>
<td>1:00 p.m.</td>
<td>Planning and Works Committee</td>
<td>Council Chamber 150 Frederick Street Kitchener, Ontario</td>
</tr>
<tr>
<td>September 30, 2014</td>
<td>1:00 p.m.</td>
<td>Planning and Works Committee</td>
<td>Council Chamber 150 Frederick Street Kitchener, Ontario</td>
</tr>
<tr>
<td>Tue., September 16, 2014</td>
<td>5:00 p.m.</td>
<td>William Street and Strange Street Water Supply Class Environmental Assessment - Public Consultation Centre No. 1</td>
<td>St. John Catholic Elementary School 99 Strange Street Kitchener, Ontario</td>
</tr>
</tbody>
</table>
Region of Waterloo
Transportation and Environmental Services
Transportation

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

Date: August 12, 2014

File Code: T01-20/4

Subject: Ottawa Street South (Regional Road 4) at Proposed Development Access/McLennan Park Traffic Signal Request, in the City of Kitchener

Recommendation:

That the Region of Waterloo continues to operate the intersections of Ottawa Street South (Regional Road 4) at the McLennan Park Access and Ottawa Street South (Regional Road 4) at Elmsdale Drive, in the City of Kitchener, as stop-controlled intersections until traffic control signals are necessary, as outlined in Report E-14-100, dated August 12, 2014.

Summary: Nil

Report:

Land located on the northeast corner of Ottawa Street South and Elmsdale Drive was formerly home to the City of Kitchener’s utilities operation centre. With the consolidation of the City’s operation facilities at the new Kitchener Operations Facility on Goodrich Drive, the site is no longer needed for municipal purposes.

The 4.89 ha site has been deemed surplus by the City of Kitchener and is under contract to NovaCore Communities Corporation, who have submitted applications for an Official Plan Amendment and Zone Change in support of their redevelopment proposal for the site. NovaCore is proposing to redevelop the subject lands with a mixed use development including mid-rise residential buildings (approx. 225 units), a residential care facility (approx. 125 units) and a variety of office, restaurant and commercial uses (max. 10,000 sq.m or 107,639 sq.ft.). Figure 1 below illustrates a section of Ottawa Street South where redevelopment is proposed to take place. Appendix A attached also provides details of the site plan concept.
The Council of the City of Kitchener adopted the Official Plan Amendment and approved the Zoning By-law Amendment on June 30, 2014. City Council has also directed staff to give consideration to a more comprehensive review of vehicle and pedestrian movements at the Elmsdale Drive and Ottawa Street South intersection and the mid-block intersection with Ottawa Street, through the site plan approval process. Pursuant to Regional Council’s delegation, the Official Plan Amendment was approved by the Region’s Commissioner of Planning, Housing and Community Services on July 29, 2014.

As part of the Official Plan and Zoning By-law Amendment application submissions, the Region has reviewed and approved the Transportation Impact Study (TIS) entitled “83 Elmsdale Drive, Mixed Use Development, Transportation Impact Study”, prepared by Paradigm Transportation Solutions dated April 2014. The study concluded that further improvements are required to facilitate the proposed development which includes the following off-site transportation improvements:

- A 30-metre eastbound left-turn lane be constructed on Ottawa Street at Elmsdale Drive;
- A 25-metre eastbound left-turn lane be constructed on Ottawa Street at the proposed site access; and
- A pedestrian refuge island be constructed in the shadow lane on Ottawa Street at Elmsdale Drive to promote safe pedestrian passage from the McLennan Park trail connection to the site.

Transportation staff is in agreement with the transportation improvements recommended by Paradigm Transportation Solutions.

In accordance with Regional Policy, the Developer is responsible for access improvements required to facilitate the proposed development including the eastbound left-turn lane into the proposed site access. The other warranted transportation
improvements required to facilitate the new development including the pedestrian refuge island and eastbound left-turn lane at Elmsdale Drive are to be funded through Regional Development Charges. All other potential improvements deemed not warranted would have to be funded either by NovaCore at their access or through the Regional tax levy at other locations.

Following Regional acceptance of Paradigm Transportation Solutions’ Transportation Impact Study (completed on behalf of NovaCore Communities Corporation), Regional staff has since been requested by NovaCore Communities Corporation through their planning consultant, to further consider traffic signals at the intersection of Ottawa Street South and the East Access to the site development opposite the McLennan Park access, despite Paradigm Transportation Solution’s recommendations indicating that traffic control signals are not required.

The traffic analysis completed by Paradigm Transportation Solutions specifically assessed the need for traffic control signals at the intersections of Ottawa Street at the proposed site access directly opposite of McLennan Park and at Elmsdale Drive. These assessments concluded that 2020 and 2025 traffic conditions incorporating site development traffic do not necessitate the installation of traffic control signals at either the proposed site access (East Access) opposite McLennan Park or Elmsdale Drive. The following Tables 1 and 2 summarize the traffic signal warrant results completed by Paradigm Transportation Solutions which have been verified by Regional staff in Transportation Engineering and Transportation Planning.

Table 1 – East Access Traffic Control Signal Warrant Results for 2020 and 2025

<table>
<thead>
<tr>
<th>Horizon Year (with full development)</th>
<th>Justification 1 Minimum Vehicular Volume</th>
<th>Justification 2 Delay to Cross Traffic</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>47.2%</td>
<td>53.3%</td>
</tr>
<tr>
<td>2025</td>
<td>47.2%</td>
<td>53.3%</td>
</tr>
</tbody>
</table>

Table 2 – Elmsdale Drive Traffic Control Signal Warrant Results for 2020 and 2025 Conditions

<table>
<thead>
<tr>
<th>Horizon Year (with full development)</th>
<th>Justification 1 Minimum Vehicular Volume</th>
<th>Justification 2 Delay to Cross Traffic</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>27.5%</td>
<td>41.3%</td>
</tr>
<tr>
<td>2025</td>
<td>28.3%</td>
<td>42.3%</td>
</tr>
</tbody>
</table>
To determine if installation of traffic control signals in a future horizon year is likely to be required for an existing intersection, either Justification 1 or 2 should meet 120%. Staff would consider underground traffic control signal provisions at the time of any future Ottawa Street South road construction if Justification 1 or 2 meet or exceed 100% for signalization for the future horizon year. It is clearly evident that the need for full traffic control signals falls well below typical warrant criteria. Sensitivity analyses completed by Regional staff consolidating all traffic movements at the Elmsdale Drive and East Access at either intersection has also determined that traffic signals would not be required under these scenarios. In general traffic signals are not being recommended based on the assessment at these two intersections because traffic volumes from side streets are and will not be high enough or sustained long enough throughout the day to substantiate signalization.

Paradigm Transportation Solutions estimated that the site development will generate a total of 40 and 70 left-turns out of this access point during morning and afternoon peak hours respectively in 2025. Additionally right-turns out of the access are estimated to be 27 and 84 vehicles during morning and afternoon peak hours. Traffic signal warrants in general suggest that on average, a combination of approximately 60 to 75 through and left-turn vehicles per hour crossing the main road over 8 hours is a traffic environment that may necessitate traffic signals. In 2025 over the heaviest 8 hour period of the day it is anticipated that the site will generate an average of 28 vehicles per hour crossing the main road.

Safety Impacts

It is anticipated that installation of traffic signals will result in an expected increase in collisions versus continuing to operate either intersection as a stop-controlled intersection. Tables 3 and 4 summarize the collisions expected under stop and signal control for 2014 and the 2025 horizon year based on the Region’s new Highway Safety Manual collision prediction model.
Table 3 - Expected Collisions at Ottawa Street and East Access / McLennan Park

<table>
<thead>
<tr>
<th></th>
<th>2014 Stop Control (existing condition)</th>
<th>2014 Traffic Control Signal</th>
<th>2025 Stop Control (with left-turn lane)</th>
<th>2025 Traffic Control Signal (with left-turn lane)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total Expected Collisions per Year</strong></td>
<td>2.05</td>
<td>6.36</td>
<td>2.06</td>
<td>9.28</td>
</tr>
<tr>
<td><strong>Expected Injury Collisions per Year</strong></td>
<td>0.77</td>
<td>2.30</td>
<td>0.81</td>
<td>3.38</td>
</tr>
<tr>
<td><strong>Expected Non-Injury Collisions per Year</strong></td>
<td>1.28</td>
<td>4.06</td>
<td>1.25</td>
<td>5.90</td>
</tr>
</tbody>
</table>

Table 4 – Expected Collisions at Ottawa Street and Elmsdale Drive

<table>
<thead>
<tr>
<th></th>
<th>2014 Stop Control (existing condition)</th>
<th>2014 Traffic Control Signal</th>
<th>2025 Stop Control (with left-turn lane)</th>
<th>2025 Traffic Control Signal (with left-turn lane)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total Expected Collisions per Year</strong></td>
<td>1.87</td>
<td>2.75</td>
<td>2.54</td>
<td>4.48</td>
</tr>
<tr>
<td><strong>Expected Injury Collisions per Year</strong></td>
<td>0.77</td>
<td>1.13</td>
<td>0.86</td>
<td>1.72</td>
</tr>
<tr>
<td><strong>Expected Non-Injury Collisions per Year</strong></td>
<td>1.10</td>
<td>1.62</td>
<td>1.68</td>
<td>2.77</td>
</tr>
</tbody>
</table>
Active Transportation Needs and Deficiencies

It is anticipated that the proposed development will generate active transportation trips to and from McLennan Park. With the introduction of the pedestrian island at Elmsdale Drive to serve active transportation movements initially, staff will continue to monitor the movements to understand the preferred pedestrian routes in the area. At this time, there is nothing that is being recommended that will preclude additional control for active transportation users in the future once the preferred pedestrian routes are established.

Recommendations

It is recommended that the Region continues to operate the intersections of Ottawa Street South (Regional Road 4) at the McLennan Park access and at Elmsdale Drive as stop-controlled intersections. Staff will monitor the intersection in perpetuity and will consider traffic control signals, midblock pedestrian control signals or intersection pedestrian control signals should sufficient demand result from this development. The installation of traffic controls when necessary in the future would be funded by Regional Development Charges.

Should Regional Council direct staff to install an unwarranted traffic signal at the proposed site access, it is recommended that NovaCore Communities Corporation be required to retain a qualified engineering consultant to assess the feasibility of a roundabout as is required based on Regional policy. Furthermore NovaCore Communities Corporation would be responsible as previously indicated in this report to fund the cost of constructing the preferred traffic control as determined by the qualified engineering consultant. Alternatively should Regional Council direct staff to install an unwarranted traffic control signal elsewhere (at Elmsdale Drive or mid-block), it is also recommended that the Region assess the merits of a roundabout to determine the preferred traffic control at any such location. The costs to fund the preferred traffic control at any such location would be covered through the Regional tax levy since that improvement is considered unwarranted and therefore not growth-related.

Staff from the City of Kitchener have been consulted with and have indicated that a controlled crossing (either a pedestrian signal or a full signal) at the proposed site access would provide convenient connectivity between the proposed development and McLennan Park.

Corporate Strategic Plan:

This report addresses the Region’s goal to optimize existing road capacity to safely manage traffic throughout Waterloo Region (Strategic Objective 3.3), and to implement proven roadway safety strategies and education to enhance the safety of our roadways (Strategic Objective 3.3.2).
Financial Implications:

NovaCore Communities Corporation is responsible for the proposed site access including the cost of the eastbound left-turn lane estimated to be approximately $200,000. Any additional traffic control at the access to the proposed site would also be the responsibility of NovaCore Communities Corporation. A traffic signal or roundabout if considered would cost approximately $100,000 or $1,200,000 respectively not including future operating and maintenance costs, depending on the preferred control determined by an engineering consultant.

The cost of the eastbound left-turn lane and pedestrian refuge island at Elmsdale Drive is estimated to be approximately $240,000 and is to be funded through Regional Development Charges. Any additional traffic control such as a traffic signal or roundabout at Elmsdale Drive would be Regional responsibility funded through the Regional Tax Levy if installed before it is necessary. If additional traffic control is installed when necessary in the future it would be funded by Regional Development Charges. A traffic signal or roundabout depending on the results of an engineering study would cost approximately $100,000 or $1,200,000 not including future operating and maintenance costs, respectively if considered.

Other Department Consultations/Concurrence:

Community Planning and Transportation Planning staff within Planning, Housing and Community Services has been consulted on this report and is in agreement with the recommendations provided by Regional staff.

Attachments

Appendix A – Site Plan Concept

Prepared By: Bob Henderson, Manager, Transportation Engineering

Approved By: Thomas Schmidt, Commissioner, Transportation and Environmental Services
Appendix A – Site Plan Concept

Development Concept

Site Statistics
- Total Acres: 10.4
- Residential Units: 525
- Commercial: 24,000 sq ft
- Office: 45,000 sq ft
- Storage: 275,000 cu ft
- Retail: 87,000 sq ft
- Recreation: 70,000 sq ft
- Total Covered Spaces: 12

Notes:
- The site includes several water features and public green spaces.
- This plan is subject to change based on further developments.
Region of Waterloo
Transportation and Environmental Services
Transportation

To: Chair Jim Wideman and Members of the Planning and Works Committee
Date: August 12, 2014
File Code: T01-20/8
Subject: Proposed School Bus Loading Zones on Weber Street (Regional Road 8), in the City of Kitchener and the City of Waterloo

Recommendation:
That the Regional Municipality of Waterloo amend Traffic and Parking By-law 06-072, as amended, to:

a) Add to Schedule 22, School Bus Loading Zone on the east side of Weber Street (Regional Road 8) from 65 metres south of Jackson Avenue to 115 metres South of Jackson Avenue; and

b) Add to Schedule 22, School Bus Loading Zone on the west side of Weber Street (Regional Road 8) from 45 metres north of High Street to 95 metres north of High Street.

in the City of Kitchener and the City of Waterloo, as outlined in Report E-14-089, dated August 12, 2014.

Summary:
Nil

Report:
Staff received a request through staff at the Student Transportation Services of Waterloo Region to provide School Bus Loading Zones at two locations on Weber Street. The first location fronts Eastwood Collegiate in the City of Kitchener and the second location fronts St. David Catholic Secondary School in the City of Waterloo.

Under the Highway Traffic Act (HTA), where there is no School Bus Loading Zone, a school bus operator must operate the flashing red lights of the school bus when stopped on a highway to drop off or pick up children. This can cause undue delay to motorists because all motorists must stop while a school bus is stopped when the flashing red
lights are activated. Under the HTA, the requirement to operate the flashing red lights does not apply within a School Bus Loading Zone. The installation of a School Bus Loading Zone will not require motorists to stop while a school bus is loading or unloading students.

Proposed School Bus Loading Zone on Weber Street Fronting Eastwood Collegiate Institute, in the City of Kitchener

Regional staff received a request to provide a School Bus Loading Zone on the east side of Weber Street adjacent to Eastwood Collegiate Institute School located at 760 Weber Street East.

Weber Street fronting Eastwood Collegiate Institute is a 4-lane cross section with a posted speed of 50 km/h. This section of Weber Street attracts an Average Annual Daily Traffic (AADT) volume of 18,887 vehicles per day. At this location there is a mid-block pedestrian traffic control signal. In this regard, a School Bus Loading Zone within this section of Weber Street should be located as far as practical from the midblock pedestrian traffic control signal.

The Region’s Traffic and Parking By-law currently includes a No Parking Anytime prohibition and a No Stopping Anytime prohibition on Weber Street along the frontage of the school but no School Bus Loading Zone.

Due to the need to have the School Bus Loading Zone as close as practical to the main entrance of Eastwood Collegiate Institute and as far as practical from the existing midblock pedestrian signal, the School Bus Loading Zone is proposed near the north end of the school property for a length of 50 metres south. Although this location is located near a curve, a review of the minimum stopping sight distance along Weber Street, including the intersection of Jackson Avenue, meets minimum engineering standards. The proposed location leaves a distance of approximately 67 metres between the north stopbar (southbound) at the pedestrian signals and the beginning of the School Bus Loading Zone.

It is therefore recommended that the Region amend Traffic and Parking By-law 06-072, as amended, to designate a School Bus Loading Zone on the east side of Weber Street from 65 metres south of Jackson Avenue to 115 metres south of Jackson Avenue, in the City of Kitchener. Figure 1 illustrates the location and length of the proposed School Bus Loading Zone. City of Kitchener staff and the Principal of Eastwood Collegiate Institute support the proposed school bus loading zone.
Proposed School Bus Loading Zone on Weber Street Fronting St. David Catholic Secondary School, in the City of Waterloo

Student Transportation Services of Waterloo Region requested a School Bus Loading Zone, on the west side of Weber Street at the side access of St. David Catholic Secondary School located at 4 High Street, Waterloo.

Weber Street fronting St. David Catholic Secondary School is a 4-lane cross section with a posted speed of 50 km/h. This section of Weber Street attracts an Average Annual Daily Traffic (AADT) volume of 16,659 vehicles per day.

The Region’s Traffic and Parking by-law currently has no restrictions along the section of Weber Street.

The requested location is also located on a curve along Weber Street. A review of the minimum stopping sight distance along Weber Street, including the intersection of High Street, which shows that the minimum stopping sight distance meets minimum engineering standards.
It is recommend that the Region amend Traffic and Parking By-law 06-072, as amended, to designate a School Bus Loading Zone on the west side of Weber Street from 45 metres north of High Street to 95 metres north of High Street. Figure 2 illustrates the location and length of the proposed School Bus Loading Zone. City of Waterloo staff and the Principal of St. David Catholic Secondary School have been contacted and support the proposed school bus loading zone.

Figure 2 - Proposed School Bus Loading Zone along Weber Street Fronting St. David Catholic Secondary School

Corporate Strategic Plan:

This report addresses the Region’s goal to optimize existing road capacity to safely manage traffic throughout Waterloo Region (Strategic Objective 3.3).

Financial Implications:

The installation of School Bus Loading Zone signs at both locations along Weber Street will cost approximately $1000 and is provided for within the Region’s maintenance budget.

Other Department Consultations/Concurrence:

The Council and Administrative Services Division will be required to prepare the amending by-law.
Attachments:
Nil

Prepared By:  Jyoti Nair, Engineering Technologist (Traffic)

           Valerie MacQueen-Pearcey, Engineering Technologist (Traffic)

Approved By:  Thomas Schmidt, Commissioner, Transportation and Environmental Services
Region of Waterloo
Transportation And Environmental Services
Transportation

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

Date: August 12, 2014   File Code: T08-50/GEN

Subject: 2013 Traffic Signal Corridor and Signal Timing Review

Recommendation:

For information

Summary:

Nil

Report:

This report summarizes the traffic signal corridor and signal timing review completed in 2013.

Traffic signal progression or coordination of traffic signals within a network is one of the most effective methods of improving the traffic flow. Improvements to traffic flow can provide:

- Improved traffic capacity on roads with closely spaced traffic signals;
- Reduction in overall network travel time and delay;
- Reduction in the overall network number of stops;
- Reduction in collisions; and
- Reduction in noise levels, air pollution and fuel consumption.

The Region currently operates 480 traffic control signals, of which 445 are on a traffic control system and 35 operate independently. The signals that operate independently
are generally in the rural areas.

Staff review the operation of approximately 90 traffic control signals each year. Priorities are set for areas that have not had a recent review, have operational problems and or have experienced changes in traffic patterns. Changes can occur due to new developments or the construction of new roads.

In 2013 Traffic Systems staff as part of its annual signals review, reviewed traffic signal coordination and traffic flows for 99 signals in 5 control areas. Figure 1 identifies the 5 signal control areas and Table 1 summarizes the arterials within each signal control area.

**Figure 1: 2013 Signal Control Areas**
### Table 1 – 2013 Signal Control Areas and Arterials

<table>
<thead>
<tr>
<th>Control Area Name</th>
<th>Number of Intersections</th>
<th>Corridor Name</th>
<th>Section of Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weber/Lancaster</td>
<td>22</td>
<td>Weber Street</td>
<td>Cameron Street to Guelph Street</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lancaster</td>
<td>Frederick Street to Bridgeport Road</td>
</tr>
<tr>
<td>East Kitchener and Bruce/Edna</td>
<td>31</td>
<td>Frederick Street</td>
<td>Edna Street to River Road</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Victoria Street</td>
<td>Forwell Road to Lancaster Street</td>
</tr>
<tr>
<td></td>
<td></td>
<td>River Road</td>
<td>Holborn Drive to Victoria Street</td>
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<tr>
<td></td>
<td></td>
<td>Ottawa Street</td>
<td>Lackner Boulevard to Franklin Street</td>
</tr>
<tr>
<td>King/Ottawa</td>
<td>23</td>
<td>King Street</td>
<td>Montgomery Road to Cedar Street</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Charles Street</td>
<td>Ottawa Street to Cedar Street</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Courtland</td>
<td>Ottawa Street to Madison Avenue</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Avenue</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ottawa Street</td>
<td>Hwy 7/8 Eastbound Ramp to Mill Street</td>
</tr>
<tr>
<td>Kitchener CBD</td>
<td>23</td>
<td>Duke Street</td>
<td>Scott Street to Water Street</td>
</tr>
<tr>
<td></td>
<td></td>
<td>King Street</td>
<td>Frederick Street to Francis Street</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Charles Street</td>
<td>Benton Street to Francis Street</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Frederick Street</td>
<td>Benton Street to Francis Street</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Queen Street</td>
<td>Duke Street to Courtland Avenue</td>
</tr>
</tbody>
</table>

Field studies use a Global Positioning System Unit to track repeated staff vehicle movements along arterial roadways and to determine the location, types and extent of traffic delays. Collected data included:

- Progression between the intersections and along arterial roadways;
- Travel time;
- Delays;
- Number of stops; and
- Speed.
Staff analyzed the data and implemented actions to reduce delay and improve operational efficiency. Perfect synchronization for one direction of traffic on a street may result in frequent stops and delays to the other direction. Staff tries to establish balanced traffic flow in each direction for the corridors as well as balancing major crossing arterials. If balance cannot be achieved, then staff favours the arterial and the direction with heavier traffic flow by time of day. Table 2 summarizes the results of the review.
Table 2: Average Results of 2013 Signal Control Area Review for Traffic Flows

<table>
<thead>
<tr>
<th>Corridor Name</th>
<th>Section of Road</th>
<th># of intersections</th>
<th>Direction</th>
<th>Average Travel Time Before (minutes : seconds)</th>
<th>Average Travel Time After (minutes : seconds)</th>
<th>Average Travel Time Change (minutes : seconds)</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weber Street</td>
<td>Cameron Street to Guelph Street</td>
<td>6</td>
<td>Northbound</td>
<td>2:06</td>
<td>1:30</td>
<td>-0:35</td>
<td>-28.6%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Southbound</td>
<td>2:19</td>
<td>1:58</td>
<td>-0:20</td>
<td>-15.1%</td>
</tr>
<tr>
<td>Lancaster Street</td>
<td>Frederick Street to Bridgeport Road</td>
<td>5</td>
<td>Northbound</td>
<td>1:39</td>
<td>1:25</td>
<td>-0:13</td>
<td>-14.1%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Southbound</td>
<td>1:31</td>
<td>1:30</td>
<td>-0:01</td>
<td>-1.1%</td>
</tr>
<tr>
<td>Frederick Street</td>
<td>Edna Street to River Road</td>
<td>3</td>
<td>Northbound</td>
<td>1:40</td>
<td>1:19</td>
<td>-0:21</td>
<td>-21.0%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Southbound</td>
<td>1:12</td>
<td>1:05</td>
<td>-0:06</td>
<td>-9.7%</td>
</tr>
<tr>
<td>Victoria Street</td>
<td>Natchez Road to Lancaster Street</td>
<td>8</td>
<td>Eastbound</td>
<td>3:26</td>
<td>3:33</td>
<td>0:07</td>
<td>3.4%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Westbound</td>
<td>3:52</td>
<td>3:12</td>
<td>-0:39</td>
<td>-17.2%</td>
</tr>
<tr>
<td>River Road</td>
<td>Holborn Drive to Victoria Street</td>
<td>6</td>
<td>Northbound</td>
<td>1:40</td>
<td>1:19</td>
<td>-0:21</td>
<td>-21.0%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Southbound</td>
<td>1:12</td>
<td>1:05</td>
<td>-0:06</td>
<td>-9.7%</td>
</tr>
<tr>
<td>Corridor Name</td>
<td>Section of Road</td>
<td># of intersections</td>
<td>Direction</td>
<td>Average Travel Time Before (minutes : seconds)</td>
<td>Average Travel Time After (minutes : seconds)</td>
<td>Average Travel Time Change (minutes : seconds)</td>
<td>% Change</td>
</tr>
<tr>
<td>---------------</td>
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<td>-----------</td>
<td>-----------------------------------------------</td>
<td>-----------------------------------------------</td>
<td>-----------------------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Ottawa Street</td>
<td>Lackner Boulevard to Franklin Street</td>
<td>7</td>
<td>Eastbound</td>
<td>2:46</td>
<td>2:37</td>
<td>-0:09</td>
<td>-5.4%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Westbound</td>
<td>2:58</td>
<td>2:35</td>
<td>-0:22</td>
<td>-12.9%</td>
</tr>
<tr>
<td>King Street</td>
<td>Montgomery Road to Cedar Street</td>
<td>6</td>
<td>Northbound</td>
<td>2:26</td>
<td>1:43</td>
<td>-0:43</td>
<td>-29.5%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Southbound</td>
<td>2:13</td>
<td>2:02</td>
<td>-0:11</td>
<td>-8.3%</td>
</tr>
<tr>
<td>Charles Street</td>
<td>Ottawa Street to Cedar Street</td>
<td>5</td>
<td>Northbound</td>
<td>2:09</td>
<td>1:47</td>
<td>-0:22</td>
<td>-17.1%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Southbound</td>
<td>1:57</td>
<td>1:56</td>
<td>-0:01</td>
<td>-0.9%</td>
</tr>
<tr>
<td>Courtland Avenue</td>
<td>Ottawa Street to Madison Avenue</td>
<td>5</td>
<td>Northbound</td>
<td>2:31</td>
<td>2:02</td>
<td>-0:28</td>
<td>-19.2%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Southbound</td>
<td>1:52</td>
<td>1:39</td>
<td>-0:13</td>
<td>-11.6%</td>
</tr>
<tr>
<td>Ottawa Street</td>
<td>Hwy 7/8 Eastbound Ramp to Mill Street</td>
<td>7</td>
<td>Eastbound</td>
<td>4:58</td>
<td>3:43</td>
<td>-1:15</td>
<td>-25.2%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Westbound</td>
<td>3:38</td>
<td>3:16</td>
<td>-0:22</td>
<td>-10.1%</td>
</tr>
<tr>
<td>Corridor Name</td>
<td>Section of Road</td>
<td># of intersections</td>
<td>Direction</td>
<td>Average Travel Time Before (minutes : seconds)</td>
<td>Average Travel Time After (minutes : seconds)</td>
<td>Average Travel Time Change (minutes : seconds)</td>
<td>% Change</td>
</tr>
<tr>
<td>--------------------</td>
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<td>--------------------</td>
<td>-----------</td>
<td>-----------------------------------------------</td>
<td>-----------------------------------------------</td>
<td>-----------------------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Duke Street</td>
<td>Scott Street to Water Street</td>
<td>7</td>
<td>Northbound</td>
<td>2:17</td>
<td>1:50</td>
<td>-0:27</td>
<td>-19.7%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Southbound</td>
<td>2:02</td>
<td>1:43</td>
<td>-0:18</td>
<td>-15.6%</td>
</tr>
<tr>
<td>King Street</td>
<td>Frederick Street to Francis Street</td>
<td>6</td>
<td>Northbound</td>
<td>3:00</td>
<td>2:57</td>
<td>-0:03</td>
<td>-1.7%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Southbound</td>
<td>3:24</td>
<td>2:55</td>
<td>-0:28</td>
<td>-14.2%</td>
</tr>
<tr>
<td>Charles Street</td>
<td>Benton Street to Francis Street</td>
<td>7</td>
<td>Northbound</td>
<td>2:34</td>
<td>2:03</td>
<td>-0:31</td>
<td>-20.1%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Southbound</td>
<td>1:59</td>
<td>1:39</td>
<td>-0:20</td>
<td>-16.8%</td>
</tr>
<tr>
<td>Frederick Street</td>
<td>Benton Street to Francis Street</td>
<td>3</td>
<td>Eastbound</td>
<td>0:47</td>
<td>0:48</td>
<td>0:01</td>
<td>2.1%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Westbound</td>
<td>0:47</td>
<td>0:40</td>
<td>-0:07</td>
<td>-14.9%</td>
</tr>
<tr>
<td>Queen Street</td>
<td>Duke Street to Courtland Avenue</td>
<td>5</td>
<td>Eastbound</td>
<td>2:31</td>
<td>2:01</td>
<td>-0:30</td>
<td>-19.9%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Westbound</td>
<td>2:15</td>
<td>2:06</td>
<td>-0:09</td>
<td>-6.7%</td>
</tr>
</tbody>
</table>
Travel time and delay studies were only conducted for arterial roadways containing 3 or more coordinated signals in close proximity. On average, travel times were reduced by 13.9% as a result of staff reviews and actions.

Signal timings were also reviewed and optimized for the following intersections:

- Edna Street and Hwy 7/8 Westbound ramp;
- Bruce Street and Hwy 7/8 Eastbound ramp;
- Lackner Boulevard and Keewatin Drive;
- Lackner Boulevard and Oldfield Drive/Zeller Drive;
- Franklin Street and Franklin Public School;
- Queen Street and Margaret Avenue;
- Victoria Street and Margaret Avenue;
- Victoria Street and Duke Street;
- Victoria Street and Woolwich Street;
- Victoria Street and Fountain Street; and
- Wellington Street and Moore Avenue.

Due to construction the following signals were excluded from the analysis and will be added to the 2014 program.

- Weber Street and Guelph Street;
- Weber Street and Wellington Street;
- Weber Street and Victoria Street;
- Margaret Avenue and Guelph Street; and
- Margaret Avenue and Wellington Street.

Table 3 identifies the traffic signal control areas that are currently under review for 2014.
Table 3: 2014 Signal Control Areas and Arterials

<table>
<thead>
<tr>
<th>Control Area Name</th>
<th>Number of Intersections</th>
<th>Corridor Name</th>
<th>Section of Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>East Galt</td>
<td>18</td>
<td>Dundas Street</td>
<td>Beverley Street to Franklin Boulevard</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Franklin Boulevard</td>
<td>Clyde Road to Champlain Boulevard</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Main Street</td>
<td>Oak Street to Franklin Boulevard</td>
</tr>
<tr>
<td>Downtown Galt</td>
<td>17</td>
<td>Cedar Street</td>
<td>Southwood Drive to Ainslie Street</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Park Hill Road</td>
<td>George Street to Ainslie Street</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Main Street</td>
<td>Water Street to Wellington Street</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Water Street</td>
<td>Park Hill Road to Ainslie Street</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ainslie Street</td>
<td>Simcoe Street to Cedar Street</td>
</tr>
<tr>
<td>Maple Grove</td>
<td>22</td>
<td>Fountain Street</td>
<td>Allendale Road to Shantz Hill Road</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Maple Grove Road</td>
<td>King Street to Speedsville Road</td>
</tr>
<tr>
<td></td>
<td></td>
<td>King Street</td>
<td>Deer Ridge Drive to Fountain Street</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sportsworld Drive</td>
<td>King Street to Sportsworld Crossing</td>
</tr>
<tr>
<td>Fairway</td>
<td>28</td>
<td>Fairway Road</td>
<td>River Road to Manitou Drive</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Courtland Avenue</td>
<td>Carwood Avenue to Manitou Drive</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Weber Street</td>
<td>Delroy Avenue to King Street</td>
</tr>
<tr>
<td></td>
<td></td>
<td>King Street</td>
<td>Weber Street to River Road</td>
</tr>
<tr>
<td></td>
<td></td>
<td>River Road</td>
<td>Old Chicopee Drive to Fairway Road</td>
</tr>
<tr>
<td>Township Signals</td>
<td>8</td>
<td>Arthur Street</td>
<td>Listowel Road to Church Street</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Cedar Creek Road</td>
<td>Edworthy Sideroad to Northumberland Street</td>
</tr>
</tbody>
</table>
Table 4: 2014 Individual Intersections

<table>
<thead>
<tr>
<th>Control Area Name</th>
<th>Number of Intersections</th>
<th>Intersection Names</th>
</tr>
</thead>
<tbody>
<tr>
<td>Township Signals</td>
<td>8</td>
<td>Erb’s Road and Notre Dame Drive</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fischer-Hallman Road and New Dundee Road</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Snyder's Road and Foundry Street</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Snyder’s Road and Notre Dame Drive</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Northfield Drive at Sawmill Road</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lobsigner Line at Kressler Road</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Line 86 and Katherine Street</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Line 86 and Northfield Drive</td>
</tr>
</tbody>
</table>

Corporate Strategic Plan:

This report addresses the Region’s objective to optimize existing road capacity to safely manage traffic throughout the region (Strategic Objective 3.3).

Financial Implications:

Nil

Other Department Consultations/Concurrence:

Nil

Attachments

Nil

Prepared By: Jennifer Bertelsen, Analyst (Traffic Systems Management)

Approved By: Thomas Schmidt, Commissioner, Transportation and Environmental Services
Region of Waterloo
Transportation and Environmental Services
Transportation

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

Date: August 12, 2014  File Code: T01-20/15

Subject: Accessible Parking Space – Uptown Waterloo

Recommendation:

That the Regional Municipality of Waterloo amend Traffic and Parking By-law 06-072, as amended, to:

a) Remove from Schedule 2, Limited Parking for 1 hour, on the east side of King Street (Regional Road 15) from 12 metres south of Bridgeport Road (Regional Road 9) to 15 metres north of Princess Street between the hours of 8:00 a.m. to 6:00 p.m. Monday to Saturday;

b) Add to Schedule 2, Limited Parking for 1 hour, on the east side of King Street (Regional Road 15) from 12 metres south of Bridgeport Road (Regional Road 9) to 31 metres north of Princess Street between the hours of 8:00 a.m. to 6:00 p.m. Monday to Saturday; and

c) Add to Schedule 7, Disabled Person Parking on the east side of King Street from 12.5 metres north of Princess Street to 20 metres north of Princess Street;

In the City of Waterloo, as outlined in Report E-14-095 dated August 12, 2014.

Summary:
Nil

Report:

Transportation Division staff received a request to consider installing accessible on-street parking in the Uptown Waterloo area. At that time, current Regional practice was to consider accessible on-street parking upon request. This practice lead to the random
allocation of accessible parking spaces where on-street parking is provided within the core areas of the Region.

At its regular scheduled meeting on February 5, 2014, Regional Council passed a resolution to adopt a new practice for allocating on-street accessible parking along Regional roads. The approved practice now designates up to 2% of existing on-street parking spaces within core areas. A core area is generally considered the commercial area of a city and is commonly referred to as the “downtown”.

It was noted at the February 5, 2014 Council meeting that staff will bring a report back to Regional Council to review and approve on-street accessible parking spaces within the separate core areas. As such, this report details a review and ultimately proposed accessible on-street parking along King Street in Uptown Waterloo. Figure 1 illustrates the “core area” as outlined by the City of Waterloo.

Figure 1 – Designated Core Area, City of Waterloo
Along King Street within the core area of the City of Waterloo, there are a total of 45 on-street parking spaces on the east side and 52 on-street parking spaces on the west side. However it should be noted that with the pending construction of Light Rail Transit (LRT) between Waterloo Public Square and Allen Street, it has been identified that a total of 20 on-street parking spaces will be removed. Also, the City of Waterloo with the Region as a co-proponent, has plans for an Uptown Waterloo and King Street Streetscape Improvement Project which may result in a further reduction of 21 on-street parking spaces. Based on our new practice to allocate up to 2% of on-street spaces as accessible, 1 accessible on-street parking space should be considered if the 41 on-street parking spaces are removed. However, if the spaces remain then 2 accessible spaces should be considered.

With planned future construction of the LRT and King Street Streetscape Improvement Project, only 1 on-street accessible parking space is being recommended at this time. An additional space will be reviewed and considered following the completion of road works currently scheduled in 2015/2016 for the King Street Streetscape Improvement Project and 2017 for the LRT works.

On-street parking spaces for members of the community with accessibility needs have specific requirements to accommodate wheelchairs safely and efficiently. Accessible parking spaces should be located in an unobstructed area where the road surface is even and level. Accessible parking spaces should also have access to a nearby curb cut or ramp for wheelchairs. To enhance accessibility, on-street accessible parking spaces should be situated at the beginning or end of a row of on-street parallel parking.

Based on our review, it is recommended that the designation of an on-street accessible parking space be implemented on the east side of King Street just north of Princess Street. The proposed location is being recommended for the following reasons:

- It is located within the core area of Waterloo;
- It is located at the beginning of a row of on-street spaces;
- It currently includes drop curbs at the front and rear of the proposed space;
- It has an area on the sidewalk, adjacent to the parking space that is clear of obstructions; and
- It can accommodate a 7.5 metre long space

Figure 2 shows the location of the proposed on-street accessible parking space on the east side of King Street, just north of Princess Street.
Transportation staff has developed Regional standards for accessible parking. Generally, the wheelchair symbol is placed in accessible parking spaces. A blue background and white border may supplement the wheelchair symbol. Figure 3 illustrates a typical accessible on-street parking space.

The Accessibility For Ontarians with Disabilities Act (AODA) regulations require municipalities that develop new or redevelop existing on-street parking spaces to consult on the need, location and design of accessible on-street parking spaces with its Municipal Accessibility Advisory Committee where one has been established. On June 26, 2014 Transportation Engineering staff attended a Grand River Accessibility Advisory Committee (GRAAC) meeting and presented the proposed accessible on-street parking space on King Street in Uptown Waterloo. Overall the comments were very positive and well received. Members of GRAAC indicated that they are looking forward to having an accessible on-street parking space in uptown Waterloo.
The City of Waterloo and the Uptown Waterloo BIA are also in support of the installation of an accessible parking space in the proposed location.

**Corporate Strategic Plan:**

This report addresses the Region’s goal to improve the accessibility of Regional programs and services to support our diverse community (Strategic Objective 5.1)

**Financial Implications:**

The installation of an Accessible Parking space on King Street will cost approximately $1000 and is provided for within the Transportation Maintenance Budget.

**Other Department Consultations/Concurrence:**

The Council and Administrative Services Division will be required to prepare the amending by-law.

**Attachments**

Nil

**Prepared By:** Valerie MacQueen-Pearcey, Engineering Technologist (Traffic)

**Approved By:** Thomas Schmidt, Commissioner, Transportation and Environmental Services
Region of Waterloo

Transportation and Environmental Services

Transportation

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

Date: August 12, 2014

File Code: T01-20/24

Subject: Proposed Removal of Left-Turn Prohibition, Water Street (Regional Road 24) at Samuelson Street, City of Cambridge

Recommendation:

That the Regional Municipality of Waterloo amend Traffic and Parking By-law 06-072, as amended, to:

a) Remove from Schedule 15, Prohibited Movements, Westbound Left-turn from Samuelson Street onto Water Street (Regional Road 24); and

b) Add to Schedule 15, Prohibited Movements, Westbound Through from Samuelson Street at Water Street (Regional Road 24)

in the City of Cambridge, as outlined in Report E-14-097, dated August 12, 2014.

Summary:

Nil

Report:

The intersection of Water Street and Samuelson Street is controlled with traffic control signals. Motorists on the east leg of the intersection wishing to access Water Street are restricted to right-turns only. The west leg of the intersection is an exit only access from the Galt Collegiate Institute (GCI) School. Figure 1 shows the existing configuration of the Water Street/Samuelson Street intersection.
Included in the Region’s 10-year Capital Program is road works along Water Street between Coronation Boulevard and Ainslie Street. The proposed works were scheduled in July 2014.

Through review, it was identified that the existing channelized right-turn on Samuelson Street at its intersection to Water Street was impeding pedestrian accessibility. The design of the channel does not have curb cuts which restrict pedestrian accessibility on the north and east legs of the intersection. It was determined that removing the channelized island would improve accessibility for all pedestrians using the intersection and improve overall operations. With the removal of the island, the intersection will be able to facilitate left-turns from Samuelson Street with little impact to overall operations. In July 2014, the channelized island was removed and the pedestrian crosswalks were subsequently realigned. Since the removal of the channelized island the westbound left-turn and straight through movement from Samuelson Street remain restricted.

With removal of the right-turn channel, it is recommended that the Region of Waterloo remove from Schedule 15, Prohibited Movements, Westbound Left-turn at the intersection of Water Street and Samuelson Street, in the City of Cambridge. As the opposite approach to Samuelson Street is one-way travel exiting GCI, the straight through movement will remain prohibited. Figure 2 shows the proposed intersection configuration.
City of Cambridge staff supports the proposal to remove the westbound left-turn restriction on Samuelson Street at Water Street.

**Corporate Strategic Plan:**

This report addresses the Region’s goal to optimize existing road capacity to safely manage traffic throughout Waterloo Region (Strategic Objective 3.3).

**Financial Implications:**

The cost to remove the sign prohibiting the westbound left-turn movement is approximately $300 and is provided for in the Water Street road works budget.

**Other Department Consultations/Concurrence:**

The Council and Administrative Services Division will be required to prepare the amending By-law.

**Attachments:**

Nil

**Prepared By:** Patricia Heft, Engineering Technologist (Traffic)

**Approved By:** Thomas Schmidt, Commissioner, Transportation and Environmental Services
Region of Waterloo
Transportation and Environmental Services
Water Services

To: Chair Jim Wideman and Members of the Planning and Works Committee
Date: August 12, 2014
File Code: E03-20/4920
Subject: Ayr Sewage Pumping Station, Forcemain, and Trunk Sewer Routing Municipal Class Environmental Assessment Update: Notice of Completion

Recommendation:

That the Regional Municipality of Waterloo receive the report entitled “Ayr Sewage Pumping Station, Forcemain, and Trunk Sewer Routing Municipal Class Environmental Assessment” prepared by Stantec, dated July 2014, according to Report E-14-099 dated August 12, 2014;

And that the Regional Municipality of Waterloo publish the Notice of Completion of Environmental Study Report, and provide the Environmental Study Report for public review in accordance with Municipal Class Environmental Assessment requirements.

Summary:

The Region of Waterloo completed a Class Environmental Assessment (EA) study to determine the preferred sewage pump station location, and force main and trunk sewer routes for servicing new development in the south end of the Village of Ayr, Township of North Dumfries. This EA stems from recommendations made in the 2012 Ayr Wastewater Servicing Master Plan (AWSMP), which identified that construction of a new sewage pump station and forcemain directly to the Ayr Wastewater Treatment Plant would be the preferred alternative for servicing this part of the Village.

Servicing and environmental constraints were identified, and future design flows were calculated. Initial alternatives were identified to consider servicing options and a preliminary assessment was completed to evaluate their ability to meet the servicing needs of the area. The preliminary evaluation was conducted in a workshop forum that included Region’s and Township of North Dumfries’ staff, the consulting team, and key
stakeholders including property owners and developers that would be directly affected by the outcome of the evaluation. Following a preliminary evaluation, a short-list of alternatives was developed and thoroughly assessed, and the preferred solution was selected.

The background studies, evaluation of alternatives, public consultation and proposed work have been documented in the Ayr Sewage Pumping Station, Forcemain, and Trunk Sewer Routing Municipal Class Environmental Assessment. Regional staff is recommending that the Notice of Completion be issued and the report be made available for 30 day public review in order to complete the required Class Environmental Assessment Process.

Report:

Background

In 2012, the Region of Waterloo (Region) completed the Ayr Wastewater Servicing Master Plan (AWSMP) for the Village of Ayr (Ayr), Township of North Dumfries. The AWSMP evaluated and recommended wastewater servicing strategies for this community until the year 2031. The AWSMP identified limitations in the Swan Street Trunk Sewer, which services the Southern part of Ayr. As this trunk sewer approaches its design capacity, the AWSMP recommended that it be maintained for servicing the existing community and that new facilities be constructed for future growth in the area (refer to the Study Area presented in Figure 1 in Appendix A). The recommended facilities include a new sewage pumping station (SPS), forcemain, and trunk sewer.

The Regional Municipality of Waterloo (Region) retained Stantec Consulting Ltd. (Stantec) to undertake a Schedule B Class Environmental Assessment (EA) study to identify the preferred SPS location, and forcemain and trunk sewer routes to service the Study Area. This study is being conducted in accordance with the Municipal Engineers Association Class Environment Assessment Process.

The objectives of this study are to:

- Develop and review sanitary servicing alternatives for the Study Area based on social, cultural, economic, and environmental criteria;
- Select the preferred sanitary servicing alternative for the Study Area;
- Ensure the preferred alternative allows for equitable servicing of lands currently within the settlement boundary, with respect to timing, accessibility, and allocation of servicing;
- Ensure the technical suitability, environmental sensitivity, and cost efficiency for the preferred alternative.

Evaluation of Alternatives

Evaluation of servicing alternatives for the Study Area began with the screening of potential options for the SPS locations, and forcemain and trunk sewer routes. Each location was screened based on natural, social, cultural and technical evaluation
criteria. For the technical evaluation, key consideration was given to the SPS wet well and trunk sewer depth to ensure equitable servicing for all Study Area properties and to minimize construction costs. Alternatives were evaluated at a Steering Committee workshop held on November 20, 2013, and details of the analysis are presented in the final report for this Class EA study.

The Steering Committee short listed two locations for the SPS, Locations 2 and 3 in the Class EA study, and a single forcemain route. In addition, two trunk sewer routes were developed for each preferred SPS location. Therefore, a total of four (4) shortlisted alternatives were developed and underwent further detailed evaluation.

The Study Area for this Municipal Class EA is relatively small and each of the proposed alternatives is in close proximity with no variance in land use or environmental features. As a result, there are no significant differences for each of the four alternatives in terms of natural and social environmental scoring. The alternatives were therefore evaluated based on technical and economic merits. SPS wet well depth, trunk sewer depth and forcemain length were key components in assigning technical scoring. A summary of the key quantifiable metrics used in evaluating the technical merit of the four short-listed alternatives is presented in Table 1.

<table>
<thead>
<tr>
<th>Table 1: Summary of Key Technical Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alternative</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Length of Trunk Sewer Below Depth of 10 m (m)</td>
</tr>
<tr>
<td>Total Trunk Sewer Length (m)</td>
</tr>
<tr>
<td>SPS Wet Well Inlet Depth (m)</td>
</tr>
<tr>
<td>Forcemain Length (m)</td>
</tr>
</tbody>
</table>

The detailed evaluation showed Alternative 3C as the preferred sanitary servicing alternative for the Study Area. Figure 2 in Appendix A shows the location of the proposed trunk sewer, SPS and force main connecting the pumping station to the Ayr WWTP. The SPS and force main will be constructed by the Region. The trunk sewer will be constructed by developers and later taken over by the Region.

Public and Agency Consultation

A contact list was developed at the start of this project and maintained throughout the undertaking. The contact list contains contacts at the relevant agencies, local residents and stakeholders. As the project progressed, additional residents and stakeholders were added upon request.

To ensure an open and transparent Class EA process, a Steering Committee was formed which included representatives from the Region, Township of North Dumfries planning staff and representatives from each of the development parcels within the
Study Area. As previously noted, the Steering Committee was responsible for selecting the short-listed alternatives for further detailed evaluation. The Steering Committee met on three occasions. The first meeting was the kick-off meeting introducing the project, roles and responsibilities and schedule. The second meeting was to develop evaluation criteria for the proposed servicing alternatives and to confirm design flows. The third meeting was to evaluate the alternatives and select the short-list of alternatives for further evaluation.

One Public Consultation Centre (PCC) was held on March 6, 2014 from 5:00 to 7:00 pm at the North Dumfries Community Complex located at 2958 Greenfield Road in Ayr. The PCC was advertised in the Waterloo Region Record. Notifications and invitations were mailed directly to the parties in the contact list. The meeting format was an information session with 12 display boards provided to present the background information and evaluation of alternatives. A summary handout was provided with a comment sheet. Members of the Project Team were in attendance to answer questions from the public. A total of 14 people signed the register and two (2) comment sheets were returned.

Next Steps

Subject to Regional Council approval of the recommendations of this report, a Notice of Completion will be issued according to Class EA requirements, by means of advertisements in local newspapers and mailings to those in the contact list, affected property owners, municipalities and agencies. Upon Region Council approval, the report will be made available for a 30 day public review period.

Following approval of the report, the Region will proceed with the preliminary design in 2015 and construction in 2016 and 2017.

Corporate Strategic Plan:

Construction of the Ayr Sewage Pumping Station and Forcemain by the Region will support the Region’s 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:

The Region’s 2014 Ten Year Water Capital Program provides $3 million between 2014 and 2016 for the design, construction administration and construction of the Ayr Sewage Pumping Station and Forcemain, based on estimates from the 2012 AWSMP. The detailed evaluation of alternatives completed in this Class EA study showed that the proposed force main will be approximately 15% longer than planned in the AWSMP. Moreover, to service all properties in the Study Area, the proposed SPS will need to be substantially deeper than initially planned in the AWSMP. These changes have increased the total cost of the SPS and force main to $4.2 million and will be reflected in the 2015 Wastewater Capital Program. More detailed cost estimates will be developed during the preliminary and detailed design phases of the project and reflected in the 2016 Wastewater Capital Program.
Other Department Consultations/Concurrence:

Nil

Attachments:

Nil

Prepared By:  Kevin Dolishny, Senior Project Engineer, Water Services

Approved By:  Thomas Schmidt, Commissioner, Transportation and Environmental Services
Figure 1 – Study Area

Lands located between the Township Urban Area Boundary designation and the Countryside Line (as shown on Map 7 of the Region’s Official Plan).
Figure 2 – Preferred Alternative
Region of Waterloo
Planning, Housing and Community Services
Community Planning

To: Chair Jim Wideman and Members of the Planning and Works Committee
Date: August 12, 2014
File Code: D18-01

Recommendation:


Summary:

In accordance with the Regional By-law 01-023, as amended, the Commissioner of Planning, Housing and Community Services has:

- Approved the following part lot control exemption by-law;
- Draft approved the following plan of condominium; and
- Released for registration the following draft plan of subdivision and draft plans of condominium.

Report:

City of Cambridge

Registration of Draft Plan of Condominium 30CDM-13104

Phase: Stage 5
Draft Approval Date: February 3, 2014
Applicant: Granite Homes Cambridge Inc.
Location: 635 Saginaw Parkway
Proposal: To permit development of 19 residential townhouse units.
Regional Processing Fee: Paid June 10, 2014
Commissioner's Release: June 12, 2014
City of Kitchener

Registration on Draft Plan of Subdivision 30T-10202

Phase: Stage 2
Draft Approval Date: January 16, 2012
Applicant: Rockway Holdings Limited
Location: Old Zeller Drive and Fairway Road
Proposal: To permit the development of 8 single detached residential units, 67 street-fronting residential townhouse units and 92 multi-residential units.

Regional Processing Fee: Paid May 16, 2014
Commissioner's Release: June 12, 2014

Registration of Draft Plan of Condominium 30CDM-13204

Phase: Stage 4
Draft Approval Date: July 30, 2013
Applicant: Deerfield Homes Ltd.
Location: 1650, 1670, 1680, 1690 and 1720 Fischer-Hallman Road and Huron Road
Proposal: To permit the development of 16 residential stacked townhouse units.

Regional Processing Fee: Not applicable
Commissioner's Release: June 10, 2014

Registration of Draft Plan of Condominium 30CDM-04205

Phase: Entire Plan
Draft Approval Date: February 27, 2014
Applicant: Drewlo Holdings Inc.
Location: 425 Wilson Avenue
Proposal: To permit the conversion of 283 residential apartment units to condominium ownership.

Regional Processing Fee: Not applicable.
Commissioner's Release: June 20, 2014

City of Waterloo

Part Lot Control Exemption By-law 2014-053

Applicant: Activa Holdings Inc.
Location: Manor Ridge Crescent
Proposal: To permit the creation of 4 lots for 4 single detached
Part Lot Control Exemption By-law 2014-053

residential units.

Regional Processing Fee: Paid June 3, 2014
Commissioner’s Approval: June 3, 2014

Draft Approval of Plan of Condominium 30CDM-13410

Applicant: The INCC Corp.
Location: 101 Ira Needles Boulevard
Proposal: Vacant Land Condominium to provide an additional parking area for the Landmark Cinema at The Boardwalk and to provide for future office buildings.

Regional Processing Fee: Paid May 15, 2014
Commissioner’s Approval: June 5, 2014
Came Into Effect: June 26, 2014

Residential Subdivision Activity January 1 to June 30, 2014

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*The acceptance and/or draft approval of plans of subdivision and condominium processed by the City of Kitchener under delegated approval authority are not included in this table. For comparison, the following table has also been included:

Residential Subdivision Activity January 1 to June 30, 2013

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<th>Residential Units Draft Approved</th>
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<td>Residential Units Draft Approved</td>
<td>Pending Plans (Units Submitted)</td>
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*The acceptance and/or draft approval of plans of subdivision and condominium processed by the City of Kitchener under delegated approval authority are not included in this table.

**Area Municipal Consultation/Coordination:**

These planning approvals and releases, including consultations with Area Municipalities, have been completed in accordance with the Planning Act. All approvals contained in this report were supported by the Area Municipal Councils and/or staff.

**Corporate Strategic Plan:**

This report reflects actions taken by the Commissioner in accordance with the Delegation By-law adopted by Council. The activities described in this report are operational activities consistent with objectives of Focus Area A: Growth Management and Prosperity.

**Financial Implications:**

Nil

**Other Department Consultations/Concurrence:**

Nil

**Prepared By:** Andrea Banks, Program Assistant

**Approved By:** Rob Horne, Commissioner, Planning, Housing and Community Services
Region of Waterloo
Planning, Housing and Community Services
Transportation Planning

To: Chair Jim Wideman and Members of the Planning and Works Committee
Date: August 12, 2014
File Code: T15-40/70 Ira Needles Boulevard

Subject: Amendment to Regional Municipality of Waterloo Controlled Access By-law #58-87 for Access to Regional Road #70 (Ira Needles Boulevard), City of Waterloo

Recommendation:
That the Regional Municipality of Waterloo approve an amendment to Controlled Access By-law #58-87 for an access on the east side of Regional Road #70 (Ira Needles Boulevard), approximately 65 metres south of Erb Street West in the City of Waterloo, as described in Report No. P-14-080, dated August 12, 2014.

Summary:
Sifton Properties Limited is developing two parcels of land on the south east corner of Ira Needles Boulevard and Erb Street in the City of Waterloo (Please see Attachment A). The development of this site proposes a seniors development in phase one, and a drive thru restaurant in phase two. The development requires planning approvals from the City of Waterloo.

The site is proposed to be served with two accesses, one right in/right out shared access for the two developments on the east side of Ira Needles Boulevard, approximately 65 metres south of Erb Street, and one future right in/right out access on the south side of Erb Street. As Ira Needles Boulevard is designated as a Controlled Access – Prohibited road under the Region of Waterloo Controlled Access By-law #58-87 from Regional Road 57 (University Avenue) to Regional Road 9 (Erb Street), an amendment to this By-law is required prior to issuance of Access Permits by staff.

City of Waterloo staff and the developer are in support of the development of this site, and the proposed accesses to Ira Needles Boulevard and Erb Street.
Region of Waterloo staff have reviewed the proposed location of the access to Ira Needles Boulevard and recommend approval of the proposed by-law amendment. The proposed access location meets Region of Waterloo standards.

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 speeds and volume of traffic. The main function of a Controlled Access – Prohibited road is to move through traffic. All requests for changes to existing accesses or for a new access on these roads require an amendment to the By-law.

Sifton Properties Limited is developing two parcels of land on the south east corner of Ira Needles Boulevard and Erb Street in the City of Waterloo (Please see Attachment A). The development of this site proposes a seniors development in phase one, and a drive thru restaurant in phase two. The development requires planning approvals from the City of Waterloo.

The site is proposed to be served with two accesses, one right in/right out shared access for the two developments on the east side of Ira Needles Boulevard, approximately 65 metres south of Erb Street, and one future right in/right out access on the south side of Erb Street. As Ira Needles Boulevard is designated as a Controlled Access – Prohibited road under the Region of Waterloo Controlled Access By-law #58-87 from Regional Road 57 (University Avenue) to Regional Road 9 (Erb Street), an amendment to this By-law is required prior to issuance of Access Permits by staff (Please see Attachment B for the Ira Needles Boulevard and Erb Street access location details).

An Ontario Municipal Board hearing decision for this property dictated that a right in/right out access shall be provided to both Ira Needles Boulevard and to Erb Street. The proposed right in/right out shared access on Ira Needles will provide adequate access to both the seniors residential facility and future restaurant, while the future right in/right out access to Erb Street will serve the drive thru restaurant. Both City of Waterloo staff and the developer are in support of the proposed accesses.

Region of Waterloo staff have reviewed the proposed location of the access to Ira Needles Boulevard and recommend approval of the proposed by-law amendment. The proposed access location meets Region of Waterloo standards.

Area Municipal Consultation/Coordination

City of Waterloo staff has been working with Regional staff and are in support of the development of this site, as well as the proposed accesses to Ira Needles Boulevard and Erb Street. A copy of this report has been sent to City of Waterloo staff.
Corporate Strategic Plan:

Managing access to the Regional Road system is integral to the development approval process and is represented in Focus Area 2: Growth Management and Prosperity: Manage growth to foster thriving and productive urban and rural communities.

Financial Implications:

Sifton Properties Limited would be responsible for all costs for the construction of the accesses to Ira Needles Boulevard and Erb Street.

Other Department Consultations/Concurrence:

Corporate Resources would be required to amend the Controlled Access By-law #58-87. Upon issuance of a Regional Road Access Permit, Transportation Engineering would issue a Regional Work Permit to allow works within the Regional right-of-way on Ira Needles Boulevard and Erb Street.

Attachments:

Attachment A – Key Map

Attachment B – Plan showing accesses to Ira Needles Boulevard and Erb Street, and the proposed amendment to Controlled Access By-law #58-87

Prepared By: Richard Parent, Transportation Planner, Corridor Management

Approved By: Rob Horne, Commissioner, Planning, Housing and Community Services
Attachment A – Key Plan
Attachment B - Plan showing accesses to Ira Needles Boulevard and Erb Street, and proposed amendment to Controlled Access By-law #58-87
William Street and Strange Street
Water Supply Systems
Class Environmental Assessment

Public Consultation Centre No. 1
St. John Catholic Elementary School
99 Strange Street, Kitchener, ON

September 16, 2014
5:00 pm – 7:00 pm
What is the Purpose of this Public Consultation Centre?

- To present the background to this Class Environmental Assessment (EA)
- To present an overview of the study work plan and the Class EA process that is being followed
- To answer questions and outline next steps
- To obtain comments and feedback from the public

Public input is an important component of the Class EA process. We welcome your comments and questions.
Your drinking water is supplied locally through an extensive network of water supply facilities.
Identified in the Region's Water Supply and Distribution Operations Master Plan

- Recommended combining raw water from the William Street Water Supply System (WSS) in Waterloo and the Strange Street WSS in Kitchener

- Reasons for combining the systems:
  - Provide treatment at a single location as water quality of sources is similar;
  - Provide greater flexibility to convey water to Kitchener and Waterloo
  - Streamline operation and be more cost effective
What is the Purpose of the Study?

- To complete a more detailed review of the recommended alternative identified in the Master Plan
- To complete Phases 1 to 4 of the Municipal Class EA Process (Schedule C Projects)
- To provide opportunities for public input and comment
What is the Municipal Class EA Process?

Phases of the Study:

- Phase 1: Identify Problem or Opportunity
- Phase 2: Develop and Evaluate Alternative Solutions and Identify Preferred Solution
- Phase 3: Develop and Evaluate Alternative Design Concepts for Preferred Solution and Identify Preferred Design
- Phase 4: Environmental Study Report (ESR)
- Phase 5: Implementation (Design and Construction)

Public Consultation Centres (PCCs):

We Are Here
Where are the William Street and Strange Street Water Supply Systems?
What are the Features at the William Street site?

- Constructed in 1899
- Designated by the City of Waterloo to be of historical and architectural value and interest
- Only central water source in Waterloo
- Production wells are located on the site
- Waterloo North Hydro owns a portion of the property
What are the Features at the Strange Street site?

- Constructed in 1922
- Listed on the City of Kitchener Municipal Heritage Register as a non-designated property of cultural heritage value or interest
- Pumps water from 5 off-site wells into distribution system
What are the Key Steps to be Undertaken?

- Review of background studies and reports
- Prepare an inventory of heritage, cultural, archaeological and natural environment conditions
- Assess the existing facilities, well capacity and treatment needs
- Develop and evaluate alternatives
- Determine recommended preferred alternatives
- Document study process and findings in an Environmental Study Report for public review and comment
What Alternatives Will be Examined?

- Alternatives will be developed and evaluated for the following:
  1. Location for water treatment plant: William Street, Strange Street or a third site
  2. Routes for a water main to connect the William Street and Strange Street water supply systems
What are the Key Considerations as the Study Progresses?

We have many key considerations in this project.
Other Considerations –
You Tell Us

Please use the “sticky notes” provided and place them on this board to tell us about other issues you think should be considered as part of this study.
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<tr>
<td>Complete Groundwater Investigations</td>
<td>Fall 2014 to Winter 2015</td>
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<td>Develop and Evaluate Alternatives</td>
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<td>Opportunity to Provide Input to the Study</td>
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How Can I Provide Input to the Study?

- Complete the comment sheet provided
- Contact the Region or consultant project manager
- Attend two additional Public Consultation Centres to be held during the study
- Request to be placed on the project mailing list to receive future notifications
The Region is Interested in Your Comments

Please deposit your comment sheet in the box provided or forward to the Region.

Contact information:

**Kaoru Yajima**
Senior Project Engineer

*Region of Waterloo*
Transportation and Environmental Services, Water Services
150 Frederick Street, 7th Floor
Kitchener, ON  N2G 4J3

519-575-4757, ext. 3349
KYajima@regionofwaterloo.ca

**Stephen Nutt**
Project Manager

*XCG Consultants Ltd.*
820 Trillium Drive
Kitchener, ON  N2R 1K4

519-741-5774
stephen@xcg.com
Thank you for your input and participation.
Region of Waterloo
Corporate Resources
Legal Services

To: Chair Jim Wideman and Members of the Planning and Works Committee
Date: August 12, 2014  File Code: L07-90
Subject: Authorization to Expropriate Lands (1st Report) for Ottawa Street (Regional Road 4) Roundabouts at Alpine Road and at Homer Watson Boulevard (Regional Road 28), City of Kitchener

Recommendation:

That The Regional Municipality of Waterloo direct and authorize the Regional Solicitor to take the following actions with respect to the expropriation of lands for the implementation of a roundabout at the intersection of Ottawa Street (Regional Road 4) and Alpine Road and a roundabout at the intersection of Ottawa Street (Regional Road 4) and Homer Watson Boulevard (Regional Road 28) in the City of Kitchener in the Region of Waterloo as detailed in report CR-RS-14-053 dated August 12, 2014.

a) Complete applications(s) to the Council of the Regional Municipality of Waterloo, as may be required from time to time, for approval to expropriate land, which is required for the implementation of a roundabout at the intersection of Ottawa Street and Alpine Road and a roundabout at the intersection of Ottawa Street and Homer Watson Boulevard and described as follows:

Fee Simple Partial Taking:

i. Part of Lot 4 and Part of Lot 5, Registered Plan 1022 being Parts 1 and 2 on 58R-18134 (730 Ottawa Street South, Kitchener);
ii. Part of Block L, Registered Plan 1246 being Part 1 on 58R-17818 and Part of Lot 5, Registered Plan 1022 being Part 5 on 58R-17818 (707 Ottawa Street South, Kitchener);
iii. Part of Block A, Registered Plan 1246 and Part of Lot 5, Registered Plan 1022 being Parts 1 and 2 on 58R-17815 (715 Ottawa Street South, Kitchener);
Temporary Construction Easement:
iv. Part of Lot 4 and Part of Lot 5, Registered Plan 1022, being Parts 3 and 4 on 58R-18134 (730 Ottawa Street South, Kitchener);
v. Part of Block L, Registered Plan 1246 being Parts 2 and 4 on 58R-17818 (707 Ottawa Street South, Kitchener);

Hydro Utility Easement:
vi. Part of Block A, Registered Plan 1246 and Part of Lot 5, Registered Plan 1022 being Parts 3, 4 and 5 on 58R-17815 (715 Ottawa Street South, Kitchener); and
vii. Part of Block L, Registered Plan 1246 being Part 3 on 58R-17818 (707 Ottawa Street South, Kitchener).

b) Serve notices of the above applications(s) required by the Expropriations Act (the “Act”);
c) Forward to the Chief Inquiry Officer any requests for a hearing that may be received within the time prescribed by the Act;
d) Attend, with appropriate Regional staff, at any hearing that may be scheduled;
e) Discontinue expropriation proceedings or any part thereof, in respect of the above described lands, or any part thereof, upon the registration on title of the required documentation to complete a transaction whereby the required interests in the lands are conveyed or if otherwise deemed appropriate in the opinion of the Commissioner of Transportation and Environmental Services and the Regional Solicitor; and
f) Do all things necessary and property to be done and report thereon to Regional Council in due course.

Summary: NIL

Report:

Regional Council approved the implementation of a roundabout at the intersection of Ottawa Street (Regional Road 4) and Alpine Road and a roundabout at the intersection of Ottawa Street (Regional Road 4) and Homer Watson Boulevard (Regional Road 28) in the City of Kitchener on February 2, 2011 to provide operational and safety improvements as detailed in report E-11-008. The project improvements also include utility relocations and the construction of multi-use trails on both sides of Ottawa Street from Alpine Road to Homer Watson Boulevard. Utility relocations are scheduled to commence in the fall of 2015, and construction is scheduled for the spring of 2016.
The implementation of the 2 roundabouts directly impact 4 properties as identified on the sketch attached as Appendix “A”. Land acquisitions as outlined in the Recommendation are required from 3 of the properties and they are for fee simple partial takings for road widening purposes, temporary grading easements and permanent easements for relocation of hydro utilities.

All of the affected property owners, or their representatives, have been contacted by Legal Services Real Estate staff by one or more of the following means: in-person meeting, telephone, written correspondence and/or e-mail to discuss the required acquisitions and have been informed of the Region’s intention to commence the expropriation process, including this Report going forward to ensure project time lines are met. All property owners have been provided with the Region’s expropriation Information sheet explaining the expropriation process. A copy of the Expropriation Information Sheet is attached as Appendix “B”. The owners have further been advised it is the Region’s intent to seek a negotiated settlement prior to completion of the Expropriation process and that the process has been commenced only to ensure possession of the required lands by the date set by Project staff in order to keep the project timeline in place.

As a result of on-going discussions with the property owners and completion of detailed design of the project improvements the property impacts on some of the properties have been reduced. There is also an acquisition of a partial taking and a temporary grading easement required from the Waterloo Region District School Board from their property known municipally as 51 Ardelt Drive, that have not been included in the expropriation as a negotiated agreement is expected.

Should a negotiated settlement be reached with any of the property owners and a conveyance of the required acquisition completed before the expropriation process is complete, the expropriation process with respect to such lands would be discontinued by the Regional Solicitor.

It should be noted that the expropriation of the lands is on an “as is” basis and upon acquisition the Region assumes all responsibility for the lands.

For reference purposes the Project Area is shown on the sketch attached as Appendix “A”. Regional staff have conducted a corporate profile search of the corporate land owners which indicate, as of the most recent annual information return filed by the Corporation, the directors and/or officers of the corporation. The corporate profile information has been attached as Appendix “C”.

**Corporate Strategic Plan:**

This Project supports the following two strategic objectives of the Corporate Strategic Plan: to optimize existing road capacity to safely manage traffic throughout Waterloo
Region, and to develop, promote and integrate active forms of transportation (cycling and walking).

Financial Implications:

Transportation and Environmental Services staff advises that the 2014 Transportation Capital Program includes funds of $6,965,000 in the years 2014 to 2016 for this project to be funded from the Region Development Charges fund. Sufficient funding for the acquisitions outlined within this report is available in the project budget.

Other Department Consultations/Concurrence:

Transportation and Environmental Services staff has been consulted in the preparation of this report.

Attachments

Appendix “A” – Sketch of Subject Properties
Appendix “B” – Expropriation Information Sheet
Appendix “C” – Corporate Profile

Prepared By: Fiona McCrea, Solicitor, Property
Approved By: Gary Sosnoski, Commissioner, Corporate Resources
The following information is provided as a general overview of the expropriation process and is not legal advice. For complete information, reference should be made to the Ontario Expropriations Act as well as the more detailed information in the Notices provided under that Act.

Expropriation Information Sheet

What is Expropriation?

Governmental authorities such as municipalities, school boards, and the provincial and federal governments undertake many projects which require them to obtain land from private property owners. In the case of the Regional Municipality of Waterloo, projects such as the construction or improvement of Regional Roads sometimes require the purchase of land from private property owners. In many cases, the Region of Waterloo only needs a small portion of the private property owner’s lands or an easement for related purposes such as utilities, although in certain instances, entire properties are required.

Usually the governmental authority is able to buy the land required for a project through a negotiated process with the affected property owners. Sometimes, however, the expropriation process must be used in order to ensure that the land is obtained within a specific timeline. 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.
IMPORTANT NOTE: The Region of Waterloo tries in all instances to obtain lands needed for its projects through a negotiated agreement on mutually acceptable terms. Sometimes, the Region of Waterloo will start the expropriation process while negotiations are underway. This dual approach is necessary to ensure that the Region of Waterloo will have possession of all of the lands needed to start a construction project on schedule. However, it is important to note that Regional staff continues to make every effort to reach a negotiated purchase of the required lands on mutually agreeable terms while the expropriation process is ongoing. If agreement is reached, expropriation proceedings can be discontinued and the land transferred to the Region of Waterloo in exchange for payment of the agreed-upon compensation.

What is the process of the Region of Waterloo under the Expropriations Act?

- Regional Council considers a request to begin an application under the *Expropriations Act* to obtain land and/or an easement for a specific Regional project. No decision is made at this meeting to expropriate the land. This step is simply direction for the Region of Waterloo to provide a “Notice of Application for Approval to Expropriate” to affected property owners that the process has started to seek approval to expropriate the land.

- As stated in the Notice, affected property owners have 30 days to request a Hearing to consider whether the requested expropriation is “fair, sound and reasonably necessary in the achievement of the objectives” of the Region of Waterloo. This Hearing is conducted by a provincially-appointed Inquiry Officer. Prior to the Hearing, the Region of Waterloo must serve the property owner with a Notice setting out its reasons or grounds for the proposed expropriation. **Compensation for lands is not determined at this Hearing.** The Inquiry Officer can order the Region of Waterloo to pay the property owner up to $200.00 as compensation for the property owner’s costs in participating in this Hearing, regardless of the outcome of the Hearing.

- If a Hearing is held, a written report is provided by the Inquiry Officer to the property owner and the Region of Waterloo. Council must consider the Report within 90 days of receiving it. The Report is not binding on Council and Council may or may not accept the findings of the Report. After consideration of the Report, Council may or may not approve the expropriation of the land or grant approval with modifications. A property owner may wish to make written and/or verbal submissions to Council at the time that it is considering the Report.

- If no Hearing is requested by the property owner, then Council may approve the expropriation of the land after expiry of a 30 day period following service of the Notice of Application for Approval to Expropriate.
If Council approves the expropriation then, within 3 months of this approval, the Region of Waterloo must register a Plan at the Land Registry Office that describes the expropriated lands. The registration of this Plan automatically transfers title of the lands to the Region of Waterloo, instead of by a Deed signed by the property owner.

Within 30 days of registration of the Plan, the Region of Waterloo must serve a Notice of Expropriation on the affected property owner advising of the expropriation. Within 30 days of this Notice, the property owner may serve the Region of Waterloo with a Notice of Election selecting the valuation date under the *Expropriations Act* for calculation of the compensation.

In order to obtain possession of the expropriated lands, the Region of Waterloo must also serve a Notice of Possession setting out the date that possession of the land is required by the Region of Waterloo. This date has to be 3 months or more from the date that this Notice of Possession is served on the affected property owner.

Within 3 months of registration of the Plan, the Region of Waterloo must provide the affected property owner with payment for the full amount of the appraised fair market value of the expropriated land or easement and a copy of the appraisal report on which the value is based. If the property owner disagrees with this amount, and/or claims other compensation and/or costs under the *Expropriations Act*, the compensation and/or costs matter may be referred to a provincially-appointed Board of Negotiation in an effort to reach a mediated settlement and/or an appeal may be made to the Ontario Municipal Board (OMB) for a decision. In any event, the Region of Waterloo continues in its efforts to reach a negotiated settlement with the affected property owner prior to the OMB making a decision.
Appendix “C”

1. 715 Ottawa Street South, Kitchener, ON
   • Owner: McDonald’s Restaurants of Canada Limited
   • Annual Return: October 18, 2013
   • Directors/Officers: John Betts, David Hederson; Len Jillard; Jacques Mignault; Kevin Ozan; Joel Yashinsky;

2. 730 Ottawa Street South, Kitchener, ON
   • Owner: Kitchener (RI) Portfolio Inc.
   • Annual Return: June 21, 2014
   • Directors/Officers: Larry Froom; Thomas Hofstedter;

3. 707 Ottawa Street South, Kitchener, ON
   • Owner: Weiland Holdings Inc.
   • Annual Return: February 9, 2014
   • Directors/Officers: Linda Jane Morrison; Linda Jane Schinker; Richard Strype; George Edward Weiland; Josephine Theresa Weiland; Mark George Weiland;
Region of Waterloo
Transportation and Environmental Services
Design and Construction

To: Chair Jim Wideman and Members of the Planning and Works
Date: August 12, 2014  File Code: C04-30, 5163/5565/7332
Subject: Amendment to Consulting Assignment - Ottawa Street Improvements, Highway 7 to King Street, City of Kitchener

Recommendation:
That the Regional Municipality of Waterloo approve an amendment to the Consultant Services Agreement with MTE Consultants Inc. for the provision of consulting engineering services for the Ottawa Street Improvements, Highway 7 to King Street in the City of Kitchener, to extend the project limits westerly from King Street to west of Charles Street and to include payment for services required to conduct additional public consultation and to perform additional preliminary and final design above and beyond the scope of the original agreement, at an upset limit of $68,467.12 plus applicable taxes for a grand total of $269,544.87 plus applicable taxes for the preliminary design and detailed design phases, with construction contract administration and construction inspection to be paid on a time basis.

Summary:
In April 2014, MTE Consultants Inc. was retained by the Regional Municipality of Waterloo to provide engineering services for public consultation, preliminary design, detailed design, contract administration and construction inspection for the Ottawa Street Improvements project, Highway 7 to King Street in the City of Kitchener at an upset fee of $201,047.75 plus applicable taxes for the preliminary design and detailed design phases, with construction contract administration and construction inspection to be paid on a time basis.

The project includes roadway reconstruction to address poor pavement condition, enhanced cycling and pedestrian facilities and replacement of storm/sanitary sewers and watermain. Construction is currently planned to start in the spring of 2018.
The Region’s ION Rapid Transit project includes construction just west of the current MTE Ottawa Street Improvements project limits. ION construction on Ottawa Street is tentatively scheduled in 2016 and includes work through the Charles Street intersection and westerly on Ottawa Street. Please refer to Appendix ‘A’ for a Key Plan showing the limits of the projects on Ottawa Street.

Based on a recent traffic study that considered the long term operational needs in the area, the section of Ottawa Street between these two projects (ie. from King Street to Charles Street) is in need of additional lanes to achieve increased capacity through these two busy intersections. This work was not able to be incorporated into the planning phase of the ION project so it is now suggested that the existing MTE assignment be extended to include Ottawa Street from King Street to west of Charles Street, so that the public consultation and Environmental Assessment (EA) phase of this additional section can be completed in advance of the ION construction. Construction on Ottawa Street from Highway 7 to Charles Street would still not occur until 2018. However, by completing the EA and preliminary design in advance, the ION construction in 2016 can therefore make accommodation for the requirements of the future widening work and minimize any “throw-away” costs in 2018.

It is therefore recommended in accordance with Purchasing By-law 04-93 section 21 (Purchase by Negotiation) that MTE Consulting Inc.’s consulting assignment for the Preliminary Design, Detailed Design and Construction Administration and Inspection Services, Ottawa Street Improvements, Highway 7 to King Street, City of Kitchener (Planning & Works Report E-14-006 dated January 28, 2014) be amended to extend the project limits westerly from King Street to west of Charles Street and to include payment for services for additional public consultation and additional preliminary and detailed design at an additional upset fee limit of $68,497.12 plus applicable taxes for a grand total of $269,544.87 plus applicable taxes for the preliminary design and detailed design phases, with construction contract administration and construction inspection to be paid on a time basis.

Report:

1. Background

In April 2014, MTE Consultants Inc. was retained by the Regional Municipality of Waterloo to provide engineering services for public consultation, preliminary design, detailed design, contract administration and construction inspection for the Ottawa Street Improvements project, Highway 7 to King Street in the City of Kitchener. The assignment included an upset fee of $201,047.75 plus applicable taxes for the preliminary design and detailed design phases, with construction contract administration and construction inspection to be paid on a time basis.

The project includes roadway reconstruction to address the poor pavement condition, consideration of new cycling facilities and improved pedestrian facilities as well as the
replacement of storm sewers. Sanitary sewer and watermain replacement is also included on behalf of the City of Kitchener. Construction is currently planned to start in the spring of 2018.

The current MTE consulting assignment includes work up to but not including the King Street intersection. To the west of this Ottawa Street project, the Region’s ION Rapid Transit project includes construction on Ottawa Street tentatively scheduled in 2016. The ION project includes work through the Charles Street intersection and westerly on Ottawa Street. Please refer to Appendix ‘A’ for a Key Plan showing the limits of the projects on Ottawa Street.

The ION project includes track installation and minor intersection improvements on Ottawa Street at Charles Street to address short-to-mid-term operational needs. A recent traffic study, however, has concluded that additional traffic lanes are required on Ottawa Street through the King Street and Charles Street intersections to address long-term traffic needs through this constrained portion of Ottawa Street. Due to severe time constraints, the planning, public consultation and property impact assessments and the long-term requirements could not be included in the Transit Project Assessment Process (TPAP). Therefore, it is proposed at this time that this Class Environmental Assessment (EA) be added to the adjacent MTE consultant assignment, so that the public consultation and EA phase of this additional section can be completed in advance of the ION construction. Construction of any widening on Ottawa Street from Highway 7 to Charles Street would still not occur until 2018. However, by completing the EA and preliminary design in advance, the ION construction in 2016 can therefore make accommodation for the requirements of the future widening work and minimize any “throw-away” costs in 2018.

The proposed traffic solution between King Street and Charles Street includes two through lanes in each direction plus left turn lanes on Ottawa Street to improve traffic flow in the peak hour. Currently, the low capacity of Ottawa Street, and the short spacing and between Charles Street and King Street, negatively impacts the operation of these two traffic control signals. This leads to extended traffic queues and delays. In order to accommodate transitions back to the existing cross-section outside of these limits, the proposed widening would extend to approximately 250 metres beyond the intersections. It is proposed therefore that the extension of the current MTE assignment include the section from King Street to 250 metres west of Charles Street.

2. Additional Consulting Fees

MTE Consultants Inc. provided a fee estimate and scope of work to complete additional preliminary design, public consultation, EA and detailed design to extend the project limits of the existing assignment from King Street to 250 metres west of Charles Street. Regional staff completed a thorough review of MTE’s fee and scope of work and negotiated a fee of $68,497.12 which represents fair value for the additional work.
The total estimated construction cost for this project is $3,976,000. With the $68,497.12 in additional fees, the extended upset fee for the consulting services would be $269,544.87. This total represents approximately 7.2% of the estimated construction value, and is considered competitive for a project of this magnitude and complexity.

Therefore, it is recommended in accordance with Purchasing By-law 04-93 section 21 (Purchase by Negotiation) that MTE Consulting Inc.’s consulting assignment for the Preliminary Design, Detailed Design and Construction Administration and Inspection Services, Ottawa Street Improvements, Highway 7 to King Street, City of Kitchener (Planning & Works Report E-14-006 dated January 28, 2014) be amended to extend the project limits westerly from King Street to west of Charles Street and to include payment for services for additional public consultation and additional preliminary and detailed design at an additional upset fee limit of $68,497.12 plus applicable taxes for a grand total of $269,544.87 plus applicable taxes for the preliminary design and detailed design phases, with construction contract administration and construction inspection to be paid on a time basis.

3. Schedule

Subject to Council’s approval of the extension of this consulting assignment, the schedule for the Ottawa Street Improvements project from Highway 7 to 250 metres west of Charles Street would be as follows:

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Consultation</td>
<td>Late Fall 2014</td>
</tr>
<tr>
<td>Council Approval of Recommended Alternative</td>
<td>Spring 2015</td>
</tr>
<tr>
<td>Property Acquisition, Utility Relocations, Final Design and Tendering</td>
<td>Spring 2015 to Spring 2017</td>
</tr>
<tr>
<td>Construction</td>
<td>Spring to Fall 2018</td>
</tr>
</tbody>
</table>

Corporate Strategic Plan:

This project is in harmony with the corporate Strategic Plan in that implementation of the Ottawa Street improvements project achieves Focus Area #5 (“infrastructure”) and Strategic Objective 5.1 which is to optimize the use of existing infrastructure and ensure it is adequately maintained.

Financial Implications:

The Region’s 2014 Ten Year Transportation Capital Program includes $9,930,000 in years 2014 to 2018 inclusive for this project for engineering, property acquisitions, utility relocations and construction to be funded from the Road Rehabilitation Reserve Fund. Sufficient funds are available in the overall project budget to accommodate the recommended increase in consultant fees.
Other Department Consultations/Concurrence: Nil

Attachments: Appendix A

Prepared By: Mike Henderson, Project Manager, Design and Construction

Approved By: Thomas Schmidt, Commissioner of Transportation and Environmental Services
Appendix A

Key Plan

OTTAWA STREET
(REGIONAL ROAD 4)

HIGHWAY 7 (WEST BOUND RAMP) TO KING STREET
AND PROPOSED EXTENSION OF PROJECT LIMITS
CITY OF KITCHENER
Region of Waterloo

Transportation and Environmental Services

Design and Construction

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

Date: August 12, 2014

File Code: C04-30, 5579

Subject: Manitou Drive Improvements, Homer Watson Boulevard to Bleams Road, City of Kitchener – Approval of Project

Recommendation:

THAT the Regional Municipality of Waterloo take the following actions with respect to the proposed improvements on Manitou Drive (Regional Road 69) from Homer Watson Boulevard to Bleams Road in the City of Kitchener:

a) approve the Recommended Design Alternative for Manitou Drive (Regional Road 69) as outlined in Report E-14-092; and

b) amend Traffic and Parking By-law 06-072, as amended, upon completion of construction to accommodate the proposed improvements as follows:

i. Add to Schedule 24, Reserved Cycling Lanes Anytime, on both sides of Manitou Drive (Regional Road 69) from Homer Watson Boulevard to Bleams Road.

Summary:

The Region of Waterloo is planning roadway improvements on Manitou Drive between Homer Watson Boulevard and Bleams Road in the City of Kitchener. The project is being undertaken as a Schedule ‘A+’ project under the provincial “Municipal Class Environmental Assessment” guidelines. (Please refer to the Key Plan in Appendix “A” for the project limits.) This section of Manitou Drive is in need of reconstruction to replace the deteriorated pavement surface. As part of the reconstruction, the Project Team is recommending that the existing partially paved shoulders be replaced by curb and gutter, and that storm sewers be installed to improve drainage along the corridor.
There are no pedestrian facilities on this section of Manitou Drive and accordingly, new sidewalk is recommended on both sides of Manitou Drive to enhance the pedestrian environment. The proposed new sidewalk would be consistent with the priorities identified in the Region of Waterloo and City of Kitchener Pedestrian Charters which support the installation of sidewalks within the public right-of-way and encourage people to walk for travel, exercise and recreation. Manitou Drive is identified as a “Neighbourhood Connector – Avenue” in the Region of Waterloo Corridor Design Guidelines which also indicates that sidewalks are a necessary component of the right-of-way. New sidewalks on Manitou Drive would provide a direct link with sidewalks at each end of the project limits.

The Region of Waterloo’s Active Transportation Master Plan identifies Manitou Drive as a designated cycling route. The provision of segregated cycling lanes (separated from traffic by a rollover curb) is also recommended by the Project Team to incorporate a cycling facility on this section of Manitou Drive.

A Public Consultation Centre (PCC) was held on May 1st, 2014 to present the Project Team’s preferred design for the improvements on Manitou Drive. The preferred design included four traffic lanes at 3.35 metres each, the addition of curb and gutter, 1.5 metre wide segregated cycling lanes, 1.5 metre wide sidewalks and 2.0 metre wide boulevards, which would allow for new tree planting in the boulevard. Appendix “B” shows the preferred design cross-section presented at the PCC. Approximately seventeen (17) people attended the PCC and three (3) comment sheets were received. Comments included: support for the project; a suggestion that costs could be saved by installing sidewalk on only one side; and a request for consideration of a centre left turn lane, particularly at Wabanaki Drive. A copy of the comment sheets from the Public Consultation Centre is included in Appendix “C”.

Subsequent to the PCC, a petition was also received (included in Appendix “D”) that contained 59 signatures from some of the west-side business employees. The petition requests that sidewalk be constructed only on the east side of Manitou Drive (ie. opposite the businesses) and that traditional painted on-road cycling lanes be included in lieu of the proposed segregated cycling lanes, as a cost-saving measure. A further emailed comment was received from a local employee in support of the proposed improvements.

The Project Team met to consider the suggestions from the public. The Project Team is recommending that sidewalk be installed on both sides of Manitou Drive in order to provide pedestrian facilities for both existing and future pedestrians on the east and west sides. It is also noted that pedestrian activity will increase in the future after a new GRT route begins operation along Manitou Drive with service connecting to the ION system.

In response to the public comment requesting a left turn lane at Wabanaki Drive, the Project Team has re-confirmed that a southbound left turn lane on Manitou Drive at Wabanaki Drive is not warranted. It is recognized however that there are brief periods during weekday afternoons when employees from area industrial businesses are leaving their places of work which creates a short-term demand peak. The criteria for signal warrants considers a full 8-hour timeframe and, based on this short term peak at Wabanaki Drive, does not trigger the installation of a left
turn lane. It is noted that future traffic forecasts indicate there will be a reduction in southbound left turn volumes at Wabanaki Drive when the Bleams Road/River Road Extension project is constructed in the coming years.

It is recommended that the Design Alternative as presented at the May 1st, 2014 PCC be approved by Regional Council for construction in 2016. Property acquisitions from two (2) adjacent property owners are required as part of this project to accommodate the proposed cycling lanes and sidewalk. The total estimated Region of Waterloo cost of the Manitou Drive Improvements project is $5,790,000. There will also be additional on-going maintenance costs incurred by the Region for additional maintenance activities (snow clearing and sweeping) associated with the segregated cycling lanes.

Report:

1.0 Background

The Region of Waterloo is planning roadway improvements on Manitou Drive (Regional Road #69) between Homer Watson Boulevard and Bleams Road in the City of Kitchener. The project is being undertaken as a Schedule ‘A+’ project (pre-approved subject to public advisement) under the Class Environmental Assessment process. Manitou Drive is identified as a “Neighbourhood Connector – Avenue” in the Region of Waterloo Corridor Design Guidelines. The section of Manitou Drive between Homer Watson Boulevard and Bleams Road is scheduled for roadway improvements in 2016. (Please refer to the Key Plan in Appendix “A” for project limits.) A Project Team was established to direct this project and includes staff from the Region of Waterloo and the City of Kitchener as well as City of Kitchener Councillor John Gazzola.

Manitou Drive between Homer Watson Boulevard and Bleams Road is a four lane roadway with no existing sidewalks. The roadway requires full roadway reconstruction, placement of new concrete curbs and gutters, replacement of the existing storm sewer system, installation of sidewalks on both sides of the road and repairs to the City of Kitchener’s sanitary sewer system.

2.0 Project Issues

2.1 Traffic Volumes, Collisions and Operational Issues

A review of existing traffic counts conducted by the Region of Waterloo along this section of Manitou Drive reveals that no additional turn lanes are warranted and staff is not recommending that any traffic improvements be implemented. Staff has reviewed the collision records (2007 to 2011) on Manitou Drive between Homer Watson Boulevard and Bleams Road and note that there is no history of a specific type of collision that requires changes to the roadway. It is also confirmed that the existing northbound right turn lane to Wabanaki Drive is still warranted based on traffic forecasts and needs to be reinstated as part of this project.
2.2 Roadway Drainage

Manitou Drive currently includes gravel and partially paved shoulders, and drainage is handled by a system of ditches, culverts and some sections of storm sewer. It is proposed as part of this project that a new upgraded storm sewer system be installed with curbs and gutters on the edge of the roadway to collect and convey drainage to the storm sewers.

2.3 Cycling Needs

In 2014, Regional Council approved the Active Transportation Master Plan and Manitou Drive is identified as a long term cycling route. A number of different types of cycling facilities were considered by the Project Team for Manitou Drive including: painted on-road cycling lanes, segregated cycling lanes (separated from traffic by a wide roll-over curb) and multi-use trails for pedestrian and cyclist use in the boulevards. Multi-use trails provide the greatest separation to adjacent vehicles and accordingly afford the most comfort for cyclists. However, the presence of numerous driveways on Manitou Drive precludes the use of a multi-use trail due to the conflict points between drivers exiting driveways and cyclists travelling in both directions on the trail. Segregated cycling lanes separated from the adjacent traffic lane by a 0.7 metre wide mountable "roll-over" curb are recommended by the Project Team as the most appropriate type of cycling facility for Manitou Drive to provide cyclist comfort and encourage more cycling.

2.4 Pedestrian Needs

There are no pedestrian facilities on this section of Manitou Drive, with the exception of some bus pads at transit stops. The Region of Waterloo and the City of Kitchener Pedestrian Charters both support the installation of sidewalks within the public right-of-way, which encourage people to walk for travel, exercise and recreation. Manitou Drive is identified as a “Neighbourhood Connector – Avenue” in the Region of Waterloo Corridor Design Guidelines which indicates that sidewalks are a necessary component of the right-of-way.

New sidewalk is therefore proposed on both sides of Manitou Drive to enhance the pedestrian environment. Sidewalks on Manitou Drive would provide a direct link with the existing sidewalks at each end of the project limits.

2.5 Transit Needs

Grand River Transit (GRT) buses currently operate on Manitou Drive only between Wabanaki Drive and Homer Watson Boulevard. GRT staff has identified a need for a new route along Manitou Drive to connect with the future ION station at Courtland Avenue and Block Line Road. This new route will provide additional two-way bus traffic along the entire limits of this project. GRT staff has also requested that the existing bus stops be upgraded with new bus shelters along the corridor.

3.0 Preferred Design Concept
The Project Team developed a Preferred Design Concept for Manitou Drive between Homer Watson Boulevard and Bleams Road based on the needs identified. The Preferred Design Concept developed for consideration by the public included the addition of curb and gutter, four 3.35 metre wide travel lanes and two 1.5 metre wide segregated bike lanes. It also included the installation of 1.5 metre wide sidewalks on both sides of the road along with 2.0 metre wide boulevards, which would allow for new tree planting in the boulevard.

4.0 Public Consultation

4.1 Public Consultation Centre (PCC) - May 1, 2014

A Public Consultation Centre (PCC) for this project was held at Conestoga Place, 110 Manitou Drive at the north limits of the project on Thursday May 1st, 2014. Notices were placed in the local paper advertising the PCC. Signboards were erected on site in advance of the PCC and notices were hand delivered to area residents, property owners and businesses directly adjacent to the road improvement limits. A plan showing the Preferred Design Concept was on display and Project Team representatives were present to answer questions and receive feedback. Appendix “B” shows the preferred design cross-section presented at the PCC.

Approximately seventeen (17) members of the public attended the PCC. Three (3) comment sheets/emails were received. One comment was in complete agreement with the proposed design. Another comment suggested bike lanes were a good idea but thought a two-way centre left turn lane should be constructed along Manitou Drive from Bleams Road to at least Wabanaki Drive. The third comment noted their support for sidewalks and bike lanes but thought there might be an opportunity for cost savings by installing sidewalk on only one side. Appendix “C” includes transcripts of the public comments received.

Subsequent to the PCC, a petition was also received (included in Appendix “D”) that contained 59 signatures from some of the west-side business employees. The petition requests that sidewalk be constructed only on the east side of Manitou Drive (ie. opposite the businesses) and that traditional on-road cycling lanes be included in lieu of the proposed segregated cycling lanes, as a cost-saving measure.

An emailed comment from an employee of one of the west-side businesses was also received in full support of the recommended improvements on Manitou Drive.
4.2 Project Team Response to Public Comments

4.2.1 Public Suggestion - Sidewalk On Only One Side

One submitted comment sheet and the 59 name petition suggested constructing sidewalk on only one side of the road. The Project Team is recommending sidewalk be constructed on both sides of the roadway throughout the project limits for the following reasons:

- The need for sidewalks exists on both sides of Manitou Drive based on the land use and the anticipated increase in pedestrian activity that will result from the planned future GRT route along the entire length of the project;

- Sidewalk on only one side of the roadway would be problematic as there are limited opportunities for pedestrians to cross the road between Wabanaki Drive and Homer Watson Boulevard;

- Sidewalks on both sides would provide a direct link with sidewalks on both sides of Manitou Drive at each end of the project; and

- Sidewalks on both sides of the road would be consistent with existing approved Council policies including the Pedestrian Charter, the Active Transportation Master Plan and the Context Sensitive Transportation Corridor Design Guidelines.

4.2.2 Public Suggestion – Add Centre Turn Lane(s)

The Project Team again reviewed the warrants for a southbound left turn lane on Manitou Drive at Wabanaki Drive and confirmed that it is not warranted. It is recognized however that there are brief periods during weekday afternoons when employees from area industrial businesses are leaving their places of work which creates a short-term demand peak. The criteria for signal warrants considers a full 8-hour timeframe and, based on this short term peak at Wabanaki Drive, does not trigger the installation of a left turn lane. It is also noted that future traffic forecasts indicate there will be a reduction in southbound left turn volumes at Wabanaki Drive when the Bleams Road/River Road Extension project is constructed in the coming years.

Staff also undertook a review of the existing collisions on this section of Manitou Drive. The results of the review did not identify a collision pattern at any existing driveway or local side-street that could be corrected by the installation of a two-way centre left turn lane within the project limits.

4.2.3 Public Suggestion – Consider On-road (vs Segregated) Cycling Lanes

The Project Team evaluated a number of cycling facility alternatives as described above in Section 2.3. It was confirmed that the cycling facility best suited for Manitou Drive between Homer Watson Boulevard and Bleams Road includes segregated cycling lanes on both sides of the roadway, separated from traffic by a 0.7 metre wide roll-over curb. The segregated cycling lane design alternative was presented to the Region’s Active...
Transportation Advisory Committee and was fully endorsed as the appropriate alternative given the nature of the Manitou Drive corridor. The Project Team recognized that the segregated cycling lanes will require additional maintenance (snow clearing and sweeping) and that there will be additional roadway maintenance costs associated with this type of cycling facility.

5.0 Recommended Design Alternative

Based on a review of the public comments received and technical information gathered during the preliminary design phase of the project, the Project Team is recommending that Regional Council approve the following improvements on Manitou Drive between Homer Watson Boulevard and Bleams Road:

- four 3.35 metre wide travel lanes
- one 3.25 metre wide northbound right turn lane at Wabanaki Drive
- two 1.5 metre wide segregated cycling lanes
- installation of 1.5 metre wide sidewalks on both sides of the road
- 2.0 metre wide grassed boulevards, with tree plantings where possible
- complete replacement of the existing pavement
- placement of concrete curb and gutters
- replacement of all storm sewers
- repair of sections of sanitary sewers

Please see Appendix "B" for the Recommended Design Cross-Section.

Property acquisitions from two (2) adjacent property owners are required as part of this project to accommodate grading for the proposed segregated cycling lanes and sidewalk installation adjacent to the northbound right turn lane at Wabanaki Drive. A number of existing trees may require removal to accommodate grading for the new cross-section. As is customary on Region projects, any existing trees requiring removal would be replaced on a “2 for 1” basis. In addition, the Project Team proposes new street trees in the new boulevards where space permits.

The Recommended Design will also implement upgraded bus stops and added bus shelters along the corridor where possible.
6.0 Project Cost

The estimated preliminary cost of the project is broken down as follows:

Region of Waterloo

(Road improvements, new sidewalk and share of storm sewers) $5,790,000

City of Kitchener

(Sanitary sewer repairs and share of storm sewers) $500,000

Total Estimated Project Cost $6,290,000

7.0 Next Steps

All members of the public who have expressed an interest in this project have been notified directly of the opportunity to comment before a final decision is made for this project. Subject to Regional Council approval of the Recommended Design Alternative, staff will commence with the detailed design efforts on this project and obtain the necessary property for completing the project. Staff will also coordinate the relocation of the necessary existing utility poles.

8.0 Project Schedule

Subject to project approval at the August 20, 2014 Regional Council meeting, the acquisition of the required property would commence in the Fall of 2014 to secure the property in advance of the recommended road improvements from Homer Watson Boulevard to Bleams Road in the summer of 2016.

Corporate Strategic Plan:

This project is consistent with the development of Strategic Focus Area 2 (Growth Management and Prosperity). This project specifically addresses Strategic Objective 2.2:

- Develop, optimize and maintain infrastructure to meet current and projected needs.

It is also consistent with the development of Strategic Focus Area 3 (Sustainable Transportation), specifically Strategic Objective 3.2:

- Develop, promote and integrate active forms of transportation (cycling and walking).

Financial Implications:

The Region’s 2014 Ten-year Transportation Capital Program includes funding of $5,790,000 in the years 2014-2017 for the Manitou Drive Improvements project, to be funded from the Roads Rehabilitation Capital Reserve Fund.

Other Department Consultations/Concurrence:
Nil

Attachments

Appendix A  Key Plan
Appendix B  Recommended Design Cross-Section
Appendix C  Public Comments from Public Consultation Centre
Appendix D  Petition

Prepared By:  Michael Halloran, Project Manager, Design & Construction Division

Approved By:  Thomas Schmidt, Commissioner, Transportation and Environmental Services
Appendix A

Key Plan

SITE LOCATION
Appendix B

Recommended Design Cross-Section

PREFERRED DESIGN
Appendix C
Comment Sheet for Public Consultation Centre

Thursday May 1, 2014

Manitou Drive Improvements, Homer Watson Boulevard to Bleams Road

City of Kitchener

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

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

Comments or concerns regarding this project:
1. There should be a turning lane all the way down the road from Fairway to Homer Watson.
2. If not at least a turning lane to Wabanaki going out of city.
3. Bike lanes are a great idea.

Name: Gary Hall

Address: 482 Franklin Street North, Kitchener

Postal Code: N2A 1Z4
Comment Sheet for Public Consultation Centre

Thursday May 1, 2014

Manitou Drive Improvements, Homer Watson Boulevard to Bleams Road

City of Kitchener

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

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

Comments or concerns regarding this project:

The project look good and we hope the Region speed up the project to finish in time.

Name: Ali A. Rasoul
Address: 932 Manorbrook Court, Kitchener
Postal Code: N2P 2Y2
Comment Sheet for Public Consultation Centre

Thursday May 1, 2014

Manitou Drive Improvements, Homer Watson Boulevard to Bleams Road

City of Kitchener

Are you interested in upgrading your water service as part of this project?

☐ YES    ☐ NO

Are you interested in upgrading your sanitary service as part of this project?

☐ YES    ☐ NO

Comments or concerns regarding this project:

Michael, thanks for hosting the info evening last week. The boards were helpful as was having your team explain to me about why having a double bike lane on one side is not a good option. I must say again that I'm delighted to see the sidewalks and bike paths coming to this dangerous area that is only going to have more traffic as Doon grows.

I wonder though if there is an opportunity to save some cost by only putting in one sidewalk (but keep bike lanes on both sides). My thinking is that there is likely never to be much foot traffic, and pedestrians will still have a safe path. This modification to the plan would save both the cost of construction, but also the ongoing maintenance costs (i.e. the plowing of these sidewalks).

Just a thought.

As well, on the form there were two questions about interest in upgrading water and sanitary services. I didn't see anything about this at the info session and would appreciate more information as we are interested.

Name: Kathy Gogos

Address: 6 Bannockburn Road, Kitchener

Postal Code: N2R 1M2
Appendix D

The City of Kitchener and Region of Waterloo, if not appealed by May 16th 2014, are going to install sidewalks and bike lanes on BOTH sides of Manitou Drive in Kitchener.

What does this mean to West Side Business/Property Owners and Employees?:

- Expensive salting, shoveling and snow removal each year required by the PROPERTY OWNER

- Possible lawsuits if pedestrians slip and fall or cyclists crash on your sidewalk or bike path which YOU are obligated to maintain

- Narrowing of the existing roads for motorists, making our roads even more congested with heavy commercial vehicles including trucks, busses travelling at excess speed of 60 km/hr

- Business owners and customers will now have to cut across 3 lanes of traffic in and out of businesses (road, sidewalk, bike path) making driveways more unsafe and the chances of accidents more likely

- Almost 6 million dollars of tax payers money is being wasted, as limited or no pedestrians will use

- Same proposal of this nature was rejected in Petersburg as costs outweighed the use

By signing this petition you are agreeing to stand up against the un-needed and costly sidewalk development on the West side of Manitou Drive.

One sidewalk is a more realistic design approach. A revised alternative to the original design put forth by the region, is to allow the development of the sidewalk on the East side of Manitou Drive ONLY. In addition, we recommend a revised standard bike lane as opposed to the expensive segregated bike lane put forth by the Region for both sides of Manitou.
We, the undersigned, call upon the Regional Municipality of Waterloo and the City of Kitchener to refrain from moving forth with the original “Manitou Drive Improvements” proposal. We support a revised alternative to the original design, which includes the installation of sidewalks on the East side of Manitou Drive only as well as the development of conventional bike lanes on both sides of Manitou Drive.
Information Package
Manitou Drive Improvements – Homer Watson Boulevard to Bleams Road, City of Kitchener

Comment Sheet
Regional Municipality of Waterloo

Manitou Drive Improvements
Homer Watson Boulevard to Bleams Road
City of Kitchener

Public Consultation Centre

Please complete and hand in this sheet so that your views 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 May 16, 2014 to:

Mr. Michael Halloran, C.E.T., Project Manager,
Regional Municipality of Waterloo Phone: 519-575-4529
6th Floor, 150 Frederick Street Fax: 519-575-4430
Kitchener, ON N2J 4G email: mhalloran@regionofwaterloo.ca

Are you interested in upgrading your water service as part of this project?

☐ YES ☐ NO

Are you interested in upgrading your sanitary service as part of this project?

☐ YES ☐ NO

Comments or concerns regarding this project:

WEST SIDE MANITOU
Petition /
See following pages
Information Package
Manitou Drive Improvements – Homer Watson Boulevard to Bleams Road, City of Kitchener

Works Committee and Council in the Summer of 2014 for approval. In advance of these meetings, 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.

23. How Can I Voice My Comments At This Stage?

In order to assist us in addressing any comments or concerns you might have regarding this project, we ask that you please fill out the attached Comment Sheet and leave it in the box provided at the registration table. Alternatively, you can mail, fax or e-mail your comments to the Region of Waterloo not later than May 16, 2014.

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

Mr. Michael Halloran, C.E.T.,
Project Manager
Region of Waterloo
150 Frederick Street, 6th Floor
Kitchener, ON N2G 4J3
Phone: (519) 575-4529
Fax: (519) 575-4430
Email: mhalloran@regionofwaterloo.ca

Call, email + Fax

Voice your opinion
Let them know you DO NOT want it
Before May 16, 2014
<table>
<thead>
<tr>
<th>NAME</th>
<th>BUSINESS NAME</th>
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<tbody>
<tr>
<td>Brienna Schiedel</td>
<td>QUALITYCARE SALES</td>
<td>241 Manitou Dr</td>
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<tr>
<td>Brian Kroetsch</td>
<td>QUALITYCARE SALES</td>
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<td>Greg Harrup</td>
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<td>Colin Kroetsch</td>
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<td>Mirnes Rican</td>
<td>First Class</td>
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<td>Darryl Nicholson</td>
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<td>Joshua Budham</td>
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<td>Hasnat Mauri</td>
<td>SPEC AUTO</td>
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<td>Andrew Budham</td>
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<td>Mitchell Mcintosh</td>
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<td>Isabel Baxsta</td>
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<td>John Kranor</td>
<td>Super Deal Auto</td>
<td>227 Manitou Drive</td>
<td>Jason Parsons</td>
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<td>Ali Alikhan</td>
<td>OPTIMUM AUTOS</td>
<td>227 Manitou Drive</td>
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<td>Dorji Celiny</td>
<td>United Taxi</td>
<td>227 - Mainte Dr</td>
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# MANITOU DRIVE WEST SIDE SIDEWALK OPPOSITION PARTICIPANTS

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<thead>
<tr>
<th>NAME</th>
<th>BUSINESS NAME</th>
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<tbody>
<tr>
<td>Ray Bernard</td>
<td>Bulldog Fire and Safety</td>
<td>217 Manitou Dr Unit 11</td>
<td>Ray Bernard</td>
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<tr>
<td>Kaylee Graes</td>
<td>Bulldog</td>
<td>217 Manitou Dr</td>
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<tr>
<td>Scott Bean</td>
<td>Bulldog Fire and Safety</td>
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<tr>
<td>Kenzie Hage</td>
<td>HCS Contracting</td>
<td>777 Manitou Dr</td>
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<td>Steven Richards</td>
<td>HCS Contracting</td>
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<td>Olivia McGraith</td>
<td>HCS Contracting</td>
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<td>Ed. Bloos</td>
<td>Bloos Wood Prod Ltd.</td>
<td>257 Manitou Dr</td>
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<td>Jay Brown</td>
<td>Bloos Wood Prod Ltd.</td>
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<td>Bloos Wood Prod Ltd.</td>
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<td>Stephanie Zickar</td>
<td>HCS Contracting</td>
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<td>Jack Krajina</td>
<td>HCS Contracting</td>
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<td>Kate Nitin</td>
<td>Milan Machine Ltd.</td>
<td>257 Manitou Dr</td>
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<td>Wayne Collin</td>
<td>Acklands Grinder</td>
<td>107 Manitou</td>
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<td>Carlos Grande</td>
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<td>Judy Brubacher</td>
<td>C.D.S.</td>
<td>107 Manitou-2</td>
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<tr>
<td>Rachel Carter</td>
<td>C.D.S.</td>
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<td>Timmy Moore</td>
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<td>107 Manitou-8</td>
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<td>Ashlyn Skopnik</td>
<td>&quot;</td>
<td>107 Manitou-8</td>
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<td>Sig Filipitsch</td>
<td>Sigco</td>
<td>107 Manhun #110</td>
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<td>Tony Percival</td>
<td>Sigco</td>
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<td>Kelly Wallace</td>
<td>Folio Investments</td>
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<td>A Craig</td>
<td>Folio Investments</td>
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<td>Brandon Carter</td>
<td>291 Manitou Dr.</td>
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<td>Randy Menard</td>
<td>Quality Car Sales</td>
<td>241 Manitou Dr.</td>
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<td>Albe F. Viers</td>
<td>Loles Automotive</td>
<td>227 Manitou Dr.</td>
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<td>Rypin O. Car</td>
<td>First Class Resort.</td>
<td>241 Manitou Dr</td>
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<tr>
<td>Denise Meyer</td>
<td>Lear Corp.</td>
<td>530 Manitou</td>
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<tr>
<td>Jeff Graham</td>
<td>KW Countertop</td>
<td>149 Manitou Dr.</td>
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<tr>
<td>Cheryl Klein</td>
<td>KW Countertop</td>
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<tr>
<td>Erin Davidson</td>
<td>KW Countertop</td>
<td>149 Manitou Dr.</td>
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<td>Dave C. Thomas</td>
<td>222 Manitou Dr.</td>
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<td>FOLIO WU</td>
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Region of Waterloo
Transportation and Environmental Services
Design and Construction

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

Date: August 12, 2014

File Code: E13-20, 8809

Subject: Amendment to the Consulting Services Agreement for the Waterloo Wastewater Treatment Plant Upgrades

Recommendation:

That the Regional Municipality of Waterloo approve an amendment to the existing Consulting Services Agreement with AECOM to include additional contract administration and site inspection services required for the Waterloo Wastewater Treatment Plant for an upset fee increase of $485,000 plus applicable taxes, to be funded from the existing project capital budget in the 2014 Ten Year Wastewater Capital Program.

Summary:

In 2008, AECOM (then KMK) was retained by the Regional Municipality of Waterloo (Region) to provide final design, contract administration and site inspection services for the Waterloo Wastewater Treatment Plant (WWTP) Upgrade project at an upset fee of $8,356,650. This upset fee represents approximately 8% of the $104,115,000 construction cost. The project consists of four (4) separate construction contracts to be implemented over an estimated overall construction period of fifty one (51) months and was originally scheduled for completion at the end of November 2013.

In September 2012 and July 2013, amendments were approved (Reports: E-12-085 and F13-033) to the existing Consulting Services Agreement with AECOM to cover contract administration and site inspection services required as a result of delays to the completion of the various contracts in the amount of $846,000, representing approximately 10.1% of the original upset fee. This amount of $846,000 covered twenty two (22) months of contract administration and site inspection services on the four
contracts collectively. Because the schedules for the four contracts overlapped, the cumulative twenty two (22) months of additional services are related to a delay of only four (4) months in the overall project completion.

Contracts 1 and 2 have been completed to date. Contract 3 is currently nearing completion. Work for Contract 4 has been discontinued in May 2014. Even with the suspension of work currently on Contract 4, work on the project has reached an advanced stage with all major processes operational and only part of the work on the secondary clarifiers and aeration tanks remaining to be completed.

Contract 3 was delayed by an additional seven (7) months with completion now expected at the end of this month, i.e. August 2014. The Contract 3 delay is attributable to a number of factors including weather, scope changes and contractor delays. AECOM submitted a request for fees to cover costs for additional contract administration and site inspection services to the completion of Contract 3.

Following a thorough review of AECOM’s request for additional fees, staff has confirmed that these contract administration and site inspection services are beyond the original scope of services and staff negotiated an upset fee increase of $485,000 plus applicable taxes. This amount of $485,000 represents 5.8% of the original upset fee and is a reasonable cost for the additional seven (7) months of consulting services. The $485,000 increase would result in a total upset fee for consulting services of $9,687,650. This amount of $9,687,650 represents 9.3% of the construction cost of $104,115,000 and is considered to be in the low range for a project of this magnitude and complexity. This request does not include fees for engineering services to the completion of Contract 4 as completion of Contract 4 is unknown at this time.

The contract terms and conditions include provisions to assess liquidated damages for late completion due to the Contractor fault. If applicable, staff intends to assess liquidated damages against the Contractors in accordance with the contract terms and conditions for late completion. The liquidated damages will be used as applicable to partially offset the cost of additional consulting fees.

Report:

Background

The Waterloo Wastewater Treatment Plant (WWTP) is located at 340 University Avenue, in the City of Waterloo. The Regional Municipality of Waterloo (Region) approved the Wastewater Master Plan (2007) and Biosolids Master Plan (2003), which recommended upgrades to the plant to enhance effluent quality, ensure effective effluent disinfection, comply with Federal and Provincial requirements for non-acutely toxic effluent, and improve biosolids handling.

In 2008, AECOM (then KMK) was retained by the Region to provide final design, contract administration and site inspection services for the Waterloo WWTP Upgrade.
project at a total upset fee limit of $8,356,650. The project consisted of four (4) separate contracts namely:

- Contract 1 – Administration Building
- Contract 2 – UV and Blower Buildings
- Contract 3 – Headworks and Biosolids Building
- Contract 4 – Secondary Treatment and Digestion

AECOM’s consulting engineering assignment includes the design of all upgrades, as well as contract administration and site inspection services for all four (4) contracts. The work for this project had to be completed without causing any disruption to the daily operation of the plant. In order to comply with this requirement, the contracts were scheduled so that Contracts 1 and 4 could be completed in parallel with Contracts 2 and 3, while Contract 3 followed Contract 1, and Contract 4 followed Contract 2. Furthermore, all four (4) construction contracts were overlapped to reduce the project’s overall construction phase to fifty one (51) months with completion of the overall project (i.e. all four contracts), scheduled at the end of November 2013. Contract 1 was awarded by Council in November 2009, Contract 2 in January 2010, Contract 3 in November 2010, and Contract 4 in December 2011. Contracts 1 and 2 have been completed and work on Contract 3 is nearing completion while the work for Contract 4 has been discontinued in May 2014. Even with the suspension of work currently on Contract 4, work on the project has reached an advanced stage with all major processes operational and only part of the work on the secondary clarifiers and aeration tanks remaining to be completed.

**Previously Approved Consulting Services Agreement Amendments**

Consultant engineering upset fees for contract administration and site inspection services for a project are based on an estimated but fixed construction period for each contract. From time to time a contract period is exceeded for a number of reasons that are outside the Consultant’s control. Among these reasons are:

- Inclement weather;
- Project/contract scope changes or additional work;
- Approval delays; and
- Contractor performance.

Accordingly, when a contract runs longer than the estimated contract period, the Consultant is entitled to an increase in fees for contract administration and site inspection.
In September 2012 and July 2013, amendments were approved (Reports: E-12-085 and F13-033) to the existing Consulting Services Agreement with AECOM to cover contract administration and site inspection services required as a result of delays to the completion of the various contracts for the amount of $846,000, representing approximately 10.1% of the original upset fee. This amount of $846,000 covered contract administration and site inspection services for an additional twenty two (22) months of cumulative services but is related to a delay in the overall project completion of only four (4) months due to the overlapping nature of the contracts.

**Delay to Project Completion**

Progress on site and the latest construction schedules now indicate that Contract 3 has been delayed by an additional seven (7) months and is now scheduled for completion at the end of August 2014. Accordingly, AECOM submitted a request for fees to cover costs for additional contract administration and site inspection services to the completion of Contract 3.

The original schedule included an overall project completion date of November 2013 for all four contracts. The overall project completion timing is currently unknown as work on Contract 4 was suspended in May 2014. At the time that the work on Contract 4 was suspended, the contract was approximately seven (7) months behind schedule. Additional fees for contract administration and site inspection services for Contract 4 will be the subject of a future Committee report.

**Consultant’s Request for Fees**

AECOM submitted a request for fees to cover costs for the additional contract administration and site inspection services as described above. Following a thorough review of AECOM’s construction completion date assessment and request for additional fees, staff has confirmed that contract administration and site inspection services beyond the original scope of services is required and staff negotiated an upset fee increase of $485,000 plus applicable taxes to compensate AECOM for the provision of the required additional consulting services. This fee increase represents a reasonable amount for the additional seven (7) months of consulting services and would bring the consultant’s current total upset fee limit of $9,202,650 to $9,687,650 plus applicable taxes. The revised total upset fee limit of $9,687,650 represents approximately 9.3% of the $104,115,000 project construction costs, which is still in the lower range of engineering fees for a project of this magnitude and complexity.

In view of the above, staff recommends that the Region approve an amendment to the existing consulting services agreement with AECOM to include additional contract administration and site inspection services required for the Waterloo WWTP Upgrade project for an upset fee increase of $485,000 plus applicable taxes.
Corporate Strategic Plan:

The Waterloo WWTP Upgrade project meets the Corporate Strategic Plan Objective to “protect the quality and quantity of our water sources” under Strategic Focus Area 1 to “protect and enhance the environment”.

Financial Implications:

The Region’s 2014 Wastewater Ten Year Capital Program includes $9,458,000 in 2014 and 2015 for this project (project #08809) to be funded from the Wastewater Reserve Fund and Development Charge Reserve Fund. The $485,000 for AECOM’s additional upset fee can be accommodated within the total remaining project capital budget.

The contract terms and conditions include provisions to assess liquidated damages for late completion due to the Contractor fault. If applicable, staff intends to assess liquidated damages against the Contractors in accordance with the contract terms and conditions for late completion. The liquidated damages will be used as applicable to partially offset the cost of additional consulting fees.

Other Department Consultations/Concurrence: Nil

Attachments: Nil

Prepared By: Jeff Medd, Project Manager

Approved By: Thomas Schmidt, Commissioner of Transportation and Environmental Services
Report: CR-RS-14-054

Region of Waterloo
Corporate Resources
Legal Services

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

Date: August 12, 2014   File Code: L07-90

Subject: Authorization To Expropriate Lands (1st report) In The City Of Kitchener Designated As Phase VI of Stage 1 of the Rapid Transit Project Relating To Property And Interests Located At Various Locations Along or Near the CN Railway Line Corridor, known as the Huron Park Spur, in the City of Kitchener, in the Regional Municipality of Waterloo

Recommendation:

That The Regional Municipality of Waterloo direct and authorize the Regional Solicitor to take the following actions with respect to the expropriation of lands in the City of Kitchener for the construction and operation of light rail transit (“LRT”) as part of the Rapid Transit Project Stage 1 as detailed in Recommended Rapid Transit Implementation Option Report E-11-072 dated June 15, 2011:

A. Complete application(s) to the Council of The Regional Municipality of Waterloo, as may be required from time to time, for approval to expropriate land, which is required for the Rapid Transit Project Stage 1 and described as follows:

Fee Simple Partial Takings:

LRT

i. Part Lot 8, Plan 870, being Part 7, 58R18182, Part of PIN 22599-0041(R), City of Kitchener, Regional Municipality of Waterloo (Part of 2 Hoffman St., Kitchener, Ontario N2M 3M4);

ii. Part Lot 9, Plan 870, being Parts 2, 3 and 4, 58R18182, Part of PIN 22599-0043 (LT), City of Kitchener, Regional Municipality of Waterloo (Part of 8 Hoffman St., Kitchener, Ontario N2M 3M4);
iii. Part Lots 9 and 10, Plan 870, being Part 1, 58R18182, Part of PIN 22599-0046 (LT), City of Kitchener, Regional Municipality of Waterloo (Part of 14 Hoffman St., Kitchener, Ontario N2M 3M4);

iv. Part Lot 18, M.C.P. 791, being Parts 5 and 6, 58R18182, Part of PIN 22599-0078 (LT), City of Kitchener, Regional Municipality of Waterloo (Part of 130 Imperial Drive, Kitchener, Ontario N2M 1C4);

v. Part Lots 17 and 18, M.C.P. 791, being Parts 2, 3 and 4, 58R18185, Part of PIN 22599-0070 (LT), City of Kitchener, Regional Municipality of Waterloo (Part of 116 Hanson Avenue, Kitchener, Ontario N2C 2E2);

vi. Part Lot 17, M.C.P. 791, being Part 6, 58R18185, Part of PIN 22599-0065 (LT), City of Kitchener, Regional Municipality of Waterloo (Part of 177 Hayward Avenue, Kitchener, Ontario N2C 2E5);

vii. Part Lot 18, M.C.P. 791, being Part 1, 58R18185, Part of PIN 22599-0075 (LT), City of Kitchener, Regional Municipality of Waterloo (Part of 41 Ardelt Avenue, Kitchener, ON N2C 2C8);

B. Serve notices of the above application(s) required by the Expropriations Act (the “Act”);

C. Forward to the Chief Inquiry Officer any requests for a hearing that may be received within the time prescribed by the Act;

D. Attend, with appropriate Regional staff, at any hearing that may be scheduled;

E. Discontinue expropriation proceedings or any part thereof, in respect of the above described lands, or any part thereof, upon the registration on title of the required documentation to complete a transaction whereby the required interests in the lands are conveyed or if otherwise deemed expedient in the opinion of Regional staff; and

F. Do all things necessary and proper to be done, and report thereon to Regional Council in due course.
A. Project Authorizations

On June 15, 2011 Regional Council approved LRT as the preferred rapid transit technology from Conestoga Mall in the City of Waterloo through the City of Kitchener to the Ainslie Street Terminal in the City of Cambridge (the “Rapid Transit Project”). Stage 1 of the Rapid Transit Project will include LRT service from Conestoga Mall in the City of Waterloo to Fairview Park Mall in the City of Kitchener, as well as, Adapted Bus Rapid Transit (“aBRT”) service from Fairview Park Mall in the City of Kitchener to the Ainslie Street Terminal in the City of Cambridge.

B. Project Details

The Region initiated a Transit Project Assessment (“TPA”) with respect to Stage 1 of the Rapid Transit Project (“Stage 1”) in November of 2011, which has been completed and has provided results that are permissive of the construction and operation of Rapid Transit within the approved rapid transit corridor.

The functional design for Stage 1 of LRT has been completed and three proponents (the “Shortlisted Proponents”) were short listed through a competitive Request for Qualifications process issued in late 2012 to bid on the Design/Build/Finance/Operate/Maintain concession (the “DBFOM Concession”) that has been approved for the delivery of LRT. The Shortlisted Proponents submitted bids as part of the Region’s Request for Proposals (“RFP”) in connection with the DBFOM Concession in late 2013. GrandLinq GP (“GrandLinq”) was selected as the preferred proponent for the DBFOM Concession and a Project Agreement was signed between GrandLinq and the Region on May 6, 2014. GrandLinq is currently working on completing LRT design and is now proceeding with the preliminary phases of LRT construction.

The Region has undertaken a separate procurement for the construction of aBRT. The target commencement date for aBRT service is early 2015.

The land acquisition/expropriation process for the Rapid Transit Project has been divided into several separate and distinct phases. At this time, all lands that form part of Phases 1, 2, and 3 of the land acquisition/expropriation process for the Rapid Transit Project have either been acquired or expropriated with the exception of lands owned by
the City of Kitchener and the City of Waterloo which are the subject of ongoing negotiation.

The Region has also commenced the expropriation process in connection with Phases 4 and 5 of the land acquisition/expropriation process for the Rapid Transit Project. Regional Real Estate Services staff are currently engaged in negotiations with all land owners that are affected by Phases 4 and 5. It is to be noted that the expropriation of Phase 4 and 5 lands required for aBRT has been completed in order to meet aBRT construction timelines. Each of Phases 4 and 5 has, therefore, been bifurcated into separate aBRT and LRT streams.

C. Phase 6 LRT Properties

The land requirements identified in this Report have been designated as Phase 6 ("Phase 6") of the land acquisition/expropriation process for the Rapid Transit Project. For clarity, the property list that is contained in the Recommendation to this Report represent land requirements for LRT.

Phase 6 entails partial takings and/or acquisitions from 14 properties. As part of that number, but not included in the list of lands to be expropriated above, are the following properties that belong to either the City of Kitchener or the Ministry of Transportation ("MTO"):

1. Part Lot 17, M.C.P. 791, being Part 5, 58R18185, Part of PIN 22599-0067 (LT), City of Kitchener, Regional Municipality of Waterloo (Part of City owned lands);

2. Part Lots 1 and 9, M.C.P. 791 (public highway), being Part 6, 58R18077, Part of PIN 22599-0102 (LT), City of Kitchener, Regional Municipality of Waterloo (Part of City owned lands);

3. Part Lot 9, M.C.P. 791 (public highway), being Part 3, 58R18078, Part of PIN 22599-0063 (LT), City of Kitchener, Regional Municipality of Waterloo (Part of City owned lands);

4. Part Lot 8, Plan 870, being Part 8, 58R18182, Part of PIN 22599-0084(R), City of Kitchener, Regional Municipality of Waterloo (Part of City owned lands);

5. Part Lot 1, M.C.P. 791, being Part 4, 58R18077, Part of PIN 22599-0088 (LT), City of Kitchener, Regional Municipality of Waterloo (Part of City owned lands);

6. Part Lot 49, G.C.T., being Part 7, 58R18077, Part of PIN 22599-0101(LT), City of Kitchener, Regional Municipality of Waterloo (Part of MTO lands – to be acquired or licensed, as the case may be);
7. Part Lot 1, M.C.P. 791, being Part 5, 58R18077, Part of PIN 22599-0103(LT), City of Kitchener, Regional Municipality of Waterloo (Part of MTO lands – to be licensed, as the case may be),

(collectively, the “Public Lands”).

In accordance with the Region’s usual policy, the Public Lands will be acquired through negotiation. The City of Kitchener has been made aware of the above-referenced land requirements and direct dialogue has commenced. It is expected that dialogue with MTO will commence shortly.

The depth of the partial takings varies on a property by property basis from small slivers of land to several metres.

Possession of Phase 6 properties is targeted by the Region for end of 2015. In order to meet the Rapid Transit Project timelines, the Commissioner of Transportation and Environmental Services has authorized modified prerequisites for the commencement of the expropriation process with respect to lands required for the Rapid Transit Project in accordance with the Region’s revised land acquisition policy for infrastructure projects. Accordingly, Regional Staff have contacted, in writing, all property owners impacted by Phase 6, and have followed up in person or via telephone with all owners that have made themselves available. The property owners have been informed of the Region’s intention to proceed with the expropriation process, including this Report, and have been provided with the Region’s Expropriation Information Sheet which explains the expropriation process. A copy of the Expropriation Information Sheet is attached as Appendix “A” hereto. As well, each owner has been provided a copy of the Reference Plan and Property Impact Plan illustrating the required taking for each particular property. The owners have also been advised that it is the Region’s intention to seek a negotiated settlement prior to the completion of the expropriation process and that the process has been commenced only to ensure that possession of the required lands is secured by the date set by staff in order to meet the required timeline.

Should a negotiated settlement be reached with any of the property owners and a conveyance of the required acquisition completed before the expropriation process is complete, the expropriation process with respect such lands would be discontinued by the Regional Solicitor.

It is to be noted that the expropriation of the lands referred to above is on an “as is” basis and, therefore, the Region assumes all responsibility for the said lands upon assumption of title.

The subject lands and related Project Area are shown on the maps attached as Appendix “B” hereto. The fee simple owners of the subject properties and related corporate profile information, as applicable, are set out in Appendix “C” hereto. It is to be noted that Regional staff have conducted recent corporate profile searches of affected corporate fee simple property owners, as needed. Appendix “C” does not
include a list of affected mortgagees, tenants, execution creditors, guardians of property, or persons with a limited estate or interest in said lands such as easement holders.

**Corporate Strategic Plan:**

The report supports Focus Area 3.1 of Council’s Strategic Focus: Implement a light rail transit system in the central transit corridor, fully integrated with an expanded conventional transit system.

**Financial Implications:**

In June 2011, Council approved the implementation of the Rapid Transit 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 annual tax rate increases over a period of 7 years.

Land acquisition is being carried out by the Region outside of the DBFOM. This has been accommodated within the overall Rapid Transit Project budget.

**Other Department Consultations/Concurrence:**

Rapid Transit staff and Finance staff have been consulted in the preparation of this Report.

**Attachments**

- Appendix “A” – Expropriation Information Sheet
- Appendix “B” - Maps
- Appendix “C” – Corporate Profile Searches.

**Prepared By:** Liviu Cananau, Solicitor, Property (Rapid Transit)

**Approved By:** Gary Sosnoski, Commissioner, Corporate Resources
Appendix “A”

Expropriation Information Sheet

What is Expropriation?

Governmental authorities such as municipalities, school boards, and the provincial and federal governments undertake many projects which require them to obtain land from private property owners. In the case of the Regional Municipality of Waterloo, projects such as the construction or improvement of Regional Roads sometimes require the purchase of land from private property owners. In many cases, the Region of Waterloo only needs a small portion of the private property owner’s lands or an easement for related purposes such as utilities, although in certain instances, entire properties are required.

Usually the governmental authority is able to buy the land required for a project through a negotiated process with the affected property owners. Sometimes, however, the expropriation process must be used in order to ensure that the land is obtained within a specific timeline. 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.

IMPORTANT NOTE: The Region of Waterloo tries in all instances to obtain lands needed for its projects through a negotiated agreement on mutually acceptable terms. Sometimes, the Region of Waterloo will start the expropriation process while negotiations are underway. This dual approach is necessary to ensure that the Region of Waterloo will have possession of all of the lands needed to start a
construction project on schedule. However, it is important to note that Regional staff continues to make every effort to reach a negotiated purchase of the required lands on mutually agreeable terms while the expropriation process is ongoing. If agreement is reached, expropriation proceedings can be discontinued and the land transferred to the Region of Waterloo in exchange for payment of the agreed-upon compensation.

*What is the process of the Region of Waterloo under the Expropriations Act?*

- Regional Council considers a request to begin an application under the *Expropriations Act* to obtain land and/or an easement for a specific Regional project. No decision is made at this meeting to expropriate the land. This step is simply direction for the Region of Waterloo to provide a “Notice of Application for Approval to Expropriate” to affected property owners that the process has started to seek approval to expropriate the land.

- As stated in the Notice, affected property owners have 30 days to request a Hearing to consider whether the requested expropriation is “fair, sound and reasonably necessary in the achievement of the objectives” of the Region of Waterloo. This Hearing is conducted by a provincially-appointed Inquiry Officer. Prior to the Hearing, the Region of Waterloo must serve the property owner with a Notice setting out its reasons or grounds for the proposed expropriation. **Compensation for lands is not determined at this Hearing.** The Inquiry Officer can order the Region of Waterloo to pay the property owner up to $200.00 as compensation for the property owner’s costs in participating in this Hearing, regardless of the outcome of the Hearing.

- If a Hearing is held, a written report is provided by the Inquiry Officer to the property owner and the Region of Waterloo. Council must consider the Report within 90 days of receiving it. The Report is not binding on Council and Council may or may not accept the findings of the Report. After consideration of the Report, Council may or may not approve the expropriation of the land or grant approval with modifications. A property owner may wish to make written and/or verbal submissions to Council at the time that it is considering the Report.

- If no Hearing is requested by the property owner, then Council may approve the expropriation of the land after expiry of a 30 day period following service of the Notice of Application for Approval to Expropriate.

- If Council approves the expropriation then, within 3 months of this approval, the Region of Waterloo must register a Plan at the Land Registry Office that describes the expropriated lands. The registration of this Plan automatically transfers title of the lands to the Region of Waterloo, instead of by a Deed signed by the property owner.
• Within 30 days of registration of the Plan, the Region of Waterloo must serve a Notice of Expropriation on the affected property owner advising of the expropriation. Within 30 days of this Notice, the property owner may serve the Region of Waterloo with a Notice of Election selecting the valuation date under the *Expropriations Act* for calculation of the compensation.

• In order to obtain possession of the expropriated lands, the Region of Waterloo must also serve a Notice of Possession setting out the date that possession of the land is required by the Region of Waterloo. This date has to be 3 months or more from the date that this Notice of Possession is served on the affected property owner.

• Within 3 months of registration of the Plan, the Region of Waterloo must provide the affected property owner with payment for the full amount of the appraised fair market value of the expropriated land or easement and a copy of the appraisal report on which the value is based. If the property owner disagrees with this amount, and/or claims other compensation and/or costs under the *Expropriations Act*, the compensation and/or costs matter may be referred to a provincially-appointed Board of Negotiation in an effort to reach a mediated settlement and/or an appeal may be made to the Ontario Municipal Board (OMB) for a decision. In any event, the Region of Waterloo continues in its efforts to reach a negotiated settlement with the affected property owner prior to the OMB making a decision.
Appendix “B”
Appendix “C”

1. Address: 2 Hoffman St., Kitchener, Ontario  
   Owner: 1455056 Ontario Limited  
   Annual Return: July 20, 2013  
   Directors/Officers: Harold Freure; David Freure; Heidi Freure

2. Address: 8 Hoffman St., Kitchener, Ontario  
   Owner: 2266127 Ontario Inc.  
   Annual Return: October 21, 2011  
   Directors/Officers: Michael Basic; Anthony Thomas D’Souza; Craig D’Souza;

3. Address: 14 Hoffman St., Kitchener, Ontario  
   Owner: 1384883 Ontario Inc.  
   Annual Return: June 14, 2014  
   Directors/Officers: John Birthelmer Zuk; Rosann Mary Zuk

4. Address: 130 Imperial Drive, Kitchener, Ontario  
   Owner: Conax Properties (Canada) Ltd. (British Columbia company)  
   Annual Return: January 31, 2014  
   Directors/Officers: Pierre Etienne Bindschedler; Alma Garnett; Richard Voyer

5. Address: 116 Hanson Avenue, Kitchener, Ontario  
   Owner: F-J Leasing & Developments Limited  
   Annual Return: September 3, 2003  
   Directors/Officers: Cecil Walter Bathe; Anne Louise Bathe

6. Address: 177 Hayward Avenue, Kitchener, Ontario  
   Owner: Eventus Group Inc.  
   Annual Return: May 10, 2014  
   Directors/Officers: Angelo Ferrelli; Domenic Ferrelli; Josephine Quercia; Danny Trombetta; John Trombetta

7. Address: 41 Ardelt Avenue, Kitchener, Ontario  
   Owner: Doyle Investments Corp.  
   Annual Return: December 21, 2013  
   Directors/Officers: Ronald Doyle; Suzanne Doyle; Judy Staats
Region of Waterloo
Transportation and Environmental Services
Transit Service (GRT)

To: Chair Jim Wideman and Members of the Planning and Working Committee

Date: August 12, 2014

File Code: F05-31

Subject: 2015 GRT Replacement Bus Purchase

Recommendation:

THAT the Regional Municipality of Waterloo takes the following action regarding the Grand River Transit’s 2015 replacement bus purchase:

a) grant pre-budget approval for the purchase of ten (10) transit buses prior to the approval of the 2015 budget.
b) accept the proposal from New Flyer Bus Industries Canada ULC., for the 2015 delivery of ten (10) diesel transit buses at a price of $4,858,526.76 including all applicable taxes.
c) authorize the issuance of debentures in an amount not to exceed $4,380,000 for a term not to exceed 10 years for this purchase.

Summary:

In 2012, Regional Council accepted a proposal from New Flyer (Report: E-12-099/F-12-074) for the delivery of transit buses over the five year period from 2013-2017. This procurement approach was adopted to enhance the operational benefits of fleet standardization and provided a pricing advantage due to the longer term commitment. The proposal was accepted by Regional Council on the understanding that the quantity of buses ordered and the price will be determined annually subject to final council approval.

The production and delivery schedule for transit buses requires a lengthy lead-time from order to delivery and staff are requesting pre-budget approval to ensure the ten (10) replacement buses are available when needed in 2015.

A separate request for the expansion buses needed to support a potential transit
expansion in September 2015 will be presented during the 2015 budget process.

Due to the delivery time required for new transit buses, the retirement of some of these buses scheduled for replacement in 2015 could be delayed to ensure vehicles are available to implement a transit service expansion should it be approved for a fall 2015 implementation.

Report:

Background

In 2012, Regional Council accepted a proposal from New Flyer Bus Industries Canada ULC., for the delivery of transit buses over the five year period from 2013–2017 (Report: E-12-099/F-12-074). This procurement approach was adopted to enhance the operational benefits of fleet standardization and provided a pricing advantage due to the longer term commitment. The proposal was accepted by Regional Council on the understanding that the quantity of buses ordered and the price will be determined annually subject to final council approval.

Transit Fleet Accessibility

Since the inception of GRT, all bus purchases have been low floor accessible vehicles. These buses are easier to board and exit as there are no stairs to navigate. This feature is particularly important to customers travelling with mobility devices or strollers. With the bus procurement in 2012, the entire conventional bus fleet is low floor accessible. In 2013 approximately 144,000 rides were provided to MobilityPLUS customers on these accessible conventional transit buses.

These replacement buses will also be equipped with advanced technology including automated audible and visual stop announcements. These features assist visually and hearing impaired customers with exiting the bus at the proper bus stop location.

Clean Diesel Technology

These buses operate on Ultra Low Sulphur Diesel fuel and are equipped with post emission control devices known as Continuous Regenerating Technology (CRT) which use particulate filters to reduce diesel emissions to levels comparable to compressed natural gas (CNG). To meet the 2010 emission control requirements the new buses also include a Selective Catalytic Reduction (SCR) system which, through the injection of a highly purified solution of urea and water into the exhaust system, converts the harmful nitrogen oxides of the exhaust gases into water and atmospheric nitrogen. This technology has near zero emissions of nitrogen oxides.

Corporate Strategic Plan:

The purchase of the clean diesel buses supports Focus Area 1 – Environmental
Sustainability: Protect and Enhance the Environment.

Financial Implications:

Based on the supplier’s confirmed purchase price from P2012-22 to purchase buses for delivery in 2015, the estimated cost to the Region for the supply of ten (10) transit buses as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>P2012-22</td>
<td>$4,299,581</td>
</tr>
<tr>
<td>HST</td>
<td>558,946</td>
</tr>
<tr>
<td>Sub-Total</td>
<td>$4,858,527</td>
</tr>
<tr>
<td>Less: Municipal HST Rebate of 11.24%</td>
<td>(483,273)</td>
</tr>
<tr>
<td>Total</td>
<td>$4,375,254</td>
</tr>
</tbody>
</table>

Each of the ten (10) new buses will be retrofitted to include passenger information displays, automatic stop announcement features, computer aided dispatch, a vehicle location system, surveillance system and an automatic passenger counting system.

The approved 2014 GRT Capital Program and 10 Year Forecast includes $7,000,000 (14 buses at a cost of $500,000 per bus) for scheduled bus replacements in 2015. The base 2015 GRT Capital budget has been adjusted to reduce this budgeted amount to $5,000,000 (10 buses at a cost of $500,000 per bus) to be funded from debentures. Debenture authority in the amount of $4,380,000 is required for this purchase.

Other Department Consultations/Concurrence:

The Finance Department and Transportation Planning have provided input into this report.

Attachments

NIL

Prepared By: Peter Zinck, Assistant Director, Transit Services
Larry Smith, Financial Analyst

Approved By: Thomas Schmidt, Commissioner, Transportation and Environmental Services
Craig Dyer, Chief Financial Officer
Region of Waterloo
Transportation and Environmental Services

Transportation

To: Chair Jim Wideman and Members of the Planning and Works Committee
Date: August 12, 2014  File Code: C13-30/A&R

Subject: Transfer of Speedsville Road between Regional Road 38 (Maple Grove Road) and Regional Road 39 (Eagle Street) to the Region of Waterloo and Transfer of Beverly Street and Samuelson Street / Clyde Road between Regional Road 8 (Dundas Street North) and Regional Road 36 (Franklin Boulevard) to the City of Cambridge

Recommendation:

That the Regional Municipality of Waterloo approve the commencement of the process to transfer Speedsville Road between Regional Road 38 (Maple Grove Road) and Regional Road 39 (Eagle Street) to the Region of Waterloo and the transfer of Beverly Street and Samuelson Street/Clyde Road between Regional Road 8 (Dundas Street North) and Regional Road 36 (Franklin Boulevard) to the City of Cambridge.

i. Commence the process to consider amending the Road Consolidation By-Law 01-059 (Regional Road System) to:
   a) Effective upon passing of the by-law transfer Speedsville Road, from Regional Road 38 (Maple Grove Road) to Regional Road 39 (Eagle Street) from the City of Cambridge to the Region of Waterloo to form Regional Road 72 (Speedsville Road); and
   b) Effective upon passing of the by-law transfer part of Regional Road 27 (Beverly Street and Samuelson Street / Clyde Road) from Regional Road 8 (Dundas Street North) to Regional Road 36 (Franklin Boulevard) from the Region of Waterloo to the City of Cambridge.

ii. Provide notice to the public of the proposed road transfers as required by the Region’s Notice Policy and in accordance with the Municipal Act and place the proposed by-law on the agenda of an upcoming Council Meeting once the cross-border servicing agreement is finalized.
iii. Commence the process to Amend Traffic and Parking By-law 06-072 to:
   a) Reflect the addition of existing traffic regulations on the section of road to be transferred to the Region of Waterloo; and
   b) Reflect the removal of existing traffic regulations on the section of road to be transferred to the City of Cambridge

Summary:
Nil

Report:

1. Overview

   a) Speedsville Road: Regional Road 38 (Maple Grove Road) to Regional Road 39 (Eagle Street)

   The Region of Waterloo has been working to advance the creation of new employment lands in the northern portion of the City of Cambridge, the southern portion of the Township of Woolwich and a very small portion of the City of Kitchener. This area has become known as the East Side Lands (east of the Grand River). Most recently, the Region, with the City of Cambridge and the Grand River Conservation Authority, have been working to complete a Master Environmental Servicing Plan (MESP) for Stage 1, which would create over 700 acres of new employment land over several years. The MESP includes a “Quick Start” phase to bring approximately 200 acres to market in the next one to two years. Given the lack of large lot employment lands to attract new investment to Waterloo Region, this initiative is a high priority, and is also being advanced through the forthcoming Regional Economic Development Strategy work.

   A critical element required to support the development of this area is a well-defined road system. While Regional Road 17 (Fountain Street) will continue to function as a major north-south arterial, Speedsville Road is also identified as an important future major north-south arterial. The Regional Transportation Master Plan (RTMP) and the Transportation Assessment prepared for the East Side Lands (Stage 1) MESP determined that a widening and upgrade of Speedsville Road from Maple Grove Road to Eagle Street is required in the future in order to accommodate the full build out of the Stage 1 lands. The upgrade will bring the road up to urban standards and include provisions for pedestrians and cycling facilities. Speedsville Road is also identified in the RTMP as a future connection to the new Highway 7 alignment. However, as the “Quick Start” phase does not require Speedsville Road to be upgraded and widened, such road improvements will be incorporated into the next Regional Development Charges By-Law update in 2019.

   The assumption of Speedsville Road satisfies the criteria for designation as a Regional Road. In addition, the assumption of Speedsville Road supports the
creation of new employment lands designated as “Prime Industrial Strategic Reserve” in the Regional Official Plan.

During the negotiations regarding the potential transfer of Speedsville Road, the Region requested that the City remove the existing truck prohibition and enter into a cross-border servicing agreement to service lands, including and in the vicinity of the Region of Waterloo International Airport as a condition of the transfer.

Figure 1 below illustrates the section of Speedsville road to be transferred to the Region of Waterloo:
b) Regional Road 27 (Beverly Street and Samuelson Street / Clyde Road): Regional Road 8 (Dundas Street North) to Regional Road 36 (Franklin Boulevard)

During the discussions regarding the potential transfer of Speedsville Road, the Region and the City of Cambridge discussed the issue of transferring Beverly Street and Samuelson Street / Clyde Road (Regional Road 27) from Dundas Street (Regional Road 8) to Franklin Boulevard (Regional Road 36) from the Region of Waterloo to the City of Cambridge. This section of Regional Road 27 does not meet the criteria for a Regional Road.

The City of Cambridge is supportive of the transfer of Beverly Street and Samuelson Street / Clyde Road (Appendix A).

Figure 2 below illustrates the sections of Beverly Street and Samuelson Street / Clyde Road to be transferred to the City of Cambridge:
Once Regional Council approves commencing the process of the proposed road transfers, Region Staff will proceed to provide public notice as required by the Region’s Notice Policy and in accordance with the Municipal Act and place the proposed by-law on the agenda of an upcoming Council Meeting once the cross-border servicing agreement is finalized.

**Area Municipal Consultation / Coordination**

On July 7, 2014, the City of Cambridge passed a resolution supporting the transfer of Speedsville Road from Eagle Street to Maple Grove Road from the City of Cambridge to the Region of Waterloo and the transfer of Beverly Street and Samuelson Street / Clyde Road from Dundas Street to Franklin Boulevard from the Region of Waterloo to the City of Cambridge (Appendix A). The City of Cambridge has also provided correspondence to the Region allowing the future connection of the Airport to the City sanitary sewer on Fountain Street and continuing discussions to finalize the cross-boarder servicing agreement (Appendix A).

**Corporate Strategic Plan:**

The transfer of Speedsville Road from the City of Cambridge to the Region of Waterloo directly supports Strategic Objective 2.2: Develop, optimize and maintain infrastructure to meet current and projected needs, Strategic Objective 2.3: Support a diverse, innovative and globally competitive economy and Action 2.3.1: Advance New East Side Employment Lands toward Development Readiness.

**Financial Implications**

The project costs of upgrading and widening Speedsville Road from Eagle Street to Maple Grove Road is approximately $41 million and includes provisions for pedestrians and cycling facilities, two water crossing structures and the necessary structures to cross eight lanes of Highway 401. However, as the “Quick Start” phase does not require Speedsville Road to be upgraded and widened now, no major road improvements have been incorporated into the 2014 Transportation 10 year Capital Program. Improvements to Speedsville Road would be considered during the development of the 2015 Transportation 10 year Capital Program and if included, would be funded from Development Charge Reserve Fund.

There are no funds allocated in the 2014 10 year Transportation Capital Program for Beverly Street and Samuelson Street.

Based on the transfer of these roads, the total mileage of the Regional Road System will be increased by approximately 3.0 lane kms, resulting in an estimated $19,800 impact to the Transportation Operations budget starting in 2015.
Other Department Consultations/Concurrence:

Staff from Corporate Resources (Legal Services) were consulted in the preparation of this report.

Corporate Resources Division staff will be involved in the preparation of the Roads Consolidated and Traffic and Parking by-law amendments and Planning Division staff will undertake any amendments required to the Regional Official Policies Plan.

Attachments

Appendix A – City of Cambridge Correspondence

Prepared By: Andrea Buckley, Sr. Project Manager, Transportation Infrastructure

Approved By: Thomas Schmidt, Commissioner, Transportation and Environmental Services
July 28, 2014

Region of Waterloo
Attention: Andrea Buckley,
Transportation Infrastructure
150 Frederick Street
Kitchener, ON N2G 4J3

Dear Andrea,

RE: Speedsville Road Ownership Transfer

Please be advised that Cambridge City Council, at its General Committee meeting held on the 7th day of July, 2014, approved the following:

That Report 14-031 (TPW), regarding Speedsville Road Ownership Transfer, be received;

AND THAT Council approve the ownership transfer of Speedsville Road from Eagle Street to Maple Grove Road from the City of Cambridge to the Regional Municipality of Waterloo in exchange for the transfer of Beverly Street/Samuelson Street/Clyde Road from Dundas Street to Franklin Boulevard from the Regional Municipality of Waterloo to the City of Cambridge;

AND THAT, the City’s Traffic and Parking By-law 186-07 be amended to permit heavy trucks on Speedsville Road from Eagle Street to Maple Grove Road.

This recommendation was adopted by Cambridge City Council Motion Number 135-14 on the 14th day of July, 2014.

Should you have any questions or comments regarding this matter, please contact me.

Yours truly,

Shannon Noonan, C.E.T.
Manager of Transportation Engineering

cc: George Elliott, P.Eng, Commissioner of Transportation & Public Works

E-mail: noonans@cambridge.ca
Phone: 519-623-1340, Ext. 4607
Phil Bauer

From: Sarah Austin <AustinS@cambridge.ca>
Sent: Thursday, August 07, 2014 11:36 AM
To: Thomas Schmidt; Amanda Kutler
Cc: George Elliott; Elaine Brunn Shaw; Brenna MacKinnon; Kevin Dolishny; Phil Bauer
Subject: Request to connect to City of Cambridge sewer

Good morning Thomas,

George Elliott is on vacation and will be returning to the office on August 18th. I understand from Brenna MacKinnon that a response from the City of Cambridge is required by August 7th, 2014, in order to ensure the issue of the Speedsville Road transfer can be discussed at the Regional Council meeting on August 20th, 2014.

Based on email communication with George, Elaine Brunn Shaw and I have prepared the following response to the Region’s request.

Further to your letter to George Elliott, Commissioner, Transportation and Public Works, dated July 4, 2014, and City staff’s recommendation to Cambridge Council in a report dated March 24, 2014, the City of Cambridge will allow the Region of Waterloo to connect to the City of Cambridge sanitary sewer collection system for the purpose of providing a sanitary outlet for the flows generated at the Region of Waterloo International Airport.

As per your letter, the proposed connection point is the proposed limit of gravity sewer extension of the Fountain Street sewer at Middle Block Road. The City intends to construct the sewer extension in conjunction with the Region of Waterloo’s Fountain Street project, currently scheduled for construction in 2018. Should the Region wish to connect prior to the sewer extension being constructed, the connection point would be the existing sanitary sewer at Fountain Street and Maple Grove Road. Based on the calculations provided by the Region and outlined in your letter of July 4, 2014, the Preston Wastewater Treatment Plant appears to have sufficient capacity to treat the anticipated airport flows, along with the planned development for the Stage 1 area in the East Side Lands and current development proposals within the servicing catchment area for the Preston Wastewater Treatment Plant.

Since Cambridge Council’s resolution of March 24, 2014 indicates, in part:

AND THAT City staff be directed to continue negotiations with the Region of Waterloo and Township of Woolwich for a separate cross-border servicing agreement to service lands in the vicinity of the Region of Waterloo International Airport outside the City of Cambridge service boundary;

We are still interested in continuing discussions as required with the Region and Township of Woolwich to finalize the separate cross-border servicing agreement.

We trust this is the information required at this time. If required, a formal letter response can be prepared by George upon his return.

Regards,
Sarah Austin, P. Eng.
Project Engineer, Engineering Services

City of Cambridge
50 Dickson Street, 3rd Floor
Cambridge, ON N1R 5W8
Phone: 519-621-0740 ext. 4552
Fax: 519-740-7729
Email: austins@cambridge.ca

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so have your voice heard.
Vote on October 27, 2014!
Or vote on-line or by phone
from October 11-25, 2014
www.cambridge.ca/vote2014

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Region of Waterloo
Transportation and Environmental Services
Water Services

To: Chair Jim Wideman and Members of the Planning and Works Committee
Date: August 12, 2014
File Code: E06-20
Subject: Designation of Source Protection Risk Management Official and Inspectors

Recommendation:

That the Regional Municipality of Waterloo delegate the power to appoint a Risk Management Official and Risk Management Inspectors pursuant to subsection 47(6) of the Clean Water Act (2006) to the Commissioner of Transportation and Environmental Services;

That the Clerk of the Regional Municipality of Waterloo be directed to issue Certificates of Appointment to Risk Management Officials and Risk Management Inspectors under subsection 47(7) of the Clean Water Act (2006); and

That the delegation by-law attached as Appendix A to Report E-14-083 be passed.

Summary:

The Clean Water Act (2006) and related regulations set up a multi-step process to establish a Source Protection Plan (SPP) for the Grand River watershed for reducing the risks to municipal drinking water sources. The Proposed Grand River SPP was submitted to the Ministry of Environment (MOE) in February 2013 and is currently being reviewed by MOE staff. Implementation of the SPP is not anticipated until 2016.

In preparation for SPP implementation, Region staff have initiated several components including those related to new risk management responsibilities under the Clean Water Act. This report outlines the scope of responsibilities for the Risk Management Official and Risk Management Inspectors and recommends delegating the power to appoint the Risk Management Official and Risk Management Inspectors to the Commissioner of Transportation and Environmental Services.
Report:

Background

The **Clean Water Act (2006)** established the legislative framework for undertaking watershed-based source water protection. The purpose of the initiative was to reduce the risks to water quality and quantity and threats to drinking water sources. The **Clean Water Act** and related regulations set up a multi-step process that was undertaken over a number of years to establish a Source Protection Plan (SPP) for the Grand River watershed which contains policies for reducing the risks to drinking water sources. The development of the SPP was a collaborative effort between municipal and Grand River Conservation Authority (GRCA) staff. The multi-stakeholder Lake Erie Source Protection Committee (SPC) is responsible for completing the SPP.

The Proposed Grand River SPP was submitted to the Ministry of Environment (MOE) in February 2013. MOE staff provided initial comments in December 2013 and are working their way through each municipal chapter from the top of the watershed to the bottom. Comments on the Waterloo Region chapter were received May 9, 2014, and Water Services staff was still reviewing them at the time this report was written.

As noted in the report to Regional Council in January 2013, Region staff anticipates needing to engage the MOE beyond the written comments to clarify the MOE’s direction and/or intent on some of their comments on the proposed policies. It is likely some policies will be modified in accordance with the comments and discussion. A report will be presented for Regional Council’s consideration if there are any substantive changes to the policies. GRCA staff has developed a preliminary schedule that includes public comment on the plan in October with resubmission to the MOE by December 2014.

The MOE has indicated that they anticipate approval of all of the SPPs across the province by the end of 2015. Implementation start dates will be determined by the Minister of Environment and is anticipated to be early 2016 in Waterloo Region.

The Regional Municipality of Waterloo, as a municipality that has authority to pass by-laws respecting water production, treatment and storage under the **Municipal Act, 2001**, is responsible for the enforcement of Part IV of the **Clean Water Act (2006)** – Regulation of Drinking Water Threats. Subsection 47(6) of the **Clean Water Act (2006)** requires the appointment of a Risk Management Official and such Risk Management Inspectors as are necessary to carry out the enforcement provisions.

This report provides a summary of the status of preparations being made by Region staff for implementation including a recommendation for the appointment of a Risk Management Official and Risk Management Inspectors.
Status of Implementation Development

The Region’s proposed policies cover the full spectrum of policy options available through the Clean Water Act. These include the more traditional land-use planning process and education programs as well as several new tools for prohibiting activities and requiring risk management plans to reduce the risk from threats. The Clean Water Act also provided a tool that would trigger a prohibition or the development of a risk management plan if a ‘Significant threat activity’ was part of a development application or building permit. In preparation for SPP implementation, Region staff has initiated several components; the status is listed below:

- Developed the process for confirming whether significant threat activities are actually occurring on properties, to be initiated in September 2014.
- Developed the initial framework for negotiating risk management plans for existing and new activities including draft templates for salt application, chemical handling and farm activities.
- Consulted with Area Municipal planning staff on the integration of Clean Water Act policies and local development approval processes.
- Began piloting risk management plans with municipal winter maintenance departments over the winter of 2013/2014 and will pilot other activity templates with select property owners starting fall 2014.
- Hired CSDC Consulting Inc. in September 2013 to develop an activity and implementation tracking database (E-13-125).
- Developed initial concepts for a proposed fee structure that will propose a one-time fee for persons requiring risk management plans as part of the development approval process. Public consultation and Regional Council consideration on the proposed fee structure will be undertaken in 2015 as part of the review of the Region’s Fees and Charges By-law.
- Will begin developing incentive/education programs for existing activities and will coordinate cross-boundary implementation with Wellington County and Brantford in the fall of 2014 and winter 2015.

Risk Management Official and Risk Management Inspectors

As noted in the report to Regional Council on the implications of source protection (E-12-075), use of the prohibition, risk management plan, and restricted land use tools requires the appointment of a Risk Management Official (RMO) and Risk Management Inspectors (RMI) for implementation. Together these persons would comprise a RMO “office” that would have authority for a number of tasks including the following:

- Issuing, negotiating, amending, renewing, and revoking risk management plans.
- Providing “notice” on development applications that risk management plans are required as part of the application process.
• Issuing enforcement orders and authorizing work to be done at the property owner’s expense.
• Charging processing/application fees and/or recouping expenses where the property owner refused to take action.
• Issuing and service certificates of offence under the Provincial Offences Act for contravention of stipulated sections of the Clean Water Act (2006).

While these authorities are provided for in the legislation, Region staff will attempt to take a cooperative and reasonable approach on the content of Risk Management Plans and only use the enforcement authorities where necessary. Further information on the approaches to negotiation and “template” Risk Management Plans will be presented to Regional Council for further consideration in 2015. Appeals of order made by the RMO office can be made to the Environmental Review Tribunal.

The majority of the tasks to be undertaken by these persons revolve around the development of risk management plans and their implementation. Each risk management plan is individually negotiated between the person implementing the activity and the RMO. Inspections will be undertaken of any structure that is required to be built under a Risk Management Plan as well as inspections to confirm the presence or absence of the activity and therefore the need for a risk management plan. A total of approximately 500 risk management plans will be required in Waterloo Region for existing threats based on the policies. In addition, it is estimated that five to ten development applications across the Region may need RMO notices based on a review of previous development applications provided by several Area Municipalities and Region staff.

Implementing the tasks of the RMO Office is a new responsibility for the Region. Accordingly, Water Services staff has undertaken an assessment of the financial and staffing implications needed to implement these functions. A review of existing Water Services staff responsibilities in 2012 identified areas where existing staff resources can be utilized and where additional staff will be needed. Availability of existing staff resources reflects that several of the staff that were previously implementing assessment and policy development projects will transition into implementation following approval of the SPP. The proposed staffing structure and identification of additional staff needed for the RMO office was first presented to Regional Council in August 2012 (E-12-075) was included in the 2014 approved water supply capital and operating budgets and included the following:

• The RMO Office will be operated within Water Services. The RMO will report to the Manager, Hydrogeology and Source Water.
• The RMO responsibilities require a variety of hydrogeology, engineering and planning skills and experience. This experience can be incorporated into the Senior Hydrogeologist position. An existing Senior Hydrogeologist position will
be assigned for the RMO. One of Water Services Senior Hydrogeologists has already received the RMO training required to act in this capacity. The Manager, Hydrogeology and Source Water will be designated as a backup RMO in the RMO’s absence.

- The skills and experience needed to implement the responsibilities of the RMI are similar to those of Environmental Officers within Water Services Environmental Enforcement group. One existing Environmental Officer position will be assigned to fulfill the RMI responsibilities. Two additional Environmental Officers will also undertake RMI responsibilities on a part-time basis to provide assistance and backup.

Section 47 (6) of the **Clean Water Act** requires municipal by-law to appoint a Risk Management Official and Risk Management Inspectors to implement the enforcement of the risk management components of the SPP. Section 23.1 of the **Municipal Act, 2001** permits the Region to delegate that appointment authority. It is recommended that the authority to appoint Officials and Inspectors be delegated to the Commissioner of Transportation and Environmental Services, which will provide the flexibility in response to work load of affected Region staff, staff change positions or staff vacancies occur. A draft of the delegation by-law is attached as Appendix A to this Report.

**Corporate Strategic Plan:**

Preparation and implementation of the SPP contributes to the implementation of the Strategic Objective to protect the quality and quantity of our drinking water sources of Focus Area 1: Environmental Sustainability.

**Financial Implications:**

Staff that will be designated as RMO or RMI are existing staff that are funded through Water Services approved operating budget. Implementation costs for implementing the SPP are contained in the approved 2014 Capital Budget and 10-Year Forecast. Water Services operating and capital budgets are funded through water reserves and regional development charges.

**Other Department Consultations/Concurrence:**

Staff from Planning Housing and Community Services and Legal Services have been and will continue to be consulted in preparation for SPP implementation.

**Prepared By:** Eric Hodgins, Manager Hydrogeology and Source Water

**Approved By:** Thomas Schmidt, Commissioner Transportation and Environmental Services
BY-LAW NUMBER 14-xxx

OF

THE REGIONAL MUNICIPALITY OF WATERLOO

A By-law to delegate the power to appoint a Risk Management Official and Risk Management Inspector(s) under Part IV of the Clean Water Act, 2006.

WHEREAS The Regional Municipality of Waterloo, as a municipality that has authority to pass by-laws respecting water production, treatment and storage under the Municipal Act, 2001, is responsible for the enforcement of Part IV of the Clean Water Act, 2006, S.O. 2006, c. 22 (the “Act”) in the municipality pursuant to subsection 47(1)(b) of the Act;

AND WHEREAS subsection 47(6) of the Act provides that a municipality that is responsible for enforcement of Part IV of the Act shall appoint a risk management official and such risk management inspectors as are necessary for the purpose of such enforcement;

AND WHEREAS section 23.1 of the Municipal Act, 2001 permits The Regional Municipality of Waterloo to delegate its power under subsection 47(6) of the Act;

AND WHEREAS subsection 47(7) of the Act requires the Regional Clerk to issue certificates of appointment to each Risk Management Official and Risk Management Inspector;

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

1. The Commissioner of Transportation and Environmental Services, or his or her designate or successor, is delegated the power to appoint a Risk Management Official and such Risk Management Inspectors as are necessary for enforcement of Part IV of the Act.

2. The Regional Clerk shall issue certificates of appointment bearing the Regional Clerk’s signature or a facsimile of it to each Risk Management Official and Risk Management Inspector appointed under Section 1 of this by-law.

3. This By-law comes into force on the day of its final passing.

Bylaw read a first, second and third time and finally passed in the Council Chamber in the Regional Municipality of Waterloo this [nth] day of August, A.D. 2014.

___________________________   ______________________________
REGIONAL CLERK     REGIONAL CHAIR
Region of Waterloo

Transportation & Environmental Services Department

Water Services Division

To: Chair Jim Wideman and Members of the Planning & Works Committee

Date: August 12, 2014

File Code: C06-60(A); E13-20(A)/08275

Subject: Evaluation of Alternatives for Hauled Wastewater Receiving and Treatment

Recommendation:

For Information.

Summary:

The Region retained XCG Consultants to carry out the first phase of a study for the development of a long-term solution to manage hauled wastewater originating from unserviced areas in the Region. The solution, when implemented, will replace the existing temporary hauled wastewater receiving system at the New Hamburg Wastewater Treatment Plant (WWTP) implemented in 2002 (Report E-02-018.1 dated December 3, 2002). The primary objectives of this study were to establish the appropriate size (capacity) of the proposed facility, and develop a short-list of preferred alternatives.

The recommended facility capacity is 170 cubic metres per day of hauled wastewater (approximately 10 trucks per day), and the recommended short-list of alternatives include three potential sites to construct hauled wastewater receiving facilities:

1. Receive at the Wastewater Residuals Management Facility (Manitou Drive) and treat at Kitchener WWTP.
2. Receive and treat at the Waterloo WWTP.
3. Receive at the proposed East Side Lands Pump Station and treat at the Kitchener WWTP.
Report:

Most of the rural areas and some parts of the smaller urban centers of the Region of Waterloo are not serviced by municipal wastewater collection and treatment systems. Homes and businesses in these unserviced areas rely on either septage systems with sub-surface leaching beds, or storage tanks emptied by private hauling services for the disposal of their wastewater. Wastewater is also generated in the Region at events or locations serviced by portable toilets. A number of private companies operating in the area are contracted by property owners to haul away and dispose of stored wastewater from tanks and portable toilets, and to remove wastes that accumulate over time in septic tanks (septage).

In 2003, the Province of Ontario banned land application of portable toilet wastes on agricultural land. In addition, the Province is planning to eventually phase out land application of any untreated hauled wastewater on agricultural land, even though no timetable for this change has yet been announced. Furthermore, land application of hauled wastewater is becoming challenging due to seasonal limitations and availability of farms willing to accept the product.

In response to a number of inquiries and requests from the MOE, residents, and contractors, the Region initiated in 2002 a pilot program to receive hauled wastewater generated in the Region at the New Hamburg Wastewater Treatment Plant (WWTP) (Report E-02-018.1 dated December 3, 2002). The pilot program was found to be successful and was continued as the interim program. Haulers are charged a fee by the Region to accept and co-treat the hauled wastewater along with the wastewater collected by the Township of Wilmot’s sewer systems for New Hamburg and Baden. The Region’s strategy was to continue this practice on a temporary basis until a more permanent long-term solution for handling hauled wastewater was required.

Due to an increase in volumes of tracked wastewater and septage and the limited receiving capacity of the New Hamburg WWTP, the Region retained XCG Consultants Inc. in September 2013 to carry out a study to evaluate permanent options for receiving the Region’s hauled wastewater. The main components of this study included:

- Calculation of the projected quantity of hauled wastewater in the Region until 2031,
- Assessment of the range of possible long-term solutions for the treatment and disposal of hauled wastewater, and
- Identification of a short-list of the best alternatives for the Region to carry forward into a more detailed study that will determine the preferred alternative for the Region.

XCG, in consultation with Region staff and staff from OCWA, has completed their
evaluation using a comparative scoring process and issued a report to the Region. A facility capable of handling up to 170 cubic metres per day of hauled wastewater (approximately 10 trucks per day) is recommended for implementation, compared to 42 cubic metres per day received on average at New Hamburg WWTP now. This will be sufficient capacity to handle anticipated growth in the Region to 2031 and assumes that the Province bans land-application of untreated septage within that time-frame. The facility will be designed such that future upgrades can be made to increase the capacity beyond the 170 cubic metres per day initial design size.

The report recommends the following short-list of the highest scoring alternatives for the Region to consider:

1. Construct a new hauled wastewater receiving station at the Region’s existing Wastewater Residuals Management Facility (WWRMF) on Manitou Drive in Kitchener. From this station, the hauled wastewater would be conveyed through existing pipes to the Kitchener WWTP for co-treatment with wastewater collected by the City of Kitchener.

2. Construct a new hauled wastewater receiving station at the Region’s existing Waterloo WWTP on University Avenue for co-treatment at that plant along with wastewater collected by the City of Waterloo.

3. Incorporate a hauled wastewater receiving system into the design and construction of the East Side Lands Wastewater Pumping Station that the Region plans to construct by about 2018. The hauled wastewater would be combined with the municipally collected wastewater received from the serviced East Side Lands and pumped to the Kitchener WWTP via forcemain for treatment.

Because of the relative size of the Kitchener and Waterloo WWTPs compared to the amounts of hauled wastewater projected to be received, the above three alternatives are not expected to have any significant impact on the Region’s capacity to service new growth in these areas.

Early in 2015, Regional staff plan to initiate the next phase of study to examine the above three alternatives in more detail. It is proposed that the next phase of study follow the principles of the Municipal Class Environmental Assessment (EA) and preliminary design process, and determine which option is preferred for implementation, with the aid of appropriate public and agency consultation. This next phase of work will also estimate the capital costs of the proposed solution.

**Corporate Strategic Plan:**

The development of a long-term solution for management of hauled wastewater generated from the Region’s unserviced areas, and the elimination of hauled wastewater receiving at the New Hamburg WWTP, support the Corporate Strategic

Financial Implications:

The current wastewater Capital Program includes $64.7 million for implementation of a Biosolids Management Strategy, which includes implementation of the hauled wastewater management infrastructure as a sub-component. More information about the cost of the hauled wastewater facility will become available upon completion of the EA process and related preliminary design work, and will be included in the 2016 Wastewater Capital Program budget developed by staff will reflect the updated cost estimates.

Other Department Consultations/Concurrence:

Nil

Attachments

Nil

Prepared By: Dave Arsenault, Senior Project Engineer

Approved By: Thomas Schmidt, Commissioner, Transportation and Environmental Services
Region of Waterloo
Transportation and Environmental Services
Water Services

To: Chair Jim Wideman and Members of the Planning and Works Committee
Date: August 12, 2014
File Code: E14-40/GWWTP
Subject: Sole Source Purchase of Replacement of Odour Control System Media at the Galt Wastewater Treatment Plant

Recommendation:

That the Regional Municipality of Waterloo purchase replacement odour control system media from UNISORB Canada Limited for the Biosolids Dewatering Facility odour control system located at the Galt Wastewater Treatment Plant in the City of Cambridge for the amount of $153,942.32 excluding all applicable taxes.

Summary:

Nil

Report:

Commissioned in 2009, a biosolids dewatering facility was constructed at the Galt Wastewater Treatment Plant (WWTP) to process and reduce the volume of biosolids. This facility dewaterers all the biosolids produced at the Galt and Preston WWTPs and generates approximately 8,500 tonnes of dewatered biosolids annually. Since the processing of biosolids may generate unpleasant odours, odour control systems were incorporated into the design of the facility to collect and treat the unpleasant air generated within the facility.

The UNISORB odour control system installed at Galt uses a series of specialized beds that have absorbing media in each bed. As the unpleasant air passes through these beds, any odourous compounds in the air are removed by the media and the treated air is discharged to the atmosphere. Over time the media slowly looses its effectiveness and must be replaced periodically.
When the UNISORB system was commissioned in 2009, it was expected that the media in the odour control system would last approximately 7 years. However, based on the annual sampling done on the media, its effectiveness has deteriorated rapidly over the last year leading to the unexpected recommendation by the supplier to replace the media now in year 5 of operation. The media in this odour control system is still the original media that was commissioned in 2009.

The media for this odour control system is proprietary to UNISORB and the odour control system installed at Galt was designed to operate with this system. Installing alternate media may reduce the effectiveness of the odour control system and increase the risk of unpleasant odours migrating offsite. Because the media is proprietary to the UNISORB system no other vendors were considered to supply replacement media.

Regional staff recommends that Council approve the purchase of replacement media for the odour control system at the Galt Biosolids facility from UNISORB Canada. This will maximize the effectiveness of the existing system and reduce the potential of odour complaints from neighbouring residents. UNISORB Canada Limited specializes in odour control systems in which the Region has installed in the past at other WWTPs with good success.

Section 21(1)(i) of the Purchasing By-law allows for acquisition by negotiation where the acquisition is beneficial for the standardization of goods for the Region. OCWA and Regional staff have negotiated a purchase price of $153,942.32 excluding all applicable taxes and are satisfied that this price is fair, reasonable, and competitive based on historical costs for maintaining odour control systems at other Regional WWTPs.

**Corporate Strategic Plan:**

The project supports the Region’s Corporate Strategic Plan Objective of “ensuring adequate infrastructure capacity to meet current needs and planned growth” under Strategic Focus Area 1 Environmental Sustainability.

**Financial Implications:**

The total estimated cost for the supply and installation of replacement Odour Control System Media as provided by UNISORB Canada Limited via their local sales representative, ENV Treatment Systems Inc., is $153,942.32 excluding all applicable taxes.

The cost of the replacement media will be funded from the Cambridge Infrastructure Repair and Replacement capital budget of $2.536 million. The quoted cost from the vendor is within the allocated funds designated for unplanned capital work. The remainder of the budget will be used to fund other capital projects at the WWTPs located in Cambridge.
Other Department Consultations/Concurrence:

Finance (Procurement & Supply Services) were consulted during the preparation of this report.

Attachments

A. Quote UNISORB Canada Limited their local sales representative ENV Treatment Systems Inc. dated July 14, 2014.

Prepared By: Trevor Brown, Sr. Project Engineer, Engineering and Wastewater Programs

Approved By: Thomas Schmidt, Commissioner of Transportation and Environmental Services
July 14, 2014

Galt WWTP - Ontario Clean Water Agency
230 Water Street South
Cambridge, Ontario
N1R 5S6
TEL: (519) 623-0071
FAX: (519) 623-6155
Page 1 of 2

ATTENTION: Mr. Rick Connell <RConnell@ocwa.com>

SUBJECT: Galt WPCP - UNISORB GA Carbon Odour Abatement System - LOCU unit
1. 1st Media Chamber - SXL High Capacity Carbon Media
2. 2nd Media Chamber - KMNO4 Potassium Permanganate Media PA8
3. Media Bed Monitor Road - Silver plated assembly
REVISION No. 4 - MEDIA QUOTATION

Gentlemen:

With respect to our discussions this afternoon, both UNISORB Canada Ltd. and ENV Treatment Systems Inc. strive to insure excellent equipment operation and performance coupled with ENV’s service capabilities for complete media supply and replacement. As stated, we have given you a substantial “discount” on the purchase price for this media based on a complete retrofit of both the SXL carbon the PA8 media for the Larger OCU scrubber (LOCU). As discussed, ENV TREATMENT SYSTEMS INC. is pleased to offer the following REVISION No. 4 - Media Quotation for supply of 1st and 2nd Medias (ie SXL and PA8 Media) for the larger OCU unit (LOCU) for your review:

GALT BIOSOLIDS LOADING FACILITY:

NOTE - This is for complete Media replacement in the smaller OCU unit (both SXL and PA8 medias)

<table>
<thead>
<tr>
<th>ITEM</th>
<th>VOLUME</th>
<th>DENSITY</th>
<th>ITEM</th>
<th>LOT PRICE</th>
</tr>
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<tbody>
<tr>
<td>1</td>
<td>410 ft³</td>
<td>36 lbs/ft³</td>
<td>SXL High Capacity Carbon Media</td>
<td>$61,996.32 CDN</td>
</tr>
<tr>
<td>2</td>
<td>410 ft³</td>
<td>52 lbs/ft³</td>
<td>PA8 KMNO4 Potassium Permanganate media</td>
<td>$84,296.00 CDN</td>
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<tr>
<td>3</td>
<td>2</td>
<td>NA</td>
<td>Media Bed Monitor Rod</td>
<td>$750.00 CDN</td>
</tr>
</tbody>
</table>

SPARE MEDIA PRICING........................................ $147,042.32 CDN
ESTIMATE FOR FREIGHT TO JOBSITE......................... $4,400.00 CDN

A) TOTAL MEDIA PRICING........................................ $151,442.32 CDN

*** B) LABOUR COSTS TO INSTALL NEW MEDIA............... $2,500.00 CDN ***

TOTAL MEDIA REPLACEMENT PRICE................................ $153,942.32 CDN
NOTE:

*** B) Labour costs is for labour only and does not include the requirement for a Zoom-Boom crane which is extra. OCWA Galt Facility has informed us they use: Battlefield Rentals

TERMS AND CONDITIONS OF SALE

All prices are quoted firm for acceptance within 60 days of the bid date, subject to the following terms and "Conditions of Sale".

FREIGHT
FOB point of manufacture with freight EXTRA (as shown) to the jobsite. Purchaser to unload.

TAXES
Taxes have not been included in above pricing. All applicable taxes are extra.

PAYMENT TERMS
Terms other than those listed below are to be negotiated prior to acceptance of a Purchase Order.
100% - Net 15 days after delivery of the media to the jobsite on Credit Approval.
RETAINERS NOT ALLOWED Interest of 1.5% per month will be charged on past due accounts.

SITE SERVICES
Two (2) days of site services / 2 men each day have been included in the above pricing per Item B). Additional site services are available at a rate of $ 1,250.00 per diem plus expenses per man day.

ESCALATION
Pricing is firm through delivery and not subject to escalation for shipments of equipment to the jobsite within 90 days of the bid date. Shipments delayed beyond this period through no fault of the seller will be charged an escalation amount of 1.0% per month to the invoiced amount.

DELIVERY SCHEDULE
SHIPMENTS: Media is a STOCK items and can ship within 6 - 10 weeks after of receipt of a Purchase Order.

I trust the information contained within this Media Quotation / Removal of Spent Media / Installation of New Media meets your current needs. Should you require further detail, please do not hesitate to contact myself directly at this office.

Please sign your acceptance of the Terms and Conditions prior to our acceptance of the Purchase Order.

Yours very truly,

ENV TREATMENT SYSTEMS INC.

COMPANY: __________________________

Edward M. Pikovnik, P.Eng.
Sales Manager

ACCEPTED BY: __________________________

DATE: __________________________
Region of Waterloo

Transportation and Environmental Services

Water Services

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

Date: August 12, 2014

File Code: E04-31

Subject: Hidden Valley High Lift Pump Emergency Repair

Recommendation:

For information only

Summary:

Nil

Background

The Mannheim Water Treatment Plant (WTP) supplies water to approximately 25% of the Region’s Integrated Urban System (IUS). This WTP treats water from the Grand River, which is pumped approximately 10 Km from the Grand River raw water intake near Hidden Valley Road, City of Kitchener, to the WTP. Water collected at the Grand River intake is pumped by the Hidden Valley Low Lift Pumping Station (HVLL) to a four-cell open-air reservoir. From this reservoir, water is pumped by the Hidden Valley High Lift Pumping Station (HVHL) to the WTP.

The HVLL and HVHL stations were commissioned in 1992 as part of the Mannheim WTP water supply system. The low lift pumping station consists of two wet wells, each one equipped with one travelling screen to remove debris from the river water and two submersible pumps to feed the Hidden Valley reservoirs.

From the reservoirs, there is a high lift pump station consisting of three horizontal split case centrifugal pumps, two pumps have a capacity of 420 l/s (900 horsepower) and one pump has a capacity of 840 l/s (1700 horsepower). These raw water pumps (RWP) transfer the water from the reservoir to the WTP. Due to the capacity of these pumps, they have been equipped with variable speed drives to allow adjustment of the flow through the pump and reduce energy consumption.
The three drive units on these high lift pumps are approximately 12 years old. It is expected that the lifespan of this type of equipment be between 10 and 15 years. As these drive unit’s age, the frequency for more significant maintenance work increases. During preventative maintenance, the risk of water supply interruption to the Mannheim WTP is minimal. However, during more significant maintenance or in the event of a failure, the risk of water supply interruption to the Mannheim WTP is much higher as the repair time of the drive units is between 5 to 7 weeks. Failure of the high lift pumps would seriously compromise water supply to the IUS.

On July 14th the drive unit on RWP#6 failed and was significantly damaged. Staff were investigating the repair and were in the process of obtaining a quotation from the original supplier to either rebuild or replace both the drive. Subsequently, on August 1st there was a partial failure of the isolation transformer on RWP#5. The isolation transformer transfers the electrical supply through the drive unit to energize the pump. The failure of the isolation transformer prevents the pump from being energized and pumping.

Due to the critical nature of this event, as only one high lift pump is operational, and the potential impact to the water supply to the IUS, Water Services staff discussed the above situation with the Region’s Chief Purchasing Officer and it was decided that the best approach would be to issue a purchase order immediately to Westburne Electric for the replacement of drive. It is estimated that the replacement of the equipment is at a lower cost than the repair and the timeline for the replacement is shorter (5 to 7 weeks) that the repair (greater than 9 weeks). Regional staff have negotiated a purchase price of $195,783 excluding all applicable taxes and are satisfied that this price is fair, reasonable, and competitive based on historical costs for drive units at other Regional WTPs.

This purchase is in accordance with the Emergency Plan provision, as described within the Purchasing By-law which states in Section 22(1) The Chief Purchasing Officer may acquire any goods or services that are required by the Region to respond to an emergency; and after the emergency is over, the Chief Purchasing Officer shall report to Council any expenditure with a value in excess of $100,000 and the Chief Purchasing Officer shall include an explanation in regard to the emergency and the need for the goods or services.

**Approvals**

No approvals from any Agencies are required for this project.

**Corporate Strategic Plan:**

The project supports the Region’s Corporate Strategic Plan Objective of “ensuring adequate infrastructure capacity to meet current needs and planned growth” under
Strategic Focus Area 1 Environmental Sustainability.

**Financial Implications:**

The total estimated cost for the supply and installation of the new drive unit for Hidden Valley High Lift Pump # 6 as provided by Rockwell Automation through their distributor, Westburne Electric, is as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposal SB20140718 of August 1, 2014 (including HST)</td>
<td>$221,235</td>
</tr>
<tr>
<td>Less Municipal Rebate of 86.46% HST</td>
<td>$22,006</td>
</tr>
<tr>
<td>Total</td>
<td>$199,229</td>
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</table>

The cost of the new drive will be funded from the capital project Facilities Upgrade under the Infrastructure Repair and Replacement capital budget which includes $2.75 million in 2014. The quoted cost from the vendor is within the allocated funds designated for unplanned capital work. The remainder of the budget will be used to fund other capital projects.

**Other Department Consultations/Concurrence:**

Finance (Procurement & Supply Services) were consulted during the preparation of this report.

**Attachments**

Appendix A - Quote from Rockwell Automation distributor Westburne Electric dated August 1, 2014.

**Prepared By: Olga Vrentzos**, Manager Water Operations and Maintenance, Water Services

**Approved By: Thomas Schmidt**, Commissioner of Transportation and Environmental Services
TO: WESTBURNE
END USER: REGION OF WATERLOO
PROJECT: PUMP 6 MV VFD REPLACEMENT

COMMERCIAL PROPOSAL

DATE OF ISSUE: AUGUST 1, 2014

Presented To: Tim Cloutier
Region of Waterloo

Office of Issue: Martin Kennedy
Westburne
London, ON

The information contained in this proposal consists of technical, commercial and/or financial information, which is confidential and proprietary to Rockwell Automation, Inc. This information is furnished in confidence and with the understanding that it may not be disclosed to third parties or reproduced or used, in whole or in part, for any purpose other than evaluation of this proposal. The recipient agrees to return the proposal to Rockwell upon request.

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<table>
<thead>
<tr>
<th>Reference</th>
<th>Date</th>
<th>Description of change</th>
<th>Edited by</th>
<th>Revision</th>
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<tbody>
<tr>
<td>A</td>
<td>1 August 2014</td>
<td>First Issue</td>
<td>SB</td>
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Allen-Bradley • Rockwell Software
Region of Waterloo
Pump 6 MV VFD Replacement Project
Commercial Proposal

Contents

1 SUMMARY ........................................................................................................................................... 4
2 INVESTMENT .................................................................................................................................... 5
1 Summary

The attached quotation is a statement of work to be provided by Rockwell Automation to the Region of Waterloo. We have offered up two solutions for the RWP6 that is current shut down.

Option 1 is to replace the failed parts and replace the parts as recommended by Rockwell Automations recommended preventative maintenance guide for a drive that is 12 years old.

Parts and labour and re-commissioning are all included in the price.

Note that the lead time of the Isolation transformer is 45 business days (9 weeks).

Option 2 consists of replacing the drive in its entirety and replacing it with a new Direct to Drive PowerFlex 7000 drive. This is by far the option that will serve the Region of Waterloo in the years ahead as there is no guarantee on how long the 12 year old parts not replaced in under option 1 will continue to operate trouble free in the existing drive.

We have included full rip and replace and start-up and commissioning in this price.

Further we have included taking the cables from the isolation transformer to the caps from the RWP6 and installing them to replace the damaged cable that have absorbed oil in RWP7.

The price of the replacement drive has been substantially reduced in recognition for the hospitality the Region of Waterloo have extended to Rockwell Automation for other customer site visits.

Note that this drive will be fast tracked and built in our Cambridge Ontario facility reducing the lead time form 12 weeks to 5-7 weeks from the date of order received on Rockwell Automation through Westburne. This delivery is based on a free and clear order (no approval cycle built into the schedule).
2 Investment

Pricing is in Canadian Dollars and is valid for 60 days from the date on the proposal and will be subject to the terms and conditions outlined in the scope of work document.

- All prices are in CANADIAN FUNDS unless noted otherwise
- Prices do not include applicable taxes or freight from Cambridge

Option 1 to replace failed and recommended parts to be replace per the 10&12 year age mile stones for the drive:

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Scope Of Work Section Reference</th>
<th>Net Price before taxes</th>
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<tr>
<td>1</td>
<td>Parts including: Isol Xfmr, Line Cap, Power Devices, Rect &amp; Inverter Snubber caps, Integ gate Drv PS, AC/DC &amp; DC/DC PS and Batteries</td>
<td>2.1.1</td>
<td>$167,776.00</td>
</tr>
<tr>
<td>2</td>
<td>A - Site preparation, disconnection and removal of existing parts</td>
<td>2.1.2</td>
<td>$30,700.00</td>
</tr>
<tr>
<td></td>
<td>B - Positioning, Placing, and installation of new parts</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>C - Re-commission the drive and prepare reports</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>$198,476.00</td>
</tr>
</tbody>
</table>

- Note price to replace the RWP 7 Cables that have been oil contaminated from the leaking capacitor is included, however the cost of the cable is not included TBD
- Note also that the cost to replace the fan is not included in this price and is recommended, awaiting price
Option 2 to replace the existing drive and replace with new drive with Direct to Drive technology (no isolation transformer required):

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Scope Of Work Section Reference</th>
<th>Net Price before taxes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Supply new 900 HP D2D 4160V drive</td>
<td>2.1.1</td>
<td>$165,732.00</td>
</tr>
<tr>
<td>2</td>
<td>A - Site preparation, disconnection and removal of existing of equipment B - Positioning, Placing, and Installation of new equipment C Commissioning and start-up of the drive and prepare reports</td>
<td>2.1.2</td>
<td>$30,051.00</td>
</tr>
<tr>
<td></td>
<td>Note Optional Item listed below</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Decommissioning services to remove usable spares from old VFD</td>
<td>2.1.3</td>
<td>$7,412.00</td>
</tr>
<tr>
<td></td>
<td>Total w/o optional item</td>
<td></td>
<td>$195,783.00</td>
</tr>
</tbody>
</table>

- We have accommodated taking the cables from RWP6 drive being replaced and installing them in the RWP7 drive

Pricing Valid for 15 days
Terms & Conditions

I. Sales Terms and Conditions

Vendor accepts Purchaser’s order on the express condition that Purchaser agrees to and is bound by the terms and conditions set forth below. All orders by Purchaser shall be subject to the following terms and conditions of sale. Such agreement shall be conclusively and irrevocably evidenced by Purchaser accepting delivery of shipment under such order or by Purchaser’s payment of the invoice covering such payment.

1. Effects of Terms and Conditions

The sale of the Goods described herein (the "Goods") is subject to * and governed solely by these terms and conditions and no terms or "conditions of Purchaser’s purchase order, any agreement or any other * understanding shall be binding on Vendor or apply in any manner to * the sale of such Goods. No modification of these terms and conditions * shall be of any force or effect unless signed by an authorized * officer of Vendor. No specification, drawing, print or photograph * prepared by Purchaser relative to Purchaser’s order shall be binding * on Vendor for any purpose unless signed by an authorized officer of Vendor.

2. Terms of Payment

Unless otherwise specified, prices are quoted in Canadian dollars * for Goods being sold from inventory, FOB Vendor’s delivery truck * at Vendor’s warehouse, and FOB manufacturer’s plant for domestic * Goods being drop-shipped to Purchaser. Payment terms are net * thirty (30) days for cash or cheque without discount. Interest at * the rate of 2% per month will be charged on past due accounts * (26.6% per annum). If Purchaser’s account is past due, in addition * to other rights and remedies, Vendor may suspend shipments," deliveries or performance hereunder or under any other contract * with Purchaser until Purchaser’s account becomes current or until * Vendor receives satisfactory security or cash prior to shipment.
3. Delivery

Shipping dates are approximate only and Vendor assumes no * responsibility for delays. If Purchaser requires emergency deliveries or outside of normal business hours, any extra costs shall be borne by Purchaser. The time period specified herein within which delivery is to be made shall commence upon receipt by Vendor of Purchaser’s written acceptance of Vendor’s Order Acknowledgement. Delivery must be taken by Purchaser or adequate shipping instructions furnished to Vendor within ten (10) days of notification that the Goods are ready for delivery, failing which the full purchase price shall forthwith become due and payable, and Vendor may at its option, either store the Goods and bill Purchaser for storage charges or dispose of same for Purchaser’s account and risk at a public or private sale, or exercise such other rights and remedies as may be available to Vendor in the circumstances.

4. Title and Risk of Loss

All right, title and interest in and to the Goods shall remain with Vendor until such Goods have been paid for in full. However, such Goods shall be entirely at Purchaser’s risk from the time placed on a common carrier and the loss, damage, deterioration or destruction of the Goods thereafter shall not release Purchaser from its obligations hereunder. In the event of any default to make payment by the Purchaser, Vendor shall have the right to take possession of any Goods already delivered and to remove same without notice and without legal proceedings, in which case all payments theretofore made shall be credited to the Purchaser’s account after deduction of a reasonable rental fee and the costs of repossession, if any, including reasonable legal fees. Purchaser hereby agrees to defend, indemnify, and save harmless Vendor from any and all loss arising out of any or all claims, suits and demands by reason of, but not limited to, the retention of title to the Goods by Vendor while same are at the Purchaser’s risk.

5. Claims

All claims for missing items or inaccuracies must be made within two (2) days of the date of receipt of Goods.

6. Taxes
Any tax of any nature including, without limitation, any excise, sales, use, Goods and services or other similar taxes which the Vendor may be required to pay, to collect or to reimburse to others, by reason of the manufacture, ownership, use or sale of any product sold or service provided hereunder shall be the sole responsibility of Purchaser and shall be added to the amount to be paid hereunder.

7. Limits of Contract

Only the Goods specifically described on the reverse side hereof are subject to the terms and conditions herein. Unless expressly specified, installation, repair or other similar services are not included. Any services so specified shall be governed by the terms and conditions hereof.

8. Technical Data

All drawings, descriptive matter, weights, dimensions and performance data submitted with or made a part of Vendor’s Order Acknowledgement are based upon information furnished by the Purchaser in accordance with its requirements and Vendor assumes no responsibility for the accuracy of such information.

9. Force Majeure

For all purposes hereof, force majeure includes any act of God, war, mobilization, governmental regulation, strike, lockout, drought, flood, total or partial fire, obstruction of navigation, loss, damage or detention in transit, defective materials or delays by shippers, or other contingencies or causes beyond Vendor’s control which might prevent the manufacture, shipment or delivery of Goods covered hereby. Performance of Vendor’s obligations may be suspended pending force majeure, without Vendor being responsible to Purchaser for any damages or losses resulting from such suspension.

10. Limited Warranty

Subject to the following, Vendor warrants that the Goods sold by it hereunder will conform to specifications and applicable industry standards and title will be clear from any security interests or encumbrances. Vendor shall ensure that Purchaser benefits from existing manufacturers’ warranties and in no event shall Vendor’s warranty exceed the warranty given by manufacturers’ of the Goods including for any indemnification for intellectual
property infringement. The sole obligation of Vendor under such warranty shall be to replace or repair as
deemed appropriate by manufacturer and provide assistance to Purchaser for any claim made to manufacturer of the Goods. THE ABOVE IS THE SOLE AND EXCLUSIVE WARRANTY, EXPRESS OR IMPLIED, PROVIDED BY VENDOR AND IS IN LIEU OF ALL OTHER WARRANTIES, OF ANY NATURE WHATSOEVER, CONTRACTUAL, LEGAL, STATUTORY OR OTHER, AND WHETHER FOR MERCHANTABILITY, QUALITY, FITNESS OR OTHERWISE.

11. Limitation of Liability

THE LIABILITY OF VENDOR WILL NOT UNDER ANY CIRCUMSTANCES EXCEED THE PURCHASE PRICE OF THE GOODS FURNISHED AND IN NO EVENT SHALL VENDOR BE LIABLE FOR ANY INDIRECT, CONSEQUENTIAL, SPECIAL, INCIDENTAL, EXEMPLARY OR CONTINGENT DAMAGES OR COMMERCIAL LOSS OF ANY KIND (INCLUDING DAMAGES FOR LOSS OF PROFITS) ALLEGEDLY SUSTAINED BY PURCHASER.

12. Indemnity

Purchaser agrees to indemnify and hold Vendor harmless with respect to any third party claims for personal injury (or death), property damage or other loss which claims are based upon defective or allegedly defective design, material or workmanship furnished by Vendor.

13. Assignment

Purchaser shall not assign or transfer this agreement or any interest in, or monies under, it without the written consent of Vendor and any assignment made without such consent shall be null and void.

14. Governing Law and Invalidity

Any provision hereof which is contrary to law will not invalidate any other provision thereof. The foregoing sets forth the sole and entire agreement between the parties with respect to the Goods supplied hereunder. These terms and conditions and the agreement evidenced thereby shall be governed by and interpreted in accordance with the laws of the province of Canada where the Goods are delivered. If deliveries are made outside Canada

Page 10
The information contained in this proposal consists of technical, commercial and/or financial information, which is confidential and proprietary to Rockwell Automation, Inc. This information is furnished in confidence and with the understanding that it may not be disclosed to third parties or reproduced or used, in whole or in part, for any purpose other than evaluation of this proposal. The recipient agrees to return the proposal to Rockwell upon request.

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the governing laws shall be the laws of the Province where the Goods are shipped from. The United Nations Convention on Contracts for the International Sale of Goods shall not apply to this agreement or to any order.
II. Purchasing Terms and Conditions

1. Acceptance

This order constitutes the entire agreement between the parties, and acceptance of this order is expressly limited to these terms and conditions and the terms and conditions set forth on the face of this order. Supplier automatically accepts the terms and conditions by express acceptance or by shipment of the goods. All prior representations, negotiations or arrangements are superseded by these terms and shall not form a basis for interpretation of these terms. Any changes must be agreed to in writing by Buyer.

2. Changes

Buyer shall have the right at any time to make changes in drawings, designs, specifications, materials, packaging, time and place of delivery and method of transportation. If any such changes cause an increase or decrease in the cost, or the time required for the performance, an equitable adjustment shall be made and this agreement shall be modified in writing accordingly. This right to an adjustment shall be deemed waived unless asserted within thirty (30) days after the change is ordered.

3. Shipping and Invoicing

Invoices shall be in duplicate and will indicate number of packages and means of transportation. Each package should indicate case number and Buyer's purchase order number.

4. Price Reductions

Supplier will give Buyer the benefit of any price reductions occurring before the specified shipping date or to actual delivery date to Buyer's warehouse whichever is more advantageous to Buyer. Supplier warrants that the price for the articles sold hereunder are not less favorable than those currently extended to any other customer for the same or similar articles in similar quantities.

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5. Warranty

Supplier warrants that the goods shall be: (i) in merchantable condition and free from defects in design, workmanship and materials, (ii) in conformity with the order and specifications, (iii) fit for such particular purposes and uses specified by Buyer or otherwise known to Supplier, and (iv) free and clear of any liens or other adverse claims against title. Buyer may, but shall not be required to inspect the goods. All warranties statutory, express or implied will survive inspection, test, acceptance and payment by Buyer or Buyer's customers or agents. Supplier agrees, at its own cost and expense, to defend and hold Buyer harmless from and against any and all claims made against Buyer based upon, relating to or arising of any claimed defects in the goods or work performed by Supplier pursuant to this order.

6. Taxes, Transportation, Other Charges

Except as otherwise provided on the face of this order, the price includes all costs and charges, including without limitation, all applicable taxes and duties and all charges for packing, loading and transportation. If Buyer has agreed on the face of this order to pay any such charges, such charges shall be listed separately on Supplier’s invoices. Goods shall be packed, marked and described and the carrier shall be selected, so as to obtain the lowest transportation cost possible, and increased charges due to failure to do so will be charged to Supplier. If any manufacturer’s excise tax, value added tax or other tax measured by selling price is included in or added to the price of the goods paid by Buyer, then, in the event all or any part of that tax shall be refunded to Supplier, Supplier shall promptly remit such refund in full to Buyer.

7. Time of the Essence

Time is of the essence in this transaction. In addition to the Buyer's remedies for breach of contract, this order may be cancelled or refused without liability if the goods are not shipped as specified or on the date specified.

8. Default

At Buyer's option, Supplier will repair or replace any nonconforming goods. If Supplier does not replace or correct defects in nonconforming goods promptly, Buyer, after reasonable notice to Supplier, may make such corrections or replace such goods and charge Supplier for the costs incurred by Buyer.

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9. Indemnification

Supplier will defend and indemnify Buyer against all claims, actions, liability, damage, loss and expense (including investigative expense and attorneys' fees incurred in litigation or because of threatened litigation) as the result of Buyer's purchase and/or resale of the goods to its customers arising or alleged to arise from (i) patent, trademark, industrial design, copyright or other intellectual property rights infringement, (ii) the failure or alleged failure of the goods to comply with this order or with any express or implied warranties of Supplier, (iii) defects in design, material or workmanship, or (iv) Supplier's negligence or willful act or omission to act. Buyer may terminate this order or any part thereof if Supplier fails to comply with any of these terms and conditions or the conditions set forth on the face of this order. Buyer's remedies shall survive any termination of this agreement.


(a) Supplier is active at all times in its own capacities and rights as an independent contractor from Buyer. This transaction does not create a principal-agent or partnership relationship between them, and neither one may legally commit the other in any matter whatsoever.

(b) Supplier shall comply with all laws, regulations and policies applicable to it by any jurisdiction and shall obtain all permits needed to complete this transaction under the laws of the country from which the shipment is made.

(c) If the importation of the goods results in the assessment of a countervailing duty on Buyer as the importer, Supplier shall reimburse such countervailing duty to Buyer, provided such reimbursement is permitted under Canadian laws and regulations.

(d) Supplier shall cooperate fully with Buyer at Supplier's expense in obtaining approvals of the goods requested by Buyer from certifying organizations such as Underwriters Laboratories or CSA.

(e) Any goods that are hazardous will be packaged, marked and shipped by Supplier to comply with all federal, provincial and local regulations and will further comply with all special Buyer requirements. Supplier shall furnish Buyer a Material Hazard Data Sheet covering all such goods.
(f) Supplier shall treat as confidential any proprietary information it has received from Buyer in connection with this order.

(g) Unless otherwise agreed upon in writing, title to the goods and risk of loss will remain with Supplier and shall not pass to Buyer until delivery and acceptance by Buyer at Buyer’s requested destination.

(h) If Supplier ceases to conduct normal business activities or becomes subject to bankruptcy or insolvency proceedings, Buyer may elect to terminate this purchase order without any liability or penalty.

(i) Buyer may waive performance of any condition, but waiver by Buyer of a condition shall not be considered a waiver of that condition for succeeding performance. None of Buyer's remedies hereunder shall limit any other recourses available to Buyer in law or in equity.

(j) This purchase order is not assignable by Supplier without the prior written consent of Buyer.

(k) This transaction and all its terms shall be construed in accordance with and all disputes shall be governed by the laws of the province of Canada from where this purchase order is issued, and excluding the provisions of the Convention on the International Sale of Goods. Parties hereto submit to the jurisdiction of the courts from the province of Canada where this purchase order is issued in the event of any proceedings or disputes.

(l) Supplier and Buyer agree that in the event any portion of the transactions contemplated herein are hereafter effected using Electronic Data Interchange ("EDI") the terms and conditions of this document shall continue to apply thereto notwithstanding any EDI trading agreement between the parties. Any data electronically transmitted will be as legally sufficient as a written paper document signed and exchanged between the parties provided each party has adopted appropriate digital identification.
August 1, 2014

Tim Cloutier
Region of Waterloo

Re Proposal SB20140718
In Response to failure of RWP6

Dear Tim:

Thank you for the opportunity to propose Allen-Bradley products and services for your project.

Our proposal is enclosed. It describes control and automation solutions we feel will contribute to the success of your project.

We have offered a new 900 HP 4160V drive with pricing as detailed in the Commercial document. Note that we have allocation to do an emergency build in a 5-7 week time frame, however we need to get this to fit the window in scheduling. An order would need to be placed by August 8th. If we miss that window we will need to reassert the production scheduling.

If you have questions, please contact me. I look forward to working with you.

Sincerely,

Martin Kennedy
Power and Control Specialist

Enclosure

cc: Steve Batson, Steve Book, Rockwell Automation, Ontario

Allen-Bradley

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Printed 8/7/2014 16:03
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<td>13</td>
</tr>
<tr>
<td>Summary Statement</td>
<td>14</td>
</tr>
</tbody>
</table>
Freight Details:
INCO Terms: EXW Ex-Works
Named Place: Manufacturer The place where Title and Risk pass to the buyer.
Payment Terms: Prepaid and Charged Rockwell Automation Prepays the cost of freight. Freight costs will be added to
the invoice as a separate item.

Transportation: Unless specified, transportation is determined by Rockwell Automation and is based on shipment by the
lowest cost carrier. Rockwell Automation reserves the right to back charge for extra freight cost and re-consignment charges
resulting from delivery delays at the job site.

Commercial Terms: Westburne standard terms and conditions shall be the only terms and conditions that apply unless noted
otherwise in this proposal. Buyer’s terms and conditions may be acceptable if they are approved in writing by a duly
authorized representative Westburne, Ontario, Canada. Refer to end of proposal for complete details. Pricing is not firm until
mutual acceptance of terms and conditions.

Delays by Buyer: If the Buyer or authorized representative is responsible for delays which cause the delivery of completed
equipment or services to be delayed beyond the available-to-ship-date, Seller reserved the right to:
1. Transfer title of goods and invoice the Buyer for related progress billings, services or equipment.
2. Rockwell Automation’s Medium Voltage products are “made to order” with no storage facilities, Equipment will be
   placed at a 3rd party storage facility at Buyer’s risk and cost.
3. Apply escalation as defined below:
Drawings and User Manuals Summary

Information Drawings:

As a standard, all “Pre-Engineered type 2” (PE2) and “Engineered” (ENG) orders include a submittal of three (3) bond paper prints of the dimension and electrical drawings (2 for customer and 1 for district office), submitted at the time engineering is finalized. These drawings are suitable for photocopying. Information drawings are not intended for use as re-approval of drawings and/or equipment scope. If changes are submitted, the order will then be subject to revision charges and possible delays in shipment. Refer to the Rockwell Automation charge breakdown in Addendums, Clarifications and Exceptions section.

For “Stocked Component” (SC) and “Pre-Engineered” (PE) orders, information drawings are not provided. Customer will only receive Final Drawings and Manuals as requested.

Final Drawings:

Unless otherwise specified, certified drawings will typically be sent within 30 days of final product shipment.

Service Manuals

Rockwell Automation, as standard, supplies three (3) service manuals using CD (compact disc) media for each order. The service manuals will include product user manuals, spare parts list, “as shipped” elementary and dimension drawings, as well as any applicable documentation associated with third-party equipment/components.

Rockwell Automation will include a paper copy of the “as shipped” elementary and dimension drawings, and the installation instructions, inside each shipped item.

Any requests pertaining to custom document formats, additional documentation not provided as standard, etc must be referred to Rockwell Automation for review and comment.

Applicable Charges for Changes

<table>
<thead>
<tr>
<th>Type of Change</th>
<th>Approval Process</th>
<th>Engineering</th>
<th>Material on Order</th>
<th>Manufacturing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drawing(s) Only</td>
<td>No Charge</td>
<td>Engineering Charge</td>
<td>Engineering Charge</td>
<td>Engineering Charge</td>
</tr>
<tr>
<td>Product Option(s) / Offering and Drawing(s)</td>
<td>Additions at 100% order pricing levels</td>
<td>Engineering Charge</td>
<td>Additions at 100% order pricing levels</td>
<td>Engineering Charge</td>
</tr>
<tr>
<td>(Addition / deletion of equipment offering/options)</td>
<td>Deletions at 100% of order pricing levels</td>
<td>Additions at 75% of order pricing levels</td>
<td>Deletions at 50% of order pricing levels</td>
<td>Engineering Charge</td>
</tr>
<tr>
<td></td>
<td>Deletions at 25% of order pricing levels</td>
<td>Third party supplier cancellation / resisting fees</td>
<td>Additional labor &amp; material charges based on engineering charge</td>
<td>Additional labor &amp; material charges based on engineering charge</td>
</tr>
</tbody>
</table>

Note: All mentioned charges are subject to change and negotiation.
"Engineering Charge" calculated at the following:
1. Minimum $500.00 NET charge (includes drawing revision for one drawing).
2. Each additional drawing revision at $125.00 NET.

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Printed 8/1/2014 16:03
# Line Item 1 MV Variable Frequency Drive Specifications

<table>
<thead>
<tr>
<th>Item Description</th>
<th>900Hp - 4160V - VFD - quick ship</th>
</tr>
</thead>
</table>

## General

<table>
<thead>
<tr>
<th>Application:</th>
<th>Pump, Centrifugal, Discharge Closed</th>
</tr>
</thead>
<tbody>
<tr>
<td>VFD Duty Rating:</td>
<td>110% overload for one (1) Minute, once every 10 Minutes</td>
</tr>
<tr>
<td>Overall Width:</td>
<td>94in (2400mm)</td>
</tr>
<tr>
<td>VFD Output Voltage:</td>
<td>4000 Volts</td>
</tr>
<tr>
<td>Overall Depth:</td>
<td>39in (1000mm)</td>
</tr>
<tr>
<td>VFD Cooling Method:</td>
<td>Air Cooled PWM</td>
</tr>
<tr>
<td>Overall Height:</td>
<td>110in (2784mm)</td>
</tr>
<tr>
<td>Ambient Temp Rating:</td>
<td>40.0°C</td>
</tr>
<tr>
<td>Overall Weight:</td>
<td>6500lb (2951kg)</td>
</tr>
<tr>
<td>Input Impedance Type and Location:</td>
<td>Line reactor</td>
</tr>
<tr>
<td>Heat Loss:</td>
<td>Refer To Technical Specifications</td>
</tr>
<tr>
<td>No. of Motors:</td>
<td>1</td>
</tr>
<tr>
<td>No. of Contiguous Sections:</td>
<td>2</td>
</tr>
<tr>
<td>Motor Temperature Code:</td>
<td>Motor Site Classification Non-Hazardous</td>
</tr>
<tr>
<td>Bypass Configuration:</td>
<td>None</td>
</tr>
<tr>
<td>No. of Remote Mounted Components:</td>
<td>0</td>
</tr>
<tr>
<td>Input Device and Location:</td>
<td>Altitude Rating: 1000M</td>
</tr>
<tr>
<td>VFD Noise:</td>
<td>Under 85 dBA</td>
</tr>
</tbody>
</table>

## Incoming Power

| Line Voltage (VAC):   | 4160 Volts |
| Cable per Phase:      | None       |
| Cable Entry Direction:| No Selection |
| Lugs and Cable Type:  | No Selection |
| Size of Cable(s):     | No Selection |
| Method of Connection: | Other      |

## Main Power Bus Details (no power bus in VFD section)

| Copper Bus Rating:  | 1200 Amps |
| Copper Bus Plating: | Copper / Tin Plated |
| Ground Bus Rating:  | Tin plated bus bar |
| Bus Plating:        | Bus Insulation: Non-Insulated |
| Ground Bus Size:    | G6 |
| Ground Lug:         | #6 AWG - 250 mcm (1 supplied as Standard) |
| Low Voltage Wireway:| -Where applicable, a six inch by six inch low voltage wireway across the top of the Structure. (PE2) |

## Enclosure Details

| Enclosure Type VFD: | Type 12 - w/Gaskets & Vents (IEC IP42) |
| Paint Finish VFD:   | Sandtex Grey |
| Low Voltage Wireway:| -Where applicable, a six inch by six inch low voltage wireway across the top of the Structure. (PE2) |
| Paint Finish Other: | ANSI 49 - Medium Light Grey |
| Back-to-Back Setup: | No |

## Common Unit Details

| Control Type:       | With Control Power Transformers |
| 1ph Control Voltage:| 120 Volts                       |
| Control Wiring:     | Standard - #14 AWG Cu (Tinned), Type TEW (MTW) |
| 3ph Control Voltage:| NA |
| Load Cable Exit Direction: | Bottom |

## Master Nameplate Details

| Phenolic Lamacoid: | White w/ Black Letters |
| Mounted to Section #: | 1 |
| Number of Lines:  | 3 |
| Character Size:   | 1/2" (13mm)            |

## Unit Nameplate Details

| Phenolic Lamacoid: | White w/ Black Letters |
| Number of Lines:  | 3 |
| Character Size:   | 3/16" (5mm)           |
Line Item “1” Unit Summary for 900Hp - 4160V - VFD - quick ship

<table>
<thead>
<tr>
<th>ID</th>
<th>Load Details</th>
<th>Controller Details</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Rating (A)</td>
<td>Est. FLA (A)</td>
</tr>
<tr>
<td>1</td>
<td>900 hp</td>
<td>116</td>
</tr>
</tbody>
</table>

Legend
PWM Rectifier - Variable Frequency Drive

Table 1 - Unit Option Descriptions

<table>
<thead>
<tr>
<th>Option Number</th>
<th>Option Description</th>
<th>Option Description (Note: Options listed below only apply if it appears in Unit Options above.)</th>
<th>Del Sch</th>
</tr>
</thead>
<tbody>
<tr>
<td>13COMME</td>
<td>Ethernet to DPI communication adapter</td>
<td></td>
<td>PE1</td>
</tr>
<tr>
<td>14NS</td>
<td>Removal of Integral Input Starter on Line Reactor Configurations</td>
<td></td>
<td>PE2</td>
</tr>
<tr>
<td>14PVKLC</td>
<td>Locally Mounted HMI / Ethernet switch in VFD c/w external cable port</td>
<td></td>
<td>ENG</td>
</tr>
<tr>
<td>14RD</td>
<td>Provision for ducting VFD exhaust air outside control room. Customer is responsible for duct, installation, and required make-up air. Contact factory for specific VFD fan CFM and static pressure drop requirements.</td>
<td></td>
<td>ENG</td>
</tr>
<tr>
<td>14TF</td>
<td>Tachometer Interface feedback. Note: This option does not include the tachometer. Customer is responsible for sourcing and mounting the tachometer.</td>
<td></td>
<td>PE2</td>
</tr>
<tr>
<td>14TS1</td>
<td>Speed reference input (4-20mA input signal)</td>
<td></td>
<td>PE2</td>
</tr>
<tr>
<td>14TS2</td>
<td>Speed output (4-20mA output signal)</td>
<td></td>
<td>PE2</td>
</tr>
<tr>
<td>14TS3</td>
<td>Voltage output (4-20mA output signal)</td>
<td></td>
<td>PE2</td>
</tr>
<tr>
<td>14TS4</td>
<td>Current output (4-20mA output signal)</td>
<td></td>
<td>PE2</td>
</tr>
<tr>
<td>14TS5</td>
<td>Load (kW) output (4-20mA output signal)</td>
<td></td>
<td>PE2</td>
</tr>
<tr>
<td>17</td>
<td>Low voltage surge suppressor across each coil in the control circuit, where possible</td>
<td></td>
<td>SC</td>
</tr>
<tr>
<td>1EDSTP</td>
<td>EMERGENCY STOP (Push-Pull) Pushbutton Located on the LV compartment door-Red - Includes safety relay</td>
<td></td>
<td>PE2</td>
</tr>
<tr>
<td>1STP</td>
<td>STOP Push Button</td>
<td></td>
<td>SC</td>
</tr>
<tr>
<td>1STR</td>
<td>START Push Button</td>
<td></td>
<td>SC</td>
</tr>
<tr>
<td>3LL</td>
<td>LOCAL-REMOTE Selector Switch</td>
<td></td>
<td>PE1</td>
</tr>
<tr>
<td>4DRNR</td>
<td>Red Drive Running Pilot Light</td>
<td></td>
<td>SC</td>
</tr>
<tr>
<td>4DRYG</td>
<td>Green Drive Ready Pilot Light</td>
<td></td>
<td>SC</td>
</tr>
<tr>
<td>4FLTR</td>
<td>Red Fault Pilot Light</td>
<td></td>
<td>SC</td>
</tr>
<tr>
<td>4WRNA</td>
<td>Amber Warning Pilot Light</td>
<td></td>
<td>SC</td>
</tr>
<tr>
<td>5010E</td>
<td>Cabinet space heater and thermostat supplied in each section of the unit. Power supplied from an external power source. (150W @ 120V/240V)</td>
<td></td>
<td>SC</td>
</tr>
<tr>
<td>5025D</td>
<td>Motor space heater circuit (&lt;2700 watts) with 120 volt supply from external source</td>
<td></td>
<td>SC</td>
</tr>
<tr>
<td>760A</td>
<td>10k ohm, single turn speed potentiometer</td>
<td></td>
<td>PE2</td>
</tr>
<tr>
<td>804</td>
<td>Twenty (20) extra unwired terminal blocks in the low voltage compartment</td>
<td></td>
<td>SC</td>
</tr>
<tr>
<td>84LP</td>
<td>TecSystem Temperature Monitor with eight (8) 100 Ohm Platinum RTD inputs</td>
<td></td>
<td>PE2</td>
</tr>
</tbody>
</table>

Information contained in this proposal consists of technical, commercial and/or financial information, which is confidential and proprietary to Rockwell Automation Canada Control Systems (“Rockwell automation”). This information is furnished to recipient in confidence on the condition that it may not be disclosed to third parties or reproduced or used, in whole or in part, for any purpose other than the evaluation of this proposal. The recipient agrees to return the proposal to Rockwell Automation promptly upon request.

Printed 8/3/2014 16:03
<table>
<thead>
<tr>
<th>Option Number</th>
<th>Option Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>89D5</td>
<td>(4) Form &quot;C&quot; auxiliary contact for remote indication purposes for each of Drive Running, Drive Ready, Fault and Warning.</td>
</tr>
<tr>
<td>RPDTD</td>
<td>PWM rectifier with integral pre-wired AC line reactor using Direct to Drive Technology</td>
</tr>
</tbody>
</table>

Notes:

The drive size is based upon assumed Motor Full Load Current using 'average values' for '4' pole horsepower rated motors. The rated full load current, shown on the motor nameplate, may vary considerably from the list value depending on the specific motor. If the actual Motor Full Load Current exceeds the drive current rating, a higher rated drive will be required. If this is the case, please request a re-quote and provide the actual Motor Full Load Current.
### Layout

<table>
<thead>
<tr>
<th>Item: 1</th>
<th>900Hp - 4160V - VFD - quick ship</th>
</tr>
</thead>
<tbody>
<tr>
<td>1A</td>
<td>-</td>
</tr>
<tr>
<td>1 - 120A, 900 hp 7000A</td>
<td>-</td>
</tr>
<tr>
<td>MV</td>
<td>MV</td>
</tr>
<tr>
<td></td>
<td>LV MV</td>
</tr>
</tbody>
</table>

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Printed 8/1/2014 16:03
<table>
<thead>
<tr>
<th>Section Number</th>
<th>Structure Code</th>
<th>Width</th>
<th>Depth</th>
<th>Height</th>
<th>Weight</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>71.18B</td>
<td>94in (2400mm)</td>
<td>39in (1000mm)</td>
<td>110in (2784mm)</td>
<td>6500lb (2951kg)</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>94in (2400mm)</td>
<td></td>
<td></td>
<td>6500lb (2951kg)</td>
</tr>
<tr>
<td>Maximum</td>
<td></td>
<td></td>
<td>39in (1000mm)</td>
<td>110in (2784mm)</td>
<td></td>
</tr>
<tr>
<td>Incoming Cable Location</td>
<td>Section(s):</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Notes:
Layout and Dimensional information is shown as a reference only. This data is not to be used for construction purposes.
Assumes structures are flush at the front.

The customer is responsible for the interconnection of the individual shipping splits.
Start-up and commissioning

The duration of service activities is based on 1 site visit(s) with the work being done on consecutive days.

Estimated Pricing is based on an 8 hour work day.

“For charges outside a standard 8-hour day, Monday to Friday, see Rate Schedule below”

Notes

1. Rate Schedule for Labour and Travel Hours:

<table>
<thead>
<tr>
<th>Standard</th>
<th>Overtime</th>
<th>Saturday</th>
<th>Sunday and Holidays</th>
<th>Mileage</th>
<th>Travel</th>
</tr>
</thead>
<tbody>
<tr>
<td>$210.00</td>
<td>$315.00</td>
<td>$315.00</td>
<td>$420.00</td>
<td>$0.55</td>
<td>$175.00</td>
</tr>
</tbody>
</table>

Standby / Holdover Rate (also considered waiting or on-call time)

Applies to non-productive time spent at the customer’s request or due to circumstances beyond Rockwell Automation’s control due to job site conditions. It will be invoiced at the rate schedule that is applicable for the time of day and day of the service.
### General Product Descriptions

<table>
<thead>
<tr>
<th>Bulletin</th>
<th>Product Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>7000A</td>
<td><strong>Common Features - Applicable to all PowerFlex MV Drives</strong></td>
</tr>
<tr>
<td></td>
<td>- 6500-Volt Symmetrical Gate Commutated Thyristor (SGCT) power semiconductor switches for low component count and high reliability.</td>
</tr>
<tr>
<td></td>
<td>- PowerCage inverter and rectifier modules for easy access to main power components and quick replacement time</td>
</tr>
<tr>
<td></td>
<td>- Operator interface mounted on the low voltage door, complete with 16 line 40 character LCD display and setup wizard</td>
</tr>
<tr>
<td></td>
<td>- Standard operator device cluster including provisions for start, stop, and emergency stop pushbuttons, local / remote selector switch, and speed pot.</td>
</tr>
<tr>
<td></td>
<td>- Bar type digital metering for output amps, volts, speed and load displayed on operator interface</td>
</tr>
<tr>
<td></td>
<td>- Integral DC link reactor with iron core eliminates semiconductor fuses and eliminates nuisance trips</td>
</tr>
<tr>
<td></td>
<td>- Fiber optic isolation for firing and feedback of rectifier and inverter devices</td>
</tr>
<tr>
<td></td>
<td>- Fully digital control with digital signal processors (DSP) and field programmable gate arrays (FPGA)</td>
</tr>
<tr>
<td></td>
<td>- Trend buffers for 8 variables, (one shot or multi-shot), stored in battery backed NVRAM after reset.</td>
</tr>
<tr>
<td></td>
<td>- Sixteen (16) configurable digital inputs and sixteen (16) configurable digital outputs on external I/O board</td>
</tr>
<tr>
<td></td>
<td>- Sensorless vector control. Full vector control with tachometer feedback is optional</td>
</tr>
<tr>
<td></td>
<td>- Signal conditioning boards for analog signal filtering, common mode noise rejection, voltage/current feedback, tach feedback, &amp; test points.</td>
</tr>
<tr>
<td></td>
<td>- Four (4) test modes including low voltage gating check.</td>
</tr>
<tr>
<td></td>
<td>- Near sinusoidal current and voltage waveforms to motor.</td>
</tr>
<tr>
<td></td>
<td>- Electronic drive overload protection.</td>
</tr>
<tr>
<td></td>
<td>- Electronic motor overload protection.</td>
</tr>
<tr>
<td></td>
<td>- Inherent regenerative motor braking without additional hardware.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Bulletin</th>
<th>Product Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>7000A</td>
<td><strong>Additional Features - Applicable to PowerFlex 7000A MV Drive</strong></td>
</tr>
<tr>
<td></td>
<td>- Common Features - Applicable to all PowerFlex MV Drives included</td>
</tr>
<tr>
<td></td>
<td>- Key interlock.</td>
</tr>
<tr>
<td></td>
<td>- 5 cycle ride-through.</td>
</tr>
<tr>
<td></td>
<td>- Suitable for Standard Motors (New or Existing)</td>
</tr>
</tbody>
</table>
Warranty.

(a) Warranty: Rockwell Automation warrants to Customer for the period of 18 months from shipment, that the Products will be free of defects in material, fabrication, and workmanship provided that: (1) the operating conditions and use of the WORK are in accordance with any standards set forth in the Scope of Work as specified in the Rockwell Automation Proposal, Rockwell Automation’s published specifications, and applicable recommendations of Rockwell Automation; and (2) the installation, adjustment, tuning, and start-up of the WORK have been properly performed in accordance with Rockwell Automation’s published specifications and any applicable recommendations of Rockwell Automation. Repaired or replacement Products provided pursuant to subparagraph (b) below are similarly warranted for the longer period of six months from date of shipment or the remainder of the original warranty term.

(b) Remedies: Remedies under this warranty will be limited to, at Rockwell Automation’s discretion, replacement, repair, re-performance, modification, or issuance of a credit for the purchase price of the Products involved, but only after the return of such Products pursuant to Rockwell Automation’s instructions. Replacement Products, at Rockwell Automation’s discretion, may be new, remanufactured, refurbished, or reconditioned. If the repair, re-performance, or replacement does not cure the defective performance, Customer may request emergency on-site service, which will be at Rockwell Automation’s expense (consisting of time, travel, and expenses incurred by Rockwell Automation related to such services). If the defective performance is not due to warranted defects in the WORK or Products, the on-site service will be at Customer’s expense. On-site warranty services performed at Rockwell Automation expense shall not include removal or reinstallation costs related to large-scale assemblies such as motors or transformers. The foregoing will be the exclusive remedies for any breach of warranty or breach of contract arising from warranted defects.

(c) General: Warranty satisfaction is available only if (a) Rockwell Automation is provided prompt written notice of the warranty claim, and (b) Rockwell Automation’s examination discloses that any alleged defect has not been caused by misuse, neglect, improper installation, operation, maintenance, repair, alteration, or modification by other than Rockwell Automation, accident, or unusual deterioration or degradation of the Products or parts thereof due to physical environment or electrical or electromagnetic noise environment.

(d) Services: Rockwell Automation warrants that service (including, but not limited to, training, installation, modifications, additions, software programming, engineering, startup, or repairs) shall be performed in a workmanlike manner conforming to standard industry practice. Rockwell Automation must receive written notification of non-conforming services within 30 days after the services are provided. If such services are confirmed to be non-conforming, Rockwell Automation will, at its option, re-perform the service or provide a refund or credit to Customer in the amount paid for the service. The foregoing will be the exclusive remedies for any breach of warranty or breach of contract arising from warranted non-conforming services.

(e) THE ABOVE WARRANTIES ARE IN LIEU OF ALL OTHER WARRANTIES AND CONDITIONS, WHETHER EXPRESSED, IMPLIED OR STATUTORY, INCLUDING IMPLIED WARRANTIES OF MERCHANTABILITY, INFRINGEMENT, OR FITNESS FOR A PARTICULAR USE.
Commercial Clarifications and Comments

For the scope of equipment outlined in this proposal, prices noted are in CAD funds. Prices exclude freight, duty and taxes unless otherwise specified.

This quotation is valid for 15 days after proposal generation date. Scope of supply will be built as defined by this proposal. Should errors and omissions be identified they will be quoted as price adders.

“Products and associated materials supplied or licensed hereunder may be subject to various export laws and regulations. It is the responsibility of the exporter to comply with all such laws and regulations. Notwithstanding any other provision herein to the contrary, in the event that U.S. or local law requires export authorization for the export or re-export of any Product or associated technology, no delivery can be made until such export authorization is obtained, regardless of any other promised delivery date. In the event that any required export authorization is denied, Seller will be relieved of any further obligation relative to the sale and/or license and delivery of the Product(s) subject to such denial without liability of any kind relative to Buyer or any other party. Seller will not comply with boycott related requests except to the extent permitted by U.S. law and then only at Seller's discretion.”

Notwithstanding any comments and exceptions or redlines provided to customer’s terms, Rockwell Automation terms attached with the proposal will apply to this proposal, pending a mutually agreed written agreement between the purchaser and Rockwell Automation.

Rockwell Automation’s comments, exceptions and clarifications to client’s RFQ shall form part of any ensuing contract.

Technical Clarifications, Notes and Exceptions

No Customer Specifications / Build per PowerONE however the drive was designed with the existing drive options as a reference.
Specification Number: None

Rockwell Automation standard design, manufacturing and test practices are applicable to the scope of supply proposed herein.

When motors are connected to variable frequency drives, self excitation may cause voltage to exist at the drive output terminals if the motor is driven by the load. During a shutdown condition, a higher voltage may be fed back to the drive with prolonged motor rotation at higher speeds. Precaution should be taken to eliminate this voltage for drive protection and before any service is attempted.
Summary Statement

Rockwell Automation and Westburne appreciate the opportunity to propose our products and services for your project. Please contact me if you have any questions.

Sincerely,

If we are favoured with an order, you may forward the purchase order to:

WESTBURN ELECTRIC
101 Webster road
Kitchener
Ontario, Canada
Unknown Zip

Attention: Martin Kennedy
Region of Waterloo
Planning Housing and Community Services
Community Planning
Finance
Treasury Services

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

Date: August 12, 2014

File Code: F25-20

Subject: Brownfields Financial Incentives Program – Tax Increment Grant Application – 445 King Street West (1 Victoria) – City of Kitchener

Recommendation:

That the Regional Municipality of Waterloo take the following actions regarding the property municipally known as 445 King Street West in the City of Kitchener, as described in Report P-14-081/F-14-092, dated August 12, 2014:

a) Approve a joint Tax Increment Grant for an amount not to exceed $1,809,588 net of any other future brownfield assistance, 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 of 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 Kitchener; and

c) 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 445 King Street West and the City of Kitchener, with the form and content of such agreement(s) to be satisfactory to both the Regional and City of Kitchener Solicitors.

Summary:

In July 2013, the Region of Waterloo received a Tax Increment Grant (TIG) application from 2335945 Ontario Incorporated (the applicant) regarding the remediation and redevelopment of the property municipally known as 445 King Street West and
marketed as 1 Victoria Street in Kitchener. The 0.59 hectare property at the south-west corner of King Street West and Victoria Street South, is a former automotive repair and service station that was more recently used by triOS College, as well as a retail computer store.

Located across from the proposed King-Victoria Multi-modal Transit Hub, the development supports the Region’s intensification and transit oriented development objectives with the construction of 208 condominium units and 472 square metres (5,081 square feet) of commercial space. If approved, this TIG would represent the fifth successful joint TIG application in Kitchener with approved grants to date contributing to the anticipated development of at least 599 residential units and an estimated total assessment increase of $150 million.

The Phase Two Environmental Site Assessment confirmed the presence of petroleum hydrocarbons, heavy metals and volatile organic compounds in the soil and/or groundwater exceeding Ministry of Environment standards.

The applicant has submitted estimated environmental remediation costs for the site of $2,672,646. This amount, plus a 10% allowance for indirect costs afforded under the joint TIG program ($267,265), results in a net maximum eligible joint TIG of $2,939,911. No other brownfield financial assistance is pending for this application. The TIG would be cost-shared between the Region and the City of Kitchener with grant proportions determined by each municipality’s share of the municipal taxes levied on the property in the year the application was submitted (2013) with approximately 61.6% (maximum of $1,809,588) being provided by the Region and the remaining 38.4% (maximum of $1,130,323) provided by the City of Kitchener. The annual payments, which would last an estimated five years, would not start until after the property is fully remediated, redeveloped, and ultimately reassessed by the Municipal Property Assessment Corporation (MPAC), likely not before 2017.

City of Kitchener Council is expected to approve the joint TIG application on August 11, 2014. City staff also received a copy of this report on August 1, 2014 and they concur with its recommendations.

The Region’s portion of the joint TIG (maximum of $1,809,588) would be funded from the incremental tax revenue following remediation and redevelopment of the property.

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 Kitchener would be required.

**Report:**

**Application Details – 445 King Street West, Kitchener**

In July 2013, the Region of Waterloo received a joint Tax Increment Grant (TIG) application from 2335945 Ontario Incorporated (the applicant) for the remediation and redevelopment of the property municipally known as 445 King Street West in Kitchener and marketed as 1 Victoria Street in Kitchener (see Attachment 1 for a site map). The 0.59 hectare property at the south-west corner of King Street West and Victoria Street
South, is a former automotive repair and service station that was more recently used by triOS College, as well as a retail computer store.

Located across from the proposed King-Victoria Multi-modal Transit Hub, the development supports the Region’s intensification and transit oriented development objectives with the construction of 208 condominium units and 472 square metres (5,081 square feet) of commercial space.

**Estimated Environmental Remediation Costs**

The Phase Two Environmental Site Assessment confirmed the presence of petroleum hydrocarbons, heavy metals and volatile organic compounds in the soil and/or groundwater exceeding Ministry of Environment standards.

The Region’s joint TIG 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 commitment 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, City of Kitchener and Regional staff reviewed a Remedial Work Plan and found it to be acceptable. The work plan confirms the cost estimates in the TIG application for future eligible environmental remediation. Estimated environmental remediation costs for the site total $2,672,646. This amount, plus a 10% allowance for indirect costs afforded under the joint TIG program ($267,265), results in a net maximum eligible joint TIG of $2,939,911.

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 Kitchener 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:

- An estimate of the anticipated assessed value and classification of the property upon completion of remediation and redevelopment;
- The 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
- An estimate of the total net 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 maximum potential joint TIG the site could receive (based on estimated net eligible remediation costs) as well as the estimated eligible joint TIG amount the site can achieve (based on the estimated tax increment). 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. The resulting annual grant payment is equal to the increment between the pre-remediation and redevelopment municipal property taxes and the post-remediation and redevelopment municipal property taxes. In other words, the City and Region’s total liability for making grant payments are capped by the lesser of the equivalent of 10 years of tax increment, which is determined following MPAC’s reassessment of the property, or the total actual net eligible remediation costs as determined by a review of the applicant’s final costs submission.

The TIG would be cost-shared between the Region and the City of Kitchener with grant proportions determined by each municipality’s share of the municipal taxes levied on the property in the year the application was submitted (2013) with approximately 61.6% (maximum of $1,809,588) being provided by the Region and the remaining 38.4% (maximum of $1,130,323) provided by the City of Kitchener. The annual payments, which would last an estimated five years, would not start until after the property is fully remediated, redeveloped, and ultimately reassessed by the Municipal Property Assessment Corporation (MPAC), likely not before 2017.

The development is also eligible for core area development charge exemptions of $1,539,074 from the Region of Waterloo and $614,134 from the City of Kitchener.

Table 1 summarizes the estimated annual tax increment, maximum potential joint TIG and the estimated eligible TIG amount for this application, including a break down of the Regional and City of Kitchener portions.

Table 2 identifies the preliminary estimated payment schedule. 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. Regardless of the actual remediation costs, the Region’s share of the TIG would be capped at $1,809,588.

For more detailed information on the tax increment calculations and methodology please see Attachment 2.

**Table 1: Estimated Tax Increment Grants for 445 King Street West, Kitchener**

<table>
<thead>
<tr>
<th></th>
<th>Estimated Annual Tax Increment*</th>
<th>10 Years of Tax Increments*</th>
<th>Estimated Net Remediation Costs *</th>
<th>Lesser of Tax Increments / Net Remediation Costs*</th>
</tr>
</thead>
<tbody>
<tr>
<td>City</td>
<td>38.4%</td>
<td>$245,547</td>
<td>$2,455,470</td>
<td>$1,130,323</td>
</tr>
<tr>
<td>Region</td>
<td>61.6%</td>
<td>$393,108</td>
<td>$3,931,080</td>
<td>$1,809,588</td>
</tr>
<tr>
<td>Total*</td>
<td></td>
<td>$638,655</td>
<td>$6,386,550</td>
<td>$2,939,911</td>
</tr>
</tbody>
</table>

* rounded to the nearest dollar
Table 2: Estimated TIG Payment Schedule for 445 King Street West, Kitchener

<table>
<thead>
<tr>
<th>Year</th>
<th>City</th>
<th>Region</th>
<th>Total TIG</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$245,547</td>
<td>$393,108</td>
<td>$638,655</td>
</tr>
<tr>
<td>2</td>
<td>$245,547</td>
<td>$393,108</td>
<td>$638,655</td>
</tr>
<tr>
<td>3</td>
<td>$245,547</td>
<td>$393,108</td>
<td>$638,655</td>
</tr>
<tr>
<td>4</td>
<td>$245,547</td>
<td>$393,108</td>
<td>$638,655</td>
</tr>
<tr>
<td>5</td>
<td>$148,135</td>
<td>$237,156</td>
<td>$385,291</td>
</tr>
<tr>
<td>6</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>7</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>8</td>
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<tr>
<td></td>
<td><strong>Total TIG</strong></td>
<td><strong>$1,809,588</strong></td>
<td><strong>$2,939,911</strong></td>
</tr>
</tbody>
</table>

* Rounded to the nearest dollar

Joint TIG Application Review

As part of staff’s review, the site and proposed redevelopment are 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 Brownfield Financial Incentive Program.

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. A “Qualified Person” (as per Ontario Regulation 153/04) must complete the Environmental Site Assessments.

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.

8. Application for a TIG must be made prior to issuance of building permit(s) for the redevelopment.
City of Kitchener and Regional staff are satisfied that the site and proposed redevelopment of 445 King Street West meets the eligibility criteria 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 applicant, the Region of Waterloo, and the City of Kitchener would be required. Upon confirmation of the estimated eligible costs, the Interim Agreement establishes a number of conditions including, but not limited to, the following:

- The 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);

- The 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, that permits the use of the site as proposed by the Owner to the Ontario Ministry of the Environment; and

- The 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 are complete 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 would include the final TIG payments and payment schedule based on the actual costs and the realized reassessment value and classification of the development.

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. The maximum amount of eligible remediation costs cannot exceed $2,939,911 of which $1,809,588 is the Region’s maximum commitment based on the City and the Region’s share of municipal taxes at the time the application was submitted (2013).

**Area Municipal Consultation/Coordination**

City of Kitchener and Regional staff have jointly reviewed the application and are satisfied that the application meets the eligibility and application requirements. City of Kitchener Council is expected to approve the joint TIG application on August 11, 2014. City staff also received a copy of this report on August 1, 2014 and they concur with its recommendations.

**Corporate Strategic Plan:**

The TIG recommended for 445 King Street West 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 $1,809,588 based on the estimated net eligible remediation costs. The Region’s share of the TIG will be confirmed once the actual remediation costs are reviewed and the property is reassessed by Municipal Property Assessment Corporation (MPAC).

Under the funding model for joint TIGs adopted by Regional Council in 2013, the annual TIG payments would 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 TIG payment. TIG payments for this proposed development are expected to commence in 2017 following the completion of the redevelopment of the property and a reassessment by MPAC. It is expected that the TIG will be paid over five years. Once the TIG is fully paid, the increased assessment resulting from the redevelopment would benefit the overall tax levy.

A listing of approved TIGs and the applicable funding sources can be found on page 246 of the final 2014 Program Budget Book. Subject to Council’s approval, this TIG will be reflected in the Region’s 2015-2024 capital plan. A summary of projected annual TIG Payments, including those approved since the finalization of the 2014-2023 capital plan, is shown below.

### Table 3: Projected Tax Increment Grant Payments (‘000s)

<table>
<thead>
<tr>
<th></th>
<th>Approved to Date</th>
<th>Pending 445 King St.</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Reserve Funded</td>
<td>Tax Revenue</td>
<td></td>
</tr>
<tr>
<td>2014</td>
<td>$976</td>
<td>$0</td>
<td>$976</td>
</tr>
<tr>
<td>2015</td>
<td>359</td>
<td>166</td>
<td>525</td>
</tr>
<tr>
<td>2016</td>
<td>236</td>
<td>1,081</td>
<td>1,317</td>
</tr>
<tr>
<td>2017</td>
<td>207</td>
<td>1,081</td>
<td>1,681</td>
</tr>
<tr>
<td>2018</td>
<td>207</td>
<td>1,081</td>
<td>1,681</td>
</tr>
<tr>
<td>2019</td>
<td>192</td>
<td>1,081</td>
<td>1,666</td>
</tr>
<tr>
<td>2020</td>
<td>0</td>
<td>1,039</td>
<td>1,432</td>
</tr>
<tr>
<td>2021</td>
<td>534</td>
<td>889</td>
<td>1,660</td>
</tr>
<tr>
<td>2022</td>
<td>534</td>
<td>854</td>
<td>1,388</td>
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<tr>
<td>2023</td>
<td>534</td>
<td>190</td>
<td>724</td>
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<td>2024</td>
<td>534</td>
<td>162</td>
<td>696</td>
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</tr>
<tr>
<td>2027</td>
<td>238</td>
<td>0</td>
<td>238</td>
</tr>
<tr>
<td>Total</td>
<td>$5,619</td>
<td>$7,786</td>
<td>$1,809</td>
</tr>
</tbody>
</table>
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 – Detailed TIG Calculation Methodology
Attachment 3 – City of Kitchener Staff Report

Prepared By: John Hill, Principal Planner/Brownfields Coordinator

Angela Hinchberger, Director, Treasury Services and 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 – 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 a calculation of the anticipated assessment increment. This is based on the pre-remediation MPAC assessment value(s) and the estimated post-remediation and redevelopment assessment value(s) 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>$942,750 (2013)</td>
<td>$62,900,000 (est.)</td>
<td>$61,957,250 (est.)</td>
</tr>
</tbody>
</table>

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

The anticipated assessment increment is then used to calculate the expected 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>$7,210</td>
<td>$252,757</td>
<td>$245,547</td>
</tr>
<tr>
<td>Region</td>
<td>$11,542</td>
<td>$404,650</td>
<td>$393,108</td>
</tr>
<tr>
<td>Total</td>
<td>$18,752</td>
<td>$657,407</td>
<td>$638,656</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 brownfield remediation financial assistance received for the project. At this time, not other assistance is applicable to this application.

<table>
<thead>
<tr>
<th>Estimated Rem. Costs</th>
<th>Indirect Rem. Allowance (10%)</th>
<th>Less Other Assistance</th>
<th>Total Eligible Rem. Costs Through TIG*</th>
</tr>
</thead>
<tbody>
<tr>
<td>$2,672,646</td>
<td>$267,265</td>
<td>N/A</td>
<td>$2,939,911</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.
Portion (61.6%)* | (38.4%)*
---|---
$2,939,911 | $1,809,588 | $1,130,323

* 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.
Attachment 3 – City of Kitchener Staff Report

REPORT TO: Finance and Corporate Services Committee
DATE OF MEETING: August 11, 2014
SUBMITTED BY: Brian Bennett, Manager, Business Development, 519-741-2200 x 7230
PREPARED BY: Rob Morgan, Capital Investment Advisor, 519-741-2200 x 7734
WARD (S) INVOLVED: Ward 9
DATE OF REPORT: July 9, 2014
REPORT NO.: CAO-14-035
SUBJECT: Brownfield Remediation Program Application
445 King Street West

RECOMMENDATION:

“That the Brownfield Remediation Program Application for 445 King Street West, received from 2335945 Ontario Inc. dated July 2, 2013, be approved; and,

That in exchange for a completed and filed Record of Site Condition for the subject property, the owner will be provided a grant in the form of an annual rebate on City taxes in an amount equal to 100% of the City Tax increment; and,

That the City Tax Increment be defined as the difference between the City portion of real property taxes for the 2013 Taxation Year and the new City portion of real property taxes levied as a result of a new assessment by the Municipal Property Assessment Corporation (MPAC) following completion of the project, as compensation for the remediation of the above subject lands; and,

That the annual City property tax grant is estimated to be $245,547, payable for 4 years with $148,135, being paid on the fifth and final year following re-assessment by MPAC provided that the City’s total property tax grant shall not exceed $1,130,323.00 for this project; and,

That the Region of Waterloo Brownfield Coordinator be circulated a copy of any decision made by Kitchener City Council regarding this Application; and further,

That the Mayor and Clerk be authorized to execute an Agreement, subject to the satisfaction of the City Solicitor, with the Region of Waterloo and 2335945 Ontario Inc., to implement the provisions of the Brownfield Remediation Program Application for 445 King Street West, as outlined in Chief Administrator’s Office report CAO-14-035.”

BACKGROUND:
In July of 2013, the City of Kitchener and Region of Waterloo received a joint Tax Incremental Grant (TIG) application from 2335945 Ontario Inc. (Momentum Developments) in regard to the
remediation and redevelopment of the property municipally known as 445 King Street West and marketed as 1 Victoria Street in Kitchener. The 0.59 acre property, which is located at the south-west corner of King Street West and Victoria Street South was historically used as an automotive repair and service station and more recently had a retail computer store in part of the building with the remaining portion vacant. The land is being redeveloped into a mixed use development consisting of on-site parking, 472 square metres of ground floor commercial and 208 residential condominium units.

REPORT:

Contamination and Remediation

The Environmental Consultants for this project are Pinchin Environmental. Referring to Pinchin’s revised Remedial Work Plan dated July 10, 2014 and the Phase Two ESA, various boreholes were drilled and groundwater monitoring wells installed. At the conclusion of the test period it was determined that there were impacts from petroleum hydrocarbons, heavy metals and volatile organic compounds in the soil and/or groundwater. The sources of the contaminants appear to be related to the former automotive repair operation and current or historical off-property operations.

Eligible Remediation Cost

City and Region staff are satisfied with the documentation submitted by the applicant, estimating environmental remediation costs for the site at $2,672,646.00. This amount, plus a 10% allowance for indirect costs afforded under the joint TIG program ($267,264.60), results in a maximum eligible joint TIG of $2,939,910.60. The TIG would be cost-shared between the Region and the City of Kitchener with grant proportions determined by each municipality’s share of the municipal taxes levied on the property in the year the application was submitted (2013) with approximately 61.6% (maximum of $1,809,588.00) being provided by the Region and the remaining 38.4% (maximum of $1,130,323) provided by the City of Kitchener. The annual payments, which would last an estimated 5 years, would not start until after the property is fully remediated, redeveloped and ultimately reassessed by the Municipal Property Assessment Corporation (MPAC), likely not before 2017 (Table 1).

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 Kitchener and Regional staff.

Existing Assessment and Taxes

There are no tax arrears outstanding on this property. The total 2013 Commercial Assessment for the lands was $942,750, and 2013 property taxes were $32,798.56 split as follows

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
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<tbody>
<tr>
<td>City of Kitchener</td>
<td>$7,209.59</td>
</tr>
<tr>
<td>Region</td>
<td>$11,541.99</td>
</tr>
<tr>
<td>Education</td>
<td>$14,046.98</td>
</tr>
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</table>
Excluding the Education component, the total 2013 Municipal (Region + City) taxes were $18,751.58.

Projected Assessment and Taxes

This development will provide a mixed use development comprised of two levels of underground parking, ground floor commercial units and a 208 unit 19 storey high rise building. The Applicant has estimated the projected post-project Assessment value at $63,000,000.

Using the 2013 Tax Rates, the projected annual Municipal Taxes (Region + City) following full completion of the project would be $657,407.20, split as follows:

City of Kitchener $252,757.04
Region $404,650.16

Based upon this projection, the *City’s Annual Tax Increment* (i.e. the difference between the existing City tax level and the *future* City tax level) is estimated at $245,547.45 ($252,757.04 - $7,209.59).

The *Regional Tax Increment* is estimated at $393,108.13 ($404,650.16 - $11,542.03).

Table 1 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. Regardless of the actual remediation costs, the City’s share of the TIG would be capped at $1,130,323.00.

Table 1

<table>
<thead>
<tr>
<th>Year</th>
<th>Area Municipality</th>
<th>Region</th>
<th>Total TIG</th>
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<tr>
<td>1</td>
<td>$245,547</td>
<td>$393,108</td>
<td>$638,655</td>
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<tr>
<td>2</td>
<td>$245,547</td>
<td>$393,108</td>
<td>$638,655</td>
</tr>
<tr>
<td>3</td>
<td>$245,547</td>
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</tr>
<tr>
<td>4</td>
<td>$245,547</td>
<td>$393,108</td>
<td>$638,655</td>
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<tr>
<td>5</td>
<td>$148,135</td>
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<td>$385,291</td>
</tr>
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<td>6</td>
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</tr>
<tr>
<td>Total TIG</td>
<td>$1,130,323</td>
<td>$1,809,586</td>
<td>$2,939,911</td>
</tr>
</tbody>
</table>
ALIGNMENT WITH CITY OF KITCHENER STRATEGIC PLAN:

This project implements our Community Vision and the Citizens’ Vision for the Environment:

“Together, we will build an innovative, caring and vibrant Kitchener with safe and thriving neighbourhoods”;

“Our shared vision is for Kitchener to be a community that focusses significant energy and resources on becoming more environmentally friendly through investments in things like bike trails, improved transit systems, tougher environmental bylaws and stricter growth management policies that limit sprawl.”

This project is in keeping with the following Environmental Strategic Direction:

“Endorse and implement the proposed Environmental Remediation Strategy.”

FINANCIAL IMPLICATIONS:

The approval of this application will obligate The City of Kitchener to provide an annual municipal property tax rebate estimated to be $245,547 per year for the first 4 years upon reassessment by MPAC and $148,135 for the fifth and final year.

COMMUNITY ENGAGEMENT:

Inform – This report has been posted to the City’s website with the agenda in advance of the committee meeting.

This approval applies only to the City of Kitchener portion of the proposed Tax Incremental Grant. The Region of Waterloo Council will consider its portion of this application at a future date.

CONCLUSION:

Regional Staff and The City’s Brownfield Steering Committee, consisting of the City’s Capital Investment Advisor, Director of Revenue, City Solicitor, and Director of Planning, reviewed the application and are satisfied that the application meets the eligibility and application requirements. Staff support acceptance within the terms and conditions of the Region of Waterloo - Kitchener Brownfield Remediation Program.

ACKNOWLEDGED BY:  Jeff Willmer, CAO
<table>
<thead>
<tr>
<th>Meeting date</th>
<th>Requestor</th>
<th>Request</th>
<th>Assigned Department</th>
<th>Anticipated Response Date</th>
</tr>
</thead>
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<tr>
<td>18-Jun-13</td>
<td>Council</td>
<td>Operation of Raised Crosswalks Study</td>
<td>Transportation and Environmental Services</td>
<td>Mid 2014</td>
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<tr>
<td>11-Dec-13</td>
<td>Budget</td>
<td>Business Plan for Waste Management</td>
<td>Transportation and Environmental Services</td>
<td>1-Jun-2014</td>
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<tr>
<td>27-May-14</td>
<td>P&amp;W Committee</td>
<td>Staff to report back on Stop Sign installed at the intersection of Bridge St. (Regional Rd. 12) and Queen St. (Regional Rd. 12), Township of Wilmot</td>
<td>Transportation and Environmental Services</td>
<td>1-Jan-2015</td>
</tr>
<tr>
<td></td>
<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>
<td>Transportation and Environmental Services</td>
<td>as required</td>
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