Regional Municipality of Waterloo

Planning and Works Committee

Agenda

Tuesday, February 23, 2016

10:00 A.M. (Time approximate, immediately following Closed Session)

Regional Council Chambers

150 Frederick Street, Kitchener

1. Motion to go into Closed Session

That a closed meeting of the Planning and Works and Administration and Finance Committees be held on Tuesday, February 23, 2016 at 9:00 a.m. in the Waterloo County Room in accordance with Section 239 of the “Municipal Act, 2001”, for the purposes of considering the following subject matters:

a) potential litigation and receiving of advice that is subject to solicitor-client privilege related to matters before an administrative tribunal
b) proposed or pending disposition of property in the City of Kitchener
c) a matter of labour relations
d) receiving of advice subject to solicitor-client privilege related to an agreement
e) receiving of advice subject to solicitor-client privilege related to a matter of labour relations
f) a matter of labour relations

2. Motion to Reconvene into Open Session
3. Declarations of Pecuniary Interest under the Municipal Conflict Of Interest Act

4. Delegations

4.1 Les Holdway re: Issues relating to water quality

4.2 Kevin Thomason re: Provincial Greenbelt Expansion

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

6. Motion to Approve Items or Receive for Information

6.1 **TES-TRS-16-04/COR-FFM-16-03**, GRT Northfield Drive Facility - Public Consultation Centre and Project Update (Information)  


**Recommendation:**


6.3 **PDL-CPL-16-10**, Amendment to Regional Municipality of Waterloo Controlled Access By-Law #58-87 for Access to Regional Road #33 (Townline Road), City of Cambridge  

**Recommendation:**

That the Regional Municipality of Waterloo approve an amendment to Controlled Access By-law #58-87 for an access on the west side of Regional Road #33 (Townline Road), approximately 270 metres north of Saginaw Parkway in the City of Cambridge, as describe in Report No. PDL-CPL-16-10, dated February 23, 2016.

6.4 **PDL-CPL-16-11**, Amendment to Regional Municipality of Waterloo Controlled Access By-Law #58-87 for Access to Regional Road #54 (Lackner Boulevard), City of Kitchener
Recommendation:

That the Regional Municipality of Waterloo Controlled Access By-law #58-87 be amended to include a temporary construction access on the east side of Regional Road #54 (Lackner Boulevard) directly opposite Corfield Drive, in the City of Kitchener, as described in Report No. PDL-CPL-16-11, dated February 23, 2016.

6.5 PDL-CPL-16-12, Amendment to Regional Municipality of Waterloo Controlled Access By-Law #58-87 for Access to Regional Road #58 (Fischer-Hallman Road), City of Waterloo

Recommendation:

That the Regional Municipality of Waterloo Controlled Access By-law #58-87 be amended to include a temporary access on the west side of Regional Road #58 (Fischer-Hallman Road) approximately 220 metres south of Columbia Street in the City of Waterloo, as described in Report No. PDL-CPL-16-12, dated February 23, 2016.

6.6 PDL-CPL-16-13, Amendments to Regional Municipality of Waterloo Controlled Access By-Law #58-87 for Access to Regional Road #70 (Ira Needles Boulevard), City of Kitchener

Recommendation:

That the Regional Municipality of Waterloo approve the following amendments to Controlled Access By-law #58-87, subject to site plan approval by the City of Kitchener, as described in Report No. PDL-CPL-13, dated February 23, 2016:

a) delete an emergency access on the east side of Regional Road #70 (Ira Needles Boulevard) approximately 50 metres north of Regional Road #6 (Highland Road) in the City of Kitchener; and
b) approve a right-in, right-out only access on the east side of Regional Road #70 (Ira Needles Boulevard) approximately 127 metres north of Regional Road #6 (Highland Road), in the City of Kitchener.

Regular Agenda Resumes

7. Reports – Transportation and Environmental Services

Transportation

7.1 TES-TRP-16-06, Transfer of Dundas Street South from Branchton
Road to Southeastern City of Cambridge limit, City of Cambridge

**Recommendation:**

That the Regional Municipality of Waterloo request from the Ontario Ministry of Transportation the transfer of Dundas Street South, from Branchton Road to the southeastern City of Cambridge Limit, to the Region of Waterloo in accordance with Report TES-TRP-16-06 dated February 23, 2016.

**Design and Construction**

**7.2** PDL-LEG-16-12, Authorization to Expropriate Lands (1st Report) For Franklin Blvd Improvements Project – Year 2 North (200m North of Clyde Road to 200m North of Avenue Road) and Year 2 South (125m South of Champlain Boulevard to 200m South of Main Street), in the City of Cambridge

**Recommendation:** See page 39-44

**7.3** TES-DCS-16-03, University Avenue Reconstruction and Widening (Keats Way to Erb Street), City of Waterloo – Recommended Design Concept

**Recommendation:**

That the Regional Municipality of Waterloo take the following actions with respect to the Environmental Assessment and Preliminary Design Study for University Avenue between Keats Way and Erb Street in the City of Waterloo:

a) Approve the Recommended Design Concept for the proposed reconstruction and widening of University Avenue from Keats Way to Erb Street as described in Report TES-DCS-16-03 dated February 23, 2016.

b) Direct staff to file a Notice of Completion as required by the Municipal Class Environmental Assessment and place the project file on the public record for review for a period of 30 days.

**7.4** TES-DCS-16-06, 2015 Construction Summary and 2016 Construction Updates (Information)

**7.5** TES-DCS-16-05, Class Environmental Assessment Study Fischer Hallman Road Improvements, Bleams Road to Plains Road, City of Kitchener

**Recommendation:** See page 82-84
Waste Management

7.6 **TES-WMS-16-02**, Bill 151: Waste Free Ontario Act and Strategy

**Recommendation:**

That the Regional Municipality of Waterloo support the proposed Bill 151: Waste-Free Ontario Act and Strategy and that report TES-WMS-16-02:

a) be submitted to the Ministry of Environment and Climate Change in response to its posting of Bill 151 and the draft strategy on the Environmental Bill of Rights Registry posting (EBR 012-5832) by the comment deadline of February 29, 2016; and,

b) be provided to the Association of Municipalities of Ontario (AMO), the Regional Public Works Commissioners of Ontario (RPWCO), the Municipal Waste Association (MWA), the City of Toronto (Toronto), the Ontario Waste Management Association (OWMA) and the Members of Provincial Parliament that represent the Region of Waterloo.

Water Services


Interdepartmental Reports

7.8 **TES-TRS-16-05/COR-FSD-16-06**, Conestoga College U-Pass (to be distributed on Monday, February 22, 2016)

7.9 **TES-WAS-16-06/COR-FFM-16-04**, P2015-31 Asset Management – Work Management System (Presentation)

**Recommendation:**

That the Regional Municipality of Waterloo accept the proposal of eGovsolutions for P2015-31 Work Management System in the amount of $450,000 plus all applicable taxes.

Reports – Planning, Development and Legislative Services

Airport

7.10 **PDL-AIR-16-04**, Region of Waterloo International Airport – Proposed New 2016 Master Plan/Business Plan
**Commissioner’s Office**

7.11 **PDL-16-01**, Potential Delegation of Additional Planning Act Approval Authority by Regional Council to Interested Area Municipalities

**Recommendation:**

That the Regional Municipality of Waterloo advise the Area Municipalities that the Region will consider the delegation of additional Planning Act approval authority upon the receipt of formal requests from an Area Municipal Council, in accordance with the terms and conditions approved by Regional Council, as described in Report PDL-16-01, dated February 23, 2016;

And That Regional staff report back with delegation requests made by Area Municipalities for formal consideration by Regional Council.

**Community Planning**

7.12 **PDL-CPL-16-14**, King-Victoria Multi-Modal Transit Hub Update

**Recommendation:** See page 176-177

8. **Information/Correspondence**

8.1 **Council Inquiries and Requests for Information**

9. **Other Business**

10. **Next Meeting – March 22, 2016**

11. **Adjourn**
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<tr>
<th>Date</th>
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<tr>
<td>March 22, 2016</td>
<td>9:00 A.M.</td>
<td>Planning and Works Committee</td>
<td>Council Chamber 2nd Floor, Regional Administration Building</td>
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<tr>
<td>April 12, 2016</td>
<td>9:00 A.M.</td>
<td>Planning and Works Committee</td>
<td>Council Chamber 2nd Floor, Regional Administration Building</td>
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<td>February 24, 2016</td>
<td>4:30 P.M. - 7:30 P.M.</td>
<td>GRT Northfield Drive Facility - Public Consultation Centre and Project Update</td>
<td>RIM Park Room 202 Manulife Sportsplex 2001 University Ave. E. Waterloo, Ontario</td>
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Region of Waterloo
Transportation and Environmental Services
Transit Services
Corporate Services
Facilities Management and Fleet Services

To: Chair Tom Galloway and Members of the Planning & Works Committee

Date: February 23, 2016

File Code: A20-20

Subject: GRT Northfield Drive Facility - Public Consultation Centre and Project Update

Recommendation:

For Information.

Summary:

On May 13, 2015, Regional Council approved the engagement of IBI Group, to provide consulting services for the Grand River Transit (GRT) Northfield Drive Facility Class Environmental Assessment and Preliminary Design (Report COR-TRY-15-51). Preliminary design work for the project is nearing completion and the project plans are scheduled to be presented to the public for information and input at two Public Consultation Centres as part of the Environmental Assessment process. The first Consultation Centre will be held on February 24, 2016 between 4:30 p.m. and 7:30 p.m. in Room 202, at the RIM Park Manulife Sportsplex, 2001 University Avenue East, Waterloo.

Report:

Background

In 2011 Regional Council adopted the Regional Transportation Master Plan (RTMP)
“Moving Forward 2031” establishing increased public transit ridership targets. Achieving this target will require a significant expansion of the Region’s public transit services, GRT and MobilityPLUS, in the immediate and longer term. Using the foundation of the 2008 Transit Facilities Strategy Update Report (Report E-08-032/CR-FM-08-007), an updated 2012 Transit Facilities Strategy Update Report was produced. To support the level of transit service expansion envisioned in the RTMP, the Region’s fleet of conventional and specialized transit vehicles will need to grow along with the addition of articulating buses for high capacity service on popular corridors and to connect feeder service to ION. The updated strategy identified a need to construct a new bus storage and maintenance facility in the City of Waterloo. The strategy recommended construction of a storage facility to a capacity of 200 buses. To carry out this expansion, the Region acquired property at 300 and 350 Northfield Drive in Waterloo in 2014.

Preliminary Design

On May 13, 2015, Regional Council approved the engagement of IBI Group, to provide consulting services for the Grand River Transit Northfield Drive Facility Class Environmental Assessment and Preliminary Design (Report COR-TRY-15-51). As part of the preliminary design process a number of potential layouts for the development of the GRT Northfield Facility have been created and evaluated. The options all included the location of the maintenance functions, bus storage functions and deployment functions in one building. Development of the GRT Northfield Facility to a capacity of 200 buses requires the full use of the 17 acre property.

City of Waterloo staff as part of their plans for that corner of the City have requested a number of measures including: installation of a "Welcome to City of Waterloo" site feature at the corner of Northfield/University; inclusion of the City Ward Councillor on the Project Steering Committee to allow the opportunity for design input; placing a bus stop along Northfield Drive once the facility is operational; an information desk within the facility for general transit enquiries; and for City staff to refuel vehicles at the Region’s fueling site located at the Waterloo Landfill to improve their operational efficiency with the Region being fully reimbursed for such fuel. These requests will be further investigated during the detailed design following completion of the EA.

An existing building located at the site was reviewed by IBI Group as part of the preliminary design to determine if any part of the structure is suitable for re-use as part of the proposed new GRT bus storage and maintenance facility. The consultant’s conclusion was that the structure is not suitable for re-use and should be demolished for the proper planning and construction of the proposed bus facility. The Region’s Facilities Management Division plans to remove the structure and recycle the usable materials in 2016.
Environmental Assessment and Public Consultation

The Region must now complete a Transit-related Environmental Assessment before approval is granted to construct the facility. Any environmental impacts of this facility will be assessed in the Environmental Assessment in accordance with the assessment process required by Ontario Regulation 231/08 Transit Projects.

There are two Public Consultation Centres planned for the Environmental Assessment. The first will be held on Wednesday, February 24, 2016 to present information on the planned facility. The second Public Consultation Centre is expected to be held in May 2016. The three proposed facility layouts for the new GRT Northfield property are included in Appendix A. Each Public Consultation Centre will be advertised in the Record and Waterloo Chronicle on two occasions prior to the date, posted on the Regional website and notices will be mailed out to stakeholders identified in the EA process. The results of the public consultation related to the proposed facility will be incorporated into the project as appropriate and reported to Council in the Environmental Assessment Report.

Project Schedule

Following completion of the Environmental Assessment process the GRT Northfield Facility will continue to evolve in the detailed design development phase which is scheduled for 2017/2018. Pending Council approval, building construction is expected to begin in 2019 with the new bus facility targeted to be complete by early 2021. The Region will seek funding for this project from federal and provincial infrastructure programs as part of a larger package of transit expansion and enhancement projects, including the multi-modal transit hub.

Corporate Strategic Plan:

The construction of the GRT Northfield Drive Facility contributes to the Corporate Strategic Plan objective of Strategic Focus Area 3, Environment and Sustainable Growth.

The project also supports the Corporate Strategic Plan objective of Strategic Focus Area 2.1 to create a public transportation network that is integrated, accessible, affordable and sustainable.

Financial Implications:

The approved 2016 GRT Capital Budget and 10 Year Forecast includes $65,300,000 from 2016 to 2020 for this project to be financed by the issuance of debentures ($53.4 million funded from property taxes and $11.9 million funded from development charges). Additional development charge funding could be available for this project resulting from an increase in development charge recoveries to be determined through the completion of a scoped Development Charge Background Study for Transit and Waste Diversion.
that will take place in 2016.

Other Department Consultations/Concurrence:

This project is a joint initiative between Transit Services and Facilities Management.

Attachments:

Appendix A – Proposed GRT Northfield Facility Layouts

Prepared By: Peter Zinck, Assistant Director, Transit Services

    Jerry Biersteker, Senior Project Manager, Facilities Project Management

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

    Craig Dyer, Commissioner, Corporate Services/Chief Financial Officer
Appendix A - GRT Northfield Facility Layouts

OPTION A

- GRT NORTHFIELD DRIVE
- BUS FACILITY
- ENVIRONMENTAL ASSESSMENT
Region of Waterloo
Planning, Development and Legislative Services
Community Planning

To: Chair Tom Galloway and Members of the Planning and Works Committee
Date: February 23, 2016

Recommendation:

Summary:
In accordance with the Regional By-law 01-028, as amended, the Commissioner of Planning, Development and Legislative Services has:

- Released for registration the following plans of condominium.

Report:
City of Kitchener
Registration of Draft Plan of Condominium 30CDM-14204

Draft Approval Date: September 28, 2015
Phase: Entire Plan (Block 5)
Applicant: Losani Homes
Location: 1 Adam Street
Proposal: To create a common elements condominium consisting of roads, landscaping and parking, that will later be tied to (shared between) freehold townhouses.

Regional Processing Fee: Paid January 6, 2016
Commissioner’s Release: January 5, 2016
City of Waterloo

Registration of Draft Plan of Condominium 30CDM-14404

Draft Approval Date: November 12, 2014
Phase: Entire Plan
Applicant: 2260698 Ontario Inc.
Location: 240-346 Westcourt Place
Proposal: To permit the development of 54 residential condominium townhouse units.

Regional Processing Fee: Paid December 4, 2015
Commissioner’s Release: January 6, 2016

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 included 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. Strategic Objective: Improve environmental sustainability and livability intensifying urban and rural settlement areas.

Financial Implications:

Nil.

Other Department Consultations/Concurrence:

Nil.

Prepared By: Andrea Banks, Program Assistant

Approved By: Rob Horne, Commissioner, Planning, Development and Legislative Services
Region of Waterloo
Planning, Development and Legislative Services
Community Planning

To: Chair Tom Galloway and Members of the Planning and Works Committee

Date: February 23, 2016

File Code: T15-40/33, C13-20/CA

Subject: Amendment to Regional Municipality of Waterloo Controlled Access By-Law #58-87 for Access to Regional Road #33 (Townline Road), City of Cambridge

Recommendation:

That the Regional Municipality of Waterloo approve an amendment to Controlled Access By-law #58-87 for an access on the west side of Regional Road #33 (Townline Road), approximately 270 metres north of Saginaw Parkway in the City of Cambridge, as describe in Report No. PDL-CPL-16-10, dated February 23, 2016.

Summary:

Hira Custom Homes Incorporated has been retained by Mr. Atif Mian, the property owner of 830 Townline Road in the City of Cambridge, to construct a single family home on the property (please see Attachment 1). A permanent access for the property is required on the west side of Regional Road #33 (Townline Road) approximately 270 metres north of Saginaw Parkway (please see Attachment 2).

Townline Road is designated as a Controlled Access – Prohibited road under the Region of Waterloo Controlled Access By-law #58-87 from Regional Road 39 (Pinebush Road) to Avenue Road, and as a result, an amendment to this by-law would be required prior to issuance of an Access Permit by staff.

Region of Waterloo staff has reviewed the proposed location of the access to Townline Road and recommend approval of the proposed by-law amendment. The proposed access meets Region of Waterloo design standards. City of Cambridge staff and Mr. Mian are in support of the proposed access location.
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.

Hira Custom Homes Incorporated has been retained by Mr. Atif Mian, the property owner of 830 Townline Road in the City of Cambridge, to construct a single family home on the property (please see Attachment 1). Regional staff has been contacted by Hira Custom Homes Incorporated to obtain a permanent access to the property on the west side of the road approximately 270 metres north of Saginaw Parkway (please see Attachment 2).

Townline Road is designated as a Controlled Access – Prohibited road under the Region of Waterloo Controlled Access By-law #58-87 from Regional Road 39 (Pinebush Road) to Avenue Road, and as a result, an amendment to this By-law would be required prior to issuance of an Access Permit by staff.

Region of Waterloo staff have reviewed the proposed location of the access to Townline Road and recommend approval of the proposed By-law Amendment. The proposed access meets Region of Waterloo design standards.

City of Cambridge staff and Mr. Mian are in support of the proposed access location.

Corporate Strategic Plan:

Managing access to the Regional Road system is integral to the development approval process and is represented in Focus Area 2: Sustainable Transportation: Optimize road capacity to safely manage traffic and congestion.

Financial Implications:

Mr. Mian would be responsible for all costs associated with the construction of the access.

Other Department Consultations/Concurrence:

Upon issuance of a Regional Access Permit, Transportation Engineering would issue a Regional Work Permit to perform works within the Regional right of way.
Attachments:

Attachment 1 – Key Map showing the location of the property

Attachment 2 – Plan showing the location of the proposed access and proposed amendment to Controlled Access By-law #58-87

Prepared By: Cheryl Marcy, Transportation Planner

Approved By: Rob Horne, Commissioner, Planning, Development and Legislative Services
ATTACHMENT 2
PROPOSED ACCESS TO
830 TOWNLINE ROAD
(REGIONAL ROAD #33)
Region of Waterloo
Planning, Development and Legislative Services
Community Planning

To: Chair Tom Galloway and Members of the Planning and Works Committee

Date: February 23, 2016  File Code: C13-20/CA/T15-40/53

Subject: Amendment to Regional Municipality of Waterloo Controlled Access By-Law #58-87 for Access to Regional Road #54 (Lackner Boulevard), City of Kitchener

Recommendation:

That the Regional Municipality of Waterloo Controlled Access By-law #58-87 be amended to include a temporary construction access on the east side of Regional Road #54 (Lackner Boulevard) directly opposite Corfield Drive, in the City of Kitchener, as described in Report No. PDL-CPL-16-11, dated February 23, 2016.

Summary:

The Waterloo Region District School Board will begin site preparation of the future Chicopee Hills Public School commencing March 2016. Construction vehicles will need to access the site, and due to existing on-site environmental constraints, Fairway Road is not an option for a temporary construction access. In consultation with City of Kitchener staff, the future location of the permanent school access on the east side of Lackner Boulevard has been selected as the preferred location for this temporary construction access which is directly opposite Corfield Drive (Please see Attachment 1).

City of Kitchener and Waterloo Region District School Board staff support the location of the proposed temporary construction access from Lackner Boulevard.

Lackner Boulevard is designated as a Controlled Access-Prohibited Road from Regional Road #55 (Victoria Street) to Regional Road #53 (Fairway Road) under the Region’s Controlled Access By-Law #58-87. An amendment to this By-Law would be required prior to the issuance of an Access Permit by Regional staff for the temporary construction access.
Region of Waterloo staff has confirmed that the temporary construction access would meet current standards and recommends the approval of the proposed By-law amendment.

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 traffic volume and speed. All requests for changes to existing accesses or for new accesses require an amendment to the By-law. Regional roads included in Schedule “B” (Controlled Access – Regulated) include all remaining arterial roads within the Regional road system. Typically, these roads are front-lotted with access available only to the Regional road or are comparatively lower volume roads.

The Waterloo Region District School Board will begin site preparation of the future Chicopee Hills Public School commencing March 2016. Construction vehicles will need to access the site, and due to existing on-site environmental constraints, Fairway Road is not an option for a temporary construction access. In consultation with City of Kitchener staff, the future location of the permanent school access on the east side of Lackner Boulevard has been selected as the preferred location for this temporary construction access which is directly opposite Corfield Drive (Please see Attachment 1).

A temporary construction access on the east side of Lackner Boulevard is required to provide ingress/egress of construction vehicles to the future Chicopee Hills School site. The temporary construction access would be located directly opposite Corfield Drive until the permanent access is constructed from Lackner Boulevard at the same location.

City of Kitchener and Waterloo Region District School Board staff support the location of the proposed temporary construction access from Lackner Boulevard.

Lackner Boulevard is designated as a Controlled Access-Prohibited Road from Regional Road #55 (Victoria Street) to Regional Road #53 (Fairway Road) under the Region’s Controlled Access By-Law #58-87. An amendment to this By-Law would be required prior to the issuance of an Access Permit by Regional staff for the temporary construction access.

Region of Waterloo staff has confirmed that the temporary construction access would meet current standards and recommends the approval of the proposed By-law amendment.
Area Municipal Consultation/Coordination

City of Kitchener staff support the location of the proposed temporary construction access from Lackner Boulevard which will be at the same location as the permanent site access across from Corfield Drive.

Corporate Strategic Plan:

Managing access to the Regional Road system is integral to the development approval process and is represented in Focus Area 2: Sustainable Transportation: Optimize road capacity to safely manage traffic and congestion.

Financial Implications:

The Waterloo Region District School Board would be responsible for the cost to construct the temporary construction access.

Other Department Consultations/Concurrence:

Upon issuance of a Regional Access Permit, Transportation Engineering would issue a Regional Work Permit to perform works within the Regional right of way on Lackner Boulevard.

Attachments:

Attachment 1 - Location of The Proposed Temporary Construction Access and the proposed Amendment to Controlled Access By-law #58-87

Prepared By: Richard Parent, Transportation Planner

Approved By: Rob Horne, Commissioner, Planning, Development and Legislative Services
Region of Waterloo
Planning, Development and Legislative Services
Community Planning

To: Chair Tom Galloway and Members of the Planning and Works Committee


Subject: Amendment to Regional Municipality of Waterloo Controlled Access By-Law #58-87 for Access to Regional Road #58 (Fischer-Hallman Road), City of Waterloo

Recommendation:

That the Regional Municipality of Waterloo Controlled Access By-law #58-87 be amended to include a temporary access on the west side of Regional Road #58 (Fischer-Hallman Road) approximately 220 metres south of Columbia Street in the City of Waterloo, as described in Report No. PDL-CPL-16-12, dated February 23, 2016.

Summary:

The City of Waterloo will be reconstructing Columbia Street (Fischer-Hallman Road – Erbsville Road) commencing May 2016. This construction will disrupt the Columbia Street vehicular access to 461/465 Columbia Street until November 2017. This property, located on the southwest corner of Fischer-Hallman Road and Columbia Street, also has an existing gated emergency access to Fischer-Hallman Road. The City of Waterloo has asked that the Region of Waterloo allow this emergency access to be used as a temporary residential access for the duration of the Columbia Street construction, allowing residents to access the development (Attachment 1). City of Waterloo staff has consulted with the property owners, and they support this temporary access configuration.

Fischer-Hallman Road is designated as a Controlled Access-Prohibited Road from Regional Road #4 (Ottawa Street) to Regional Road #12 (New Dundee Road) under the Region’s Controlled Access By-Law #58-87. An amendment to this By-Law would be required prior to the issuance of an Access Permit by Regional staff to utilize the existing emergency access as a temporary access to the site.
Region of Waterloo staff have reviewed the location of the emergency access to Fischer-Hallman Road and recommend approval of the by-law amendment to utilize the access on a temporary basis for resident access to the development. The access would operate as a right-in, right-out only access due to the existing raised concrete median on Fischer-Hallman Road and will meet Region of Waterloo design standards.

When the Columbia Street construction is completed and access to the property is restored, the Fischer-Hallman Road access will be restored by the City of Waterloo to its original use as an emergency access.

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 traffic volume and speed. All requests for changes to existing accesses or for new accesses require an amendment to the By-law. Regional roads included in Schedule “B” (Controlled Access – Regulated) include all remaining arterial roads within the Regional road system. Typically, these roads are front-lotted with access available only to the Regional road or are comparatively lower volume roads.

The City of Waterloo will be reconstructing Columbia Street (Fischer-Hallman Road – Erbsville Road) commencing May 2016. This construction will disrupt the Columbia Street vehicular access to 461/465 Columbia Street until November 2017. This property, located on the southwest corner of Fischer-Hallman Road and Columbia Street, also has an existing gated emergency access to Fischer-Hallman Road. The City of Waterloo has asked that the Region of Waterloo allow this emergency access to be used as a temporary residential access for the duration of the Columbia Street construction, allowing residents to access the development (Attachment 1).

A temporary access on the west side of Fischer-Hallman Road and Columbia Street, approximately 220 metres south of Columbia Street is required to facilitate the construction of Columbia Street (Fischer-Hallman Road – Erbsville Road) commencing May 2016. The temporary access would be located at the existing gated emergency access to Fischer-Hallman Road commencing May 2016 until November 2016, and would operate as a right-in, right-out only access due to the existing raised concrete median on Fischer-Hallman Road and will meet Region of Waterloo design standards.

When the Columbia Street construction is completed and access to the property is restored, the Fischer-Hallman Road access will be restored by the City of Waterloo to its original use as an emergency access.
City of Waterloo Planning staff and the property owner’s support the use of the existing emergency access to Fischer-Hallman Road as a temporary, right in/right out access to Fischer-Hallman Road.

Fischer-Hallman Road is designated as a Controlled Access-Prohibited Road from Regional Road #57 (University Avenue) to Laurelwood Drive under the Region’s Controlled Access By-Law #58-87. An amendment to this By-Law would be required prior to the issuance of an Access Permit by Regional staff for the temporary construction access.

Region of Waterloo staff has confirmed that the temporary construction access would meet current standards and recommends the approval of the proposed By-law amendment.

**Area Municipal Consultation/Coordination**

City of Waterloo staff support the location of the proposed temporary construction access from Fischer-Hallman Road.

**Corporate Strategic Plan:**

Managing access to the Regional Road system is integral to the development approval process and is represented in Focus Area 2: Sustainable Transportation: Optimize road capacity to safely manage traffic and congestion.

**Financial Implications:**

The City of Waterloo would be responsible for the cost to construct the temporary access to Fischer-Hallman Road and to restore it back to an emergency access when construction on Columbia Street is completed.

**Other Department Consultations/Concurrence:**

Upon issuance of a Regional Access Permit, Transportation Engineering would issue a Regional Work Permit to perform works within the Regional right of way on Fischer-Hallman Road.

**Attachments:**

Attachment 1 - Location of The Proposed Temporary Construction Access and the proposed Amendment to Controlled Access By-law #58-87

**Prepared By:** Richard Parent, Transportation Planner

**Approved By:** Rob Horne, Commissioner, Planning, Development and Legislative Services
Attachment 1
Region of Waterloo
Planning, Development and Legislative Services
Community Planning

To: Chair Tom Galloway and Members of the Planning and Works Committee

Date: February 23, 2016     File Code: T15-40/06 Highland, C13-20/CA

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

Recommendation:

That the Regional Municipality of Waterloo approve the following amendments to Controlled Access By-law #58-87, subject to site plan approval by the City of Kitchener, as described in Report No. PDL-CPL-13, dated February 23, 2016:

a) delete an emergency access on the east side of Regional Road #70 (Ira Needles Boulevard) approximately 50 metres north of Regional Road #6 (Highland Road) in the City of Kitchener; and

b) approve a right-in, right-out only access on the east side of Regional Road #70 (Ira Needles Boulevard) approximately 127 metres north of Regional Road #6 (Highland Road), in the City of Kitchener.

Summary:

On March 24, 2010, Regional Council approved an amendment to Controlled Access By-law #58-87 for an emergency access to (Regional Road #70) Ira Needles Boulevard approximately 50 metres north of Regional Road #6 (Highland Road) for a proposed residential development at 1460 Highland Road West. The property is located on the northeast corner of Highland Road and Ira Needles Boulevard (please see Attachment 1). The emergency access has not been constructed at this time and the property is only partially developed with a full movement vehicular access to Highland Road. After further discussion with the developer and City of Kitchener staff, Region of Waterloo staff had agreed to support a right-in, right-out only access to Ira Needles Boulevard rather than the previously approved emergency access for the last stage of the
development. The property has subsequently been sold to another developer who has submitted a site plan application for the final stage of development of the property showing a right-in, right-out only access to Ira Needles Boulevard approximately 127 metres north of Highland Road (please see Attachment 2). The emergency access would no longer be required if the right-in, right-out only access is approved by Regional Council.

Region staff has no objection to the proposed access to Ira Needles Boulevard and recommend approval of the proposed by-law amendment. The proposed access meets Region standards and would operate with right-in, right-out only traffic movements since there is an existing raised concrete median on Ira Needles Boulevard at this location.

As Ira Needles Boulevard is designated as a Controlled Access – Prohibited Road from Regional Road #70 (Trussler Road) to Regional Road #57 (University Avenue) under the Region’s Controlled Access By-law #58-87, an amendment to this By-law is required to permit the proposed right-in, right-out only access.

City of Kitchener staff and the developer support the proposed right-in/right-out only access to Ira Needles Boulevard.

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. All remaining Regional Roads are included in Schedule “B” (Controlled Access – Regulated). The function of a Controlled Access – Regulated road is to move through traffic and provide access to adjacent lands. Typically, these roads are front-lotted with access available only to the Regional Road or are comparatively lower volume rural roads.

The subject property is located at 1460 Highland Road West on the northeast corner of Highland Road and Ira Needles Boulevard in the City of Kitchener (please see Attachment 1). The original development of the lands proposed 410 residential apartment and townhouse units. A full movement vehicular access was approved by Region of Waterloo staff to Highland Road as part of the first stage of development. On March 24, 2010, Regional Council approved an amendment to Controlled Access By-law #58-87 for an emergency access to the property on Ira Needles Boulevard.
approximately 50 metres north of Highland Road. The Highland Road access was constructed as part of the first stage of the development along with an associated eastbound left turn lane on Highland Road as recommended in a transportation impact study completed for the original development.

In their proposal to develop the remainder of the lands, the developer requested that Region of Waterloo staff consider support of a right-in, right-out only access to Ira Needles Boulevard rather than the previously approved emergency access. After further consideration and discussion with City of Kitchener staff, Region staff agreed to support the right-in, right out only access for the following reasons:

- the access would have sufficient separation from the existing roundabout at Highland Road and Ira Needles Boulevard,
- the access would be restricted to right-in, right-out only traffic movements as there is an existing raised concrete median on Ira Needles Boulevard,
- the access would help to distribute traffic to and from the property on both Highland Road and Ira Needles Boulevard.

No further improvements to Ira Needles Boulevard would be required to support the proposed access and construction of the proposed access would be at the cost of the developer. The emergency access to Ira Needles Boulevard has not been constructed at this time as there is currently an interim emergency access to Highland Road.

The property has been partially developed at this time and has subsequently been sold to another developer. The new developer has submitted a revised site plan application to the City of Kitchener for a development that will now total 446 residential units and has requested a permanent right-in, right-out only access to Ira Needles Boulevard approximately 127 metres north of Highland Road (please see Attachment 2). If an amendment to Controlled Access By-law #58-87 is approved for the proposed right-in, right-out only access, the previously approved emergency access to Ira Needles Boulevard would not be required and could be deleted from Controlled Access By-law #58-87. The interim emergency access to Highland Road will ultimately be closed through full development of the property.

As Ira Needles Boulevard is designated as a Controlled Access – Prohibited Road from Regional Road #70 (Trussler Road) to Regional Road #57 (University Avenue) under the Region’s Controlled Access By-law #58-87, an amendment to this By-law would be required to permit the proposed right-in, right-out only access prior to the issuance of an Access Permit by staff.

Region of Waterloo staff recommend approval of the proposed amendments to Controlled Access By-law #58-87 subject to approval of the site plan application by the City of Kitchener.
City of Kitchener staff and the developer support the proposed amendments to Controlled Access By-law #58-87.

**Area Municipal Consultation/Coordination:**

The access design and location has been reviewed by City of Kitchener staff and they are in support of the proposed right-in, right-out only access to Ira Needles Boulevard.

**Corporate Strategic Plan:**

Managing access to the Regional Road system is integral to the development approval process and is represented in Focus Area 2: Sustainable Transportation: Optimize road capacity to safely manage traffic and congestion.

**Financial Implications:**

The developer would be responsible for all costs related to the construction of the right-in/right-out only access to Ira Needles Boulevard to Region of Waterloo standards.

**Other Department Consultations/Concurrence:**

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.

**Attachments**

Attachment 1 – Key Plan showing location of the property

Attachment 2 – Location of the proposed access to Ira Needles Boulevard and proposed amendment to Controlled Access By-law #58-87

**Prepared By:** Jason Wigglesworth, Technician

**Approved By:** Rob Horne, Commissioner, Planning, Development and Legislative Services
Attachment 1
Region of Waterloo
Transportation and Environmental Services
Transportation

To: Chair Tom Galloway and Members of the Planning and Works Committee

Date: February 23, 2016 File Code: C13-30/A&R

Subject: Transfer of Dundas Street South from Branchton Road to Southeastern City of Cambridge limit, City of Cambridge

Recommendation:

That the Regional Municipality of Waterloo request from the Ontario Ministry of Transportation the transfer of Dundas Street South, from Branchton Road to the southeastern City of Cambridge Limit, to the Region of Waterloo in accordance with Report TES-TRP-16-06 dated February 23, 2016.

Summary:

Nil

Report:

In order to facilitate future development in the southeast portion of Cambridge, the Region of Waterloo, the City of Cambridge and the Ontario Ministry of Transportation (MTO) have been in discussions regarding the potential transfer of a portion of Dundas Street South, between Branchton Road and the southeastern City of Cambridge limit, from the MTO to the Region of Waterloo.

As part of those discussions, MTO staff advised that resolutions requesting the transfer from both City of Cambridge and Region of Waterloo Councils, would allow the MTO to move forward with the potential transfer of that portion of road to the Region of Waterloo. The City of Cambridge Council passed a resolution in support of this action on January 19, 2016 (see Appendix A).

The proposed section of roadway requesting to be transferred is a two-lane highway approximately 1.85 kilometers in length and is currently under MTO jurisdiction (see...
Appendix B). MTO staff has provided the Region with asset condition reports that indicate the roadway is in good condition with no rehabilitation needs for the next 5 years. There are no bridge or culvert structures or other significant infrastructure assets on this section of road.

Proposed future development plans in southeast Galt include development of residential lands within the Cambridge Urban Area as well as construction of the Regional South Boundary Road with a proposed roundabout at Dundas Street South (see Appendix B).

The Region and the City of Cambridge have received a number of residential plan of subdivision applications that are on the review stage of the planning process. In particular, the Lakeview Homes plan of subdivision will require water, sewer and stormwater services and a new access onto Dundas Street South. MTO has indicated that under its current standards, these required municipal water, sewer, and stormwater servicing as well as direct road access onto Dundas St. S. would not be permitted within the roadway corridor.

Based on Regional standards, the required servicing would be allowed to be placed in the roadway and the proposed subdivision access location would be acceptable. There is combined interest between all parties in the development of this area and it supports the Provincial Places to Grow Plan, the Regional Official Plan and City of Cambridge Official Plan. As well, the Region has interest in assuming jurisdiction of Dundas Street from Branchton Road to the area of the planned construction of the roundabout at the intersection of the South Boundary Road and Dundas Street. It should be noted, this section of roadway meets the assumption criteria for designation as a Regional Road within an urban area.

Even though Dundas Street is currently not within the Region’s jurisdiction, Regional Staff have reviewed Lakeview Homes plan of subdivision and the Traffic Impact Study and will continue to be involved in the ongoing review of these development applications, as appropriate with anticipation of an eventual transfer of the road to the Region.

In the event that the Dundas Street transfer to the Region of Waterloo is not complete prior to the start of the Lakeview Homes development work, the Region would not have jurisdiction of the roadway and an Encroachment and Indemnification Agreement would be required between the City of Cambridge and the MTO in order for the City works to proceed.

Since this road is still under the jurisdiction of the MTO the roundabout at the new South Boundary Road and Dundas Street is currently being reviewed by the MTO and is undergoing a Provincial Environmental Assessment (EA). This roundabout would be under MTO jurisdiction if this road is not transferred to the Region prior to the completion of construction in 2022.
Corporate Strategic Plan:

This initiative directly supports Strategic Objective 1.2, “Plan for and provide the infrastructure and services necessary to create the foundation for economic success”.

Financial Implications:

When the road transfer is completed, the total mileage of the Regional Road System will be increased by approximately 3.7 lane kilometers. This will require an increase in the Transportation Operations Budget of approximately $21,500.

Other Department Consultations/Concurrence:

Once the recommendation for the transfer is approved, Staff from Council and Administrative Services will forward a copy of the Council resolution to the Ontario Ministry of Transportation.

Staff from Planning, Development and Legislative Services were consulted in the preparation of this report.

Attachments

Appendix A – City of Cambridge Council Resolution

Appendix B – Limits of Transfer and Future Development

Prepared By: Andrea Buckley, Senior Project Manager, Transportation Infrastructure

Approved By: Thomas Schmidt, Commissioner, Transportation and Environmental Services
INTERNAL CORRESPONDENCE

DATE: January 22, 2016

TO: Justin Armstrong, Manager – Development Engineering
    George Forhan, Director of Realty and Corporate Property Services
    Elaine Brunn Shaw, City Planner
    Kelly Yerxa, City Solicitor
    Hardy Bromberg, Deputy City Manager Development & Infrastructure

FROM: Michael Di Lullo, City Clerk

RE: Item 3: Transfer of Highway 8 (Dundas Street South) Ownership from Ministry of Transportation to the Region of Waterloo (Ward 7)

Please be advised that the Planning & Development Committee at its meeting held on the 12th day of January, 2016, put forth the following recommendation which was approved at Council on January 19, 2016 as part of Motion 11-16:

Moved By: Councillor Ermeta
Seconded By: Councillor Monteiro

THAT Report D&I-ENG 05/16, regarding the transfer of Highway 8 (Dundas St S) between Branchton Rd and the City limit from the Ontario Ministry of Transportation (MTO) to the Region of Waterloo be received;

AND THAT Cambridge Council request that the Region of Waterloo and Ontario Ministry of Transportation (MTO) make necessary arrangements for said road transfer to the Region of Waterloo;

AND FURTHER THAT Cambridge Council endorse continued City staff negotiation with respect to said transfer subject to future reporting to Council.

CARRIED

Sincerely,

Michael Di Lullo
City Clerk
MD/jh
Appendix B Report:
TES-TRP-16-06

Proposed roundabout at Dundas St. S and Proposed South Boundary Road.

Part of Dundas St. S. requesting to be transferred to the Region of Waterloo between Branchton Rd and Southeastern City of Cambridge Limit.

Proposed access point for Lakeview homes subdivision onto Dundas St. S.
Region of Waterloo
Planning Development and Legislative Services
Legal Services

To: Chair Tom Galloway and Members of the Planning and Works Committee

Date: February 23, 2016		File Code: L07-90

Subject: Authorization to Expropriate Lands (1st Report) For Franklin Blvd Improvements Project – Year 2 North (200m North of Clyde Road to 200m North of Avenue Road) and Year 2 South (125m South of Champlain Boulevard to 200m South of Main Street), in the City of Cambridge

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 reconstruction of Franklin Boulevard from 200m North of Clyde Road to 200m North of Avenue Road (Year 2 North), and from 125m South of Champlain Boulevard to 200m South of Main Street (Year 2 South), in the City of Cambridge, in the Region of Waterloo as detailed in report PDL-LEG-16-12 dated February 23, 2016:

1. 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 reconstruction of Franklin Boulevard and described as follows:

**Fee Simple Partial Taking:**

i. Part of Lot 7, Concession 12, being Parts 44, 53, 54 and 55 on 58R-18803 (Part of PIN 22656-0164 (LT)) (265 Avenue Road, City of Cambridge);

ii. Part of Lot 7, Concession 12, being Parts 40, 41 and 42 on 58R-18803 (Part of PIN 03813-0012 (LT)) (800 Franklin Boulevard, City of Cambridge);

iii. Part of Lot 7, Concession 12, being Parts 27, 28, 29 and 30 on 58R-18803 (Part of PIN 03813-0013 (LT)) (710 Franklin Boulevard, City of Cambridge);
iv. Part of Lot 7, Concession 12, being Parts 23, 24, 25 and 26 on 58R-18803 (Part of PIN 03813-0014 (LT)) (700 Franklin Boulevard, City of Cambridge);

v. Part of Lot 7, Concession 12, being Part 22 on 58R-18803 (Part of PIN 03813-0015 (LT)) (692-696 Franklin Boulevard, City of Cambridge);

vi. Part of Lot 7, Concession 12, being Part 21 on 58R-18803 (Part of PIN 03813-0016 (LT)) (686 Franklin Boulevard, City of Cambridge);

vii. Part of Lot 15, Registered Plan 648, being Part 19 on 58R-18803 (Part of PIN 03813-0100 (LT)) (654 Franklin Boulevard, City of Cambridge);

viii. Part of Lot 15, Registered Plan 648, being Part 18 on 58R-18803 (Part of PIN 03813-0101 (LT)) (650 Franklin Boulevard, City of Cambridge);

ix. Part of Lot 15, Registered Plan 648, being Part 17 on 58R-18803 (Part of PIN 03813-0102 (LT)) (2 Athlone Road, City of Cambridge);

x. Part of Lot 1, Registered Plan 648, being Part 3 on 58R-18800 (Part of PIN 03813-0120 (LT)) (1 Athlone Road, City of Cambridge);

xi. Part of Lot 15, Registered Plan 1415, being Part 56 on 58R-18803 (Part of PIN 22657-0225 (LT)) (111 Bayne Crescent, City of Cambridge);

xii. Part of Lot 14, Registered Plan 1415, being Parts 58 and 61 on 58R-18803 (Part of PIN 22657-0227 (LT)) (107 Bayne Crescent, City of Cambridge);

xiii. Part of Lot 1, Registered Plan 1498, being Part 16 on 58R-18803 (Part of PIN 03825-0059 (LT)) (4 Hilborn Avenue, City of Cambridge);

xiv. Part of Lot 6, Registered Plan 609, being Part 13 on 58R-18803 (Part of PIN 03825-0055 (LT)) (657 Franklin Boulevard, City of Cambridge);

xv. Part of Lot 10, Registered Plan 609, being Part 1 on 58R-18803 (Part of PIN 03825-0007 (LT)) (721 Franklin Boulevard, City of Cambridge);

xvi. Part of Lot 5, Concession 10, being Part 4 on 58R-18801 (Part of PIN 03842-0367 (LT)) (250-270 Dundas Street South, City of Cambridge);

xvii. Part of Block E, Registered Plan 1368, being Parts 5 and 6 on 58R-18802 (Part of PIN 22673-0017 (LT)) (Land on SW Franklin Boulevard and Champlain Boulevard, City of Cambridge);

xviii. Part of Lot 5, Concession 10, being Parts 6 and 11 on 58R-18801 (Part of PIN 03824-0099 (LT)) (200 Franklin Boulevard, City of Cambridge);

xix. Part of Lot 1, Registered Plan 1433, being Part 4 on 58R-18802 (Part of PIN 22674-0063 (LT)) (551 Champlain Boulevard, City of Cambridge);

xx. Part of Lot 5, Concession 10, being Parts 2 and 3 on 58R-18801 (Part of PIN 03843-0008 (LT)) (330 Dundas Street South, City of Cambridge);

xxi. Part of Block 38, Registered Plan 58M-241, being Parts 14, 15 and 18 on 58R-18801 (Part of PIN 03845-0520 (LT)) (205, 225 & 235 Franklin Boulevard and 311 Dundas Street South, City of Cambridge);

xxii. Part of Lot 8, Registered Plan 1434, being Parts 1, 2 and 3 on 58R-18802 (Part of PIN 03843-0042 (LT)) (550 Champlain Boulevard, City of Cambridge);
Permanent Easement - Drainage:

The right and easement, being an easement in gross, for itself, its successors and assigns and anyone authorized by it, in perpetuity to, at any time enter upon the following properties for purposes of constructing, installing, maintaining, inspecting, altering, moving, replacing, reconstructing, enlarging and repairing, as applicable, pipes, catch basins, swales, ditches and other works and appurtenances thereto for the purpose of the transfer or transmission and management of storm water, both above and below the ground and for every such purpose and for all purposes necessary or incidental to the exercise of the rights hereby created, through, over, upon, along and across the lands, and for all such purposes together with the free, unimpeded and unobstructed access for itself, its successors and assigns, servants, agents, contractors, workmen and anyone authorized by it, and vehicles, supplies and equipment at all times and for all purposes and things necessary for or incidental to the exercise and enjoyment of the right and easement:

xxiii. Part of Lot 7, Concession 12, being Parts 51 and 52 on 58R-18803 (Part of PIN 22656-0164 (LT)) (265 Avenue Road, City of Cambridge);
xxiv. Part of Lot 7, Concession 12, being Part 64 on 58R-18803 (Part of PIN 03813-0014 (LT)) (700 Franklin Boulevard, City of Cambridge);
xxv. Part of Lot 1, Registered Plan 648, being Part 2 on 58R-18800 (Part of PIN 03813-0119 (LT)) (640 Franklin Boulevard, City of Cambridge);
xxvi. Part of Lot 4, Registered Plan 609 and Part of Block 76 Registered Plan 1498, being Part 1 on 58R-18800 (Part of PIN 03825-0132 (LT)) (639 Franklin Boulevard, City of Cambridge);
xxvii. Part of Block 38, Registered Plan 58M-241, being Part 23 on 58R-18801 (Part of PIN 03845-0520 (LT)) (205, 225 & 235 Franklin Boulevard and 311 Dundas Street South, City of Cambridge);

Permanent Easement – Retaining Wall Maintenance:

The right and easement, being an easement in gross, for itself, its successors and assigns and anyone authorized by it, in perpetuity to, at any time enter upon the following properties for purposes of constructing, installing, maintaining, inspecting, altering, moving, replacing, reconstructing, enlarging and repairing, as applicable, a retaining wall, noise barrier and/or fence, through, over, upon, along and across the lands, and for all such purposes together with the free, unimpeded and unobstructed access for itself, its successors and assigns, servants, agents, contractors, workmen and anyone authorized by it, and vehicles, supplies and equipment at all times and for all purposes and things necessary for or incidental to the exercise and enjoyment of the right and easement:
xxviii. Part of Lot 10, Registered Plan 609, being Part 2 on 58R-18803 (Part of PIN 03825-0007 (LT)) (721 Franklin Boulevard, City of Cambridge);

xxix. Part of Lot 5, Concession 10, being Parts 7, 9 and 10 on 58R-18801 (Part of PIN 03824-0099 (LT)) (200 Franklin Boulevard, City of Cambridge);

**Permanent Easement - Aerial:**

The right and easement, being an easement in gross, for itself, its successors and assigns and anyone authorized by it, in perpetuity to, at any time enter upon the following properties for purposes of constructing, installing, inspecting, repairing, altering, enlarging, replacing, correcting, operating, and maintaining aerial hydro installations and infrastructure overhead, including cables, pipes, conduits of all kinds, all appurtenances thereto, and maintaining required clearance areas for same, herein referred to as the aerial utility plant, which may be determined necessary from time to time through, over, upon, along and across the lands, and for all such purposes together with the free, unimpeded and unobstructed access for itself, its successors and assigns, servants, agents, contractors, workmen and anyone authorized by it, and vehicles, supplies and equipment at all times and for all purposes and things necessary for or incidental to the exercise and enjoyment of the right and easement:

xxx. Part of Lot 7, Concession 12, being Parts 47, 50 and 52 on 58R-18803 (Part of PIN 22656-0164 (LT)) (265 Avenue Road, City of Cambridge);

xxx. Part of Lot 7, Concession 12, being Parts 35, 36, 37, 38, and 39 on 58R-18803 (Part of PIN 03813-0012 (LT)) (800 Franklin Boulevard, City of Cambridge);

xxxii. Part of Lot 7, Concession 12, being Parts 31, 32, 33 and 34 on 58R-18803 (Part of PIN 03813-0013 (LT)) (710 Franklin Boulevard, City of Cambridge);

xxxiii. Part of Lot 14, Registered Plan 1415, being Parts 59 and 60 on 58R-18803 (Part of PIN 22657-0227 (LT)) (107 Bayne Crescent, City of Cambridge);

xxxiv. Part of Lot 1, Registered Plan 1498, being Part 15 on 58R-18803 (Part of PIN 03825-0059 (LT)) (4 Hilborn Avenue, City of Cambridge);

xxxv. Part of Lot 10, Registered Plan 609, being Part 6 on 58R-18803 (Part of PIN 03825-0007 (LT)) (721 Franklin Boulevard, City of Cambridge);

xxxvi. Part of Lots 13 and 14, Registered Plan 1415, being Parts 62 and 63 on 58R-18803 (Part of PIN 22657-0228 (LT)) (103 Bayne Crescent, City of Cambridge);

xxxvii. Part of Lot 5, Concession 10, being Part 5 on 58R-18801 (Part of PIN 03842-0367 (LT)) (250-270 Dundas Street South, City of Cambridge);

xxxviii. Part of Block E, Registered Plan 1368, being Parts 7, 8, and 11 on 58R-
18802 (Part of PIN 22673-0017 (LT)) (Land on SW Franklin Boulevard and Champlain Boulevard, City of Cambridge);

xxxix. Part of Lot 5, Concession 10, being Part 8 on 58R- 18801 (Part of PIN 03824-0099 (LT)) (200 Franklin Boulevard, City of Cambridge);

xl. Part of Block 38, Registered Plan 58M-241, being Parts 19, 22 and 23 on 58R- 18801 (Part of PIN 03845-0520 (LT)) (205, 225 & 235 Franklin Boulevard and 311 Dundas Street South, City of Cambridge);

**Permanent Easement - Anchor:**

The right and easement, being an easement in gross, for itself, its successors and assigns and anyone authorized by it, in perpetuity to, at any time enter upon the following properties for purposes of constructing, laying down, installing, inspecting, repairing, altering, enlarging, replacing, correcting, operating, and maintaining hydro installations and infrastructure, both under ground and overhead, including cables, pipes, conduits of all kinds, all necessary poles, supporting wires and braces and other equipment and appurtenances thereto, herein referred to as the utility plant, which may be determined necessary from time to time through, over, upon, along and across the lands, and for all such purposes together with the free, unimpeded and unobstructed access for itself, its successors and assigns, servants, agents, contractors, workmen and anyone authorized by it, and vehicles, supplies and equipment at all times and for all purposes and things necessary for or incidental to the exercise and enjoyment of the right and easement:

xli. Part of Lot 7, Concession 12, being Parts 43, 45, 46, 48 and 49 on 58R- 18803 (Part of PIN 22656-0164 (LT)) (265 Avenue Road, City of Cambridge);

xlii. Part of Lot 6, Registered Plan 609, being Part 14 on 58R- 18803 (Part of PIN 03825-0518 (LT)) (647 Franklin Boulevard, City of Cambridge);

xliii. Part of Lot 10, Registered Plan 609, being Parts 3, 4 and 5 on 58R- 18803 (Part of PIN 03825-0007 (LT)) (721 Franklin Boulevard, City of Cambridge);

xliv. Part of Lot 10, Registered Plan 609, being Part 7 on 58R- 18803 (Part of PIN 03825-0008 (LT)) (711 Franklin Boulevard, City of Cambridge);

xl. Part of Block E, Registered Plan 1368, being Parts 9 and 10 on 58R- 18802 (Part of PIN 22673-0017 (LT)) (Land on SW Franklin Boulevard and Champlain Boulevard, City of Cambridge);

xlvi. Part of Lot 5, Concession 10, being Part 1 on 58R- 18801 (Part of PIN 03843-0286 (LT)) (350 Dundas Street South, City of Cambridge);

xlvii. Part of Block 38, Registered Plan 58M-241, being Parts 12, 13, 16, 17, 20 and 21 on 58R- 18801 (Part of PIN 03845-0520 (LT)) (205, 225 & 235 Franklin Boulevard and 311 Dundas Street South, City of Cambridge);
2. Serve notices of the above applications(s) required by the Expropriations Act (the “Act”);
3. Forward to the Chief Inquiry Officer any requests for a hearing that may be received within the time prescribed by the Act;
4. Attend, with appropriate Regional staff, at any hearing that may be scheduled;
5. 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
6. Do all things necessary and properly to be done and report thereon to Regional Council in due course.

Summary: NIL

Report:

Regional Council has approved the reconstruction of the Franklin Boulevard (Regional Road 36) corridor from Pinebush Road to Myers Road, in the City of Cambridge (the “Project”). The Environmental Assessment was approved by Council in March 2010 and by the Ministry of Environment in July 2011. This study investigated the need to increase traffic capacity on Franklin Boulevard and approved constructing roundabouts at the major intersections and reconstructing Franklin Boulevard with 4 lanes and a continuous raised centre median.

As a result of the potential for significant impacts of construction on traffic and the local community, the Franklin Boulevard improvements are planned in phases as follows (see attached Phasing Plan in Appendix “A”):

Year 1 South – Main St. to Clyde Rd.
- includes roundabouts at Main St., Savage Dr. and Clyde Rd.
- construction initiated in 2015, anticipated completion in Summer 2016

Year 1 North – Bishop St. to Pinebush Rd.
- includes roundabouts at Bishop St., Sheldon Dr. and Pinebush Rd.
- construction initiated in 2015, anticipated completion in Summer 2016

Year 2 South – Champlain Blvd. to Main St.
- includes roundabouts at Champlain Blvd. and Dundas St.
- utility relocation planned in 2016, road construction start planned in 2017

Year 2 North – Clyde Rd. to Avenue Rd.
- includes roundabout at Avenue Rd.
- utility relocation planned in 2016, road construction start planned in 2017

Avenue to Can-Amera – On Hold
- includes potential roundabouts at Saginaw Pkwy. and Can-Amera Pkwy., and signals at Glamis Rd.
- Council decision on this section won’t be made until Year 1 roundabouts have been in place for a year and an operational analysis has been conducted.
- earliest construction 2020, potentially later if roundabouts are not recommended and EA Addendum is required.

All of the Year 1 properties have been expropriated with possession of the required land obtained on October 31st, 2014.

To accommodate planned road construction timing and to allow for advance completion of utility relocations for Year 2 works, possession of the land for Year 2 North and Year 2 South will be required by the end of 2016.

Funding for all phases of the project are shown in the Region’s 2016 Ten Year Transportation Capital Program. Regional staff has commenced the process of acquiring all required lands for the Year 2 works which entails either partial takings or permanent easements from 28 properties. Should a negotiated settlement be reached with any of the property owners and a conveyance of the required acquisition be completed before the expropriation process is complete, the expropriation process will be discontinued by the Regional Solicitor in respect of such properties(y).

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 email, to discuss the required land acquisitions and all have been informed of the Region’s intention to proceed with 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 “C”. 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 meet the project timeline.

The expropriation of the lands is on an “as is” basis and upon acquisition the Region assumes all responsibility for the lands.

The Project Areas and Phases are shown attached as Appendix “B”.

A list of the corporate owners of the fee simple partial takings is attached as Appendix “D”. Regional staff has conducted corporate profile searches of affected corporate
property owners and the directors and officers are listed for each. This list does not include tenants, easement holders or holders of security interests in the subject lands.

**Corporate strategic plan:**

One of the focus areas of the Corporate Strategic Plan is to develop greater, more sustainable and safe transportation choices.

In addition, implementation of this project specifically achieves Strategic Objective 2.4 which is to optimize road capacity to safely manage traffic and congestion.

**FINANCIAL IMPLICATIONS:**

Transportation and Environmental Services staff advises that the 2016 Ten Year Transportation Capital Program includes $22,335,000 over the years 2016 to 2018 for completion of Year 1 works and implementation of Year 2 works for this project to be funded from the Regional Development Charges Reserve Fund.

**Other department consultations/concurrence:**

Transportation and Environmental Services staff have been consulted in the preparation of this Report.

**Attachments:**

Appendix “A” - Key Plan – Franklin Boulevard Improvements
Appendix “B” - Project Area (Dots Show Locations Where Land is Required)
Appendix “C” – Copy of Expropriation Information Sheet
Appendix “D” - Corporate Profiles of Corporate Owners

**Prepared By:** Brian Timm, Property Agent

**Approved By:** Richard Brookes, Acting Regional Solicitor, Director of Legal Services
Appendix “A” – Key Plan – Franklin Boulevard Improvements
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 Notice: 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 “D”

265 Avenue Road, City of Cambridge
- Owner: Polish Club Cambridge
- Annual Return: 6/15/2012
- Directors/Officers:
  Jan Adams, Barbara Adams, Mary Cylwik, Grzegorz Dorozynski, Anna Kowalewska, Stella Kosuch, Andrew Szuba, Urszula Wlakowski,

800 Franklin Boulevard, Cambridge
- Owner: FGP Franklin Limited
- Annual Return: 4/9/2015
- Directors/Officers:
  William Andrew Moffat

700 Franklin Boulevard, Cambridge
- Owner: 4+ Real Estate Holdings Inc.
- Annual Return: 4/18/2015
- Directors/Officers:
  Albert Budding, Susan Budding

647 Franklin Boulevard, Cambridge
- Owner: Centre Communautaire Francophone de Cambridge
- Annual Return: 8/9/2008
- Directors/Officers:
  Louise Bell, Lucien Bolduc, Normand Goulet, Deanna Guitard, Carloyn Jackson, Paul Andre Lemay

250-270 Dundas Street South, Cambridge
- Owner: Contonis Holdings Ltd.
- Annual Return: 8/15/2015
- Directors/Officers:
  Alex Contonis, Effy Contonis, Chris Contonis

Land at South West Corner Franklin Boulevard and Champlain Boulevard
- Pino Holdings Limited
- Annual Return: 2/18/2015
- Directors/Officers:
  Sandra Baldrey
200 Franklin Boulevard, Cambridge
- Owner: Riocan Holdings Inc.
- Annual Return: 11/12/2015
- Directors/Officers:
  - Raghunath Davloor, Cynthia Devine, Jonathan Gitlin, Naftali Sturm

350 Dundas Street South, Cambridge
- Owner: Freure Blair Crossing Limited
- Annual Return: 5/30/2015
- Directors/Officers:
  - David H Freure, Harold Freure

330 Dundas Street South, Cambridge
- Owner: Coleman Investments Limited
- Annual Return: 11/12/2015
- Directors/Officers:
  - Ernest Guthrie Coleman, Beryl Violet Coleman, Michael Coleman, Michael R Coleman, Lynn Coleman

205, 225 and 235 Franklin Boulevard & 311 Dundas Street South
- Owner: Camrich Holdings Ltd.
- Annual Return: 1/24/2015
- Directors/Officers:
  - Hoongkee Keem, Meensun Keem
Region of Waterloo
Transportation and Environmental Services
Design and Construction

To: Chair Tom Galloway and Members of the Planning and Works Committee

Date: February 23, 2016

File Code: C04-30, 07259

Subject: University Avenue Reconstruction and Widening (Keats Way to Erb Street), City of Waterloo - Recommended Design Concept

Recommendation:

That the Regional Municipality of Waterloo take the following actions with respect to the Environmental Assessment and Preliminary Design Study for University Avenue between Keats Way and Erb Street in the City of Waterloo:

a) Approve the Recommended Design Concept for the proposed reconstruction and widening of University Avenue from Keats Way to Erb Street as described in Report TES-DCS-16-03 dated February 23, 2016.

b) Direct staff to file a Notice of Completion as required by the Municipal Class Environmental Assessment and place the project file on the public record for review for a period of 30 days.

Summary:

The Region of Waterloo is undertaking an Environmental Assessment and Preliminary Design Study for University Avenue between Keats Way and Erb Street in the City of Waterloo. This road segment is being considered for reconstruction and widening. The limits of the study area are shown on the Key Plan included in Appendix A to this report.
University Avenue within the study area currently consists of two vehicular traffic lanes with on-road cycling lanes and gravel shoulders and left-turn lanes at the Keats Way and Erb Street intersections. A concrete sidewalk is present on the east side of the road. Reconstruction of the road is required in order to address poor pavement conditions. The reconstruction of the road also offers an opportunity to widen the road to accommodate increasing traffic volumes and to construct cycling facilities and new sidewalks to current standards.

Based on a technical review of existing conditions and needs within the study area, the Project Team developed a Preliminary Design Concept for the proposed roadworks. This Preliminary Concept included the reconstruction of the existing road structure and sidewalks, widening of the road to a four lane urban standard with buffered on-road cycling lanes and concrete curbs and gutters, the construction of concrete sidewalks where none currently exist and the construction of centre medians and extended left turn lanes at the Erb Street intersection.

The Preliminary Design Concept was presented at a Public Consultation Centre held on November 5, 2014. Three people attended the Centre and the comments that were received were supportive of the Preliminary Concept. The Preliminary Design Concept was presented to the Planning and Works Committee for approval in Report TES-DCS-15-17 at the meeting of August 11, 2015. A delegation from TriTAG attended this meeting and requested that off-road cycling facilities be considered within the study area. Planning and Works Committee deferred approval of Report TES-DCS-15-17 and requested that staff obtain input from the Region’s Active Transportation Advisory Committee (ATAC) before returning with a Recommended Design Concept for the proposed roadworks.

Following a presentation by staff on October 20, 2015, ATAC indicated that off-road cycling facilities were not appropriate and recommended that segregated cycling lanes be implemented within the study area.

The University Avenue Project Team met to discuss the information brought forward by TriTAG and the recommendation from ATAC. After consideration of this information, the Team concluded that there would be no significant benefit in terms of encouraging cycling by implementing segregated or off-road cycling facilities in a short, isolated location within the overall transportation system. The Project Team, which included City of Waterloo staff and councillor, reached a consensus that a Design Concept including buffered on-road cycling lanes be recommended for Regional Council approval.

Subject to approval of the Recommended Design Concept by Council and satisfactory review of the project file by the public and agencies, detailed design of the proposed works is planned to begin in 2016. Construction is currently scheduled in 2018.
1. Project Description

The Region of Waterloo is considering the reconstruction and widening of University Avenue between Keats Way and Erb Street in the City of Waterloo. An Environmental Assessment and Preliminary Design Study is being undertaken to determine the potential impacts of the project and the components to be incorporated into the design. The limits of the study area are shown on the Key Plan included in Appendix A to this report.

University Avenue within the study area currently consists of two vehicular lanes with variable width on-road cycling lanes and gravel shoulders. Left-turn lanes are present at the Keats Way and Erb Street intersections. A substandard width concrete sidewalk is located on the east side of the road. No residential properties front the road within the study area. One existing driveway provides secondary access to a commercial property fronting Westmount Road to the east of University Avenue. Maple Hill Creek flows in a northerly direction, west of and roughly parallel to University Avenue. Although the creek is generally located outside of the University Avenue right-of-way, its pronounced meander pattern has created several encroachments into the Regions lands. Several areas of the creek bank are severely eroded and further erosion into the University Avenue right-of-way may occur in the future. The creek flows easterly through a concrete box culvert under University Avenue south of Keats Way where it joins with Clair Creek.

Due to the age and condition of the pavement structure of University Avenue within the study area, it is necessary to completely reconstruct the existing road including the asphalt surface and granular base. The reconstruction of the road offers an opportunity to also widen the road surface to accommodate increasing traffic volumes, make improvements to the existing on-road cycling lanes and sidewalks and construct concrete sidewalks where none currently exist.

The proposed reconstruction and widening of University Avenue is classified as a Schedule B undertaking in accordance with the planning process outlined in the Municipal Class Environmental Assessment due to the proposed increase in traffic carrying capacity. Approval of the Environmental Assessment for the project is subject to a screening process whereby potentially impacted members of the public and approval agencies have an opportunity to review and comment on the solutions being considered.

The University Avenue Environmental Assessment and Preliminary Design Study is being directed by a Project Team consisting of staff from the Regional Municipality of Waterloo and the City Waterloo, and Councillors Jeff Henry (City of Waterloo) and Jane Mitchell (Region of Waterloo).
2. Transportation Requirements

University Avenue provides an important east-west transportation link within the City of Waterloo connecting the Universities of Waterloo and Wilfrid Laurier with residential areas east and west of the Uptown core. Waterloo Park and the Waterloo Recreation Centre are located in close proximity to the University Avenue corridor.

Existing vehicular traffic volumes on University Avenue within the study area are approximately 14,000 vehicles per day (average annual vehicular traffic) which is near the capacity of a two lane road of this type. Traffic volumes in the University Avenue corridor are expected to increase by approximately 15% by 2028. The Region of Waterloo’s Transportation Master Plan (TMP) identifies the need to widen University Avenue between Keats Way and Erb Street to four lanes by 2021.

Analysis of existing peak hour vehicular traffic volumes indicates that the operation of the road is currently generally acceptable except for the northbound and southbound through movements at the Erb Street intersection where these movements are experiencing congestion and delay.

Measured pedestrian volumes on University Avenue within the project limits are moderate to high. The TMP, through its vision of sustainability, supports measures that will improve the cycling and pedestrian facilities in the study area.

The Region’s Cycling Master Plan identifies University Avenue as a core on-road cycling route. The Region’s Active Transportation Master Plan (ATMP) recommends that the existing on-road cycling lanes be retained in their current configuration.

According to the Regions Context Sensitive Regional Transportation Corridor Design Guidelines, University Avenue is classified as a Neighbourhood Connector – Avenue. As a fundamental part of this classification, University Avenue should be designed to support active transportation modes including walking and cycling.

The Region of Waterloo monitors traffic collisions on all of the roads under its jurisdiction to determine where improvements are required to improve public safety. An analysis of the collision history within the study area between 2008 and 2012 does not indicate that a significant concern regarding vehicular safety currently exists.

In order to facilitate alternative modes of transportation as envisioned in the TMP, Cycling Master Plan and ATMP, the Project Team considered various alternative types of cycling and pedestrian facilities within the study area. In addition to improvements to accommodate active transportation, analysis of existing traffic patterns suggests that improvements can also be made to improve traffic operations.
3. Preliminary Design Concept and Potential Impacts

The Project Team developed a Preliminary Design Concept which addresses the identified pavement condition deficiencies and transportation requirements within the study area. The Concept includes reconstruction of the existing road structure and sidewalks, widening of the road to four lanes with buffered on-road cycling lanes and concrete curbs and gutters, the construction of concrete sidewalks where none currently exist and the construction of centre medians at the Erb Street intersection.

3.1 Reconstruction and widening of road structure

Due to the deteriorating condition of the existing road structure, the existing granular base and asphalt must be removed and replaced. Widening of the road to a four lane standard will require the excavation and removal of the existing on-road cycling lanes and gravel shoulders and the construction of new granular base and asphalt complete with standard concrete curbs and gutters. The alignment of the road must be shifted easterly to avoid existing encroachments of the Maple Hill Creek into the University Avenue right-of-way. Drainage of runoff from the widened road surface will be directed towards and accommodated in the existing storm sewers by the proposed curbs and gutters.

3.2 Sidewalk construction

The installation of a new concrete sidewalk on the western side of the road will require the re-grading of the existing boulevard and may require the removal of several mature trees. In order to protect the structural integrity of a new sidewalk installed in this location, erosion control measures are required to prevent further encroachment of the Maple Hill Creek into the road right-of-way.

The existing sidewalk on the eastern side of the road will be reconstructed to current standards in a location to accommodate the re-aligned and widened road.

3.3 Cycling facilities

Reconstruction of the existing on-road cycling lanes within the study area will provide an important connection to the existing on-road cycling lanes on University Avenue north of Keats Way and south of Erb Street and on Erb Street east and west of University Avenue.

The Preliminary Design Concept includes 1.5m wide buffered on-road cycling lanes that would be built as an extension of the asphalt road surface but would be separated from vehicular lanes by a 0.6 metre wide painted buffer to increase the separation distance between vehicles and cyclists.
3.4 Centre medians and extended left-turn lanes at the Erb Street intersection

A centre median at the approaches to the Erb Street intersection will provide a physical separation between north-bound and south-bound vehicles as they pass through the widened intersection. Secondary traffic signals will be located on these medians to improve traffic signal visibility for drivers. The left-turn lanes will also be extended to provide sufficient storage capacity for turning vehicles under future traffic volume conditions.

4. Public Consultation

The Preliminary Design Concept was presented to area residents at a Public Consultation Centre (PCC) held on November 4, 2014. Notices for this meeting were mailed out to property and business owners within the project limits. Notices were also placed in the local newspaper and road-side signs advised of the event. Staff from the Region of Waterloo and City of Waterloo were available at the Consultation Centre to discuss the Preliminary Design Concept.

The PCC was attended by three local property owners and residents. Comments received by the Project Team were supportive of the Preliminary Design Concept including the need for cycling facilities.

Report TES-DCS-15-17 was prepared for consideration by Planning and Works Committee at the meeting of August 11, 2015. This report included a recommendation to approve the Preliminary Design Concept presented at the Public Consultation Centre. A delegation from TriTAG appeared at the Planning and Works Committee meeting to provide comments on the Design Concept. The delegation requested that off-road cycling facilities be considered within the study area. Planning and Works Committee deferred approval of Report TES-DCS-15-17 and requested that staff obtain input from the Region’s Active Transportation Advisory Committee (ATAC) before returning with a Recommended Design Concept for the proposed project.

5. Active Transportation Advisory Committee Recommendation

On October 20, 2015, Regional staff attended a meeting of the Active Transportation Advisory Committee. Staff made a presentation regarding the Environmental Assessment and Preliminary Design Study for the reconstruction and widening of University Avenue between Erb Street and Keats Way. Particular emphasis was placed on the alternative cycling and pedestrian facilities that were considered by the Project Team and the technical evaluation process which led the Team to the selection of buffered on-road cycling lanes as a component of the Preliminary Design Concept. In support of this discussion, a map was prepared showing existing and planned cycling facilities on Regional and major local roads in the City of Waterloo in the vicinity of the
study area. This map is included in Appendix B to this report.

Following discussion of the alternative types of cycling facilities considered by the Project Team, ATAC members agreed that off-road cycling facilities were not appropriate within the study area. However, ATAC recommended that segregated cycling lanes be re-considered by the Project Team.

6. Recommended Design Concept

The University Avenue Project Team met in December, 2015 to discuss the information brought forward by TriTAG and the recommendation made by ATAC regarding proposed cycling facilities within the study area. After consideration of existing Regional policies, construction and maintenance costs and existing and planned cycling facilities surrounding the study area, the Project Team, including the participation of City of Waterloo staff and councillor, confirmed their preliminary assessment and reached a consensus that the Recommended Design Concept for University Avenue between Keats Way and Erb Street include buffered on-road cycling lanes for the following reasons as described in section 6.1 and 6.2.

6.1 Existing and planned cycling facilities

The existing and planned cycling facilities on Regional and major local roads in the vicinity of the study area are shown on the map included in Appendix B to this report. The map also shows the proposed year of construction for any future cycling facilities as indicated in the Region’s Approved Transportation Capital Program.

In accordance with the recommendations contained in the ATMP, segregated cycling lanes are being considered as part of the reconstruction of the one-way segment of Erb Street east of Bridgeport Road in 2018. Segregated cycling lanes are also proposed on King Street between Erb Street and University Avenue in 2017 and 2019. These are the only segregated cycling facilities in the vicinity of the study area recommended for implementation in the Transportation Master Plan, Cycling Master Plan and the Active Transportation Master Plan or contained in the approved Transportation Capital Program. All other cycling facilities existing or currently planned for construction in the vicinity of the study area are on-road cycling lanes.

On-road cycling lanes have recently been constructed on Erb Street between Westmount Road and Fischer Hallman Road in 2010 and on Father David Bauer Drive by the City of Waterloo in 2014.

The Project Team determined that since all existing roads, recently reconstructed roads and planned road reconstruction projects in proximity to the study area
include on-road cycling lanes, that there would be no significant benefit in terms of encouraging cycling by implementing segregated or off-road cycling facilities in a short isolated location in the overall transportation system.

6.2 Cost

The additional cost to construct segregated cycling lanes on University Avenue between Keats Way and Erb Street is estimated to be approximately $160,000 more than the cost to install buffered cycling lanes. This additional cost is due to the need to install additional concrete gutters and a slightly wider road platform.

The cost to construct off-road multi-use facilities is approximately the same as for buffered cycling lanes since the additional cost to construct new concrete sidewalks would be eliminated if multi-use facilities were installed.

Maintenance costs associated with winter snow clearing operations are expected to be higher for segregated cycling lanes. There may be a need to clear snow off segregated lanes with different equipment if roadway plows are not able to adequately clear the lanes. This has been observed in other communities where segregated lanes are present.

6.3 Recommended Design Concept

The Design Concept for the reconstruction and widening of University Avenue between Keats Way and Erb Street recommended by consensus by the University Avenue Project Team for consideration by Regional Council includes the following elements;

- Reconstruction of the existing road structure and widening to a four lane urban cross-section complete with concrete curb and gutters
- Construction of new concrete sidewalk on the west side of the road where none currently exists and reconstruction of the existing sidewalk on the east side of the road to current standards
- Construction of buffered on-road cycling lanes
- Construction of centre medians and extended left-turn lanes at the Erb Street intersection to help guide traffic through the widened intersection

A cross-section of the Recommended Design Concept is included in Appendix C of this report. The consensus recommendation of the Project Team, including rationale, was communicated to ATAC in advance of its January 19, 2016 meeting.

7. Estimated Project Cost:

The estimated cost to construct the improvements described in the Recommended Design Concept including road reconstruction and widening, buffered on-road cycling
lanes, new concrete curbs and gutters and sidewalks and centre medians and extended left-turn lanes at the Erb Street intersection is approximately $2,200,000.

8. Next Steps

Subject to approval of the Recommended Design Concept by Council, a Notice of Completion for the Environmental Assessment and Preliminary Design Study will be prepared. This Notice will be circulated to potentially impacted property owners and agencies. The project file including all information made available to the public and the assessment of the alternatives considered will be made available for public review. If no unresolved concerns are brought forward within the 30 day review period, preparation of the detailed design for the proposed works will be initiated. Construction is currently scheduled to be undertaken in 2018.

Corporate Strategic Plan:

The recommended improvements to University Ave support Focus Area #2 (Sustainable Transportation) by building infrastructure for active forms of transportation and optimizing road capacity to improve safety and ease congestion.

Financial Implications:

The estimated cost of the improvements proposed in the Recommended Design Concept is approximately $2,200,000 to be funded from the Regional Development Charges Reserve Fund. The approved 2016 Transportation Capital Program includes sufficient funding for the construction of this project in 2018. The estimate and budget will be further refined during the detailed design phase of this project.

Other Department Consultations/Concurrence:

Nil.

Attachments

Appendix A – Study Area
Appendix B – Existing and planned cycling facilities
Appendix C – Recommended Design Concept

Prepared by: Peter Linn, Senior Project Manager

Approved by: Thomas Schmidt, Commissioner, Transportation and Environmental Services
Appendix A – Project Location Plan

City
of
Waterloo

REGIONAL ROAD No. 57
UNIVERSITY AVENUE
KEATS WAY TO ERB STREET
City of Waterloo
Appendix B – Existing and Planned Cycling Facilities

[Map showing cycling facilities in Waterloo, Ontario, with project limits and future planning dates.]
Appendix C – Recommended Design Concept
Region of Waterloo

Transportation and Environmental Services

Design and Construction

To: Chair Tom Galloway and Members of the Planning and Works Committee

Date: February 23, 2016

File Code: C04-30-

Subject: 2015 Construction Summary and 2016 Construction Updates

Recommendation:

For information.

Summary:

This report has been prepared in response to a request by a Councillor for construction updates and provides a status summary for the 36 largest transportation, water, wastewater and waste management construction contracts that were under construction and/or were awarded by Council in 2015. For 24 of the 36 contracts, construction was completed in 2015. Two transportation contracts that were originally planned to be completed in 2015 are now planned to be completed in 2016. For 10 of the 36 contracts, construction will continue through 2016 and beyond, as planned.

The most up-to-date information about active, ongoing construction contracts affecting Regional roads is available on the Region’s website and on the Ping Street mobile application (“app”). The Region’s website provides an alphabetical listing of Regional roads that are subject to active lane closures or road closures, together with links to local municipal road information. The Ping Street mobile app illustrates information about Regional and local municipal lane and road closures on a map of the Region. Staff is currently soliciting feedback from users to identify possible opportunities for upgrades and improvements. Staff is also currently developing upgrades to the Region’s website that would display lane and road closure information on a map as well as an alphabetical listing. More detailed information about current and future construction projects is also available on the Region’s website.
Planned new construction contracts for 2016 will be summarized in an upcoming report planned for April 2016. A mid-year update on 2016 construction is planned for June 2016 and a year-end projection is planned for fall 2016.

Staff is now proposing to modify the schedules for two construction contracts contemplated in the 2016 Transportation Capital Program to better manage traffic disruption and detour routes in 2016 and 2017 based on the latest available information about the timing of nearby construction contracts. It is now planned to complete both segments of construction on Ottawa Street from River Road to Lackner Boulevard and from Highway 7/8 to River Road in two consecutive years (2016 and 2017) because the Ministry of Transportation, Ontario (MTO) schedule for the Victoria Street bridge removal and replacement over Highway 7/8 has been shifted to late 2017/2018. The new roundabouts at the Ottawa Street intersections with Homer Watson Boulevard and Alpine Road are now planned to be rescheduled from 2016 to 2017 because Courtland Avenue from Block Line Road to Manitou Drive will be partially closed for the first half of 2016 for ION construction.

Report:

1. Background

Every year, the Region undertakes numerous construction contracts to rehabilitate, upgrade and expand its infrastructure, including roads, bridges, water and wastewater treatment plants, watermains, and waste management facilities. Many road and bridge contracts are planned to be completed during a single construction season, typically between May and November each year. Larger-scale road and bridge contracts may be planned for several consecutive construction seasons. Road contracts often include work for local municipalities (sewers and watermains) and require coordination of work with local utilities (electricity, gas, and communications).

Many water and wastewater treatment contracts require multiple years of construction and work is often carried out in all seasons.

This report has been prepared in response to a request by a Councillor for construction updates and provides a status summary for the 36 largest transportation, water, wastewater and waste management construction contracts that were under construction and/or were awarded by Council in 2015. Smaller construction contracts, generally less than $500,000 in value, are also completed each year for equipment maintenance, repairs or replacement and are not summarized in this report.

2. Contracts completed in 2015

A key milestone date for construction contracts is “substantial performance”, which is defined in Ontario legislation (the Construction Lien Act). A construction contract is “substantially performed” when the improvement to be made under that contract or a
substantial part thereof is ready for use or is being used for the purposes intended and when the value of remaining work is less than the specified percentage (between one and three percent of the contract price). When a contract is “substantially performed”, there may still be work required for items like landscape restoration or deficiency repairs. A construction contract is deemed to be “completed” under the Construction Lien Act when the price to complete all remaining work is less than $1,000.

For some road contracts, the Region completes the surface asphalt under a separate contract the year after construction. This is done in an effort to ensure that any deficiencies from the original construction are identified and repaired before the surface asphalt is placed. The Region also completes landscape plantings for some contracts under a separate landscape contract either in the fall of the construction year or the following year. This is done in an effort to achieve economies of scale for landscape planting, improve the chances for successful establishment of new plantings, and provide enhanced maintenance and care of new plantings.

In 2015, the following twenty-four (24) of the Region’s larger construction contracts were either substantially performed or completed. More information about these contracts is provided in Appendix A.

<table>
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<th><strong>Transportation</strong></th>
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<tbody>
<tr>
<td>1 Highland Road Reconstruction, Patricia to Westmount, Kitchener</td>
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<td>2 2014 Intersection Improvements on Regional Roads at Various Locations</td>
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<td>3 2015 Intersection and Miscellaneous Roadway Improvements</td>
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<td>4 King Street Improvements and Multi-use Trail Construction, Weber Street to Conestogo Road</td>
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<td>5 Miscellaneous Roadway Improvements at Various Locations</td>
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<td>6 2015 Rural Resurfacing, Lobsinger Line - West limit of St. Clements to Moser Young Road &amp; Trussler Road - Cedar Creek Road to New Dundee Road</td>
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<td>7 Spragues Road Rehabilitation, Wrigley Road to Brant / Waterloo Boundary</td>
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<td>8 Storm Sewer Improvements, Townline Road and Wellington County Road 32</td>
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<td>9 Surface Asphalt at Various Locations</td>
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<td>10 Surface Asphalt and Roadway Improvements at Various Locations</td>
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**Water**

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<td>Cambridge East Water Treatment Plants Filter Upgrade</td>
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<tr>
<td>15</td>
<td>Greenbrook WTP Chemical Room Restoration Works</td>
</tr>
<tr>
<td>16</td>
<td>Mannheim Residuals Management Plant Upgrades</td>
</tr>
<tr>
<td>17</td>
<td>Northumberland Street Watermain Replacement, Ayr</td>
</tr>
<tr>
<td>18</td>
<td>Recoating of Mannheim East Standpipe</td>
</tr>
<tr>
<td>19</td>
<td>Turnbull Pumping Station Upgrade T2014-103</td>
</tr>
<tr>
<td>20</td>
<td>William Street Pump Station Electrical Upgrades Phase 2</td>
</tr>
</tbody>
</table>

**Wastewater**

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>21</td>
<td>Kitchener Wastewater Treatment Plant (WWTP), Contract 1, Lagoon Decommissioning</td>
</tr>
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<td>22</td>
<td>Sludge Holding Tank Upgrade, Manitou Biosolids Facility</td>
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**Waste Management**

<table>
<thead>
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</tr>
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<tbody>
<tr>
<td>23</td>
<td>Cambridge Waste Management Facility Household Hazardous Waste Drop-off Facility and Site Improvements</td>
</tr>
<tr>
<td>24</td>
<td>Waterloo Landfill South Expansion Area Cell SE-4A Construction</td>
</tr>
</tbody>
</table>

As shown in Appendix A, the total awarded value of these 24 contracts is about $75,200,000 and the total expended to date on these 24 contracts is about $68,100,000, or about 90% of the awarded value. It is noted that some of these amounts were expended prior to 2015 and the amounts shown as paid to date do not necessarily reflect the final contract amount once all final payments have been made.

3. **Contracts delayed from 2015 to 2016**

Sometimes, construction contracts are not completed as planned. Reasons for delays
can include, for example: unplanned site conditions that require additional work; delays experienced by third-party utilities when completing preparatory or concurrent work to the Region’s contracts; or a failure by the construction contractor to meet schedule milestones specified in the contract. The Region employs a variety of tools to manage the costs associated with unplanned work or other delays to construction contracts, such as, for example: including contingency allowances in the contract to address unplanned site conditions that require additional work; and specifying liquidated damages for contractors that fail to meet specified milestones without valid reasons. In 2015, the following two transportation contracts that were initially planned for 2015 completion will now be completed in 2016 as a result of delays. The work completed in 2015 and the remaining work to be completed in 2016 for each contract is also summarized below. More information about these contracts is provided in Appendix A.

### Transportation

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Bishop Street Improvements, Concession Road to Conestoga Boulevard in the City of Cambridge</td>
</tr>
<tr>
<td></td>
<td>Work completed in 2015: stages 1, 2 and a portion of stage 3 of the contract from Conestoga Boulevard to Groff Mill culvert (approximately 850 metres). The contractor started work later than specified in the contract.</td>
</tr>
<tr>
<td></td>
<td>Work to be completed in 2016: construction of stages 3 and 4 from Groff Mill culvert to Concession Road (approximately 1,300 metres) including watermain, roadworks, sidewalk and landscaping. Two-way traffic will be maintained at most times.</td>
</tr>
<tr>
<td>2</td>
<td>Manitou Drive Reconstruction, Fairway Road to Bleams Road, Kitchener</td>
</tr>
<tr>
<td></td>
<td>Work completed in 2015: third-party utility relocations, road work, new roundabout at Bleams Road and new bridge over Schneider Creek. The third-party utility relocations were completed later than planned. The roads, roundabout and bridge re-opened for traffic on December 23, 2015.</td>
</tr>
<tr>
<td></td>
<td>Work to be completed in 2016: additional concrete and barriers to extend Schneider Creek bridge to full width, sidewalk, surface asphalt and landscaping. Road closures will be required for surface asphalt and will be scheduled at night or on weekends to reduce traffic disruption.</td>
</tr>
</tbody>
</table>

In both cases, the roads are currently open to traffic and only limited work will be completed until more favourable weather arrives in the spring. The final costs for these two contracts are not yet known; however, in both cases staff estimate that the contracts will be completed within the awarded contract price. The responsibility for
these delays is still being reviewed and discussed between staff, the contractors, and the third-party utilities.

4. **Ongoing construction planned through 2016 and beyond**

The following ten (10) construction contracts were either under construction in 2015 and/or were awarded by Council in 2015, with construction planned to continue through 2016 and beyond. More information about these contracts is provided in Appendix A.

<table>
<thead>
<tr>
<th>Transportation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1  Franklin Boulevard - Year 1 South - Main to Clyde</td>
</tr>
<tr>
<td>2  Franklin Boulevard - Year 1 North - Bishop to Pinebush</td>
</tr>
<tr>
<td>3  Landscape Planting at Various Locations - Township of Wilmot, Township of Woolwich, City of Kitchener and the City of Cambridge</td>
</tr>
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<td>5  Galt WWTP - Plant B Secondary Clarifier Mechanism Replacements</td>
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<tr>
<td>6  Kitchener WWTP, Contract 2, New Energy Centre and Digestion Upgrades</td>
</tr>
<tr>
<td>7  Kitchener WWTP, Contract 3, New Headworks and Secondary Treatment</td>
</tr>
<tr>
<td>8  Kitchener WWTP, Contract 4, Tertiary Treatment &amp; New Outfall</td>
</tr>
<tr>
<td>9  Preston WWTP Odour Control Upgrades</td>
</tr>
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<table>
<thead>
<tr>
<th>Waste Management</th>
</tr>
</thead>
<tbody>
<tr>
<td>10 Cambridge Waste Management Facility - Landfill Gas Control Plant Upgrades</td>
</tr>
</tbody>
</table>

5. **Ongoing construction information**

The most up-to-date information about active, ongoing construction contracts affecting Regional roads is available on the Region’s website and on the Ping Street mobile application (“app”) (available for free). The Region’s website provides an alphabetical listing of Regional roads that are subject to active lane closures or road closures, together with links to local municipal road information at:
The Ping Street mobile app illustrates similar information about Regional and local municipal lane and road closures on a map of the Region. This app has been available for about six months and staff is currently soliciting feedback from users to identify possible opportunities for upgrades and improvements. Staff is also currently developing upgrades to the Region’s website that would display lane and road closure information on a map as well as an alphabetical listing.

More detailed information about current and future road construction projects is also available on the Region’s website listed alphabetically by road name at:


More detailed information about major water and wastewater master plans and projects is available on the Region’s website at:

http://www.regionofwaterloo.ca/en/aboutTheEnvironment/MasterPlansandProjects.asp?_mid_=32374

Staff is currently reviewing the ease of access to construction project information on the Region’s website to identify ways to make access to the information easier and more intuitive.

6. **Periodic construction updates for 2016**

Staff is currently finalizing planned timing for 2016 construction contracts in consultation with the local municipalities in an effort to best manage traffic disruption and detour routes. Staff is planning a report to Planning and Works Committee in April 2016 that will summarize planned construction work in the Region for 2016.

Staff is also planning a report to Planning and Works Committee in June 2016 to provide an update on ongoing and planned construction for 2016, together with a mid-year review of the Transportation Capital Budgets.

Staff also plans to provide an update to Planning and Works Committee in the fall of 2016 to summarize the estimated status of construction contracts as the end of the construction season approaches.

7. **Proposed schedule revisions for 2016 and 2017**

At this time, staff is proposing to modify the construction timing for two transportation contracts that are included in the 2016 Transportation Capital Program to best manage traffic disruption and detour routes based on the latest available information about the timing of nearby construction contracts.
7.1 Ottawa Street reconstruction from Highway 7/8 to Lackner Boulevard

This reconstruction project is planned for 2 years of construction. In the 2016 Transportation Capital Program, the segment from River Road to Lackner Boulevard was planned for 2016 construction and the segment from Highway 7/8 to River Road was planned for 2019 construction. This timing was planned to avoid construction on the second section of Ottawa Street at the same time that the Ministry of Transportation, Ontario (MTO) had been planning to close Victoria Street for removal and replacement of the Victoria Street bridge over Highway 7/8 in 2017 or planned construction on Ottawa Street from Highway 7/8 to Charles Street in 2018.

The MTO has recently informed the Region that removal and replacement of the Victoria Street bridge over Highway 7/8 will not commence until late 2017 and will continue to the end of 2018. This change will allow more time for utility relocation work that is required to be completed in 2016 and 2017 in advance of the bridge removal and replacement.

This change in MTO timing provides an opportunity to complete both segments of construction on Ottawa Street from River Road to Lackner Boulevard and from Highway 7/8 to River Road in two consecutive years (2016 and 2017).

With this proposed approach, all of the work would be tendered as a single construction contract spanning two consecutive years starting in 2016 and ending in 2017. It is expected that this approach would reduce the overall cost of the project due to efficiencies of scale and simplified coordination of work between the two segments. This approach would also limit disruption along this corridor to two consecutive years and would provide an upgraded corridor in time for traffic displaced from Victoria Street when the MTO closes the bridge over Highway 7/8 from late 2017 to late 2018.

This proposed two-year construction contract would be tendered in March 2016 and the reallocation of funding from 2019 to 2017 for the segment from Highway 7/8 to River Road would be recommended as part of the tender award recommendation to Council this spring.

7.2 New Roundabouts at the Ottawa Street intersections with Homer Watson Boulevard and Alpine Road

In the 2016 Transportation Capital Program, this work was planned for 2016 construction. It has since been confirmed that Courtland Avenue from Block Line Road to Manitou Drive will be partially closed for the first half of 2016 for ION construction. Homer Watson Boulevard to Ottawa Street provides an alternate route for traffic displaced from Courtland Avenue so it is not advisable to have work proceeding concurrently on both corridors.

The new roundabouts at the Ottawa Street intersections with Homer Watson Boulevard
and Alpine Road will require a full season to construct so it is not advisable to start this work midway through the 2016 construction season. Therefore, it would be better to reschedule this work for 2017 construction. Preparatory work that does not require traffic disruption would still be completed in 2016. The reallocation of funding from 2016 to 2017 would be addressed as part of the mid-year review of the Transportation Capital Budgets and the 2017 budget deliberations.

**Corporate Strategic Plan:**

The contracts described in this report meet one or more of the Strategic Objectives under the Region’s Corporate Strategic Plan Focus Areas “Thriving Economy”, “Sustainable Transportation” and “Environment and Sustainable Growth”.

**Financial Implications**

Funding for the contracts listed in this report was included in the Region’s approved Ten Year Capital Programs.

**Other Department Consultations/Concurrence:**

The Human Resources and Citizen Service Department was consulted regarding the posting of construction information on the Region’s website and the Ping Street mobile app.

**Attachments**

Appendix A – Summary of 2015 Construction Contract Work

**Prepared By:** Phil Bauer, Director, Design and Construction

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

### Summary of 2015 Construction Contract Work

<table>
<thead>
<tr>
<th>Contract Number</th>
<th>Contract Name</th>
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<th>Approved Contract Value</th>
<th>Amount Paid to Date (Dec. 31, 2015)</th>
<th>Percent Paid to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 2015-109</td>
<td>Highland Road Reconstruction, Patricia to Westmount, Kitchener</td>
<td>Nov-2015</td>
<td>$3,307,000</td>
<td>$2,837,458</td>
<td>86%</td>
</tr>
<tr>
<td>2 2014-155</td>
<td>2014 Intersection Improvements on Regional Roads at Various Locations</td>
<td>Jun-2015</td>
<td>$2,723,002</td>
<td>$1,727,265</td>
<td>63%</td>
</tr>
<tr>
<td>4 2015-112</td>
<td>King Street Improvements and Multi-use Trail Construction, Weber Street to Conestogo Road</td>
<td>Aug-2015</td>
<td>$3,617,000</td>
<td>$2,758,859</td>
<td>76%</td>
</tr>
<tr>
<td>5 2015-110</td>
<td>Miscellaneous Roadway Improvements at Various Locations</td>
<td>Sep-2015</td>
<td>$1,544,018</td>
<td>$1,503,770</td>
<td>97%</td>
</tr>
<tr>
<td>6 2015-146</td>
<td>2015 Rural Resurfacing, Lobsinger Line - West limit of St. Clements to Moser Young Road &amp; Trussier Road - Cedar Creek Road to New Dundee Road</td>
<td>Oct-2015</td>
<td>$2,681,000</td>
<td>$2,409,049</td>
<td>90%</td>
</tr>
<tr>
<td>7 2014-159</td>
<td>Spragues Road Rehabilitation, Wrigley Road to Brant / Waterloo Boundary</td>
<td>Jul-2015</td>
<td>$1,476,100</td>
<td>$1,474,455</td>
<td>100%</td>
</tr>
<tr>
<td>8 2015-145</td>
<td>Storm Sewer Improvements, Townline Road and Wellington County Road 32</td>
<td>Oct-2015</td>
<td>$428,910</td>
<td>$399,180</td>
<td>93%</td>
</tr>
<tr>
<td>9 2015-101</td>
<td>Surface Asphalt at Various Locations</td>
<td>Aug-2015</td>
<td>$2,469,207</td>
<td>$2,347,602</td>
<td>95%</td>
</tr>
<tr>
<td>10 2015-102</td>
<td>Surface Asphalt and Roadway Improvements at Various Locations</td>
<td>Oct-2015</td>
<td>$1,866,000</td>
<td>$1,552,441</td>
<td>83%</td>
</tr>
</tbody>
</table>
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### Summary of 2015 Construction Contract Work

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</tr>
</thead>
<tbody>
<tr>
<td>11</td>
<td>2015-128 Waterloo Spur Line Trail and Storm Drainage Improvements, Regina Street in the City of Waterloo to Ahrns Street in the City of Kitchener</td>
<td>Dec-2015</td>
<td>$4,284,942</td>
<td>$4,385,334</td>
<td>102%</td>
</tr>
<tr>
<td>12</td>
<td>2013-121 Weber Street Reconstruction and Widening, College Street to Union Street</td>
<td>Oct-2015</td>
<td>$23,705,222</td>
<td>$23,114,817</td>
<td>98%</td>
</tr>
<tr>
<td>13</td>
<td>2015-159 Weber Street at Waterloo Spur Line Flashing Lights, Gates and Bells Crossing Protection System</td>
<td>Dec-2015</td>
<td>$455,700</td>
<td>$331,702</td>
<td>73%</td>
</tr>
<tr>
<td></td>
<td><strong>Water</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>2013-06 Cambridge East Water Treatment Plants Filter Upgrade</td>
<td>Jun-2015</td>
<td>$1,746,500</td>
<td>$1,709,034</td>
<td>98%</td>
</tr>
<tr>
<td>15</td>
<td>2015-171 Greenbrook Water Treatment Plant Chemical Room Restoration Works</td>
<td>May-2015</td>
<td>$318,200</td>
<td>$285,086</td>
<td>90%</td>
</tr>
<tr>
<td>17</td>
<td>2015-223 Northumberland Street Watermain Replacement, Ayr</td>
<td>Dec-2015</td>
<td>$470,512</td>
<td>$350,066</td>
<td>74%</td>
</tr>
<tr>
<td>18</td>
<td>T2015-187 Recoating of Mannheim East Standpipe</td>
<td>Nov-2015</td>
<td>$796,900</td>
<td>$749,884</td>
<td>94%</td>
</tr>
<tr>
<td>19</td>
<td>2014-103 Turnbull Pumping Station Upgrade T2014-103</td>
<td>Dec-2015</td>
<td>$636,419</td>
<td>$575,419</td>
<td>90%</td>
</tr>
<tr>
<td>20</td>
<td>2014-107 William Street Pump Station Electrical Upgrades Phase 2</td>
<td>Dec-2015</td>
<td>$369,605</td>
<td>$229,188</td>
<td>62%</td>
</tr>
</tbody>
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<tr>
<td>21</td>
<td>Kitchener Wastewater Treatment Plant (WWTP), Contract 1, Lagoon Decommissioning</td>
<td>Jun-2015</td>
<td>$10,811,300</td>
<td>$8,834,730</td>
<td>82%</td>
</tr>
<tr>
<td>22</td>
<td>Sludge Holding Tank Upgrade Manhuv Biosolids Facility</td>
<td>Dec-2015</td>
<td>$630,000</td>
<td>$570,721</td>
<td>91%</td>
</tr>
<tr>
<td>23</td>
<td>Cambridge Waste Management Facility Household Hazardous Waste Drop Facility and Sinc Improvements</td>
<td>Oct-2015</td>
<td>$1,556,812</td>
<td>$1,460,877</td>
<td>94%</td>
</tr>
<tr>
<td>24</td>
<td>Waterloo Landfill South Expansion Area Cell SE-4A Construction</td>
<td>Nov-2015</td>
<td>$3,087,060</td>
<td>$3,086,364</td>
<td>100%</td>
</tr>
</tbody>
</table>

**Subtotal - Substantially Performed in 2015**

|                                                                | $75,234,707 | $68,082,391 | 90% |

### Completion delayed from 2015 to 2016

<table>
<thead>
<tr>
<th>Contract Number</th>
<th>Project Description</th>
<th>Estimated Date</th>
<th>Approved Contract Value</th>
<th>Amount Paid to Date (Dec. 31, 2015)</th>
<th>Percent Paid to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Bishop Street Improvements, Concession Road to Conestoga Boulevards in the City of Cambridge</td>
<td>Est. Sep-2016</td>
<td>$5,786,579</td>
<td>$1,674,858</td>
<td>29%</td>
</tr>
<tr>
<td>2</td>
<td>Manhuv Drive Reconstruction, Fairway Road to Beams Road, Kitchener</td>
<td>Est. Jun-2016</td>
<td>$9,321,153</td>
<td>$6,849,831</td>
<td>73%</td>
</tr>
</tbody>
</table>

**Subtotal - completion delayed from 2015 to 2016**

|                                                                | $15,107,832 | $8,524,729 | 56% |

Appendix A Page A3 of A4
## Appendix A

### Summary of 2015 Construction Contract Work

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<tr>
<td>1</td>
<td>Franklin Boulevard - Year 1 South - Main to Clyde</td>
<td>Est. Sep-2016</td>
<td>$10,417,379</td>
<td>$6,175,121</td>
<td>59%</td>
</tr>
<tr>
<td>2</td>
<td>Franklin Boulevard - Year 1 North - Bishop to Pinebush</td>
<td>Est. Sep-2016</td>
<td>$12,680,759</td>
<td>$5,528,024</td>
<td>44%</td>
</tr>
<tr>
<td>3</td>
<td>Landscape Planting at Various Locations - Wilmot, Woolwich, Kitchener and Cambridge</td>
<td>Est. May-2016</td>
<td>$516,221</td>
<td>$363,912</td>
<td>70%</td>
</tr>
<tr>
<td>4</td>
<td>Doon Village Road Pressure Reducing Valve</td>
<td>Est. Sep-2016</td>
<td>$415,368</td>
<td>$28,686</td>
<td>7%</td>
</tr>
<tr>
<td>5</td>
<td>Galt WWTP - Plant B Secondary Clarifier Mechanism Replacements</td>
<td>Est. Aug-2016</td>
<td>$2,854,983</td>
<td>$593,949</td>
<td>21%</td>
</tr>
<tr>
<td>6</td>
<td>Kitchener WWTP, Contract 2, New Energy Centre and Digestion Upgrades</td>
<td>Est. Jan-2017</td>
<td>$43,326,340</td>
<td>$30,842,439</td>
<td>71%</td>
</tr>
<tr>
<td>7</td>
<td>Kitchener WWTP, Contract 3, New Headworks and Secondary Treatment</td>
<td>Est. Dec-2018</td>
<td>$119,667,000</td>
<td>$8,215,569</td>
<td>7%</td>
</tr>
<tr>
<td>9</td>
<td>Preston WWTP Odour Control Upgrades</td>
<td>Est. Oct-2016</td>
<td>$5,996,636</td>
<td>$213,725</td>
<td>5%</td>
</tr>
<tr>
<td>10</td>
<td>Cambridge Waste Management Facility - Landfill Gas Control Plant Upgrades</td>
<td>Est. Jun-2016</td>
<td>$796,628</td>
<td>$110,454</td>
<td>14%</td>
</tr>
</tbody>
</table>

### Subtotal - construction ongoing through 2016 and beyond

- **Total construction underway in 2015**: $313,987,010
- **Amount paid to date (Dec. 31, 2015)**: $130,634,857
- **Percent paid to date**: 42%

*Appendix A Page A4 of 4*
Region of Waterloo
Transportation and Environmental Services
Design and Construction

To: Chair Tom Galloway and Members of the Planning and Works Committee

Date: February 23, 2016  File Code: 07122

Subject: Class Environmental Assessment Study
Fischer-Hallman Road Improvements, Bleams Road to Plains Road
City of Kitchener

Recommendation:

That the Regional Municipality of Waterloo take the following actions with respect to the Class Environmental Assessment for proposed improvements to Fischer-Hallman Road from Bleams Road to Plains Road in the City of Kitchener:

a) Approve the Recommended Design Alternative for Fischer-Hallman Road as outlined in Report TES-DCS-16-05;

b) Direct staff to file the Notice of Completion for this Class Environmental Assessment Study by means of advertisements in local newspapers and mailings to adjacent property owners, tenants and agencies, and place the Environmental Study Report on the public record for a period of 30 days; and,

c) Upon completion of construction, that The Regional Municipality of Waterloo amend Traffic and Parking By-law 06-072, as amended to:

   a) Remove from Schedule 18, Rate of Speed, 60km/h on Fischer-Hallman Road (Regional Road 58) from Activa Avenue to 375m south of Bleams Road (Regional Road 56);

   b) Remove from Schedule 18, Rate of Speed, 80km/h on Fischer-Hallman Road (Regional Road 58) from 375m south of Bleams Road (Regional Road 56) to 500m north of New Dundee Road (Regional Road 12);
c) Add to Schedule 18, Rate of Speed, 60km/h on Fischer-Hallman Road (Regional Road 58) from Activa Avenue to 400m south of Huron Road;

d) Add to Schedule 18, Rate of Speed, 80km/h on Fischer-Hallman Road (Regional Road 58) from 400m south of Huron Road to 500m north of New Dundee Road (Regional Road 12);

e) Add to Schedule 16, Lane Designation, on Fischer-Hallman Road (Regional Road 58) northbound at Huron Road, Through/Left and Through/right;

f) Add to Schedule 16, Lane Designation, on Fischer-Hallman Road (Regional Road 58) southbound at Huron Road, Through/Left and Through/right;

g) Add to Schedule 16, Lane Designation, on Fischer-Hallman Road (Regional Road 58) northbound at Seabrook Drive, Through/Left and Through/right;

h) Add to Schedule 16, Lane Designation, on Fischer-Hallman Road (Regional Road 58) southbound at Seabrook Drive, Through/Left and Through/right;

i) Add to Schedule 16, Lane Designation, on Fischer-Hallman Road (Regional Road 58) northbound at Rosenberg Way, Through/Left and Through/right;

j) Add to Schedule 16, Lane Designation, on Fischer-Hallman Road (Regional Road 58) southbound at Rosenberg Way, Through/Left and Through/right;

and,

d) Upon completion of development and construction of the roundabout at Fischer-Hallman Road (Regional Road 58) and Street 1 (as known today), that The Regional Municipality of Waterloo amend Traffic and Parking By-law 06-072, as amended to:

a) Remove from Schedule 18, Rate of Speed, 60km/h on Fischer-Hallman Road (Regional Road 58) from Activa Avenue to 400m south of Huron Road;

b) Remove from Schedule 18, Rate of Speed, 80km/h on Fischer-Hallman Road (Regional Road 58) from 400m south of Huron Road to 500m north of New Dundee Road (Regional Road 12);

c) Add to Schedule 18, Rate of Speed, 60km/h on Fischer-Hallman Road (Regional Road 58) from Activa Avenue to 400m south of Street 1 (as known today);

d) Add to Schedule 18, Rate of Speed, 80km/h on Fischer-Hallman Road (Regional Road 58) from 400m south of Street 1 (as known today) to 500m north of New Dundee Road (Regional Road 12);
e) Add to Schedule 16, Lane Designation, on Fischer-Hallman Road (Regional Road 58) northbound at Street 1 (as known today), Through/Left and Through/right; and,

f) Add to Schedule 16, Lane Designation, on Fischer-Hallman Road (Regional Road 58) southbound at Street 1 (as known today), Through/Left and Through/right.

Summary:

The Region of Waterloo is currently undertaking a Class Environmental Assessment (Class EA) Study to consider improvements to Fischer-Hallman Road from Bleams Road to Plains Road in the City of Kitchener. Please refer to Appendix “A” for a Key Plan of the Study Area.

This Class EA Study is being directed by a “Project Team” consisting of staff from the Region of Waterloo, the City of Kitchener, the Region’s engineering consultant Associated Engineering, Regional Councillor Tom Galloway and City of Kitchener Councillor Kelly Galloway-Sealock.

A Public Consultation Centre was held on June 17, 2015 to receive public input. Comments received at the Public Consultation Centre are included in Appendix “F” of this report and the Project Team’s response to the comments received is included in Appendix “G” of this report. Based on a review of the technical information gathered for this project as well as a review of all public and agency comments received, the Project Team, which includes City of Kitchener staff and Councillor Galloway-Sealock, is now recommending that Regional Council approve the following improvements for Fischer-Hallman Road from Bleams Road to Plains Road in the City of Kitchener:

- Reconstruct and widen Fischer-Hallman Road to provide two (2) through lanes of traffic in each direction from Bleams Road to Plains Road with a raised centre median and curb and gutter on each side of Fischer-Hallman Road;
- Construct a 4.0 metre wide boulevard multi-use trail on each side of Fischer-Hallman Road from Bleams Road to Plains Road;
- Construct a roundabout at the planned intersection of Fischer-Hallman Road and proposed Rosenberg Way with two (2) lanes of traffic on Fischer-Hallman Road in each direction and one (1) lane of traffic on Rosenberg Way in each direction designed to accommodate future right-turn bypass lanes for southbound, eastbound and westbound traffic and widening of Rosenberg Way to two (2) through lanes of traffic if warranted in the future;
- Construct a new roundabout at the planned intersection of Fischer-Hallman Road and proposed Street 1 with two (2) lanes of through traffic on Fischer-Hallman Road in each direction and one (1) lane of through traffic on Street 1 in each direction designed to accommodate future widening of Street 1 to two (2) through
lanes if warranted in the future;

- Provide Level 2 Pedestrian Crossovers including signs and pavement markings at each leg of the proposed roundabouts at planned Fischer-Hallman Road and Rosenberg Way and Fischer-Hallman Road and planned Street 1;
- Construct two (2) pedestrian/trail crossings of Fischer-Hallman Road located approximately 280 metres south of Bleams Road and approximately 550 metres north of Seabrook Drive to be marked in accordance with the new Ontario Traffic Manual guidelines for connectivity to City of Kitchener trails as warrants are met and design the centre medians to accommodate pedestrian and cyclist crossings;
- Construct new storm sewers, sanitary sewers and watermain beneath Fischer-Hallman Road to facilitate the road widening and servicing of adjacent development lands;
- Construct an “eco-passage” approximately 600 metres north of Seabrook Drive in the vicinity of the overhead Hydro One power lines to facilitate wildlife passage under Fischer-Hallman Road;
- Reduce the posted speed limit from 80 km/h to 60 km/h upon completion of each stage of construction on Fischer-Hallman Road from Bleams Road to Plains Road;
- Construct new Grand River Transit bus stop pads and landings, and a new on-street transit facility behind the curb and gutter on the west side of Fischer-Hallman Road between Huron Road and planned Street 1 designed to accommodate future IXpress transit service;
- Install new streetlights on each side of Fischer-Hallman Road; and,
- Plant new boulevard and centre median trees and landscaping where appropriate and feasible.

The Recommended Design Alternative provides the required capacity for long-term traffic needs on this section of Fischer-Hallman Road, facilitates access control, improves traffic operations and pedestrian crossings, provides active transportation facilities as recommended in the Region’s Active Transportation Master Plan, improves the streetscape for all users, and has the lowest cost of the design alternatives considered (excluding the “do nothing” alternative).

A Class EA Study that was previously completed by the Region in 2012 for the widening of Fischer-Hallman Road from Ottawa Street to Bleams Road recommended construction of a roundabout at the intersection of Fischer-Hallman Road and Bleams Road. The detailed design and construction of this roundabout will be completed in conjunction with the design and construction of Fischer-Hallman Road from Bleams Road to Plains Road.

Staff is now also recommending that Regional Council direct staff to file the Notice of Completion for this Class Environmental Assessment Study by means of
advertisements in local newspapers and mailings to adjacent property owners, tenants and agencies, and place the Environmental Study Report on public record for a period of thirty (30) days.

The estimated cost for design and construction of the improvements to Fischer-Hallman Road from Bleams Road to Plains Road is $22,605,000, all to be funded from the Development Charges Reserve Fund. Construction is currently scheduled to commence in 2020 and is to be completed in stages over a number of years as development proceeds and traffic volumes increase.

Letters advising of the recommendations contained in this Report TES-DCS-16-05 were mailed to all agencies and those who attended the June 17, 2015 Public Consultation Centre, and mailed to all owners/residents abutting the Fischer-Hallman Road project limits during the week of February 8th, 2016.

Report:

1.0  Background

The Region of Waterloo is currently undertaking a Class Environmental Assessment (Class EA) Study to consider improvements to Fischer-Hallman Road from Bleams Road to Plains Road in the City of Kitchener. Please refer to Appendix “A” for a Key Plan of the Study Area. This Class EA Study has been initiated by the Region to address several needs on Fischer-Hallman Road. The Region’s 2010 Transportation Master Plan (TMP) identified the need to widen Fischer-Hallman Road from Bleams Road to Plains Road within the five (5) to ten (10) year timeframe in order to provide adequate capacity for forecasted traffic volumes along this section of Fischer-Hallman Road. The existing roadway asphalt on Fischer-Hallman Road from Bleams Road to Plains Road is in fair to poor condition and in need of rehabilitation or replacement. Fischer-Hallman Road from Bleams Road to Plains Road is currently constructed as a rural road with gravel shoulders and roadside ditches. The posted speed limit on Fischer-Hallman Road is currently 60 km/h from Bleams Road to approximately 300 metres southerly and 80 km/h from approximately 300 metres south of Bleams Road to New Dundee Road. The planning of these roadway improvements is being undertaken in accordance with the Region’s Transportation Master Plan, the Region’s Active Transportation Master Plan, the Regional Context Sensitive Transportation Corridor Design Guidelines, the City of Kitchener Rosenberg Secondary Plan, the City of Kitchener Trails Master Plan and other relevant Regional and City of Kitchener policies and guidelines.

The Community Master Plan and the Rosenberg Secondary Plan was a two-year process that resulted in City, Regional and OMB approval of land use policies which are intended to guide the planned function of this high density mixed use corridor in order to achieve the Regional objective of 25% modal split for transit ridership for this area.
This Class EA Study is being directed by a “Project Team” consisting of staff from the Region of Waterloo, the City of Kitchener, the Region's engineering consultant Associated Engineering, Regional Councillor Tom Galloway and City of Kitchener Councillor Kelly Galloway-Sealock.

2.0 Corridor Features

Fischer-Hallman Road from Bleams Road to Plains Road generally has an existing 30.48 metre wide right-of-way. The Region's Official Plan identifies this section of Fischer-Hallman Road as being designated for a right-of-way of 36.576 metres.

Within the Study Area, Fischer-Hallman Road and Bleams Road are under the jurisdiction of the Region of Waterloo. Existing local intersecting streets under the jurisdiction of the City of Kitchener include Seabrook Drive, Sienna Drive, Huron Road and Plains Road. Planned local intersecting streets that will ultimately be under the jurisdiction of the City of Kitchener include Rosenberg Way, Street Two and Street 1. (Please refer to Appendix “A” for a Key Plan showing the location of Rosenberg Way and Street 1.)

The City of Kitchener's Rosenberg Secondary Plan identifies Fischer-Hallman Road as a “spine” for incorporating medium to high density mixed used (residential/intensive commercial non-residential) developments on both sides of Fischer-Hallman Road planned to achieve density targets of 74 persons/job/hectare to support the 25% modal transit usage. The vision of the Rosenberg Community is intended to promote active transportation (walking, cycling and transit use). Some of the significant developments planned for properties abutting this section of Fischer-Hallman in future years include Mattamy Homes (residential), Schlegel Developments (commercial and residential) and Activa Developments (high density residential/commercial mixed use). Please refer to Appendix “B” for a map identifying adjacent land developments. The Williamsburg Cemetery also abuts Fischer-Hallman Road approximately 300 metres north of Seabrook Drive.

Fischer-Hallman Road from Bleams Road to Plains Road is currently designated as a “Controlled Access - Prohibited” roadway in the Region's Controlled Access By-law No. 58-87 which prohibits access unless an amendment to this By-law is granted by Regional Council. The Rosenberg Secondary Plan identifies the potential need for new left-turn accesses from Fischer-Hallman Road to adjacent developments on each side of Fischer-Hallman Road located approximately mid-way between Bleams Road and planned Rosenberg Way.

Existing utilities along Fischer-Hallman Road within the study limits include a Regional 450mm diameter watermain, overhead power lines, a Hydro One line crossing Fischer-Hallman Road and a 300mm diameter high pressure gasmain. All of the design alternatives include additional municipal utilities (watermains, storm sewers and sanitary
Currently, there are no active transportation facilities along this section of Fischer-Hallman Road. As part of planned construction in 2016 to widen Fischer-Hallman Road from Ottawa Street to Rockwood Road, 3.0 metre boulevard multi-use trails on each side of Fischer-Hallman Road will be constructed. The City of Kitchener Trails Master Plan identifies two (2) trail crossings of Fischer-Hallman Road located between Bleams Road and Seabrook Drive. All of the design alternatives, except the “do nothing” alternative provide active transportation facilities.

The existing stone house at 1940 Fischer-Hallman Road, located on the east side of Fischer-Hallman Road approximately 260 metres north of Plains Road, known as the “Becker Estate” has been identified by the City of Kitchener as a cultural heritage resource to be registered under the Heritage Act of Ontario through the development approval process for the Becker Estates development. The existing right-of-way of Fischer-Hallman Road narrows at this stone house location to approximately 25.0 metres. City of Kitchener heritage planning staff and the Region’s Heritage consultant for this project have indicated that the travelled portion of Fischer-Hallman Road should not be located any closer to this house than it currently is located. For this reason, all of the design alternatives maintain the existing separation between the travelled roadway and the house.

The City of Kitchener has completed a Class EA Study for the construction of new twin box culverts under Fischer-Hallman Road at Strasburg Creek. Construction of these new twin box culverts is currently being planned for construction in two (2) phases. The first phase of construction is planned in 2016 to allow development of lands on the west side of Fischer-Hallman Road to commence. Construction of this culvert in 2016 is subject to the Region acquiring property on the west side of Fischer-Hallman Road, utility relocations, technical approvals and completion of a Stage 2 Archaeological Study. The second phase of construction or extension of the new twin culverts will be completed in conjunction with the road widening.

The Region retained a specialist firm to complete an Environmental Impact Study based on parameters set by the Grand River Conservation Authority and Ministry of Natural Resources of Ontario to document all natural habitats, trees and wildlife in the area that may be impacted by the widening of Fischer-Hallman Road. This work has identified the potential for Species-at-Risk, such as the Jefferson Salamander and the Blanding’s Turtle, to inhabit areas in close proximity to Fischer-Hallman Road. Compensatory mitigation will be required in accordance with the Endangered Species Act and may include, but not be limited to, wildlife exclusion fencing, a wildlife eco-passage under the road and habitat enhancements. For this reason, all of the design alternatives (except the “do nothing” alternative) include an eco-passage beneath Fischer-Hallman Road located approximately 600 metres north of Seabrook Drive.
A short section of noise berm and landscaping currently exist on the east side of Fischer-Hallman Road between Seabrook Drive and Huron Road. This noise berm was constructed by the adjacent developer as a requirement of planning approval in order to mitigate traffic noise from Fischer-Hallman Road. No new noise berms or walls are proposed for any of the design alternatives considered based on the findings of a noise study completed as part of this Class EA Study. Developers of adjacent properties along Fischer-Hallman Road are required to design passive noise mitigation measures that do not include noise walls.

A Class EA Study that was previously completed by the Region in 2012 for the widening of Fischer-Hallman Road from Ottawa Street to Bleams Road recommended construction of a roundabout at the intersection of Fischer-Hallman Road and Bleams Road. The detailed design and construction of this roundabout will be completed in conjunction with the design and construction of the Fischer-Hallman Road improvements from Bleams Road to Plains Road recommended in this report.

### 3.0 Transportation Study

A detailed Transportation Study has been completed as part of this Class EA Study. The purpose of the Transportation Study was to examine existing traffic operations within the study area, forecast future traffic volumes to the year 2031 and identify and evaluate alternative transportation solutions for accommodating forecasted traffic volumes and improving traffic operations. Current and forecasted traffic volumes for this section of Fischer-Hallman Road are summarized as follows:

<table>
<thead>
<tr>
<th>Road Section</th>
<th>2013 AADT</th>
<th>Projected 2031 AADT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bleams Road to Seabrook Drive</td>
<td>13,500</td>
<td>29,000</td>
</tr>
<tr>
<td>Seabrook Drive to Huron Road</td>
<td>11,500</td>
<td>20,000</td>
</tr>
<tr>
<td>Huron Road to Plains Road</td>
<td>10,000</td>
<td>17,500</td>
</tr>
</tbody>
</table>

The Transportation Study provided the following recommendations to improve roadway capacity and traffic operations on Fischer-Hallman Road within the Study Area:

- Provide two (2) through lanes in each direction on Fischer-Hallman Road from Bleams Road to Plains Road in accordance with the Regional Transportation Master Plan;
- Provide continuous raised centre medians for access control;
- Provide a roundabout at the planned intersection of Fischer-Hallman Road and the proposed Rosenberg Way. Rosenberg Way is planned to service proposed residential and commercial developments in the area both east and west of Fischer-Hallman Road. Please refer to Appendix “A” for a Key Plan showing the
approximate location of this roundabout;

- Provide a roundabout at the planned intersection of Fischer-Hallman Road and Street 1. Street 1 is intended to service proposed residential and commercial development on the east side of Fischer-Hallman Road and to provide primary access to the proposed City of Kitchener multi-sports complex on the west side of Fischer-Hallman Road. Additionally, a roundabout at Street ‘1’ will facilitate turnaround movements for Grand River Transit as the planned routes also require buses to turn around at Street 1. Please refer to Appendix “A” for a Key Plan showing the approximate location of this roundabout; and,
- Provide pedestrian and cycling facilities to encourage a range of transportation modes; and,
- Provide new Grand River Transit bus stop pads and landings, and a new on-street transit facility behind the curb and gutter on the west side of Fischer-Hallman Road between Huron Road and planned Street 1 designed to accommodate future IXpress transit service.

Region practice requires that an Intersection Control Study be completed for all existing intersections that require improvements (such as the addition of a left-turn lane) or have warrants for traffic control signals and for all new intersections. The Intersection Control Study is completed based on projected traffic volumes, existing collision data and utilizing criteria for calculating the true cost including construction, property and societal (expected injury collision and/or fatalities) costs. The Region’s Roundabout Coordination Committee reviews all Intersection Control Studies and provides comments for revisions or support for the study recommendation. Where property cost or environmental impacts are acceptable, roundabouts are often preferred over traffic control signals. Some of the safety aspects that result in fewer severe injury collisions at roundabouts over traffic control signals include: motorists must slow down or stop approaching the roundabout; pedestrians first cross a short width of one-way traffic, then wait on the pedestrian friendly splitter to cross a second short width of one-way traffic; motorists are more often watching for traffic conflicts and/or pedestrians without having their attention distracted by traffic control signals; and where roundabout corridors exist they result in lower overall operating speeds between roundabouts. Use of traffic control signals often results in motorists travelling at higher than posted rates of speed (60 km/h to 80km/h plus) between signalized intersections, higher rates of injury collisions or fatalities due to higher motorist speeds and motorists running red lights, and significantly wider pedestrian crossing widths with pedestrians having to worry about motorists coming from multiple directions. Additionally, preference for a roundabout is given in sections of road where a proposed roundabout will integrate into a “roundabout corridor”.

The proposed ultimate roundabout configuration at the intersection of Fischer-Hallman Road and planned Rosenberg Way includes right-turn bypass lanes in the south, east
and west directions. The roundabout will be designed to accommodate the future construction of these right-turn bypass lanes if warranted. The initial construction will not include these right-turn bypass lanes. To avoid future throwaway costs, property acquisition and utility relocations will be undertaken to accommodate the ultimate long-term roundabout configuration. The splitter islands on Rosenberg Way will be designed and constructed to readily permit widening of Rosenberg Way from one (1) to two (2) lanes at the roundabout if traffic volumes warrant in the future. Please refer to Appendix “C” for a drawing of the proposed roundabout at Fischer-Hallman Road and Rosenberg Way.

The proposed roundabout at the intersection of Fischer-Hallman Road and planned Street 1 does not require any bypass lanes. The curbs on Street 1 will be designed and constructed to readily permit widening of Street 1 from one (1) to two (2) lanes at the roundabout if traffic volumes warrant in the future. Please refer to Appendix “D” for a drawing of the proposed roundabout at Fischer-Hallman Road and Street 1.

Through the detailed design and construction of the Fischer-Hallman Road improvements from Bleams Road to Plains Road, the existing roundabouts at the intersection of Fischer-Hallman Road and Huron Road and Fischer-Hallman Road and Seabrook Drive will be modified to meet current design standards, which will encourage reduced vehicular speeds through these roundabouts. Additionally, the roundabout at Fischer-Hallman Road and Huron Road will be modified to accommodate a future widening of Huron Road from two (2) to four (4) lanes west of Fischer-Hallman Road.

Regional Council recently approved the implementation of new Level 2 Pedestrian Crossovers to be implemented at all existing and new roundabouts. The new Ontario Regulation 402/15 requires that motorists stop for pedestrians. The new Level 2 Pedestrian Crossover includes the installation of new roadside signs and pavement markings with the option of overhead signs and rectangular amber flashing beacons.

### 4.0 Design Alternatives

Based on all identified needs and objectives for Fischer-Hallman Road, including the recommendations in the Transportation Study, the Region’s Transportation Master Plan, the Region’s Active Transportation Master Plan, the Region’s Context Sensitive Corridor Design Guidelines for a Neighbourhood Connector – Avenue, the City of Kitchener’s Rosenberg Secondary Plan and the City of Kitchener’s Trails Master Plan, the Project Team developed a series of preliminary design alternatives for improvements to Fischer-Hallman Road. Please refer to Appendix “E” for drawings of all Design Alternatives developed by the Project Team in advance of the Public Consultation Centre. These four (4) Design Alternatives presented at the Public Consultation Centre are described as follows:
Design Alternative 1 - “Do Nothing” Reconstruct the road in its current configuration.

Design Alternative 2 - Reconstruct road as 4-Lane urban roadway with a raised centre median and construct a 4.0 metre wide multi-use trail on each side of the road.

Design Alternative 3 - Reconstruct road as 4-Lane urban roadway with a raised centre median, and construct a 1.8 metre wide one-way on-road cycle track and a 2.1 metre wide concrete sidewalk on each side of the road.

Design Alternative 4 - Reconstruct road as 4-Lane urban roadway with raised centre median, and construct a 2.0 metre wide one-way off-road cycle track and a 2.1 metre wide concrete sidewalk one each side of the road.

The Project Team also considered the following additional elements that would be undertaken as part of Design Alternatives 2, 3 and 4.

Transit Service • Upgrade and construct new Grand River Transit bus stops and a new on-street transit facility behind the curb and gutter on the west side of Fischer-Hallman Road between Huron Road and planned Street 1 designed to accommodate future IXpress service.

Reduce Posted Speed • Amend the Traffic and Parking Bylaw 06-072 to reduce the posted speed limit on Fischer-Hallman Road from approximately 300 metres south of Bleams Road to Plains Road from 80 km/h to 60/h after completing each stage of construction.

Future Rosenberg Way • Construct a new roundabout at the planned intersection of Fischer-Hallman Road and Rosenberg Way with new Level 2 Pedestrian Crossover roadside signs and pavement markings.

Future Street 1 • Construct a new roundabout at the planned intersection of Fischer-Hallman Road and Street 1 with new Level 2 Pedestrian Crossover roadside signs and pavement markings.

Municipal Services • Expand existing watermain and sanitary services to support adjacent future development lands and construct new storm sewers for Fischer-Hallman Road storm water drainage.
Other

- Provide new boulevard and centre median landscaping and streetscaping consistent with the City of Kitchener Rosenberg Secondary Plan design guidelines as space allows and in accordance with Region policy and practice;

- Provide new streetlighting on both sides of Fischer-Hallman Road;

- Provide two (2) new pedestrian/trail crossings and modify the centre median to accommodate pedestrian and cycling crossings, located approximately 280 m south of Bleams Road and 550 metres north of Seabrook Drive, and when the Ontario Traffic Manual warrants are met the recently Regional Council approved Level 2 Pedestrian Crossover signs and pavement markings that require motorists to stop would be implemented;

- Provide an “eco-passage” to facilitate wildlife crossings of Fischer-Hallman Road located approximately 600 metres north of Seabrook Drive; and,

- Maintain the existing separation between the travelled roadway and the heritage property at 1940 Fischer-Hallman Road (“Becker Estate”).

City staff will be consulted during detailed design stage of this project, i.e., integrating streetscaping and landscaping features.

5.0 Public & Stakeholder Consultation

A Public Consultation Centre was held at the Kitchener Portuguese Club Inc., 1548 Fischer-Hallman Road in the City of Kitchener on Wednesday, June 17, 2015 from 4:30 p.m. to 7:30 p.m. Plans showing the Project Team’s design alternatives were on display with Project Team representatives present to answer questions and to receive feedback from members of the public. Approximately fifty (50) members of the public attended the Public Consultation Centre with thirty-seven (37) members of the public that formally signed in. Three (3) comment sheets, two (2) emails, (1) voicemail and one (1) letter were received. Please refer to Appendix “G” for a summary of the written comments received.

Prior to the Public Consultation Centre, the design alternatives were evaluated by the Project Team according to the following criteria:
Natural Environment: How does the alternative affect wetland communities, vegetation, wildlife, species-at-risk, air quality and watercourses?

Social/Cultural Environment: How does the alternative affect the residential and commercial properties, ingress/egress of traffic and entrances, sound levels, built cultural heritage landscapes and archaeology?

Transportation: How does the alternative serve the projected vehicular, transit, pedestrian and cycling traffic in terms of corridor capacity, level of service, emergency service response, transportation policy and planning initiatives and address the study objectives?

Technical: How do the design alternatives compare with respect to construction complexity, operations and maintenance activities and cost, accommodation of utilities, and space for tree planting and snow storage?

Capital Cost How do the design alternatives compare with respect to capital cost?

Based on this preliminary evaluation of the design alternatives using the above noted criteria, Design Alternative No. 2 was presented by the Project Team as being preferred by the Project Team at this Public Consultation Centre, in part because Design Alternative No. 2 provided the following advantages:

- Design Alternative No. 2 aligns with the Region’s Active Transportation Master Plan, the City of Kitchener’s Rosenberg Secondary Plan and the City of Kitchener’s Trails Master Plan;
- Construction of raised centre medians are consistent with the Region’s Context Sensitive Corridor Design Guidelines for a Neighbourhood Connector – Avenue, the City of Kitchener’s Rosenberg Secondary Master Plan and use on roundabout corridors. The raised centre medians provide adequate width for pedestrian crossing locations, median landscaping, turn lanes or full movement access to adjacent development lands (through removal of a portion of the raised median) if approved by Regional Council as part of a development application; and,
- Construction of 4.0 metre wide boulevard multi-use trails on each side of Fischer-Hallman Road are consistent with the Region’s Context Sensitive Corridor Design Guidelines for a Neighbourhood Connector – Avenue, the City of Kitchener’s Rosenberg Secondary Master Plan, and provides enhanced facilities for cyclists as well as pedestrians with full connectivity to existing and planned City of Kitchener trails located both east and west of Fischer-Hallman Road. Additionally, construction of boulevard multi-use trails will provide continuity with
the approved boulevard multi-use trails to be constructed in 2016 on Fischer-Hallman Road from Ottawa Street to Bleams Road. The Region’s Active Transportation Master Plan also recommends construction of boulevard multi-use trails on each side of Bleams Road from Trussler Road to Homer Watson Boulevard.

The Project Team received primarily positive comments from the public at the Public Consultation Centre regarding the proposed improvements.

Comments received from the June 17, 2015 Public Consultation Centre are included in Appendix “F”. The Project Team’s response to these comments is included in Appendix “G”.

City of Kitchener staff expressed desire for considering two (2) new potential accesses from Fischer-Hallman to adjacent development lands. These new accesses would be located midway between Bleams Road and Rosenberg Way (one access to lands from the east side of Fischer-Hallman Road and one access to the lands on the west side of Fischer-Hallman Road). Each access would allow for 'left-in' turn movements but would preclude ‘left-out’ movements. Region staff will work with City of Kitchener staff during the detailed design stage to determine suitable access locations and configurations. New accesses would remain subject to the approval of Regional Council. City staff also indicated a desire for new pedestrian crossing signals located on the north side of Rosenberg Way. As noted in Section 3.0 of this Report, new Level 2 Pedestrian Crossovers will be implemented at all roundabouts on this project in accordance with Regional policies and practices.

The Region also consulted with various government agencies and stakeholders including the Ontario Ministry of Natural Resources and Forestry, the Ontario Ministry of Tourism, Culture and Sport, the Grand River Conservation Authority, the Region’s Active Transportation Advisory Committee and City of Kitchener heritage planning staff. The Ministry of Natural Resources and Forestry commented that the proposed widening of Fischer-Hallman Road from Bleams Road to Plains Road is deemed a “destruction of habitat” under the Endangered Species Act and will, at a minimum, require that a new ‘eco-passage’ be constructed under Fischer-Hallman Road as part of the project. Grand River Conservation Authority staff commented that storm water collected from Fischer-Hallman Road will require treatment prior to discharge to improve the quality of the stormwater. Heritage planning staff at the City of Kitchener commented that the stone house and cultural heritage landscape features at 1940 Fischer-Hallman Road are currently listed on the City’s Municipal Heritage Register and are to be designated under the Ontario Heritage Act. As a result, the travelled portion of Fischer-Hallman Road should not be located any closer to the heritage house than it is currently located. The Region’s Active Transportation Advisory Committee indicated support for Design Alternative No. 2 which includes boulevard multi-use trails on each side of Fischer-
In acknowledging the cultural heritage significance of 1940 Fischer-Hallman Road, the detailed design phase shall ensure that preventative measures are outlined to mitigate potential construction impacts on the heritage house. Such measures shall include conducting a pre-post condition survey with regular inspections; and identifying, implementing and monitoring mitigation measures to reduce the impacts of construction related to vibrations.

### 6.0 Recommended Design Alternative for Fischer-Hallman Road from Bleams Road to Plains Road

Based on a review of the technical information gathered for this project as well as a review of all public comments received, the Project Team, which includes City of Kitchener staff and Councillor Galloway-Sealock, is now recommending that Regional Council approve the following improvements (generally presented as Design Alternative No. 2) for Fischer-Hallman Road from Bleams Road to Plains Road in the City of Kitchener:

- Reconstruct and widen Fischer-Hallman Road to provide two (2) through lanes of traffic in each direction from Bleams Road to Plains Road with a raised centre median and curb and gutter on each side of Fischer-Hallman Road;
- Construct a 4.0 metre wide boulevard multi-use trail on each side of Fischer-Hallman Road from Bleams Road to Plains Road;
- Construct a roundabout at the planned intersection of Fischer-Hallman Road and proposed Rosenberg Way with two (2) lanes of traffic on Fischer-Hallman Road in each direction and one (1) lane of traffic on Rosenberg Way in each direction designed to accommodate future right-turn bypass lanes for southbound, eastbound and westbound traffic and widening of Rosenberg Way to two (2) through lanes of traffic if warranted in the future;
- Construct a new roundabout at the planned intersection of Fischer-Hallman Road and proposed Street 1 with two (2) lanes of through traffic on Fischer-Hallman Road in each direction and one (1) lane of through traffic on Street 1 in each direction designed to accommodate future widening of Street 1 to two (2) through lanes if warranted in the future;
- Provide Level 2 Pedestrian Crossovers including signs and pavement markings at each leg of the proposed roundabouts at planned Fischer-Hallman Road and Rosenberg Way and Fischer-Hallman Road and planned Street 1;
- Construct two (2) pedestrian/trail crossings of Fischer-Hallman Road located approximately 280 metres south of Bleams Road and approximately 550 metres north of Seabrook Drive to be marked in accordance with the new Ontario Traffic Manual guidelines for connectivity to City of Kitchener trails as warrants are met and design the centre medians to accommodate pedestrian and cyclist
crossings;
- Construct new storm sewers, sanitary sewers and watermain beneath Fischer-Hallman Road to facilitate the road widening and servicing of adjacent development lands;
- Construct an “eco-passage” approximately 600 metres north of Seabrook Drive in the vicinity of the overhead Hydro One power lines to facilitate wildlife passage under Fischer-Hallman Road;
- Reduce the posted speed limit from 80 km/h to 60 km/h upon completion of each stage of construction on Fischer-Hallman Road from Bleams Road to Plains Road;
- Construct new Grand River Transit bus stop pads and landings, and a new on-street transit facility behind the curb and gutter on the west side of Fischer-Hallman Road between Huron Road and planned Street 1 designed to accommodate future IXpress transit service;
- Install new streetlights on each side of Fischer-Hallman Road; and,
- Plant new boulevard and centre median trees and landscaping where appropriate and feasible.

Please refer to Appendix “E” for a drawing of the Project Team’s Recommended Design Alternative for Fischer-Hallman Road. Implementation of the Project Team’s proposed improvements will require that small parcels of property be obtained from approximately eighteen (18) property owners abutting Fischer-Hallman Road.

City of Kitchener planning staff have requested to participate in the detailed design phase and will be consulted to finalize details related to final median width, landscaping design, streetscaping design and pedestrian level lighting.

Staff is now also recommending that Regional Council direct staff to file the Notice of Completion for this Class Environmental Assessment Study by means of advertisements in local newspapers and mailings to adjacent property owners, tenants and agencies, and place the Environmental Study Report on public record for a period of thirty (30) days.
7.0 Benefits of the Recommended Design Alternative

The Project Team believes that the Recommended Design Alternative provides the following benefits:

- Widening Fischer-Hallman Road to provide two (2) through lanes of traffic in each direction and construction of new roundabouts on Fischer-Hallman Road at the planned Rosenberg Way and the planned Street 1 will provide the required capacity for the long-term traffic needs on this section of Fischer-Hallman Road;

- Construction of a raised centre median facilitates access control to adjacent properties and improves traffic operations on Fischer-Hallman Road while also providing the opportunity for improved pedestrian crossings of Fischer-Hallman Road. The raised centre medians can accommodate landscaping and are wide enough to allow for turn lanes or a full movements access (through removal of a portion of the raised centre median) if approved by Regional Council. Access to abutting properties from both directions on Fischer-Hallman Road is achievable via u-turns at the new roundabouts at Bleams Road, planned Rosenberg Way and planned Street 1, and at the existing roundabouts at Seabrook Drive and Huron Road;

- Construction of a 4.0 metre wide boulevard multi-use trail on each side of Fischer-Hallman Road from Bleams Road to Plains Road will improve facilities for cyclists, pedestrians and other users, improve connectivity with City of Kitchener trails and fully aligns with the Region’s Active Transportation Master Plan, the City of Kitchener Rosenberg Secondary Plan and the City of Kitchener Trails Master Plan;

- Enhanced boulevard landscaping will result in a more aesthetically pleasing roadway corridor and improve the streetscape for users of the multi-use trails; and,

- The Recommended Design Alternative has the lowest capital cost of the design alternatives considered (excluding the “Do Nothing” option).

8.0 Project Cost

The total estimated cost associated for the proposed Fischer-Hallman Road improvements including engineering, construction, utility relocations, property acquisition and other project costs is $22,605,000.

9.0 Project Timing

Construction of the Fischer-Hallman Road improvements is currently scheduled to commence in 2020. Construction of the road improvements will be phased over a number of years to coincide with servicing needs as development along Fischer-Hallman Road proceeds.
The timing of this project is subject to receipt of all technical and financial approvals, acquisition of required property and final approval of Regional Council.

10.0 Traffic Management During Construction

The construction of Fischer-Hallman Road from Bleams Road to Plains Road is planned to be completed by generally maintaining one (1) through lane of traffic in each direction plus left-turn lanes at intersections where feasible. Traffic may be reduced to one (1) lane for short periods requiring flagging operations to maintain two-way traffic.

Construction of the roundabouts will require that Fischer-Hallman Road be fully closed to traffic for up to three (3) weeks to permit final paving operations to be completed.

Construction of the proposed sanitary sewer under a portion of Fischer-Hallman Road and the Strasburg Creek twin box culverts may require that Fischer-Hallman Road be fully closed to traffic for approximately ten (10) to twelve (12) weeks.

11. Next Steps

Subject to Regional Council approval of the Recommended Design Alternative, a Notice of Completion will be filed for this project by means of mail-outs and advertised notices; and the Environmental Study Report, which will include all relevant documentation regarding the planning and decision-making process, will be placed on the public record for a minimum mandatory period of thirty (30) days. During this thirty (30) day filing period, any party may object to the Recommended Design Alternative by requesting the Ministry of Environment grant a Part “II” Order requesting that the project subject to a full environmental assessment. A request for a full environmental assessment must be made in writing to the Minister of Environment with a copy to the Region’s Commissioner of Transportation and Environmental Services. When the thirty (30) day public filing has expired and if no requests for a full environmental assessment are received by the Minister within that thirty (30) days, the Recommended Design Alternative will be considered approved for implementation.

Subject to Regional Council approval of the Recommended Design Alternative, this Class EA Study will be completed and filed in March 2016 with detailed design commencing in April 2016.

Letters advising of the recommendations contained in this Report TES-DCS-16-05 were mailed during the week of February 8\textsuperscript{th}, 2016 to all agencies, owners/residents abutting the Fischer-Hallman Road project limits and those who attended the June 17, 2015 Public Consultation Centre.
Corporate Strategic Plan:

The project is in harmony with the Region’s 2015 - 2018 Corporate Strategic Plan in that implementation of the Fischer-Hallman Road Improvements aligns with Focus Area 2.3 to build infrastructure for, and increase participation in, active forms of transportation (cycling and walking), and Focus Area 2.4 to optimize road capacity to safely manage traffic and congestion.

Financial Implications:

The Region’s approved 2016 Ten Year Transportation Capital Program includes $22,665,000 in Project 07122 Fischer-Hallman Road from Plains Road to Bleams Road (100% Development Charges Reserve Fund) for design and construction of the improvements to Fischer-Hallman Road from Bleams Road to Plains Road including property acquisitions, utilities, road construction, storm sewer, twin box culverts and engineering all to be funded from the Development Charges Reserve Fund. The City of Kitchener will be responsible for the costs of new distribution watermain, the new sanitary sewer and any requested landscape features beyond that provided by the Region’s Policy for landscaping. City of Kitchener staff confirmed that the City will take responsibility for maintenance and replacement of the boulevard multi-use trails.

Other Department Consultations/Concurrence:

The Council and Administrative Services Division of the Planning, Development and Legislative Services Department will be required to prepare the amending By-law to reduce the existing posted speed limit from 80 km/h to 60 km/h from approximately 300 metres south of Bleams Road to Plains Road upon completion of the stages of construction.
Attachments

Appendix “A”  Key Plan
Appendix “B”  Drawing of Adjacent Development Properties
Appendix “C”  Interim and Ultimate Roundabout at the Planned Intersection of Fischer-Hallman Road and Rosenberg Way
Appendix “D”  Interim and Ultimate Roundabout at the Planned Intersection of Fischer-Hallman Road and Street 1
Appendix “E”  Drawings of Design Alternatives
Appendix “F”  Written Comments Received from June 17, 2015 Public Consultation Centre
Appendix “G”  Project Team Response to Comments Received from the June 17, 2015 Public Consultation Centre

Prepared By:  Delton Zehr, Project Manager
Approved By:  Thomas Schmidt, Commissioner Transportation and Environmental Services
FISCHER HALLMAN ROAD
(REGIONAL ROAD 58)
BLEAMS ROAD TO PLAINS ROAD
CITY OF KITCHENER
APPENDIX “C”
Drawings of the Initial and Ultimate Roundabout Configuration for the Intersection of Fischer-Hallman Road and Planned Rosenberg Way

Initial Roundabout (Fischer-Hallman Road at Rosenberg Way)

Ultimate Roundabout (Fischer-Hallman Road at Planned Rosenberg Way)
APPENDIX “D”
Drawings of the Initial and Ultimate Roundabout Configurations for the Intersection of Fischer-Hallman Road and Planned Street 1

Initial Roundabout (Fischer-Hallman Road at Street 1)

Ultimate Roundabout (Fischer-Hallman Road at Street 1)
APPENDIX “E” - Drawings of Design Alternatives

DESIGN ALTERNATIVE #1 'DO NOTHING'

RECOMMENDED DESIGN ALTERNATIVE

DESIGN ALTERNATIVE #2 'MULTI-USE TRAIL (MUT)'
**APPENDIX “F”**  
**Written Comments from the June 17, 2015 Public Consultation Centre**

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<th>Comments</th>
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<tr>
<td>I am concerned with what happened when you dump the traffic @ Plains Road. Where does it 60 afterwards? What happened to the link with 401 that was proposed many years ago? What about the tie in with Camron?</td>
</tr>
<tr>
<td>More sidewalks</td>
</tr>
<tr>
<td>I’d like to comment on the pending Fischer-Hallman road improvements in south west Kitchener. My opinion is that design alternative #2 would be the best option for this area. It’s unfortunate; however, that construction is so far out. Thanks.</td>
</tr>
<tr>
<td>Will my residential driveway off Fischer-Hallman Road in the northeast corner of Fischer-Hallman Road and Plains Road remain open after construction?</td>
</tr>
<tr>
<td>Our driveway is approximately 700 m from Plains Road. There is a concern about the speed limit changed from proposed 60 km/h to 80 km/h just before the driveway. It is already difficult to turn out of the driveway and if the speed limit changes it will make it difficult to anticipate a safe turn.</td>
</tr>
<tr>
<td>We have downloaded the information package and boards for PCC#1. Unfortunately, we can not make it to the meeting tonight to speak with you directly to voice our concern. We are significantly concerned that the ‘Preliminary Preferred Design Alternative’ does not identify any access to our client’s lands at 1314 Fischer-Hallman Road (or provide any indication of an access). As you are aware, there is an active zone change application on the lands and access to the site is fundamental for development of the lands. Access to the lands can not be taken away from the lands through this Class EA process.</td>
</tr>
<tr>
<td>Further to our attendance at the Public Consultation Centre held on June 17, 2015 regarding the above noted matter, please accept this letter noting our objection on behalf of 2224270 Ontario Inc. (c/o Lexington Park Real Estate Capital Inc.) to the proposed access restrictions that are imposed on the lands at 1250 Fischer-Hallman Road by the future Bleams Road and Fischer-Hallman Road roundabout construction.</td>
</tr>
<tr>
<td>This letter is meant to draw attention to some specific items that we feel need to be taken into account as the consideration of this roundabout continues to move forward. In this regard, we specifically note the following:</td>
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## Comments

Upon review of the attached plan (see Appendix ‘A’) it appears the access to Bleams Road will be limited to right in / right out movements only due to the median extension proposed as part of the roundabout construction. We believe and request that this access should be full movement.

Similarly we would request a full movement access onto Fischer-Hallman Road. Based on the attached roundabout design it appears that the median on Fischer-Hallman would extend the full length of our property, and would therefore limit the access. As such, we would request that the Region shorten the length of the south median on Fischer-Hallman Road allowing full access to our property at that location and the east median on Bleams Road allowing full access as well.

For the reasons listed above, our client objects to the proposed design of the centre median on Fischer-Hallman Road south and Bleams Road east and would like to see our input taken into consideration.

If you have any questions or require further information, please do not hesitate to contact the undersigned.

I am writing on behalf of our clients with lands located within the Rosenberg Community. Our client’s lands are identified on the attached plan.

Our clients retained Paradigm Transportation Solutions Limited to prepare a Traffic Impact Study (TIS) for all lands located north of the Williamsburg Cemetery and within the Rosenberg Community. The TIS is dated November 2014 and is attached for your reference.

Paradigm have followed-up with Regional staff to understand the traffic assumptions associated with the Fischer Hallman Road Study. Based on this follow up, Paradigm advise that the Fischer Hallman Road study relies upon the Poulos and Chung Report prepared as input to the City of Kitchener’s Southwest Urban Area Study process. A copy of the Poulos and Chung Report is attached for your easy reference.

As you may or may not be aware, the Poulos and Chung Report is premised upon a land use option (Land Use Option 6) which does not represent the approved land use schedule of the Rosenberg Secondary Plan (Map 22e). Land Use Option 6 represents a lower density land use option compared to the approved land use plan and in this regard, I have attached a plan which illustrates both Land Use Option 6 (assumed) and Map 22e of the Rosenberg Secondary Plan (approved). The Traffic Impact Study (TIS) prepared by Paradigm is based on the approved land use schedule of the Rosenberg Secondary Plan.

Paradigm have confirmed there are significant differences between the trip generation...
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| associated with their analysis and the Poulos and Chung Report. A summary memo from Paradigm is attached. Part of the difference may be explained by the land use plan assumed by the Poulos and Chung Report.  

Our clients objective is to ensure that all developments contemplated by the Rosenberg Secondary Plan is accounted for in identifying improvements that should be considered and planned for as part of the Fischer Hallman Road Class EA. We ask that the Fischer Hallman Study take the approved Rosenberg Secondary Plan into account in finalizing road and intersection improvements and in this regard, please consider the TIS prepared by Paradigm as the most current information.  

I thank you in advance for your consideration. Mr. Mallett and I will call you to follow-up. |
APPENDIX “G”
Project Team Responses to the Comments from the
June 17, 2015 Public Consultation Centre

Thirty-seven (37) members of the public formally signed in at the Public Consultation Centre and three (3) comments sheets, two (2) emails and one (1) letter were received from the Public Consultation Centre. The main comments received at the Public Consultation Centre and the Project Team’s responses to these comments are summarized as follows:

Comment No. 1 – Support for the Project Team’s Preferred Design Alternative and Pedestrian Facilities

Summary of Comments

One (1) comment expressed support for the Project Team’s Preferred Design Alternative No. 2.

One (1) comment simply saying, “more sidewalks”.

Project Team Response

Following the Public Consultation Centre, the Project Team confirmed Design Alternative No. 2 as the Project Team’s Recommended Design Alternative for this project.

Comment No. 2 – Comments Regarding Access to Adjacent Properties

Summary of Comments

Two (2) comments received indicated concern about whether their existing property access/entrance will remain open.

One (1) comment expressed concern that the proposed roundabout at the intersection of Fischer-Hallman Road and Bleams Road does not provide a full movement access to the development property located on the south-east corner of Fischer-Hallman Road and Bleams Road and indicated that a full movement access is required for the development.
Project Team Response

The Project Team’s response to each of these issues is summarized below:

1. The Project Team notes that all existing entrances or driveways will remain open and will be reconstructed within the Fischer-Hallman Road right-of-way to Regional standards as part of the road widening construction. The Region will coordinate the construction of any revisions to accesses approved under the Site Plan Application process for developing lands in accordance with the approved site plan;

2. The Project Team notes that the roundabout at the intersection of Fischer-Hallman Road and Bleams Road was approved for construction under a separate Class Environmental Assessment Study completed in December 2012. It is further noted that Fischer-Hallman Road is designated as a “Controlled Access Prohibited” road under Region By-law 58-87. A raised centre median facilitates access control to adjacent properties. Raised centre medians are also consistent design features for roadways which are roundabout corridors. However, the Project Team notes that approval of access to any adjacent development site is considered by the Region’s Planning Department under the site plan control application process and ultimately approved by Regional Council and, as such, is independent of this Class Environmental Assessment Study. The Recommended Design Alternative does not preclude the implementation of full movement accesses if approved in the future.

Comment No. 3 – Comments Regarding Traffic and Speeds South and Outside of the Study Limits

Summary of Comments

One (1) comment submitted expressed concern that the proposed reduction speed from 80 km/h to 60 km/h on Fischer-Hallman Road from Bleams Road to Plains Road would make it more difficult for the property owner to make a safe turn onto Fischer-Hallman Road from approximately 700 metres south of Plains Road.

One (1) comment questioned (i) what will happen with the traffic volume south of Plains Road, (ii) where does the 60 km/h go afterwards, and (iii) what happened to the link to the 401 and what about tying in with Cameron.
Project Team Response

The Project Team’s response to each of these issues is summarized below:

1. It is anticipated that Fischer-Hallman Road will operate at a lower travel speed following construction as there will be roundabouts at five (5) intersections on Fischer-Hallman Road within the study limits. In accordance with Region practice and policy, the Project Team believes that Fischer-Hallman Road from Bleams Road to Plains Road should be designed and posted for a speed limit of 60 km/h. The Project Team believes that a reduction in posted speed limit from 80 km/h to 60 km/h on Fischer-Hallman Road from Bleams Road to Plains Road would not likely have any impact on existing vehicular speeds 700 metres south of Plains Road.

2. The 2010 Region Transportation Master Plan (TMP) identified the need for an improved connection to Highway 401 in the long-term and suggested a future study be undertaken to determine the most appropriate connection, including an option to extend Fischer-Hallman Road to the Highway 401 interchange with Cedar Creek Road (Regional Road No. 97). To date, Regional staff has not yet commenced a study to determine potential Highway 401 connections. Regional staff will be updating the Regional Transportation Master Plan in 2016 and 2017 which will include a recent potential expansion of the urban area in southwest Kitchener as identified through the settlement of the Regional Official Plan in June 2015. It is expected that this TMP update will provide the need, justification and timeframe for an improved connection to Highway 401.

Comment No. 4 – Comment Regarding Projected Traffic Volumes in Transportation Study

Summary of Comments

One (1) comment submitted suggests the projected traffic generation from future adjacent developments to identify capacity improvements is underestimated.

Project Team Response

The 2010 Regional Transportation Master Plan (TMP) identified the need to widen Fischer-Hallman Road from Bleams Road to Plains Road from two (2) to four (4) lanes. The Transportation Report prepared in support of this Class Environmental Assessment (Class EA) Study confirms the needs identified in the TMP recommending the widening of Fischer-Hallman Road from Bleams Road to Plains Road from two (2) to four (4) lanes. The Transportation Report reviewed a number of transportation studies completed in the study area including the Transportation Study for the Rosenberg
Secondary Plan Study (approved in 2013), Transportation Assessment for the Southwest Kitchener Urban Area Study (approved in 2011), Transportation Report for the Mattamy Homes Subdivision (2011), Traffic Impact Study for the Becker Estates Development (2007) and a Traffic Impact Study for the Williamsburg South and South Estates Developments adjacent to Bleams Road (2012). The forecasted traffic volumes used to prepare the Transportation Report for this Class EA Study were based on the available traffic counts, and planned road and transit projects in the Region of Waterloo and the City of Kitchener.
Region of Waterloo
Transportation and Environmental Services
Waste Management

To: Chair Tom Galloway and Members of the Planning and Works Committee
Date: February 23, 2016
File Code: E20-40
Subject: Bill 151: Waste-Free Ontario Act and Strategy

Recommendation:

That the Regional Municipality of Waterloo support the proposed Bill151: Waste-Free Ontario Act and Strategy and that report TES-WMS-16-02:

a) be submitted the Ministry of Environment and Climate Change in response to its posting of Bill151 and the draft strategy on the Environmental Bill of Rights Registry posting (EBR 012-5832) by the comment deadline of February 29, 2016; and,

b) be provided to the Association of Municipalities of Ontario (AMO), the Regional Public Works Commissioners of Ontario (RPWCO), the Municipal Waste Association (MWA), the City of Toronto (Toronto), the Ontario Waste Management Association (OWMA) and the Members of Provincial Parliament that represent the Region of Waterloo.

Summary:

On November 26th, 2015, the provincial government introduced Bill 151: the Waste Free Ontario Act (WFO Act) and an accompanying draft Strategy. The WFO Act is high-level enabling legislation that establishes a framework for a waste-free Ontario as well as addresses a number of shortcomings with current provincial policy. Specific details on responsibilities and how services will be funded and delivered will be determined through the development of future regulations and policy statements, after consultation with stakeholders.

One of the main objectives of the proposed WFO Act is to move to a full producer responsibility regime where producers are accountable for recovering resources and
reducing waste associated with their products and packaging but are given the flexibility to determine how they chose to do so as long as they comply with the various rules and requirements set out by the province. The intention is to initially transition the four (4) existing shared responsibility diversion programs (blue box, electronic waste (WEEE), municipal special and hazardous waste (MHSW) and used tires) to the full producer responsibility regime over a two (2) to five (5) year time horizon with other potential material streams such as carpet, fluorescent light tubes, etc. designated at a later date.

Although staff are supportive of the proposed legislation, it is noted that the current proposal does not provide a defined legislated role for municipalities and potential impacts on collection, transfer and processing contracts and operations currently undertaken by the Region could be impacted under a new full producer responsibility regime such as the Region potentially no longer being in the business of collecting recyclables and/or operating a materials recycling centre. Therefore, any changes directed through new legislation will need to be appropriately communicated and negotiated such that the price, terms and level of activities undertaken by the producers, municipalities and contractors result in fair compensation for existing contracts and for any stranded assets (e.g. materials recycling centre, drop-off depots). It is expected that waste streams such as residential garbage and green bin waste (that are currently non-designated) would still be the full responsibility of the Region and that future provincial direction recognizes the importance of a well integrated waste management systems (i.e. collection, disposal and diversion infrastructure) is critical to maintain efficiency and effectiveness.

Staff will continue to participate in further consultations with the Ministry of Environment and Climate Change (MOECC) and other stakeholders related to the proposed WFO Act and Strategy and will continue to report back to Council and provide feedback that is in the interest of Region residents and consistent with Regional Council direction.

Proposed Bill 151 is currently in second reading at the Ontario Legislature with an expectation that it will be passed later this spring. The province is also seeking comments under the Environmental Bill of Rights (EBR) with the commenting period ending February 29th and it is recommended that this report be forwarded to the province accordingly.

Report:

Background/Context

On June 6th, 2013, the Ontario government introduced Bill 91, the Waste Reduction Act (WRA) and accompanying Waste Reduction Strategy (WRS). This legislation, had it passed, was intended to replace the current 2002 Waste Diversion Act (WDA) and would have resulted in significant changes to how recyclables, organics and residual waste (garbage) are managed and funded in Ontario. Specifically, Bill 91 intended to make individual producers responsible for end of life management of designated waste products and packaging by shifting costs of diversion from the municipal tax base to the
producers of the products and packaging. After significant province-wide consultation throughout 2013 and part of 2014, Bill 91 was eventually dissolved when the provincial election was called in 2014.

On November 26, 2015, the Province introduced a framework for new waste management policy through proposed Bill 151, the *Waste-Free Ontario Act* and an accompanying draft *Strategy for a Waste Free Ontario: Building the Circular Economy*. The Waste-Free Ontario Act (WFO Act) is intended to address a number of shortcomings with the current WDA and enable a shift from our current linear economy (buy and dispose) to a circular economy (buy and reuse/recycle). Similar to the previous Bill 91, one of the main objectives of the proposed WFO Act is to move to a full producer responsibility regime, however, the current proposal does not provide a defined legislated role for municipalities. Presently, municipalities have a shared responsibility with producers for the collection and diversion of four designated waste material streams (blue box recyclables, electronic waste (WEEE), municipal special and hazardous waste (MHSW) and used tires). If the proposed WFO Act and accompanying strategy is passed, wide-ranging changes to how waste will be handled in the province are anticipated that could have significant impacts on the Region of Waterloo’s (Region) waste management system. Specifically, under the new proposed legislation, full responsibility (operational and financial) for these four designated material streams would rest with the producers of the waste streams. While this would likely have a financial benefit to the Region it would be expected to have potential impacts on current collection, transfer and processing contracts and operations currently undertaken by municipalities.

Proposed Bill 151 has been posted on the Environmental Bill of Rights (EBR) registry with a due date for public review and comments of February 29th, 2016. Bill 151 has commenced second reading at the Ontario Legislature and it is anticipated that the new legislation could be passed later this spring.

An overview of the proposed legislation and potential impacts is provided in the following sections while Attachment 1 provides a list of comments from staff specific to the EBR posting.

**Part A: Overview of Proposed Waste-Free Ontario Act and Strategy**

The proposed WFO Act is high-level enabling legislation that establishes a framework for a waste-free Ontario to support a circular economy which would increase resource recovery and waste reduction in Ontario. Specific details on how this responsibility will be carried out and how services will be funded and delivered will be determined through the development of future regulations and policy statements, after consultation with stakeholders.

The proposed WFO Act includes two separate acts; namely,
1. The Resource Recovery and Circular Economy Act (RRCE 2015), which identifies overarching provincial interests in resource recovery and waste reduction as well as establishes an outcomes-based regime that would require producers to take full responsibility for their products and packaging; and,

2. The Waste Diversion Transition Act (WDTA 2015), which replaces the existing Waste Diversion Act and is intended to ensure the smooth transition of existing diversion programs to the new producer responsibility regime as well as the ultimate wind-up of existing waste diversion programs and the industry funded organizations (IFOs) that operate them.

The new legislation framework also requires the Minister to develop and maintain an overarching Strategy to help support Ontario in achieving its goals toward building a circular economy.

The key components in the proposed WFO Act of greatest interest to municipalities include:

- Provincial Interests and Policy Statements
- Draft Strategy
- Resource Productivity and Recovery Authority
- Producer Responsibility Regime
- Waste Diversion Transition Act

**Provincial Interests and Policy Statements**

Similar to the Planning Act, the proposed WFO Act establishes a number of provincial interests and enables the province to develop policy statements in consultation with partner ministries, municipalities and key stakeholders to provide further direction on implementing provincial interests such as a system of resource recovery and waste reduction that aims to (among other things):

- Reduce waste and recover resources through product life cycle
- Minimize Greenhouse Gas (GHG) emissions
- Hold producers responsible for products and packages at the end of life
- Provide convenient and reliable waste collection and management services
- Promote public awareness
- Enhance collaboration with all relevant parties
- Increase opportunities and markets for recovered materials
- Minimize the need for waste disposal
- Foster consumer fairness
- Promote competition

Key decision makers (e.g. provincial ministries, municipalities, producers, service providers, owners and operators of waste management systems) will need to have regard to the Provincial Interest and be consistent with applicable Policy Statements when making decisions related to resource recovery and waste reduction.
Draft Strategy

A draft Strategy was released for comments as part of Bill 151 and is intended to act as a roadmap to help Ontario leverage multiple planning, policy and economic tools to reduce the amount of waste generated in the province, improve resource recovery and reduce the amount of greenhouse gas emissions from the waste sector. The final Strategy will be released after approval of the new WFO Act and once all consultation and reviews have been completed. The Strategy would be reviewed at least every ten years in consultation with stakeholders and the public and amended as needed. The Minister would be required to prepare progress reports at least every five years to outline the actions taken to achieve the Strategy’s goals and to provide an update of the progress made.

The draft Strategy includes a vision of zero waste in the province and zero greenhouse gas emissions from the waste sector through:

- Utilization of policy statements to provide clear direction
- Expansion and focus on a full producer responsibility regime
- Establishment of performance measures and reporting requirements, designation of new materials for diversion, development of an Organics Action Plan, use of disposal bans and review/updating of the current 3'Rs regulations
- Increased focus on education and promotion
- Focus on market stimulation for recovered materials

Resource Productivity and Recovery Authority

A new Resource Productivity and Recovery Authority (Authority) will be created that is a non-Crown oversight body, with new powers, compliance and enforcement tools and enhanced oversight and accountability. This new Authority replaces the existing Waste Diversion Ontario (WDO).

The Authority would oversee the new producer responsibility regime as well as the transition of existing diversion programs (i.e. blue box, MHSW, WEEE and used tires) to the new regime. It will also collect and manage data related to waste management in the province.

The Authority will also provide compliance and enforcement activities with administrative penalties issued for non-compliance of specific provisions in the Act and regulations. In extraordinary cases of non-compliance (e.g. failure to establish a collection system for a material or a habitual failure to meet prescribed requirements), Cabinet may impose a sales ban on the material.

Producer Responsibility Regime

The proposed WDO Act establishes a new outcomes-based regime where producers
would be responsible for their products and packaging and would be accountable for recovering resources and reducing waste associated with these materials. Through regulations, the province could:

- Identify materials (products and packaging) that would be designated
- Identify responsible persons (i.e. producers) for those materials
- Require responsible persons to recover and reduce waste associated with those materials
- Set clear outcomes and requirements for designated materials (e.g. accessibility, capture rate, etc.)
- Further refine who a responsible person is and exempt certain persons from meeting requirements on a case by case basis

Responsible persons (i.e. producers) would:

- Determine how best to meet the outcomes (subject to whatever requirements the province puts in place)
- Be required to demonstrate that their obligations have been met and be subject to consequences for poor performance

The Resource Productivity and Recovery Authority would:

- Oversee programs and enforce performance
- Collect and manage data
- Be subject to further direction from the Minister

Service Providers (including municipalities) would:

- Provide services if and as required by producers at a price negotiated with producers
- Provide data and other information required by the Authority
- Participate in promotion and education if so required by the Authority.

**Waste Diversion Transition Act**

The proposed Waste Diversion Transition Act is intended to facilitate a smooth transition from existing waste diversion programs to the new regime with no service interruptions for Ontarians. Key provisions include:

- The Province would oversee the transition from the existing to the new producer regime, to ensure that it is seamless for residents
- The Province would provide the Resource Productivity and Recovery Authority the powers to oversee existing programs and their transition to the new regime
- The Province would ensure that existing waste diversion programs continue to run smoothly, including payment of fees to existing IFOs until they wind up
- The Province would ensure adequate consultation with key stakeholders, including municipalities
The draft Strategy suggests that the Municipal Hazardous and Special Waste (MHSW), Waste Electronics and Electrical Equipment (WEEE) and Used Tires programs would be transitioned first, likely within the first two to three years. The Blue Box program would be transitioned over a longer period, likely over four or more years.

Part B - Potential Implications for the Region of Waterloo/Municipalities

Responsibility for managing residential waste within the Region of Waterloo is primarily mandated by provincial policy while other parts are directed by Regional policies and bylaws. A portion of industrial, commercial and institutional (IC&I) waste is also handled by the Region but, for the most part, responsibility for IC&I waste lies with the private sector. Under a full producer responsibility regime, it is expected that there would be significant changes to how municipalities operate their diversion programs and what materials are collected. A number of key issues, discussed below, will need to be considered from a municipal perspective.

Under the proposed WFO Act, there is currently no prescribed municipal role which is significantly different than current provincial legislation whereby certain waste diversion actions are mandatory for municipalities. Specifically, details on potential relationships between producers, municipalities and contractors have not yet been examined but rather would be established through regulation at a later date. As stated earlier in this report, producers will be allowed to determine how to design and operate the new resource recovery programs, including the Blue Box program, and will be accountable for achieving the targets and adhering to the standards set by the Province. Although it is likely that much of the existing municipal recycling systems, infrastructure and related integrated systems across the province would be used by producers to achieve their targets, they are not obliged to do so. In this regard, municipalities will need to ensure that the price, terms and level of activities undertaken by the producers, municipalities and contractors are negotiated such that fair compensation related to existing contracts and for any stranded assets (e.g. materials recycling centre, drop-off depots) are taken into consideration.

Under the Waste Diversion Transition Act, the Province has indicated that consultations would take place to ensure the transition of the existing blue box, MHSW, WEEE and used tire programs is seamless for residents and to consider how to address existing contracts and assets. The transition period is proposed to take between two (2) to five (5) years (or more). To this end, it is anticipated that the MHSW, WEEE and used tires programs will transition with little to no significant impact or changes with respect to how the Region operates these programs as they are primarily operated as depot/drop off programs. However, the transition of the Blue Box program could be more complex and could have a greater impact such as the Region potentially no longer in the business of collecting recyclables and/or operating a materials recycling centre. In all cases (Blue Box, MHSW, WEEE and Used Tires), staff will consider any offers that may be presented by producers and, where possible to negotiate contracts that fairly
compensate the Region for services rendered and are otherwise in the Region's interest, will take steps to enter into agreements, keeping Council fully apprised throughout.

Over time, it is also anticipated that the province will designate new materials. The draft Strategy identifies the following potential items: fluorescent bulbs, household appliances, carpets, furniture, mattresses and batteries. It would be expected that these materials would follow the same model described above for blue box where producers are responsible but decide how to collect and process the materials.

Under the WFO Act, producers will be financially responsible for administering and operating diversion programs. Therefore, it is expected that this would benefit the Region financially as we currently are responsible for 50 per cent of cost of the Blue Box Program and 100 per cent of the cost of managing materials currently not designated. Once producer responsibility programs are implemented under the WFO Act, the cost of managing the diversion programs for these materials will be borne fully by the producers.

While the proposed Act will make producers financially responsible for the cost of the diversion programs for the material streams they generate, it does not make them financially responsible for the portion of their products and packaging that ends up as residual garbage (i.e. ends up in landfill). Given that it is unlikely that targets set by the province will be 100 per cent recovery, it is expected that some designated materials will end up as residual garbage in the Regional landfill. Although producers are reluctant to take on any cost beyond the cost of running the diversion program to achieve the recovery target set by the province, consideration should be given to cover the entire cost of managing the materials, regardless of which stream they end up in.

The Province is also considering the implementation of landfill bans on designated materials. As stated above, some designated material will still be present in the Region’s residual garbage stream and therefore, may be subject to landfill bans that would likely require administration at a Regional level. To ensure that this does not put the Region (and other municipalities) in a position that is difficult to manage, the Region must be fully engaged and consulted as landfill bans are being developed.

It is expected that other non-designated waste streams such as residential garbage and green bin waste would still be the full responsibility of the Region and it is imperative that the province recognize the integrated nature of waste management systems (i.e. collection, disposal and diversion infrastructure). It has been proven that efficiency and effectiveness is gained through the co-collection of multiple waste streams. Should a material stream, such as blue box recycling collection be undertaken by producers to fulfill their obligation to the new legislation, it could have significant impacts on municipal costs and methodologies to manage the remainder of the residential waste stream that is not designated through the new legislation.
Concluding Comments/Next Steps

At a high level, the proposed WFO Act and Strategy align well with the Region’s Strategic Focus 2015-2018 and the specific objective of increasing the amount of waste diverted from landfill. With potential approval of Bill 151 later this spring, it is expected to take between two (2) to five (5) years to finalize all the required policy statements and regulations in order for the new legislation to be fully implemented.

Staff will continue to participate in further consultations with the Ministry of Environment and Climate Change (MOECC) and other stakeholders related to the proposed WFO Act and Strategy and will continue to report back to Council and provide feedback that is in the interest of Region residents and consistent with Regional Council direction. Assuming the proposed legislation is passed into law later this spring, staff will also remain engaged as the province develops future regulations and policy statements under the Act and as it develops transition plans for existing programs, finalizes the Strategy and develops the Organics Action Plan.

Since the release of Bill 151, Waste Management staff, in association with the Association of Municipalities of Ontario (AMO), the Regional Public Works Commissioners of Ontario (RPWCO), the City of Toronto (Toronto), the Municipal Waste Association (MWA) and the Ontario Waste Management Association (OWMA) have been undertaking consultation and reviewing the draft legislation and strategy to determine potential industry wide impacts in order to establish comments with respect to suggested future actions. In this regard, a joint municipal industry organization response (AMO/RPWCO/MWA) will also be provided to the MOECC prior to the February 29th EBR comment deadline and will be forwarded to Regional Council when complete.

Corporate Strategic Plan:

This Report has been prepared consistent with the Corporate Strategic Objective of Environment and Sustainable Growth, particularly 3.1 Increase the amount of waste diverted from the landfill.

Financial Implications:

It is unclear what the detailed financial implications would be should Bill 151 be passed into law, however, it is anticipated that through a full producer responsibility regime, costs associated with recovering end-of-life products and packaging would be shifted away from municipal taxpayers to producers and improve the sustainability of municipal waste systems.

Other Department Consultations/Concurrence:

Staff from Waste Management Services, Corporate Services and Planning, Development & Legislative Services were involved in the preparation of this report.
Attachments:  Attachment 1 – EBR Comments

Prepared By:  Jon Arsenault, Director, Waste Management Division

Approved By:  Thomas Schmidt, Commissioner, Transportation and Environmental Services
Attachment 1 – Bill 151 Comments (EBR 012-5832)

The Region of Waterloo supports the proposed legislation (Bill151) and provides the following specific comments for consideration:

1. It is acknowledged that with increasing producer responsibility, producers must be provided a much greater say and flexibility in how their products and packaging are managed to meet their obligations. However, the new policy framework must recognize the effective and efficient nature of the existing integrated waste management system in Ontario for which municipalities have invested significantly. Therefore, fair compensation for any negative financial impacts that may occur under a full producer responsibility regime need to be recognized including stranded assets and/or impacts to existing service contracts.

2. Recognizing the importance of an integrated waste management service, strong consideration should be given to the inclusion of another Provincial interest that identifies the benefits of effective, efficient and customer focused waste management services that leverage the existing public and private sector integrated waste management infrastructure.

3. The existing blue box program is a mature curbside program which provides most Ontario residents with convenient, regular collection of recyclable materials (under O. Reg 101/94, municipalities with a population greater than 5,000 residents are mandated to provide a blue box program). Given the embedded role municipalities have provided to-date, any legislative and ensuing regulatory changes should have full participation from municipalities and will need to ensure that residents receive the same or an improved level of service and that promotional and educational information continues to be communicated appropriately.

4. The new legislative framework needs to ensure open, fair and transparent oversight for all stakeholders and ensure municipalities are not encumbered with legislative responsibilities they no longer control.

5. The proposed legislation identifies that the costs of recycling are to be embedded into the retail price of the products and packaging. Although this concept (i.e. no more eco-fees at point of sale) is likely to be well received by the public, it is unclear what the financial impact will be to Ontario businesses and importers of products and packaging. Under the proposed scenario, consumers (not taxpayers) would pay for any increased costs associated with the recycling of that particular product or packaging. Given the current fragile economic environment in the province of Ontario, the various interests of business, municipalities, taxpayers and consumers will need to be well balanced.

6. Responsibility for costs associated with the collection and disposal of designated materials that make it into the residual waste stream and with litter created by designated materials are not identified under the proposed legislation. Further
clarification should be provided and identify that fair re-imbursement of municipal costs associated with managing designated products and packaging remaining in the residual waste stream be considered.

7. The proposed legislation does not recognize the “4th R” (recovery) and is therefore inconsistent with the Canadian Council of Ministers of the Environment extended producer responsibility policy as well as the US EPA waste policy hierarchy. In order to further drive environmental outcomes, consideration should be given to maximizing material and energy recovery for those materials where no cost effective option is available for the first three R’s (reduction, reuse, recycling) and recovery should be counted toward diversion targets.

8. The implementation of disposal bans for designated wastes could prove effective for increasing waste diversion. However, sustainable alternatives for banned materials must be in place as well as appropriate provincial policy and diversion targets in order to eliminate producers from simply disposing waste in landfills within the province or in other jurisdictions, where disposal tipping fees are significantly lower than the cost of diversion. Additionally, costs associated with administration and enforcement of landfill bans should not be borne at a local level by landfill facility owners/operators but instead be part of the full producer responsibility funding obligation.

9. The newly created Authority will need to have appropriate tools and mechanisms in place to provide clear and consistent oversight and enforcement of the requirements of the WFO Act as well as appropriate measurement protocols for all waste management activities, not just diversion related activities.

10. The Organics Action Plan is an essential component of long term waste management policy in the province and should provide clarity for all stakeholders with specific focus on standardization of compostable packaging to ensure compatibility with existing/future organics processing and the ability to designate compostable products/packaging under the full producer responsibility regime.

11. Given the Industrial, Commercial and Institutional (IC&I) and Construction and Demolition (C&D) sectors generate greater than 80% of all waste produced in the province, greater emphasis on the diversion of these materials should be more clearly defined and a primary focus of the final Strategy.
The key finding of this report is that municipal drinking water delivered by the Region during 2015 met the necessary requirements under the Safe Drinking Water Act.

**Annual Water Quality Report**

The Water Quality Report includes the information that follows:

1. A brief description of the drinking water systems including a list of water treatment chemicals used;
2. A summary of any reports made to the Ministry of Environment and Climate Change (MOECC) under the Safe Drinking Water Act (SDWA) (18(1)) Duty to report adverse test results or the O. Reg. 170/03 Section 16 (16-4) Duty to report other observations;
3. A summary of the result of tests required under this O. Reg. 170/03 or The Municipal Drinking Water Licence (MDWL) or a MOECC Order; or the most recent results taken;
4. A description of any corrective action under the O. Reg. 170/03 Schedule 16 Reporting adverse test results and other problems, Schedule 17 Corrective Action (Large Municipal Residential) and Schedule 18 Corrective Action (Small Municipal Residential);
5. A description of any significant expenses incurred to install, repair or replace required equipment;
6. A statement on where the Annual Summary Report can be viewed (required by March 31).

A copy of the 2015 Annual Water Quality Report is provided to the owners of the receiving water systems, is available free of charge from Water Services, and is posted on the Region's website (by February 28). A copy of this report will be placed both in the Councillors' Library and advertised in The Record by February 28, 2016.

**Ontario Drinking Water Quality Standards**

The MOECC established the water quality sampling and analytical requirements through their Safe Drinking Water Act (SDWA), O. Reg. 170/03, and O. Reg. 169/03, various regulation amendments, municipal drinking water licenses and MOECC orders. There are three types of drinking water quality standards, objectives and guidelines:

1. health-related standards, to protect public health;
2. aesthetic objectives, and
3. operational guidelines to ensure efficient treatment and distribution of the water.
Water Quality Monitoring Programs

The quality of the water is continuously monitored throughout the Region. Water samples are collected from all Regional water sources, using the sampling protocols established by the MOECC. Most of these samples are analyzed at the Regional Laboratory. The bacteriological quality of each water source is tested once a week. Testing for chemical and physical analyses are done in accordance with the regulation, acts, Municipal Drinking Water Licenses (MDWL) and MOECC orders. The MOECC checks the quality of the Region’s water every year during their annual inspections program. The reports for the Wellesley and North Dumfries Water Distribution Systems are included in the water quality reports from their respective supply sources. The Local Municipalities will be issuing separate Annual Water Quality Reports for their Water Quality Monitoring on the distribution system.

Community Lead Testing Program
Prior to the mid-1950s, the service pipe delivering water from the distribution system to each home and business was commonly made of material that may have contained lead. Historically lead was also used to solder pipes together and could be found in some plumbing fixtures (lead brass). If these items corrode or break down, they can cause lead concentration in drinking water to increase.

Several factors as to why lead is not a major concern in the Region include: the water quality is not corrosive, the water has a neutral pH, there is adequate alkalinity to buffer pH and stabilize the water, and water hardness is high resulting in mineral deposition which forms a protective scale and may inhibit the leaching of metals such as lead.

In 2008, the Ministry of Environment and Climate Change introduced regulations for sampling and testing for lead in drinking water distribution and plumbing. For each individual distribution system, sampling was required of residential, non-residential and distribution sites, with the number of samples based on population. The regulation allows for a reduction in the number of samples required and the frequency of sampling based on consecutive rounds of results being below the maximum acceptable concentration for lead (O. Reg. 169/03 – Lead standard is 10 ppb).

In 2011, and in accordance with the O. Reg. 170/03, all 8 of the Region-owned distribution systems qualified for plumbing exempt status. This exemption confirms that sampling the internal plumbing of people’s homes and businesses is no longer a requirement. The Region is required to test the distribution system hydrants and blow-offs for pH and alkalinity twice per year and lead every third year (2014) in all 8 of our distribution systems: Wellesley, St. Clements, Linwood, Heidelberg (Wellesley side), Roseville, Branchton Meadows, Lloyd Brown, and Ayr. Water quality will be monitored and barring any changes as determined by the MOECC or a change to O. Reg. 170/03,
the plumbing exempt status will remain indefinitely. As of 2015, the plumbing exempt status remains for the North Dumfries and Wellesley distribution systems.

Under the regulation for lead monitoring, municipal distribution systems are required to prepare a corrosion control plan or to apply for relief from a corrosion control plan when greater than 10 per cent of the samples exceed the maximum acceptable concentration (MAC) for lead in at least two sampling rounds out of the last three. As a two-tier municipality, the Region is required to provide a letter of support to the local municipalities if this type of exceedance occurs. The local municipal water supply systems in the Region have qualified for reduced sampling with the exception of the Township of Woolwich. The Elmira/St. Jacob’s distribution samples had greater than 10 per cent exceedance of the MAC for lead in the winter and summer of 2009. The Township of Woolwich received relief from a corrosion control plan in January 2012 and the Region provided a letter of support.

Corporate Strategic Plan:

The Annual Water Quality Report Supports Focus Area 3.2: Protect the quality and quantity of our water resources.

Financial Implications:

Nil

Other Department Consultations/Concurrence:

Public Health Protection & Investigation has reviewed this report.

Attachments:

Nil

Prepared by: Olga Vrentzos, Manager, Operations and Maintenance, Water Services

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

Transportation and Environmental Services

Water Services

To: Chair Tom Galloway and Members of the Planning and Works Committee

Date: February 23, 2016  

File Code: E04-80/MOECC.QTY; C06-60/PW/WS.12

Subject: 2015 Annual Water Quality Report for the Region of Waterloo Rural and Integrated Water Systems

Recommendation:
For information only

Summary: Nil

Report:

Safe Drinking Water Act
To meet the reporting requirements under Drinking Water Systems Ontario Regulation 170/03, The Region of Waterloo issues an Annual Water Quality Report by February 28, and an Annual Summary Report by March 31, of each year.

Background
A total of 46 Water Quality Reports were issued for the period January 1, to December 31, 2015 to summarize water quality for each water supply system in the Region and each distribution system operated by the Region in the Townships of Wellesley and North Dumfries. These individual water quality reports are presented in the Region’s 2015 Annual Water Quality Report.
The key finding of this report is that municipal drinking water delivered by the Region during 2015 met the necessary requirements under the Safe Drinking Water Act.

**Annual Water Quality Report**

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Several factors as to why lead is not a major concern in the Region include: the water quality is not corrosive, the water has a neutral pH, there is adequate alkalinity to buffer pH and stabilize the water, and water hardness is high resulting in mineral deposition which forms a protective scale and may inhibit the leaching of metals such as lead.

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**Corporate Strategic Plan:**

The Annual Water Quality Report Supports Focus Area 3.2: Protect the quality and quantity of our water resources.

**Financial Implications:**

Nil

**Other Department Consultations/Concurrence:**

Public Health Protection & Investigation has reviewed this report.

**Attachments:**

Nil

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

**Approved by:** Thomas Schmidt, Commissioner, Transportation and Environmental Services
Region of Waterloo
Transportation and Environmental Services
Corporate Services
Facilities and Fleet Management

To: Chair Tom Galloway and Members of the Planning and Works Committee
Date: February 23, 2016  File Code: F18-40
Subject: P2015-31 Asset Management - Work Management System

Recommendation:

That the Regional Municipality of Waterloo accept the proposal of eGovsolutions for P2015-31 Work Management System in the amount of $450,000 plus all applicable taxes.

Summary:

Nil

Report:


The Work Management and Decision Support Systems will replace multiple aging, obsolete systems and will centralize all technical, financial, warranty, condition, performance and risk information relating to Regional assets. This will ensure the Region has a complete and consistent asset inventory, one data source and defined
business processes to evaluate all phases of asset lifecycles (from procurement to decommissioning). Region staff will have a better understanding of the full asset life cycle costs through performance metrics, dashboards and comprehensive reporting resulting in better informed financing strategies.

These systems will allow staff to make better decisions related to maintenance, forecast capital works, and improve efficiencies through enhanced work planning and scheduling. This will allow better reporting to help Council make more informed decisions providing a consistent metric for comparing assets in all Divisions.

**Work Management System – Business Requirement and Scope**

A Work Management System (WMS) is used to schedule and track the work performed on an asset, monitor asset condition, and track costs to maintain the asset. A WMS is required to meet both regulatory and business requirements. The Region currently has a number of WMS’s in use within various program areas. Many of these systems are at or nearing the end of their useful life, are no longer supported by vendors, and require either upgrading or replacement to meet current and future business needs and requirements. Unless a common Corporate WMS is purchased, each program area will need to upgrade or replace their current system which is estimated to have a higher overall cost and greater complexity. Having a common WMS will allow improved sharing of information and expertise, and greatly simplify technical support.

Implementing a corporate wide WMS is a complex undertaking requiring both Project Management and Technical Support resources across many divisions. Through this process the Region will replace four (4) WMS and numerous databases and spreadsheets. This will affect multiple departments and impact day to day processes for over 500 staff. Attachment A illustrates the proposed integration with other corporate systems.

**Work Management System - Request for Proposals**

Request for Proposals were requested for P2015-31 Work Management System (WMS) and were advertised in the Record and on the Ontario Public Buyers Association and Region’s website. A WMS Selection Team was established and included three (3) representatives from each of the Transportation and Environmental Services and Corporate Services Departments.

Seven (7) proposals were received and were opened in the presence of A. Dooling, R. Pinder, and K. Howald. The proposals were evaluated by the Selection Team using pre-determined technical criteria. Four (4) proponents were shortlisted to provide a product demonstration.
The shortlisted proponents were as follows:

<table>
<thead>
<tr>
<th>Proponent (Product)</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>eGovsolutions (Lucity)</td>
<td>West Vancouver, BC</td>
</tr>
<tr>
<td>Ontracks Consulting Ltd. (Maximo)</td>
<td>Vaughan, ON</td>
</tr>
<tr>
<td>Oracle Canada ULC (Oracle)</td>
<td>Mississauga, ON</td>
</tr>
<tr>
<td>The Createch Group (Maximo)</td>
<td>Hamilton, ON</td>
</tr>
</tbody>
</table>

The demonstrations were viewed by a wide cross-section of Region staff that will be using and supporting the system. The Selection Team determined a final score based on the technical criteria, demonstrations, and price proposals. The price evaluation took into account initial software/licensing costs and annual maintenance and support costs. The proposal submitted by eGovsolutions obtained the highest overall technical score and included both the lowest initial price and annual maintenance and support price.

The Selection Team believes the recommended software is user friendly, adaptable, and flexible. Through the demonstrations, staff in attendance believes the system has been specifically tailored to support municipalities and is the best fit for the Region’s needs. This can be seen by the 280 municipal clients in North America. This can potentially shorten the anticipated implementation time and reduce overall project implementation costs.

Subject to the award of this proposal, Regional staff will be releasing the second Request for Proposal (RFP) to provide the Professional Support Services to implement the WMS. The scope of this second RFP also includes the review and recommendation of software to meet necessary requirements for a Decision Support System(s). Staff anticipates a report to Regional Council in June of 2016 with a recommendation on the awarding of Professional Support Services.

**Corporate Strategic Plan:**

Award of this contract aligns with the 2015-2018 Corporate Strategic Plan objective to plan for and provide the infrastructure and services necessary to create the foundation for economic success under Strategic Focus Area 1, Thriving Economy. This includes continuing to implement and improve an asset management plan to optimize the use and availability of existing and new infrastructure.
Financial Implications:

<table>
<thead>
<tr>
<th>Work Management System</th>
<th>Software and Licensing (One Time)</th>
<th>Annual Maintenance &amp; Support</th>
</tr>
</thead>
<tbody>
<tr>
<td>P2015-31</td>
<td>$450,000</td>
<td>$87,000</td>
</tr>
<tr>
<td>Plus: Applicable Net HST of 1.76%</td>
<td>7,900</td>
<td>1,500</td>
</tr>
<tr>
<td>Total</td>
<td>$457,900</td>
<td>$88,500</td>
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</tbody>
</table>

*All figures are rounded to the nearest $100.

The Region’s approved 2016 Transportation and Environmental Services Capital Program includes a budget of $10.4 million in 2016-2018 to implement an Asset Management System (Projects 07053, 01011, 04159, 08327) to be funded from the Water and Wastewater Capital Reserves (43%; $4,440,000), the Roads Rehabilitation Capital Reserve (32%; $3,350,000), Regional Development Charges (15%; $1,560,000) and Debentures (10%; $1,040,000).

The purchase of the Work Management System will have a one time cost $457,900 for the Software and Licensing and an annual cost of $88,500 for maintenance and support beginning in Year 2. This annual maintenance and support cost is similar to current maintenance costs for multiple systems. Of the budgeted $10.4 million, $1.8 million had been allocated to the purchase of the WMS.

The remainder of the budget will be used to fund the professional support services to implement the Work Management System, project management, technical support, as well as the purchase and implementation of one or more software products to meet necessary requirements for a Decision Support System(s).

As presented in Report TES-15-03/COR-15-02, the estimated breakdown for the Asset Management System capital budget is outlined below:

<table>
<thead>
<tr>
<th>Cost ($000’s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>AM System Hardware and Software</td>
</tr>
<tr>
<td>Professional Services and Implementation</td>
</tr>
<tr>
<td>IT Project Mgmt and Technical Support</td>
</tr>
<tr>
<td>Contingency</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>
By proceeding with this procurement, Council will be committing to additional resources required for implementation, to a maximum of the budget as identified above.

**Other Department Consultations/Concurrence:**

Staff representatives from Divisions within Transportation and Environmental Services, Corporate Services and Planning Development and Legislative Services Departments are involved in the Corporate Asset Management Program and have been consulted in the preparation of this report.

**Attachments:**

Attachment A - Asset Management System Integration Points

**Prepared By:** Richard Pinder, Senior Project Engineer - Asset Management

Charles Allen, Manager, Planning and Performance Management

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

Craig Dyer, Commissioner, Corporate Services/Chief Financial Officer
Region of Waterloo
Planning, Development and Legislative Services
Region of Waterloo International Airport
Office of Economic Development

To: Chair Tom Galloway and Members of the Planning and Works Committee
Date: February 23, 2016

Subject: Region of Waterloo International Airport – Proposed New 2016 Master Plan/Business Plan

Recommendation:

That the Regional Municipality of Waterloo take the following actions with respect to the completion of a new Master Plan for the Region of Waterloo International Airport (ROWIA), as described in Report No. PDL-AIR-16-04, dated February 23, 2016:

a) Establish an updated ROWIA Master Plan Steering Committee, including the appointment of the Chair of Planning and Works Committee, the Chair of Administration and Finance Committee, the Regional Council representative to the Aeronautical Noise Advisory Committee; and a local Council representative from each of the Cities of Cambridge, Kitchener, and Waterloo, and the Township of Woolwich, with additional members as described in this report;

b) Increase the existing purchase order with WSP Canada (formerly MMM Group) by $100,000 to complete the draft Master Plan; and,

c) Direct the ROWIA Committee to undertake the following public engagement initiatives:

   i. Hold a minimum of two public consultation sessions in the spring and fall of 2016 to update the public on the status of the ROWIA Master Plan and to seek input on options for the future of the ROWIA;

   ii. Use the Region of Waterloo’s new online consultation portal to present information and seek feedback from the community at large;
iii. Consult with the ROWIA Business Advisory Committee and the Waterloo Region Economic Development Corporation.

Summary:

The Region of Waterloo International Airport (ROWIA) is a key feature in the Region’s infrastructure and economic landscape contributing $86M to the Region’s economy in 2013. With over 1000 acres of land, the ROWIA is home to over 250 private and charter aircraft, 25 businesses, and over 300 employees. In 2015, the ROWIA was identified as one the top 20 busiest airports in Canada, and home to one of the leading flight training schools in the country, the Waterloo Wellington Flight Centre. The ROWIA experienced another record year in 2015 with almost 154,000 passengers travelling through the terminal building.

Increasing commercial passenger service, charter service, and developing the Hangar Campus and East Side Employment Lands remains a priority at the ROWIA. A large part of the recent passenger growth can be attributed to the expanded service offered by WestJet and Sunwing Airlines. Charter services have also experienced increased growth at the ROWIA. In April 2015, the Chartright Air Group purchased a new hangar at the ROWIA and announced its new service for corporate jet charters. With continued growth in air service, it is important that a new ROWIA Master Plan (Master Plan) and supporting Business Plan be developed to guide the future of the ROWIA over the next 20 years.

Region of Waterloo Council initiated the development of a new ROWIA Master Plan in December, 2012. A Master Plan Project Team (Project Team) was established with Council and staff representatives from the Region of Waterloo, the Cities of Cambridge and Waterloo, the Township of Woolwich, and the Grand River Conservation Authority to begin the process of developing a draft Master Plan for the future development of the ROWIA. The Project Team was supported by WSP Canada (formerly MMM Group) to assist with the consultation, assessment, and development of recommendations for the Master Plan.

To inform the development of the Master Plan, three stakeholder meetings were undertaken in July and August of 2013 with area businesses, aviation associations, airlines using the ROWIA, and other levels of government to examine potential options that could be considered as part of the Master Plan. Two public consultation sessions were held in 2014 to obtain input from the community on future options for ROWIA over the next 20 years.

In 2014, Regional Council provided interim direction to staff to optimize the existing capacity of the ROWIA; attract new air service; build out the ROWIA Business Park; protect for future growth; increase community awareness about noise mitigation measures; and develop the ROWIA in conjunction with the adjacent East Side Employment Lands.
In September 2015, recommendations from the Region of Waterloo Service Review were adopted by Regional Council. As part of the KPMG Service Review, optimization of the ROWIA’s commercial value was identified as one of five opportunities regarding implementation (please see report CAO-IAU-15-06/A32-40/RSR).

To initiate the completion of the Master Plan, staff is recommending an updated Steering Committee be established to guide the completion of the draft ROWIA Master Plan and Business Plan. The Steering Committee would include: the Chair of the Planning and Works Committee; Chair of the Administration and Finance Committee; the Regional Council representative to the Aeronautical Noise Advisory Committee; and a local Council representative from the Cities of Cambridge, Kitchener, and Waterloo, and the Township of Woolwich. The Steering Committee would be chaired by the Commissioner of Planning, Development, and Legislative Services and also include the Commissioner of Transportation and Engineering Services, the Commissioner of Corporate Services/Chief Financial Officer, the Director of Corporate Communications, and the General Manager of the ROWIA. Additional staff from the Region of Waterloo and Area Municipalities would serve as a resource to the Steering Committee.

Staff also recommends the Steering Committee consult with the ROWIA Business Advisory Council and Waterloo Region Economic Development Corporation. Regional staff will oversee at least two public consultation sessions that would occur in the spring and fall of 2016. These sessions would be used to provide an update on the status of the Master Plan and Business Plan and present a preferred Master Plan approach. These comments would be incorporated into the Master Plan and Business Plan and brought forward to Regional Council for consideration by the end of 2016.

Report:

Background

The ROWIA is a key feature in the Region’s infrastructure and economic landscape. In 2013, the ROWIA contributed over $86M to the Region’s economy. With over 1000 acres of land, the ROWIA is home to over 250 private and charter aircraft, 25 businesses, and over 300 employees. In 2015, the ROWIA was identified as one the top 20 busiest airports in Canada, and home to one of the leading flight training schools in the country, the Waterloo Wellington Flight Centre.

Existing passenger service in 2015 reached record levels, with almost 154,000 passengers travelling through the ROWIA terminal building. A large part of this growth can be attributed to the expanded service offered by WestJet and Sunwing Airlines. American Eagle also continues to offer its daily non-stop flight to Chicago. Charter services have also experienced increased growth at the ROWIA. In April 2015, the Chartright Air Group purchased a new hangar at the ROWIA and announced its new service for corporate jet charters. The ROWIA also continues to serve as a convenient option for area businesses.
needing access to global markets. ROWIA Business Advisory Committee members and local companies such as Toyota, Blackberry, ATS, and Sun Life Financial continue to use the ROWIA as the preferred option for supporting its business operations.

The ROWIA also experiences other shifts in business needs from the companies it services. Recently, Baffinland decided it will be relocating local operations to Nolinor’s headquarters at Montréal–Mirabel International Airport (Mirabel) and will leave the ROWIA at the end of February. Baffinland operates a large iron ore mine on Baffin Island and uses Nolinor to move employees and freight on a weekly basis to this remote location. Given declining iron ore prices, the need for additional cost reductions, and better logistics at Mirabel, Baffinland has made this business decision.

The ROWIA has also implemented a number of mitigation measures to effectively manage community impacts. The ROWIA has worked with airlines to adjust departures and arrivals to reduce the impact of aircraft noise on the surrounding community. Regional staff is available by phone or in person to discuss individual concerns. Signage around the ROWIA has also been increased to inform the public on how to communicate noise concerns originating from the ROWIA. This includes the ROWIA website, which now allows the public to submit a noise complaint to ROWIA staff. The Region of Waterloo also continues to benefit from the Aeronautical Noise Advisory Committee, which examines noise impacts from the ROWIA on the community and responds to individual concerns.

The previous ROWIA Master Plan was completed in 2000 and supplemented with a five-year business plan, which was adopted by Council in 2009. As use of the existing infrastructure at the ROWIA continued to increase, Regional Council initiated the development of a new ROWIA Master Plan in late 2012 to guide the growth of the ROWIA over the next 20 years.

The completion of the ROWIA Master Plan was further supported by Regional Council in October 2015, as part of the recommendation from the KPMG Service. Regional Council adopted the following recommendation:

“That the Regional Municipality of Waterloo direct staff to complete the Airport Master Plan and associated Business Plan by the end of 2016, which would include recommendations regarding increasing revenue, managing operational and capital expenses and a net levy target for airport management to budget against to control operating and capital expenditures;

And that following completion of the Master Plan/Business Plan, Regional Council consider whether it wish to explore additional private sector involvement in Airport operations and activities.”

Airport Master Plan Overview

The master planning process is a tool used by most airports across the country to
anticipate, and plan for, future airport development including maximizing existing infrastructure and managing increased air service. Transport Canada requires a Master Plan for the 26 federally owned airports in Canada. The remaining airports, including the ROWIA, do not require a Master Plan, but are recommended to have one in place to protect for future growth. It is also considered a best practice in the aviation industry, especially for those airports that have scheduled service with airlines. The purpose of this Master Plan is to guide the future of the ROWIA over the next 20 years. In the case of ROWIA, the Master Plan will include elements that address the following:

- Commercial Carrier Service – Explore opportunities to support existing carrier service at the ROWIA and anticipate future community need;
- Development of the Hangar Campus and East Side Employment Lands – Further examine the creation of employment opportunities through the development of leased lands for aviation and aerospace related industrial and commercial undertaking. In the northwest corner of the ROWIA, there is an opportunity to commercialize thirty-five acres of land, which would complement the future development of the East Side Employment Lands;
- Business Plan – Develop an associated Business Plan to link the Master Plan with an efficient and effective financial plan, and address the recommendations from the Service Review;
- Support for Business – To ensure current and future demand from area businesses are being met, identify opportunities to align the future of the ROWIA with future needs of emerging sectors in Waterloo Region; and
- Changes in the Aviation Industry – The ever changing nature of the aviation industry will affect the future growth of the ROWIA. Currently, Toronto Pearson International Airport is reviewing its existing capacity and future growth demands. As part of that review, neighbouring airports including the ROWIA are being considered as potential options for spill-over service.

ROWIA Master Plan Work Completed to Date

To inform the development of the Master Plan, three stakeholder meetings were undertaken in July and August of 2013 with business, aviation associations, airlines using the ROWIA, and other levels of government to examine potential options that could be considered as part of the Master Plan.

On February 6 and April 1, 2014, two public consultation sessions were held at the Waterloo Region Museum in Kitchener. The consultation sessions were advertised in local media outlets, in local Chamber of Commerce bulletins, and on the Region of Waterloo website. Presentation materials were also posted on the Region’s website and the public was given an opportunity to provide input directly to Project Team members. Approximately 350 people attended the two public consultation sessions and 186 written comments were received.
Following the consultation sessions, the following direction was provided by Regional Council on June 25, 2014:

“That the Regional Municipality of Waterloo take the following action with respect to the preparation of a draft Master Plan for the Region of Waterloo International Airport:

a) Endorse the recommendation of the Airport Master Plan Project Team to complete a draft Master Plan for the Airport on the basis of maximizing the existing capacity of the Airport as described in Report E-14-087 dated June 17th, 2014;

b) Include a strategy within the draft Master Plan for continuing the pursuit of additional passenger air service opportunities which will maximize the existing capacity of the Airport terminal building and associated Airport infrastructure as described in Report E-14-087 dated June 17th, 2014;

c) Incorporate a strategy for the attraction of additional businesses that may establish aeronautics or aviation-related undertakings within the thirty-five (35) acre leased land development area located in the northwest corner of the Airport;

d) Coordinate, where possible, the resources and strategies required for new air service development and new business attraction at the Airport with the Region’s broader economic development initiatives, including the development of the East Side Employment Lands to the south of the Airport;

e) Direct Airport staff and the Master Plan Project Team to take the following additional matters into consideration in the preparation of a draft Master Plan for the Airport:

(i) In consultation with the Aeronautical Noise Management Committee, consider additional opportunities for both increasing awareness concerning aeronautical noise and its mitigation;

(ii) Prepare a 2015-2024 Capital Plan for the Airport to reflect the plan for maximization of the existing Airport infrastructure as set out in Report E-14-087 dated June 17th, 2014;

(iv) Include a review of the Airport Master Plan, once approved, at regular intervals or upon the operations of the Airport achieving the passenger and financial objectives set out in Report E-14-087 dated June 17th, and

(v) Undertake an evaluation of any further actions, such as federal zoning protections or designation of airport reserve lands, that may be recommended to ensure opportunities for future growth are preserved; attracting new air service; building out the ROWIA business park; protecting for future growth; improving community interaction; and working to develop the adjacent Easter Side Lands.

In September 2015, Region staff provided an update on progress towards each of the Council directives (please see Appendix 1 – Progress Report Card). Given the progress achieved on these directives and with the benefit of the Service Review findings, in October 2015, Regional Council directed staff to proceed with completing the Master Plan.
Proposed Next Steps

The Master Plan must address the recommendations from the Regional Service Review and involve additional public consultation. To oversee the process, an updated Steering Committee should be established to guide the completion of the plan and ensure representation from the appropriate area municipalities (please see Appendix 2 – List of Proposed Updated Steering Committee members). Regional staff would need to amend its existing purchase order with MMM Group to reflect its acquisition by WSP Canada. Approximately 10% of the work has yet to be completed by WSP Canada under the existing purchase order. The project scope will need to be updated to reflect the work required to complete the Master Plan by the end of 2016. The amendment to the purchase order would also include an increase of up to $100,000 to cover additional expenses relating to finalizing the Master Plan.

Regional staff should hold at least two public consultation sessions as part of the Master Plan development process. The first session would be held in the spring of 2016 to update the community on the status of the Master Plan and share information regarding recent developments at the ROWIA. The second session would be held in the fall of 2016 to present a preferred Master Plan approach. To ensure the Master Plan is aligned with the future needs of the business community, Regional staff would also consult with the ROWIA Business Advisory Committee and the Waterloo Region Economic Development Corporation. This will include receiving input from key sectors in Waterloo Region such as the local Tech sector that has approximately 35,000 employees.

In addition to public consultation sessions, newer electronic platforms can be used to engage the community. Information can be posted on the Region of Waterloo’s new online consultation tool. This tool allows registered users to post comments in online discussion forms or send feedback directly to staff. It also includes a ranking feature and an opportunity for questions and answers. The public at large would also be able view all of the documentation without registering and can call Regional staff directly if they have further questions.

Working with WSP Canada, Regional staff would incorporate the input from the public consultation sessions and work towards finalizing a draft report for Council consideration by the end of 2016.

Corporate Strategic Plan:

The completion of the ROWIA Master Plan directly supports Strategic Objective 1.1.3 of the Corporate Strategic Plan – “Develop a Master Plan and associated Business Plan that guides the growth and development of the Region of Waterloo International Airport to provide a full-service, customer friendly facility which supports commercial, corporate and general aviation.”
Financial Implications:

The 2014 ROWIA Capital Budget included $165,000 to complete the Master Plan. Prior to Regional Council providing interim direction to staff, approximately 90% of the work had been completed. In 2016, the ROWIA has allotted an additional $100,000 in its Capital Budget for the Master Plan which is funded from Regional Development Charges ($90,000, 90%) and the Airport Capital Reserve Fund ($10,000, 10%), which is expected to be sufficient to complete the remainder of the project, as described in this report.

Other Department Consultations/Concurrence:

Nil.

Attachments:

Appendix 1 – ROWIA 2015 Progress Report

Appendix 2 – Proposed (Updated) Steering Committee Members

Prepared By: Matthew Chandy, Manager, Regional Economic Development

Approved By: Rob Horne, Commissioner, Planning, Development and Legislative Services
# ROWIA - Progress Report Card

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<tr>
<th>Item</th>
<th>Description</th>
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<tr>
<td>A</td>
<td>Maximize the existing capacity of the Airport</td>
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<tr>
<td></td>
<td>• WestJet adds 18% to Calgary Service = 16,780 additional seats</td>
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<td>(Feb 2015)</td>
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<td>B</td>
<td>Attract additional passenger service to maximize the capacity of the existing Air Terminal Building</td>
<td>√</td>
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<td>• WestJet Announcement Seasonal Orlando Service (July 2015)</td>
<td>√</td>
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<tr>
<td>C</td>
<td>Attract aviation related businesses to the Airport Aviation Business Park Development</td>
<td>√</td>
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<tr>
<td></td>
<td>• Charteright Air Group (Apr 2015)</td>
<td>√</td>
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<td></td>
<td>• NAV CANADA Break Ground on New Control Tower (June 2015)</td>
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## Progress Report Card Continued

### Regional Council Direction
(June 2014 - Report E-14-087)

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<td>D</td>
<td>Co-ordinate resources and strategies required for air service development and business attraction with the Regions broader economic development plans - including the East Side Lands</td>
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<td></td>
<td>• YKF Economic Impact Awareness Campaign &amp; Increased Public Consultation</td>
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<td></td>
<td>• Update 2013 Economic Impact Study (April 2016)</td>
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<td>E</td>
<td>Consider additional opportunities to increase awareness concerning aeronautical noise and its mitigation</td>
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<td></td>
<td>• Restructured Aeronautical Noise Advisory Committee (Dec 2014)</td>
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<td>• Website Content Updated to Better Inform the Community</td>
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<td></td>
<td>• Installation of New Signs in Subdivisions Located in Proximity</td>
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√ - Completed  
\ - In Progress  
Pending - Pending
### Progress Report Card Continued

**Regional Council Direction**  
*(June 2014 - Report E-14-087)*

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<td>Prepare a 2015-2024 Airport Capital Plan to reflect the plan for maximizing the existing Airport infrastructure</td>
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<td>• Airport Capital Plan Completed (Feb 2015)</td>
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<td>G</td>
<td>Review of the Airport Master Plan, once approved, at regular intervals or upon the Airport achieving passenger and financial objectives</td>
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<td>H</td>
<td>Evaluate further actions, such as Federal zoning protections or designation of reserve lands to ensure opportunities for future growth</td>
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Appendix 2 – Proposed (Updated) Steering Committee Membership

Commissioner, Planning, Development and Legislative Services (Chair)
Chair of Planning and Works Committee
Chair of Administration and Finance Committee
Regional Council representative to the Aeronautical Noise Advisory Committee

Local Council representative from each of the Cities of Cambridge, Kitchener, and the Township of Woolwich

Commissioner, Transportation and Engineering Services
Commissioner, Corporate Services/Chief Financial Officer
Director, Corporate Communications

General Manager, Region of Waterloo International Airport

Support to the Steering Committee

Manager, Economic Development, Region of Waterloo – as required
Region of Waterloo staff – as required
Area Municipal Planning and Economic Development Staff – as required
Region of Waterloo
Planning, Development and Legislative Services
Commissioner’s Office
Legal Services
Community Planning

To: Chair Tom Galloway and Members of the Planning and Works Committee

Date: February 23, 2016  File Code: D01-40

Subject: Potential Delegation of Additional Planning Act Approval Authority by Regional Council to Interested Area Municipalities

Recommendations:

That the Regional Municipality of Waterloo advise the Area Municipalities that the Region will consider the delegation of additional Planning Act approval authority upon the receipt of formal requests from an Area Municipal Council, in accordance with the terms and conditions approved by Regional Council, as described in Report PDL-16-01, dated February 23, 2016;

And That Regional staff report back with delegation requests made by Area Municipalities for formal consideration by Regional Council.

Summary:

In October of 2015, Regional Council committed to undertaking a number of actions related to a comprehensive service review led by the KPMG consulting group. One of these actions was to examine “delegated authority for planning application approval for the Cities of Cambridge and Waterloo similar to what was provided to the City of Kitchener in order to reduce possible duplications in service”. In addition, Councillor Jowett had previously requested (at the September 23, 2015 Regional Council meeting) that delegated planning authority for subdivision approvals be granted to Cambridge and Waterloo. At the same meeting, (Township) Regional Councillors also asked that the Townships be considered.

This report has been prepared to provide a comprehensive background to Regional Council, should it decide to proceed to formally consider approving additional delegation of Planning
Act approval authority. The report in particular includes the legal basis for delegation, existing delegation in the Region of Waterloo, delegation in places elsewhere in Ontario, ongoing Regional planning roles and responsibilities, and recommended next steps should Council wish to consider further delegating Planning Act approval authority (through an enacting by-law and through the execution of an Administrative Agreement with a delegated Area Municipality).

Report:

1. Planning Act Approval Processes and Legal Basis for Delegation

In order to ensure orderly land development, the Planning Act requires an application process and approval before a property owner may legally subdivide and convey parcels of land. Under the Planning Act, these approval processes (collectively called Planning Act approvals) are:

   a) Part Lot Control Exemption By-laws – A local municipality may pass a by-law to create legally conveyable parcels of land, subject to such by-law being approved by the regional municipality (section 50(7.1) of the Planning Act);
   b) Plans of Subdivision - The regional municipality may approve an application by a property owner for a plan of subdivision to create legally conveyable lots (section 51(5) of the Planning Act);
   c) Plans of Condominium – The regional municipality may approve an application by a property owner for a plan of condominium to create legally conveyable units (section 9(2) of the Condominium Act, which incorporates by reference section 51 of the Planning Act); and
   d) Consents – The regional municipality may approve a consent (commonly called a "severance") to create a legally conveyable parcel of land (sections 50(1) and 53 of the Planning Act).

The Region of Waterloo has been assigned responsibility by the Province of Ontario under the Planning Act to process, review and approve development applications for these Planning Act approvals.

Approval authority with respect to the above-noted Planning Act approvals may be delegated to the constituent local municipality of the Region of Waterloo through the following mechanisms:

1. Prescribed by Provincial Regulation pursuant to Section 51(6) of the Planning Act; or
2. Delegated by By-law of Regional Council pursuant to Section 51.2(2) of the Planning Act. In the case of Plans of Subdivision and Condominium, at least 14 days prior to passing such a by-law, Regional Council must provide notice to the area municipality to which the delegation will apply and the Ministry of Municipal Affairs and Housing and such notice must set out the authority that is to be delegated and the approximate date the delegation is to come into force, all as required by Regulation 297/97.
It is noted that in the event of delegation of any Planning Act approval authorities by a regional municipality, the regional municipality remains responsible and accountable under the Planning Act for the decisions and outcomes of the decisions made under the delegated process.

In Section 3 of this Report, the existing delegation of the above-noted Planning Act approvals within the Region of Waterloo is described. Some Regional functions have also been delegated (administratively) to the Commissioner of Planning, Development and Legislative Services for many years.

2. Core Regional Review Functions

The Development Planning and Review function involves the circulation, processing and review of development applications submitted under the Planning Act or initiated in response to Regional Official Plan (ROP) policy. In this function, the Development Planning and Review Section plays three distinct roles:

i) Regional Corporate Interest
The first role is to comment on how the proposed development affects Regional corporate interests such as municipal water supplies, Regional Roads, wastewater treatment and the Region of Waterloo International Airport. In these circumstances, the Region has a direct corporate interest in, and liability for, Planning Act approvals that impact on Regionally-owned and operated facilities. These interests are defined by policies in the Regional Official Plan as well as other corporate protocols and guidelines.

ii) Region of Waterloo as the Delegate of the Province Relating to Plan Review
The second role played by the Region is to assess and provide comments on behalf of five Provincial Ministries: Ministry of the Environment and Climate Change (MOECC) (e.g. traffic noise, land use compatibility, need for a Record of Site Condition (RSC); Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) (e.g. Minimum Distance Separation, Agricultural Viability Studies); Ministry of Municipal Affairs and Housing (MMAH) (e.g. regard for matters of provincial interest, conformity to the Growth Plan for the Greater Golden Horseshoe); Ministry of Tourism, Culture, Sport (MTCS) (e.g. need for archaeological assessments) and Ministry of Natural Resources and Forestry (MNRF) (e.g. Significant Woodlands, Significant Valleylands and Significant Wetlands). The delegation of its responsibility from the Province to the Region occurred through a Memorandum of Understanding (MOU) entered into by the Province and the Region in the summer of 1996.

iii) Approval/Delegated Authority
The Region's third role is as an approval authority for official plans, official plan amendments, plans of subdivision, plans of condominium, and part-lot control by-laws in Cambridge, Waterloo and the Townships of North Dumfries, Wellesley, Wilmot and Woolwich. This role has been assigned to the Region through the Planning Act for old applications, or has been
delegated to the Region by the Ministry of Municipal Affairs and Housing (MMAH). As the
approval authority, the Region has the responsibility to ensure that the provisions of the
Planning Act and other related legislation are appropriately addressed during the approval of
development applications. Responsibility for approval of the above noted applications, with the
exception of Official Plan Amendments, has been delegated to the City of Kitchener.

Consequently, the Region of Waterloo would continue to play significant roles as described in
paragraphs (i) and (ii) above regardless of any delegation to the Area Municipalities.

Other related Regional planning functions related to the circulation, processing and review of
development applications submitted under the Planning Act are overseen by the following
business units:

i) The Environmental Planning Section is responsible the technical review associated with
development, infrastructure and watershed planning projects and the ROP including the
identification and designation of elements of the Greenlands Network.

ii) The Corridor Management Section is responsible for providing technical comments to
the Area Municipalities on minor variance applications, site plan applications and sign
variance applications including Regional road allowance dedications; Regional Road
access permits; lot grading reports and storm water management plans adjacent to
Regional roads, facilities and infrastructure; and working with Grand River Transit and
the Rapid Transit Office to secure necessary transit and rapid transit infrastructure (e.g.
shelters, transit pads, transit easements).

iii) The Planning Research and Analytics Section is responsible for researching,
monitoring and assessing trends and indicators related to development activity.
Examples of their work include growth forecasting and preparing quarterly reports to
Council on development activity in the Region.

The foregoing roles and responsibilities are significant in nature and would continue
regardless of whether delegation of any Planning Act approvals occurs. To further illustrate
this point, the chart appended as Attachment 1 to this Report provides a comparison of current
Regional roles and responsibilities with respect to development applications pertaining to
lands within the City of Kitchener (which was delegated Planning Act approvals effective
January 1, 1998) and with respect to development applications pertaining to lands in the other
Area Municipalities where such delegation is currently not in place.

3. Existing Delegation and Changing Planning Conditions

Since 1984, Regional Council has delegated its authority for consents to all of the Area
Municipalities. This is the basis upon which six local Committees of Adjustment continue to
operate at the City and Township levels. Only the Council of the Township of North Dumfries
directly approves all consent applications and minor variance applications in that township.
In 1996, Regional Council began to examine further delegation of Planning Act approval authority by the Area Municipalities. This examination resulted in Regional Council’s approval of the following principles as the basis for discussion in the delegation of approval authority for Plans of Subdivision, Condominium and Part Lot Control Exemption By-laws, as outlined in Report PC-96-029 dated May 7, 1996, as follows:

(a) Delegation achieve tangible improvements for the administration of development approval functions which address both Area Municipal and Regional interests in the long term;
(b) Delegation take place in accordance with the legislative and regulatory procedures specified by the Province of Ontario;
(c) Area Municipalities have the planning, administrative and legal resources to sustain all commensurate responsibilities for delegated functions over the long term;
(d) Prior to full delegation the Area Municipal Official Plan and zoning by-law be adopted to full conformity with the Regional Official Policies Plan;
(e) Prior to full delegation, the Area Municipality establish and maintain an annual Staging of Development Program which achieves co-ordination of local and Regional capital service implementation in accordance with private development staging;
(f) Suitable arrangements for the “one window” administration of application fees be established with Area Municipal delegation;
(g) Prior to a full delegation of subdivision, condominium and part lot control exemption authority, partial delegation of Regional responsibilities in these matters which are not affected by the foregoing issues be available to Area Municipalities on request; and
(h) That Regional staff, in consultation with Area Municipal staff and the development industry, establish a draft delegation by-law and administrative protocol for implementation of the foregoing recommendations on a case by case basis.

In 1997, Regional Council approved delegation of approval authority for plans of subdivision, plans of condominium, part lot control exemption and (reconfirmation of consents) to the City of Kitchener effective January 1, 1998. A copy of the staff report 97-061 is appended to this report as Attachment 2. The following aspects of the delegation to the City of Kitchener are particularly worthy of note:

- The regulations to delegate the above-noted approvals only came into effect in 1997 by the Provincial government;
- The respective obligations of the Region of Waterloo and the City of Kitchener were established through both an implementing by-law and through an Administrative Agreement. The obligations include a formal commitment by the City of Kitchener to ensure that “… all matters of Regional and Provincial interest… are addressed”. To date, delegation to the City of Kitchener has generally worked well, and is also founded on a strong, collaborative working relationship.
It should also be noted that in 2009, the Region and all the Area Municipalities participated in a development application review. The Region of Waterloo also retained Mr. Mark Dorfman (an experienced practicing planner and a Fellow of the Canadian Institute of Planners) to provide his perspectives. The Executive Summary of his findings is appended to this report as Attachment 3.

Since delegation to the City of Kitchener, a number of conditions have changed relative to planning, particularly:

- Significant growth in all Area Municipalities, as well as a growth in staff complement at the Area Municipal level in most instances;
- The adoption of two subsequent Provincial Policy Statements (in 2005 and in 2014), which further frame matters of Provincial interest;
- The adoption of the Provincial Growth Plan for the Greater Golden Horseshoe, one of the most directive pieces of Provincial policy in decades;
- The adoption of a variety of complex regulations and guidelines, particularly related to noise mitigation and environmental remediation;
- The approval of a new Regional Official Plan in 2015 by the Ontario Municipal Board, establishing the long-held vision for Waterloo Region into a legal document; and
- Recent additional refinements to the Planning Act through Bill 73 (with some elements now proclaimed).

4. Delegation in Other Ontario Two-Tier Municipalities

Attachment 4 of this report provides an overview of existing delegation in other Ontario municipalities. The nature of delegation is variable, particularly by the types of Planning Act approvals delegated and to which lower tier municipalities. However, in many instances, smaller area municipalities have not assumed delegation authority, which may indicate that they have decided not to invest in the associated resources (particularly full time professional staff) and instead to continue to use existing upper tier services. For example, Regional staff has been advised that the Township of Muskoka Lakes, and the Towns of Huntsville, Gravenhurst and Bracebridge (Area Municipalities) have all recently decided not to accept delegation, and will continue to rely on the (upper tier) District of Muskoka for development approval services. Furthermore, the Provincial government also reminded the District of Muskoka that regardless of delegation to Area Municipalities, the District would remain “…responsible and accountable for the decisions and outcomes of the decisions made under the delegated process.” This same responsibility and accountability would remain with the Region of Waterloo.

5. Terms and Conditions - Delegation Criteria and Performance Standards

Delegation would need to be formally approved and implemented by Regional Council.
(including implementing by-laws), and that delegation could vary by Area Municipality (i.e. some Area Municipalities may only be interested in specific types of approval authority).

In keeping with the conditions associated with existing delegation to the City of Kitchener and in other municipalities across Ontario, and to reflect today’s planning review and approval environment, Regional Council should apply the following key criteria if it chooses to formally approve additional delegation to any interested Area Municipalities:

- The maintenance of adequate and high quality professional resources to support delegation services. In this regard, Regional lawyers are precluded from providing legal advice to local municipalities;
- Conformity (existing and ongoing) of Area Municipal Official Plans to the Regional Official Plan and an up to date comprehensive zoning by-law;
- Ensuring that all matters of Regional and Provincial interest, as identified by the Region of Waterloo, are addressed to the satisfaction of the Region. In the event that such matters are not addressed, delegation will be revoked;
- Circulation of all notices of applications, decisions, appeals, and any other associated notices or circulation materials in a timely manner;
- Provision of all information required by the Region of Waterloo in a timely manner;
- Collection of Regional fees;
- Annual reporting of delegated activities to allow the Region of Waterloo to plan for service capacity and capital forecasts and to review the effectiveness of delegation with the involved Area Municipalities;
- A comprehensive review of delegation with the Region of Waterloo every five years;
- Ensuring clear principles of appropriate accountability for legal liability associated with exercising delegated authority are in place; and
- Additional implementation details as required by the Region and established in the delegating by-law and through an associated Administrative Agreement.

Examples of key elements of delegation arrangement in other two-tier municipalities are contained in Attachment 5.

6. Summary and Recommended Next Steps Should Council Wish to Proceed with Formal Considerations of Additional Delegation to Area Municipalities

There are a variety of real and perceived advantages and disadvantages of delegation. Reasons to support delegation include vesting the full approval process with one level of government for greater public simplicity, and optimizing the use of Area Municipal resources that already exist and are capable of administering delegation. Real or perceived disadvantages of delegation include multiple systems to achieve the same goal, the costs of creating a system that already exists at the Regional level, no guarantee that the review process will be any more efficient (i.e. faster).

Regional staff has compiled this report to provide Regional Council with a comprehensive
overview of delegation. The review of Planning Act applications is a critical element of supporting growth and change, and municipal systems must be supported by experienced and responsive municipal resources, particularly at the staff level. In addition, any system must minimize (and desirably avoid) instances where the Region and its Area Municipalities find themselves on opposite sides of a dispute at the Ontario Municipal Board. This success has been a hallmark of the current system. However, additional delegation could be successfully implemented with the required checks and balances, many of which are described in this report.

Should Regional Council approve the terms and conditions described in this report, staff recommend the following next steps:

- Council distribute its term and conditions (as described in this report) and request formal responses from all Area Municipal Councils seeking delegation, including the type(s) of delegation being sought;
- Staff report back to Regional Council with delegation requests made by Area Municipalities for formal consideration; and
- For approvals by Regional Council for additional delegation, an associated By-law would be enacted (by Regional Council) as well as an Administration Agreement being executed between the Region and the delegated Area Municipality.

Area Municipal Consultation/Coordination

All Area Municipalities were provided with a draft of this report, as well as a copy of the final staff report.

Corporate Strategic Plan:

The examination of delegation of approval supports Action 5.4.3 (Look for opportunities to streamline service delivery with area municipalities).

Financial Implications:

Both the approved 2015 and 2016 Regional budgets contain $377,000 in fees and charges, and predominantly pertain to development-related applications. With delegation of planning approvals, a reduction in this revenue would be expected, the extent of which would be determined in the future by the number of Area Municipalities to whom delegation is granted by Regional Council and the extent of delegation. However, as described in this report, the Region of Waterloo would need to continue to be involved of many other aspects of development review.

Other Department Consultations/Concurrence:

Both Human Resources and Citizen Service and Transportation and Environmental Services were consulted in the preparation of this report.
Attachments:

Attachment 1 - A Comparison of Current Undelegated and Delegated Functions Respecting Processing Plans of Subdivision, Plans of Condominium and Part Lot Control in the Region of Waterloo

Attachment 2 - Staff report describing past delegation to the City of Kitchener

Attachment 3 - Executive Summary of 2009 Consultant’s report on development application review

Attachment 4 - Existing Delegation of Planning Act Approvals in other Two Tier Municipalities in Ontario

Attachment 5 - Key Elements of Arrangements Supporting the Delegation of Planning Act Approvals in Other Two Tier Municipalities in Ontario

Prepared By: Rob Horne, Commissioner, Planning, Development and Legislative Services
               Debra Arnold, Regional Solicitor, Director of Legal Services
               Brenna MacKinnon, Manager, Development Planning

Approved By: Rob Horne, Commissioner, Planning, Development and Legislative Services
Attachment 1 - A Comparison of Current Undelegated and Delegated Functions Respecting Processing Plans of Subdivision, Plans of Condominium and Part Lot Control in the Region of Waterloo

<table>
<thead>
<tr>
<th>Function</th>
<th>Current (Undelegated) Regional Functions as Approval Authority (except City of Kitchener)</th>
<th>Current Regional Functions with Delegation to City of Kitchener</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Region</td>
<td>Undelegated Area Municipality</td>
</tr>
<tr>
<td>1. Application pre-consultation</td>
<td>☑</td>
<td></td>
</tr>
<tr>
<td>2. Complete Application acceptance and Application fee collection</td>
<td>☑</td>
<td></td>
</tr>
<tr>
<td>3. Circulation of application to all external agencies</td>
<td>☑</td>
<td></td>
</tr>
<tr>
<td>4. Circulation of application to key internal (Region) staff</td>
<td></td>
<td>☑</td>
</tr>
<tr>
<td>6. Evaluate for provincial interests (MOU):</td>
<td>☑</td>
<td></td>
</tr>
<tr>
<td>• MMAH</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• MOECC</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• OMAFRA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• MNRF</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• MTCS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. Conformity with ROP, PPS and Provincial Plans (in the context of Regional planning responsibilities)</td>
<td>☑</td>
<td>☑</td>
</tr>
<tr>
<td>8. Notice and holding of public meeting(s)</td>
<td></td>
<td>☑</td>
</tr>
</tbody>
</table>
9. Preparation and notification of draft approval and conditions to all internal staff and external agencies: ✔

10. Recirculation, modifications and revisions to draft approval when required to all internal staff and external agencies: ✔

11. Preparation and clearance of all conditions of draft approval including external agencies conditions: ✔ ✔ *

12. Preparation of Regional subdivision agreement: ✔ ✔

13. Final approval of plans including release of plans to the Registry Office: ✔ ✔

- Preparation of OMB file case where decision of draft approval has been appealed or decision not made within 180 days of submission of complete application: ✔ ✔

- Site Plans**: ✔ ✔

- Zoning By-law Amendments, Minor Variances and Consents***: ✔ ✔

Functions which could be delegated to Area Municipalities.

* As a commenting agency, the Region provides a letter to the City of Kitchener outlining how each Regional condition of draft plan approval has been satisfied.

** The Region provides conditions of site plan approval on applications of Regional interest, and when necessary enters into Site Plan agreements with respect to these applications. These conditions include, but are not limited to, land dedication requirements, transit, Rapid Transit, access improvements and related financial requirements.

*** The Region provides comments on applications of Regional interest. These comments include, but are not limited to, ROP conformity, responsibilities under the MOU, transit, Rapid Transit, source water protection, Regional roads, environmental planning, cultural heritage, conformity with PPS and Provincial Plans.
Attachment 2

REGIONAL MUNICIPALITY OF WATERLOO

PLANNING AND CULTURE COMMITTEE REPORT

TO: Chair Christina Weylie and Members

DATE: November 18, 1997

SUBJECT: DELEGATION OF APPROVAL AUTHORITY FOR PLANS OF SUBDIVISION, PLANS OF CONDOMINIUM, PART LOT-CONTROL EXEMPTION BY-LAWS AND CONSENTS TO THE CITY OF KITCHENER

RECOMMENDATION:

THAT the Regional Municipality of Waterloo adopt a by-law to delegate to the Council of the City of Kitchener, the approval authority for plans of subdivision and plans of condominium received on or after March 28, 1995, the approval authority for part-lot control exemption by-laws, and re-delegate to the Council of the City of Kitchener the authority to approve consents, effective January 1, 1998.

THAT the Regional Municipality of Waterloo amend By-Law 95-026, ‘A By-Law to Delegated Consent Authority Under the Planning Act to Area Municipalities’, by deleting reference to the City of Kitchener in clause 1, effective January 1, 1998.

SUMMARY:

Regulations, that permit Regional Council to sub-delegate its assigned approval authority for plans of subdivision, condominium and part-lot control exemption by-laws to an area municipality, were issued by the Provincial Government on September 18, 1997. The only requirement for the sub-delegation of the approval authority, as directed by the Regulations, is that the Region issue a ‘Notice’ to the area municipality of its intent to pass a by-law delegating approval authority. This ‘Notice’ must be issued 14 days prior to the passing of the delegation by-law by Regional Council. The City of Kitchener has complied with the principles for delegation identified in PC-96-029 and expressed a willingness to assume the approval authority role if delegated by Regional Council.

Only those subdivision and condominium applications submitted for consideration commencing March 28, 1995 are eligible for sub-delegation under the Planning Act by Regional Council. Delegation of approval authority for part-lot control exemption by-laws applies to any registered plan in the City of Kitchener.
REPORT:

Since the issuance of the first PC Report (March 1996) on the subject of delegating certain planning approvals, Regional staff have been discussing the issue of delegation with area municipal staff, while awaiting implementing Regulations from the Province. The regulations were adopted August 13, 1997 and issued in September.

They specify a 14 day notice requirement before the Region may delegate the approval authority to a qualifying area municipality.

The approval authority currently held by Regional Council is a delegated responsibility from the Minister of Municipal Affairs and Housing for all applications received prior to March 28, 1995. The Region's approval authority is assigned as a statutory responsibility under the Bill 163 and Bill 20 versions of the Planning Act for all applications commencing March 28, 1995.

It is only those applications submitted after the Region was assigned the approval authority which are eligible for sub-delegation to an area municipal council. Those applications not eligible for this sub-delegation can be re-delegated to the City of Kitchener through a process of the Minister withdrawing jurisdiction from the Region and re-delegating those files to the area municipality. Regional staff have had preliminary discussion with the Province on this matter and it is anticipated that such delegation will occur during 1998.

The City of Kitchener has satisfied the criteria for sub-delegation as identified in the May 1997 staff report PC-96-029 titled "APPROACH TO DELEGATION OF ASSIGNED APPROVAL AUTHORITY FROM THE REGION TO AREA MUNICIPALITIES", and has confirmed its desire to assume the approval authority for plans of subdivision, condominium and part-lot control exemption by-laws and the obligations and responsibilities that go with delegated authority.

Regional and City staff have been meeting on a regular basis to establish a "seamless" administrative framework for the delegation and clarify precisely how duties and process will change, in sub-delegated arrangement.

Regional staff are recommending that the approval authority be delegated through a by-law that addresses the following areas: application information; circulation and notice of decision; collection of Regional Fees; and implementation procedures.

The proposed by-law is very brief and will be further implemented through an "Administrative Agreement" that sets out, in appropriate detail, the respective expectations and obligations of the Regional Planning and Culture Department and the City's Planning and Development Department. The agreement will clarify the basic process for the City in administering the receipt, circulation, commenting, approval and registration of plans of subdivision and plans of condominium.

The approval process for part-lot control exemption by-laws is also covered by this agreement.
PC-97-001

The advantage of incorporating all issues in an agreement is to avoid the need to amend the delegation by-law in future when further changes are deemed to be warranted.

In addition, Regional staff are recommending that the current consent authority already delegated to the City of Kitchener be “re-delegated” by this same by-law.

Through a process of deleting the City of Kitchener from the current Region wide Consent Delegation by-law and incorporating consents into the same by-law as the subdivision and condominium delegation, all planning authority delegated to the City of Kitchener is then established under a single by-law for easier administration in the future. This approach would be utilized for each subsequent area municipality as they take on subdivision and condominium approval responsibility.

The proposed by-law stipulates that the City provide the Region with statistical information on the delegated activities on an annual basis. This information is necessary for the Region’s ongoing monitoring of service capacity and capital forecasts through its own monitoring and reporting systems. The by-law also includes a requirement that the City undertake a 5 year review and evaluation to the delegated authority in conjunction with Regional staff and that the findings be reported to Regional Council.

These review time frames will provide City and Regional staff with the opportunity to identify any issues that may arise in the implementation of the by-law and agreement.

By taking on the approval authority for plans of subdivision, plans of condominium, part-lot control exemption by-laws and consents, the City of Kitchener assumes all responsibility for fulfilling the statutory and policy responsibilities and some of the legal liabilities previously held by the Regional Municipality of Waterloo in administering the development approval process under the Planning Act for delegated applications. Area municipal planning departments are expected to maintain a high level of expertise in their planning and legal staff, as currently available at the City of Kitchener, and to ensure that the delegated approval authority responsibility is given appropriate consideration in future decisions on staff work assignments and training.

Although the approval authority, the responsibilities and some of the liabilities that accompany delegation have been assumed by the City of Kitchener, the Regional Municipality of Waterloo retains the ultimate liability for the actions of the City of Kitchener in the event there is a court challenge.

The City is acting as an agent of the Region for the approval authorities delegated by this by-law.

Regional staff are recommending the adoption of a by-law to delegate approval authority to the Council of the City of Kitchener as set out in Appendix ‘A’ to this report.

FINANCIAL IMPLICATIONS:

The by-law requires that the City of Kitchener collect the Region’s Fees for the Processing of Development Applications in the amounts at the time identified in the Region’s Fee By-law.

The specifics on fee issues will be dealt with in greater detail in the ‘Administrative Agreement’. The manner in which Regional Development Charges are collected and the costs for preparing Regional agreements are not affected by delegation.
OTHER DEPARTMENT CONSIDERATIONS:

Legal Services Division of the Corporate Resources Department has been actively involved in discussions and review of the delegation by-law. The by-law has also been reviewed by staff of the Regional Clerk's Division of Corporate Resources Department. Regional Engineering staff and other development review departments are aware of the delegation initiatives and have been advised that their role in the development review process is for the most part unchanged following delegation.

The 'Notice' will have been issued by the Regional Clerk at least 14 days prior to the consideration of this by-law, as required in the Regulations.

PREPARED BY: T. Hardacre, MCIP, RPP, Supervisor, Development Planning

APPROVED BY: P. Mason, M.A., M.C.I.P., Acting Commissioner of Planning and Culture
APPENDIX 'A'
By-Law Number 97-061
of
The Regional Municipality of Waterloo

A By-Law to Delegate Authority to the Council of the City of Kitchener for Approval of Plans of Subdivision, Plans of Condominium, Part-Lot Control Exemption By-Laws and Consents Under the Planning Act.

WHEREAS the Council of the Regional Municipality of Waterloo deems it desirable to delegate its authority under Subsection 51.2 of the Planning Act as amended, to approve plans of subdivision, plans of condominium and part-lot control exemption by-laws under Section 51 and to delegate under Subsection 54(1) of the Planning Act as amended, its authority to approve consents under Section 53 of the Planning Act, as amended;

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

1. Subject to Sections 3 and 4 of this By-Law, all authority of the Council of the Regional Municipality of Waterloo for the approval of plans of subdivision, plans of condominium and part-lot control exemption by-laws under Section 51 of the Planning Act as amended, is hereby delegated effective January 1, 1998 to the Council of the City of Kitchener in respect of land situated in the City of Kitchener.

2. Subject to Section 5 of this By-law, all authority of the Council of the Regional Municipality of Waterloo for the giving of consents under Section 53 of the Planning Act as amended, is hereby delegated, effective January 1, 1998, to the Council of the City of Kitchener in respect of land situated in the City of Kitchener.

3. The Council of the City of Kitchener, in exercising the authority delegated by Sections 1 and 2 of this By-Law, shall ensure consistency with the Official Policies Plan (OPP) of the Regional Municipality of Waterloo and the Official Plan of the City of Kitchener when considering an application for plan of subdivision, plan of condominium, part-lot control exemption by-law and consent.

4. The Council of the City of Kitchener, in exercising the authority delegated by Section 1 of this By-Law, shall comply with the following conditions:

a) The delegation applies to all plans of subdivision and plans of condominium submitted for approval commencing March 28, 1995 and to all part-lot control exemption by-laws passed by the City of Kitchener commencing January 1, 1998.

b) Ensure that each application received beginning January 1, 1998, is assigned a file number consisting of “30T,” for plans of subdivision and “30CDM,” for plans of condominium, followed by the last two figures of the year in which the application was received and a number corresponding to the order in which the application is received commencing with “201”, and a new series of numbers shall be commenced each year.
e) Adopt an application form for plans of subdivision and plans of condominium that contains as a minimum, the information required on the application form of the Regional Municipality of Waterloo.

d) In addition to the requirements of the Planning Act as amended and applicable regulations, forward to the Regional Commissioner of Planning and Culture a copy of all notices of applications, decisions, appeals and any other notices or circulation materials as set out in the “Administrative Agreement” referred to in Section 5 of this By-Law.

e) Collect on behalf of the Regional Municipality of Waterloo, the Region’s Fees for Processing of Development Applications at the time and rates in effect as set out in the Regional Fee By-Law, as amended.

f) Assume the responsibility for ensuring that all matters of Regional and Provincial interest as identified by the Regional Commissioner of Planning and Culture are addressed, and that the City of Kitchener shall have regard to the purpose and intent of the legislation under which planning decisions are made in exercising the authority delegated by the Regional Municipality of Waterloo.

g) Within five years of the coming into effect of this By-Law, undertake a review and evaluation of the delegated approval authority in conjunction with the Regional Commissioner of Planning and Culture, who will report thereon to the Council of the Regional Municipality of Waterloo.

h) Prior to March 1st, provide the Regional Commissioner of Planning and Culture with an annual statistical report on the number and status of plans of subdivision, plans of condominium and part-lot control exemption by-laws and the number and type of units permitted by the approvals for the preceding year.

i) Where any authority delegated by Section 1 of this By-Law, is in turn delegated by Council of the City of Kitchener to a Committee of Council or to an appointed officer under Section 51.2(4) of the Planning Act as amended, the City shall forward to the Regional Commissioner of Planning and Culture a copy of the proposed by-law and any amendments thereto fifteen days prior to its passing and a certified copy of the delegating by-law and any amendments thereto within fifteen days of its passing.

j) Where any authority is delegated by Council of the City of Kitchener under Subsection 4 i) to a Committee of Council or to an appointed officer, Sections 1, 3, 4 and 5 of this By-Law shall also apply to and be a condition of that sub-delegation.

k) The Council of the City of Kitchener in exercising the delegated authority to give final approval to Part-Lot Control Exemption By-Laws shall ensure that:

i) the applicant has prepared and deposited a reference plan illustrating how the lots or blocks are to be further divided;

ii) the by-law restricts the division of the lots or blocks to the Parts on the Reference Plan by citing the Parts and Reference Plan in the by-law;
iii) the density does not exceed that which has been provided for in the draft approval and registration of the plan of subdivision; and

iv) no lot or block, existing or proposed for public purposes is altered in size or location and that no new lot or block is created for public purposes, prior to the passing of the by-law.

5. Prior to exercising the authority delegated by Section 1, 2, 3, 4 and 7 of this By-Law, the City of Kitchener and the Regional Municipality of Waterloo, shall enter into an “Administrative Agreement”. This agreement shall prescribe the administrative procedures and requirements for the processing, approval and registration of plans of subdivision, plans of condominium and part-lot control exemption by-laws and consents.

6. The Regional Commissioner of Planning and Culture is hereby delegated the authority to enter into the “Administrative Agreement” referred to in Section 5 of this By-Law with the City of Kitchener or appointed officer delegated by the Council of the City of Kitchener to enter into the “Administrative Agreement” referred to in Section 5 of this By-Law.

7. The Council of the City of Kitchener, in exercising the authority delegated by Section 2 of this By-Law, shall comply with the following conditions:

a) At least fourteen days prior to a decision, provide a copy of the application, key map, an explanation of the proposal and a request for comments to the Regional Commissioner of Planning and Culture, the Regional Commissioner of Engineering and, where private water supply or private sewage services are proposed, to the Regional Director, Healthy Environments.

b) Pursuant to Section 53(4)(a) of the Planning Act as amended, hold a public meeting pursuant to Section 55 of the Municipal Act. For the purposes of this delegation by-law, the hearing on the application shall be deemed to be the public meeting. Any person or public body wishing to make an oral presentation shall be given the opportunity.

c) Ensure that the provisions of Section 55 of the Municipal Act respecting the making of decisions in public are addressed in the adoption of any by-law to sub-delegate consent approval authority to an appointed committee or officer.

d) Within fifteen days of a decision to approve or refuse a consent application, provide a copy of the decision setting out the conditions of approval, if any, together with written reasons for the decision to the Regional Commissioner of Planning and Culture.

e) Notwithstanding Section 53(23) of the Planning Act as amended, ensure that fourteen days prior to consideration of a decision to change the condition(s) of a provisional consent, provide an explanation of the proposed change to the condition(s) and a request for comments to the Regional Commissioner of Planning and Culture and to the person or public body who may be affected by the change to condition(s).
f) Notwithstanding Section 53(24) of the Planning Act as amended, ensure that within fifteen days of a decision to approve or refuse a change to the condition(s) of a provisional consent, provide a copy of the decision to the Regional Commissioner of Planning and Culture.

g) Provide the Regional Commissioner of Planning and Culture with a copy of all appeals to the Ontario Municipal Board submitted under Sections 53(14), 53(19) and 53(27) of the Planning Act as amended.

h) Where there is no appeal, provide the Regional Commissioner of Planning and Culture with a copy of the Sworn Declaration issued under Section 53(22) of the Planning Act as amended.

i) Where any of the authority delegated by Section 2 of this By-law, is in turn delegated by the Council of the City of Kitchener to a Committee of Council, to an appointed officer, or to a Committee of Adjustment under Section 54(2) of the Planning Act as amended, forward to the Regional Commissioner of Planning and Culture a certified copy of the delegating by-law within fifteen days of its passing.

j) Where any authority is delegated by the Council of the City of Kitchener under Subsection 5 i) to a Committee of Council, to an appointed officer or a Committee of Adjustment, Sections 2 and 7 of this By-Law shall also apply to and be a condition of that sub-delegation.

8. The delegation of authority set out in Section 1 and 2 of this By-Law is not terminated by reason only that the Council of the City of Kitchener has failed to comply with the conditions set out in Sections 3, 4, 5, 6 and 7 of this By-Law.

9. The Council of the Regional Municipality of Waterloo may revoke for cause any or all authority to approve any or all plans of subdivision, plans of condominium, part-lot control exemption by-laws and consents. The Council of the City of Kitchener may at its discretion request the Council of the Regional Municipality of Waterloo to exercise its authority to revoke any or all delegated authority applicable to any one file or class of applications.

By-Law read a first, second and third time and finally passed in the Council Chambers of the Regional Municipality of Waterloo, this _____ day of __________, 1997 A.D.

__________________________________________   ________________________________________
REGIONAL CLERK                               REGIONAL CHAIR
Executive Summary

This review of how the Region and the Area Municipalities undertake the review of development applications is timely. Future planning in the Region will be directed by the Growth Plan for the Greater Golden Horseshoe, the approval of the new Regional Official Plan, and the subsequent changes in Area Municipal official plans to bring them into conformity with the Region’s Official Plan and the Growth Plan. Other significant influences are global and national economic changes that require better functional decisions to achieve economic development and community vitality. Also, there is the continuing municipal objective of improving administrative effectiveness and efficiency.

The methodology of the review included interviews with twenty-six people in municipalities, agencies and private consulting practices. These interviews occurred over two months. The responses from the interviewees were framed according to the questions that were provided to the interviewees.

In the thirty-six years since the Region of Waterloo was established, the development application review process has been relatively stable. This review traces the significant changes in legislation and policy particularly by the province that has influenced the process. It is obvious that the municipalities have no statutory authority to ignore development application review. In fact, they have an obligation to make this an integral part of their administrations.

The review summarizes the interview opinions and comments made regarding the current development application review process. There are many issues raised and on balance, more perceived obstacles than opportunities exist in the current process that affect efficiency and effectiveness. There were several suggestions from the interviewees regarding “remaking” the current process.

The report sets out several impressions and expectations. The only recommendation is that the review should be broadly circulated and considered and that there is thoughtful collaboration among the municipalities and the agencies. The Region should take a leadership role and facilitate open engagement of all of the participants in finding the right framework for better efficiency and effectiveness for these times.

The review concludes with ten themes and how issues are expected to be addressed. In summary, they are:

1. The review has been productive and there is an understanding that the process needs to be remade through cooperative discussion.
2. There is no immediate crisis or need to rush to a solution of the issues identified. The current process is not an impediment to economic development and vitality within the regional community.

3. The Region’s municipalities are at the crossroads because of the official plan conformity exercises that require remaking the development application review process in a manner that facilitates partnerships and collaboration between the Region and Area Municipalities.

4. The provincial legislation and policy that have influenced municipal planning can put a stranglehold on the development application review process if there is inflexibility in thought and decision-making by those administering the process. This can result in the approval authority being overly risk-averse.

5. There is an intimate link between the Growth Plan prescriptions and the planning decisions to be made by the municipalities. The question to be answered is how much flexibility can be incorporated into the municipalities' exercise of their approval authority without the Growth Plan being irrelevant and still allow municipalities to make good planning decisions.

6. The municipalities are at the centre of the vortex created by the province and third party agencies at one end and the public at the other end. Municipalities are trying to cope with all of the complex challenges and must therefore adopt good planning practices to deal with this complexity. The municipal professionals should be less isolated and work to integrate planning policy and social, environmental and technical professionals into the process.

7. The issues are driving the process. One area of significant interest is in the area of hydrology and hydrogeology where the Grand River Conservation Authority, the Region and the Area Municipalities have important management and regulatory mandates. There needs to be serious municipal and agency discussion regarding the role and responsibility of the GRCA to recognize its special place in the development application review process.

8. In the new Regional Official Plan, there is an expressed willingness by the Region to consider changes in the process in a consultative manner in order to improve efficiency and effectiveness. This is as far as the Region and the Area Municipalities need to go to remake the development application review process.

9. There is merit in having all of the municipalities start to discuss and agree upon the appropriate approval authority model for the next planning era. The model should be based on the fundamental test of what public process will protect the interests of the
Region and the Area Municipalities. There is time to debate the model since it is expected that any delegation of approval authority should take place after the Regional Official Plan is in effect and the Area Municipalities have amended their official plans to conform with the Growth Plan and the Regional Official Plan. All of the municipalities should collaborate in determining their roles and responsibilities. When the approval authority model is decided upon, the details of the development application review process should be settled.

10. Regardless of the model that is selected, there are three fundamental precepts that capture the essence of the significant issues discussed in this review. Any resolution arising from this review should ensure that any approval authority is accountable, collaborative and transparent when undertaking the development application review process. The report suggests that every municipality should meet these three tests if it is to effectively and efficiently carry out any assigned and delegated approval authority responsibilities.

To streamline the municipal and agency procedures, it is expected that for each significant development application, the approval authority should use the technique of a team approach. In order to test the efficiency and effectiveness of this approach, the Region as an approval authority should undertake a demonstration project as part of the discussion of this review.

December 23, 2009
### Attachment 4 - Existing Delegation of Planning Act Approvals in Two Tier Municipalities in Ontario

<table>
<thead>
<tr>
<th>Upper Tier</th>
<th>Delegations to Lower Tier Municipalities</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Durham Region</td>
<td>Partial</td>
<td>Partial Delegation to urban municipalities, not Townships (Brock, Scugog and Uxbridge)</td>
</tr>
<tr>
<td>Niagara Region</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Halton Region</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Peel Region</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>York Region</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>County of Simcoe</td>
<td>Partial</td>
<td>No delegation to Town of Innisfil, Township of Severn, Township of Springwater and Township of Tiny</td>
</tr>
<tr>
<td>District of Muskoka</td>
<td>Partial</td>
<td>The Towns of Huntsville, Gravenhurst and Bracebridge, and the Township of Muskoka Lakes have recently decided not to assume delegation.</td>
</tr>
<tr>
<td>Waterloo Region</td>
<td>Partial</td>
<td>Delegation to City of Kitchener; No delegation to Cities of Waterloo or Cambridge, or Townships</td>
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</table>
**Attachment 5 - Key Elements of Arrangements Supporting the Delegation of Planning Act Approvals in Other Two Tier Municipalities in Ontario**

<table>
<thead>
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<th>Criteria</th>
<th>Peel</th>
<th>Durham</th>
<th>York</th>
<th>Halton</th>
<th>Niagara</th>
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<th>Muskoka</th>
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<td>Assigned appropriate file number</td>
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<td>Common application form</td>
<td>Yes</td>
<td>Yes</td>
<td></td>
<td>Yes</td>
<td></td>
<td>Yes</td>
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</tr>
<tr>
<td>Region sent all notices of applications, decisions, appeals (O.Reg 44/06)</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Fee collection</td>
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<td>Yes</td>
<td></td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<td>Conformity to Regional/ County/ District Plan (Planning Act 51(24))</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<td>Regional and Provincial interests addressed (Planning Act 51(24))</td>
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<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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</tr>
<tr>
<td>Review of delegation (1-5 years)</td>
<td>Yes</td>
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<td>Annual report</td>
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<tr>
<td>Enter into MOU</td>
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<td></td>
<td></td>
<td></td>
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<td>Revocation clause (Planning Act (51(15))</td>
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Region of Waterloo
Planning, Development and Legislative Services
Community Planning

To: Chair Tom Galloway and Members of the Planning and Works Committee
Date: February 23, 2016
File Code: D10-40
Subject: King-Victoria Multi-Modal Transit Hub Update

Recommendation:

That the Regional Municipality of Waterloo endorse the recommended direction described in Report No. PDL-CPL-16-14, dated February 23, 2016, as the basis for advancing the development of the King-Victoria Multi-modal Transit Hub, subject to the receipt of senior level government funding, and including:

a) Holding a Public Information Centre to update residents and adjacent land owners on the King-Victoria Multi-modal Transit Hub project, including feedback on the Waterloo Street pedestrian access options, and invite the City of Kitchener to co-host and provide updates on associated planning initiatives;

b) Retaining Ontario Infrastructure and Lands Corporation (Infrastructure Ontario) to act as the Procurement Advisor for the construction of the King-Victoria Multi-modal Transit Hub project, on terms satisfactory to the Regional Solicitor, to an upset fee limit of $305,000 plus applicable taxes, and authorize the Commissioner of Planning, Development and Legislative Services and the Chief Financial Officer to enter into agreements with associated advisors, including Legal, Fairness and Design/Engineering services;

c) Amending the Region’s 2016-2025 capital budget and forecast to include the King Victoria Multi-Modal Transit Hub as set out in Attachment 2 to this report, and reflecting the Region’s intention to fund that portion of the King-Victoria Multi-modal Transit Hub project related to meeting the increased need for service arising from development, including any excess capacity related to meeting that need by development charges; and
d) Formally pursuing funding opportunities from a variety of sources, including the Greater Toronto Transportation Authority (Metrolinx), VIA Rail, and the Federal and Provincial governments.

Summary:

Between 2008 and 2013, the Region of Waterloo assembled approximately 1.6 hectares (4 acres) of land located at and near the intersection of King and Victoria Streets in Kitchener to develop a multi-modal transportation hub (Transit Hub). The Transit Hub is expected to be an iconic focal point for higher order transit service in Waterloo Region, connecting passengers seamlessly through the co-location of ION LRT, GO Transit (rail and bus service), intercity bus and GRT. The Transit Hub is also expected to generate ION ridership by serving as an anchor development along the Central Transit Corridor (CTC) with transit station functions integrated with a mixed-use destination.

In February 2015, the Region secured Infrastructure Ontario (IO) and Deloitte as the procurement and financial advisors to help the Region determine the best approach for developing the Transit Hub lands. The Transit Hub Steering Committee, which includes Chair Seiling and Councillors Galloway, Lorentz, Strickland and Vrbanovic, considered several recommendations and unanimously endorsed the following approach for Regional Council consideration:

1. That the Transit Hub infrastructure be divided into two integrated delivery streams (on-site and off-site) and that development responsibility be allocated to the most appropriate parties. On-site infrastructure refers to Transit Hub components on the Regionally owned Transit Hub lands, while off-site infrastructure refers to those Transit Hub components in the Metrolinx rail corridor;
2. That the off-site transit infrastructure be delivered as part of a traditional Design/Bid/Build process in partnership with Metrolinx;
3. That the preferred real estate transaction structure is the Direct Disposition (fee simple sale) of the Transit Hub lands to a master developer, subject to specific design and construction obligations. The master developer would be responsible for the integrated design and delivery of the on-site transit infrastructure and mixed-use development;
4. That the Region consider advancing funding for the on-site transit infrastructure as a means to ensure the timing of construction; and
5. That, subject to securing adequate cost-shared funding, the Region proceed with a Request For Qualification and Request For Proposal process to select a master developer to construct the on-site Transit Hub infrastructure and mixed-use development.

An important component of the project is a pedestrian connection envisioned for Waterloo Street. The Steering Committee reviewed and recommends that a pedestrian
overpass be considered as an additional option for the Waterloo Street pedestrian connection. Conceptually, the overpass would be an enclosed bridge with lighting that could also be an architectural feature of the Transit Hub. To consider this option, additional consultation is required with Metrolinx, the City of Kitchener and the community. To date, only an underground pedestrian access has been discussed. Staff recommend holding an additional Public Information Centre to update the broader community on the Transit Hub project.

Infrastructure Ontario is the Region’s procurement advisor for ION Rapid Transit and they have been providing considerable value to the Transit Hub Steering Committee. Their coordination with Deloitte has been effective and their recommendations to date have been helpful and innovative. As a crown corporation, IO’s participation requires a request from the Region and a Letter of Direction from the Minister of Infrastructure. Staff recommends Regional Council retain IO as the Region’s Procurement Advisor for the remainder of the Transit Hub project as well.

Throughout the procurement process, the Region would retain final approval authority for all decision making and staff would report to Regional Council to seek formal direction throughout the process.

The Transit Hub aligns with many important Provincial, Regional and Area Municipal objectives, including satisfying the need for new transit facilities, providing greater convenience for transit customers, improving employee access to downtown Kitchener, and demonstrating excellence in urban design. The Transit Hub is also a key element of the Region’s effort to connect companies and employees along the Toronto-Waterloo technology corridor and is expected to be a catalyst for the further growth and intensification of downtown Kitchener.

The projected cost of the Transit Hub project is $43 million ($36.7 million in 2016 dollars), including the on- and off-site transit components, procurement costs, and 100 parking spaces for transit riders.

The planned mixed-use development will create opportunities for incremental property tax from the residences and offices located on the site. The Region could gain between $30 million to $41 million in property taxes over 30 years, depending on the density and mix of uses on site. It is recommended that the 2016-2025 capital program be amended to include $31.6 million in 2016 dollars (which is equivalent to $36.2 million in nominal dollars) for the Transit Hub, which is the capital requirement expected within the 10 year time frame of the 2016 – 2025 capital program. The Region will seek funding for the project from a variety of sources, including Metrolinx, VIA Rail and the Federal and Provincial governments.

Report:

Between 2008 and 2013, the Region of Waterloo assembled approximately 1.6
hectares (4 acres) of land located at and near the intersection of King and Victoria Streets in Kitchener to develop a multi-modal transportation hub (Transit Hub). To date, the Region has completed the required Environmental Assessments, a Preliminary Site Design, Heritage Impact Assessment, Urban Design Brief and a Market Scoping and Sounding Analysis. In addition, the Region received approval from the City of Kitchener for Official Plan and Zoning By-law amendments that provide for up to approximately one million square feet of associated development, with a broad range of possible residential, office and commercial uses. These Official Plan and Zoning By-law amendments are now in force and effect.

The Region has identified three primary goals for the Transit Hub:

1. Provide a centralized transportation facility with infrastructure that delivers seamless connections between walking, cycling, ION LRT, inter-city bus services, GO and VIA Rail service, as well as GRT buses;

2. Develop a high-density, transit-oriented development with residential, office and retail uses, fully integrated with the proposed transit-related infrastructure; and

3. Leverage the development of the entire Transit Hub site to reduce the Region’s overall infrastructure costs.

**Project Description**

The Transit Hub is expected to be a focal point for higher order transit service in Waterloo Region, connecting passengers seamlessly through the co-location of ION LRT, GO Transit (rail and bus service), intercity bus and GRT. The Transit Hub is also expected to generate ION ridership as an anchor development along the Central Transit Corridor (CTC) with transit station functions integrated with a mixed-use destination.

The City of Kitchener approved Official Plan and Zoning By-law applications made by the Region to permit a broad range of land uses at higher densities, with transit-supportive parking requirements. These zoning provisions will enable a future developer to adapt the site plan to respond to dynamic market conditions. Subject to available funding, the Region is also interested in working with the master developer to integrate affordable housing with any residential component of the mixed-use development.

The GRT routes planned to connect with ION at the Transit Hub currently connect at the Charles Street Terminal, which is the main transfer node for GRT services in Kitchener. The Charles Street Terminal also serves as the intercity bus terminal for Kitchener and Waterloo, with regularly scheduled services provided by GO Transit, Greyhound and Coach Canada, as well as chartered bus service by other smaller companies. GRT plans to reconfigure its bus network around ION and phase out the Charles Street Terminal by 2019. As GRT expands over time, it is anticipated that the GRT feeder service changes will increase the number of buses connecting through the intersection of King and Victoria Streets. To ensure seamless connections between local transit
service and intercity coach services, it is necessary to facilitate the relocation of GO Transit, Greyhound and Coach Canada to the Transit Hub.

In addition to intercity and GRT bus service connections at the Transit Hub, passenger rail service is currently provided at the Kitchener GO Station (approximately 800 metres from the Central Station – Innovation District ION Stop). VIA Rail currently operates two trains in each direction through Kitchener Station, one between Toronto and London and one between Toronto and Sarnia via London. GO Transit introduced regional rail service to Toronto from Kitchener Station via Georgetown and Brampton in December 2011. GO Transit currently operates two trains from Kitchener to Toronto in the morning and two trains from Toronto to Kitchener in the afternoon, with additional service planned in the coming years. To facilitate passenger transfers between passenger rail and ION LRT, it is essential to relocate the Kitchener Train Station Platforms to the Transit Hub to further reduce walking distances. The existing GO/VIA Station is federally designated under the Heritage Railway Stations Protection Act.

The Region has developed conceptual site plans to demonstrate how the Transit Hub functions could be integrated with the private mixed-use development. In consultation with real estate experts at Cushman & Wakefield, different development scenarios were also created to test the marketability of the site and to demonstrate to residents what the permitted uses and density could look like. A conceptual overview of the key elements of the Transit Hub is provided in Attachment 1.

Please note that the land-uses and ultimate density of the mixed-use development are unknown at this time. The design of the Transit Hub is conceptual and would be expected to evolve once the Region selects a developer through a Request for Proposal process in 2016/2017.

**Transit Hub Steering Committee Recommendations**

In February 2015, the Region began working with IO and Deloitte to establish a recommended approach for developing the Transit Hub lands, incorporating both transit infrastructure and the mixed-use development. IO and Deloitte also identified the steps and timelines required to bring the Transit Hub project to the development stage. The Transit Hub Steering Committee, which includes Chair Seiling and Councillors Galloway, Lorentz, Strickland and Vrbanovic, considered several recommendations and unanimously endorsed the following for Regional Council consideration.

1. **Divide the Transit Hub infrastructure into two integrated delivery streams and allocate development responsibility to the most appropriate parties.** The first stream would include off-site transit infrastructure in the Metrolinx rail corridor. These off-site components include:
   - The GO/VIA Rail platform and canopy;
   - Waterloo Street pedestrian access (Overpass or Underpass concept);
- A multi-use trail connection over King Street, parallel to the GO and VIA Rail platform; and
- The south access located by the UW School of Pharmacy, connecting the southbound ION stop with the GO and VIA Rail platform and the multi-use trail.

Removing the off-site components and associated unknowns from the developer’s scope of work is expected to enhance the competitive process. The off-site infrastructure would be built on lands owned by Metrolinx and would be expected to be implemented through an alternative agreement/contract.

The second stream would include the on-site transit infrastructure on the Regionally owned Transit Hub site. The on-site components include:

- The Transit Hall plus 100 parking spaces for transit passengers;
- A Public Square and Transit Plaza (“Plazas”);
- The Victoria Street Bus Loop and Bus Bays; and
- Passenger Pick-Up and Drop-off.

The on-site infrastructure should be integrated with the mixed-use development and, therefore should be included in the developer’s obligations to optimize design and construction efficiency. Due to the integrated nature of the on-site transit infrastructure with the overall mixed-use development, the entity that builds the mixed-use development should be the same entity that constructs the on-site transit components and be responsible for the integrated design of the site. This entity is described as the master developer in the remainder of the report. Please see Attachment 1 – Overview of On-site and Off-site Transit Related Components.

2. **Deliver the off-site transit infrastructure as part of a traditional Design/Bid/Build (DBB) process.** In a DBB arrangement, which is the typical process used by municipalities for tendering civil and public works projects, the Region and/or Metrolinx would collaborate on the design and tendering of the off-site Transit Hub infrastructure. The DBB process is well-suited for constructing transit-related components in the rail corridor, where transit authorities require a greater degree of control over design and direct supervision of the general contractor. Metrolinx has very specific requirements for the off-site components, which limit the potential for design innovation and risk transfer through an Alternative Procurement and Financing (P3) process. Further, based on current estimates, the construction costs of the off-site transit infrastructure is not expected to meet the minimum expenditure level required for most P3 processes.

3. **Identify Direct Disposition (fee simple sale) of the Transit Hub site as the preferred real estate transaction structure, subject to specific design and construction obligations.** Direct Disposition is the real estate transaction structure most marketable to the widest number of developers. It is also the structure most
likely to maximize the total proceeds of the sale, while providing the greatest certainty regarding the amount and timing of those proceeds.

The Steering Committee considered several real estate transaction structures, including Direct Disposition and ground lease arrangements. To meet the Region’s objectives using Direct Disposition, the master developer would be required to enter into an agreement of purchase and sale, with specific design and construction obligations for the on-site transit infrastructure. This option does not provide ongoing revenue for the Region, but it is expected to result in better bids as they relate to the sale of the land, delivery of the on-site transit infrastructure, and the construction of the mixed-use development. Comparatively, in ground lease arrangements, the Region would retain ownership of the Transit Hub lands and a long-term lease with a master developer would be required to achieve the mixed-use development. These arrangements are known to restrict some land uses. For example, residential condominiums have not generally proven to be commercially viable in Canada in the context of a ground lease.

In addition to construction of the on-site infrastructure, important considerations for the agreement of purchase and sale for the Transit Hub lands include the expeditious development of the entire site, high quality and pedestrian focused urban design, and energy efficiency. If the master developer fails to fulfill its contractual obligations, a repurchasing option could also be incorporated into the agreement of purchase and sale and associated contracts.

4. Consider upfront funding as a means to ensure the timing of the construction of the on-site transit infrastructure. From a market perspective, a way to influence the value of the Transit Hub lands is to permit the master developer to build when there is sufficient market demand for the mixed-use development and to have no deadline for construction. Alternatively, the Region could financially and physically separate the transit infrastructure from the mixed-use development and impose timing requirements on the construction of the transit components. However, this could reduce the potential density and value of the site, and may not achieve the integration objective of the Region.

The goal of the Steering Committee was to design a transaction structure to deliver on the Region’s objectives and market expectations. Unique components of the transaction structure include dividing the transit infrastructure into two delivery streams (on- and off-site), and delivering the off-site infrastructure using a DBB process. To test these plans, IO and Deloitte completed interviews with a sample of residential and mixed-use developers, and private equity investment firms.

Following these interviews, the Steering Committee reviewed the key findings and how the Region’s financial, physical integration, and scheduling objectives could be achieved based on this feedback. The Steering Committee viewed schedule certainty and the physical integration as critical to the success of the project. To
achieve these objectives, three potential options for the transaction structure were considered (please see Figure 1).

Figure 1 – Transaction Structure Options Assessment Summary

<table>
<thead>
<tr>
<th>Option</th>
<th>Description</th>
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<tbody>
<tr>
<td>Option A: Mixed-use site development with phased integration of transit components</td>
<td>Master developer builds the Transit Hub in phases with a high degree of integration as the market demands. Timing of the on-site transit infrastructure is uncertain and largely dependent on the developer’s decisions on land uses and market absorption.</td>
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<tr>
<td>Option B (preferred): Mixed-use site development with schedule-certain delivery of transit components</td>
<td>Master developer builds the Transit Hub in phases with timing imposed by the Region for the delivery of on-site transit infrastructure. Having a single master developer ensures an integrated design that permits increasing densities as market demands. To achieve timing certainty, upfront funding from the Region would be required for the transit infrastructure, but land value is improved.</td>
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<tr>
<td>Option C: Partial mixed-use site development with transit components delivered separately by Region</td>
<td>Site is physically divided to allow the on-site transit infrastructure to be built separately from the mixed-use development. There would be no integrated design and the Region would be responsible for funding and building the on-site infrastructure. The remaining parcel(s) would be sold at market rates.</td>
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IO and Deloitte undertook a qualitative evaluation of the three options and their respective benefits and risks. The result of their evaluation, and further discussions with the Steering Committee, indicated that Option B is the preferred transaction structure. In this structure, a master developer purchases the site, develops an integrated design, builds the on-site transit infrastructure by a specific date, and ultimately delivers a mixed-use development as the market demands. The Region and/or Metrolinx separately builds the off-site transit infrastructure. The key benefits of this approach are schedule certainty and integrated design. The separation of transit-related infrastructure costs reduces risk to the private sector, while retaining both density potential and land value.

5. **Proceed with an RFQ/RFP process to select a master developer to construct the mixed-use development and on-site Transit Hub infrastructure.** Three
transaction process options were considered for implementing the Transit Hub, including:

A RFQ/RFP, which is often used to deliver public infrastructure to specific design requirements. The capabilities of potential master developers are evaluated first, followed by the detailed evaluation of their project designs;

B An Offering Memorandum, which can be used when public infrastructure requirements are more flexible. It is a streamlined process, where the capabilities of potential master developers are evaluated but detailed designs are not required; and

C A Broker Led Sale, which can be used to dispose of municipal properties when there are no long-term requirements for the site.

Given the complexity of the transit infrastructure components, an RFQ/RFP process is considered the most suitable approach to ensure the site is developed in a manner consistent with the Region’s objectives. In addition, given the complexity and scale of developing the Transit Hub site, and the nature of the work involved in responding to an RFQ/RFP, the opportunity is expected to attract larger developers with a national presence, or a consortium of smaller and/or local developers as the master developer.

The recommendation to proceed with an RFQ/RFP process is premised on the following key assumptions:

a) The Region places greater importance on the timing and design of the Transit Hub infrastructure than other objectives;

b) It is a Region objective/requirement that the on-site Transit Hub infrastructure is constructed in a manner that is fully integrated, both in terms of design, function and physical interface, with other land uses to be located on the site;

c) The Region is able to define physical and functional design requirements and criteria for the Transit Hub infrastructure, but is willing to provide flexibility to prospective development partners regarding the site layout and detailed design for the purposes of submitting development proposals;

d) The Region’s requirement with respect to schedule certainty can be limited to the construction of the Transit Hall, Plazas and customer parking for the purposes of what prospective development partners might propose in terms of phasing; and

e) The Region’s recognition that market conditions change and are willing to provide prospective development partners with flexibility regarding scale and land-use mix.

Project Rationale and Key Benefits

The goal of developing the Transit Hub aligns with many important provincial, Regional and Area Municipal objectives. It is also intended to drive broad community and
municipal benefits beyond satisfying the need for new transit facilities and providing greater convenience for transit customers. The proposed location of transit uses, together with other uses at the site, will:

- Support intensification and the Region’s implementation of the Official Plan and Growth Plan for the Greater Golden Horseshoe;
- Improve transit access to downtown Kitchener;
- Enhance the attractiveness of the area for employers;
- Capitalize on opportunities for complementary retail and civic uses;
- Create opportunities for unique public and civic spaces; and
- Serve as a catalyst for the further growth and intensification of downtown Kitchener.

The Region assessed the community, economic, environmental and financial benefits associated with the Transit Hub, which show the strong rationale for the project. These benefits are summarized below.

- **Community Benefits** - The Transit Hub will bring together a high volume of transit passengers and improve the convenience of public transportation in Waterloo Region. The combination of the uses with a mixed-use development is expected to create opportunities for public art, retail shops, offices and residences, all of which contribute to a vibrant downtown Kitchener and a successful ION corridor.

- **Economic Benefits** – The Transit Hub is expected to create a new customer base of office tenants, residents and commuters. It will promote continued residential development in downtown Kitchener and support retail business activities. In addition, the improved transit connectivity and convenience of the Transit Hub is expected to improve the attractiveness of office, commercial and institutional spaces in the Innovation District, and attract employees from a wider geographical area. The Transit Hub is part of the Region’s effort to connect companies and employees along the Toronto-Waterloo technology corridor.

- **Environmental Benefits** – The co-location of transit uses with a mixed-use development will support transit use in downtown Kitchener. In addition, higher densities are known to promote walking and cycling. In combination with improved transit service, the Transit Hub is expected to help reduce the Region’s dependency on automobile transportation, and in turn reduce greenhouse gas emissions and energy consumption.

- **Financial Benefits** – The planned mixed-use development will create opportunities for incremental property tax from the residences and offices located on the site. Based on two different development scenarios, Cushman & Wakefield attempted to quantify the potential 30-year property tax benefit of the Transit Hub. Their analysis concluded that, depending on the density and mix of uses, the Region could gain between $30 million and $41 million in property
taxes on the site. The sale of mixed-use development rights will also offset the Region's capital outlay for new transit infrastructure. This new infrastructure is expected to accommodate significant transit ridership growth over the medium to long term.

Waterloo Street Access

The Region commissioned IBI Group in 2013 to prepare a Preliminary Site Design and Station Area Access Plan to develop a conceptual site plan of the Transit Hub, integrating a mixed-use development with the planned Transit Hub infrastructure. Based on this conceptual site plan (and a Supplemental Design Package prepared by IBI in October 2015), IO and Deloitte analyzed each element of the transit-related infrastructure based on its location, and construction and operational requirements.

The Preliminary Site Design identified existing and future walking, cycling, transit and driving routes to and through the Transit Hub station area. To shorten walking distances and to animate the surrounding streets, the main building entrances were identified as facing King and Victoria Streets. Additional active transportation connections were also envisioned for Waterloo Street, and from Duke Street and the Bramm Yards via a multi-use trail over King Street. The purpose of the Waterloo Street connection was to reduce walking distances for people living and working north of the Metrolinx rail corridor.

To maintain truck access to Breithaupt Block, and to avoid moving significant underground infrastructure in Waterloo Street, the Preliminary Site Design identified a 4 to 5-metre wide concrete pedestrian underpass as being a possible solution for the Waterloo Street pedestrian connection. The entrance feature would require an elevator and stairs (with side running ramp for dismounted cyclists) to provide access from the Waterloo Street grade to the Victoria Street level.

The Steering Committee recommends that a pedestrian overpass now also be considered as an option for the Waterloo Street pedestrian connection. Conceptually, the overpass would be an enclosed bridge with lighting that could also be an architectural feature of the Transit Hub. To consider this option, additional consultation is required with Metrolinx, the City of Kitchener and the community. Staff recommend holding an additional Public Information Centre to update the broader community on the Transit Hub project, including the Waterloo Street access.

Following these consultations and public meeting, the preferred alternative for Waterloo Street could be included in the proposed RFP documents.

Parking

The City of Kitchener has approved transit-supportive parking rates for the Transit Hub. As a downtown GO Station, transit, walking and cycling will be available options for riders. However, 100 parking spaces are also proposed on-site once the Transit Hub is constructed. Parking off-site may need to be provided as well. The City of Kitchener is
developing a Downtown Parking Master Plan that is evaluating parking options for the Innovation District. Through this plan, parking in the Innovation District can be strategically used to support further intensification and transit ridership. Parking options along the ION corridor may also reduce demand in the Innovation District, as some commuters choose to park and then ride into downtown Kitchener from other locations in Cambridge, Kitchener and Waterloo.

Currently, free parking is provided on the Transit Hub lands for transit riders arriving before 7 a.m. GRT also provides a fare discount to GO train riders taking GRT to or from the GO Station. The discount fare is 50 cents and GO reimburses GRT up to the value of an adult ticket.

Selecting a Procurement Advisor

IO is the Region’s procurement advisor for ION Rapid Transit and they are providing considerable value to the Steering Committee and the Transit Hub project. Their coordination with Deloitte has been effective and their recommendations to date have been helpful and innovative. Staff discussions with IO have confirmed their interest in being the procurement advisor for the Transit Hub. As a crown corporation, IO’s participation requires a request from the Region and a Letter of Direction from the Minister of Infrastructure.

IO has procured many Provincial and municipal projects, and have experience implementing real estate processes, similar to what is being considered for the Transit Hub. The team at IO has experience managing complex land dispositions with development obligations beyond a typical disposition. One such example is the sale of River City development lands, located in Toronto’s West Don Lands district, which IO conducted on behalf of the Province and Waterfront Toronto. The disposition included a development agreement, containing provisions to ensure that Waterfront Toronto’s design and functional requirements were met. IO is also advising on a complex transaction involving the integration of transit infrastructure with real estate development. This multi-modal hub, located in Port Credit, Ontario, will involve the disposition of a land parcel to a private sector partner for high density development, with obligations to construct transit facilities, including a rail station and parking structure. In each case, IO leverages its knowledge of both public and private sector to customize the process to the needs of the client.

IO estimates an upset fee limit of $305,000 excluding taxes to support the RFQ and RFP process, including the document development stage, managing the RFP launch and the evaluation process. Staff recommends Regional Council retain IO as the Region’s Procurement Advisor for the remainder of the Transit Hub project. The Region would be responsible for selecting additional third party advisors in the coming months, including Legal, Design and Engineering, and Fairness services.

Throughout the procurement process, the Region would retain final approval authority
for all decision making and staff would report to Regional Council to seek formal
direction throughout the process.

Area Municipal Consultation/Coordination

City of Kitchener staff has been regularly consulted over the course of this project. In
addition, both City of Kitchener staff and a City of Kitchener Councillor were past
members of the Steering Committee during the planning and feasibility stage of the
project. City staff continues to be involved in discussions regarding Transit Hub design
and parking, Waterloo Street pedestrian access, as well as the planned public plazas.
Further, the City of Kitchener has included the Region in discussions on long-term
parking solutions for the broader Innovation District. All Area Municipalities were also
provided with a copy of this report.

Corporate Strategic Plan:

The implementation of the King-Victoria Multi-modal Transit Hub supports the Thriving
Economy, Sustainable Transportation, and Environment and Sustainable Growth focus
areas in the 2015-2018 Strategic Plan by: attracting new employers and investments
(Objective 1.1); planning for and providing the infrastructure and services necessary for
economic success (Objective 1.2); enhancing arts and heritage opportunities for
residents and visitors (Objective 1.3); creating an integrated, accessible, affordable and
sustainable transportation network (Objective 2.1); improving inter-city rail transportation
services (Objective 2.2); and improving environmental sustainability and livability in
intensifying urban settlement areas (Objective 3.6).

Financial Implications:

Capital Costs

The 2016 capital program provides $660,000 from the Capital Levy Reserve Fund and
in year property tax revenues for the continued planning of the Transit Hub. The project
capital costs in this section are stated in nominal dollars, which means they are
escalated based on inflation assumptions to the year of construction; the 2016 capital
costs are included in brackets. For budgeting purposes, the 2016 numbers would be
used to update the 2016 – 2025 capital budget forecast. For budgeting purposes, it is
assumed that construction of the Transit Hub begins in 2019, but the land may be
available as early as late 2017. A second phase of construction is assumed for 2025,
but could be accelerated to an earlier date depending on available funding to achieve
full buildout of the on- and off-site infrastructure by 2021/2022.

The projected cost of the Transit Hub project is $43 million ($36.7 million in 2016
dollars), including the on- and off-site transit components, procurement costs, and 100
parking spaces for transit riders.

Staff will pursue funding for the project from a variety of source, including Metrolinx, VIA
Rail and the Federal and Provincial governments. The Region will pursue the Federal and Provincial funding for this project as part of a larger package of transit expansion and enhancement projects, to totaling approximately $150 million. For the purposes of the recommended changes to the 2016-2025 capital program, staff have assumed the Region will finance up to one-third of the project costs through the issuance of long-term debt. The resulting debt servicing costs would be funded by a combination of property taxes and development charges.

In order to include the costs associated with the Transit Hub in the upcoming Regional Development Charge Background Study, the Region’s 2016 – 2025 capital program must be amended to include this project. Inclusion of the Transit Hub in the capital budget indicates Region Council’s intent to undertake these works, which is a requirement of the Development Charges Act. Staff also recommend that Council indicate its intent to recover the growth-related portion of the project from development charges, hence recommendation “e”. The amount of development charge funding will be determined through the Background Study to be undertaken this year.

As set out in Attachment 2 to this report, the 2016 – 2025 capital program will be amended to show the Region’s contribution being financed through the issuance of debentures. When the amount of RDC funding is known, the funding will be adjusted in future years’ capital budgets.

Operating Costs

The operational funding requirement for the Transit Hub has been estimated as approximately $900,000 for Operation and Maintenance (O&M) costs, $400,000 for lifecycle costs, and $2.6 million to service the debt incurred based on the capital financing requirement (at the point in time when all transit-related components are in their operational period, assumed to be 2027). Potential offsetting savings available to the Region include the Charles Street Terminal O&M savings (approximately $1 million annually) post 2019.

Other Department Consultations/Concurrence:

Staff from Corporate Services and Transportation and Environmental Services has been consulted in the preparation of this report.

Attachments:

Attachment 1 - Overview of On-site and Off-site Transit Related Components
Attachment 2 – Amendments to 2016 – 2025 Capital Program

Prepared By: John Hill, Acting Manager of Development, Reurbanization
Approved By: Rob Horne, Commissioner, Planning, Development and Legislative Services
Attachment 1 – Overview of On-site and Off-site Transit Related Components

Victoria Street Level (Concept Only)
Rail Platform Level (Concept Only)

- **Transit Hall Elevator/ Stairs**
- **GO/Via Rail Platform & Canopy**
- **Multi-Use Trail**
- **South Entrance Access**
- **Public Square / Transit Plaza**
- **Transit Passenger Pick-up / Drop-off**
## Attachment 2 – Amendments to 2016 - 2025 Capital Program

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</tr>
<tr>
<td>Federal Grant/Subsidy</td>
<td></td>
<td></td>
<td>2,482</td>
<td>4,964</td>
<td>2,482</td>
<td>493</td>
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<tr>
<td>Provincial Grant/Subsidy</td>
<td></td>
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<td>2,482</td>
<td>4,964</td>
<td>2,482</td>
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<td><strong>Total Funding</strong></td>
<td>340</td>
<td>-</td>
<td>7,446</td>
<td>14,892</td>
<td>7,446</td>
<td>1,479</td>
</tr>
<tr>
<td>Meeting date</td>
<td>Requestor</td>
<td>Request</td>
<td>Assigned Department</td>
<td>Anticipated Response Date</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-------------</td>
<td>------------</td>
<td>-----------------------------------------------------------</td>
<td>---------------------</td>
<td>--------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>08-Dec-15</td>
<td>G. Lorentz</td>
<td>Report on Construction Updates</td>
<td>TES</td>
<td>Feb-2016</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Region of Waterloo
Transportation and Environmental Services
Transit Services
Corporate Services
Financial Services & Development Financing

To: Chair Tom Galloway and Members of the Planning and Works Committee

Date: February 23, 2016   File Code: D28-01

Subject: Conestoga College U-Pass

Recommendation:
For Direction

Summary:
Nil

Report:
The approved 2016 Regional Budget included a package of transit service improvements in order to accommodate projected increase in student ridership demand resulting from a U-Pass program to be implemented at Conestoga College. The implementation of a U-Pass program required majority student approval through a referendum. The approved Budget Issue Paper (attached Appendix “A”) had a tax levy impact in 2016 of $339,000.

Recently, the U-Pass student referendum was undertaken at Conestoga College with a voter turnout of 31% (3,730 students). Of the votes cast, 1,591 (42.7%) were in favour of the U-Pass program while 2,139 (57.3%) were opposed.
In discussions with student representatives after the referendum, the consensus was that a large number of the “no” vote were students who currently drive to campus and did not see any value in the U-Pass. These students currently pay $492 for a two semester parking permit and did not want to incur the additional annual U-Pass cost of $245 ($240 GRT price + $5 student administration fee).

It also appears that many existing student transit riders did not participate in the referendum. There are approximately 3,000 students daily who use transit to go to and from Conestoga College while the “yes” vote was just under 1,600. The proposed U-Pass would have provided significant cost savings to existing student transit riders. For example, the regular price of the Conestoga College semester pass is $267. The semester pass is currently discounted 15% or $40 through the Transit Supportive Strategies for Cambridge program. The 15% discount on Conestoga College semester passes was approved as a three year program and expires September 2016 after which the new price for the four-month semester pass will be $280. In comparison the price of the U-Pass would have been $245 which would allow unlimited travel on a twelve-month basis. The cost to purchase three semester passes for twelve-months of travel will cost $845 effective September 2016.

While disappointed that the U-Pass was not supported by Conestoga College students, staff and student representatives agree that discussions should continue with the potential for a U-Pass program to be implemented September 2017. The student association constitution allows a repeat referendum on the same issue to be undertaken one year after the previous one.

**Options for Council's Consideration**

Given the results of the referendum, there are three options relating to the 2016 Budget available for Council's consideration. These are described below.

a) The 2016 Budget would remain as approved on January 13, 2016 and the $339,000 property tax savings would form part of the Region’s 2016 year end financial position. The nine buses set out in the issue paper would not be purchased and the proposed debentures relating to these nine buses would not be issued.

b) The 2016 Budget would remain as approved on January 13, 2016, but the $339,000 property tax savings would be transferred to the GRT Bus Replacement Reserve to reduce debenture requirements in 2017. There are 30 buses to be replaced in 2017 at an estimated cost of $15 million, and it is estimated that roughly 50% of this cost will be debt financed. This approach would allow the Region to reduce borrowing requirements in 2017 and resulting debt servicing costs starting in 2018. The nine buses set out in the issue paper would not be purchased and the proposed debentures relating to these nine buses would not be issued.
c) The 2016 Budget would be amended to reduce the 2016 property tax levy by $339,000. The originally approved 2.96% average property tax increase would be reduced to a 2.89% increase, resulting in a $1.35 reduction to the average residential property tax bill. This reduction would be reflected in the three cities only, as urban conventional transit services are area-rated to Cambridge, Kitchener and Waterloo. The nine buses set out in the issue paper would not be purchased and the proposed debentures relating to these nine buses would not be issued.

2016 Capital Budget Amendment

Regardless of the option selected by Council, a motion to amend the 2016 Capital Budget should be passed as follows:

“THAT the 2016 Transit Services Capital Budget be decreased by $4.5 million to reflect the removal of nine (9) expansion buses.”

2016 Operating Budget Amendment

Options a) and b) above do not require an amendment to the 2016 Operating Budget levy. If option c) is approved, an amendment to the 2016 approved Tax Supported Operating Budget would be required to decrease the tax levy by $339,000. This change would trigger the need for a notice of motion for reconsideration. The motion for reconsideration could be given at any time; however final consent for the reconsideration may only be given by Council (and not Committee). Adequate notice of the reconsideration would need to be provided in accordance with the Regional’s Procedural By-law. Notice of the intent could be provided at the February 23rd Committee meeting (Planning and Works or Administration and Finance) or in writing to the Clerk’s office by February 24th, if the matter is to be deliberated at the March 2nd Council meeting. Council debate on the motion must be confined to reasons for or against the reopening of the budget and exclude discussion of particular options that may be considered once the budget debate is reopened.

If Council agrees to reconsider the budget, notice must be provided to the public about the reopening of the budget. This notice must be given in accordance with the Region’s Notice Policy. Changes to the budget (i.e. property tax levy) are deemed to be a major policy decision and accordingly, these changes would require a 21 day public notice period before “any amendment resulting in an adjustment to the levy” could be made. Further to the above scenario, notice to the public would need to be published on or before March 8, 2016 so this matter could be finalized at the Council meeting of March 30, 2016. Delegations by the public at a defined committee meeting or at Council would be allowed.
It is intended that the 2016 Regional tax ratios and tax rates will be set at the March 30, 2016 Council meeting, and as such this should be considered the latest date for a possible budget amendment.

**Amendment to Approved Staff Complement**

Regardless of the option selected by Council, the 10.5 permanent positions and 1.5 temporary positions approved as part of the Budget Issue Paper will be removed from the Region’s approved staff complement.

**Concluding Comment**

Staff support option b) above for the reasons set out in the report. As discussed during the 2016 budget process, the Region is heavily reliant on long term borrowing for bus replacements and is working towards replacing such borrowing with reserve funding. With thirty (30) buses to be replaced in 2017, transferring the $339,000 to the GRT Bus Replacement Reserve would reduce borrowing requirements in 2017 which would result in lower debt servicing costs in 2018.

**Corporate Strategic Plan:**

This report meets the 2015-2018 Corporate Strategic Plan objective to create a public transportation network that is integrated, accessible, affordable and sustainable.

**Financial Implications:**

The financial implications of the various options are set out in the body of the report, and will vary based on which of the options Council selects.

**Other Department Consultations/Concurrence:** Nil

**Attachments:**

Appendix “A” – 2016 Budget Issue paper for the Conestoga College U-Pass

**Prepared By:** Eric Gillespie, Director, Transit Services

Cathy Deschamps, Director of Financial Services and Development Financing

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

Craig Dyer, Commissioner, Corporate Services/Chief Financial Officer
Strategic Plan Focus Area 2  
Sustainable Transportation

**Strategic Objective**
Create a public transportation network that is integrated, accessible, affordable and sustainable.

**Brief Description of Request**

In March of this year, staff informed Council (PW Report TES-TRS-15-06) of the intent to reinitiate discussions with Conestoga College student representatives on the potential implementation of a U-Pass program in September 2016, subject to Council budget approval. Conestoga College student representatives have indicated strong support for a U-Pass program and are prepared to pay a higher fee than the existing University of Waterloo (UW) and Wilfrid Laurier University (WLU) U-Pass fee acknowledging that the peripheral location of the main Conestoga College and Cambridge Campuses requires proportionately more service than campuses in an urban location. The Conestoga College U-Pass would be priced at approximately $120 per semester which is approximately $35 higher than the 2016 price of $85.20 per semester for the UW and WLU U-Pass.

The proposed service improvements to existing routes required for the Conestoga College U-Pass include increased peak period frequency of service, additional evening and weekend service, and additional express trips to the Doon and Cambridge campuses. These service improvements will require approximately 14,000 annual service hours and 9 additional buses.

If this service is approved in January 2016 the estimated delivery time for the nine (9) expansion buses is December 2016. To operate this service between September and December 2016, some buses retired in 2015 are being kept and will be activated into regular service along with dedicating a few of the spare reserve buses to meet expected service needs. However, should ridership be greater than forecasted there may not be enough spare buses available to meet a significant ridership demand in September.
Justification/Rationale

The U-Pass program for Conestoga College students would provide all students affordable and convenient access to transit services. Greater student transit use reduces campus parking demand and traffic congestion, and supports the goals of the Regional Transportation Master Plan.

Based on student location information provided by Conestoga College, a service plan was developed to meet the projected increased student ridership demand. Implementation of the service plan will require an estimated 14,000 annual service hours and 9 additional buses as set out in the following table.

<table>
<thead>
<tr>
<th>Route</th>
<th>Service Proposal</th>
<th>Hours (est)</th>
<th>Annual Cost</th>
<th>Peak Buses</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>Increase frequency from 30 to 15 minutes during peak periods during Fall-Winter schedule</td>
<td>2,025</td>
<td>$184,090</td>
<td>1</td>
</tr>
<tr>
<td>110</td>
<td>Increase frequency from 30 to 15 minutes during the PM peak period during Fall-Winter schedule to match existing 15 min AM peak period service</td>
<td>722</td>
<td>$65,632</td>
<td>1</td>
</tr>
<tr>
<td>16</td>
<td>Increase frequency from 30 to 15 minutes during peak periods during Fall-Winter schedule</td>
<td>1,937</td>
<td>$176,086</td>
<td>2</td>
</tr>
<tr>
<td>61</td>
<td>Increase frequency from 30 to 15 minutes during peak periods during Fall-Winter schedule</td>
<td>2,061</td>
<td>$187,292</td>
<td>2</td>
</tr>
<tr>
<td>116</td>
<td>Increase frequency from 30 to 20 minutes during peak periods during Fall-Winter schedule</td>
<td>370</td>
<td>$33,616</td>
<td>1</td>
</tr>
<tr>
<td>111</td>
<td>Increase frequency from 40-45 to 20 minutes during peak periods during Fall-Winter schedule</td>
<td>1,198</td>
<td>$108,853</td>
<td>1</td>
</tr>
<tr>
<td>16</td>
<td>Add evening service on a 30 minute frequency until approx. 10:30pm year-round</td>
<td>1,984</td>
<td>$180,293</td>
<td>0</td>
</tr>
<tr>
<td>61</td>
<td>Add evening service on a 30 minute frequency until approx. 10:30pm year-round</td>
<td>2,210</td>
<td>$200,898</td>
<td>0</td>
</tr>
<tr>
<td>10</td>
<td>Increase frequency from 60 to 30 minutes during morning and evening periods Saturday year-round</td>
<td>382</td>
<td>$34,684</td>
<td>0</td>
</tr>
<tr>
<td>61</td>
<td>Add Saturday service on a 60 minute frequency between 10am and 6pm year-round</td>
<td>534</td>
<td>$48,557</td>
<td>0</td>
</tr>
<tr>
<td>Route</td>
<td>Service Proposal</td>
<td>Hours (est)</td>
<td>Annual Cost</td>
<td>Peak Buses</td>
</tr>
<tr>
<td>-------</td>
<td>-----------------------------------------------------------------------</td>
<td>-------------</td>
<td>-------------</td>
<td>------------</td>
</tr>
<tr>
<td>10</td>
<td>Increase frequency from 60 to 30 minutes during base period Sunday year-round</td>
<td>581</td>
<td>$52,805</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>14,004</td>
<td>$1,272,808</td>
<td>8 (+1 spare)</td>
</tr>
</tbody>
</table>

**Implications of Not Approving**

Without Council approval, the Conestoga College U-Pass program will not be implemented in 2016. Phasing in the service for the Conestoga College U-Pass Program was reviewed and considered inadequate since i) many Conestoga College students live at home when going to school and therefore have a very dispersed travel pattern requiring improvements to many routes and ii) student travel demand is very concentrated during the peak hours when most classes start and end so required peak service cannot be staged without experiencing significant overcrowding and potentially having to leave passengers waiting at a bus stop. This could result in a loss of confidence in the transit system and cancellation of the U-Pass program by Conestoga College students.

**Budget Requirements**

<table>
<thead>
<tr>
<th>Operating ($000s)</th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
<th>Annualized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Expenditure</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Staffing Costs</td>
<td>$311</td>
<td>$621</td>
<td>$(67)</td>
<td>$865</td>
<td></td>
</tr>
<tr>
<td>Fuel</td>
<td>74</td>
<td>146</td>
<td></td>
<td>220</td>
<td></td>
</tr>
<tr>
<td>Other Operating Costs</td>
<td>75</td>
<td>47</td>
<td></td>
<td>122</td>
<td></td>
</tr>
<tr>
<td>One-time Maintenance Costs</td>
<td>55</td>
<td>(55)</td>
<td></td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Debt Service Costs</td>
<td>528</td>
<td></td>
<td></td>
<td>528</td>
<td></td>
</tr>
<tr>
<td>Recovery Debt Service (RDC)</td>
<td>(98)</td>
<td></td>
<td></td>
<td>(98)</td>
<td></td>
</tr>
<tr>
<td><strong>Total Operating Expenditure</strong></td>
<td>$515</td>
<td>$1,189</td>
<td>$(67)</td>
<td>$0</td>
<td>$1,637</td>
</tr>
<tr>
<td>Revenue</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>U-Pass fee revenue</td>
<td>$176</td>
<td>$353</td>
<td></td>
<td>$529</td>
<td></td>
</tr>
<tr>
<td><strong>Total Operating Revenue</strong></td>
<td>$176</td>
<td>$353</td>
<td>$0</td>
<td>$0</td>
<td>$529</td>
</tr>
<tr>
<td><strong>Net Regional Levy</strong></td>
<td>$339</td>
<td>$836</td>
<td>$(67)</td>
<td>$0</td>
<td>$1,108</td>
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</table>
### Capital ($000s)

<table>
<thead>
<tr>
<th></th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Expenditure</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Buses (9)</td>
<td>$4,500</td>
<td></td>
<td></td>
<td></td>
<td>$4,500</td>
</tr>
<tr>
<td><strong>Total Capital Expenditure</strong></td>
<td>$4,500</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$4,500</td>
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<tr>
<td><strong>Sources of Financing</strong></td>
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<td></td>
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<td></td>
<td></td>
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<tr>
<td>Debentures (Levy + RDC)</td>
<td>$4,500</td>
<td></td>
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<td>$4,500</td>
</tr>
<tr>
<td><strong>Total Capital Financing</strong></td>
<td>$4,500</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$4,500</td>
</tr>
</tbody>
</table>

### Staff Requirements (FTE)

<table>
<thead>
<tr>
<th></th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Permanent Staff</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transit Operators</td>
<td>9.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maintenance Staff</td>
<td>1.5</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Temporary Staff</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Admin. Support (temporary)</td>
<td>1.0</td>
<td>(1.0)</td>
<td>0.0</td>
<td>0.0</td>
</tr>
<tr>
<td><strong>Total Staff Requirement</strong></td>
<td>11.5</td>
<td>(1.0)</td>
<td>0.0</td>
<td>0.0</td>
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</table>

### Performance Measures

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<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
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</thead>
<tbody>
<tr>
<td>Revenue Service Hours per Capita (service area)</td>
<td>1.33</td>
<td>1.42</td>
<td>1.47</td>
<td>1.54</td>
</tr>
<tr>
<td>Ridership per Capita (service area)</td>
<td>39.4</td>
<td>42.1</td>
<td>43.5</td>
<td>42.0</td>
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<tr>
<td>Annual Service Hours</td>
<td>605,000</td>
<td>624,018</td>
<td>640,620</td>
<td>669,408</td>
</tr>
<tr>
<td>Annual Ridership (millions)</td>
<td>19.7</td>
<td>21.3</td>
<td>22.0</td>
<td>21.6</td>
</tr>
</tbody>
</table>

### Council Decision

The Budget Issue Paper was approved as submitted.